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House of Representatives

The House met at 10 a.m.

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:

Lord God, who speaks wisdom to the brokenhearted and heals the wounds of nations, when any of us comes to an impasse and becomes paralyzed with fear or confusion, by prophetic call You bid us to turn to You with renewed faith.

Lord, speak Your word and help leaders of government and judges in courts to look beyond self-interest as if this were the path for another's good. And, while in dialogue, seeking the full circumference of facts, let a new light arise in their midst which draws all to a deeper common ground which will grant a surface of security in truth and pave a course to justice and peace, which always reflects Your image and will last now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. KUCINICH 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 PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. G. Timothy Saunders, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to ten 1-minutes on each side.

REPUBLICANS UNDER INVESTIGATION

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

Mr. EMANUEL. Madam Speaker, the list of Republicans under investigation or resigning in this administration in disgrace keeps growing. This morning, The Washington Post reported Julie A. MacDonald, the deputy assistant Secretary of the Interior Department, resigned, just as she was being investigated for changing scientific reports to protect the interests of oil and gas companies and real estate developers, all the people she was supposed to be actually holding accountable. I wish this was an isolated case in the Bush administration.

This morning, The New York Times reported the Department of Commerce Inspector General faces three separate investigations in conduct of his office. Scott Block, the special counsel of the Justice Department, is being investigated for the management of his office. Lucita Doan at the GSA is being investigated for politicization of the office. Monica Goodling of the Justice Department resigned. Sue Ellen Wooldridge at Justice stepped down. Matteo Fontana at the Department of Education has stepped aside. David Safavian at OMB has been prosecuted. Stephen Giles at the Interior Department had to step down. All have had their conduct scrutinized while in their professional office.

It is time, in fact, and justifies why this Congress is doing its job of oversight and accountability, and bringing people's professional conduct in order.

PARTIAL-BIRTH ABORTION BAN

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

Mr. MCHENRY. Mr. Speaker, I rise to join with millions across our Nation who applaud the Supreme Court's recent decision to uphold the ban on partial-birth abortion. Partial-birth abortion is unrivaled in its gruesome brutality. There is no question it has caused the vicious destruction of viable, living, breathing babies whose only crime is inconvenience.

The court's decision is a victory in the quest to restore the dignity of human life. No longer will the most vulnerable and innocent among us be subject to such cruelty as partial-birth abortion.

It is also a victory for the Constitution, Mr. Speaker, which liberal activist judges have demeaned for far too long. It is encouraging to see the court's decision move towards our Founders' vision, a vision rooted in the commitment to not only protect, but to also respect human life.

While this is a step forward, it is only one victory in the longer struggle to assure that the abolition of abortion altogether is achieved. Let us never forget our responsibility to hold the basic sanctity granted to us by our Maker.

H.R. 1234

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

Mr. KUCINICH. The President's veto will stand, but now what will we stand for?

We say we want the war to end, but will we give the President the money to continue the war? We say we want our troops home, but will we continue to support the occupation? We know that U.S. contractors have been stealing from U.S. taxpayers and the Iraqi

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government, but will we leave our troops in Iraq to protect them? We know oil has had a lot to do with this war, but will we let this President get away with attempting to privatize Iraq's oil wealth in the name of reconciliation?

We can still change course. We can deny the administration funds to continue the war. We can bring our troops home. We can stabilize Iraq with an international security force once we end the occupation. That is exactly what H.R. 1234 is about, and it is time that we started to look for alternatives which reflect this Nation's highest aspirations.

RUSSIA

(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, anyone who was alive at the time will always remember the collapse of the Berlin Wall.

With the Soviet bloc crumbling, the western world rejoiced as freedom spread to populations once thought hopelessly in the grip of Communist oppressors. There was reason to believe that the Soviets' brutal form of tyranny was over forever.

Unfortunately, recent actions seem to be giving new life to old Communist ghosts. Police squads crushing the Kremlin's dissenters, advocates of freedom and transparency silenced, cultural figures detained.

Mr. Speaker, the recent backsliding in Russia should be cause for alarm for all freedom loving people. As the Kremlin's power expands, freedom for the Russian people shrinks. This was wrong during the Cold War and it is wrong now.

It is time that the free nations of the world take a stand against this trend and start demanding more from Mr. Putin and Russia's leaders.

ARMY SPECIALIST ERVIN CARADINE, JR.

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

Mr. COHEN. Mr. Speaker, I want to talk about a gentleman who was Army Specialist Ervin Caradine, Jr.

Mr. Caradine would have been 36 years old today if he had lived. He was from my hometown of Memphis, Tennessee where we have lost nine veterans. He joined the Army to provide a better life for his family. He had graduated from Fairley High School and worked his way up to being a manager at the Steak-Out Restaurant in Memphis. He had a wife and he had four children.

Three years ago to this day, Army Specialist Ervin Caradine, Jr., died. He was in a convoy in Baghdad that was hit by an IED 3 years ago. Three days before his death, he called his wife and she said there was a change in his voice. He said, ''It's getting worse over here, it's not getting better.''

Since then, nearly 3,000 more soldiers have died. Army Specialist Ervin Caradine, Jr., said something 3 years and 3 days ago that is still true: It's getting worse over here, it's not better.

Let's not have more deaths.

CONTINUE TO TAKE THE FIELD

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

Mr. SHIMKUS. Mr. Speaker, imagine my beloved St. Louis Cardinals were playing the much-despised Chicago Cubs. The Cardinals are up by five, finishing the top of the ninth. Is this a cause for celebration? Is this a cause for victory? No.

Unbelievable as it may seem, the Cubbies score five runs in the bottom of the ninth to throw the game into extra innings. There, the score remains until 1 a.m., five innings later. However, at the top of the 15th, the Cardinals fail to field a batter. The entire team has left the stadium. It seems that they are more worried about next day's 1 p.m. game at home than finishing the game at hand.

Who wins? We know, it's the team that stays on the field. Arbitrary deadlines and a date certain accept defeat before the conclusion of the contest. It is in our national security interest to continue to take the field and support a moderate Arab state. Leaving prior assures a loss for us and a victory for our opponents, which will lead to another extremist Islamic state.

''THE PRESIDENT CANNOT VETO REALITY''

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

Mr. DOGGETT. Mr. Speaker, the President can veto our plan for a safe and orderly phased redeployment from Iraq, but he cannot veto reality. Our troops are coming home, it's just a question of how much blood and money will be spent before they do.

If the President had listened to the generals, we would never have invaded Iraq in the first place. Each day of this unnecessary tragedy demonstrates the wisdom of General Schwarzkopf's warning that we would become ''like [a] dinosaur in a tar pit.''

Had he listened to the generals, the President would have deployed enough troops to get the job done. But instead, he rejected the advice of General Shinseki, and allowed the violence to spiral, and unguarded weapon heaps became IEDs.

If the President had listened to the generals, he would now be redeploying our troops instead of sending more, inadequately protected, for longer, repeat tours of duty.

Had the President listened to the generals, our veterans would be getting the quality care that they have earned and they deserve.

But in this Administration, generals who disagree with the President earn a new title: Retired.

CONYERS-KIRK HATE CRIMES LEGISLATION

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

Mr. KIRK. Mr. Speaker, I rise in support of the Conyers-Kirk Local Law Enforcement Hate Crimes Prevention Act. We know that a hate crime can ignite group-on-group violence that can completely overwhelm a small suburban police department.

In 2005, the FBI recorded 7,000 hate crimes in our country, 168 in the State of Illinois, and two in my congressional district, one in Wheeling and one in Palatine.

For us, we remember a tragic night in 1999 when Benjamin Smith, a member of a white supremacist group, gunned down the Northwestern University basketball coach in front of two kids. Why? Because he was black. Smith then continued his hunting spree, shooting Orthodox Jews coming home from synagogue, and spraying bullets at an Asian couple driving home in Northbrook.

These were hate crimes, crimes designed to tear a community apart, crimes designed to commit and isolate and stigmatize others because of the color of their skin or the religion they practice.

I urge my colleagues to back the Hate Crimes bill.

□ 1015

FOUR YEARS AGO IT WAS MISSION ACCOMPLISHED BUT NOW IT'S THE NEVER-ENDING MISSION

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

Mr. SARBANES. Mr. Speaker, yesterday Congress sent the President an emergency supplemental bill that provides our soldiers and our veterans everything the President asked for and more. It was a bill supported by the American people, this Congress and military experts who believe it is time to change the course of the war in Iraq. The President's response? A veto.

The President's action last night shows not only his stubbornness and his inability to work with others, it also demonstrates that he simply refuses to change the status quo.

The President refuses to give our troops, this Congress, or the American people any timelines as to when this war will end or under what conditions he would finally bring our troops home.

Mr. Speaker, the President says that things are getting better in Iraq, but that's simply not true. Last month was

one of the deadliest months for American troops in Iraq. One hundred four soldiers were killed.

It's time for a new course. It's time for the President to sit down and work with this Congress so we can finally produce the change that will end this war.

PASS A CLEAN IRAQ EMERGENCY SUPPLEMENTAL

(Mrs. BACHMANN asked and was given permission to address the House for 1 minute.)

Mrs. BACHMANN. Mr. Speaker, last night the President did what he said he was going to do for weeks now. He vetoed the Democrat supplemental that was loaded with pork, tied the hands of our generals on the ground and provided the enemy with an ill-conceived exit strategy.

As the President said last night, Mr. Speaker, ''Congress passed a bill that substitutes the judgment of politicians for the judgment of our military commanders.'' I couldn't agree with him more, and that's why I opposed this supplemental, and that's exactly why he vetoed it.

We must not, as a nation, be invested in defeat. Again, I repeat, we must not, as a nation, be invested in defeat. Unilateral surrender may be the Democrats' plan, but it will not lead to a safer America.

Now that the veto has taken place, it is simply unacceptable for the Democrat leaders to delay any further the funding that our American troops deserve. Let's pass a clean Iraq supplemental.

IRAQ TIMETABLE AND FUNDING

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

Mr. BRALEY of Iowa. Mr. Speaker, even after losing 3,200 American lives and spending billions of taxpayer dollars since declaring ''Mission Accomplished'' 4 years ago, the Bush administration continues to demand an open-ended commitment of American troops in Iraq. Yesterday President Bush refused to change the course when he vetoed a bill that was supported by Congress, retired military generals and the American people.

This Democratic Congress put forth a plan for a responsible end to the war consistent with our national security needs.

Even Secretary of Defense Gates himself reiterated last month that congressional debate was helpful. He delivered the message to the Iraqi Government that the clock is ticking on U.S. operations there. President Bush's veto yesterday lets the Iraqi Government off the hook and shows the President plans to keep our troops there indefinitely.

Mr. Speaker, the days of rubber-stamping the President's war proposals are long over. The President is going to have to learn to work with the Democratic leadership on this Congress so that we can find a way out of Iraq soon, and so we can provide our troops with the resources they need.

IRAQI SURRENDER GROUP

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

Mr. POE. Mr. Speaker, now that the media sideshows and the press conferences are over for the Iraqi Surrender Group, and the President vetoed the day of surrender bill yesterday, and properly so, Congress needs to get on about the business of funding our troops. Failure to fund our troops not only will affect our troops there, but it will affect the Iraqi security forces, the National Guard, and, of course, our Reserves.

That first bill may have funded some of the troops, but it had the pork and beans provision, $26 billion for the shrimp industry, the peanut farmers and the spinach farmers. Eliminate that and eliminate the day of surrender provision in that bill. Have a clean bill to support our troops. No more complaining. Send them the money they need.

This reminds me of the same problem that General Stonewall Jackson had with the Confederate Congress when they were complaining about the war. He said, ''Send more troops, not more questions.''

And that's just the way it is.

A REMEDY FOR CHAOS AND CONFUSION

(Ms. SHEA-PORTER asked and was given permission to address the House for 1 minute.)

Ms. SHEA-PORTER. Mr. Speaker, yesterday President Bush called the timetable a ''prescription for chaos and confusion.'' That timetable was a responsible road map out of Iraq.

The President has caused chaos and confusion for 4 long years, replacing one general after another when the general disagrees with the policy.

What has the President given us? He's given us the largest deficit in history. He's cut back from domestic programs to pay for this war. He's weakened our military. Eighty-eight percent of the National Guard is not prepared to go to war. The Army is strained to a breaking point.

He's neglected our own people, and he has destroyed Iraq's economy, their social fabric. People are leaving Iraq, fleeing from the chaos the President has caused for 4 long years.

We had a responsible road map. The President should have signed it.

WE HAVE A CHOICE

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

Mr. PRICE of Georgia. Mr. Speaker, yesterday the majority party sent a plan for failure in the war on terror to the President, and the President did the right thing. He sent it right back.

It's now time for Congress to pass a funding bill that supports our troops and doesn't undermine their mission. The political maneuvering done by the majority over the last 2½ months has done nothing, nothing, but delay the delivery of tools and resources to our troops in the field, while outlining a very specific and dangerous blueprint for defeat.

Let's stop wasting time. Let's stop trying to rewrite the Constitution and the role of the Commander in Chief.

We have a choice. The majority can continue to play these partisan games, or we can get down to work. We have that choice. The brave men and women in our Armed Forces do not. Let's honor their sacrifice with leadership rather than political partisanship. The American people are watching, and so are our allies and our enemies around the world. We have a choice.

PRESIDENT BUSH'S FAILURES IN IRAQ AND THE NEED TO CHANGE THE DIRECTION OF THE WAR

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

Mr. SIRES. Mr. Speaker, 4 years yesterday, President Bush sent a strong message to the American people, to our troops, and to the world, that our mission in Iraq was accomplished. Can you imagine that?

Four years later it is clear that this was just one of the many miscalculations on Bush's administration's part. Over the past 4 years, we have lost more than 3,000 additional troops, tens of thousands more have been severely injured, and hundreds of billions of U.S. taxpayers' dollars have been spent. Now a dangerous civil war is being waged with no end in sight.

The American military did its job. Military experts agree that there is no military solution to the war in Iraq. That is why this Congress approved an emergency supplemental bill last week that sent a strong message to the Iraqi Government that this is the time to get their political house in order. American troops are not going to be there indefinitely.

Mr. Speaker, President Bush was wrong 4 years ago. He's wrong now as he vetoes this bill. It is time for the President to work with this Congress to come up with a plan to end this war.

AMERICA'S DEPENDENCE ON FOREIGN OIL

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

Mr. WALBERG. Mr. Speaker, one of the greatest national liabilities is our overwhelming dependence on Middle Eastern oil, and the men and women of

south central Michigan continue to stress to me the importance of diversifying our Nation's energy portfolio and advancing cleaner-burning, homegrown, renewable energy sources.

This week I will introduce legislation, the Energy Independence through Bio-Diesel Act, that will continue the process of moving our country towards energy independence.

Creating a national standard for biodiesel will encourage the technology and economies of scale necessary to make America the leader in renewable sources of energy.

The Energy Independence through Bio-Diesel Act would create a 2 percent standard for bio-diesel and amend the Clean Air Act to require that within 5 years all diesel fuel sold contains a 2 percent industry average.

Fifty-five billion gallons of diesel were consumed in 2005, and a 2 percent standard would create a 1.1-billion-gallon market. This standard will help spur the necessary investments in facilities and technological advancements needed in this alternative fuel industry.

I urge my colleagues to commit to diversifying our energy supply and lessen our dangerous dependence on foreign energy by supporting the Energy Independence through Bio-Diesel Act.

PRESIDENT BUSH'S VETO

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

Mr. WALZ of Minnesota. Mr. Speaker, 4 years ago today, President Bush landed for a photo opportunity on an aircraft carrier in front of a banner that said ''Mission Accomplished'' and declared an end to major combat in Iraq. Four years later this President refuses to even discuss the reality of a military mission that has entered its fifth year.

Yesterday the President vetoed only the second bill that has ever come to his desk. He called it a ''prescription for chaos and confusion.'' I ask, how is that different from what we have now? He refuses to even hold the Iraqis accountable for making political, economic or diplomatic reforms that he promised and they promised to make. He's holding up funding for our troops and for our veterans.

But what exactly is the President waiting for? Now that the President has rejected our legislation, he has the responsibility to tell the American people how many more years does he expect us to stay. Do you think it will be 5? Maybe 10? And what exactly do the ground conditions look like in order to have us beginning to withdraw? Wishful thinking, political talking points and rigid ideology do not make good foreign policy.

This President was wrong when he declared an end of combat operations, and he has been consistently wrong about every single thing in Iraq. It's time that this President works with the new Congress, elected by the majority of the American people, so that we can bring about a change to this war and truly secure America.

STOP THE POLITICAL GAMES

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

Ms. FALLIN. Mr. Speaker, this is a difficult time for our Nation. We are all war weary. We are all heartbroken over any loss of life, and we are all concerned about the cost of the war.

All Americans, Republicans, Democrats, and, yes, the President, want this war over as soon as possible. It's time to stop the political games and put the needs of our men and our women defending our Nation first.

The people of America want a solution to bring the troops home, but not at the expense of jeopardizing the safety and the future of our Nation. As a Nation, we must make a strong commitment and a declaration to the world that the United States will defend itself and will not tolerate terrorism, nor will we coddle terrorists or surrender or appease them.

The Commander in Chief vetoed a bill which sought to micromanage the war on terror, tie the hands of our generals, and provide a surrender date to the enemies. Congress must uphold the President's veto, set aside the cut-and-run attitude, the loser attitude, for good.

Where is the pride for the defense our Nation, the liberty and the freedoms that thousands of men and women have given their lives for in earlier years?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. MCNULTY). The Chair would remind guests in the gallery that any expression of favor or disfavor for what is said on the floor is a violation of the rules.

THINGS ARE GETTING WORSE IN IRAQ AND PRESIDENT BUSH IS NOT WILLING TO TAKE THE WAR IN A NEW DIRECTION

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

Mr. PAYNE. Mr. Speaker, over this past weekend, five more American soldiers were killed in Iraq, bringing the number killed in April to over 100 U.S. soldiers. It was the deadliest month for American soldiers this year. Sadly, the total number of Americans killed now stands at 3,351, along with thousands of innocent Iraqi men, women and children.

The realities on the ground that our brave soldiers continue to face day in and day out stand in stark contrast to President Bush's pronouncement 4 years ago that major combat operations in Iraq were over.

If major operations were over 4 years ago, what have our troops been fighting the last 4 years? If indeed our mission was accomplished 4 years ago, as the banner behind the President on that aircraft carrier proclaimed, what are American troops still doing in Iraq?

If the President truly wants to bring our mission to a just conclusion, he should work with Congress instead of simply vetoing our funding bill as he did. It's now up to the President to decide if he will support accountability for Iraqis, benchmarks for success, and new direction in Iraq, for we cannot stay this course.

□ 1030

H.R. 2027, THE MILITARY PAY IMPROVEMENT ACT

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

Mr. BILIRAKIS. Mr. Speaker, under current law, military pay rates must be reasonably comparable to those in the private sector with similar skills, education, and experience.

Unfortunately, due to budgetary constraints over the years, the military pay increase has not always met this criteria and a ''pay gap'' was created. This gap is not only unfair to our brave men and women in uniform. It also has raised retention and readiness concerns.

For this reason, I have introduced H.R. 2027, the Military Pay Improvement Act, which would give them a minimum 3.5 percent pay raise.

Our Nation's brave men and women in uniform have fought gallantly to ensure the continued safety, security, and prosperity of this great Nation. I believe it is unacceptable that we task these men and women with extraordinary responsibilities especially, during wartime, and cannot compensate them accordingly. The debt we owe them for their sacrifices can never be repaid. However, my bill will take a small step in the right direction to show our appreciation for their valor.

I urge all my colleagues to cosponsor the bill.

COMMUNICATION FROM HON. JOHN A. BOEHNER, REPUBLICAN LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable JOHN A. BOEHNER, Republican Leader:

HOUSE OF REPRESENTATIVES,
May 1, 2007.

Hon. NANCY PELOSI,
Speaker, U.S. Capitol,
Washington, DC.

DEAR SPEAKER PELOSI: Pursuant to clause 5(a)(4)(A) of rule X of the Rules of the House of Representatives, I designate the following Members to be available for service on investigative subcommittees of the Committee on Standards of Official Conduct during the 110th Congress:

The Honorable ROB BISHOP
The Honorable MARSHA BLACKBURN
The Honorable ANDER CRENSHAW
The Honorable LINCOLN DIAZ-BALART
The Honorable PHIL ENGLISH
The Honorable TOM LATHAM
The Honorable FRANK LUCAS
The Honorable SUE MYRICK
The Honorable MIKE SIMPSON
The Honorable GREG WALDEN

Sincerely,

JOHN A. BOEHNER,
Republican Leader.

PROVIDING FOR CONSIDERATION OF H.R. 1867, NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2007

Ms. MATSUI. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 349 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 349

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. 1867) to authorize appropriations for fiscal years 2008, 2009, and 2010 for the National Science Foundation, 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 except those arising under clause 9 or 10 of rule XXI. 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 Science and Technology. 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 Science and Technology now printed in the bill. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 9 or 10 of rule XXI. 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 portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. 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.

SEC. 2. During consideration in the House of H.R. 1867 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from California (Ms. MATSUI) is recognized for 1 hour.

Ms. MATSUI. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Washington (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.

GENERAL LEAVE

Ms. MATSUI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H. Res. 349 and insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. MATSUI. Mr. Speaker, this rule permits the House to consider the National Science Foundation Authorization Act of 2007. This important legislation will be considered under an open rule with a preprinting requirement, allowing any Member to submit changes or improvements to the bill.

Chairman GORDON, Chairman BAIRD, Ranking Member HALL, Ranking Member EHLERS, and the Science and Technology Committee have put together an excellent product, and I look forward to an open and constructive debate.

I am proud that today's debate will shine a light on the National Science Foundation. The National Science Foundation is truly one of the Federal Government's greatest accomplishments. It features a rich tradition that has supported talented young investigators, made America the world leader in basic science and innovation, and laid the groundwork for the Nation's economic strength.

This reauthorization also represents another important step in the implementation of the innovation agenda. By boosting scientific research and development, moving the Nation toward a clean energy economy, promoting broadband deployment, and supporting small business entrepreneurs, the innovation agenda will keep our promise to maintain and strengthen America's competitiveness and leadership in the global economy.

At present the National Science Foundation supports research and education activities at over 2,000 universities colleges, K–12 schools, and research institutions throughout the country. It is unique among our Federal research enterprises in that NSF supports scientists and engineers across all disciplines.

In a given year, NSF will support about 200,000 scientists, engineers, teachers, and students. That is why NSF has led to groundbreaking research in such varied fields as genetics, computer science, information technology, nanotechnology, and climate change.

By way of example, in my district, NSF funds the UC Davis Center for Biophotonics Science & Technology. The center features dynamic and innovative research that harnesses light to facilitate revolutionary advances in biomedical science. The potential applications for medical research and treatment are groundbreaking and will offer hope to thousands of our constituents. That is the kind of research NSF supports.

I would also like to point out that NSF resources are distributed on a competitive peer review basis; so an objective process allows for only the most worthy proposal to receive funding. This is the best kind of investment the Federal Government can make because the return on this investment is tremendous. By stimulating innovative research, we create educational opportunities for promising students and drive cutting-edge research throughout the country. There is no better way to fuel the economy and create quality jobs. That is why the National Science Foundation has broad and bipartisan support in Congress.

This reauthorization provides $21 billion at NSF for fiscal years 2008 through 2010. In doing so, it keeps us on the path to double the National Science Foundation funding by 2017. This was a key recommendation of the highly respected National Academy's report on U.S. competitiveness, ''Rising Above the Gathering Storm.'' And this boost is urgently needed, since today NSF can only fund about a quarter of the grant proposals that are submitted.

The bill also creates a pilot program targeted at new investigators so we can bring more talented young people into scientific research fields, and it directs NSF to facilitate public-private partnerships, a proven method to leveraging Federal investment and bolstering American competitiveness.

Finally, this reauthorization bill is on the Agency's legacy of promoting math and science education by including the provisions of H.R. 362, the 10,000 Teachers, 10 Million Minds Math and Science Scholarship Act, which the House passed last week.

With that, I thank the Science Committee once again for this excellent legislation. I look forward to a robust debate on this bill, and I hope we can work with the Senate to get it on the President's desk in short order.

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

Mr. HASTINGS of Washington. Mr. Speaker, I thank the gentlewoman from California for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

(Mr. HASTINGS of Washington asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Washington. Mr. Speaker, the National Science Foundation plays an important role in making sure that our Nation is a global leader in the fields of science and engineering. This Federal agency provides critical support for researchers, educators, and students in science, technology, engineering, and mathematics. Specifically, Federal support allows American

scientists to pursue high-risk, high-return fields that increase our Nation's competitiveness and scientific knowledge, and it ensures we are able to attract the brightest minds to our colleges and universities.

One area in which the National Science Foundation is supporting U.S. leadership in the sciences is in the Laser Interferometer Gravitational Wave Observatory Program, or ''LIGO'' for short. The LIGO program, which operates an observatory in Central Washington in my district, is trying to detect for the first time the existence of gravitational waves, which have been sought by physicists around the world since they were theorized by Albert Einstein. Their discovery would lead to a greater understanding of the makeup of the universe and would help solidify our Nation's lead in the field of physics and astrophysics.

The President's fiscal year 2008 budget provides for the expansion of LIGO and nearly doubles funding available for the LIGO Hanford Observatory to allow for more advanced research. I am pleased that the National Science Foundation Authorization Act supports this proposed expansion.

The LIGO program is not only an important investment in our Nation's science capability, but it also has been an instrument of learning for local communities. The LIGO's Hanford Observatory was recently awarded one of the first ever Science Education Advocate Awards by the Washington State Leadership and Assistance for Science Education Reform, a partnership of public schools and science institutions. LIGO is an excellent example of the National Science Foundation's dedication to funding world-class research while also helping to grow students' interest in the sciences.

Mr. Speaker, if America is to continue to lead the world in science and the pursuit of knowledge, funding for the National Science Foundation is essential. The underlying legislation authorizes the National Science Foundation for 3 years at strong levels needed to maintain and strengthen research through the foundation.

But, Mr. Speaker, I am once again disappointed that the Democrat majority has once again missed an opportunity to provide consideration for the National Science Foundation Act under an open rule that would allow all Members of the House to come to the floor and offer an amendment during consideration of the bill. The National Science Foundation was last authorized in 2002, and at that time, the Republican majority allowed the bill to be considered under a truly open rule. I am disappointed that the Democrat majority has pledged a new era of openness but so far has not lived up to their commitment. Instead, it frankly has tried to change the definition of what an open rule is.

Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

□ 1045

Ms. MATSUI. Mr. Speaker, I am very much looking forward to the upcoming debate on the National Science Foundation reauthorizing that this rule allows. In discussing the various programs and initiatives at NSF, we will demonstrate how the Federal Government can strategically and effectively drive scientific discovery and innovation.

The importance of the National Science Foundation and its mission must not be underestimated. While America has been blessed with abundant natural resources and defensible borders, it is the innovative spirit of our citizens that has driven this Nation's leadership in the global economy.

Throughout our history, we have been willing to experiment, to take risks, to constantly redefine what is possible. That tradition has given us a competitive advantage over other countries that has created prosperity for the Nation, improving the quality of life for all our constituents.

As Members know well, our leadership in the global economy is at risk today. While we face rising threats from countries like India and China, we have also failed to make the necessary investments in education, science, and research and development to maintain the foundation of knowledge that has served us so well in the past.

This NSF reauthorization takes great strides to remedy that neglect. Most importantly, by committing to double NSF funding over the next 10 years, we demonstrate that ensuring the Nation's competitiveness is of the highest priority.

As the House continues to consider items from the innovation agenda, the importance we place on competitiveness will be demonstrated again and again.

With that, I look forward to today's debate and continuing to move forward on measures like this one that will bolster innovation and competitiveness.

I urge a ''yes'' vote on the previous question and on the 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 resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF H.R. 1868, TECHNOLOGY INNOVATION AND MANUFACTURING STIMULATION ACT OF 2007

Ms. SUTTON. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 350 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 350

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. 1868) to authorize appropriations for the National Institute of Standards and Technology for fiscal years 2008, 2009, and 2010, 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 except those arising under clause 9 or 10 of rule XXI. 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 Science and Technology. 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 Science and Technology now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 9 or 10 of rule XXI. 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 except those arising under clause 9 or 10 of rule XXI. 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.

SEC. 2. During consideration in the House of H.R. 1868 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

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

Ms. SUTTON. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Texas (Mr. SESSIONS). All time yielded during consideration of the rule is for debate only.

I yield myself such time as I may consume, and I also ask unanimous consent that all Members be given 5 legislative days in which to revise and extend their remarks on House Resolution 350.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Ms. SUTTON. Mr. Speaker, House Resolution 350 provides for consideration of H.R. 1868, the Technology Innovation and Manufacturing Stimulation Act of 2007, under a structured rule.

The rule provides 1 hour of general debate to be controlled by the chairman and the ranking minority member of the Committee on Science and Technology.

The rule makes in order five amendments printed in the Rules Committee report, each with 10 minutes of debate. The rule also provides one motion to recommit with or without instructions.

Mr. Speaker, I speak today in support of House Resolution 350 and H.R. 1868, the Technology Innovation and Manufacturing Stimulation Act of 2007, a bill which provides essential funding to the National Institute of Standards and Technology for the next 3 fiscal years.

The United States Commerce Department's National Institute of Standards and Technology strives to promote U.S. innovation and industrial competitiveness through the advancement of measurement science, standards and technology. Through numerous individual laboratories, the NIST makes important scientific contributions to numerous scientific fields, from building and fire research to computer security to biotechnology.

This bill will enhance the important mission, putting the NIST on a path to double its budget by the year 2017. With this additional funding, the NIST will continue to make important contributions to public safety, industrial competitiveness and economic growth.

This bill also allocates funding for the Manufacturing Extension Partnership, also known as MEP. These MEP programs leverage Federal, State, local and private investments to stimulate new manufacturing processes and technologies. These new processes and technologies are a key component for ensuring that American manufacturers have the tools to compete effectively and efficiently against overseas manufacturers.

The MEP program has proven remarkably effective in my home State of Ohio, where small and midsize manufacturers face limited budgets, in-house expertise and access to the newest technologies. MEP assistance providing training, expertise and services tailored to the critical needs of Ohio's small and midsize manufacturers have made a big difference. Through this assistance, manufacturers in Ohio have increased productivity, achieved higher profits and remained competitive by providing the latest and most efficient technologies, processes and business practices.

In 2006, as a direct result of MEP assistance, my State enjoyed over $150 million of new investment and over $500 million in increased or retained sales. Companies in Ohio participating in the MEP reported cost savings of over $100 million. Through the continued funding of this vital program, we can bring these vast benefits to even more small manufacturers across the country.

Finally, and very importantly, this bill allocates funding for the new Technology Innovation Program, which funds high-risk, high-reward, precompetitive technology development by small and medium-sized companies. The goal of this program is to accelerate the development of technologies that will have a broad economic impact on our technology market.

Harvard Professor Daniel Bell once said that ''Technology, like art, is a soaring exercise of human imagination.'' It is through the National Institute of Standards and Technology, the Manufacturing Extension Partnership and the Technology Innovation Program that technology is given the wind that it needs to soar. Even more importantly, through this bill, small and midsize manufacturers will be given the support they need to compete with larger competitors in overseas businesses.

This bill will not only provide assistance to American companies, like the 1,773 companies in Ohio that were helped by the Manufacturing Extension Partnership, but it will also create a stronger and more vibrant American technology industry. This is a good bill, and it deserves our support.

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

Mr. SESSIONS. Mr. Speaker, I rise today in strong support of promoting technological innovation, bolstering the strength of our manufacturing industry and contributing to the overall global competitiveness of American business. However, I simply cannot support the closed rule process brought forward today by the Democrat majority that prevents all but one Republican amendment from being considered by the House.

This rule represents a substantial break with recent precedent because the last time that a comprehensive reauthorization of the National Institute of Standards and Technology was brought to the Rules Committee, the Republican majority provided the House with a completely open rule for its consideration. I know this, Mr. Speaker, because I had the privilege of managing that rule for our majority, and the Democrat minority position was then ably handled by the current chairman of the Rules Committee, my good friend Chairman LOUISE SLAUGHTER.

Unfortunately, Chairwoman SLAUGHTER seems to have forgotten the merits of providing the House with an open rules process because today the committee that she chairs has provided the House with a closed process, through a restrictive rule, not an open rule, even using the more lenient definition of an open rule currently being employed by the Democrat majority, which under Republican leadership was reserved for modified open rules.

I include for the RECORD a copy of this rule, H. Res. 474, which provided for the consideration of H.R. 2733, the Enterprise Integration Act of 2002, to remind the majority that NIST reauthorization is, in fact, possible to do under an open process.

H. RES. 474

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. 2733) to authorize the National Institute of Standards and Technology to work with major manufacturing industries on an initiative of standards development and implementation for electronic enterprise integration. The first reading of the bill shall be dispensed with. 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 Science. 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 substitute recommended by the Committee on Science now printed in the bill. Each section of the committee amendment in the nature of a substitute shall be considered as read. During consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII. Amendments so printed shall be considered as read. 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.

Despite my objection to the rule, I do want to support the underlying legislation which makes a number of positive changes to an institution with a long history of helping to keep America globally competitive.

Since its inception in 1901, the National Institute of Standards and Technology has worked diligently to achieve its mission of promoting U.S. innovation and industrial competitiveness by advancing measurement, science, standards and technology in ways that enhance economic security and improve the quality of life.

By focusing on its core mission of stimulating innovation, fostering industrial competition and competitiveness and improving quality of life, the NIST has become a valuable component in the ongoing struggle that the United States faces to remain globally competitive.

This legislation authorizes appropriations for NIST for the next 3 years, most notably doubling the Federal Government's investment in physical

science research, as proposed by President Bush's American Competitiveness Initiative. And this increased investment will yield real-world benefits across a number of diverse sectors, including developing performance standards for bullet-proof vests for our military and law enforcement, chemical and biological protection equipment for first responders, and measurement standards vital to leading-edge industries like nanotechnology and next-generation solar cells that will help America increase its energy independence.

This legislation strengthens oversight by requiring the NIST director to submit annual programmatic planning documents to Congress, ensuring that the NIST budget is spent on activities that meet the needs of American industry, and that the increased funds which the NIST is being entrusted with are spent wisely.

This legislation also takes steps to ensure the continued viability of the workhorses of the American economy, small and medium-size manufacturers.

□ 1100

By reauthorizing the Manufacturing Extension Partnership program, Congress will help countless domestic manufacturers to improve their manufacturing processes, reduce waste and to train workers to use new equipment.

Mr. Speaker, I do appreciate the work of Chairman BART GORDON and my good friend, the ranking member of the committee, the gentleman from Rockwall, Texas, Mr. RALPH HALL, for all of their hard work and bipartisan cooperation on this legislation.

Mr. Speaker, I include for the RECORD the Statement of Administration Policy for this legislation.

STATEMENT OF ADMINISTRATION POLICY

H.R. 1868—TECHNOLOGY INNOVATION AND MANUFACTURING STIMULATION ACT OF 2007, MAY 1, 2007

The Administration opposes House passage of H.R. 1868 in its current form. The bill conflicts with the administration's Research and Development Criteria by diverting funds from critical, high-return basic research to support subsidized management consulting activities and a Technology Innovation Program (TIP) modeled on the Advanced Technology Program that was proceeding toward termination last Congress, as the Administration has proposed for the past five years. These external commercial support programs would be authorized at a total of $223 million in Fiscal Year 2008, and would increase by more than 18 percent in FY 2009. The Administration does not support the level of funding or the focus and structure of the programs as currently reflected in the bill. The Administration recognizes that a Manager's Amendment may be offered that is intended to improve the bill by refocusing TIP awards on areas of national need. However, the bill still permits grants to large corporations, limits the role of universities and national laboratories, and does not target major societal challenges.

The Administration continues to believe that investing in basic research is a higher priority. Last year the President proposed doubling support for high-payoff physical science research in the National Institute of Standards and Technology (NIST), the National Science Foundation, and the Department of Energy's Office of Science over the coming decade as part of the American Competitiveness Initiative (ACI). Compared with the amounts required to double NIST's core research and facilities funding, H.R. 1868 provides $22 million less in FY 2008 than the President requested and authorizes less funding than the Administration recommends in FYs 2009 and 2010. Such investment in NIST's core measurement and standards capabilities has demonstrated a significant, and often exceptional, return to the economy. Studies commissioned by NIST to evaluate the economic impacts of its core standards activities generally show benefits far greater than costs—the benefit-cost ratio across 19 of these studies averaged 44:1, indicative of the great leveraging of NIST's work in the economy. The research funding increases for NIST proposed in the ACI have been broadly endorsed by the science community, most recently in the ''American Innovation Proclamation''—a package of targeted recommendations by America's business and higher education leaders.

The House bill would divert NIST resources from core basic research activities toward less meritorious industrial policy. The Administration urges the House to amend the bill to address these concerns.

But despite my support for the legislation's goals, I encourage my colleagues to oppose this rule, so that this legislation can be considered under an open rule process that gives every single Member of this body with a germane amendment an opportunity to come down to the floor and to make their case.

Mr. Speaker, the essence of what we are here to do today is to help America to become more competitive in the global process. By doing this, what we are saying is that by working with the NIST, it is a collaboration that the government has on behalf of and in particular for technology.

Technology is what ultimately will drive America well into this new century to make sure that we solve problems, problems that have existed. Maybe they are mathematical problems, perhaps they are problems of trying to get people to work with new equipment that they may have. But the technology angle and the ability that the Federal Government has to take a proactive stand on behalf of American competitiveness is the essence of this bill.

For a long time, we have spoken on this floor, Member-to-Member and as a body, about how important it is for America to understand the global competition that faces America. Today is an opportunity for us to come together here in this Congress to make sure that we are talking not only about that which will help America, but to continue something that we have been doing since 1901, and that is a government program that works well with the private sector to make sure that America is poised in its future to be prepared for what lies ahead.

Mr. Speaker, at this time, I would like to yield 8 minutes to the gentleman from Georgia, Dr. GINGREY.

Mr. GINGREY. Mr. Speaker, let me just thank my former colleague on the Committee on Rules, Mr. PETE SESSIONS, the gentleman from Texas. I realize as we get busy running from pillar to post around here, that he was in the process of wrapping up, and it is awfully kind of him to go kind of out of regular order and give me the opportunity, knowing how committed I am to this program, to take a few minutes. I appreciate so much that opportunity.

I do rise to support the underlying rule and the bill, H.R. 1868, the Technology Innovation and Manufacturing Stimulation Act of 2007. I want to take the opportunity to thank my chairman on the Subcommittee on Technology and Innovation, DAVID WU from the great State of Oregon, for incorporating into this bill the many suggestions and additions from our colleagues on both sides of the aisle, as well as the administration. The final legislation is a better product because of that, and, DAVID WU, I thank you so much.

Last year, with his American Competitiveness Initiative, President Bush provided a vision to maintain America's position in the global marketplace by actually doubling the investment in physical science research over the next 10 years. H.R. 1868 helps fulfill that mission.

Mr. Speaker, the purpose of this bill is to authorize appropriations for fiscal years 2008, 2009 and 2010 for the National Institute of Standards and Technology, NIST we know it as. It is an agency in the Department of Commerce and one of the three agencies highlighted by the President's American Competitiveness Initiative.

NIST has an annual operating budget of about $843 million. It operates in two locations. The headquarters, of course, are in Gaithersburg, Maryland, I have had a great visit there with Dr. Jeffrey, the Director. There is also the facility at the University of Colorado in Boulder.

NIST employs 2,900 scientists, engineers, technicians and administrative. These employees all play a critical role in this research, which enables cutting-edge technologies to make the leap from basic research into successful commercial products. NIST labs accomplish this goal by conducting research that supports United States technology infrastructure by developing tools to measure, evaluate and standardize processes and products in almost all industrial sectors.

For example, NIST labs develops performance standards for bulletproof vests, chemical and biological protection equipment guides for first responders, measurement standards vital to sustaining cutting-edge industries like nanotechnology, we are doing some great work at my alma mater, the Georgia Institute of Technology, on nanotechnology, and, of course, next generation solar cells.

The Technology Innovation and Manufacturing Stimulation Act codifies

the American Competitiveness Initiative by authorizing 3 years of the proposed 10-year doubling for NIST laboratories and construction budget. That indeed is exactly what the administration asked us to do. That is exactly what Chairman WU has done and the Science Committee has done.

H.R. 1868 also strengthens oversight of NIST programs by requiring the director to submit to Congress annual programmatic planning documents and requiring NIST's Technical Advisory Board to comment on those plans. This will ensure that the budget of NIST is spent on activities that meet the needs of American industry and that Congress is kept abreast of how NIST plans to use its increased funding.

Manufacturing is so fundamental, Mr. Speaker, to our Nation's economic vitality. Manufacturing jobs continue to pay more than the average U.S. salaries and they provide better benefits.

Mr. Speaker, a strong manufacturing base is so critical to U.S. economic competitiveness. H.R. 1868 supports small and medium-sized manufacturers by reauthorizing the highly successful Manufacturing Extension Partnership. I know every Member is enthusiastic about Manufacturing Extension Partnerships. We refer to them as MEPs. They are wonderful. They are great programs. They help businesses improve manufacturing processes, reduce waste, they train workers to use new equipment.

The MEP program receives one-third of its funding from the Federal Government, one-third from the States, and, yes, one-third from fees charged to the participating small businesses, these potential small business manufacturers. This MEP program has over 350 offices located in all 50 States and Puerto Rico. In my great State of Georgia, and again, I mention my alma mater, Georgia Tech, plays a critical role in successfully coordinating the efforts across the State for these MEP programs.

H.R. 1868 improves the MEP program by incorporating changes that have passed the House in both the 108th and 109th Congresses. These changes include the codification of an MEP advisory board, the establishment of grant programs to research and identify innovative manufacturing technologies and the formation of research fellowships.

I know my colleagues and I can all agree that small and medium-sized manufacturers are the workhorses of our economy. Their future depends on our ability to foster an innovative environment which will enable them to continue developing and adopting advanced technologies that allow them to remain competitive in the ever-increasing global marketplace.

Our country's current system of collaboration with university and national lab-based basic research is the best in the world. However, many experts agree that in the phase between science-based "inventions" and commercially viable "innovation," inefficiencies exist in our capital markets that contribute to the funding gap for early stage technology development.

Currently, the Advanced Technology Program at NIST provides cost-shared funding to bridge the technology development gap for research with potential to deliver widespread economic benefits that would likely not be developed because private sector capital is unavailable.

H.R. 1868 repeals the Advanced Technology Program, ATP, and establishes the Technology Innovation Program, TIP, which will award cost-shared grants to small and medium-sized businesses and joint ventures including universities to pursue high-risk technologies with potential significant broad benefits to the Nation.

The new Technology Innovation Program incorporates recommendations made by the Bush administration to improve and update the former ATP program to make it more effective in promoting technology transfer that will benefit our entire Nation.

Mr. Speaker, past ATP funding advanced technologies for the next-generation auto equipment and techniques including: robotic welding, ceramic coatings, and reinforced plastics as strong as steel. One project dramatically improved the fit of a car body's 300 stamped parts. This advancement may save consumers and automakers up to $650 million in annual maintenance costs.

Mr. Speaker, I again want to underline my whole-hearted support for the underlying legislation and urge my colleagues to do the same.

Mr. Speaker, let me just say that what we are doing here today in regard to the NIST program is so important to our economy. We worry about jobs. We worry on both sides of the aisle. We talk about that. Every month we look at the number of jobs that were created. It is a barometer that is watched so closely by the Members of Congress, both Republican and Democrat, and by the people back home.

This is really what this is all about, these kinds of programs. We can fight about a lot of things, but we shouldn't fight about funding the National Science Foundation and the NIST program and the Manufacturing Extension Partnership and anything like that, like last week when we passed those two bills to improve math and science education in this country.

We have to compete globally. Yes, we are in a shooting war in the Middle East and we want to give our soldiers an opportunity to win, but we need to give ourselves an opportunity to win this economic battle of the global economy, and that is what it is all about.

Mr. Speaker, I want to again underline my whole-hearted support for the underlying legislation. I urge my colleagues, as I know they will, to support it.

Ms. SUTTON. Mr. Speaker, I yield 5 minutes to the gentleman from Oregon (Mr. WU), the chairman of the Subcommittee on Technology and Innovation.

Mr. WU. I thank the gentlewoman.

Mr. Speaker, I rise in support of the rule for consideration of H.R. 1868, the Technology Innovation and Manufacturing Stimulation Act of 2007. H.R. 1868 is a bill which will bolster innovation and our manufacturing base and enhance national economic competitiveness.

The bill was ordered reported by a unanimous vote of the Committee on Science and Technology on April 25, 2007. The bill puts the National Institute of Standards and Technology, NIST, on a 10-year path to doubling as an investment in our innovation future.

H.R. 1868 is a comprehensive authorization bill for NIST's Scientific and Technical Research and Services, Industrial Technology Services and Construction Research Facilities accounts. NIST has not had a comprehensive authorization bill since 1992.

I want to highlight that H.R. 1868 is a bipartisan product of the Science and Technology Committee. I worked closely with Ranking Member HALL and with Dr. GINGREY. I want to thank Dr. GINGREY for coming to the floor and speaking on behalf of this bill and rule this morning. I worked closely with Dr. EHLERS in developing this legislation. They were original cosponsors of the bill.

We adopted several amendments at the subcommittee and full committee markup, and we have a stronger bill as a result of this bipartisan effort.

This bill has been endorsed by TechNet, the Alliance For Science & Technology Research in America, the American Small Manufacturers Coalition, the American Association of Universities, the National Association of State Universities and Land Grant Colleges and dozens of other organizations, companies and individuals.

Mr. Speaker, the Rules Committee has crafted an appropriate rule, and I would urge my colleagues to support the rule and the underlying legislation.

Mr. SESSIONS. Mr. Speaker, as you can see by the last two speakers, the gentleman from Georgia (Dr. GINGREY) and the gentleman from Oregon (Mr. WU), they have approached this subject not only in a bipartisan way, but with a genuine friendship to each other in trying to promote NIST as well as American competitiveness. I think this flows all the way to the top, where Chairman BART GORDON and ranking member RALPH HALL have worked very diligently on this. I think it is a good thing when we are able to work in the Congress on behalf of the American people, in this case for the NIST laboratories.

I would like to talk for just a minute, if I can, about more of what they do, because I think it is an interesting exercise to go through.

Between 3 and 6 percent of the U.S. gross domestic products is attributed to measurements and measurement-related operations that rely on the NIST for accuracy, reliability and for international recognition. The NIST X-ray standards and proficiency tests ensure proper radiation exposure levels in

more than 9,000 facilities that perform more than 30 million mammograms yearly.

The NIST Internet time services are being used by NASDAQ, a key component of our wonderful American system of financial integrity, for NASDAQ members to time stamp hundreds of billions of dollars worth of stock trades and other financial transactions that are conducted in business every single day.

The United States, for the last 35 years, has helped the Federal Bureau of Investigation, the FBI. During part of that time my father, for eight of those years, served as Director of the FBI.

□ 1115

The NIST helps improve the process of matching fingerprints found at crime scenes or collected from suspects with those that are on file. In cooperation with the American National Standards Institute, the NIST also developed a uniform way for fingerprint identification data to be exchanged between different jurisdictions and between scanning machines made by different manufacturers.

The Malcolm Baldridge National Quality Award, the Nation's highest honor awarded by the President of the United States to U.S. organizations for their performance excellence in quality achievement, is managed by the NIST, and the award criteria are used by thousands of companies, hospitals, and schools to improve their products and services all across the United States.

The total economic benefit of the NIST Baldridge National Quality Program, which receives only a small amount of Federal funding, is estimated at almost $25 billion for a stunning benefit-cost ratio of 207 to 1.

Mr. Speaker, we are talking about something that is a laboratory that all Americans can be proud of. I came from a research organization years ago in New Jersey where I had a chance to also work in a lab. This lab is an asset to America. But, Mr. Speaker, it is part of an overall comprehensive and complex way that the United States chooses to do business not only in this country, but also to lead the world.

I found it interesting that just a few weeks ago there was a report issued by the Financial Times, which is a newspaper that reports on international monetary circumstances, and it reported that now the 25-member EU countries have a combined GDP that equals that of the United States of America, 25 member countries from the EU. But if you read on, you see that they now have a combined GDP that equals the United States where we were in 1985.

America truly is the world leader. We are the world leader in commerce and activities that create better lives for people. The EU is struggling. They are struggling because of high taxes, rules and regulations, and a single-payer system in health care, those things that we here in the United States Congress also debate and talk about.

And because we have a chance to have something like the NIST as well as a free-enterprise system that is vibrant here in America, because we shut off the heavy rules and regulations, the heavy taxation, and those things that would be related to a single-payer system for health care, we have been able to move America economically in the world marketplace.

So Republicans today come to the floor in full appreciation and respect with our colleagues to say we want to continue what this lab does, but we are also asking for them at the same time to recognize that growing medium and small business, ensuring that America stays competitive, and, most importantly, that we are prepared for the future where our competitors might be is what really this Congress should be doing.

Today is a small piece, part, a component of that competitiveness model that will keep America going, and I am proud to be a part of that.

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

Ms. SUTTON. Mr. Speaker, it is time we put some teeth behind our rhetoric about helping our manufacturers and promoting innovation and industrial competitiveness. While there are many things that must be done on many different fronts to see real improvements, passing the Technology Innovation and Manufacturing Stimulation Act today is one very positive action we can take for manufacturers in Ohio and across the Nation.

It also tells those involved in measurement science, standards and technology, and those working to contribute to public safety, industrial competitiveness and economic growth that we are behind their efforts.

As I said earlier, when we support the National Institute of Standards and Technology, the Manufacturing Extension Partnership, and the Technology Innovation Program, we are not only talking the talk, we are walking the walk. For this reason, I urge a ''yes'' vote on the previous question and on the rule.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. SESSIONS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

PROVIDING FOR CONSIDERATION OF H.R. 1429, IMPROVING HEAD START ACT OF 2007

Ms. CASTOR. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 348 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 348

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. 1429) to reauthorize the Head Start Act, to improve program quality, to expand access, 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 except those arising under clause 9 or 10 of rule XXI. 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 Labor. 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 Labor now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived except those arising under clause 9 or 10 of rule XXI. 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 except those arising under clause 9 or 10 of rule XXI. 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.

SEC. 2. During consideration in the House of H.R. 1429 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to such time as may be designated by the Speaker.

The SPEAKER pro tempore. The gentlewoman from Florida (Ms. CASTOR) is recognized for 1 hour.

Ms. CASTOR. For the purpose of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. LINCOLN DIAZ-BALART). All time yielded during consideration of the rule is for debate only.

GENERAL LEAVE

Ms. CASTOR. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and insert extraneous materials into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

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

Mr. Speaker, House Resolution 348 provides for consideration of H.R. 1429, the Improving Head Start Act of 2007, under a structured rule.

The rule provides 1 hour of debate equally divided and controlled by the chairman and the ranking minority member of the Committee on Education and Labor. The rules waive all points of order against the bill except those arising under clauses 9 or 10 of rule XXI. The rule makes in order and provides appropriate waivers for 12 amendments, all contained in the committee report.

Mr. Speaker, for more than 40 years Head Start has served as the premier educational and developmental program for more than 20 million American children and families. Head Start works. It works because it is a well-researched, comprehensive initiative that combines children's educational needs with health care and parent outreach.

This comprehensive approach to child health, nutrition and learning is one of our best tools to tackle the achievement gap in education for children living in poverty across our Nation.

The achievement gap begins far before children enter elementary school. Head Start tackles the achievement gap through cognitive, social and emotional child development, each of which is a key contributor to entering elementary school prepared to succeed.

Today 20 percent of America's 12 million children under age 6 live in poverty. We know that a family's income level greatly affects their children's access to educational opportunities. The reality of poverty for so many children, unfortunately, is tied to low success rates in our classrooms. This is true in my home State of Florida. In my community in the Tampa Bay area, over 5,300 children currently are served by Head Start, but many thousands more are on waiting lists and are eligible.

They are on waiting lists because for so many years previous Congresses have failed to reenact Head Start, and the White House has proposed flat-line budgets, so our kids merely have been treading water. With no improvements or increases in funding since 2003, and inflation going up, it has become more difficult to maintain the well-known, high-quality elements in Head Start.

The good news is that this new Congress will change that today and make the smartest investment for our country's future workforce. We are going to put more kids on the path to success when we pass this bill and rule today.

This bill will improve teacher and classroom quality, strengthen the focus on school readiness, expand access to thousands more children across America, strengthen comprehensive services, increase the number of children in early Head Start, because we are a lot smarter these days based upon the research that has been done on early child development and the development of the brain. We are going to allow homeless children to enroll, and we are going to do a better job, my colleague from Florida, for children who are just learning English.

On Monday, I paid a visit to the West Tampa Head Start Center and delivered books to the kids and teachers to mark the four decades of smashing success of this holistic, wraparound initiative that empowers all of us. These children are eager and ready to learn if we give them the tools.

We need to raise strong and healthy children. Head Start prepares children to succeed in school and in life. The administration's slow-motion cuts of Head Start over past years will now be reversed. The American people stood up in November and asked for change, and today we are going to stand up for them.

□ 1130

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I would like to thank my friend, the gentlewoman from Florida (Ms. CASTOR) for the time, and I yield myself such time as I may consume.

It is very important for the future of our children that they develop the skills and receive the education necessary to make them a success later in life. Unfortunately, many children begin their education without the proper foundation, putting them at a disadvantage that has long-term effects on their education.

We must do all we can so that low-income children do not begin their education at a disadvantage. That is why the Head Start program was created.

In order to give children the proper foundation they need to begin their education, the Head Start program provides comprehensive early childhood education development services. These services include child development, educational, health, nutritional, social and other activities. These services prepare children to enter kindergarten and for their continued educational success.

In fiscal year 2005, the Head Start program provided developmental services to over 900,000 children, 35,000 of them in my State of Florida. Most of the children that receive the critical developmental skills offered by the Head Start program come from low-income families, and at Head Start they receive the early educational foundation to do well in their later education and hopefully break the chain of poverty.

The underlying legislation being brought to the floor today builds on the success of the program and improves its weaknesses. It authorizes over $7 billion for fiscal year 2008, strengthens Head Start's academic standards by emphasizing cognitive development and topics critical to school readiness.

It is important that the children in Head Start receive the best education possible. There are, Mr. Speaker, several provisions in the underlying legislation that I believe will help with this goal. First, the bill seeks to ensure that a greater number of Head Start teachers are better trained and educated in early childhood development, particularly in fundamental skills such as language, pre-reading and pre-mathematics, within 2 years.

Competition encourages better quality. As recommended by a 2005 GAO study, the bill seeks to increase competition among Head Start grantees to help weed out poor performers and offer stronger programs.

The bill also seeks greater transparency and disclosure regarding how Head Start funds are spent. This will help to fight financial abuse and further ensure that Federal Head Start funds reach the disadvantaged children that they are meant to serve.

Yesterday, in the Rules Committee, Mr. Speaker, Resident Commissioner FORTUÑO offered an amendment to this legislation to allow religious organizations to not ignore religion in their hiring practices. The provision was included in previous Head Start reauthorization bills. However, the majority on the Rules Committee blocked that amendment from consideration today by the full House.

Head Start has a proud history of inclusion of faith-based organizations. Approximately 80 grantees have religious affiliations. Without the Fortuño amendment, faith-based Head Start grantees may decide to stop offering Head Start programs. That would hurt the children in those programs.

In 2004, the Department of Health and Human Services issued regulations requiring any organization that receives direct financial assistance from the Department, such as Head Start, to not engage in inherently religious activities such as worship, religious instruction or proselytizing as part of the program or services funded by HHS. So objections to the Fortuño amendment, in my opinion, are unfounded.

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

Ms. CASTOR. Mr. Speaker, I anticipate on the floor of the House today we will hear some debate over the role of faith-based organizations in Head Start. Republicans would like language that would repeal existing civil rights protections in this Head Start law that ensure the program's Federal funds discriminate, and we are opposed to that.

No citizen should have to pass a religious test to qualify for a publicly

funded job. That is exactly what some on the other side of the aisle will attempt to do today.

Religious organizations who run Head Start programs are not asking for this change. They have written us to oppose it. Head Start teachers and staff should be chosen because they are qualified and they are effective teachers who will help children succeed and thrive. Hiring and firing decisions should not be made because of a teacher's religion.

This is part of an ongoing attempt, I am afraid, by some on the other side of the aisle to make religion a wedge issue.

Democrats strongly support faith-based organizations running Head Start programs, and H.R. 1429 on the floor today specifically reaffirms that faith-based organizations may run Head Start programs.

Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH), my colleague from the Rules Committee.

Mr. WELCH of Vermont. Mr. Speaker, I would like to thank my colleague from Florida for her national leadership on an issue of national importance, Head Start.

Later today I will be joining with my colleagues, Representative SPACE from Ohio, Representative HARE from Illinois, and Representative ALTMIRE from Pennsylvania to offer an amendment that will require the Secretary of Health and Human Services to pay special attention to the unique needs and challenges that our rural kids face to have access to Head Start.

This is a great program, as was described by my colleague from Florida, but there is a misconception oftentimes that Head Start is about urban America, poor kids from cities. In fact, there are many poor kids from rural America that benefit from access to Head Start, and as a federally funded national program, we know the different communities have different needs.

The National Advisory Committee on Rural Health and Human Services, in fact, acknowledged this when it issued a report that found several issues to be particular challenges for rural America in access to Head Start: transportation, workforce, enrollment fluctuation, performance standards, health requirements and financial matching.

What we know is that one size does not fit all, but what we also know is the opportunity for all is an essential American goal.

This amendment, when it is offered, is directing the Secretary to make certain that those special challenges that our rural kids face in America are included in an execution plan so that there will be opportunity for the rural kids as well as the urban kids.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. MCKEON), the distinguished ranking member of the Education and Labor Committee.

Mr. MCKEON. Mr. Speaker, I rise in opposition to this rule and appreciate the gentleman yielding time.

To be blunt, the rule before us is not worthy of the bill we will be debating in just a short while. Let me be clear at the outset. I support the improving Head Start Act and will vote for its final passage later today. However, the rule before us restricts debate and provides very little opportunity to improve this bill.

While I appreciate the Rules Committee making in order a few Republican amendments, including ones offered by my Education and Labor Committee colleague, Mr. PRICE of Georgia; my former committee colleague, Mr. PORTER of Nevada; and my friend, Mr. PUTNAM, this rule is defined more by what it does not include than what it does include.

Yesterday, Mr. Fortuño submitted to the Rules Committee an amendment to protect the civil rights of faith-based organizations wishing to provide services to Head Start children. In the aftermath of September 11, Hurricane Katrina or any other tragedy, faith-based organizations have been among the first to reach out a hand in service to those impacted by the event. It does not take a large-scale catastrophe to rally faith-based organizations into action, however. These groups are working to assist their fellow Americans each and every day, focusing on issues from job training to child care and everything in between.

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. Mr. Fortuño's amendment would have protected the rights of faith-based groups to fully participate in serving Head Start children without relinquishing their religious identities. And the majority turned it away.

Mr. Speaker, they turned it away even though the 1964 Civil Rights Act made clear when faith-based groups hire employees on a religious basis, it is an exercise of the group's civil liberties. They turned it away even though in 1987, the U.S. Supreme Court unanimously upheld this right. And they turned it away even though former President Bill Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive Federal funds.

In its place, they allowed us to debate an amendment that applauds the work of faith-based providers but fails to protect their civil rights. This hollow amendment may provide certain Members of the majority political cover, but in reality, it does nothing to protect the constitutional rights of faith-based organizations seeking to serve Head Start students.

This is just one example, the most significant of all, of how this rule is not worthy of the bill we will be debating later today, and so I urge my colleagues to oppose this rule.

Ms. CASTOR. Mr. Speaker, I yield 3 minutes to the gentlewoman from Ohio (Ms. SUTTON), my colleague from the Rules Committee.

Ms. SUTTON. I thank the gentlewoman for her leadership and for yielding the time.

Mr. Speaker, I rise today in strong support of the rule and of H.R. 1429, the Improving Head Start Act of 2007.

Head Start is vital for our children in high-need areas, providing them with programming critical to their cognitive development, from math and reading instruction, to nutritional and social services for students' families.

In 2006, over 900,000 children, almost all of them under 5 years old, participated in Head Start.

In my home State of Ohio, Head Start serves more than 38,000 young people, including more than 2,500 children in my congressional district alone. These children come from some of the most high-need families in our Nation, and Head Start does exactly what its name suggests. It gives these children a head start, helping them achieve at or above their age level by the time they leave the program.

Unfortunately, children in families facing difficult economic situations often begin school behind their wealthier peers. Head Start achieves amazing results for these children and is often the only program keeping them from falling behind.

Despite the crucial role Head Start plays in the lives of hundreds of thousands of American children, Congress has neglected them has neglected to reauthorize or adequately fund this program for the past 4 years.

This important legislation authorizes funding for Head Start through fiscal year 2012 and makes a number of long overdue improvements to the program.

Our bill increases funding for teacher and staff salaries and benefits and will improve the classroom environment by lowering the student-to-teacher ratio. These changes will give our hard-working teachers and other educational staff more opportunity to work with their students and improve their academic performance.

This legislation also helps program hire and retain qualified teachers and staff by increasing salary and benefits and supporting professional development plans. And this bill will expand access to 10,000 additional children.

This Congress is making a commitment to our children and the Head Start program, and it is critical that we do so. Research has shown that children attending Head Start are more likely to graduate from high school than other low-income children. Research has also proven that children who attend Head Start are less likely to enter special education, are less likely to repeat a grade and are less likely to end up in the criminal courts in adolescence.

Mr. Speaker, this legislation will give more of our children the help and assistance they need. With passage of

this legislation, we are not only providing our children with the opportunity for a brighter future, we are building a brighter future for our country.

I urge my colleagues to vote in favor of this bill so we can keep our promise to America's children.

□ 1145

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman from Florida for yielding to me.

Mr. Speaker, I rise in opposition to this rule. While I appreciate the Rules Committee making in order several of the proposed amendments, including an amendment offered by Mr. PRICE of Georgia to create a State demonstration program that allows up to eight States to coordinate Head Start with other State-run early childhood development programs, this rule unfortunately limits improving the Head Start Act further by not allowing for debate on several Republican amendments.

Although I oppose this rule, I do support the underlying bill, the Improving Head Start Act of 2007 to reauthorize the Head Start program. This legislation improves the Head Start Act by emphasizing that every child, regardless of their economic status, should have the best chance possible to succeed.

We all can agree on the need for Head Start and its successes. We must also recognize that Head Start can produce even greater results for children. Students who attend Head Start programs generally 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 almost all of the Nation.

Towards the goal of closing the readiness gap, the Improving Head Start Act of 2007 strengthens Head Start's academic focus while maintaining its comprehensive nature. The bill improves the academic focus of the program by establishing new quality standards that ensure enrolled children develop and demonstrate language skills; prereading knowledge, including an interest in and an appreciation of books, reading and writing either alone or with others; premathematics 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.

The Improving Head Start Act of 2007 builds upon the reforms of previous reauthorizations of Head Start, as well as the requirements of the landmark No Child Left Behind Act, and the vision of President Bush and Secretary Leavitt. We all want to do what is best for our children, and I truly believe the underlying bill does that.

Ms. CASTOR. Mr. Speaker, I would inquire of the gentleman from Florida if he has any remaining speakers.

Mr. LINCOLN DIAZ-BALART of Florida. We have two speakers remaining.

Ms. CASTOR. Our side has no remaining speakers, except for my closing.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 5½ minutes to the distinguished gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Mr. Speaker, I rise in strong support of this bill, but in opposition to this rule.

I would first like to talk a little bit about some of the unique history of Head Start that I think is important as we move into the discussions of the amendments and the bill itself.

Head Start is a moderately successful program. Because it's a moderately successful program, often it's oversold. It's only moderately successful, but it's very difficult to get any program to succeed in the highest-risk populations of America, as we learned in No Child Left Behind and other programs trying to reach those who have been left behind by the economic growth of America, by the opportunities in America, in the low-income urban communities and the low-income suburban communities.

To have modest success is actually a tremendous accomplishment in Head Start. So how did Head Start perform differently, and what was the concept behind it that made it unique?

On the left and on the right, there would be, for lack of a better word, a populist empowerment faction in both parties. In the sixties, the community action movement said we need to stop the top-down approach and do a more bottom-up approach and involve the communities in poverty themselves in making their own decisions.

That entails certain risks, because they may not, when you let people vote their own decisions and make their own decisions, do what government exactly wants them to do, or what college-educated Ph.D.s come into that community and think is best for that community.

One of the key debates last year when this came to the floor was whether the Head Start policy councils should allow the parents to have a vote. The bill was altered to take that vote away from parents and basically make the parents hood ornaments; say we have parental involvement, but take the breathing lifeblood of those Head Start programs away.

I am very pleased that in this Congress, after seeing the probable defeat on the House floor, had it not been blocked by the leaders of both sides, it is now in this year's bill. Parents will continue to have a vote and continue to make this a grassroots program.

But there is another part of this bill that I oppose, and there is an amendment made in order under this rule that makes it even worse, and that is to require 50 percent of the teachers to have a college degree. That sounds like a great goal, but if you understand that this is preschool, and part of the goal here was to get the parents involved, unlike what's happening in the elementary schools and the high schools in many of these urban and rural areas, the parents don't get involved.

Partly what happens in Head Start councils is parents get involved. Often they get hired as teachers and teachers' aides. They are from the community. There is research suggesting, and no research to the contrary, that the net impact of moving to this 50 percent requirement in 2013 is going to result in less teachers of color in the urban areas. That's the practical net result.

Fewer parents will go to literacy courses and evolve then into getting a GED and helping to teach their own kids. You will miss the magic of this program, which is empowerment and getting the parents involved, which is what we should be looking for in elementary schools. There is an amendment to take the 2013 goal down to 2011, I believe. That makes a bad clause worse. I hope that amendment gets defeated on the floor.

There is one other amendment in this bill that is a bad amendment. There is nothing wrong with the amendment, it's existing law. It's what I would call a fake faith-based amendment. If an organization follows all the secular rules in hiring and in principles, they have always been, always been, eligible for government grants. The dispute that has arisen in faith-based is not whether, if you have a secular board and don't impose any religious principles on your organization, you can't proselytize. That has already been ruled by the courts. You can't pray if you get government funds during the time that any program is funded by government. You can't refuse to cover somebody.

The question is can a faith-based organization that may have church rules, for example, can only males be preachers or priests? Can you have somebody who is homosexual in a church position in your church? Can you fire somebody for adultery, things that many, if not most, major Christian denominations, Orthodox Jews, Muslim organizations have as rules in their denominations? They are not eligible under the Democrat faith-based rule.

This is a legitimate debate. I grant that it's a legitimate debate, and we have had it on the House floor. But we should not pretend that we are protecting faith-based organizations, when we are, in fact, taking away the historic civil rights protection that has always been granted under, quote, faith-based. A religion is exempt from

normal rules in how they hire, because they believe they reflect their faith.

Mr. Speaker, I ask to include into the RECORD an article by Ron Sider, who has written a book that was much ballyhooed in the last election cycle about the faith-based movement not just being conservative right-wingers.

[From First Things]

THE CASE FOR ''DISCRIMINATION''

(by Ronald J. Sider)

I'm a long-time Democrat. In 1972, I organized a group called ''Evangelicals for McGovern/Shriver'' and helped McGovern sweep—well, the great state of Massachusetts.

As a Democrat, I have been deeply dismayed by how out of touch with the American mainstream the party has proven to be on the issue of faith-based initiatives, particularly on the issue of the so-called hiring exemption. (For a discussion of other aspects of the initiative, see Joseph Loconte, ''Keeping the Faith,'' FT, May.)

A vast majority of Americans believe that as a society we have lost our moral moorings and that we must reaffirm the role of religious faith in nurturing persons of integrity and fostering a just, stable society. It is in that context that we must evaluate the Democratic leadership's opposition to allowing faith-based organizations that accept government funds to show preference in hiring to those who embrace the organization's basic religious beliefs and practices. Democratic President Bill Clinton signed three Charitable Choice bills that explicitly included this hiring exemption. Presidential candidate Al Gore embraced Charitable Choice. But when the Bush Administration's legislation expanding Charitable Choice moved to the Senate in mid-2001, the Democratic leadership blocked even the consideration of such legislation—largely on the charge that the hiring exemption amounted to employment discrimination.

In other words, the Democratic leadership has come to believe that religious organizations must give up their long-recognized right to hire staff who share their faith commitments in order to receive federal money that provides needed services to the public. In this, the Democrats are wrong.

To begin with, a religious organization's decision to hire staff who share its religious beliefs and practices is not an example of intolerant discrimination, but rather a positive act of freedom. In a free society, a wide variety of organizations—environmental organizations, feminist groups, unions—are left free to select staff who share their core commitments and who agree with their agenda. This right does not disappear if governments choose to request these private organizations to perform some desired tasks. Planned Parenthood, for example, does not lose its right not to hire pro-life staff simply because it has a government contract. It is precisely the denial of this right to religious organizations that would amount to intolerant discrimination instead of the promotion of a free and open society.

To equate this positive good with the evil of discrimination on the basis of things like race or disability is pure confusion. Whether we think that religion is a medieval superstition or a true and good contributor to social well-being, all who believe in religious freedom should insist that religious organizations be permitted to hire staff who share their religious beliefs.

The obvious fact is that the ability to choose staff who share a religious organization's core beliefs is essential if that organization wishes to retain its basic identity. As Justice William Brennan wrote in Corporation of the Presiding Bishop v. Amos (1987): ''Determining that certain activities are in furtherance of an organization's religious mission and that only those committed to that mission should conduct them is . . . a means by which a religious community defines itself.'' A Jewish organization forced to hire substantial numbers of Baptist staffers, for example, will not long remain a significantly Jewish organization.

Having staff who share a religious organization's essential religious beliefs shapes the group's identity in a variety of ways. Shared motivation, common values, a sense of community and unity of purpose, shared experiences of prayer and worship (even if they are outside work time in the organization) all contribute to an esprit de corps and shared organizational vision. As law professor Ira C. Lupu said in testimony before a House subcommittee (June 7, 2001), ''The sense of religious community and spirit on which [the] success of the group's efforts depend'' may be hampered if it is forced to hire those who do not share its beliefs.

This is important even when, for example, a faith-centered organization chooses to separate by location or time (and fund with private money) sectarian worship, instruction, and proselytization in a program in order to receive direct government grants. This is true for several reasons.

First of all, religious activities may be important to the social service program, even though they are voluntary, privately funded, and segregated from ''secular'' government-funded activities. In such programs, holding certain religious beliefs and practices is a legitimate qualification for a staff position, equally as valid as having the right skills and experience.

Second, enforced religious diversity can have the effect of stifling religious expression of staff within the agency, creating a climate of fear of offending other staff members with religious speech or actions. Since personal faith is very important to many who choose to work in a religious organization, such a climate can diminish staff motivation and effectiveness. Forced religious diversity can sap a program's spiritual vitality and lead to its secularization.

Third, staff often play multiple roles in small organizations. For example, an agency might seek someone to work part-time as a youth minister and part-time as a social worker for its youth mentoring program. Implementing a policy in which religion could be considered as a factor in hiring for some job duties but not others would lead to unnecessarily complicated and impermissibly entangling regulations.

But even leaving aside the effects of such regulation on religious organizations themselves, the rationale behind it makes little sense. The fact that a religious organization accepts some federal funds does not mean that it ceases to be an independent, autonomous entity and becomes an arm or agent of the state. Law, precedent, and common sense all argue that a private organization that accepts some government funds still retains its separate identity. This is clearly the case with colleges and universities that receive government funding, scholars engaged in federally subsidized research, and artists and artistic organizations funded by the National Endowment for the Arts. All of these receive government funding, and all maintain their autonomy from the government. Similarly, a religious organization that receives government funds to provide a public service that serves a public good would maintain its autonomy and not be co-opted by government.

Moreover, not only does allowing hiring preferences based on religious belief within religious organizations pose no social danger, it is the only way to avoid discrimination and governmental preference of one religious view over another. Using the typology of different types of faith-based organizations recently published by the Working Group on Human Needs and Faith-Based and Community Initiatives chaired by former Democratic Senator Harris Wofford helps explain this point.

''Faith-saturated'' and ''faith-centered'' programs both include substantial religious content in their programs and hire (primarily or exclusively) employees who share their beliefs precisely because their religious beliefs tell them that persons are spiritual as well as material beings and therefore the best results follow when spiritual and material transformation are combined. ''Faith-related,'' ''faith-background,'' and ''secular'' providers do not include significant religious content in their program or consider religious belief in their staffing because their worldview tells them that all that is needed to correct dysfunctional social behavior and social problems is socio-economic, material transformation. All these providers, not just the first two, are grounded in an explicit or implicit religious perspective. Secular providers work at least implicitly within a naturalistic worldview (nothing exists except the natural world) that functions in effect as a religious perspective. Functionally, faith-related and faith-background providers operate with deistic religious beliefs (God exists but never intervenes in the natural world of cause and effect). Naturalism and deism, however, are just as much particular religious worldviews as the historic theism that undergirds most faith-saturated and faith-centered programs.

Obviously, if government only funds some private providers of services (i.e., the naturalistic and deistic ones that do not explicitly use religious criteria for staff), government clearly discriminates among religions.

Thus far, I have argued that as a matter of principle religious freedom is such a fundamental right that it ought to prevail even if on occasion embracing that overriding principle has the secondary effect of, for example, reducing the number of job opportunities for a particular group. For example, the Catholic Church must, as a matter of principle, be free to live out its religious belief (which I do not share) that only men should be priests, even if the practice has the effect of reducing the number of job possibilities for women.

My last point offers an argument, not about principle, but about practical effect. The recent suggestion that extending the hiring exemption to faith-based organizations (FBOs) would in practice mean that African-Americans or gay Americans would suffer a loss of job opportunities is simply wrong.

There is a certain tension between two treasured values: on the one hand, protecting the religious freedom and identity of FBOs as they expand their effective services to the most needy; on the other, our society's conviction that except in the case of a narrow range of specific situations, employers should not discriminate on the basis of religion.

But do such hiring preferences really result in job deprivation? Hardly at all.

First, we are talking about a small percentage of the total jobs in the society. Second, many FBOs pay almost no attention to the religious beliefs of staff. Third, in the case of those evangelical Christian, Orthodox Jewish, and Muslim FBOs that do, virtually all the different religious groups have their own FBOs offering a hiring preference to people who share their own beliefs.

For very understandable historical reasons, African-Americans have been concerned that racial discrimination might find

cover under the hiring exemption based on religious belief. This is extremely unlikely to happen. FBOs working in minority communities are run either by people of the same racial group or by whites who have been at the forefront of fighting racial prejudice.

What about sexual orientation? Few FBOs ask about or select staff on the basis of sexual orientation. It is true that a number of FBOs do say that staff should not be sexually active outside marriage. But is that really so terrible—especially for FBOs working to overcome poverty in a society where a child growing up in a single-parent household is eleven times more likely to be persistently poor than a child growing up in a two-parent family?

Even if the hiring exemption in Charitable Choice were expanded to a lot more government funding streams, sexually (and openly) active gay Americans would face extremely little job deprivation. The number in that group is very small and the number of jobs affected is a minuscule fraction of the total number of jobs. Gay FBOs exist and others can be formed that give a hiring preference to those who share that ethical/religious belief. Surely the well-educated gay community does not want to block an enormously promising way to overcome poverty and social decay for millions of desperate Americans to avoid what in practice would at worst mean only the loss of a handful of possible jobs.

Constitutionally, Charitable Choice strikes the right balance between the no-establishment and free exercise clauses of the First Amendment. Morally, it offers promise for major progress in overcoming some of our most intractable social problems. Politically, Charitable Choice and the broader Faith-Based Initiatives have rightly become identified with the widespread sense that we have lost our way morally as a society. By remaining steadfastly opposed to allowing religious organizations to contribute to solving social problems, the Democrats harm our country as well as their future electoral prospects. Only at great peril dare Democrats be on the wrong side of today's widespread embrace of religious faith's crucial contribution to social wholeness. If that happens, they will deserve a repetition of 1972.

The fact is whether you are left or right in the faith-based movement, you have to agree that you have to keep the principles of religion if you are going to keep your spiritual vitality. Particularly in urban America and in rural America, the churches and the vitality is what needs to be brought into poverty and reaching out.

We can have a legitimate debate over whether government funds should go in there. I believe it would help the programs. It has been an historic right. But the amendment that is in front of us is not a faith-based amendment. It's only allowing faith-based groups to participate if they secularize and drop their unique faith.

Mr. Speaker, I would like to insert into the RECORD a statement on the policy councils from Congressman DANNY DAVIS and me.

HOUSE OF REPRESENTATIVES,
Washington, DC, March 9, 2007.

Hon. GEORGE MILLER,
Chairman, House Committee on Education and Labor, Rayburn House Office Building, Washington, DC.

Hon. HOWARD ''BUCK'' MCKEON,
Ranking Member, House Committee on Education and Labor, Rayburn House Office Building, Washington, DC.

DEAR CHAIRMAN MILLER AND RANKING MEMBER MCKEON: For more than forty years, one of the most unique and important aspects of the Head Start program has been its emphasis on parental involvement Head Start has enabled parents, as representatives on Head Start policy councils, to participate in making important decisions regarding budget, programming, and personnel. As the Committee plans to mark up its Head Start reauthorization bill this coming week, we believe that preserving this structure of governance is fundamental to the continued success of the program.

Under current law, Head Start boards of directors and policy councils share the responsibility of managing a Head Start program. This partnership helps to ensure that there is a system of checks and balances in place and that the important voices of experts in accounting, finance, and early education are balanced with the equally important voices of parents who have children in the program. Many of our constituents who are involved with Head Start have told us that policy council members, especially parents, often have a much greater day-to-day knowledge of the program than the board of directors and are thus better able to provide accountability. Indeed, a 2005 GAO report found that calls from parents are often the first signal to Head Start regional offices that a program is struggling with mismanagement.

As the Education and Labor Committee prepares for its markup, we want to ensure that it does not diminish the role of parent policy councils. We believe this would undermine the future success of the Head Start program and, in turn, the success of thousands of at-risk children and their parents. Like both of you, we believe there should be stronger accountability within Head Start programs. The 2005 GAO report, for example, cited a lack of oversight from the HHS regional offices and Head Start boards of directors as sizable obstacles to improved accountability. However, these reforms need not come at the expense of parental involvement in the program. Any Head Start reauthorization bill must preserve the current oversight role of the policy councils with regard to board actions in key areas such as budget, programming, and personnel, if they are to maintain their current vital role within the program.

Again, we ask that the chairman's mark of the Head Start reauthorization bill retain the current shared governance structure of the policy councils and board of directors. The current structure has helped to successfully prepare hundreds of thousands of low-income children to enter kindergarten and empowered thousands of parents to take greater roles in the lives of their children and communities. Thank you for your attention to this matter. If you have any questions, please contact Jill Hunter-Williams with Rep. Davis at 225–5006 or Brett Swearingen with Rep. Souder at 225–4436.

Sincerely,

Danny K. Davis; Donald M. Payne; Robert C. Scott; Linda T. Sánchez; John F. Terney; David Wu; John A. Yarmuth.

Mark Souder; Ric Keller; Todd Russell Platts; Rob Bishop; Timothy Walberg; Raúl M. Grijalva; Virginia Foxx.

Ms. CASTOR. Mr. Speaker, we do have one final speaker before my closing remarks.

I yield 2½ minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. I thank the gentlewoman from Florida for yielding me this time.

Mr. Speaker, I do rise in support of the rule and strong support of the reauthorization of the Improving Head Start Act of 2007.

As a former member of the Education and Workforce Committee over the last 10 years, I have been heavily involved in Head Start programs, the reauthorization process in previous Congresses, and had an opportunity to visit many of the Head Start centers throughout my congressional district throughout western Wisconsin. They are doing a terrific job not only helping our children, typically, who are very high-risk, high-need children, get off to literally a head start when it comes to their individual development and education, but also working very closely, as my friend from Indiana just highlighted previously, the close partnership with the parents of those children, which is crucial to the success of this program.

I want to commend the members of the committee for producing this product, in particular Chairman MILLER and chairman of the subcommittee, DALE KILDEE, along with Ranking Member CASTLE and Ranking Member BUCK MCKEON. I know a lot of them have collaborated and worked closely to produce this.

There are two features in particular that I want to highlight and commend. One is making sure we get the measurements of these kids done right. I led the effort in previous Congresses to see if we could suspend the National Reporting System. This was based on studies that the National Academy of Sciences had made asking us to slow down in this assessment and standard practice until they could develop what they feel are the proper forms of measurement for kids at this age, because if we get that wrong, they said, we could actually do more harm to the children with improper measurements and assessments than doing good.

I am glad to see that this legislation now recognizes that suspension of the National Reporting System gives the National Academy of Sciences a chance to report back with recommendations and guidelines on what proper measurements of these children should be.

The second feature is requiring programs to consult with child care health experts in developing proper nutrition and physical education programs for kids at this age.

In light of childhood obesity and type 2 juvenile diabetes, it's going to be important that we do everything we can to make sure that our kids are getting off to the right start when it comes to quality-of-life issues, make sure that they are not going to start smoking or taking drugs, but also taking the proper nutrition and involved in the proper physical activities to make sure that

they have healthy bodies to go along with the healthy minds that Head Start is meant to produce.

Those two provisions in particular I commend, and I encourage a strong bipartisan vote for this important bill.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield 4 minutes to my distinguished colleague and friend from Florida (Mr. WELDON).

Mr. WELDON of Florida. I thank the gentleman for yielding.

Mr. Speaker, the Democratic majority pays lip service to their support of religious people and faith-based groups, but now they are here today, in this House, enacting a piece of legislation that I believe is a shot across the bow to all faith-based organizations that are involved in social services in this country. The Head Start bill today says that if you participate in the grant process, you will not be able to hire like-minded people to work in your child-care facility.

The Democrats are saying that a bureaucracy in Washington, D.C., has more wisdom to decide who you can and can't hire than the hundreds, thousands of small businesses that run these Head Start programs. The Democrats are essentially saying, with this legislation, while we thank you for your tireless dedication and recognize that you are an integral part of this process, we don't trust you to make fair choices in the employees that you hire.

Don't be misled. This is in direct contradiction to the Civil Rights Act of 1964 and the Supreme Court, both of which came to the conclusion that faith-based organizations had the right to hire employees on a religious basis. Faith-based organizations such as churches, synagogues and other faith-based charities are a central part of the fabric of communities all across America. Many of these organizations provide assistance and services to the neediest members of society, offering a helping hand to the less fortunate among us. Many faith-based organizations can and want to make a vital contribution to the Federal assistance programs.

The landmark 1964 Civil Rights Act explicitly protects the rights of religious organizations to take religion into account in their hiring practices. In fact, the Civil Rights Act made clear that when faith-based organizations hire employees on a religious basis, it is an exercise of the organization's civil liberties and does not constitute discrimination under Federal law.

The freedom to hire those who share religious beliefs was upheld in a unanimous 1987 Supreme Court decision, Corporation of the Presiding Bishop v. Amos, in which the Court observed, ''A law is not unconstitutional simply because it allows churches to advance religion, which is their very purpose. For a law to have forbidden 'effect' . . . it must be fair to say that the government itself has advanced religion through its own activities and influence.''

Now, in an attempt to appease Republicans and conservative Democrats, an alternative amendment will be provided by the gentleman from North Carolina. This amendment, in effect, praises the work of faith-based organizations, but tells them they have to give up their right to hire who they want to hire to participate in Head Start.

□ 1200

Current Federal law protects the Civil Rights Act hiring protections for faith-based organizations and providers. And, indeed, as was stated earlier by a previous speaker, President Bill Clinton signed four laws protecting religious organizations in this context.

Now, I want to close by just pointing out a very, very simple fact. There is a reason why on the floor today the amendment to correct this problem will not be allowed, and the reason is because it will pass. A majority of this Congress, Republicans working with Blue Dog Democrats, would pass the Fortuno amendment which would protect these faith-based religious organizations. We had many of the Blue Dogs vote with us on this issue in the past. But, alas, under this rule, and it is why I am imploring my colleagues on both sides of the aisle to vote ''no'' on this rule, that amendment will not be allowed and we will be asked to stifle the freedom of religion in the United States.

Mr. LINCOLN DIAZ-BALART of Florida. Again, I thank my friend, Ms. CASTOR, for the time and her courtesy, and all those who have participated in this debate.

Mr. Speaker, I will be asking for a ''no'' vote on the previous question so that I can amend this restrictive rule to make in order the amendment offered by Congressman PRICE of Georgia, which seeks to make regulations for emergency rear door exits and safety belts on vehicles used to transport children effective upon enactment of H.R. 1429. This extremely important amendment was denied by the Democrats in the majority last night in the Rules Committee.

In 1992, Congress required the issuance of regulations related to rear door emergency exits and safety restraints on Head Start transportation. Since the final rule for these new regulations was published in 2001, the effective date has been delayed three times.

Mr. Speaker, Congress required these regulations in order to ensure the safe operation of vehicles by Head Start agencies. Currently, the leading cause of death for children ages 3 to 7 is motor vehicle traffic crashes. Further delaying these requirements means allowing Head Start grantees to transport children using vehicles that are not designed specifically for the safe transport of children.

If the previous question is defeated, the Price amendment would be made in order and this delay would be put to an end. This issue, Mr. Speaker, needs to be resolved, and it needs to be resolved now and this authorization bill is clearly the most appropriate forum in which to do so. Any further delays in the implementation of these crucial safety regulations for children may endanger the lives of children.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment and extraneous materials immediately prior to the vote on the previous question.

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

There was no objection.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield the balance of my time.

Ms. CASTOR. Mr. Speaker, I urge a ''yes'' vote on the Improving Head Start Act of 2007 and this rule so that we infuse Head Start with the necessary investments and program enhancements that will sustain Head Start for years to come. We will chart a new course in the right direction by ensuring family incomes do not impede a child's access to educational opportunities.

The fact that the administration and the past few Congresses did not keep the promise to America's children is unfortunate. We have lost ground. But the good news is that this new Democratic Congress is charting a new direction. This includes wise investments in the education and health of our kids, which are certain to pay dividends for years to come.

Mr. Speaker, this is an important day for America. The Congress is going to keep the promise made 4 decades ago to children who are born with the same potential but, because of their life circumstances, are in need of a little extra attention, health care, nutrition, the guiding hand of a knowledgeable, talented, devoted teacher, and a true head start.

I urge a ''yes'' vote on the previous question and on the rule.

The material previously referred to by Mr. LINCOLN DIAZ-BALART of Florida is as follows:

AMENDMENT TO H. RES. 348

OFFERED BY REP. LINCOLN DIAZ-BALART OF FLORIDA

At the end of the resolution, add the following:

SEC. 3. Notwithstanding any other provision of this resolution, the amendment printed in section 4 shall be in order as though printed as the last amendment in the report of the Committee on Rules if offered by Representative Price of Georgia or a designee. That amendment shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

SEC. 4. The amendment referred to in section 3 is as follows:

Page 36, after line 12, insert the following (and make such technical and conforming changes as may be appropriate):

''(3) EMERGENCY EXIT DOORS.—

''(A) EFFECTIVE DATE.—Section 1310.12(a) of title 45, Code of Federal Regulations, shall become effective on the effective date of this paragraph.

''(B) COVERED VEHICLES.—Notwithstanding any other provision of law, any vehicle used

to transport children for a Head Start program after effective date of this paragraph, shall be subject to a requirement under such section (including a requirement based on the definitions set forth or referenced in section 1310.3 or any other provision set forth or referenced in part 1310 of such title, or any corresponding similar regulation or ruling) concerning rear exit doors.''.

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308–311) describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Democratic majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information form Congressional Quarterly's ''American Congressional Dictionary'': ''If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business.''

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

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

The SPEAKER pro tempore. The question is on ordering the previous question.

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

Mr. LINCOLN DIAZ-BALART 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 and clause 9 of rule XX, this 15-minute vote on ordering the previous question on H. Res. 348 will be followed by 5-minute votes on adoption of H. Res. 348, if ordered; and adoption of H. Res. 350, by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 226, nays 194, not voting 12, as follows:

[Roll No. 273]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—194

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—12

Cubin
Davis, Jo Ann
Engel
Fattah
Ferguson
Gillibrand
Lampson
McMorris Rodgers
Ortiz
Pitts
Schmidt
Sullivan

□ 1231

Messrs. REGULA, BILIRAKIS, BURGESS, WALSH of New York and HUNTER changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 196, not voting 10, as follows:

[Roll No. 274]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—196

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Tancredo
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Davis, Jo Ann
Engel
Fattah
Ferguson
Gillibrand
Lampson
McMorris Rodgers
Ortiz
Pitts
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised we are at the 2-minute mark.

□ 1239

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.

PROVIDING FOR CONSIDERATION OF H.R. 1868, TECHNOLOGY INNOVATION AND MANUFACTURING STIMULATION ACT OF 2007

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Resolution 350, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 226, nays 189, not voting 17, as follows:

[Roll No. 275]

YEAS—226

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (PA)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Filner
Frank (MA)
Giffords
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)

Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NAYS—189

Aderholt
Akin
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Pickering
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Tancredo
Terry
Thornberry
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Alexander
Brady (TX)
Davis, Jo Ann
Engel
Farr
Fattah
Ferguson
Gillibrand
Lampson
Lewis (CA)
McMorris Rodgers
Napolitano
Ortiz
Pitts
Ros-Lehtinen
Sullivan
Tiahrt

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE.

The SPEAKER pro tempore (during the vote). Members are advised there are 2 minutes left in this vote.

□ 1246

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:

Mr. FARR. Mr. Speaker, on rollcall No. 275, had I been present, I would have voted "yea."

U.S. TROOP READINESS, VETERANS' CARE, KATRINA RECOVERY, AND IRAQ ACCOUNTABILITY APPROPRIATIONS ACT, 2007—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 110–31)

The SPEAKER pro tempore (Mr. TIERNEY) laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I am returning herewith without my approval H.R. 1591, the "U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007."

This legislation is objectionable because it would set an arbitrary date for beginning the withdrawal of American troops without regard to conditions on the ground; it would micromanage the commanders in the field by restricting their ability to direct the fight in Iraqi; and it contains billions of dollars of spending and other provisions completely unrelated to the war.

Precipitous withdrawal from Iraq is not a plan to bring peace to the region or to make our people safer here at home. The mandated withdrawal in this bill could embolden our enemies—and confirm their belief that America will not stand behind its commitments. It could lead to a safe haven in Iraq for terrorism that could be used to attack America and freedom-loving people around the world, and is likely to unleash chaos in Iraq that could spread across the region. Ultimately, a precipitous withdrawal could increase the probability that American troops would have to one day return to Iraq—to confront an even more dangerous enemy.

The micromanagement in this legislation is unacceptable because it would create a series of requirements that do not provide the flexibility needed to conduct the war. It would constrict how and where our Armed Forces could engage the enemy and defend the national interest, and would provide confusing guidance on which of our enemies the military could engage. The result would be a marked advantage for our enemies and greater danger for our troops, as well as an unprecedented interference with the judgments of those who are charged with commanding the military.

Beyond its direction of the operation of the war, the legislation is also unacceptable for including billions of dollars in spending and other provisions that are unrelated to the war, are not an emergency, or are not justified. The Congress should not use an emergency war supplemental to add billions in spending to avoid its own rules for budget discipline and the normal budget process. War supplemental funding bills should remain focused on the war and the needs of our men and women in uniform who are risking their lives to defend our freedoms and preserve our Nation's security.

Finally, this legislation is unconstitutional because it purports to direct the conduct of the operations of the war in a way that infringes upon the powers vested in the Presidency by the Constitution, including as Commander in Chief of the Armed Forces. For these reasons, I must veto this bill.

GEORGE W. BUSH,
THE WHITE HOUSE, *May 1, 2007*.

The SPEAKER pro tempore. The objections of the President will be spread at large upon the Journal, and the veto message and the bill will be printed as a House document.

The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

The gentleman from Wisconsin (Mr. OBEY) is recognized for 1 hour.

Mr. OBEY. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the distinguished gentleman from California (Mr. LEWIS), and pending that I yield myself such time as I may consume.

Mr. Speaker, this issue before us is the kind of issue that the Congress was designed to deal with. This Congress exists today because in 1215, almost 800 years ago, our forefathers many times removed, by adopting the Magna Carta, established for the first time in the English-speaking world the principle that the monarch was not unilaterally sovereign.

That expression wound up being turned into a reality for our country in 1789, when the Constitution of the United States was adopted. That Constitution created three coequal branches of government. It gave this body, the legislative body, the Congress, the ability to declare war. It certainly gave us the obligation to oversee the conduct of war. It gave us the obligation to oversee the use of taxpayers' money in dealing not just with war, but with every other issue as well.

The President yesterday vetoed the legislation now before us, which, for the first time, had he chosen to use it, would have given him the opportunity to have an exit strategy for a war that has brought incredible frustration and agony not just on the people of Iraq, but the people of our own country.

Now, the President has told the public that he is "the decider." Well, he is a very important decider, but he is not the only decider in a democratic form of government. The ultimate deciders are our constituents, and we are elected to speak on their behalf and to participate in that decisionmaking. That is what the Congress did when it passed this legislation through both Houses.

I regret very much that the President did not use this legislation to establish a bipartisan approach to the war which has plagued us now for more than 4 years.

As we all know, yesterday was the fourth anniversary of the President's landing on that aircraft carrier under the banner "Mission Accomplished" and telling us that our troops had fulfilled their mission. Indeed, they had;

our troops won the war in Iraq, but it is the White House, in its pursuit of its Iraqi policy, it is the civilian leadership of the Pentagon which systematically, especially in the early days, ignored the judgment of the military that has brought us to the chaos that we see in Iraq today.

Now, the legislation before us attempted to do a number of things. It attempted to meet the financial needs of the budget in supplying our troops with everything that they need. Secondly, it attempted to hold the administration accountable and to hold the Iraqi Government accountable for the actions that they have taken. And thirdly, it was meant to provide the beginnings of an exit strategy from that civil war. The President has decided to veto that legislation, and the question before us now is whether we will override that veto or not.

The President said in his veto message yesterday that we had all too many so-called nonrelated items in this bill, along with funding for the troops in Iraq. I don't believe that the American people would agree with the President that $1.8 billion for veterans health care, $3.3 billion for defense health programs, $2.2 billion for additional Homeland Security initiatives, $6.9 billion for Katrina recovery, $663 million to protect the country from the ravages of a potential world flu pandemic, or $650 million to prevent kids from losing health insurance is unnecessary funding. I think the American public recognizes each of those as a legitimate expenditure of public funds.

I also think that the President has focused so much attention on those items simply to divert public attention from the fact that this bill is first, last and foremost about the war. It is about how we get our troops out of the war. It is how we send a message to the Iraqi politicians that our troops cannot be expected to accomplish the compromises that only they can reach if that war is to be brought to a conclusion.

Mr. Speaker, I would urge every Member of this House, regardless of party, to vote to override the President's veto.

And I would point out to the President that we already have provided for two major compromises in this legislation. When we first established the Murtha principles for unit readiness, the White House objected. And so we said, all right, we'll change that, we will give the White House a waiver. When the White House objected to the timetable that we laid out for withdrawal of our troops from that civil war, again we compromised, and we said we will keep as hard deadlines the deadlines by which we must begin that process of redeploying troops, but we made the end date for the actual withdrawal of our troops from combat in a civil war, we made those dates extremely flexible in response to the President's views. So we have already compromised on two very major items in this bill.

Now that the President has laid down his veto, it seems to me that he has an obligation to lay on the table what compromises he is willing to make in order to bring us together in pursuit of an exit strategy from a war that we should never have gotten into in the first place.

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

Mr. LEWIS OF California. Mr. Speaker, I am pleased to yield 4 minutes to the gentlelady from Florida.

Ms. ROS-LEHTINEN. I thank the gentleman from California.

Mr. Speaker, last month, a member of the majority leadership stated, ''This war is lost, and the surge has not accomplishing anything.'' He further stated, ''We are going to pick up Senate seats as a result of this war,'' and adding that he had been shown numbers that are compelling and astounding.

□ 1300

I cannot imagine that there were many in either party who were not shocked by these brazenly cynical words.

This past Saturday, I sat down with Phyllis and Huber Parsons, constituents from my congressional district who have three sons serving in Baghdad. They are pictured here in the poster behind me. They are officers with the Army Stryker Brigade. They said to me that remarks such as the ones that I just quoted by our congressional leaders ''made them sick.'' Their sons, Charlie, Huber and Bill, are not bullets to be used to hit a political target. And while some of my colleagues may not agree with the administration's efforts to win the battle against Islamic jihadists in Iraq, the Parsons brothers should not be abandoned without ammunition to defend themselves.

My stepson, Doug, and my daughter-in-law, Lindsay, both served in Iraq. Lindsay is now in Afghanistan. They were not following the orders of would-be generals here in Congress. They were serving their country and their President, whom the Constitution clearly states is the commander-in-chief.

Not one of us here in Congress can usurp that role. Nor can we fill the role of General David Petraeus, who bears the enormous burden of directing this war and who has said that our mission is just and necessary.

These men and women of our Armed Forces, such as the Parsons brothers and my stepson and daughter-in-law, understand their mission. They understand that they are locked in a generational struggle with global Islamic radicals who seek our destruction. If we declare that we have been beaten in this phase of the struggle and then retreat, it will only grow, it will follow us home, and it may never end.

Imposing a timetable for withdrawal of our forces and retreating over the horizon, as some have suggested, will not insulate us from the terrible strategic consequences that would result. This fighting will spill into neighboring countries, threaten our allies and then spread throughout the Middle East.

In addition to these frightening strategic consequences, if we surrender the Iraqi nation to the terrorists, we would open the gates to a potential humanitarian crisis of epic proportions, including mass murder and displacements of thousands and thousands of innocent Iraqi men, women and children that our retreat helped make possible.

Let me remind the advocates of defeat of the words of one of our former presidents who battled against the legions of those who sought to block his efforts to save democracy for this country and for the world. He said, ''This generation of Americans has a rendezvous with destiny. In this world of ours, there are some people, who seem to have grown too weary to carry on the fight. I believe in my heart that only our success can stir their ancient hope. They begin to know that here in America we are waging a great and successful war. It is a war for the survival of democracy.''

These are the words of Franklin Roosevelt, and I think were he here today, I am confident that he would never give in to those who say that we have lost and who demand that we retreat.

I ask my colleagues to uphold the President's veto and demand a clean supplemental to support our troops in the field, to give Bill, Charlie and Huber Parsons the resources they need to achieve victory in Iraq.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished Speaker of the House.

Ms. PELOSI. Mr. Speaker, I thank the gentleman for yielding. I want to acknowledge the exceptional leadership of Chairman OBEY, Chairman MURTHA and Chairman SKELTON in putting together this important piece of legislation.

Mr. Speaker, Congress passed this bill, and yesterday we sent it to the President of the United States. We did so with great pride, because it is a bill that supports our troops, honors our promises to our veterans, holds the Iraqi government accountable and winds down this war. It is a bill that honors the sacrifice of our men and women in uniform. Thank you, Chairmen OBEY, MURTHA AND SKELTON.

The President had an historic opportunity. He had an opportunity to take yes for an answer, because the bill contained what the President had proposed. The President proposed benchmarks. His very own benchmarks were contained in this bill. The Department of Defense has guidelines for readiness for our troops, for their training, their equipment and the time they can spend at home and overseas. They are in the bill, even with a waiver for the President, giving the President more latitude. The President said no. The President said no.

I had hoped that the President would see the light, instead of turning a tin ear to the wishes of the American people and a blind eye to what is happening on the ground in Iraq.

The President, in signing the veto, is reporting that progress is being made in Iraq. Well, I don't know what his definition of ''progress'' is, but, sadly, April was the deadliest month this year, with over 100 of our troops killed there.

The President, in his statement on vetoing the bill, said that he vetoes the bill because, in his words, ''It makes no sense to tell the enemy when you start to plan withdrawing.''

In criticizing these timelines, of course, the President is wrong. But when he was a candidate for President, it made sense to him to say to President Clinton, ''I think it's also important for the President to lay out a timetable as to how long our troops will be involved and when they will be withdrawn.'' This is candidate Bush on the war in Kosovo, where we did not lose one single American soldier; this from a President whose initiative has lost over 3,000 Americans and countless, countless, countless Iraqis.

Bipartisan congressional majorities approved of using timelines for redeployment to instill urgency into benchmarks that have already again been endorsed by the President and the Iraqi leaders. They have agreed to this, except they reject them in this bill.

A wide range of people have noted the value of timelines in persuading the Iraqis to make the political compromises needed to end the violence, including Secretary of Defense Gates, who said, ''The strong feelings expressed in the Congress about the timetable probably have had a positive impact in terms of communicating to the Iraqis that this is not an open-ended commitment.''

The Congress will not support an open-ended commitment to a war without end. He wants a blank check. The Congress will not give it to him.

Next the President said that Congress is substituting our judgment for the judgments of commanders in the field 6,000 miles away. Wrong again, Mr. President. We are substituting our judgment for your judgment 16 blocks down Pennsylvania Avenue in the White House. We are substituting the judgment of this Congress for your failed judgment.

The American people have lost faith in the President's conduct of the war. They have said that they want accountability and a new direction. This bill gives them both.

Next the President claimed, and Mr. OBEY again referenced this, that this bill is loaded with non-emergency spending. Well, it may be a non-emergency to the President, but it certainly is an emergency to the people affected. Once again, the President is wrong.

The needs of the survivors of Hurricane Katrina think it is an emergency, and so does any person of conscience in our country who cares about the victims of Katrina. That millions of children are about to lose their health insurance is an emergency for them and for our country. America's farmers, devastated by natural disasters, think it is an emergency.

These situations remain emergencies because the President and the last Congress, the Republican Congress, refused to act. So now we must. So they have made it even more of an emergency.

Today, the President faces consequences of his own making. This is the seventh supplemental for the war in Iraq. Certainly somebody was planning something at the White House and could have put over the years the funding necessary for this war into the budget. Instead, the President did not do that. I don't know why. Maybe they didn't want the American people to see the real cost of this war in dollars. Certainly we know the price that we have paid more seriously in lives, in health, in reputation, in the readiness of our military and in probably $2 trillion now for this war.

The President claims that this legislation infringes upon the powers vested in the President by the Constitution. The President is wrong. Congress is exercising its right as a coequal branch of government to work cooperatively with the President to end this war.

By voting ''yes'' to override, Congress sends a strong message:

To support our troops. They have done everything that has been asked of them, and excellently. They deserve better.

To rebuild our military, which has been seriously strained by this war in Iraq.

To honor our commitment to our veterans, our heroes.

And to demand accountability.

With passage of this bill, we then can refocus our energy on the efforts against terrorism by bringing the war in Iraq to an end, bringing this war in Iraq to an end.

The President said there are real enemies out there. Yes, we know that, Mr. President, and we are prepared to make that fight. We will do whatever is necessary to protect the American people.

The war on terrorism was in Afghanistan. We took our fullest attention from Afghanistan to go into Iraq, and now Iraq is a magnet for terrorists. The war in Iraq has made matters worse in the war on terrorism.

What we have to do is work together, Democrats and Republicans, with the President of the United States, to bring stability to that region.

Now into the fifth year of a failed policy, this administration should get a clue. It is not working. This is the fourth surge they have proposed. When they proposed it in January, they said in 60 to 90 days we will know. It is 120 days, and now they are saying September. And then they say maybe by the end of the year. So what is this? We will be into another whole year of this war, far longer than World War II.

Nobody who serves in this body, who takes the oath of office to protect and defend the Constitution, needs anybody to tell them, whether you are a Democrat or Republican, what our responsibility is to protect the American people. Nobody needs a reminder of what the threat of terrorism is to our country. But we do need to work together to keep our focus on where the war on terror really is. If we clear up this matter, bring this war to an end in Iraq, we can give the war on terror our fullest attention.

Let us stop this war without end. I urge a ''yes'' vote.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentlelady who spoke just before me, our respected Speaker, is a person I have worked with for most of my life in public affairs. Our Speaker suggested that the President was wrong, and, Mr. Speaker, I humbly suggest that in this instance, our esteemed Speaker is wrong.

Madam Speaker, it was no secret that this conference report was going to be vetoed. Early on, the President made very clear his intention to veto this legislation because of the Iraq withdrawal language and the many unrelated and costly spending items that have absolutely nothing to do with the global war on terror and recovery efforts on the gulf coast.

It is no secret that many Members of the House and Senate, both Republicans and Democrats, had strong reservations about the manner in which this legislation undermined the authority of the President, our Commander in Chief.

From the beginning of this process, Members have expressed their concern about how this legislation placed military decisions in the hands of politicians rather than military commanders in the field. The last thing our country or our troops need is to have 535 Members and Senators micromanaging the war in Iraq. That simply is not our job, Madam Speaker.

Recent history reminds us that the enemy we face in Iraq, Afghanistan and in other countries that harbor terrorists will stop at nothing to attack the United States and our allies.

My colleagues, now is not the time for the United States to back down from its commitment to the war on terror. Now is not the time for America to signal retreat and surrender. Indeed, now is not the time for the House of Representatives to throw in the towel, wave the white flag or signal retreat and surrender in Iraq.

How could this Congress walk away from our men and women in uniform? How could we walk away from them now? We must not let that happen. We must support our troops. Our failure to learn the lessons of history, our failure to lead, will result in devastating consequences, including an even greater loss of life and even more resources needed to fight tomorrow.

□ 1315

It is absolutely essential that America, the last remaining superpower on Earth, continue to be a voice for peace and a beacon of freedom in our shrinking world. Walking away would further signal to Syria, Iran, Afghanistan, and others that the United States is no longer committed to a successful outcome in Iraq.

Before closing my remarks, I want to express my disappointment and dismay at yesterday's political and theatrical display by Speaker PELOSI and Senator REID.

The delivery of this conference report to the White House was intentionally delayed so the President's veto would coincide with the fourth anniversary of the President declaring ''Mission Accomplished.'' This display in sending the supplemental to the President was a deliberate and shameful attempt at scoring political points solely at the expense of our troops.

Mr. Speaker, this veto has been anticipated for some time. The majority party has had ample time to plan and prepare for the next step. Passing a clean supplemental free of arbitrary deadlines and excessive spending is obviously the path we should be following.

There is $20 billion, $20 billion, in this package unrelated to the war effort and the gulf coast recovery. That money is designated as emergency spending. Every nickel of this unrelated spending should be removed from the emergency supplemental. All this spending should be debated in regular order through the fiscal year 2008 appropriations process.

In closing, I say to my colleagues on the other side of the aisle: You've made your point. You've had your dog-and-pony show. You have posed for political holy pictures on TV. Now what is your plan to support the troops?

It is time to put the posturing and political stunts aside and do what is in the best interest of our troops. It is time to do the right thing and pass a clean emergency supplemental free of arbitrary deadlines and arbitrary spending. It is time to support our Commander in Chief and sustain the President's veto. I strongly urge a ''no'' vote.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members on both sides of the aisle are reminded that remarks in debate should be directed to the Chair and not to others in the second person.

Mr. OBEY. Mr. Speaker, I yield myself 1½ minutes.

The gentleman expresses his concern about funding designated as emergency spending. In fact, I would point out that the President himself asked for the antiflu money that we put in this bill. The President himself asked for that money 2 years ago as an emergency request.

I would also note, since he has expressed concern about our micromanaging the war, I would simply say we have had the administration providing us with bad intelligence. We have had the administration demonstrating bad judgment in saying we would be welcomed with open arms. We have had them demonstrate bad judgment in ignoring General Shinseki's warnings about the number of troops that would be needed to pacify a postwar Iraq. We have seen bad judgment in the President's refusal to talk to the Syrians and the Iranians. We have seen bad judgment all across the board for the last 4 years. It seems to me that we are badly in need of having some kind of management to that war, and if it is not going to come from the executive branch, then the only alternative is for the Congress to express its views.

Mr. Speaker, I yield 1 minute to the distinguished gentleman from Maryland, the majority leader, Mr. HOYER.

Mr. HOYER. I thank the gentleman for yielding.

Mr. Speaker, at the outset, let me comment on the ranking member's observation about political posturing.

First, let me say I wonder what the President was doing standing in front of that sign saying ''Mission Accomplished'' on that aircraft carrier with taxpayers' dollars. Let me suggest to you that he was politically posturing, trying to take credit for a great victory that occurred 4 years ago. No one in America believes that the mission has been accomplished. No one in America thinks we have had a success.

Let me say that it was totally appropriate for the Speaker and for the majority leader in the United States Senate to sign a bill and let the public know that this is what the Congress believes.

My friend may think political posturing is taking responsibility, which is our constitutional duty, as opposed to simply rubber-stamping what the President wants done. There has not been any question asked for the last 4 years by this Congress. There has not been any interposition of a correct policy as opposed to the President's failed policy.

We don't see that as political posturing, I tell my friend—we see it as exercising the constitutional duty that the American public expects us to do as their independent representative.

This is only the second veto. Why is it only the second veto? Because you wouldn't pass anything the President didn't want. That is not the role of the Congress of the United States. The role of the Congress of the United States is to make policy. That is what article I says. That is what we are doing.

Mr. Speaker, regrettably, the President has chosen not to follow the will of the American people and bipartisan majorities in the House and Senate by vetoing legislation that fully funds our troops in Iraq and Afghanistan, that holds the Iraqis accountable for making progress, and that calls for a responsible redeployment of American forces who are mired in a civil war.

It is our duty now as the elected representatives of the people to try to override the President's veto even though we may not succeed, and even as we prepare to meet with the President today to discuss next steps. That is our responsibility. We intend to do it.

Mr. Speaker, I believe our President, who was wrong 4 years ago when he stood under a banner announcing ''Mission Accomplished,'' is wrong again. The escalation of American troops in Iraq does not represent a change in this administration's failed policy. In fact, it is the fourth time we have escalated troops. In fact, it has been tried, unsuccessfully.

The President's claim last night that ''We've begun to see some important results'' is unfortunately contradicted by the facts. I wish it were true. I want to succeed in this effort, although what success is is ill-defined or not defined by the President.

In fact, Iraq is wracked by violence, including massive car bombs, almost daily. The U.S. death toll in April of 104 made last month the deadliest of the year and the sixth most lethal month since the war started, notwithstanding this increase in troop presence.

Senator HAGEL, who recently returned from Iraq, stated: ''This thing is coming undone quickly, and the Maliki government is weaker by the day.''

And the Special Inspector General for Iraq Reconstruction just reported: ''The U.S. project to rebuild Iraq remains far short of its targets, leaving the country plagued by power outages, inadequate oil production and shortages of clean water and health care.''

I suggest to my friend, in that context, the Congress ought to be impacting on the policies that are being pursued that are not succeeding.

Finally, let me say, and I call the attention of my friend, the ranking member, to this because he referenced this. The President's claim last night that this legislation ''substitutes the opinions of politicians for the judgment of our military commanders'' is totally inaccurate.

But let me tell you what is not inaccurate is that our military commanders have made none of the decisions on the policies we have been pursuing in Iraq, and that is the tragedy. The decisions have been made not by military men and women, but by the President, by Mr. CHENEY, by Mr. Rumsfeld, by Mr. Wolfowitz, and, yes, by Mr. Bremer.

We have seen nothing, I tell my friend, but a series of political decisions made on this war over the last 4-plus years; would that it have been otherwise. We do not seek to micromanage our military, which has done everything we have asked of them. Rather, we do continue to question the decisions of top administration officials, including, yes, the President,

whose judgments regarding this war have proved repeatedly, almost without exception, wrong.

Indeed, it is ironic that the President makes this claim when, in fact, we are mired in Iraq, because politicians who I have just referenced made decisions that prove to be wrong and did not lead to success.

Mr. Speaker, this Congress must not continue to simply rubber-stamp this administration's request. Our Founding Fathers did not think that was our role. They thought our role was to make independent judgments on the people's behalf and have the courage to pass legislation reflecting that judgment.

This legislation responds to the will of the American people and sets forth a policy to take us in a new direction that requires Iraqi responsibility and the pursuit of the political solution that General Petraeus and the Iraq Study Group say was essential if we were going to succeed.

Mr. Speaker, I urge my colleagues from both sides of the aisle: Listen to the American people, fully fund our troops, hold the Iraqis accountable, support responsible redeployment of American troops. Vote to override this veto.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Tennessee (Mr. WAMP), a member of the Appropriations Committee.

Mr. WAMP. Mr. Speaker, I want to make five points.

First, we need to realize that this threat is real. And I say to the members of the Get Out of Iraq Caucus that if we were not in Iraq tomorrow, this threat is not going away. We don't spend enough time focusing on this fact that the jihadists within Islam are insulated within the Islamists and the moderates, and there is not enough confrontation from them to each other. This threat is mounting globally. It is spreading. Europe is basically lost. And I don't want America to end up alone, but this threat is not going away, and we need to know it.

Former Senator Fred Thompson said here 2 weeks ago, and he is right, that when we do leave Iraq, it is either going to be a dangerous world or a more dangerous world, and it depends on what we do in Iraq as to whether it is dangerous or more dangerous, and this legislation is at the heart of that challenge.

Number two, words matter. The majority leader of the United States Senate saying that the war is lost was on the front page of al-Jazeera in Arabic. That is not good for our country, not in this conflict or the future. Words matter.

Number three, this legislation was flawed. We said it early on. You shouldn't have this kind of micromanagement, tying the hands of the generals, telegraphing retreat, and then adding a bunch of extraneous matters to this legislation that should go through the regular order and the regular appropriations process. It was a bad bill. You porked it up and slowed it down.

Number four, the veto was the right thing to do. The President is not popular. We all know that. But isn't it refreshing that the President is doing the right thing even though it is unpopular because he is putting the interest of our country above that of his party or even this moment doing the right thing? That is leadership.

Our distinguished Speaker came and said a few minutes ago that she was substituting the President's judgment for her judgment. And I say respectfully to our Speaker, I have served under three Speakers. She has her constitutional role, and it is not the Commander in Chief. She is the Speaker, not the Commander in Chief. She is also not General Petraeus, and this is a wrong-headed approach. We can do better.

Lastly, the solution is for the leadership to go and sit down with the President of the United States and put our troops above our parties. Clearly ask: What do you require?

□ 1330

The President should clearly ask what can I do for the Congress, and let's not go through this again.

My nephew is on his way to Iraq, as many Members of this House know. Let's make sure they have what they need. Let's not give up here. We don't need another Somalia. We don't need another Beirut. We don't need to lose this war. We need to stay and improve and do better and come out with our head up.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. I thank the distinguished chairman of the Appropriations Committee.

Mr. Speaker, when the President vetoed this bill, he said it was because he felt that decisions like this should be left to the military, not the politicians. But Mr. Speaker, the fact is that when the President declared that Iraq was part of the global war on terrorism, there was not one single military officer who agreed. That was a political decision made in the White House to go into this war. Had he listened to the military, we wouldn't be in this war.

Mr. Speaker, the fact is that none of us have been asked to sacrifice anything in pursuit of this war. The sacrifice has fallen exclusively on the backs of our military and their families.

Mr. Speaker, this week, the 2,108th child was told that they will never see their mommy or daddy again because they will never return from Iraq. How many more children have to lose their parents before this policy is reversed, Mr. Speaker? 3,351 American soldiers have lost their lives. More than 24,000 have been seriously wounded. This past month, more than 100 soldiers lost their lives, the deadliest month on record.

Things are getting worse rather than better.

The British Broadcasting Corporation and the American Broadcasting Corporation just completed an extensive survey of Iraqis. It turns out that 82 percent have lost confidence in U.S. policy in Iraq, that 86 percent have lost a member of their household due to violence, and the majority feel that this policy is ineffective, and in fact, they were better off under Saddam Hussein than under the American occupation.

Mr. Speaker, the State Department just reported that the number of terrorist incidents has gone up by 25 percent, most of them in Iraq.

This policy has been a failure. I urge a rejection of the President's veto of this bill. This bill will set the course that the American people are demanding.

Mr. LEWIS of California. Mr. Speaker, only because we are rambling on time, could I have a check of time, please.

The SPEAKER pro tempore. The gentleman from California (Mr. LEWIS) has 18½ minutes remaining. The gentleman from Wisconsin (Mr. OBEY) has 17 minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 4 minutes to the gentleman from California (Mr. DREIER), the ranking member on the Rules Committee.

Mr. DREIER. Mr. Speaker, I thank my California colleague and congratulate him on his stellar leadership on this and a wide range of other issues.

As I came to the floor just as our colleague the distinguished majority leader, the gentleman from Maryland, was addressing this House and he talked about politicization of statements that have been made, I will tell you, Mr. Speaker, when Saddam Hussein was toppled, it was not a celebration of one political party over another. It was not even a celebration just of Americans. It was a global celebration over the fact that we took this butcher who had murdered literally hundreds of thousands of his people, and we brought his reign of terror to an end, and that was worth celebrating.

Now, what we saw yesterday was nothing but partisanship because we know there is a real divide here. We know that the country is divided, and we know and the President of the United States, Mr. Speaker, has acknowledged that mistakes have been made, and we have gone through real difficulty.

I also heard the majority leader talk about the fact that there is no definition of victory. Mr. Speaker, it has been very clear from the beginning victory consists of two factors that are very important. First, we need to make sure that we have an Iraqi military force, the ISF, the Iraqi security force, able to defend the country, and we need to make sure that there is a government that can govern the country.

Those are the two items that have been placed forward. That is all we

want. We have seen self-determination take place with three elections that have taken place in Iraq. We have seen, I believe, positive news come forward.

Now, Mr. Speaker, we constantly hear people describe this as the Bush plan. We hear the litany of others, and as my friend from Tennessee (Mr. WAMP) just said, we know that the President is not terribly popular. The President knows that he is not very popular. He likes to say everyone likes to be loved, but I would rather be right than be loved.

So we know that the President obviously does not have a high approval rating right now, but he is doing the right thing. He is doing the right thing, and I believe, Mr. Speaker, that this goal is a very valiant one and a very, very important one for us to pursue. We have to bring about some kind of bipartisan resolution.

I am very pleased to have indications come from our friends on the other side of the aisle about the fact that we are going to provide important funding for our troops. We have to do that. That is absolutely essential, but we need to realize that we are in the midst of a new strategy.

I had the opportunity to talk with my good friend Mr. MURTHA, the distinguished chairman of the Defense Appropriations Subcommittee, the other day, and we agree that we have got to come to some kind of bipartisan resolution of this.

But the important point that needs to be made, as we hear the names of these unpopular people, Wolfowitz, Rumsfeld, Bush, thrown out there, we have to realize again that this is a new strategy, and this is the Petraeus plan. It was Dave Petraeus who last week said, before a large bipartisan gathering of Members, that Iraqis today are fighting and dying for their country. And it was Dave Petraeus who said, let us have until September, at which time I will report back with my colleagues to the President of the United States and the Congress.

I talked to, just day before yesterday, a very strong supporter of Mr. KERRY's when he was running for President, a strong, committed Democrat, and he said that he believed that establishing some sort of artificial timeline would be wrong.

The President described it last night following issuance of his veto that it clearly would be a prescription for defeat, and I believe that we need to make sure that, again, as Dave Petraeus said, since Iraq is the central front in the battle against al Qaeda, we need to keep it there.

Mr. Speaker, sustain this President's veto. Let's come together and provide the necessary funding for our men and women in uniform.

Mr. OBEY. Mr. Speaker, I yield 1 minute to the distinguished gentleman from Vermont (Mr. WELCH).

Mr. WELCH of Vermont. Mr. Speaker, three points. First, why is this an emergency? It is an emergency because the administration has never funded this war on the books. The people who will pay for this are the sons and the daughters of the men and women in the military who are now fighting it. That is wrong and irresponsible.

Number 2, the military has done its job. They were asked to get rid of Saddam. He's gone. Find weapons of mass destruction. They don't exist. And allow Iraq to have democratic elections. They have had three.

Third point, the President says ''no'' to timetables. Of course we must have timetables. How else to hold the Iraqi politicians responsible? They have to have an oil law. They have to renounce sectarianism in the security force. And the only way that we are going to stop asking our military and our taxpayers to referee a civil war and to finance it is by having the President of the United States do what he must do and say we want accountability from the Iraqi political leadership.

Mr. LEWIS of California. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I thank you very much and I thank the whip for allowing me to go at this time.

Let me just say I remember my Democrat colleagues after 9/11. They, along with us, were one voice saying we're going to go after these terrorists, no matter where they are; no matter how long it takes, we're going to get them.

The terrorists attacked the World Trade Center, the *Cole*, our barracks. They've attacked us many times. They attacked us once before at the World Trade Center. And al Qaeda has attacked in France, England, Spain, Indonesia, and elsewhere.

Now, the leader of the military wing of the terrorists in Iraq is al Qaeda. He's the guy that's going to lead the fight to make Iraq an Islamic State, a jumping-off point for terrorism around the world, al Qaeda, the same ones that attacked the World Trade Center and these other things.

I can't understand how my colleagues on the other side of the aisle, knowing al Qaeda is in charge over there, the military wing of the terrorists, knowing that they want to destroy us, knowing that Osama bin Laden said he wants to destroy America, that you want to pull out, that you want to tell them exactly when you're going to leave.

We're going to start moving in 4 months. We're going to be out of there in 12 months. You want to cut our troops off at the knees, and do you think al Qaeda is not going to be happy about that? What do you think Iran is thinking right now? What do you think Syria is thinking right now? What do you think al Qaeda is thinking right now? They're thinking we don't have the guts to go get 'em, and so they're encouraged.

Al Jazeera was mentioned just a minute ago. That paper has got all kinds of articles saying we're going to get out, and you guys are giving them all the information they need to know that they can prevail if they wait us out. If they do, we're going to have more terrorist attacks here in America. They're waiting for us to get out so they can focus all their attention on the United States and our allies.

We must not do this, and that's why we should sustain the President's veto.

Mr. OBEY. Mr. Speaker, I yield myself 30 seconds.

I would simply point out to the gentleman who just spoke that the bill before us specifically allows our troops to continue to go after al Qaeda in Iraq, even after they are repositioned out of fighting that miserable civil war.

I would also simply say, the gentleman asks ''What do you think al Qaeda thinks.'' I think al Qaeda wants us to stay in Iraq. It is clear from the beginning that they were happy that we went there, that we got sucked in there, because we have served as a recruiting poster for al Qaeda. That is what al Qaeda thinks.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 3 minutes to the gentleman from Missouri (Mr. BLUNT), the Republican whip.

Mr. BLUNT. I thank the gentleman for yielding.

We all know that in a few minutes the President's veto will be sustained. We didn't all figure that out this morning. We didn't all figure that out last week. We didn't even all figure that out last month. We've known that since the very start of this debate, 90 days of debate at a time when there are real consequences for our troops.

There are consequences, we are told this week, in the preparation for troops going to Iraq and action. There are consequences of maintenance on bases in this country. There are consequences in the way we are dealing with our equipment and our repairs, and we have taken 90 days to get to this point so we can start all over again.

I hope when we start all over again this afternoon that we will start all over again with a commitment to get this job done as soon as possible, rather than to take as long as possible. It does matter. The message we send to the world matters. The message we send to our troops matters. This bill needs to be as clean as possible. It needs to be straightforward.

There are things in this bill that in another bill I could support. There are things in this bill I couldn't support in any bill, but there are things here that should be done that have nothing to do with this bill. I don't know why they were put on. Maybe they were put on to try to see if the majority could get the last votes necessary to pass a bill that has restrictions on the military that this Congress should never have advanced to the President's desk.

The President has vetoed. We will uphold that veto. Let's work together now to get the job done to support the

troops in Afghanistan, in Iraq and everywhere else around the world who are feeling the consequences of this 90 days we have already taken.

I will work with you. I hope you will work with us. We need to get this job started.

□ 1345

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. I thank the gentleman.

Mr. Speaker, I believe our Republican colleagues are correct. This Congress spoke with one voice on the war on terrorism, and we continue to do so. Indeed, if President Bush had pursued the war on terrorism and the perpetrators of 9/11, instead of getting diverted to Iraq, which had nothing to do with 9/11, then when he hoisted that ''Mission Accomplished'' banner four years ago, it would have had meaning.

Instead, we have a burn rate of $10 billion every month in Iraq, $14 million every hour, 24 hours a day, 7 days a week, every week, every month of the year. More importantly, the real burn rate is in the loss of more than 3,300 American lives, brave men and women over there fighting for our country; 96 percent of those deaths, almost all of them, lost their life after President Bush declared ''Mission Accomplished.''

Today, the President can veto our attempt to secure a safe, orderly, phased redeployment of our troops from Iraq, but he can't veto reality. Our troops are coming home. It's just a question of what price is paid in blood and money before that happens.

The President talks about listening to the commanders and the generals. I wonder if he was listening to General William Odom, the former National Security Agency Director, last Saturday when he said the President has let the Iraq war proceed on ''automatic pilot, making no corrections in the face of accumulating evidence that his strategy cannot be rescued.''

If the President had listened to the generals, we would never have gone into Iraq in the first place. It was General Schwarzkopf who said, we would become ''like [a] dinosaur in a tar pit.''

If he had listened to the generals like General Shinseki, if he had insisted on going into Iraq, he would have sent enough troops to get the job done and not turned over all those weapons dumps to be converted into IEDs.

If he had listened to the generals, he would have provided our veterans with the health care that they have earned and deserved instead of subjecting them back here to the facilities and care they found in the United States.

The generals who disagree with this President earn a new title: Retired.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 3 minutes to the former chairman of the Armed Services Committee, DUNCAN HUNTER of California, now the ranking member.

Mr. HUNTER. I thank the gentleman for yielding.

Mr. Speaker, I think it's important to interpret this debate. I have heard the Speaker talk about redeployment and say that there is a lot of discretion that is left to the administration. There is no discretion. The dates of so-called redeployment are defined. You either start going out July 1 or October 1. Redeployment means withdrawals.

If generals do not start redeploying, do not start withdrawing from the battleground, you can bet Democratic leadership will be here pulling them into hearings, asking them why they didn't saddle up their brigades, their battalions and their divisions and start to move them off the battlefield. So let's get this straight. This is about withdrawing from the battlefield.

Listening to this debate, and listening to the controversy and the statements by Democratic leadership that have preceded this vote today, there is a constant theme: Somehow American soldiers and marines are victims. They are victims of extended tours; they are victims, the last gentleman said, they claim, of not getting enough health care. They are people that have been victims in the war against terror.

Let me tell you, I have seen the timelines that are given, the 270 days for Marines, the 365 days. A number of them have gone through one, two, three and sometimes four tours. Our Americans, and that includes my son, who is deploying now for the third time, will not fail, they will not crack, they will not stretch. They will hold, and they will carry out this mission against terrorists.

We are right now in the second phase of a program we have used for 60 years to stand up free governments around the world. You stand up a free government. We have done that.

Secondly, you stand up a military capable of protecting that free government. That is a second stage. That is a stage we are in right now.

Thirdly, we leave, because America doesn't covet anything that another nation has.

We are in the second stage right now. It's tough, and it's difficult. This is a tough, difficult mission, but it is a mission that we can accomplish.

I am reminded, lastly, that the Speaker talked about stopping the war. That is how she described this bill. The Democratic leadership does not have the power to stop the war against terror. All they have the power to do is to leave the battlefield. That would be a disaster for the United States of America.

Mr. OBEY. Mr. Speaker, I yield myself 20 seconds.

I would also observe that our soldiers don't have the power to require Iraqi politicians to quit killing each other and make the diplomatic and political compromises necessary to end this civil war. Only Iraqi politicians have that, and we are trying to send them a message with this bill.

Mr. Speaker, I yield 2 minutes to the distinguished gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Speaker, by vetoing this bill, the President refuses to sustain the troops that we have sent to Iraq. Every dollar they need, every ounce of protection they need, and the health care they need when they come home is in this bill that he has vetoed. We refuse to sustain a failed, endless policy that takes us nowhere.

The President refuses to acknowledge the reality that we have sent our sons and daughters to be referees in a bloody civil war. We acknowledge that reality, and we want to stop it.

The President refuses to acknowledge the comments of General Petraeus, who says that ending this civil war is a political mission, not a military one. We acknowledge that reality, and we provide the tools to achieve success in that political mission.

Today the President has refused to acknowledge the will of the American people, but we are expressing the will of the American people.

We will vote to override this veto, and the result will obtain. But we will never yield, never quit, never back up in this effort to change this failing policy and bring our troops home from Iraq.

Vote to override this veto.

Mr. LEWIS of California. Mr. Speaker, could I inquire about the amount of time.

The SPEAKER pro tempore. The gentleman from California has 8 minutes remaining. The gentleman from Wisconsin has 11¼ minutes remaining.

Mr. LEWIS of California. Mr. Speaker, I am proud to yield 3 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman from California.

Mr. Speaker, I think that we have to sustain this veto today. I think it's the right thing to do, because I think we need to go back to the drawing board on this. Number one, the President does have the constitutionally defined duty to fight wars, to direct the militia, particularly in a time of war, and I think that we are getting into a position where we have a lot of folks on Capitol Hill, perhaps as high as 535 of us, who think we can run the war more than the Commander in Chief.

I think we have to recognize that constitutionally the President has to do that. I think the President really has to veto this bill. It's as much for the preservation of the office as it is for his own personal views today.

I think, secondly, while the benchmarks themselves make sense, and there is a lot of bipartisan agreement on the benchmarks, there is also great division as to can these benchmarks be achieved by the dates outlined in the bill.

One of the things General Petraeus said to Congress last week is that the

new Government of Iraq, and keep in mind, this is the fourth election that they have had and the first permanent government, but one of the things they need, as much as anything, is our push. This bill serves to push them. But it also needs our assurance, our assurance that we will be with them through this process.

If you pointed out in 1870 would America be in a position to pass major civil rights legislation, we would not be at that point. The Government of Iraq might not be ready to bring in all the Baathists or to the level in which we would like to see it done by July or by October, and so I think that we have to give them a little more assurance that we're going to push you, but we're not going to pull the rug out from under you.

I think that we, on this committee, the defense committee, the Appropriations Committee, which historically is known for getting things done at the end of the day, often have friends say to me, as a Republican, but I often have the question asked to me, we know you're a Republican, and we know you can be partisan, but do you do things bipartisanly?

I am always proud to say, you know, the number one committee that I serve on, which I also think is the number one committee in the House, is a very bipartisan committee. Now, we will debate things, gun control, abortion, things, always are putting riders, environmental stuff, on our bill. Yet we clash about it in committee time and time again on ideological, principle-based positions. Yet at the end of the day, we know that the bill has to be passed, because if you don't get the appropriations train to the station, the government shuts down.

I think at this point, the Appropriations Committee can go back to the drawing board and come up with something that is still based in principle that both sides can respect. But it does put the troops forward, as we do have strong bipartisan basis to want to do right now, but it would also take care of some of the politics of Iraq and the diplomacy. For that reason, I think we have to vote to sustain the veto.

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished chairman of the House Armed Services Committee, the gentleman from Missouri (Mr. SKELTON).

Mr. SKELTON. I thank my friend from Wisconsin.

Mr. Speaker, it really depends on where you put the spotlight. The spotlight has, unfortunately, been on some goals or a goal to redeploy troops, when truth in fact the spotlight of this legislation should have been and should be on the readiness of the troops of the United States. I am truly concerned about the readiness, let me tell you.

In the last 30 years, there have been 12 military contingencies in which the United States military has been involved. If this means anything in the future, sure as God made little green apples, we are going to have conflicts or concern, we hope none, but in the future.

Readiness is a major part of it. The testimony is that a large, large percentage of our equipment, Active Duty, National Guard and Reserve for the Army, is in the Middle East. It's not here; it's not available for training. What is over there, of course, because of the sand, the conditions and the usage, is getting worn.

I truly worry about the training and the equipment for our Army and for our Marines in particular, because we don't know what the future holds. That is where the spotlight ought to be on this legislation, the positive aspects of it in preparing the readiness for tomorrow as well as for the readiness of today for the groups that are going over time after time, whether it be for 12 or for 15 months.

My hats off to those young people in uniform. It's our job to maintain them and take care of them. This bill would have done that.

Mr. LEWIS of California. Mr. Speaker, I believe that both of us are coming very close to the end of our time.

Mr. OBEY. We are ready for our summary statement.

Mr. LEWIS of California. As we do that, why don't we just join together, as we approach our closing speaker, and express our appreciation, is that all right with you, to the staff of both sides?

Mr. OBEY. Absolutely.

Mr. LEWIS of California. A fabulous job has been done on this. I am very proud of the people over here. I know you feel the same, and presuming that you would like to have me yield, I would be happy to.

Mr. OBEY. I would simply say that I appreciate the work that the staff has done on both sides of the aisle, and the work that they will continue to do. It's going to be a long time before this issue is disposed of. I appreciate the fact that they worked, literally, night and day to bring us to this point.

Mr. LEWIS of California. Mr. Speaker, I am very proud to yield 1 minute to the Republican leader of the House, JOHN BOEHNER of Ohio.

□ 1400

Mr. BOEHNER. Mr. Speaker, my colleagues, the President was right to veto the bill that we have before us. And I believe that the House today will sustain the President's veto because the bill that we have before us that is purportedly there to pay for our efforts in Afghanistan and Iraq and other issues, in my opinion, ties the hands of our generals and our troops on the ground and almost mandates failure in Iraq.

I think it is time for us to work across the aisle to produce a clean bill that the President can sign into law to sustain our efforts in Afghanistan and in Iraq, and to make sure that at the end of the day we have victory.

The fundamental question that we are all dealing with in this Chamber and elsewhere is, why is Iraq important? Why is winning in Iraq so important?

In my view, and in others, al Qaeda has made Iraq the central front in their war with us. Those aren't my words, those are their words. They started this war when they attacked us all through the 1990s and when they attacked us in New York City on 9/11.

And while we went to Iraq to take out Saddam Hussein and to help build a more stable, democratically-elected nation in that part of the world and bring more stability there, it has turned into much more than that.

According to the Memorial Institute for the Prevention of Terrorism, a nonprofit organization funded by a grant from the Homeland Security Department, Iraq today is home to 77 different terrorist organizations. They have made this, they have made Iraq the central front in their war with us.

We all know that there is a growing movement around the world of radical Islamic terrorists that want to kill Americans and want to kill our allies. They are operating all over the world and they are attacking people all over the world. Just think about where they have been over the last several weeks, whether it was Bangladesh last night or elsewhere. They are continuing their efforts to try to gain control of the world, and part of that effort is aimed directly at us. Americans, freedom loving people, up against people who don't want freedom for people, that want to impose radical Islamic law on all of us. And so they have made Iraq the central front in their war with us.

And if we walk out of Iraq, if we don't give this plan a chance to succeed, we encourage the terrorists. We will encourage them. They will be able to recruit new people all over the world. They will have a safe haven in Iraq itself. We will destabilize the entire Middle East, including the very existence of Israel. And who doesn't believe that if we don't deal with the terrorists in Iraq, that we won't be dealing with them on the streets of America? That is why Iraq is important. And if we are not willing to stand up to the terrorists and defeat them in Iraq, when and where will we draw the line to protect the American people, our ultimate responsibility?

We have a serious responsibility, and there is no greater responsibility for those of us who serve in this Chamber, than to provide for the safety and security of our constituents and our people in our country.

So tell me, if we are not going to stand up to them in Iraq, if we are not going to take them on in Iraq and defeat them there, when and where will we do it?

And the fact is, is that our troops are doing a great job in Iraq under very difficult circumstances. They deserve the support of all the Members of this House.

And so I say to my colleagues, it is time for the games to stop, it is time

for the political points to be taken off the board, and it is time for us to sit down as Members on both sides of the aisle and give the President a clean bill that funds our troops in Iraq and Afghanistan, that furthers our effort to take on the terrorists and defeats them, and doesn't do it with some $20 billion worth of excess spending that has nothing to do with this bill.

I urge my colleagues to sustain the President's veto.

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

Mr. OBEY. Mr. Speaker, the gentleman who just spoke said that withdrawing from Iraq will destabilize the Middle East. The President's policy has already destabilized the Middle East.

He says that this policy endorses failure. The fact is that the only endorsement of failure comes on the part of those who will vote to continue the President's existing policy, because the President's policy in Iraq has been a 4-year failure.

We need a change in direction. The only question about the President's policy is whether it will produce a disaster or whether it will produce a catastrophe, and I am afraid it will produce the latter.

Mr. Speaker, I now yield the remainder of my time to the gentleman from Pennsylvania (Mr. MURTHA).

Mr. MURTHA. Mr. Speaker, we will have appropriated in one year, $1.2 trillion. This bill that we are voting on today is called the Iraq Accountability Act.

Now, it's fine to have loyalty to the President of the United States. All of us know how important loyalty is; all of us know how important it is to be loyal to our friends, but there comes a time when this independent Congress has to stand up to the President of the United States.

We will have appropriated $95.5 billion. And if you vote against this bill, you're voting against that which is $4 billion more. You're voting for loyalty to the President, but you're voting against $4 billion more, $95.5 billion for the amount for the Department of Defense programs.

If you vote for President Bush, you're voting against $12.3 billion for military personnel pay and benefits, everything the President asked for. If you vote for loyalty to President Bush, you're voting against $1.2 billion, mostly to cover housing allowances which were left out of the last bill. The total amount provided is $13.5 billion. If you vote for President Bush and loyalty to President Bush, the conference committee has added $1.15 billion to cover the full cost of housing allowances. The committee has also added $2.3 billion to cover the full cost of 36,000 Army troops and 9,000 Marines. If you vote to be loyal to the President, you're voting against those troops.

When you talk about support the troops, I am talking about supporting the troops. Conferees recommend $50.4 billion for military operations even more than the President requested. We are adding $2 billion to address training and equipment shortfall.

The chairman of the Armed Services Committee talked about readiness. Right now, we have a tremendous shortfall of equipment. We have no strategic Active Duty Reserve in this country. And we put extra money, we put $2 billion in to start to replenish the strategic reserve.

This conference proposes to fully fund the President's request to train and equip Iraqi and Afghanistan troops. If you vote against this bill, if you vote for the President and to be loyal to the President, you're voting not to include $25.6 billion in equipment purchases, $800 million above the President's request.

If you vote against this bill, you're voting not to allocate $3 billion to purchase the mine resistant, new vehicle with the V-shape which resists the IED, one of the most important pieces of equipment that we will send to Iraq. We put $400 million for Abrams vehicles, Abrams tank, and we put $768 million for the Strykers.

Now, let me talk about defense health. Today, the Subcommittee on Defense just had a hearing on defense health. Every single year, Dr. Chu, the Defense Department shorts the health care system of $2 billion. Every year. Every year, the Congress has to make it up.

We have extra money, we have $3.3 billion for the defense health care programs; $2.1 billion above the budget request. If you vote against this bill, you're voting against those requests. $450 million for traumatic stress brain disorders; $450 million for traumatic brain injuries and post traumatic stress; $661 million to cover funding shortfalls created by the Congress in having disapproved the Department's proposed increase in health insurance premiums; fees for military beneficiaries; $62 million for amputee care; $12 million for caregivers. This is an important point. For caregivers. We heard from the Department of Health, from the Defense Department about the problem caregivers have.

All of us go to the hospitals as often as we can. I get post traumatic stress seeing these young wounded people. I am inspired by them. I see the families when I went to Fort Bragg and Fort Stewart and Fort Hood. I admire them. I admire their discipline, I admire their courage. I admire their patriotism. But let me tell you something: They're burned out. They're hurting.

If you vote against this bill, you're voting not to give them the money that they need. If you vote against this, you're voting against the provision that says no permanent bases in Iraq. If you vote against this, you're voting against 15 percent that comes out of Defense for the contractors. We have 125,000 contractors in Iraq and there has been no oversight, and we had 2 months before we could even find out about the contractors.

One of the provisions we put in this bill was a provision that said you can't deploy troops unless they are trained and equipped. You can't deploy troops unless they've had at least a year at home. Now, more and more I am seeing, they are saying that's the most important provision in this bill. They need a year at home to recuperate from their deployment; they need a year at home to retrain and to get ready to make another deployment. The Secretary of Defense made that decision, and we appreciate him making that decision. But at the same time, because of the policy of the White House, he had to make the decision, in order to sustain this deployment he had to make the decision to extend them to 15 months. I hear rumors that he is going to extend them for 18 months.

The troops that I talked to, the troops that I talked to just recently, were very frank with me. I said, ''Look, we want to help in any way we can. Tell us what the problems are.'' And they went through the myriad of problems they have with these deployments.

These are individuals. These are individual people. They've got families. They have loved ones. One first sergeant said to me, ''I hate to tell my kids I have to go overseas again. I hate to tell the kids.'' One woman in Iraq, and this is in an article in The Washington Post, she sighed and she says, ''This war is a war between the Iraqis,'' she said. Another soldier said, ''We're just interfering and letting our soldiers die.''

I have to say that when you say there is some success in Iraq, we had four of the deadliest months in the history of this 4-year war in Iraq. We had more people killed in the last 4 months than any other period of time during this war. We have had 330 killed since the surge started. And these are individuals. These are not numbers, these are individuals.

We have less electricity than we had before the war started, less oil production than we had before the war started, less potable water, higher unemployment.

We have a provision in this bill that says the Iraqis have to take over this fight themselves. The Iraqis just maybe killed one of the highest leaders. That's what we want. We want to give them the incentive to take over the security themselves.

And let me say what's important on this floor of the United States Congress and what's important to the President of the United States: It is the national security of the United States. That's what's important. It is important that Iraq take over their national security, but our own need concerns me. Our strategic reserve is depleted completely, our troops are burned out, and we need to find a way to do a diplomatic effort, to put an all-out surge in diplomatic efforts in order to bring our troops home as soon as practicable.

So I urge the Members to override this veto, and start to bring our troops home as soon as practical.

Mr. LEVIN. Mr. Speaker, today there are two distinct messages coming out of Washington. The first message is from a majority of the Congress and underscores impatience with the lack of political progress in Iraq. We call for a new direction, including enforceable benchmarks for the performance of the Iraqi government. The other message is from the White House. The message the President is sending is that America's military commitment in Iraq remains open-ended, no matter what.

The President keeps saying that we're making progress in Iraq. This claim cannot be reconciled with the facts. Nearly everyone agrees that there is no military solution possible in Iraq; rather, the Iraqis must make the political compromises necessary to end the violence.

But where is the progress on the benchmarks that the President himself has endorsed? Where is the agreement to fairly share Iraq's oil wealth among all of Iraq's people? Where is the law reversing the disastrous de-Baathification policy? Where are the promised new election laws? Where is the progress on amending the Iraqi constitution to address longstanding Sunni concerns? The Iraqi government has repeatedly promised action on all of these, but there is little forward movement after many months.

Benchmarks are only real if there are consequences for failure to meet them. Back in January, the President said, and I quote, ''if the Iraqi government does not follow through on its promises, it will lose the support of the American people—and it will lose the support of the Iraqi people.'' But by vetoing the Iraq Accountability Act, the President has made it clear that failure to follow through on the benchmarks will not result in the loss of the White House's support for this open-ended war.

From the beginning, the Bush Administration has been wrong so many times about nearly every aspect of the war in Iraq. Now the President comes to Congress again to ask for yet another blank check. We should not give him one. I urge the House to override the President's veto.

Mr. ETHERIDGE. Mr. Speaker, I rise in support of overriding the President's misguided veto of H.R. 1591, U.S. Troop Readiness, Veterans' Health and Iraq Accountability Act. We need a new direction in Iraq.

This legislation contains every penny the President has requested for our troops in Iraq and adds $4 billion more. The bill includes additional funding for military health care and military housing and provides $1.8 billion not requested by the President to begin meeting the unmet health care needs of veterans returning from Iraq and Afghanistan.

As the Representative for Fort Bragg, I strongly support our troops, their families and their communities. Our superb military men and women have done everything that has been asked of them and done it well. America's military victory in Iraq was achieved when Saddam Hussein's regime was toppled. But the Administration went to war without a plan to win the peace, and our military victory has been bogged down in a mindless occupation led by bitterly stubborn politicians here at home.

Just last month, Vice President CHENEY insisted that Saddam Hussein had been allied with Osama bin Laden's terrorist network despite all evidence to the contrary. Last night, the President vetoed this legislation in favor of his failed strategy of stay the course. The leadership of this Administration continues to be in a state of denial, and Congress must assert its rightful role in our nation's policymaking. I will vote to override this veto for a new direction in Iraq, and I urge my colleagues to join me in doing so.

Ms. JACKSON-LEE of Texas. Mr. Speaker, as a proud member of the Progressive and the Out of Iraq Caucuses, I rise to announce that I will proudly cast my vote to override the President's veto of H.R. 1591, the ''U.S. Troop Readiness, Veterans'' Health and Iraq Accountability Act.'' By vetoing the bipartisan Iraq Accountability Act last night, the President vetoed the will of the American people. The President vetoed a responsible funding bill for the troops that would have provided more funding for our troops and military readiness than even the President requested.

By vetoing the Iraq Accountability Act, the President rejected a bill that reflects the will of the American people to wind down this war. By vetoing the Iraq Accountability Act, the President turned a deaf ear to the loud message sent by the American people last November.

I will vote to override the President's veto because the Iraq Accountability Act offers us the first real chance to end the misguided invasion, war, and occupation of Iraq. It puts us on the glide path to the day when our troops come home in honor and triumph and where we can care for him who has borne the battle, and for his widow and orphan. This legislation helps to repair the damage to America's international reputation and prestige. It brings long overdue oversight, accountability, and transparency to defense and reconstruction contracting and procurement. Finally, it places the responsibility for bringing peace and security where it clearly belongs and that is squarely on the shoulders of the Iraqi government.

Mr. Speaker, in vetoing the legislation, the President claimed the Iraq Accountability Act, H.R. 1591 would undermine our troops and threaten the safety of the American people here at home. Coming from an Administration that has been wrong on every important question relating to the decision to launch the Iraq War as well the conduct of it, this claim is laughable. It is nearly as ridiculous as the President's often stated claim of ''progress'' in Iraq. The facts, of course, are otherwise. The U.S. death toll in Iraq reached 104 for April—making it the deadliest month of the year and one of the deadliest of the entire war. It is therefore little wonder that nearly 70 percent of Americans disapprove of the way the President is handling the war. But more important, the President's claim that the Iraq Accountability Act undermines our troops and threatens the safety of the American people here at home is simply not true.

Republican Senator CHUCK HAGEL recently returned from Iraq and paints a bleak picture: This thing is coming undone quickly, and [Prime Minister] Maliki's government is weaker by the day. The police are corrupt top to bottom. The oil problem is a huge problem. They still can't get anything through the parliament—no hydrocarbon law, no de-Baathification law, no provincial elections.

Mr. Speaker, many of the Nation's most highly respected generals and several leading Republicans have endorsed H.R. 1591; all of them oppose the President's plan to escalate the war in Iraq. Take, for example, Maj. Gen. John Batiste, U.S. Army (Ret.):

This important legislation sets a new direction for Iraq. It acknowledges that America went to war without mobilizing the nation, that our strategy in Iraq has been tragically flawed since the invasion in March 2003, that our Army and Marine Corps are at the breaking point with little to show for it, and that our military alone will never establish representative government in Iraq. The administration got it terribly wrong and I applaud our Congress for stepping up to their constitutional responsibilities.

Maj. Gen. Paul Eaton, USA, Ret. supports this legislation because it ''gives General Petraeus great leverage for moving the Iraqi government down the more disciplined path laid out by the Iraq Study Group.'' According to Major Eaton, the real audience for the timeline language is Prime Minister al-Maliki and the elected government of Iraq:

The argument that this bill aides the enemy is simply not mature—nobody on the earth underestimates the United States' capacity for unpredictability. It may further create some sense of urgency in the rest of our government, beginning with the State Department.

Lt. Gen. William E. Odom, U.S. Army (Ret.), President Reagan's Director of the National Security Agency, supports the bill because it gives the President a chance to pull back from a disastrous course, re-orient U.S. strategy to achieve regional stability, and win help from many other countries—the only way peace will eventually be achieved.

Mr. Speaker, to date, the war in Iraq has lasted longer than America's involvement in World War II, the greatest conflict in all of human history. But there is a difference. The Second World War ended in complete and total victory for the United States and its allies. But then again, in that conflict America was led by FDR, a great Commander-in-Chief, who had a plan to win the war and secure the peace, listened to his generals, and sent troops in sufficient numbers and sufficiently trained and equipped to do the job.

As a result of the colossal miscalculation in deciding to invade Iraq, the loss of public trust resulting from the misrepresentation of the reasons for launching that invasion, and the breath taking incompetence in mismanaging the occupation of Iraq, the Armed Forces and the people of the United States have suffered incalculable damage.

The war in Iraq has claimed the lives of 3,316 brave service men and women—64 in the first 16 days of this month. More than 24,912 Americans have been wounded, many suffering the most horrific injuries. American taxpayers have paid nearly $400 billion to sustain this misadventure.

Mr. Speaker, it is time to hold the Bush Administration and the Iraqi government accountable. This bill's timetable and benchmarks finally hold the Iraqis accountable. As retired Maj. Gen. Paul Eaton has stated, This bill gives General Petraeus great leverage for moving the Iraqi government down the more disciplined path laid out by the Iraq Study Group. The real audience for the timeline language is Prime Minister al-Maliki and the elected government of Iraq.

Even Defense Secretary Robert Gates has noted that the timetable is helpful—and sends

the message that ''the clock is ticking.'' Gates said ''The strong feelings expressed in the Congress about the timetable probably have had a positive impact. . . . in terms of communicating to the Iraqis that this is not an open-ended commitment.''

Mr. Speaker, in overriding the President's veto, this House will be doing the business and expressing the will of the American people. In the latest CBS News/New York Times poll, 64 percent of Americans favor a timetable that provides for the withdrawal of U.S. troops from Iraq in 2008. In the same poll, 57 percent of Americans believe that Congress, not the President, should have the last say when it comes to setting troop levels in Iraq.

Mr. Speaker, in overriding the President's veto, Congress is fulfilling its constitutional responsibilities and exercising the first check on the President's power in 6 years. As Iraq Study Group Co-Chairman Lee Hamilton has pointed out, The Founders of our Nation never envisioned an unfettered president making unilateral decisions about American lives and military power. They did indeed make the president the commander in chief, but they gave to Congress the responsibility for declaring war, for making rules governing our land and naval forces, for overseeing policy, and of course the ability to fund war or to cease funding it.

Mr. Speaker, I urge all members to join me in overriding the President's veto of Iraq Accountability Act, H.R. 1591. This is the best way to ensure accountability to our soldiers who have been sent into battle without proper training or equipment or a clear mission. It is the best way to keep faith with our veterans who are not getting the best medical care when they come home. Overriding the President's veto is essential to restoring our military that is being stretched to the limits by the Bush policy. Last, it is absolutely necessary to regain the confidence of the American people who demand a new direction in Iraq.

Mr. KENNEDY. Mr. Speaker, the President is making a terrible and costly mistake by vetoing the war funding bill and rejecting the clear desire of Congress and the country for a swift redeployment of U.S. ground forces from Iraq.

The veto and the insistence on staying the course is not a mistake simply because it ignores public opinion; we wouldn't want a Commander-in-Chief to be simply a weather vane.

And it is not a mistake just because our courageous troops and military families are exhausted from bearing the full weight of sacrifice themselves. We know they are prepared to pay any price for American security, which is why we owe them such a debt of gratitude.

No, the President's veto is a grave mistake because refusing to change course in Iraq is compromising U.S. security.

Administration rhetoric notwithstanding, policing the civil war in Iraq does not bring us closer to defeating the global network of extremists who wish to harm us. To the contrary, in order to improve national security and best address our other strategic interests around the world and here at home, we must dramatically change our current direction in Iraq.

Our men and women in uniform have always served our country courageously and performed brilliantly. But asking them to stand between warring factions is not only unfair, it is counterproductive.

Redeployment from Iraq will enhance our security by allowing us to properly address other potential challenges around the world from Afghanistan, North Korea, and Iran to Latin America, the Horn of Africa, and the greater Middle East. In particular, it will allow us to put our attention back on Afghanistan and the fight against a resurgent al Qaeda and Taliban, the enemies who actually did engineer 9/11.

Bringing troops home also allows us to resolve the concerns about the readiness of our Armed Forces, which have been strained to the breaking point because of this Administration's careless management of the war in Iraq.

Only by extricating ourselves from the mess of Iraq can we begin moving our country back to a common-sense policy of strength through leadership. Every day our military is in Iraq our standing in the international community erodes further.

Already we've seen respect for the United States plunge from record highs after 9/11 to record lows now. This loss of moral authority compromises our ability to lead multinational efforts to fight national security threats from terrorism and nuclear proliferation to global warming and drug trafficking.

Our continuing military involvement in Iraq carries these steep costs with little prospect of benefit. Only the Iraqis can bring about the needed reconciliation in their country. Their political leaders must take the difficult political steps needed to cease the violence in their country, by building coalitions among competing sects, ensuring minority rights, balancing power between provincial and central governments, and sharing oil revenues among all regions in Iraq. We simply cannot do this work for them.

By setting a deliberate timetable for redeployment, we force the Iraqi political leaders to acknowledge and accept that they are the ones who must take steps to bring about an end of the sectarian violence.

Bad things may happen when our Armed Forces leave Iraq if the Iraqis cannot or will not choose reconciliation over conflict. But that will be true if we leave at the end of this year, the end of next year, or in 2015. Delaying redeployment simply delays the Iraqis' moment of responsibility.

Our strong leaders of the last century, like Presidents Roosevelt, Truman, Kennedy, and Reagan, recognized that while American military might was important, American values were our greatest strength.

Just as we rallied the world in the Second World War and defeated the Soviets in the Cold War on the strength of our Nation's democratic ideals, ultimate victory against this generation of enemies will similarly be won in the minds of millions around the world, not on the battlefield in Iraq or anywhere else. Indeed, that long-term victory is impossible while we are in the middle of Iraq's civil war.

There is no easy solution to the problems in Iraq, but it would be irresponsible to push a difficult decision off to another day, another Congress, or another President. We must stand firm and hold the Iraqi leaders responsible for their country. It is time for the United States to turn its attention to its broader global security and redeploy from Iraq.

Mr. HALL of New York. Mr. Speaker, I rise today to express my disappointment with President Bush's veto of the Iraq Accountability Act. Sadly, this is just the latest example of the President's unwillingness to change his mistaken policy towards Iraq. After more than 4 years of the President's stay-the-course strategy in Iraq, we must provide a responsible plan to redeploy our troops and require the Iraqi government to meet basic benchmarks for stability. This bill presented that plan and the President should have signed it into law.

Last month, 4 years after the President declared ''Mission Accomplished,'' was the deadliest month for American troops in Iraq this year. For too long, the Republican-led Congress failed to exercise its Constitutional responsibility to hold the Bush Administration accountable—with disastrous results for the American people. No longer.

I have opposed the war in Iraq since its start, and today with my vote to override the veto I was proud to vote once again to take our policy in Iraq in a new direction. More than 4 years after the President declared the end of major combat in Iraq, we suffered over 100 U.S. military casualties in April alone. We must provide a responsible plan to redeploy our troops and require the Iraqi government to meet basic benchmarks for stability.

Our country faces serious threats. There are dangerous people in this world that seek nothing more than to kill as many Americans as possible. The number of people who died from my district on September 11th make me acutely aware of this dire threat. I was proud to vote for a bill that allows us to refocus our military on that threat. That would allow us to seek out, capture, or kill those who were responsible for September 11th or who currently plot to kill Americans rather than police a civil war in Iraq.

I'm disappointed that the President chose to ignore the American people and veto the Iraq Accountability Act. He should have signed this bill, in order to get these needed resources to our troops and our veterans, hold the Iraqi government accountable, change course in Iraq and refocus on destroying Al Qaeda.

As we move forward, the President must realize that this Congress is not going to give the President a blank check with which to ignore the will of the American people on Iraq. Four years of a flawed strategy are 4 years too long.

The SPEAKER pro tempore. All time has expired.

Without objection, the previous question is ordered.

There was no objection.

The SPEAKER pro tempore. The question is, Will the House, on reconsideration, pass the bill, the objections of the President to the contrary notwithstanding?

Under the Constitution, this vote must be by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 222, nays 203, answered ''present'' 1, not voting 7, as follows:

[Roll No. 276]

YEAS—222

Abercrombie	Berkley	Braley (IA)
Ackerman	Berman	Brown, Corrine
Allen	Berry	Butterfield
Altmire	Bishop (GA)	Capps
Andrews	Bishop (NY)	Capuano
Arcuri	Blumenauer	Cardoza
Baca	Boswell	Carnahan
Baird	Boucher	Carney
Baldwin	Boyd (FL)	Carson
Bean	Boyda (KS)	Castor
Becerra	Brady (PA)	Chandler

Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Fattah
Filner
Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
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Melancon
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Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
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Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
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Slaughter
Smith (WA)
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Tauscher
Thompson (CA)
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NAYS—203

Aderholt
Akin
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Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
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Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
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Hayes
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Hensarling
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Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
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Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
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McCarthy (CA)
McCaul (TX)
McCotter
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McHenry
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McKeon
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Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
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Platts
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Price (GA)
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Rogers (AL)
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Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shays
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Kucinich

NOT VOTING—7

Davis, Jo Ann
Engel
Gillibrand
Lampson
McMorris Rodgers
Ortiz
Westmoreland

□ 1437

Mr. CULBERSON changed his vote from ''yea'' to ''nay.''

Mr. CUELLAR changed his vote from ''nay'' to ''yea.''

So, two-thirds not having voted in favor thereof, the veto of the President was sustained and the bill was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. WESTMORELAND. Mr. Speaker, due to being unavoidably delayed, I missed a vote on H.R. 1591, U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007—Passage, Objections of the President Not Withstanding (rollcall No. 276). I would have voted ''nay'' had I been present to record my vote.

The SPEAKER pro tempore. The message and the bill are referred to the Committee on Appropriations.

The Clerk will notify the Senate of the action of the House.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to submit their remarks on H.R. 1429, to be taken up next.

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

There was no objection.

IMPROVING HEAD START ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 348 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. 1429.

□ 1439

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. 1429) to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes, with Mr. SCHIFF in the chair.

The Clerk read the title of the bill.

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

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members of the House, today we take up the Head Start Improvement Act of 2007. This is a bipartisan piece of legislation, as it was last year when it was brought to the House floor. And in that vein, I certainly want to begin by thanking the staff on both sides of the aisle that have worked very hard to bring this legislation in this form with the cooperation of the members of both sides of the committee, the majority and the minority. I begin by thanking Mr. Lloyd Horwich, who is working for Mr. KILDEE; Stephanie Milburn, with Mr. MCKEON; Sarah Rittling, working with Mr. CASTLE; and Molly Carter and Ruth Friedman of the majority staff. This staff knows this program backwards and forwards. They have worked long and hard with the Head Start community, with the States, with Governors, with local communities, to make sure that, in fact, we have a program that we can be proud of, that we can continue to place our faith in, and does what we want, which is to give children from impoverished families and communities the opportunity to have a head start and to come to kindergarten school ready, if you will, with the skills necessary to take advantage of the opportunity that will be presented to them when they start school.

Head Start has been the premiere early education program in this country for more than 40 years. It has served more than 20 million children and families in that time. It is a highly successful research-based, comprehensive childhood development and early education program for low-income children from birth to 5 and for their families.

Both Head Start and Early Head Start help our country's most disadvantaged children become better prepared to succeed in school and in life by addressing the needs of the whole child and providing services such as

health and nutrition in addition to the educational curriculum. Its design has always been based in science, and the bill before us builds on the strong foundation again by turning to the best science to renew and improve the Head Start program.

Head Start remains a cornerstone of this country's effort to close the achievement gap, to combat poverty, and to provide all its citizens with the opportunity to thrive.

Today more than 12 million children in America live in poverty, 20 percent of them under the age of 6. Children who grow up in poverty are more likely to struggle in school, face physical and mental health problems, and see fewer economic opportunities throughout their life.

The bill before us is central to achieving the goals of No Child Left behind because the achievement gap that appears later on in elementary school begins before these children reach kindergarten. Head Start is one of the most evaluated Federal programs, and research concludes that Head Start works. Recent findings from the congressionally-mandated Impact Study found that after less than one school year, Head Start narrowed the achievement gap by 45 percent in prereading and 28 percent in prewriting. The study also found that Head Start helped to improve some of the important parenting practices, including helping to increase the frequency with which parents read to and with their children.

Another large-scale study on Head Start found that children made significant gains during the Head Start year, and made even greater gains over the kindergarten year.

□ 1445

By the end of kindergarten, Head Start graduates were essentially in the national norms in early reading and writing, narrowed by the achievement gap in vocabulary and general knowledge and early math.

I am encouraged that the research concludes that Head Start is doing what we expect and demand that it should do to help prepare children to succeed in school. However, this research shows that there are many new ways to improve Head Start, and I believe we accomplish that in the bill before us. The bill before us will help more children arrive at kindergarten ready to succeed by improving the program quality and expanding access to more children.

This bill includes many improvements to build on the latest research in brain and child development. The bill also recognizes that key to the first-class Head Start programs is teachers. This is absolutely imperative, and this bill works hard to make sure that we continue to provide for improvement and professional development of the teachers in the Head Start program.

We increase the teacher qualifications by directing the majority of new funds for program improvement activities, including significant new funds to increase teacher salaries; requiring that all programs use research-based practices to support children's preliteracy and vocabulary skills; requiring a full time staff to develop career ladders and professional development plans; directing the Health and Human Services agency to implement an observational assessment tool that will evaluate classroom quality and provide immediate feedback for programs on their strengths and weaknesses; improving the professional development and training and technical assistance systems so that they are better grounded in science and more responsive to local training needs; and requiring the Secretary to reevaluate and update current early learning standards and assessments using the best science available.

The point is this: This is a major revamping of the Head Start program, with an emphasis on quality, with an emphasis on outcomes, with an emphasis on the assessments and how these programs are doing so that we can provide the continuous improvement of these programs, and we can provide continuous high-quality programs to the children who are in need of these programs. It's only then that we can be assured that Head Start will continue to earn its reputation as the premier early childhood education and development program in this Nation. It is only then that we can say to the taxpayers that this continues to be a very wise investment of the dollars in the children of this Nation in providing them access to the kinds of programs that are necessary if they are going to be able to take advantage of the educational opportunities in K–12, if they are going to be able to close the gap between themselves and middle-income kids, if they are going to be able to go to school with those skills.

I believe that this legislation does that. This legislation builds on what was tried and worked on in the last session of Congress under the leadership of Mr. CASTLE, Mr. MCKEON, Mr. BOEHNER, myself and Mr. KILDEE. This is a continuation of that process, and that's why it received the overwhelming bipartisan support when it was reported from the committee. I hope that my colleagues will lend it the same kind of support at the end of this debate and the amendment process.

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

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

Mr. Chairman, let me start by commending my friends, Chairman MILLER, Chairman KILDEE and Mr. CASTLE, for their hard work on this good bill, which I am so pleased we were able to pass with an overwhelming bipartisan majority in committee 2 months ago.

While the resources to fund Head Start are significant, more work is needed to achieve the ultimate program goal on closing the readiness gap between Head Start children and their more advantaged peers as they enter kindergarten.

Some studies indicate that children enrolled in Head Start do make some progress, but at the same time we need to understand that we still have some work ahead of us in closing the readiness gap. With this in mind, the bill before us today will strengthen Head Start's academic standards by emphasizing cognitive development and the results of scientifically based research in topics critical to children's school readiness.

The measure also aims to 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. That's great news for those children who will be participating in the Head Start program years down the road.

I have also been disappointed that in recent years we have heard many stories that have marred Head Start's good name. In various communities we found that financial abuse within Head Start centers is far too commonplace. In fact, a March 2005 report from the Government Accountability Office warned that the financial control system in the Head Start program is flawed in failing to prevent multi-million-dollar financial abuses that cheat poor children, taxpayers and law-abiding Head Start operators.

In the 109th Congress, Republicans led the House in passing a Head Start reauthorization bill that addressed these weaknesses in the Head Start financial control system. I believe the bill before us moves in that direction as well. It will require Head Start operators to meet a range of financial disclosure requirements as a condition of receiving and keeping their Federal Head Start grants. Furthermore, under this bill, grantees would have to be overseen by a local governance board that provides direction and actively oversees program activities. These are positive steps to ensure abuses are minimized, and that taxpayers' funds and the children those funds are meant to serve are protected.

Mr. Chairman, while this bill does represent overall progress for Head Start, I would be remiss if I did not note that there are some significant flaws in it, flaws that I hope we can correct before this measure is sent to the President. For example, under this measure the majority has decided to expand Head Start eligibility to those who the program was not designed to serve. Ultimately I believe this policy change may have the impact of leaving many children who live in poverty underserved by Head Start programs. This runs contrary to what we all believe to be the mission of this program and will do nothing to strengthen Head Start services; if anything, it will weaken them.

I am also disappointed that the House will not have an opportunity

today to vote on an amendment offered yesterday at the Rules Committee by Mr. FORTUÑO, to protect the civil liberties of faith-based providers by clarifying that these institutions are not required to relinquish their Civil Rights Act hiring protections when they participate in the Federal Head Start program. These protections are already the law of the land with regard to various Federal programs, including those impacting welfare reform and Community Service Block Grants. In fact, President Clinton himself signed such language into the law.

The Fortuño amendment also would have ensured religious organizations would not be forced to remove art, icons, Scripture or other symbols in order to receive Federal Head Start grants. Barring these providers from fully participating in Head Start is not only a disservice to the faith-based providers, but also to the children who depend on the Head Start program and the taxpayers who should know that Federal dollars are granted to the best available service providers, faith-based or otherwise. Instead, the majority thrust upon us an amendment that praises the work of faith-based organizations, but does not protect their civil rights. It's literally all talk and no action. Indeed, the only people protected by this amendment are certain members of the majority party seeking political cover. Faith-based providers are left to fend for themselves.

Mr. Chairman, in spite of these flaws, which I hope we can correct in time, the Improving Head Start Act remains a solid reauthorization measure. Head Start is a good program that is capable of achieving even greater results, and the bill before us will help us get there.

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

Mr. GEORGE MILLER of California. I yield 4 minutes now to the gentleman from Michigan (Mr. KILDEE), subcommittee chair and responsible for bringing this bill to the floor.

Mr. KILDEE. I thank the gentleman for yielding.

Mr. Chairman, in March, the Education and Labor Committee overwhelming passed by a vote of 42–1 H.R. 1429, which was my privilege to introduce with both Democrats and Republicans as cosponsors. I hope at the close of today's debate the full House will do similarly.

Head Start has served our most vulnerable children and families well for 42 years; and more recently, early Head Start has done the same for infants and toddlers.

Head Start works, and this bill will make it work even better. This bill increases Head Start's authorization by $461 million to benefit as many as 10,000 more children, and increases funding for Indian and migrant and seasonal Head Start programs. It sets aside 60 percent of new funds for activities such as teacher salaries, professional development and extended program hours. It suspends the flawed national reporting system. It improves teacher qualifications. It increases access to Early Head Start. It improves training and technical assistance to help programs identify their strengths and weaknesses. And it strengthens the quality of Head Start boards and maintains strong parental involvement through shared governance of Head Start programs.

I would note that we are expecting a motion to recommit that would allow faith-based programs to discriminate in hiring based on religion using Federal funds. Before supporting this bill by 42–1, the committee considered and rejected such a policy. Faith-based programs can and do participate in Head Start and have done so for many years, and I support that strongly. However, this motion is wrong, and I encourage my colleagues to oppose it.

In closing, I want to thank Chairman MILLER for his outstanding work through the years on this program and for his specific work this year. This is a very good bill. I want to thank Ranking Members MCKEON and CASTLE, it was really a pleasure to work with them, and all the members of the committee for their hard work on this bill.

I would like to thank the staff, especially Ruth Friedman, Chairman MILLER's senior policy adviser; Susan Ross and James Bergeron with Ranking Member MCKEON; and Jessica Gross with Ranking Member CASTLE; and Lloyd Horwich of my staff.

Mr. Chairman, I look forward to passage of this bill today and to working through the conference committee to see that this bill becomes law.

Mr. MCKEON. Mr. Chairman, I yield 5 minutes at this time to the senior Republican on the subcommittee. I am proud of all the work that he has done to bring this bill to the floor last Congress and this Congress, the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the distinguished ranking member of the subcommittee for his kind words and for yielding. I also obviously thank Mr. MILLER and Mr. KILDEE for their work on this, and Ms. WOOLSEY, who has worked on it before with me. And I am pleased to be able to be here.

I support the legislation before us today which will reauthorize the Head Start program. And like almost every other Member of this body, I believe strongly in the benefits of this program. I trust that H.R. 1429, the Improving Head Start Act, will improve Head Start by emphasizing that every child, regardless of their 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 over 1,600 grantees across the United States. In my home State of Delaware, Head Start programs serve over 2,000 children, with over 800 additional 3- and 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 that Head Start can produce even greater results for children. Students who attend Head Start programs do start school more prepared than those with similar backgrounds who do not attend Head Start. However, Head Start students continue to enter kindergarten well below national norms of school readiness. By moving to close the school readiness gap, this bill will improve results for almost a million Head Start students across the Nation.

Toward the goal of closing the readiness gap, the Improving Head Start 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; prereading knowledge, including an interest in and appreciation of books, reading and writing; premathematics 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 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.

□ 1500

As I am sure some of my colleagues know, this bill does not include a proposed State demonstration project, which was incorporated into the legislation the House passed in 2003. I believe strongly, however, in the policy goals of increased coordination and integration that were and continue to be at the heart of efforts to remove barriers and prevent collaboration between Head Start and successful State and local early childhood initiatives. I believe the proposal to be offered by TOM PRICE of Georgia would foster integration among quality early childhood programs, and plan on supporting Mr. PRICE's amendment.

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 also 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, and we must ensure that all children are receiving the same quality education. In this new era, Head Start should be working toward integrating service 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–12 academic 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 the 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 strongly in the Head Start program, particularly because of how the program helps children later in their lives. Despite these stories, we have also heard many stories of programs in which funds were being diverted away from this purpose.

In 2005, the GAO 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 some helpful recommendations on how we can strengthen the oversight structure to prevent abuses and protect good grantees. They 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 of how to eliminate financial mismanagement, we are increasing the competitive nature of the current program. The competition requirements in the Improving Head Start Act will help to alleviate these problems, but, more importantly, will drive program improvement across the board. Program improvements will ultimately help thousands of children nationwide, which should always be our goal.

As I said at the outset, Head Start is an important and very popular program. The importance of early childhood education services cannot be overstated. I believe strongly that the reforms sought in H.R. 1429 will go a long way to institute needed reforms in an already successful program.

I urge my colleagues to support the legislation, and I thank all those who worked on this, including the staff, and I look forward to the passage of the legislation today.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to express my support for the Head Start Reauthorization Bill that was sent to this Chamber.

Head Start is one of the best programs we offer our youngest students.

Since its creation in 1965, it has proven to be our most valuable school readiness program in the history of this country.

Especially, now that we know more about the importance of early-childhood education.

Time after time, we have seen reports that prove students who attend Head Start perform better than those who don't.

It has also proven to help close the achievement gap between students of differing socioeconomic status.

The Republican amendment to this bill would repeal existing civil rights protections that ensure programs cannot use federal funds to discriminate in their hiring practices.

Head Start teachers should be chosen because they are qualified and effective teachers who will help children succeed and thrive.

Discrimination should not be supported with public funds.

National religious organizations, civil rights groups, national labor organizations, and the education groups all oppose any roll back of civil rights protections.

This is such a critical program, and it's important that this body reauthorize this program in a manner that shows bipartisan support for educating our children.

I urge my colleagues to support this bill.

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. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I want to begin by thanking Chairman MILLER, Ranking Member MCKEON, Chairman KILDEE and Ranking Member CASTLE, as well as both the majority and minority staff for their hard work and for including so many issues near and dear to my heart in this bill. Some of those are recruiting minority male teachers; emphasizing children's social, emotional well-being; recognizing the expanding role of grandparents and kinship caregivers in children's lives; keep parent councils as equals to the governing boards; incorporating the best practices from the field of home visitation into the Early Head Start programs; and encouraging the development of on-line graduate training. All of these are key issues to me and to the people of Chicago. I know that you have toiled long and hard to integrate Member concerns, and you have my appreciation.

In addition, I am very pleased that this bipartisan bill preserves the anti-discrimination history of Head Start advocated so ardently by the Head Start and religious communities. Federal funds are not meant to support discrimination of any type, and I applaud the Members of both sides for maintaining this fundamental commitment to justice and fairness in this bill.

Finally, I must mention a concern from Chicago Head Start programs. I know that the Chairs and ranking members have worked hard to address the problems surrounding low-income families in high cost of living areas such as Chicago from losing access to this critical child development program. I ask that the issue of income eligibility continue to be discussed so that the children of working poor families can be included.

Mr. CASTLE. Mr. Chairman, I yield such time as he may consume to the wonderful Representative from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise to briefly address a topic which I have not heard discussed here, although I have heard it discussed numerous times within the committee itself. I am very unhappy with the resulting bill that came out this year. The issue I wish to discuss is Head Start programs operated by faith-based institutions.

What has happened in this bill is that we basically have reversed the Civil Rights Act, which provides that faith-based institutions may discriminate in hiring by hiring people of the same faith as the institution. If it is a church, for example, they can hire people who are members of their church or denominationm without violating civil rights laws. That is specifically legal under the Civil Rights Act. This bill prevents an institution from doing that; if they wish to operate a Head Start program, then they are not allowed to hire on that basis. So this bill is actually a reversal of the Civil Rights Act.

Now, why is this important? Why do churches need to do that? A perfect example was given last year during the debate on this bill in committee, when Representative Tom Osborne, better known as Coach Osborne, related an example in his district where a small church which had a small staff decided to operate a program similar to the Head Start program. They wanted to hire someone who could serve on their staff half-time and also operate the

educational program during the other half of their time. But they needed someone of their faith to do the church work. But this bill would prohibit that person to also teach in the school, but they were hired on a religious basis.

There is so much misunderstanding on this issue, and it really puzzles me, because I have very good friends over on the other side of the aisle whom I know have a deep religious faith. But why they are so anti-religious on this subject, I do not understand. They seem to believe that they have to prevent anyone with a religious belief from operating within a program of this sort.

I have to keep reminding everyone, this is not a case of churches trying to proselytize by having someone of their own faith running the program and teaching the kids that faith. That is not it.

The point is simply that faith-based institutions, by virtue of their faith, are determined to help people in the community who need help. It doesn't matter whether it is a Head Start program, whether it is a food program, as we operate in my church back home, or many other programs. They are doing it as an expression of their faith.

Now, is this wrong? Do we have to say, I am sorry, you can't run this program because you are a member of this church and you might express your faith? That is not what they are trying to do. So why do we have to go to great lengths in this particular bill to stop people from doing that, to prevent churches and other faith-based institutions from operating a Head Start program, unless they hire people from outside their church? That, to me, is grossly unfair. Frankly, I think it violates the Constitution, and I am strongly opposed to that practice.

Other than that, I think it is a wonderful bill and I would like to support this bill, but I am terribly disturbed by this anti-religious altitude that I have seen manifested here. I hope we can change this in this bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

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

Mr. HINOJOSA. I thank Chairman MILLER for extending time to me.

Mr. Chairman, I rise in strong support of H.R. 1429, the Improving Head Start Act. This legislation is long overdue. I would like to commend Chairman MILLER and Ranking Member MCKEON and Subcommittee Chairman KILDEE and Ranking Member CASTLE for working together to craft bipartisan legislation that will significantly improve the Head Start Program, especially for Hispanic and migrant farm worker families.

It is my hope that this spirit of bipartisanship will carry the legislation all the way to the President's desk for his signature. I strongly urge a ''yes'' vote on H.R. 1429.

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It is my hope that this spirit of bipartisanship will carry the legislation all the way to the President's desk for his signature.

It is also my hope that this body will reject any attempts to allow discrimination to infect the Heat Start program—whether the discrimination is based on religion or on the language that is spoken at home.

The bill before us today strengthens "Head Start" for Hispanics and families whose primary language is not English.

Here are just a few of the highlights: The bill increases the base funding for Migrant and Seasonal Head Start to a minimum of 5 percent of the overall Head Start funding, which means that more farm worker children will be in preschool instead of in the fields; the bill sets standards for communications with limited English proficient (LEP) parents so that language is not a barrier to Head Start access.

It instructs the Secretary of Health and Human Services to conduct a study of how Head Start programs serve LEP populations. It enhances Head Start transitions for LEP children to kindergarten.

It provides technical assistance resources for improving the quality of Head Start services for LEP populations, particularly in communities that have experienced a rapid and large increase in Head Start eligible LEP children.

It improves ensures that LEP children have access to linguistically and culturally appropriate instructional services that support proficiency in the English language and gains in other domains important for school readiness, including pre-literacy and numeracy skills.

It addresses the shortage of qualified teachers with expertise in serving LEP children by establishing a teacher career ladder demonstration program at Hispanic-serving Institutions and tribally-controlled Colleges and Universitites.

Tehese are significant improvements to the Head Start Program. Again, I would like to thank the chair and ranking member for working with us to include them in the bill before us today.

I strongly urge a "yes" vote on H.R. 1429.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY), a member of the committee.

Ms. WOOLSEY. Mr. Chairman, we must ensure that no matter where a child comes from or what his or her background is, that child has an equal opportunity to succeed in school and in life. That begins with quality early childhood education, and that is why we need to and must reauthorize Head Start.

This bill will allow 10,000 more children to benefit from the Head Start program. But many, many more children are eligible for Head Start, and those children will continue to be left behind. A real investment in our children would ensure that every single child who is eligible has access to this very successful program. Without full funding, some children continue to start elementary school far behind their peers.

Some Members, as my friend on the other side of the aisle talked about, would like to allow Head Start programs to discriminate by using taxpayer dollars to hire staff based upon their religion, which is against everything I believe that the Head Start program stands for. When we already have a shortage of qualified Head Start teachers, we must not allow qualified teachers to be turned away simply because of their religion.

Mr. Chairman, children are 25 percent of our population. They are 100 percent of our future. We must support and expand Head Start for the best possible beginning of their lives.

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

Mr. GEORGE MILLER of California. I yield 1½ minutes to the gentleman from Illinois (Mr. HARE), a member of the committee.

Mr. HARE. Mr. Chairman, I rise today in strong support of H.R. 1429, the Improving Head Start Act. As a member of the Education and Labor Committee, I had the privilege of working on this bipartisan bill, which I believe will help more children arrive at kindergarten ready to succeed. Not only does this bill improve teacher quality, expand access and strengthen school readiness, it also addresses the unique challenges faced by rural Head Start programs.

Much of my district is rural. Therefore, I worked with several of my colleagues to ensure Head Start providers receive the support and flexibility required to serve America's rural communities. Specifically, we provided the assistance needed to improve transportation services in rural areas, the recruitment and retention of qualified instructors for rural programs and outreach to rural families. Later today, I will offer an amendment with my colleagues, Congressmen SPACE, WELCH and ALTMIRE that will further expand this assistance to rural Head Start.

Head Start is the country's premier early education childhood development and education program, serving more than 900,000 of our Nation's most needy families annually. Children who attend Head Start make gains in vocabulary, early writing and social behavior and enter school better prepared than lower income children who do not attend Head Start.

It is critical that all eligible families know about Head Start and that Congress allocates the necessary resources Head Start providers need in order to continue and expand these successful programs.

I urge all my colleagues to stand up for rural and low income children by voting ''yes'' on H.R. 1429.

□ 1515

Mr. CASTLE. Mr. Chairman, I yield 4 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, I thank the gentleman from Delaware for giving me this opportunity to discuss the concept of Head Start, which is a significant program that does a great deal of good for kids who are in dire need of this kind of service.

If indeed the decisions that we made in life were always of a vast contrast, differences were black versus white, night versus day, even the simple ones of right versus wrong, our life would be easy and our choices would be easy.

But, unfortunately, life is not like that. The decisions and choices we get to make are always going to be a shade of gray. We are given oftentimes two goods, and we have to decide which is the better choice. How we make those decisions identifies us as individuals; but it also defines what we are as a society.

This particular debate today is dealing with one of those basic choices between two goods. We have one of the big differences with this particular reauthorization of Head Start versus the reauthorization of Head Start that we passed last year, both of them good bills, is the concept of faith-based institutions within these two bodies.

One of the things that bothered me also as a speech teacher is as we are talking about this issue, sometimes we are talking different angles, kind of like ships passing in the night, without discussing the same definition of terms.

One side will say that faith-based institutions should not be used because of the hiring practices. If this institution decides to hire within their own religious group, a program that is legal both legislatively as well as judicially, then they should not be used in the concept of Head Start, or used as a program for Head Start. It has nothing to do with proselytizing, it has to do with whether they should be used at all. The other side simply says value is what is best for kids. Those are two goods. Neither one is necessarily bad. The issue is: Which is more important to us?

I am going to make the argument to you that if we really want to define our society, what we have to do is to say our highest value for this education program is what is best for kids. If, indeed, a faith-based institution is the best program to help kids break the cycle of poverty, understand the importance of education to try to lead a better life and improve their lives and their family's at the same time, then that has to be our highest value. That must be our highest value.

What we have to do is avoid the biases that we have on any other issue. The question is what best helps kids. Once again, if a faith-based institution is the best way of helping a kid, do it. For heaven's sake, do it. Do not hold kids hostage to our own social dogma. It may not be a bad social dogma, but the question is, where is our priority? What are our values?

With these kids who desperately need this help, this assistance, the most important thing is to give them that help so they can move forward and they can break the poverty cycle, and they can move on with their lives and help themselves and their families at the same time.

If that is not our goal, if that is not our purpose, if we are really not talking about how to help kids best, then we are fooling ourselves and making poor choices and kind of demeaning the entire debate and discussion of what the Federal Government will do in the area of education.

Once again, Mr. Chairman, we will have a chance to discuss these issues again in some other format, but I would urge my colleagues to remember we have to make a choice somehow, and our choice should be in the best interest of kids, and everything else, everything else, has to be secondary to that goal.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, we have just heard the suggestion that some programs might be better if only the program sponsors could discriminate in employment. We hadn't heard those arguments for over 40 years before this administration came in.

Let's talk about when you say ''protect civil liberties,'' what liberties you are protecting? If you are protecting somebody's right to tell somebody they can't get a job because of their religion, if you can discriminate against someone because of their religion, racial discrimination laws essentially cannot be enforced. So who are you protecting? You are protecting the one trying to discriminate; the victim of discrimination loses all protection.

The children of families of unpopular religions will ask their parents why they couldn't get a job in the Head Start program, and they will have to be told they are not hiring people of our religion. Just what kind of Head Start is that?

Proponents are saying we lose opportunities. We have plenty of opportunities in Head Start. All we have to do is fund it more, and there will be plenty of opportunities for Head Start programs.

There has also been a suggestion you may have to take icons off the wall. If icons have to be taken down, it is because of a violation of the establishment clause of the Constitution. Let me tell you, passing a motion to recommit will not solve a violation of the establishment clause.

Forty years ago race and religious discrimination was found to be so reprehensible that we made it illegal even with your private funds. Now we have a plea to protect the people trying to discriminate and not the victims of discrimination. We need to leave the law the way it has been for the last 40 years. We can keep the antidiscrimination laws and those programs. Any program that can get funded with this faith-based initiative amendment could be funded anyway if you just comply with the antidiscrimination laws that have been in effect for the last 40 years.

We ought not to have to tell our children why certain parents can't get a job in a program because we are failing to protect the civil rights of the victim of discrimination because all of a sudden we are interested in the civil rights of the person trying to discriminate.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Chairman, as we pass the reins of our Nation to future generations, we must acknowledge that America's continued prosperity in the global economy will not be ensured unless we equip our children, the leaders of tomorrow, with the tools they need to succeed down the road.

To achieve this, we must cultivate not just the most privileged students, not only our brightest students, but also the students who grew up with disadvantages. Indeed, we must nurture the potential of all our children because it is in the best interest of our country to maximize the contributions and success of every American.

I recently visited a Head Start program at Indian Trail Elementary in my district in Louisville. The veritable beehive of activity there spoke louder than 40 years of studies on Head Start progress, but they said the same thing: The thoroughly engaged children were actively building a solid foundation for their futures, and they were loving the pursuit.

Like their predecessors, the 1,800 Head Start students in Louisville and the 1 million nationwide are making tremendous gains in family literacy, vocabulary, early writing, letter recognition, and social behavior, skills that will pay huge dividends in their future pursuits.

We have an opportunity today to extend and improve this program which is so vital to the preparation of today's youth, who in turn are critical to America's future. It is our moral responsibility and I believe our honor and privilege to reauthorize Head Start, and I urge my colleagues to join me in doing so.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, I thank the gentleman from California for yielding me this time.

We are told over and over again in committee hearings from experts and scholars of all natures that we could close 50 percent of the achievement gap

that we see in our country if we have effective preschool, prekindergarten programs. Head Start is just that kind of a program.

We see over and over again the evidence showing us it has a positive economic and social impact across this Nation, particularly in its comprehensive nature, the fact that it deals with education, deals with health issues and social implications.

The Commonwealth of Massachusetts, my State, 80 percent of 3-year-olds are still not enrolled in prekindergarten or Head Start programs. We need to be expanding this program for all of the good things it does because we need to take advantage of that opportunity to close that gap.

One of the ways that we are going to do that is to attract quality teachers. I am glad to see in this bill that Mr. SESTAK has filed an amendment to provide up to $10,000 in loan forgiveness for college graduates who commit to teach in the Head Start field. We have raised the standard of the teachers that we want, requiring them to meet a certain grade. That means we are going to have to pay people in order to go into this profession because it is still going to cost them considerably to get that degree. If we are going to do that, we have to step forward. I think Mr. SESTAK's idea, which we have been talking about in the higher education reauthorization bill for some time, is one way of doing that. Loan forgiveness for early education teachers over a period of years will allow us to have that program meet the pinnacle that we need it to reach.

For this and many other reasons, I think this bill is a good bill and deserves our attention and our support. I ask my colleagues to join me in voting for it.

Mr. CASTLE. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman from Delaware for allowing me to come and chat on a little different topic, a topic that we tried to bring to the floor today on this bill, and a topic that I think would truly expand and protect children in the Head Start program, but a topic that wasn't allowed to be brought to the floor because an amendment wasn't allowed. I think this issue truly demonstrates where the priorities of the majority party are.

This issue that I attempted to bring to the floor would have resulted in significantly greater safety for the children who are transported in Head Start programs.

In 1992, Mr. Chairman, Congress required the issuance of regulations that related to rear-door emergency exits and safety restraints on Head Start transportation. That was in 1992. Since the final rule for these new regulations was published, the effective date has been delayed three times.

Last week, buried deep in H.R. 1591, the emergency supplemental for Iraq, was language that delays these transportation safety requirements for Head Start programs once again. The fine print reveals that the rear emergency exit requirements are delayed for another year, and a seat belt safety requirement is delayed until another study is done.

Well, Congress required these regulations to ensure the safe operation of vehicles by Head Start agencies; and currently, the leading cause of death for children ages 3 to 7 is motor vehicle, traffic crashes. The reason why these transportation requirements were put forth is that the National Highway Traffic Safety Administration does not approve of the use of vans or cars or vehicles of other types for the purpose of providing planned transportation services. School buses are the safest form of transportation because they include many special features. Further delaying these requirements means authorizing that Head Start grantees can transport children using vehicles that are not designed specifically for the purpose of the safe transportation of children.

My amendment, which wasn't allowed, would have ended this delay and make the regulations for emergency rear-door exits and seat belts on vehicles used to transport children effective immediately.

Mr. Chairman, as you know, on the first day of this Congress, children were paraded in front of the American people, and the new majority claimed that the House would come to order for the children. Well, today, if it is truly about the children, then the majority would have allowed this amendment to be entertained. Any further delays endangers lives of children.

So I suggest, Mr. Chairman, that the hypocrisy of this process is telling, and that if we truly are interested in making certain that our greatest resource, our children, the future of our Nation, are protected, then we would have allowed this amendment, and I am distressed it wasn't allowed. I encourage through the process the majority party make certain that we address this as this bill moves forward.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Chairman, I thank the chairman for yielding me this time.

I rise today in strong support of H.R. 1429, the Improving Head Start Act. I represent the majority of Suffolk County where 20 Head Start and three Early Head Start centers have been serving the community since 1966. In fact, my wife's first job out of college was as a Head Start teacher in one of those centers.

Parents, teachers and many of our colleagues can all agree that Head Start is one of our Nation's most prominent and successful early education programs. This bill continues to build on Head Start's successes by ensuring that kids are prepared for school, by improving teacher and classroom quality, strengthening the focus on school readiness, increasing accountability and boosting coordination.

Research finds that children who attend Head Start enter school better prepared than low-income children who do not attend the program, and that children who attend Head Start make significant gains.

If we are serious about achieving the goals set forth by No Child Left Behind, then passing Head Start reauthorization is a down payment on achieving those goals.

□ 1530

During the markup of this bill, I was proud to offer an amendment that would allow Head Start programs to use up to 10 percent of their quality improvement funds for transportation costs. This amendment was in response to concerns brought to me by my constituents that many have thought programs were being forced to choose between providing transportation to children or sacrificing the quality of their program.

With my amendment and so many other worthwhile improvements to Head Start, I strongly encourage my colleagues to support this balanced reauthorization for the benefit of our children and future generations of America.

Mr. MCKEON. Mr. Chairman, we have no further speakers, and we reserve the balance of our time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the chairman of the full committee for his leadership and all the members of the committee and Mr. KILDEE for his leadership as well on some of these very important issues. We have worked together. I thank the ranking member for their long-standing understanding that we must collaborate when it comes to teaching our children.

I rise to support H.R. 1429 and had the pleasure of visiting a Head Start facility in my community. What was the greatest joy was to be able to see the parents and children working together on this very special day, and I want to thank the committee for persevering against all odds, particularly the opposition of those who would say it is time to change drastically, to do a surgical reform on Head Start.

It has worked for some 30-plus years, and what has been done in this legislation is the right direction: enhanced professional development, providing more degreed teachers teaching, providing opportunity for the associate degrees, working with caretakers or assistants in the classroom, and really

teaching our children the ''yes, I can'' method.

I rise also to support the amendment of Congresswoman EDDIE BERNICE JOHNSON that will be offered that provides the opportunity for collaboration with historically black colleges.

What we need to be doing is investing more in Head Start by proving that it has been a success, improving classroom and teacher quality, raising the quality of teachers, and increasing funding for teacher and staff salaries.

But most importantly, anyone who has taken the opportunity to see the youngsters, the babies that are in this program, see their eyes open wide, see them understand the world and the colors and what is real and that they can be the greatness that they are, we know that H.R. 1429 is on the right path, and I encourage my colleagues to enthusiastically support the Improving Head Start Act of 2007. These are the babies not of yesterday, but today.

Mr. Chairman, I rise in strong support of H.R. 1429, the Improving the Head Start Act of 2007. This bipartisan legislation would allow up to 10,000 more children from low-income families to have access to the world of opportunities offered by early developmental education. It also appropriates the funding required for a range of necessary improvements, ensuring we are offering our children comprehensive and regulated programs. I urge my colleagues to join me in expressing that a child's educational and developmental opportunities should not be limited by his or her family's income.

Head Start creates opportunities for children who are born without any. This program provides comprehensive early education programs and support services for well over a million children across our Nation; children whose families would otherwise be unable to offer them these opportunities. The program's holistic approach to education provides a wide range of services in addition to basic education, including medical and dental screenings, nutritional services, parental involvement activities, and mental health services. Poverty has proven devastating to child development and success, but Head Start has proven capable of providing the broad range of support that all children need to succeed in school, and indeed in life.

This program is particularly crucial to minority communities. Of the over 1 million children enrolled in Head Start programs, 65 percent belong to minority groups. In a world and a country where minority children may continue to face discrimination and limited opportunities, Head Start ensures that they are prepared to begin school when they reach the proper age. This program has proven successful in minimizing the ''readiness gap'' between program participants and their more affluent peers.

In Harris County, TX, where my district is located, Head Start has been active since 1999. In this county alone, the program currently operates in 17 locations, and has served over 5,000 children since its inception. There are, at present, over 1,170 children enrolled in its wide array of programs. In Harris County, and across our Nation, Head Start programs help children grow mentally, socially, emotionally, and physically.

This bill contains many vital provisions. It authorizes an additional $450 million dollars for 2008, funds that would allow up to 10,000 more children access to Head Start programs. It increases funding for teacher and staff salaries, ensuring a quality workforce and providing for the hiring of additional qualified staff. H.R. 1429 re-evaluates and updates the current standards and assessments, suspending the badly flawed National Reporting System. The bill also boosts cooperation between Head Start and state and local child care programs, as well as improving coordination with state health, mental health, and family services.

This bill also contains important provisions to improve accountability for these government-funded programs. It includes a new system of application review that assesses program quality, allowing the Secretary of Health and Human Services to more quickly strip funding from low-quality programs. These review systems ensure both that our Nation's children are receiving the best services we can offer them, and that taxpayer dollars are spent to maximum effect.

Mr. Chairman, as Chair of the Congressional Children's Caucus, I am dedicated to providing the best possible opportunities and support to our Nation's children. Head Start is an important aspect of ensuring our children's future. I strongly support H.R. 1429, and I encourage my colleagues to do the same.

Mr. MCKEON. Mr. Chairman, I yield such time as he may consume to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, just very briefly, we are about to pursue I think a dozen amendments here. All of us had a chance to work on this, had a chance to look at it. I think some of them are very good amendments. I think some are relatively neutral. I think some are maybe a little detrimental to the bill.

I just hope that everybody will listen carefully to the amendments and will not end up being a party vote necessarily and we do what is in the best interests of these children that we have talked about so frequently in the last hour or so.

There is real significance to some of these amendments. I think it is very, very important that we understand the context of them.

I would just like to also finally say at the end that, in my judgment, if you look at any aspect of Head Start that this underlying legislation basically improves the opportunity for young children who are within the parameters of the Head Start program, and I hope that all of us will be supportive of that.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, as we discuss this faith-based amendment, I think we need to seriously consider the long-term societal implications of that amendment, allowing discrimination in the Head Start program.

Our Nation just went through quite a conversation when Don Imus made his remarks, and I would hope that that was just talking. We are actually going to do something in considering whether or not a program can deny an employment opportunity solely because of religion, and if you happen to go to an all-black or all-white church, the decision made on religion will deny you based on race as well.

We should have this conversation here on the floor, considering what we are doing long-term, similar to the conversation we had when Don Imus embarrassed himself. We should not embarrass ourselves here on the floor of the House of Representatives. We need to maintain the civil rights protections for prospective employees that we have had for the last 40 years.

Mr. MCKEON. Mr. Chairman, I thank my colleagues for a productive debate on the Improving Head Start Act. As many of us have noted throughout the day, Head Start is a good program that can be made even better, and that is why we are here. I hope everybody listened carefully to Mr. CASTLE as he talked about the importance of the upcoming amendments we are going to discuss because they can make the bill better.

This program serves nearly 1 million underprivileged children and eases the divide between the haves and the have-nots when it comes to preparing them for kindergarten, which will give them a good start for their life. The bipartisan support we have seen for the bill today should lend all of us confidence that the program will remain on a solid foundation for generations to come.

By reauthorizing Head Start, we are voting to build upon improvements that were made by the House Republicans in past Congresses by strengthening academic standards by emphasizing cognitive development using scientifically-based research; improving teacher quality by ensuring more Head Start teachers have bachelor degrees and are adequately trained in early childhood development; increasing financial disclosure requirements by Head Start operators as custodians of Federal Head Start grants; and requiring local governance boards to actively oversee grantees.

These are common-sense reforms that I wholeheartedly support. That said, this bill remains flawed, and soon, we will turn to a number of amendments that highlight those flaws. One such amendment that we will not be able to discuss unfortunately is one offered to the Rules Committee by Mr. FORTUÑO yesterday. The Fortuño amendment is a principled one. It clearly protects the hiring privileges of faith-based providers and protects their civil rights to display religious symbols, rights that are sheltered under the 1964 Civil Rights Act. Yet, we will not be able to debate and vote on it today, a major statement about the real priorities of this purportedly fair, open and honest Congress.

Nonetheless, Mr. Chairman, I still believe the Improving Head Start Act is a worthy piece of legislation, deserving

of the same bipartisan support it received from the Education and Labor Committee just 2 months ago.

Before I conclude, I would like to thank a number of current and former members of my staff who have made this bill possible. First, to Kate Houston, who no longer works on Capitol Hill, let alone on our committee staff. Years ago, Kate helped craft legislation that closely tracks the bill we are poised to pass today.

Stephanie Milburn, who left our staff earlier this year to join Mr. BOEHNER's team, played an integral role in bringing this bill to where it is today, and I thank her as well.

Finally, I thank Susan Ross and James Bergeron for their work in helping to bring this bill across the finish line.

I have already mentioned thanks to Mr. MILLER, Mr. KILDEE, Mr. CASTLE, and I would like to thank their staff also for working with us so closely on this bill.

The team effort that we have demonstrated on this issue, and our ability to work closely with our Democratic counterparts, yielded the product we are poised to vote on this afternoon.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume and just to thank my colleagues who joined in the general debate and for their support for this legislation and, again, to thank the staffs on both sides of the aisle of both the subcommittee and the full committee without whose work and effort and knowledge this legislation would not be in the kind of shape it is today, with the support that it has from both Republicans and Democrats for the Head Start bill.

Mr. McDERMOTT. Mr. Chairman, I represent a community that honors the memory and civil rights legacy of Dr. Martin Luther King, Jr. every day, because King County has adopted Dr. King's portrait as our symbol, and Dr. King's commitment to civil rights as our commitment to all the people in King County, Washington.

So, it is with a unique responsibility that I rise to strongly oppose this Republican attempt to turn back the lock on civil rights in this Nation, beginning with the Head Start program. The Minority Leader, the leader and spokesman for the Republican Party in the House, wants us to legislate employment discrimination within Head Start based on religion. The Minority Leader wants to turn his back on civil rights, and turn back the clock on the struggle for freedom that Dr. King and so many others fought and died for.

The Republican House leader apparently finds the First Amendment inconvenient for his taste. The First Amendment protects Americans from exactly the kind of foolish proposal before us today. Separation of Church and State is one of the fundamental principles within the First Amendment: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . ."

We must not roll back civil rights in this Nation, not today, not tomorrow, and not ever, but that's what the I leader of the Republican party proposes. There is no reason to justify this attempt to roll back longstanding civil rights and religious liberty protections in a program that has benefited countless children over the years. In a nation like ours with so many religious traditions, built-in protections prohibiting religious discrimination in federally funded programs represents a fundamental commitment towards a society that values the contributions of people of all faiths.

Religious organizations have had a long and proud history in Head Start programs, including in my own district of Seattle, where the YWCA is a Head Start provider. Civil rights protections have never been a bar to participation by these organizations. If these safeguards are repealed, thousands of dedicated Head Start teachers and parent volunteers could find themselves no longer welcome at some Head Start programs run by followers of other faiths.

Religious organizations are free to engage in faith-based hiring when they use their own funds to promote their institutional ministry, but not when they use Federal money to educate our Nation's children. It would be wrong to permit religious organizations to use Federal dollars to discriminate on the basis of religion in running Head Start programs that are intended to benefit disadvantaged children of all faiths.

On behalf of the people of Dr. Martin Luther King, Jr., County, in Washington State, I strongly oppose this amendment and urge my colleagues to vote "No."

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of H.R. 1429, the Improving Head Start Act of 2007.

Mr. Chairman, for the last two Congresses we have successfully fought back the attempts by the then Republican leadership to cut funding, and to drastically change Head Start in ways that would prevent them from providing the services that our communities have come to depend on them for.

Every week I meet with outstanding high school and college students who began their educational journey in Head Start. This bill provides additional funding so that more children would have the opportunities provided by this important program.

H.R. 1429 also provides greater monitoring and accountability and increases funds for salaries and professional development.

As amended it also provides loan forgiveness for Head Start teachers as a means to attract and retain some of the best teachers for this very vulnerable group of children.

One thing this bill does not do is allow centers run by religious organizations to discriminate in their hiring.

Mr. Chairman, this bill, together with H.R. 1867 is an important step forward in realizing the "competitiveness agenda" that you have laid out for us in the 110th Congress.

I urge the passage of both bills.

Ms. SOLIS. Mr. Chairman, I rise in support of H.R. 1429, the Improving Head Start Act of 2007. Head Start is a program that has been crucial on the development and academic success of our children for more than 40 years.

Since 1965, more than 24 million children have benefited from Head Start's comprehensive services and school readiness. Last year alone Head Start served about 900,000 children nationwide—over 98,000 children in my home State of California and nearly 6,500 children, more than 60 percent Latino, in the 32nd Congressional District of California, which I represent.

In addition to providing these comprehensive services, Head Start programs engage parents as partners in their children's education. Parents volunteer at their child's school site and many become Head Start teachers. Head Start has a proven track record of improving the lives of low-income children and families. It narrows the gap between disadvantaged children and all children in vocabulary and writing skills. It also leads to continued improvements in word knowledge, letter recognition, and math and writing skills relative to other children during their kindergarten year. 83 percent of Head Start children are at the national norm by the time they reach kindergarten.

Studies also demonstrate that Head Start programs improve the well-being of the children and families they serve, providing health and dental services to children and families who might otherwise not have them. Head Start programs benefit parents as well. Head Start parents report increases in education attainment and employment during their time affiliation with Head Start. In California, 24 percent of Head Start employees are or were Head Start parents. In addition, 86 percent of Head Start volunteers in California are current or former parents of the local Head Start program.

The Improving Head Start Act of 2007, H.R. 1429, not updates this program so all children could be put in the road for academic success. It makes significant improvements that will help strengthen educational outcomes for students, ensure better coordination with local school districts, improve teacher quality, and increase program eligibility. It would help improve Head Start's workforce quality by increasing funding for teacher and staff salaries and professional development. This includes providing funds for training personnel in addressing the unique needs of migrant and seasonal working families, families of children with disabilities, limited english proficient families and homeless families. It will also expand access to up to 10,000 more children and will strengthen school readiness by re-evaluating and updating current standards and assessments based on best science.

H.R. 1429 also reserves 5 percent of the total Head Start appropriation for the Migrant and Seasonal Head Start program. This is important because the Migrant and Seasonal Head Start program serves some of the country's neediest working families and is designed to meet the unique challenges and opportunities faced by the children of farmworkers.

At a time when America needs to be at the forefront of innovation and education, programs like Head Start are an investment in our future workforce and their success. I applaud the members of the Committee on Education and Labor for their work on the reauthorization of this important program. I urge my colleagues to vote in favor of H.R. 1429 and to oppose any proposal that would block this grant program or would allow government-funded religious discrimination in Head Start programs. Supporting this bill is supporting our Nation's future.

Mr. TERRY. Mr. Chairman, I rise in support of H.R. 1429, the Improving Head Start Act of 2007.

This bipartisan legislation will benefit nearly one million disadvantaged children nationwide

by expanding Head Start's focus on school readiness. Low-income children will be taught key early learning skills such as alphabet, number, color and shape recognition to help them succeed in their school years.

This bill also opens poor-performing Head Start programs to greater public scrutiny and needful competition. Triennial program reviews by the Federal government and independent investigation by the Government Accountability Office have revealed that some Head Start programs operate with Federal tax dollars despite chronic financial mismanagement, health and safety concerns, and poor community involvement.

H.R. 1429 would help remedy this situation by requiring Head Start programs to demonstrate active partnerships with local school districts to ensure smooth transitions for children into kindergarten. Poor-performing programs would be opened to competition every 5 years. Annual disclosures of financial information and greater participation of parents in the decisions of Head Start governing boards will also make a difference.

I have personally seen the benefits of partnering local school districts with Head Start. Several years ago, a long-standing Head Start program serving 1,000 children in Douglas County, Nebraska was transferred to the control of the Omaha Public School District to end long-standing financial mismanagement and safety concerns for children.

Omaha Public Schools went the extra mile by partnering with EduCare, an outstanding private preschool program that involves the entire family, emphasizes best practices, and focuses on early learning skills to help disadvantaged children succeed in school and life.

EduCare was created by Susie Buffett and currently serves 239 children from Omaha families living below the poverty level. Families must either work, be in job training, or attending school to qualify. Enrollment is free, with costs covered by the Nebraska Department of Education, Omaha Public Schools, the Department of Health and Human Services and private sources.

EduCare has a low child-to-adult ratio: three infants per adult, and six preschoolers per adult. Bachelor level staff members are trained in early childhood education, and the program contains strong academic components to help children succeed in school, including limited english proficiency children.

Buffett has said: ''We look at the whole entire family, not just the child.'' Parents are directed to community resources to improve home life, such as food shelters and Christmas toy drives. Single mothers are helped with transportation and job searches.

Prelimary evaluation data indicates that the EduCare program is making a significant difference in the lives of children. Upon entering the program, children's language, literacy and social emotional areas of development are assessed. Most children initially score in the borderline range of development. Annual assessment results have shown the majority of participating children gained more vocabulary words in the course of the school year than one would expect based on maturity.

By the time they transitioned to kindergarten, EduCare's children were scoring very close to the national average. Standardized assessments of children's literacy and kindergarten readiness skills show similar results. Because research has shown children's vocabulary and pre-literacy skills to predict later school success, every Head Start program should help children reach such strong learning potential while addressing the short and long-term needs of the child's family. EduCare is an incredible success story in the lives of low-income children.

I also want to draw the attention of my colleagues to a provision of this bill to protect Head Start for children of military families. The privatization of military housing created an artificial raise in a military family's income, making their children ineligible for Head Start. H.R. 1429 would disregard the Basic Housing Allowance from a family's income when determining Head Start eligibility. Servicemembers protecting our freedom need not worry about their children's continued access to Head Start.

Mr. Chairman, I hope we can go even further in the future to strengthen the academic emphasis in Head Start and give states and excellent programs such as EduCare a greater ability to improve the lives of low-income children and their families. H.R. 1429 makes good progress in this direction.

Mr. STARK. Mr. Chairman, I rise today in strong support of the Improving Head Start Act of 2007 (H.R. 1429).

Since 1965, Head Start has served millions of low-income families and helped children prepare for school. It is an essential program and one whose success has a major impact on children, their families, their community, and ultimately the future of our country. We owe it to our children to pass this bill and make improvements that strengthen and grow the Head Start program.

Scientific research shows us that 80 percent of brain development occurs by age 3 and 90 percent by age 5. Studies also show that education achievement gaps between poor and minority students and affluent and non-minority students are already in place when children begin elementary school. These achievement gaps, once in place, tend to persist and are exceedingly difficult to remedy. Head Start and Early Head Start are effective in closing achievement gaps and foster both short and long-term success in participating children.

In addition to preparing children for success in school, recent research clearly demonstrates that children enrolled in Early Head Start and their parents realize other very significant gains. Early Head Start children show better approaches to learning, demonstrate more appropriate language acquisition, and exhibit less aggressive behavior. Early Head Start parents create a stronger home environment with more parent-child reading and a greater repertoire of discipline strategies. Early Head Start parents also show significant progress toward economic self-sufficiency. These impacts are significant and result in children with increased linguistic, cognitive, social and emotional competence. What better investment could we be making for our children?

Unlike programs dreamed up by ideologues in the Bush Administration like ''abstinence only education'' and ''marriage promotion,'' we know that Head Start works. Unfortunately, less than half of eligible children are enrolled in Head Start. Even worse, less than 5 percent of eligible infants and toddlers are enrolled in Early Head Start.

If we are serious about providing all children with an opportunity to succeed in school and in life, we must expand Head Start and particularly Early Head Start. This bill is a step in that direction. It will more than double the amount of money available to Early Head Start programs. The bill will also expand services to infants and toddlers that are so crucial to child development, but often difficult for parents to access. In addition, the Improving Head Start Act will increase eligibility levels so that children from families making up to 130 percent of the Federal poverty level can participate. This change is especially important in areas of the country with high costs of living, including my district where the poverty threshold is well below what it actually costs a family to live.

This bill's expansion of Early Head Start and Head Start should be applauded. We cannot lose sight, however, that these programs only address the tip of the iceberg. This Congress must focus more of our attention on all children birth to age 5 and guarantee that all families have access to high quality comprehensive early care and education programs. This is an investment that our country must make if we are serious about giving all of our children a chance at the American dream.

Despite the strong bipartisan support for this legislation, the White House has indicated that the President does not support this legislation as written unless we insert a special interest provision for the religious right. The President and many Republicans want to allow religious organizations to discriminate in their hiring practices. Religious organizations have been Head Start providers since the program was established and have done quite well playing by the same rules that prohibit all employers from discriminating. Pandering rhetoric and veiled threats from the White House will not improve the life of a single family.

In closing, I hope that all of my colleagues will see the importance of investing in our children and supporting families. I urge a ''yes'' vote on this legislation and a ''no'' vote on Republican attempts to turn this into a vehicle for religious discrimination.

Mr. WU. Mr. Chairman, I rise in strong support of this legislation.

Head Start has proven its ability to improve the lives of disadvantaged children. Numerous studies have demonstrated that children who attend Head Start come to school more prepared than children who do not participate, and that these effects last over a period of years.

I have personal experience with the program—my wife, Michelle, was a Head Start teacher for 7 years in Oregon. In her classes, I saw the children of janitors and security guards.

Their parents worked in the sparkling towers of downtown Portland, but they themselves never got to visit downtown, except in their Head Start field trips.

The Improving Head Start Act makes several needed changes to current law. It ends the use of the National Reporting System—a flawed testing system that has tested over 500,000 4-year-olds, despite strong opposition by child development experts.

The bill also improves current law by making clear that Head Start agencies must establish and maintain a formal structure of shared governance with parent policy councils. This will codify in law that parents have the ability to shape and share a role in the success of their local Head Start program.

Finally, the bill authorizes $7.35 billion in funding for the program in FY08—an increase of over $400 million from this year's level.

Oregon's Department of Education reports that, as of January 2007, 43.2 percent of eligible children cannot participate in the program due to lack of funding. Head Start is a highly successful program, and it ultimately costs all of us when those eligible cannot participate.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in strong support of the Head Start Program and I am encouraged by H.R. 1429, the Head Start Improvement Act of 2007.

I am a Head Start kid. I have firsthand experience of the comprehensive education programs and opportunities that Head Start provides to low-income families.

Head Start programs promote school readiness by assisting with the social and cognitive development of young children. Research consistently identifies the early years of a child's development as ever more crucial to the child's lifetime success.

Many Head Start programs already try to incorporate new research into their strategies through education, health, nutrition, and social services. This bill ensures that local Head Start programs have the resources to undertake the best practices for furthering a child's development.

Head Start is about the family. As I received 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 this bill maintains the existing shared governance structure to help empower parents and allow programs to be responsive to local needs.

What's more, this bill is good for Head Start teachers. This bill takes the necessary steps to ensure that Head Start teachers' salaries and professional development are in line with the responsibility that we assign to them.

The Head Start Improvement Act of 2007 is a good bill that will keep Head Start strong so it can remain the great program that it was for me, and continues to be for so many Americans.

Mr. VAN HOLLEN. Mr. Chairman, I rise today to support the Improving Head Start Act, a bill that will strengthen our nation's premiere early childhood education program and expand its services to thousands more children across the country.

Head Start has been improving lives and increasing opportunities for children and families for more than 40 years. With this important program, we teach our children that they can succeed, regardless of background or family income. We open doors to millions and prepare them for future success in school and careers.

This bill provides much-needed amendments to Head Start that will improve workforce quality by increasing funding for staff salaries and professional development, and enhance coordination between early education and primary schools. It also strengthens standards and accountability to ensure that our children are getting the best quality care and education.

I am also pleased that this House defeated a divisive and misguided motion that would, for the first time, legitimize publicly funded religious discrimination in the Head Start program. It would have given taxpayer money to Head Start centers and allow those centers to exclude taxpayers from jobs solely on the basis of their religious beliefs. It would be a green light for religious bigotry. Its passage would have been bad for education and bad for religion and I joined the National Head Start Association, the Interfaith Alliance, and countless other secular and religious advocates of the Head Start Program in opposing it. I am glad that we have a clean bill to pass today.

I also urge my colleagues to not only vote for this bill, but to continue to advocate for Head Start by supporting full funding for the program. It is not enough to pass the legislation—we need to give our communities the resources they need to carry out our mandates.

I thank Chairman MILLER, Chairman KILDEE and the Committee on Education and Labor for their work on this important legislation, and urge its final passage today.

Ms. HIRONO. Mr. Chairman, I rise today in support of the Improving Head Start Act of 2007. Over and over again, rigorous evaluations have shown that Head Start and Early Head Start works. It improves the lives of our neediest children and families.

I am proud to be an original cosponsor of the bill at hand, as it makes several positive changes to the Head Start program. It authorizes $450 million new dollars to the program, which is enough to provide up to 10,000 new spots for children. It prioritizes program improvement by increasing funding for teacher and staff salaries and professional development. It suspends the National Reporting System, which is a flawed testing system that does not adequately assess this comprehensive system.

Science has shown that providing a quality early education experience leads to healthy brain development that prepares children for success in school, as well as later in life. Access to high quality early education, as well as to wrap around, comprehensive services, really sets the foundation for children and their parents.

I urge my colleagues to support this strong, bipartisan bill. It will directly improve the lives of many, many children and families.

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong support of H.R. 1429, the Improving Head Start Act of 2007. Since 1965, the Head Start early childhood education program has provided low-income children with comprehensive child development, educational, health, nutritional, and social activities to ensure that they are ready to enter kindergarten on an equal playing field with other children. H.R. 1429 will expand and improve the successful Head Start program, which research has shown works in raising children's achievement.

I want to thank Representatives KILDEE, CASTLE and Chairman MILLER for their outstanding leadership on this bipartisan bill, which would allow as many as 10,000 more children to access the benefits Head Start. It improves classroom and teacher quality, raising the qualifications of teachers and increasing funding for teacher and staff salaries and professional development. The bill also includes strong accountability measures to better ensure that Head Start funds are used appropriately and efficiently and that underperforming programs are either replaced or quickly improved.

As a former educator, I understand the importance of closing the school-readiness gap and ensuring that all children can start their education on an equal playing field. Today, we have the opportunity to pass a bill that will make great strides toward just that.

Ms. LEE. Mr. Chairman, I rise in strong support of the amendment offered to the Head Start reauthorization bill by my friend and colleague from Texas, Congresswoman EDDIE BERNICE JOHNSON.

This amendment would encourage partnerships with Historically Black Colleges and Universities and Head Start.

This amendment builds on the important step that the underlying bill takes. That is, H.R. 1429 will require that fifty percent of Head Start teachers have a Bachelor's degree in early childhood education by 2013.

This amendment would create a partnership between the Secretary of HHS and HBCU's to meet the new degree requirements. It would require those who benefit from this partnership to teach at a Head Start program for a period of time equivalent to the time they received assistance.

This is a significant amendment not only because it will provide students with qualified teachers in their classrooms, it will also set a good example for these students. In fact, evidence suggests that students who attend early childhood programs have a better chance of success later in life. In an article published in the Developmental Psychology journal of the American Psychological Association in 2005 showed that children in Early Head Start had better test scores, had better cognitive and language development. These children also showed less aggressive behavior then non-early Head Start children, which goes towards improving the overall environment of our elementary and secondary schools.

I urge my colleagues to support this amendment and the underlying bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the 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. 1429

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 ''Improving Head Start Act of 2007''.

SEC. 2. STATEMENT OF 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 the school readiness of low-income children—

''(1) by enhancing their cognitive, social, and emotional development in a learning environment that supports children's growth in language, literacy, mathematics, science, social and emotional functioning, physical skills, and approaches to learning; and

''(2) 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) by redesignating paragraphs (16) and (17) as paragraphs (22) and (23), respectively,

(2) by redesignating paragraph (15) as paragraph (20), respectively,

(3) by redesignating paragraphs (11) through (14) as paragraphs (15) through (18), respectively,

(4) by redesignating paragraph (10) as paragraph (13),

(5) by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively,

(6) by inserting after paragraph (1) the following:

''(2) The term 'deficiency' means—

''(A) systemic or significant material 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 of Federal or State requirement; or

''(B) material failure of the board of directors of a Head Start agency to meet its legal and fiduciary responsibilities.'',

(7) by inserting after paragraph (10), as so redesignated the following:

''(11) The term 'homeless children' has the meaning given such term in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)).

''(12) The term 'homeless family' means the family of a homeless child.'',

(8) by inserting after paragraph (13), as so redesignated the following:

''(14) 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 difficulty in speaking or understanding the English language to an extent that may be sufficient to prevent such individual from—

''(i) successful achievement in classrooms in which the language of instruction is English; or

''(ii) fully participating in society.'',

(9) by inserting after paragraph (18), as so redesignated the following:

''(19) The term 'professional development' means high quality activities that will improve the knowledge and skills of Head Start teachers and staff, as relevant to their roles and functions, in program administration and the provision of services and instruction, as appropriate, in a manner that improves service delivery to eligible children and families, including activities that—

''(A) are part of a sustained effort to improve overall program quality and outcomes for eligible children and families;

''(B) are developed or selected with extensive participation of administrators and teachers from Head Start programs;

''(C) are developmentally appropriate for the children being served;

''(D) include instruction in ways that Head Start personnel may work more effectively with parents, as appropriate;

''(E) 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;

''(F) if a 1-day or short-term workshop or conference, must be as part of the professional development plan defined in section 648A(f) and be delivered by 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;

''(G) assist teachers with—

''(i) the acquisition of the content knowledge and teaching strategies needed to provide effective instruction and other school readiness services in early language and literacy, early mathematics, early science, cognitive skills, approaches to learning, creative arts, science, physical health and development, and social and emotional development linked to school readiness;

''(ii) meeting the requirements in paragraphs (1) and (2) of section 648A(a), as appropriate;

''(iii) improving classroom management skills, as appropriate;

''(iv) advancing understanding of effective instructional strategies that are—

''(I) based on scientifically based research; and

''(II) aligned with—

''(aa) the Head Start Child Outcomes Framework developed by the Secretary and State early learning standards, as appropriate; and

''(bb) the curricula, ongoing assessments, and other instruction and services designed to help meet the standards described in section 641A(a)(1);

''(v) acquiring the knowledge and skills to provide instruction and appropriate language and support services to increase the English language skills of limited English proficient children, as appropriate; or

''(vi) methods of teaching children with disabilities, as appropriate.'',

(10) by inserting after paragraph (20), as so redesignated, the following:

''(21) 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

(11) by amending paragraph (23), as so redesignated, to read as follows:

''(23) The term 'State' means a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands of the United States, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.''.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

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 to carry out this subchapter $7,350,000,000 for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012.

''(b) SPECIFIC PROGRAMS.—From the amount appropriated under subsection (a), the Secretary shall make available to carry out research, demonstration, and evaluation activities (including longitudinal studies under section 649) not more than $20,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal the years 2009 through 2012, of which not more than $7,000,000 for each of the fiscal years 2008 through 2012 shall be available to carry out impact studies under section 649(g).''.

SEC. 5. ALLOTMENT OF FUNDS; LIMITATION ON ASSISTANCE.

(a) ALLOTMENT OF FUNDS.—Section 640(a) of the Head Start Act (42 U.S.C. 9835(a)) is amended to read as follows:

''(a) ALLOTMENT OF FUNDS.—

''(1) IN GENERAL.—Of the funds appropriated under section 639, the Secretary shall allot such amounts in accordance with paragraphs (2) through (4), and subject to paragraphs (5) and (6).

''(2) THIRTEEN PERCENT SET-ASIDE.—The Secretary shall reserve 13 percent of the amount appropriated for each fiscal year for use in accordance with the following order of priorities:

''(A) SPECIAL POPULATIONS.—For 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 2007;

''(ii) migrant and seasonal Head Start programs shall receive not less than 5 percent of the amount appropriated for each 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(l), 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 before such reduction in funding; and

''(iii) Indian Head Start programs shall receive not less than 3.5 percent of the amount appropriated for each 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 based on the data collected in accordance with the requirements of section 648(k), 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 before such reduction in funding.

''(B) PAYMENTS TO TERRITORIES AND FREELY ASSOCIATED STATES.—Subject to paragraph (7), for payments to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and the Republic of Palau, except that payments to the Republic of Palau shall not be made after fiscal year 2009.

''(C) TRAINING AND TECHNICAL ASSISTANCE.—Not less than 2 percent of the amount appropriated for such fiscal year for training and technical assistance activities to foster program quality and management improvement as described in section 648, of which—

''(i) not less than 50 percent shall be available to local Head Start agencies to make program improvements identified by such agencies to use for the training and technical assistance activities described in section 648(j);

''(ii) not less than 30 percent shall be available to the Secretary to support a State-based system or a national system, in the case of migrant and seasonal Head Start and Indian Head Start programs, of early childhood education training and technical assistance to local Head Start agencies as described in section 648(n); and

''(iii) the remainder of such amount shall be available to the Secretary to assist local Head Start agencies in meeting and exceeding the standards described in section 641A(a)(1), including financial assistance to help Head Start programs address weaknesses identified by monitoring activities conducted by the Secretary under section 641A(c), except that—

''(I) not less than $3,000,000 shall be available to carry out the activities described in section 648(c)(4); and

''(II) no more than $5,000,000 shall be reserved to carry out the activities described in section 642B(b).

''(D) MONITORING AND TERMINATIONS.—For discretionary payments made by the Secretary, including payments for all costs (other than compensation of Federal employees) of reviews of Head Start agencies, programs under section 641A(c), and of activities carried out under paragraph (1), (2), or (3) of section 641A(d) related to correcting deficiencies and conducting proceedings to terminate the designation of Head Start agencies.

''(E) RESEARCH.—For payments for research, demonstration, and evaluation activities under section 649.

No funds reserved under this paragraph or paragraph (3) may be combined with funds appropriated under any other Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such funds appropriated under this subchapter are separately identified in such grant or payment and are used for the purposes of this subchapter.

''(3) QUALITY IMPROVEMENT FUNDS.—

''(A) DETERMINATION OF FUNDS.—

''(i) For each of the fiscal years 2008 through 2012, to provide assistance for activities specified in subparagraph (B), the Secretary shall reserve, from the amount (if any) by which the funds appropriated under section 639(a) for a fiscal year exceed the adjusted prior year appropriation, a share equal to the sum of—

''(I) 60 percent of such excess amount; and

''(II) any additional part of such excess amount the Secretary may find necessary to address a demonstrated need for such activities.

''(ii) As used in clause (i), the term 'adjusted prior year appropriation' means, with respect to a fiscal year, the amount appropriated under section 639(a) for the preceding fiscal year, adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers (issued by the Bureau of Labor Statistics) during such preceding fiscal year.

''(B) QUALITY IMPROVEMENT ACTIVITIES.—Funds reserved under this paragraph shall be used to carry out the following activities:

''(i) Not less than one-fourth of the amount reserved under this paragraph, to improve the compensation, salary scales, and benefit standards of educational staff, family service workers, and child counselors, as described in sections 644(a) and 653, to ensure that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

''(ii) Providing on-going professional development to teachers that improves their understanding of child development, content knowledge, and appropriate teaching strategies needed to provide effective instruction and other school readiness services in the areas of early language and literacy, early mathematics, cognitive skills, approaches to learning, creative arts, science, physical health and development, and social and emotional development.

''(iii) Improving the qualifications and skills of educational personnel to meet the professional standards established under section 648A(a)(1), including providing assistance to complete postsecondary course work, subject to section 648A(a)(2)(D).

''(iv) 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 other individuals with disabilities.

''(v) Employing additional qualified classroom staff necessary to reduce the child to teacher ratio in the classroom and family to staff ratio for family services workers.

''(vi) 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.

''(vii) Increasing hours of program operation, including—

''(I) conversion of part-day to full-day; and

''(II) number of weeks operated in a calendar year.

''(viii) Improving the compensation and benefits of staff of Head Start agencies in order to improve the quality of Head Start programs.

''(ix) Transportation costs associated with transporting Head Start children safely, except that—

''(I) no more than ten percent of funds under this paragraph may be used for such purposes;

''(II) a Head Start agency shall demonstrate efforts to leverage the costs of transportation through collaboration with other entities; and

''(III) a Head Start agency shall submit information to the Secretary describing how such use of funds is necessary to prevent reduction or termination of transportation services or, in the case of a Head Start agency serving a rural community, how such use of funds is necessary to improve services to such community.

''(C) ALLOCATION.—

''(i) Funds reserved under subparagraph (A) shall be allotted by the Secretary as follows:

''(I) 80 percent of such funds shall be allotted among the States in the same proportion as the Secretary allots funds among the States under paragraph (4) for the respective fiscal year.

''(II) 20 percent of such funds shall be allotted among the States, geographical areas specified in subsection (a)(2)(B) and Indian Head Start programs and migrant and seasonal Head Start programs, and used to make grants to Head Start agencies, at the discretion of the Secretary.

''(ii) Funds allotted under clause (i) shall be used by the Secretary to make grants to Head Start agencies that receive grants from funds allotted under paragraph (4) for such fiscal year, in such amounts as the Secretary considers to be appropriate, for expenditure for activities specified in subparagraph (B).

''(iii) Funds received under this subparagraph shall be used to supplement, not to supplant, funds received under paragraph (2) or (4).

''(4) GRANT DISTRIBUTION.—Subject to section 639(b), the Secretary shall allot the remaining amounts appropriated in each fiscal year among the States, in accordance with latest satisfactory data so that—

''(A) each State receives an amount which is equal to the amount the State received for fiscal year 2007; and

''(B) any amount available after all allotments are made under subparagraph (A) for such fiscal year shall be distributed proportionately on the basis of the number of children less than 5 years of age from families whose income is below the poverty line.

For purposes of this paragraph, for each fiscal year the Secretary shall use the most recent data available on the number of children less than 5 years of age from families whose income is below the poverty line, as published by the Department of Commerce, unless the Secretary and the Secretary of Commerce determine that use of the most recent data available would be inappropriate or unreliable. If the Secretary and the Secretary of Commerce determine that some or all of the data referred to in this paragraph are inappropriate or unreliable, the Secretaries shall issue a report setting forth their reasons in detail.

''(5) COLLABORATION GRANTS.—

''(A) From amounts reserved and allotted under paragraph (4), the Secretary shall award the collaboration grants described in subparagraphs (B), (C), and (D).

''(B)(i) From the reserved sums, the Secretary shall award upon submission of a written request, a collaboration grant to each State and to each national administrative office serving Indian Head Start programs and migrant and seasonal Head Start programs to facilitate collaboration between Head Start agencies and entities (including the State or national administrative office) that carry out other activities designed to benefit low-income families and children from birth to school entry. The national administrative offices shall use the funds made available through the grants to carry out the authorities and responsibilities described in subparagraphs (B) and (C).

''(ii) Grants described in clause (i) shall be used to—

''(I) assist Head Start agencies to collaborate with entities involved in State and local planning processes to better meet the needs of low-income families and children from birth to school entry;

''(II) assist Head Start agencies to coordinate activities 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 entities providing resource and referral services in the State, to make full-working-day and full calendar year services available to children;

''(III) promote alignment of Head Start curricula and continuity of services with the Head Start Child Outcomes Framework and State early learning standards, as appropriate;

''(IV) promote better linkages between Head Start agencies and other child and family agencies, including agencies that provide health, mental health, or family services, or other child or family supportive services, such as services provided under section 619 or part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.); and

''(V) carry out the activities of the State Director of Head Start Collaboration authorized in subparagraph (D).

''(C) In order to improve coordination and delivery of early education services to children in the State, a State that receives a collaboration grant under subparagraph (B) shall—

''(i) appoint or designate an individual to serve as, or carry out the responsibilities of, the State Director of Head Start Collaboration;

''(ii) ensure that the State Director of Head Start Collaboration 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

''(iii) involve the State Head Start Association in the selection of the Director and involve the Association in determinations relating to the ongoing direction of the collaboration office.

''(D) The State Director of Head Start Collaboration shall—

''(i) not later than 1 year after the State receives a collaboration grant under subparagraph (B), conduct an assessment that—

''(I) addresses the needs of Head Start agencies in the State with respect to collaboration, coordination, and alignment of services, and alignment of curricula and assessments with the Head Start Child Outcomes Framework, and with State early learning standards, as appropriate;

''(II) shall be updated on an annual basis; and

''(III) shall be made available to the general public within the State;

''(ii) develop a strategic plan that is based on the assessment described in clause (i) that will—

''(I) enhance collaboration and coordination of Head Start services with other entities providing early childhood programs and services (such as child care or services offered by museums), health care, mental health care, welfare, child protective services, education and community service activities, family literacy services, reading readiness programs (including such programs offered by public and school libraries), services relating to children with disabilities, other early childhood programs and services for limited English proficient children and homeless children, and services provided for children in foster care and children referred to Head Start programs by child welfare agencies, including agencies and State officials responsible for such services;

''(II) assist Head Start agencies to develop a plan for the provision of full-working-day, full calendar year services for children enrolled in Head Start programs who need such care;

''(III) assist Head Start agencies to align curricula and assessments with the Head Start Child Outcomes Framework and to the State early learning standards, as appropriate; and

''(IV) enable Head Start agencies in the State to better access professional development opportunities for Head Start staff, such as by—

''(aa) working with local Head Start agencies to meet the degree requirements described in section 648A(a)(2)(A), including providing distance learning opportunities for Head Start staff, where needed to make higher education more accessible to Head Start staff; and

''(bb) enabling the State Head Start agencies to better conduct outreach to eligible families;

''(iii) promote partnerships between Head Start agencies, State and local governments, and the private sector to help ensure that children, who are in Head Start programs, are receiving comprehensive services to prepare the children to enter school ready to succeed;

''(iv) consult with the chief State school officer, local educational agencies, and providers of early childhood education and care, regarding early care and education services at both the State and local levels;

''(v) promote partnerships between Head Start agencies, schools, law enforcement, relevant community-based organizations, and substance abuse and mental health treatment agencies to strengthen family and community environments and to reduce the impact on child development of substance abuse, child abuse, domestic violence, and other high risk behaviors that compromise healthy development;

''(vi) promote partnerships between Head Start agencies and other organizations in order to enhance Head Start program quality, including partnerships to promote inclusion of more books in Head Start classrooms;

''(vii) identify other resources and organizations (both public and private) for the provision of in-kind services to Head Start agencies in the State; and

''(viii) work with the State Early Learning Council in order to assist the efforts of Head Start agencies to engage in effective coordination and collaboration.

''(6) EARLY HEAD START.—

''(A) AMOUNTS RESERVED.—From amounts reserved and allotted pursuant to paragraphs (2) and (4), the Secretary shall use, for grants for programs described in section 645A(a), a portion of the combined total of such amounts that is not less than 12 percent for fiscal year 2008, not less than 14 percent for fiscal year 2009, not less than 16 percent for fiscal year 2010, not less than 18 percent for fiscal year 2011, and not less than 20 percent for fiscal year 2012 of the amount appropriated pursuant to section 639(a).

''(B) LIMITATIONS.—

''(i) For any fiscal year for which the Secretary determines that the amount appropriated under section 639(a) is not sufficient to permit the Secretary to reserve the portion described in subparagraph (A) without reducing the number of children served by Head Start programs or adversely affecting the quality of Head Start services, relative to the number of children served and the quality of the services during the preceding fiscal year, the Secretary may reduce the percentage of funds required to be reserved for the portion described in subparagraph (A) for the fiscal year for which the determination is made, but not below the percentage required to be so reserved for the preceding fiscal year.

''(ii) For any fiscal year for which the amount appropriated under section 639(a) is reduced to a level that requires a lower amount to be made available under this subchapter to Head Start agencies and entities described in section 645A, relative to the amount made available to such agencies and entities for the preceding fiscal year, adjusted as described in paragraph (3)(A)(ii), the Secretary shall proportionately reduce—

''(I) the amounts made available to such entities for programs carried out under section 645A; and

''(II) the amounts made available to such Head Start agencies for Head Start programs.

''(7) For purposes of this subsection, the term 'State' does not include Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.''.

(b) SERVICE DELIVERY MODELS.—Section 640(f) of the Head Start Act (42 U.S.C. 9835(f)) is amended to read as follows:

''(f) SERVICE DELIVERY MODELS.—

''(1) Not later than 1 year after the date of the enactment of the Improving Head Start Act of 2007, the Secretary shall establish procedures to enable Head Start agencies to develop locally designed or specialized service delivery models to address local community needs, including models that leverage the existing capacity and capabilities of the delivery system of early childhood education and child care.

''(2) In establishing the procedures, the Secretary shall establish procedures to provide for—

''(A) the conversion of part-day programs to full-day programs or part-day slots to full-day slots; and

''(B) serving additional infants and toddlers pursuant to section 645(a)(4).''.

(c) EXPANSION OF HEAD START PROGRAMS.—Section 640(g) of the Head Start Act (42 U.S.C. 9835(g)) is amended in paragraph (2)—

(1) by striking ''For the purpose of expanding Head Start programs, in'' and inserting ''In'', and

(2) by amending subparagraphs (C) through (H) 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 local public agencies serving children and families with Federal, State, or local funds (including organizations and agencies providing family support services, child abuse prevention services, protective services, and foster care, and organizations serving families in whose homes English is not the language customarily spoken), and individuals, organizations, and public entities serving children with disabilities or homeless children, 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));

''(D) the extent to which the family and community needs assessment of the applicant reflects a need to provide full working-day or full calendar year services and the extent to which, and manner in which, the applicant demonstrates the ability to collaborate and participate with the State and local community providers of child care or preschool services to provide full working-day full calendar year services;

''(E) the number of eligible children in each community who are not participating in a Head Start program or any other early childhood program;

''(F) the concentration of low-income families in each community;

''(G) the extent to which the applicant proposes to foster partnerships with other service providers in a manner that will leverage the existing delivery systems of such services and enhance the resource capacity of the applicant;

''(H) the extent to which the applicant, in providing services, successfully coordinated its activities with the local educational agency serving the community involved, (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)) and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, regarding such services and the education services provided by such local educational agency; and

''(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 service each enrolled child.''.

(d) TRANSPORTATION SAFETY.—

(1) REGULATIONS.—The Secretary shall issue regulations establishing requirements for the safety features, and the safe operation, of vehicles used by Head Start agencies to transport children participating in Head Start programs.

(2) GOOD CAUSE WAIVER AUTHORITY.—The Secretary shall allow Head Start agencies to annually request a good cause exception to 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—

(A) such requirements would create a safety hazard in the circumstances faced by such agency; or

(B) such requirements pertain to child restraint systems (45 C.F.R. 1310.11, 1310.15(a)) or bus monitors (45 C.F.R. 1310.15(c));

(C) 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

(D) the waiver is in the best interest of the children involved.

(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 Indian children and children of Alaskan Natives, and their families, in accordance with 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 in their geographic locations.

''(C) The Secretary shall publish a notification of the consultations in the Federal Register before conducting the consultations.

''(D) A detailed report of each consultation shall be prepared and made available within 90 days of the annual consultation to all Indian tribes that receive assistance under this subchapter.''.

(f) ENROLLMENT OF HOMELESS CHILDREN; RULE OF CONSTRUCTION; MATERIALS.—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 issue rules to establish policies and procedures to remove barriers to the enrollment and participation of homeless children in Head Start programs. Such rules 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 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 before participating in such program, except as provided under sections 612(a)(3) and 635(a)(5) of the Individuals with Disabilities Education Act.

''(o) MATERIALS.—All curricula and instructional materials funded under this subchapter shall be based on scientifically based research, age and developmentally appropriate, and focused on all areas of development (cognitive, social, emotional, and physical), learning (language and literacy, mathematics, science, and creative arts) and approaches to learning. Parents shall be permitted to inspect, upon request, any curricula or instructional materials used to carry out this subchapter.''.

SEC. 6. DESIGNATION OF HEAD START AGENCIES.

Section 641 of the Head Start Act (42 U.S.C. 9836) is amended to read as follows:

''SEC. 641. DESIGNATION OF HEAD START AGENCIES.

''(a) AUTHORITY TO DESIGNATE.—The Secretary is authorized to designate as a Head Start agency any local public or private nonprofit agency, including community-based and faith-based organizations, or for-profit agency, within a community, pursuant to the requirements of this section, except that until such time that the Secretary develops and implements the system of application review under this section, the Secretary is authorized to designate as a Head Start agency, any local public or private nonprofit agency, including community-based and faith-based organizations, or for-profit agency, within a community, in the manner and process utilized by the Secretary prior to the enactment of the Improving Head Start Act of 2007.

''(b) APPLICATION FOR GRANTS.—Each entity shall submit a plan to the Secretary, at such time and in such manner as the Secretary may require.

''(c) DEVELOPMENT OF APPLICATION REVIEW SYSTEM.—

''(1) IN GENERAL.—The Secretary shall develop a system that integrates the recommendations of the expert panel convened under paragraph (3) to determine if a Head Start agency is providing a quality comprehensive early learning program that meets the educational, health, and nutritional needs of the children and families it serves, and meets program and financial management requirements and performance standards described in section 641A(a)(1), based on—

''(A) annual budget data;

''(B) program reviews conducted under section 641A(c);

''(C) annual audits required under section 647;

''(D) classroom quality as measured under section 641A(c)(2)(H); and

''(E) Program Information Report.

''(2) EXPERT PANEL.—No later than six months after the enactment of the Improving Head Start Act of 2007, the Secretary shall convene an expert panel of 7 members to make recommendations to the Secretary on the development of a transparent, reliable, and valid system for evaluating grant renewal applications.

''(3) COMPOSITION OF EXPERT PANEL.—The Secretary, in convening such panel, shall appoint the following:

''(A) 5 members, who are competent, by virtue of their training, expertise, and experience, in each of at least one of the following areas:

''(i) Early childhood program accreditation or quality assessment.

''(ii) Research on early childhood development.

''(iii) Governance and finance of non-profit organizations.

''(iv) Delivery of services to children and families with limited English proficiency.

''(v) Delivery of services to children with disabilities.

''(B) An employee from the Office of Head Start.

''(C) An executive director of a Head Start agency.

''(4) EXPERT PANEL REPORT.—Within 12 months of being convened by the Secretary, the expert panel shall issue a report to the Secretary that provides recommendations on a proposed system of application review that takes into account the criteria in paragraph (1) to evaluate whether a Head Start grantee is meeting mission to provide a high quality comprehensive early education program, including adequately meeting its governance and financial management requirements.

''(5) PUBLIC COMMENT; REPORT TO CONGRESS.—No later than 6 months after receiving the report described in paragraph (4), the Secretary shall publish a proposed system of application review in the Federal Register, providing at least 90 days for public comment and shall provide a report to the Education and Labor Committee of the U.S. House of Representatives and the Health, Education, Labor, and Pensions Committee of the U.S. Senate that provides a detailed description of such proposed system, including clear rationale for any differences between the proposed system and the recommendations of the expert panel, if any such differences exist.

''(6) IMPLEMENTATION OF APPLICATION REVIEW SYSTEM.—After the Secretary has reviewed all public comments and finalized the system of application review, the Secretary will use this system to determine which grantees are successfully delivering a high quality comprehensive early education program. Grantees who are determined under such system to be—

''(A) successfully delivering a high quality comprehensive early education program shall be designated a Head Start agency for a period of 5 years;

''(B) under-performing and may enter into an open competition as described in subsection (e); and

''(C) notwithstanding paragraph (B), if an Indian Head Start agency is determined to be underperforming, the Secretary shall engage in government-to-government consultation with the appropriate tribal government or governments for the purpose of establishing a performance enhancement plan for that agency. Such plan is to be developed and implemented within 6 months of the Secretary's determination. Not more than 6 months after implementation of that plan, the Secretary shall re-evaluate the performance of the Indian Head Start agency. If the Indian Head Start agency remains underperforming, the Secretary shall conduct an open competition as described in subsection (e), subject to the following limitations:

''(i) Except as provided in paragraph (ii), a non-Indian Head Start agency may not receive a grant to carry out an Indian Head Start program.

''(ii) In a community in which there is no Indian Head Start agency available for designation to carry out an Indian Head Start program, a non-Indian Head Start agency, on an interim basis, may receive a grant to carry out an Indian Head Start program, but only until such time as an Indian Head Start agency in such community becomes available.

''(d) TRANSPARENCY, RELIABILITY, AND VALIDITY.—The Secretary shall ensure the system of application evaluation is fair, consistent, and transparent and applied in a manner that designates, in a timely manner grantees as Head Start agencies for a period of 5 years if such grantees are providing a high quality comprehensive early education program. The Secretary shall periodically evaluate whether the criteria are being applied in a manner that is transparent, reliable, and valid.

''(e) DESIGNATION WHEN NO ENTITY HAS PRIORITY.—

''(1) IN GENERAL.—If no entity in a community is determined to be successfully delivering a high quality comprehensive early education program, as 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 and in life;

''(C) the plan of such applicant to attract and retain qualified staff capable of delivering a high quality comprehensive early education program, including demonstrating the ability to provide adequate salary and benefits to maintain a high quality staff;

''(D) the ability of such applicant to maintain child-teacher ratios and family service worker caseloads that reflect best practices and are tied to high quality service delivery;

''(E) the capacity of such applicant to serve eligible children with curriculum and teaching practices that are based on scientifically based research, are developmentally appropriate, and that promote the school readiness of children participating in the program;

''(F) 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;

''(G) the proposed budget and plan of such applicant to maintain strong fiscal controls and cost effective fiscal management;

''(H) the plan of such applicant to coordinate the Head Start program the applicant proposes to carry out, with other local early learning programs for young children, including—

''(i) programs implementing grants under 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) and 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; and

''(v) the educational programs that the children participating in the Head Start program will enter at the age of compulsory school attendance;

''(I) 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;

''(J) 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 subchapter 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, mental health services (either directly or through referral to local entities), including substance abuse counseling and information on maternal depression and 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, social, and emotional 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, in a manner and language that such parents can understand, 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 culturally appropriate opportunities for direct father-child interactions; and

''(II) targeting increased male participation in the conduct of the program;

''(K) 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);

''(L) the plan of such applicant to meet the diverse cultural needs of the population served;

''(M) the plan of such applicant to meet the needs of children with disabilities;

''(N) the plan of such applicant who chooses to assist younger siblings of children who will participate in the Head Start program to obtain health, including mental health, services from other sources;

''(O) the plan of such applicant to collaborate with other entities carrying out public or private early childhood education and child care programs in the community;

''(P) the plan of such applicant to meet the needs of homeless children, including transportation needs, and children in foster care and children and families experiencing toxic stress;

''(Q) the plan of such applicant to maintain a qualified staff, including a teaching staff qualified to implement research-based curricula aligned with the Head Start Child Outcomes Framework developed by the Secretary and to the early learning standards in State in which such program would operate;

''(R) the plan of such applicant to enter into memoranda of understanding with local educational agencies within the service area, as described in section 642B(a); and

''(S) other factors related to the requirements of this subchapter.

''(f) INTERIM PROVIDER.—If no agency in the community receives priority designation under subsection (c), and there is no qualified applicant in the community, the Secretary shall designate a qualified agency to carry out the Head Start program in the community on an interim basis until a qualified applicant from the community is so designated.

''(g) PARENT AND COMMUNITY PARTICIPATION.—The Secretary shall require that the practice of significantly involving parents and area residents affected by the program in the selection of Head Start agencies be continued.

''(h) COMMUNITY.—For purposes of this subchapter, a community may be a city, county, or multicity or multicounty unit within a State, an Indian reservation (including Indians in any off-reservation area designated by an appropriate tribal government in consultation with the Secretary) or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed to operate a Head Start program.''.

SEC. 7. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

Section 641A of the Head Start Act (42 U.S.C. 9836a) is amended to read as follows:

''SEC. 641A. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

''(a) QUALITY STANDARDS.—

''(1) ESTABLISHMENT OF STANDARDS.—The Secretary shall modify, as necessary, program performance standards by regulation applicable to Head Start agencies, programs, and projects under this subchapter, including—

''(A) performance standards with respect to services required to be provided, including health, parental involvement, nutritional, social, transition activities described in section 642(d), and other services;

''(B) scientifically based and developmentally appropriate early learning standards related to school readiness that are based on the Head Start Child Outcomes Framework 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) mathematics knowledge and skills, including aspects of classification, seriation, number, spatial relations, and time;

''(iv) science knowledge and skills, including measurement;

''(v) cognitive abilities related to academic achievement and general knowledge;

''(vi) social and emotional development related to early learning, school success, social problem-solving, and overall well-being;

''(vii) approaches to learning related to child development and early learning;

''(viii) creative arts; and

''(ix) 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 clauses (i) through (viii), including progress made through the use of culturally and linguistically appropriate instructional services;

''(C) administrative and financial management standards;

''(D) standards relating to the condition and location of facilities for such agencies, programs, and projects; and

''(E) such other standards as the Secretary finds to be appropriate.

''(2) CONSIDERATIONS IN DEVELOPING STANDARDS.—In developing the standards required under paragraph (1), the Secretary shall—

''(A) consult with experts in the fields of child development, early childhood education, child health care, family services (including linguistically and culturally appropriate services to limited English proficient children and their families), administration, and financial management, and with persons with experience in the operation of Head Start programs;

''(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) recommendations from the report on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences, when it becomes available;

''(iv) developments concerning research-based practices with respect to early childhood education and development, children with disabilities, family services, program administration, and financial management;

''(v) projected needs of an expanding Head Start program;

''(vi) 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;

''(vii) changes in the population of children who are eligible to participate in Head Start programs, including the language and cultural background and family structure of such children;

''(viii) mechanisms to ensure that children participating in Head Start programs make a successful transition to the schools that the children will be attending; and

''(ix) the unique challenges faced by individual programs, including those that are seasonal or short term, and those that serve rural populations; and

''(C)(i) review and revise as necessary the performance standards in effect under this subsection; and

''(ii) ensure that any such revisions in the performance standards will not result in the elimination of or any reduction in quality, scope or types of health, education, parental involvement, nutritional, social, or other services required to be provided under such standards as in effect on October 27, 1998.

''(3) STANDARDS RELATING TO OBLIGATIONS TO DELEGATE AGENCIES.—In developing standards under this subsection, the Secretary shall describe the obligations of a Head Start agency to a delegate agency to which the Head Start agency has delegated responsibility for providing services under this subchapter and determine whether the Head Start agency complies with the standards. The Secretary shall consider such compliance during the review described in subsection (c)(1)(A) and in determining whether to renew financial assistance to the Head Start agency under this subchapter.

''(b) MEASURES.—

''(1) IN GENERAL.—The Secretary, in consultation with representatives of Head Start agencies and with experts in the fields of early childhood education and development, shall use the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences to provide guidance to Head Start agencies for utilizing scientifically-based measures that support, as appropriate—

''(A) classroom instructional practices;

''(B) identification of special needs; and

''(C) program evaluation.

''(2) CHARACTERISTICS OF MEASURES.—The measures under this subsection shall

''(A) be developmentally, linguistically, and culturally appropriate for the population served;

''(B) be reviewed not less than every 4 years, based on advances in the science of early childhood development;

''(C) be consistent with relevant, nationally recognized professional and technical standards related to the assessment of young children;

''(D) be valid and reliable (in English, Spanish, and any other language, as appropriate);

''(E) be administered by staff with appropriate training for such administration;

''(F) provide appropriate accommodations for children with disabilities and children who are limited English proficient; and

''(G) be high-quality research-based measures that have been demonstrated to assist with the purposes for which they were devised.

''(3) USE OF MEASURES; LIMITATIONS ON USE.—

''(A) Measures shall be designed for the purpose of—

''(i) promoting the skills, knowledge, and competencies of children participating in Head Start programs specified in subsection (a)(1)(B)(ii), with an emphasis on measuring skills that scientifically-based research has demonstrated are related to children's school readiness and later success in school;

''(ii) improving classroom practices, including reviewing children's strengths and weaknesses;

''(iii) identifying special needs; and

''(iv) improving overall program performance in order to help programs identify problem areas that may require additional training and technical assistance resources.

''(B) Such measures shall not be used to exclude children from Head Start programs.

''(4) SUSPENDED IMPLEMENTATION OF NATIONAL REPORTING SYSTEM.—The Secretary shall—

''(A) suspend implementation and terminate further development and use of the National Reporting System; and

''(B) incorporate, as appropriate, recommendations from the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences into any assessment used in the Head Start programs, in accordance with paragraphs (2) and (3).

''(5) SPECIAL RULE.—The use of assessment items and data on any assessment authorized under this subchapter by an agent or agents of the Federal Government to provide rewards or sanctions for individual children or teachers is prohibited. The Secretary shall not use the results of a single assessment as the sole or primary method for assessing program effectiveness or making grantee funding determinations at the national, regional, or local level.

''(6) CONFIDENTIALITY.—

''(A) The Secretary, through regulation, shall ensure the confidentiality of any personally identifiable data, information and records collected or maintained by the Secretary and any Head Start agency. Such regulations shall provide the policies, protections, and rights equivalent to those provided a parent, student, or educational agency or institution under section 444 of the General Education Provisions Act.

''(B) Nothing in this subsection shall be construed to authorize the development of a nationwide database of personally identifiable information on children participating in measures under this subsection.

''(c) MONITORING OF LOCAL AGENCIES AND PROGRAMS.—

''(1) IN GENERAL.—To determine whether Head Start agencies meet standards established under this subchapter with respect to program, administrative, financial management, and other requirements and in order to help programs identify areas for improvement and areas of strengths as part of an on-going self-assessment process, the Secretary shall develop and use a risk-based assessment system to conduct the following reviews of Head Start agencies, and of the Head Start programs operated by such agencies:

''(A) A full review of each such agency at least once during each 3-year period.

''(B) A review of each newly designated Head Start agency immediately after the completion of the first year such agency carries out a Head Start program.

''(C) Followup reviews, including unannounced reviews as appropriate, of programs with 1 or more findings of deficiencies not later than 12 months after the date of such finding.

''(D) other reviews, including unannounced site inspections of Head Start centers, as appropriate.

''(2) CONDUCT OF REVIEWS.—The Secretary shall ensure that reviews described in subparagraphs (A) through (C) of paragraph (1)—

''(A) are conducted by review teams that—

''(i) include individuals who are knowledgeable about Head Start programs 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; and

''(ii) include, to the maximum extent practicable, current or former employees of the Department of Health and Human Services who are knowledgeable about Head Start programs;

''(B) include as part of the reviews of the programs, a review and assessment of program strengths and areas in need of improvement;

''(C) 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 limited English proficiency and children of migrant and seasonal farm-working families);

''(D) 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);

''(E) include as part of the review the implementation by qualified individuals with demonstrated reliability, of a valid and reliable research-based observational instrument that assesses classroom quality, including multiple dimensions of teacher-child interactions that are linked to positive child development and later achievement;

''(F) 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;

''(G) in the case of Early Head Start programs, are conducted by a review team that includes individuals who are knowledgeable about the development of infants and toddlers; and

''(H) include as part of the review a protocol for fiscal management that shall be used to assess the compliance with program requirements for—

''(i) using federal funds appropriately;

''(ii) using federal funds specifically to purchase property and to compensate personnel;

''(iii) securing and using qualified fiscal officer support; and

''(iv) reporting financial information and implementing appropriate internal controls to safeguard federal funds.

''(3) USE OF REVIEW FINDINGS.—The findings of the review shall, at a minimum—

''(A) be presented to an agency in a timely, transparent, and uniform manner that conveys information of program strengths and weaknesses and assists with program improvement; and

''(B) be used by the Head Start agencies to inform the development and implementation of their plan for training and technical assistance.

''(d) EVALUATIONS AND CORRECTIVE ACTIONS FOR DELEGATE AGENCIES.—

''(1) PROCEDURES.—The Head Start agency shall establish procedures relating to its delegate agencies, including—

''(A) procedures for evaluating delegate agencies;

''(B) procedures for defunding delegate agencies; and

''(C) procedures for appealing a defunding decision relating to a delegate agency.

''(2) EVALUATIONS.—Each Head Start agency—

''(A) shall evaluate its delegate agencies using the procedures established under this section; and

''(B) shall inform the delegate agencies of the deficiencies identified through the evaluation that are required to be corrected.

''(3) REMEDIES TO ENSURE CORRECTIVE ACTIONS.—If the Head Start agency identifies a deficiency of a delegate agency through the evaluation, the Head Start agency may—

''(A) initiate procedures to terminate the designation of the delegate agency unless such agency corrects the deficiency; and

''(B) conduct monthly monitoring visits to such delegate agency until all deficiencies are corrected or the Head Start agency decides to defund such delegate agency.

''(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to modify, supersede, or affect the powers, duties, or functions of the Secretary with respect to Head Start agencies or delegate agencies that receive financial assistance under this subchapter.

''(e) CORRECTIVE ACTION; TERMINATION.—

''(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 fails to adequately address the community needs and strategic plan identified in section 640(g)(2)(C), the Secretary shall—

''(A) inform the agency of the deficiencies that shall be corrected;

''(B) with respect to each identified deficiency, require the agency—

''(i) to correct the deficiency immediately, if the Secretary finds that the deficiency threatens the health or safety of staff or program participants or poses a threat to the integrity of Federal funds;

''(ii) to correct the deficiency not later than 90 days after the identification of the deficiency if the Secretary finds, in the discretion of the Secretary, that such a 90-day period is reasonable, in light of the nature and magnitude of the deficiency; or

''(iii) in the discretion of the Secretary (taking into consideration the seriousness of the deficiency and the time reasonably required to correct the deficiency), to comply with the requirements of paragraph (2) concerning a quality improvement plan; and

''(C) initiate proceedings to terminate the designation of the agency unless the agency corrects the deficiency.

''(2) QUALITY IMPROVEMENT PLAN.—

''(A) AGENCY AND PROGRAM RESPONSIBILITIES.—To retain a designation as a Head Start agency under this subchapter, or in the case of a Head Start program 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) (excluding 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 10 months after the date the agency or program obtains approval of its quality improvement plan).

''(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 Head Start agency shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.

''(3) TRAINING AND TECHNICAL ASSISTANCE.—The Secretary shall provide training and technical assistance to Head Start agencies and programs with respect to the development or implementation of such quality improvement plans to the extent the Secretary finds such provision to be feasible and appropriate given available funding and other statutory responsibilities.

''(f) 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 (e), during such fiscal year. Such report 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. Such reports shall contain detailed data on compliance with specific performance standards and measures sufficient to allow individual Head Start agencies to use such data to improve the quality of their program.

''(g) SELF-ASSESSMENTS.—

''(1) IN GENERAL.—Not less frequently than once each program year, with the consultation and participation of policy councils, and as applicable, policy committees, and as appropriate, other community members, each Head Start agency and each delegate agency that receives financial assistance under this subchapter shall conduct a comprehensive self-assessment of its effectiveness and progress in meeting program goals and objectives (including professional development plans) and in implementing and complying with Head Start program performance standards.

''(2) REPORT AND IMPROVEMENT PLANS.—

''(A) REPORT.—An agency conducting a self-assessment shall report the findings of the self-assessment to the relevant policy council, policy committee, governing body, and Secretary. Each self-assessment shall identify areas of strength and weakness.

''(B) IMPROVEMENT PLAN.—The agency shall develop and report to the Secretary an improvement plan approved by the governing body of the agency to strengthen any areas identified in the self-assessment as weaknesses or in need of improvement.

''(3) ONGOING MONITORING.—Each Head Start agency, delegate Head Start agency, and entity that carries out an Early Head Start program a shall establish and implement procedures for the ongoing monitoring of their respective programs, to ensure that the operations of the programs work toward meeting program goals and objectives and Head Start performance standards.

''(h) ENROLLMENT REPORTING REQUIREMENT.—

''(1) Head Start agencies shall report on a regular basis to the Secretary—

''(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.

''(2) The Secretary shall determine on a regular basis which Head Start agencies are operating with an actual enrollment that is less than the funded enrollment and shall provide appropriate and timely training and technical assistance to increase actual enrollment, as appropriate.

''(3) In this subsection:

''(A) The term 'actual enrollment' means, with respect to a Head Start program, the actual number of children enrolled in such program in a given month.

''(B) The term 'base grant' means, with respect to Head Start agency for a fiscal year, that portion of the grant derived from—

''(i) 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) amounts reserved for payments under section 640(a)(2)(B); or

''(iii) amounts available under section 640(a)(2)(D) or allotted among States under section 640(a)(4).

''(C) 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 award.

''(i) REDISTRIBUTION OF FUNDS.—Funds held by the Secretary as a result of recapturing, withholding, or reducing a base grant, except when such action is the result of an open competition 641(d)) or termination 646(d) shall be redistributed in such fiscal year as follows:

''(1) If such funds are derived from 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.

''(2) If such funds are derived from the operation of 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.

''(3) If such funds are derived from the operation of a Head Start program in a State (excluding Indian Head Start program and migrant and seasonal Head Start programs), then such funds shall be redistributed to increase enrollment in such fiscal year in 1 or more Head Start programs (excluding Indian Head Start programs and migrant and seasonal Head Start programs) that are carried out in such State, except that—

''(A) not less than 50 percent of the funds shall be prioritized to increase the program participation of children and families served under Early Head Start; and

''(B) not less than 25 percent of the funds shall be prioritized to increase program participation of underserved populations of eligible children.''.

SEC. 8. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

Section 642 of the Head Start Act (42 U.S.C. 9837) is amended to read as follows:

''SEC. 642. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

''(a) LEGAL AUTHORITY.—To be designated as a Head Start agency under this subchapter, an agency must have authority under its charter or applicable law to receive and administer funds under this subchapter, funds and contributions from private or local public sources which may be used in support of a Head Start program, and funds under any Federal or State assistance program pursuant to which a public or private nonprofit or for-profit agency (as the case may be) organized in accordance with this subchapter, could act as grantee, contractor, or sponsor of projects appropriate for inclusion in a Head Start program. Such an agency must also be empowered to transfer funds so received, and to delegate powers to other agencies, subject to the powers of its governing board and its overall program responsibilities. The power to transfer funds and delegate powers must include the power to make transfers and delegations covering component projects in all cases where this will contribute to efficiency and effectiveness or otherwise further program objectives.

''(b) FAMILY AND COMMUNITY INVOLVEMENT; FAMILY SERVICES.—To be so designated, a Head Start agency shall, at a minimum, do all the following to involve and serve families and communities:

''(1) 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.

''(2) Seek the involvement of parents, area residents, and local business in the design and implementation of the program.

''(3) Establish effective procedures to facilitate and seek 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).

''(4) 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.

''(5) Offer to parents of participating children mental health services (either directly or through referral to local entities), including substance abuse counseling, and including information on maternal depression and on drug-exposed infants and fetal alcohol syndrome.

''(6) At the option of such agency, offer (directly or through referral to local entities) to such parents—

''(A) training in basic child development (including cognitive, social, and emotional 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.

''(7) Provide, with respect to each participating family, a family needs assessment that includes consultation with such parents, in a manner and language that such parents can understand, 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).

''(8) Consider providing services to assist younger siblings of children participating in its Head Start program to obtain health, including mental health, services from other sources.

''(9) Perform community outreach to encourage individuals previously unaffiliated with Head Start programs to participate in its Head Start program as volunteers.

''(10)(A) 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.

''(11) 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.

''(12) 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.

''(13) 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.

''(14) Provide parents of a child suspected of having a disability information about services available under section 619 or part C of the Individuals With Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.) and refer such child to the appropriate agency for an evaluation of eligibility under such Act.

''(c) PROGRAM GOVERNANCE.—Head Start agencies must establish and maintain a formal structure of shared governance through which an independent governing body with legal and fiscal responsibility for administering and overseeing programs under this subchapter and a parent policy council and parent policy committee, as appropriate, shall ensure that such agency operates a high quality Head Start program in compliance with all applicable Federal, State, and local laws.

''(1) GOVERNING BODY.—

''(A) COMPOSITION.—The governing body shall be composed as follows:

''(i) Not less than 1 member with significant financial management or accounting experience.

''(ii) Not less than 1 member shall have a background and expertise in early childhood development.

''(iii) Not less than 1 member shall be a licensed attorney familiar with issues that come before the governing body.

''(iv) Additional members shall be selected for their expertise in education, business administration, and community affairs and shall reflect the community served.

''(v) Exceptions shall be made when members of the governing body oversee a public entity and are selected by public election or are political appointments.

''(B) CONFLICT OF INTEREST.—Members of the governing body shall—

''(i) not have a conflict of interest with the Head Start agency or delegate agencies, exceptions shall be made when a board member of a public entity is selected by election or politically appointed;

''(ii) not receive compensation for the purposes of serving on the governing body or for providing services to the Head Start agency, exceptions shall be made when a board member of a public entity is selected by election or politically appointed;

''(iii) not be employed nor shall members of their immediate family be employed by the Head Start agency or one of its delegate agencies, exceptions shall be made when a board member of a public entity is selected by election or politically appointed; and

''(iv) operate as an entity independent of staff employed by the Head Start agency entity or applicant, exceptions shall be made when a board member of a public entity is selected by election or politically appointed.

''(C) CONSULTANTS.—In the case that persons described in subparagraph (A) are not available to serve as members, the governing body shall make use of consultants in the areas described in subparagraph (A) to work directly with the governing body.

''(D) TRAINING.—All members of the governing body shall receive training in management responsibilities and obligations, ethics, and financial literacy management.

''(E) RESPONSIBILITIES OF GOVERNING BODY.—The governing body shall be responsible for—

''(i) adoption of practices that assure active, independent and informed governance of the Head Start agency;

''(ii) 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;

''(iii) establish 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 governing body the selection of independent auditors who shall report all critical accounting policies and practices to the finance and audit committee, except when the auditor is assigned by the State under State law;

''(III) to review and recommend to the governing body the termination or extension of the existing audit firm at least once every 5 years;

''(IV) to review and advise the governing body of the audit management letter provided pursuant to the chapter 75 of title 31, 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;

''(iv) approve all major policies of the agency, including the mission of the agency and 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);

''(v) approve all major financial expenditures of the agency;

''(vi) approve the selection or dismissal of the Head Start Director or the equivalent position within the Head Start agency;

''(vii) approve or disapprove all policies, applications, and decisions of the Policy Council made under the authority of paragraph (2);

''(viii) to oversee the program planning of the Head Start agency, including adoption of policies for setting long- and short-range goals and objectives;

''(ix) oversee and approve the agency's applications to receive funds made available under this subchapter; and

''(x) to establish, adopt and 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 members of the governing body, officers, employees, consultants and agents who provide services or furnish goods to the Head Start agency; and

''(II) complaints, including investigations, when appropriate.

''(2) POLICY COUNCIL.—

''(A) COMPOSITION.—The Policy Council or Policy Committee, as appropriate, shall be composed as follows:

''(i) Members of the Policy Council shall be either parents of children currently enrolled in the Head Start agency's (or delegate's) Head Start or Early Head Start program or that are parents of children who were enrolled in the program in the previous year (Parent Members) or shall be members of the community served by the Head Start agency or delegate (Community Members).

''(ii) Parent members of the Policy Council shall constitute a majority of the members of the Policy Council and shall be elected by parents of currently enrolled children.

''(iii) Parent members shall represent, proportionately, all program options and settings operated by the Head Start agency or delegate.

''(iv) The term of a Policy Council member shall be no more than 2 years and no Policy Council member shall serve longer than 6 years.

''(B) RESPONSIBILITIES OF POLICY COUNCIL.—In order to be designated as a Head Start agency, an entity or delegate of such an entity shall have a Policy Council which shall approve and submit to the governing body decisions about the following activities:

''(i) The strategic direction of the program, including long and short-term planning goals and objectives (such planning and goals shall take into account the annual community assessment and self-assessment).

''(ii) Selection of delegate agencies and their service areas.

''(iii) Recruitment, selection and enrollment priorities.

''(iv) Funding applications and amendments to funding applications for Head Start or Early Head Start prior to submission of such applications.

''(v) Budget planning for program expenditures.

''(vi) Bylaws for the operation of the Policy Council including procedures by which Policy Council members are chosen.

''(vii) Program personnel policies, including standards of conduct for program staff, contractors and volunteers.

''(viii) Decisions regarding employment of Head Start staff other than the director and executive director.

''(ix) Activities to support the active involvement of parents in supporting program operations.

''(x) Program responsiveness to community and parent needs.

''(C) TRAINING.—Appropriate training and technical assistance shall be provided to the members of the Policy Council to ensure that the members understand the information the members receive and effectively oversee and participate in the programs of the Head Start agency or delegate.

''(3) IMPASSE POLICY.—The Secretary shall develop policies and procedures describing how Head Start agencies will implement shared decision-making, including a process for resolving any impasse between the Governing Body and the Policy Council.

''(d) COLLABORATION AND COORDINATION.—To be so designated, a Head Start agency must collaborate and coordinate with public and private entities to improve the available services to Head Start children and families, including the following activities:

''(1) 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.

''(2) 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, as possible.

''(3) Head Start agency 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—

''(A) to share information about such children; and

''(B) to ensure a smooth transition to elementary school for such children.

''(4) 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.

''(5) 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.

''(6) The Secretary, in consultation with the Secretary of Education, shall—

''(A) evaluate the effectiveness of the projects and activities funded under section 642A;

''(B) disseminate to Head Start agencies information (including information from the evaluation required by subparagraph (A)) on effective policies and activities relating to the transition of children from Head Start programs to public schools; and

''(C) provide technical assistance to such agencies to promote and assist such agencies to adopt and implement such effective policies and activities.

''(e) QUALITY STANDARDS, CURRICULA AND ASSESSMENT.—To be so designated, each Head Start agency shall—

''(1) take steps to ensure, to the maximum extent possible, that children maintain the developmental and educational gains achieved in Head Start programs and build upon such gains in further schooling;

''(2) 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;

''(3) implement a research-based early childhood curriculum that promotes young children's school readiness in the areas of language and cognitive development, early reading and premathematics skills, socio-emotional development, physical development, and approaches to learning. Such curricula shall be—

''(A) based on scientifically based research and have standardized training procedures and curriculum materials to support implementation;

''(B) comprehensive, linked to ongoing assessment, with developmental and learning goals and measurable objectives; and focused on improving the learning environment, teaching practices, family involvement, and child outcomes across all areas of development; and

''(C) aligned to the Head Start Child Outcomes Framework developed by the Secretary and to State early learning standards, as appropriate;

''(4) 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 programs curricula and section 641A(a)(1);

''(5) 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, for the purpose of meeting the relevant performance standards;

''(6) 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;

''(7) use the information provided from the assessment conducted under section 640A(C)(2)(H) to adopt a professional development plan that leads to improved teacher effectiveness;

''(8) establish measurable objectives for the provision of health, educational, nutritional, and social services related to the program mission and to school readiness and provided under this subchapter; and

''(9) develop procedures for identifying children as limited English proficient, and inform the parents of such children as to the instructional services used to help children make progress towards acquiring the knowledge and skills described in section 641A(a)(1)(B) and acquisition of the English language.

''(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.

''(g) TECHNICAL ASSISTANCE AND TRAINING PLAN.—In order to receive funds under this subchapter, a Head Start agency shall develop an annual technical assistance and training plan. Such plan shall be based on the agency's self-assessment, the community-wide needs assessment, the needs of parents and children to be serviced by such agency, and the results of the reviews conducted under section 641A(c).

''(h) FINANCIAL MANAGEMENT.—In order to receive funds under this subchapter, a Head Start agency shall document strong fiscal controls, including the employment of well-qualified fiscal staff with a history of successful management of a public or private organization.''.

SEC. 9. HEAD START TRANSITION AND ALIGNMENT WITH K-12 EDUCATION.

Section 642A of the Head Start Act (42 U.S.C. 9837a) is amended to read as follows:

''SEC. 642A. HEAD START TRANSITION AND ALIGNMENT WITH K-12 EDUCATION.

''Each Head Start agency shall take steps to coordinate 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 to promote continuity of services and effective transitions, including—

''(1) developing and implementing a systematic procedure for transferring, with parental consent, Head Start program records for each participating child to the school in which such child will enroll;

''(2) establishing ongoing channels of communication between Head Start staff and their counterparts in the schools (including teachers, social workers, 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)), and health staff) to facilitate coordination of programs;

''(3) establish on-going communication for 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) conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start program teachers to discuss the educational, developmental, and other needs of individual children;

''(6) helping parents of limited English Proficient children understand the method of instruction and other services provided by the school in which such child will enroll after participation in Head Start and as appropriate, information provided to parents of limited English proficient children under section 3302 of title III of the Elementary and Secondary Education Act of 1965 (20U.S.C. 7012);

''(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 (20 U.S.C. 6301 et seq.) 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);

''(8) assisting families, administrators, and teachers in enhancing educational and developmental continuity and continuity in parental involvement activities between Head Start services and elementary school classes;

''(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;

''(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 are aligned with—

''(A) the Head Start Child Outcomes Framework as developed by the Secretary; and

''(B) State early learning standards, as appropriate, with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate.''.

SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY CHILDHOOD EDUCATION.

The Head Start Act (42 U.S.C. 9831) 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 and with State-funded preschool and other early childhood programs.

''(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.

''(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, instructional methods, and social and emotional development.

''(F) Program technical assistance.

''(G) Provision of additional services to meet the 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 paragraph (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 to be noncompliant with program performance standards.

''(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) STATE EARLY LEARNING COUNCILS.—From the amounts reserved under section 640(a)(2)(C)(iii), the Secretary shall award, upon submission of a written request and pursuant to the requirements of paragraph (2), 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—

''(A) the State Director of Head Start Collaboration;

''(B) representatives from the State preschool programs;

''(C) representatives of local educational agencies;

''(D) the State official who oversees child care programs;

''(E) 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.);

''(F) the State official who oversees the State educational agency;

''(G) representatives from Head Start agencies located in the State, including migrant and seasonal Head Start programs and Indian Head Start programs;

''(H) representatives of local child care programs or organizations; and

''(I) a representative of the State agency responsible for health and mental health care;

except that 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 50 percent of the cost of carrying out this subsection;

''(3) direct the early learning council to improve the coordination and quality of early childhood services within the State, including—

''(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, local education agencies, 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 developmentally appropriate standards for children birth through the early elementary grades to effect a smooth transition to and success in the early elementary grades;

''(D) to develop or 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);

''(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.);

''(J) developing a Statewide professional development and career ladder plan for early care and education in the State; and

''(K) assisting 2- and 4-year public and private institutions of higher education to develop articulation agreements concerning degrees in early childhood and related fields.

''(4) Nothing in this subsection shall be construed to provide the Early Learning Council with authority to modify, supersede, or affect the operation of this subchapter.

''(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. ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

Section 644 of the Head Start Act (42 U.S.C. 9839) is amended—

(1) by amending subsection (a) to read as follows:

''(a) IN GENERAL.—

''(1) STANDARDS.—Each Head Start agency shall observe standards of organization, management, and administration which will ensure, so far as reasonably possible, that all program activities are conducted in a manner consistent with the purposes of this subchapter and the objective of providing assistance effectively, efficiently, and free of any taint of partisan political bias or personal or family favoritism. Each such agency shall establish or adopt rules to carry out this section, which shall include rules to assure full staff accountability in matters governed by law, regulations, or agency policy. Each agency shall also provide for reasonable public access to information, including public hearings at the request of appropriate community groups and reasonable public access to books and records of the agency or other agencies engaged in program activities or operations

involving the use of authority or funds for which it is responsible.

''(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 or parent:

''(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 required by the Secretary.

''(3) PROCEDURAL CONDUCT.—Each such agency shall adopt for itself and other agencies using funds or exercising authority for which it is responsible, rules designed to—

''(A) establish specific standards governing salaries, salary increases, travel and per diem allowances, and other employee benefits;

''(B) assure that only persons capable of discharging their duties with competence and integrity are employed and that employees are promoted or advanced under impartial procedures calculated to improve agency performance and effectiveness;

''(C) guard against personal or financial conflicts of interest; and

''(D) define employee duties in an appropriate manner which will in any case preclude employees from participating, in connection with the performance of their duties, in any form of picketing, protest, or other direct action which is in violation of law.'', and

(2) by amending subsection (f) to read as follows:

''(f) FACILITIES.—

''(1) The Secretary shall establish uniform procedures for Head Start agencies to request approval to purchase facilities, or to request approval of the purchase (after December 31, 1986) of facilities, to be used to carry out Head Start programs. The Secretary shall suspend any proceedings pending against any Head Start agency to claim costs incurred in purchasing such facilities until the agency has been afforded an opportunity to apply for approval of the purchase and the Secretary has determined whether the purchase will be approved. The Secretary shall not be required to repay claims previously satisfied by Head Start agencies for costs incurred in the purchase of such facilities.

''(2) Financial assistance provided under this subchapter may not be used by a Head Start agency to purchase a facility (including paying the cost of amortizing the principal and paying interest on loans) to be used to carry out a Head Start program unless the Secretary approves a request that is submitted by such agency and contains—

''(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;

''(B) a description of the site of the facility proposed to be purchased or that was previously purchased;

''(C) the plans and specifications of such facility;

''(D) information demonstrating that—

''(i) the proposed purchase will result, or the previous purchase has resulted, in savings when compared to the costs that would be incurred to acquire the use of an alternative facility to carry out such program; or

''(ii) the lack of alternative facilities will prevent, or would have prevented, the operation of such program;

''(E) in the case of a request regarding a previously purchased facility, information demonstrating that the facility will be used principally as a Head Start center, or a direct support facility for a Head Start program; and

''(F) such other information and assurances as the Secretary may require.

''(3) Upon a determination by the Secretary that suitable facilities are not otherwise available to Indian tribes to carry out Head Start programs, and that the lack of suitable facilities will inhibit the operation of such programs, the Secretary may authorize the use of financial assistance, from the amount reserved under section 640(a)(2)(A), to make payments for the purchase of facilities owned by such tribes. The amount of such a payment for such a facility shall not exceed the fair market value of the facility.''.

SEC. 12. PARTICIPATION IN HEAD START PROGRAMS.

Section 645 of the Head Start Act (42 U.S.C. 9840) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1)(B)(i) to read as follows:

''(i) programs assisted under this subchapter may include, to a reasonable extent, participation of children in the area served who would benefit from such programs, including children referred by child welfare services, but whose families do not meet the low-income criteria prescribed pursuant to subparagraph (A) (A homeless child shall be deemed to meet the low-income criteria.); and'', and

(B) 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.

''(4)(A) Upon written request and pursuant to the requirements of this paragraph, a Head Start agency may use funds under section 640(a) to serve infants and toddlers if the agency submits an application to the Secretary containing the following information, as specified in rules issued by the Secretary—

''(i) the amount of funds under section 640(a) that are proposed to be used in accordance with section 645A(b);

''(ii) a community-wide needs assessment demonstrating how the use of such funds would best meet the needs of the community;

''(iii) a description of how the needs of pregnant women, and of 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 the agency's approach to child development and provision of health services, approach to family and community partnerships, and approach to program design and management;

''(iv) a description of how the needs of eligible Head Start children will be met in the community;

''(v) assurances that the agency will participate in technical assistance activities (including a planning period, start-up site visits, and national training activities) in the same manner as recipients of grants under section 645A; and

''(vi) evidence that the agency meets the same eligibility criteria as recipients of grants under section 645A.

''(B) An application that satisfies the requirements specified in subparagraph (A) shall be approved by the Secretary unless the Secretary finds that—

''(i) the agency lacks adequate capacity and capability to carry out an effective Early Head Start program; or

''(ii) the information provided under subparagraph (A) is inadequate.

''(C) Any Head Start agency approved under subparagraph (B) shall be considered to be an entity that receives assistance under section 645A, and such funds under (i) shall be subject to the same rules, regulations, and conditions as apply to recipients of grants under section 645A.

''(5)(A) Upon written request and pursuant to the requirements of this paragraph, a Head Start agency may consider children from low-income families to be eligible for participation in programs assisted under this subchapter if their family income is at or above the poverty line but below 130 percent of the poverty line, if the agency submits an application to the Secretary containing the following information, as specified in rules issued by the Secretary—

''(i) a description of how the needs of eligible Head Start children, as described in paragraph (1)(A) are being adequately met in the agency's service area;

''(ii) a description of outreach efforts to the community to reach full enrollment under the eligibility guidelines under paragraph (1), including using outreach efforts that are linguistically and culturally appropriate;

''(iii) assurance that the agency will prioritize serving children currently eligible under the guidelines under paragraph (1); and

''(iv) a description of why increasing the number of infants and toddlers being served, as described in paragraph (4), is not appropriate based upon the communitywide needs assessment or the agency's capability.

''(B) In approving such applications, the Secretary shall take into account the—

''(i) cost of living for families living the area served by the Head Start agency;

''(ii) the efforts the Head Start agency has undertaken to be fully enrolled under the eligibility criteria in paragraph (1); and

''(iii) the policies and procedures the Head Start agency will implement to ensure that children currently eligible under the criteria described under paragraph (1) will be prioritized.

''(C) No more than 20 percent of children served by such Head Start agency may be from families above the poverty line.'',

(2) in subsection (c) by striking ''(age 3 to compulsory school attendance)'', and

(3) in subsection (d) by adding at the end the following:

''(4) Notwithstanding any other provision of this Act, an Indian tribe that operates both a Head Start program and an Early Head Start program under section 645A may, at its discretion, at any time during the grant period involved, reallocate funds between the Head Start program and the Early Head Start program in order to address fluctuations in client population, including pregnant women and children birth to compulsory school age. The reallocation of such funds between programs by an Indian tribe shall not serve as the basis for the Secretary to reduce a base grant (as defined in section 641A(g)(1)) for either program in succeeding years.''.

SEC. 13. EARLY HEAD START PROGRAMS.

Section 645A of the Head Start Act (42 U.S.C. 9840a) is amended to read as follows:

''SEC. 645A. EARLY HEAD START PROGRAMS FOR FAMILIES WITH CHILDREN UNDER 3 YEARS OF AGE.

''(a) IN GENERAL.—The Secretary shall make grants, in accordance with this section for programs (to be known as 'Early Head Start programs') that provide family-centered services for

low-income families with very young children designed to promote the development of the children, and to enable their parents to fulfill their roles as parents and to move toward self-sufficiency.

''(b) SCOPE AND DESIGN OF PROGRAMS.—In carrying out a program described in subsection (a), an entity receiving assistance under this section shall—

''(1) provide, either directly or through referral, early, continuous, intensive, and comprehensive child development and family support services that will enhance the physical, social, emotional, and intellectual development of participating children;

''(2) ensure that the level of services provided to families responds to their needs and circumstances;

''(3) promote positive parent-child interactions;

''(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 provided by programs in the State (including home-based services) 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);

''(6) ensure formal linkages with local Head Start programs in order to provide for continuity of services for children and families;

''(7) in the case of a Head Start agency that operates a program and that also provides Head Start services through the age of mandatory school attendance, ensure that children and families participating in the program receive such services through such age;

''(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);

''(9) develop and implement a systematic procedure for transitioning children and parents from an Early Head Start program under this section into a Head Start program or other local early childhood education program;

''(10) establish channels of communication between staff of Early Head Start programs under this section and staff of Head Start programs or other local early childhood education programs, to facilitate the coordination of programs; and

''(11) meet such other requirements concerning design and operation of the program described in subsection (a) as the Secretary may establish.

''(c) PERSONS ELIGIBLE TO PARTICIPATE.—Persons who may participate in programs described in subsection (a) include—

''(1) pregnant women; and

''(2) families with children under age 3;

who meet the income criteria specified for families in section 645(a)(1).

''(d) ELIGIBLE SERVICE PROVIDERS.—To be eligible to receive assistance under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Entities that may apply to carry out activities under this section include—

''(1) entities operating Head Start programs under this subpart;

''(2) Indian Head Start programs; and

''(3) other public entities, and nonprofit or for-profit private entities, including community-based and faith-based organizations, capable of providing child and family services that meet the standards for participation in programs under this subchapter and meet such other appropriate requirements relating to the activities under this section as the Secretary may establish.

''(e) SELECTION OF GRANT RECIPIENTS.—From the portion specified in section 640(a)(6), the Secretary shall award grants under this subsection on a competitive basis to applicants meeting the criteria specified in subsection (d) (giving priority to entities with a record of providing early, continuous, and comprehensive childhood development and family services).

''(f) DISTRIBUTION.—In awarding grants to eligible applicants under this section, the Secretary shall—

''(1) ensure an equitable national geographic distribution of the grants; and

''(2) award grants to applicants proposing to serve communities in rural areas and to applicants proposing to serve communities in urban areas.

''(g) MONITORING, TRAINING, TECHNICAL ASSISTANCE, AND EVALUATION.—

''(1) REQUIREMENT.—To ensure the successful operation of programs assisted under this section, the Secretary shall use funds from the portion specified in section 640(a)(6) to monitor the operation of such programs, evaluate their effectiveness, and provide training and technical assistance tailored to the particular needs of such programs.

''(2) TRAINING AND TECHNICAL ASSISTANCE ACCOUNT.—

''(A) IN GENERAL.—Of the amount made available to carry out this section for any fiscal year, not less than 5 percent and not more than 10 percent shall be reserved to fund a training and technical assistance account.

''(B) ACTIVITIES.—Funds in the account may be used by the Secretary for purposes including—

''(i) making grants to, and entering into contracts with, organizations with specialized expertise relating to infants, toddlers, and families and the capacity needed to provide direction and support to a national training and technical assistance system, in order to provide such direction and support;

''(ii) providing ongoing training and technical assistance for regional and program staff charged with monitoring and overseeing the administration of the program carried out under this section;

''(iii) providing ongoing training and technical assistance for existing recipients (as of the date of such training or assistance) of grants under subsection (a) and support and program planning and implementation assistance for new recipients of such grants;

''(iv) providing professional development and personnel enhancement activities, including the provision of funds to recipients of grants under subsection (a) for the recruitment and retention of qualified staff with an appropriate level of education and experience; and

''(v) providing professional development designed to increase program participation for underserved populations of eligible children.

''(h) CENTER-BASED STAFF.—The Secretary shall ensure that, not later than September 30, 2009, 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, and have been trained (or have equivalent course work) in early childhood development.

''(i) STAFF QUALIFICATIONS AND DEVELOPMENT.—

''(1) HOME VISITOR STAFF STANDARDS.—In order to further enhance the quality of home visiting services provided to families of children participating in home-based, center-based, or combination program options under this subchapter, the Secretary shall establish standards for training, qualifications, and the conduct of home visits for home visitor staff in Early Head Start programs.

''(2) CONTENTS OF STANDARDS.—The standards for training, qualifications, and the conduct of home visits shall include content related to—

''(A) structured child-focused home visiting that promotes parents' ability to support the child's cognitive, social, emotional, and physical development;

''(B) effective strengths-based parent education, including methods to encourage parents as their child's first teachers;

''(C) early childhood development with respect to children from birth through age 3;

''(D) methods to help parents promote emergent literacy in their children from birth through age 3;

''(E) ascertaining what health and developmental services the family receives and working with these providers to eliminate gaps in service by offering annual health, vision, hearing, and developmental screening for children from birth to entry into kindergarten, when needed;

''(F) strategies for helping families coping with crisis; and

''(G) the relationship of health and well-being of pregnant women to prenatal and early child development.''.

SEC. 14. PARENTAL CONSENT REQUIREMENT FOR HEALTH CARE SERVICES.

The Head Start Act (42 U.S.C. 9831) is amended by inserting after section 645A the following:

"SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR HEALTH CARE SERVICES.

''(a) DEFINITIONS.—For purposes of this section:

''(1) The term 'health care service' includes—

''(A) any nonemergency intrusive physical examination; and

''(B) any screening, including 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 and an entity that receives assistance under section 645A shall obtain the written consent of a parent of such child indicating consent for each specific health care service to be performed.

''(c) RULE 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 and 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.''.

SEC. 15. APPEALS, NOTICE, AND HEARING.

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 under 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; and''.

SEC. 16. RECORDS AND AUDITS.

Section 647 of the Head Start Act (42 U.S.C. 9842) is amended by adding at the end the following:

''(c) 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);

''(2) within 30 days after the completion of an audit conducted in the manner and to the extent provided in chapter 75 of title 31, United States Code (commonly known as the 'Single Audit Act Amendments of 1996'), submit to the Secretary a copy of the audit management letter and of any audit findings as it relates to the Head Start program; and

''(3) provide such additional documentation as the Secretary may require.''.

SEC. 17. TECHNICAL ASSISTANCE AND TRAINING.

Section 648 of the Head Start Act (42 U.S.C. 9843) is amended to read as follows:

''SEC. 648. TECHNICAL ASSISTANCE AND TRAINING.

''(a) The Secretary shall provide, directly or through grants or other arrangements—

''(1) technical assistance to communities in developing, conducting, and administering programs under this subchapter; and

''(2) training for specialized or other personnel needed in connection with Head Start programs, in accordance with the process, and the provisions for allocating resources, set forth in subsections (b) and (c).

''(b) The process for determining the technical assistance and training activities to be carried out under this section shall—

''(1) ensure that the needs of local Head Start agencies and programs relating to improving program quality and to program expansion are addressed to the maximum extent feasible;

''(2) incorporate mechanisms to ensure responsiveness to local needs, including an ongoing procedure for obtaining input from the individuals and agencies carrying out Head Start programs; and

''(3) ensure the provision of technical assistance to assist Head Start agencies, entities carrying out other child care and early childhood programs, communities, and States in collaborative efforts to provide quality full-working-day, full calendar year services, including technical assistance related to identifying and assisting in resolving barriers to collaboration.

''(c) In allocating resources for technical assistance and training under this section, the Secretary shall—

''(1) give priority consideration to—

''(A) activities to correct program and management deficiencies identified through reviews carried out pursuant to section 641A(c) (including the provision of assistance to local programs in the development of quality improvement plans under section 641A(d)(2)); and

''(B) assisting Head Start agencies in—

''(i) ensuring the school readiness of children; and

''(ii) meeting the educational performance measures described in section 641A(b)(4);

''(2) supplement amounts provided under section 640(a)(3)(C)(ii) in order to address the training and career development needs of classroom staff (including instruction for providing services to children with disabilities), and nonclassroom staff, including home visitors and other staff working directly with families, including training relating to increasing parent involvement and services designed to increase family literacy and improve parenting skills;

''(3) assist Head Start agencies in the development of collaborative initiatives with States and other entities within the States, to foster effective early childhood professional development systems;

''(4) provide technical assistance and training, either directly or through a grant, contract, or cooperative agreement with an entity that has experience in the development and operation of successful family literacy services programs, for the purpose of—

''(A) assisting Head Start agencies providing family literacy services, in order to improve the quality of such family literacy services; and

''(B) enabling those Head Start agencies that demonstrate effective provision of family literacy services, based on improved outcomes for children and their parents, to provide technical assistance and training to other Head Start agencies and to service providers that work in collaboration with such agencies to provide family literacy services;

''(5) assist Head Start agencies and programs in conducting and participating in community-wide strategic planning and needs assessment, including the needs of homeless children and their families;

''(6) assist Head Start agencies and programs in developing and implementing full-working-day and full-calendar-year programs where community need is clearly identified and making the transition to such programs, with particular attention to involving parents and programming for children throughout the day, and assist the agencies and programs in expediting the sharing of information about innovative models for providing full-working-day, full calendar year services for children;

''(7) assist Head Start agencies in better serving the needs of families with very young children;

''(8) assist Head Start agencies and programs in the development of sound management practices, including financial management procedures;

''(9) assist in efforts to secure and maintain adequate facilities for Head Start programs;

''(10) assist Head Start agencies in developing innovative program models, including mobile and home-based programs;

''(11) provide support for Head Start agencies (including policy councils and policy committees) that meet the standards described in section 641A(a) but that have, as documented by the Secretary through reviews conducted pursuant to section 641A(c), significant programmatic, quality, and fiscal issues to address;

''(12) assist Head Start agencies and programs in increasing program participation of homeless children;

''(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;

''(14) assist Head Start agencies in developing appropriate methods and approaches for identifying and working with children and families experiencing toxic stress;

''(15) assist programs in improving outreach to serve additional children with disabilities, if such program's enrollment opportunities or funded enrollment for children with disabilities is less than 10 percent; and

''(16) provide assistance to address and remove barriers related to recruitment and retention of Head Start teachers for rural communities, and remove barriers related to outreach efforts to eligible families in rural communities.

''(d) The Secretary may provide, either directly or through grants to public or private nonprofit entities, training for Head Start personnel in the use of the performing and visual arts and interactive programs using electronic media to enhance the learning experience of Head Start children. Special consideration shall be given to entities that have demonstrated effectiveness in educational programming for preschool children that includes components for parental involvement, care provider training, and developmentally appropriate related activities.

''(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, resource access projects for personnel working with disabled children, and training for appropriate personnel to recognize common health, including mental health, problems in children for appropriate referral.

''(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 1 or more children with disabilities, families with a limited English proficiency, homeless families, and children and families experiencing toxic stress.

''(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 and services.

''(4) Other areas that impact the quality or overall effectiveness of Head Start programs.

''(h) The Secretary shall develop and implement a program of outreach to recruit and train minority men to become Head Start teachers in order to reflect the communities in which Head Start children live and to increase the provision of quality services and instruction to children with diverse backgrounds.

''(i) 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.

''(j) Funds made available under section 640(a)(2)(C)(i) shall be used by a Head Start agency for any of the following:

''(1) Activities that ensure that Head Start programs meet or exceed the program performance standards described in section 641A(a)(1).

''(2) Activities that ensure that Head Start programs have adequate numbers of trained, qualified staff who have skills in working with children and families, including children and families who are limited English proficient and children with disabilities.

''(3) Activities to pay expenses, including direct training for expert consultants working with any staff, to improve the management and implementation of Head Start services and systems.

''(4) Activities that help ensure that Head Start programs have qualified staff who can promote language skills and literacy growth of children and who can provide children with a variety of skills that have been identified as predictive of later reading achievement, school success, and the skills, knowledge, abilities, development, and progress described in section 641A(a)(1)(B)(ii).

''(5) Activities to improve staff qualifications and to assist with the implementation of career development programs and to encourage the staff to continually improve their skills and expertise, including developing partnerships with programs that recruit, train, place, and support college students in Head Start centers to deliver an innovative early learning program to preschool children.

''(6) Activities that help local programs ensure that the arrangement, condition, and implementation of the learning environments in Head Start programs are conducive to providing effective program services to children and families.

''(7) Activities to provide training necessary to improve the qualifications of Head Start staff and to support staff training, child counseling, health services, and other services necessary to address the needs of children enrolled in Head Start programs, including children from families in crises, children who experience chronic violence or homelessness, children who experience substance abuse in their families, and children under 3 years of age, where applicable.

''(8) Activities to provide classes or in-service-type programs to improve or enhance parenting skills, job skills, adult and family literacy, including financial literacy, or training to become a classroom aide or bus driver in a Head Start program.

''(9) Additional activities deemed appropriate to the improvement of Head Start agencies' programs, as determined by the agencies' technical assistance and training plans.

''(10) Any other activities regarding the use of funds as determined by the Secretary.

''(k) The Secretary shall—

''(1) work in collaboration with the Head Start agencies that carry out Indian Head Start programs, the Indian Head Start collaboration director, and other appropriate entities, including tribal governments and the National Indian Head Start Directors Association—

''(A) to undertake a study or set of studies designed to focus on the American Indian and Alaska Native Head Start-eligible population, with a focus on issues such as curriculum development, availability and need for services, appropriate research methodologies and measures for these populations, and best practices for teaching and educating American Indian and Alaska Native Head Start Children;

''(B) to accurately determine the number of children nationwide who are eligible to participate in Indian Head Start programs each year;

''(C) to document how many of these children are receiving Head Start services each year;

''(D) to the extent practicable, to ensure that access to Indian Head Start programs for eligible children is comparable to access to other Head Start programs for other eligible children; and

''(E) to make the funding decisions required in section 640(a)(2)(A)(iii), after completion of the studies required in that section, taking into account:

''(i) the Federal government's unique trust responsibility to American Indians and Alaska Natives;

''(ii) limitations faced by tribal communities in accessing non-Federal sources of funding to supplement Federal funding for early childhood programs; and

''(iii) other factors that uniquely and adversely impact children in American Indian and Alaska Native communities such as highly elevated poverty, unemployment and violent crime rates, as well as depressed levels of educational achievement and limited access to non-Federal health, social and educational resources;

''(2) in carrying out paragraph (1), consult with the Secretary of Education about the Department of Education's systems for collecting and reporting data about, and maintaining records on, American Indian and Alaska Native students;

''(3) not later than 9 months after the effective date of this subsection, 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, submit a report to the Committee on Education and Labor 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) through regulation, ensure the confidentiality of any personally identifiable data, information, and records collected or maintained by the Secretary, by Head Start agencies that carry out Indian Head Start programs, and by State Directors of Head Start Collaboration, by the Indian Head Start Collaboration Project Director and by other appropriate entities pursuant to this subsection (Such regulations shall provide the policies, protections, and rights equivalent to those provided a parent, student, or educational agency or institution under section 444 of the General Education Provisions Act.); and

''(6) ensure that 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.

''(l) The Secretary shall—

''(1) in order to increase access to Head Start services for eligible migrant and seasonal children, work in collaboration with migrant and seasonal Head Start providers, the Department of Agriculture (land grant universities), the Department of Labor, the Bureau of Migrant Health, and the Department of Education to—

''(A) establish a system for collecting and reporting data on farm workers and their families in order to adequately account for the number of seasonal and migrant children that are eligible for Head Start and determine how many of these eligible children receive services;

''(B) identify barriers that prevent eligible migrant and seasonal children from accessing Head Start services and develop a plan for eliminating barriers and increasing enrollment; and

''(C) develop a system through which migrant and seasonal Head Start programs can effectively track health records and educational documents as a child moves from state to state;

''(2) not later than 6 months after the effective date of this subsection, publish in the Federal Register a notice on how the Secretary plans to carry out the activities identified in paragraph (1) and shall provide a period for public comment. To the extent practicable, the Secretary shall consider comments received before implementing any of the activities identified in paragraph (1);

''(3) not later than 1 year after the effective date of this subsection, submit a report to the Committee on Education and Labor of the House of Representatives and the Health, Education, Labor and Pensions Committee of the Senate detailing how the Secretary plans to carry out the activities identified in (1);

''(4) submit a report to Congress annually on the migrant and seasonal Head Start program including a report on the progress made in carrying out the activities identified in paragraph (1), the progress made in reaching out to and serving eligible migrant and seasonal children, and information on states where migrant and seasonal children are still underserved;

''(5) through regulation, 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 the State director of Head Start Collaboration, by the Migrant and Seasonal Farmworker Collaboration project Director (Such regulations shall provide the policies, protections, and rights equivalent to those provided a parent, student, or educational agency or institution under section 444 of the General Education Provisions Act.); and

''(6) ensure that 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.

''(m) 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.

''(n) For the purposes of delivering a State-based training and technical assistance system, as described in section 640(a)(C)(ii), that will meet the needs of local grantees and provide high quality, sustained, and intensive training and technical assistance to Head Start programs in order to help them meet or exceed the program performance standards described in section 641A(a)(1), the Secretary shall—

''(1) enter into contracts in each State with 1 or more entities who have a demonstrated expertise in supporting the delivery of high quality early education programs, except that bi-State contracts may be entered in to if the demographics of proximal States make such a system more appropriate;

''(2) ensure that the entities described in subparagraph (1) determine the types of services to be provided through consultation with—

''(A) local Head Start agencies;

''(B) the State Head Start collaboration office; and

''(C) the State Head Start Association;

''(3) provide a report, to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. no later than 90 days after the end of the fiscal year, summarizing the funding for such contracts and the activities carried out thereunder; and

''(4) periodically evaluate the usefulness of the delivery of services in each State and their effectiveness in promoting program quality.

''(o) To support enhanced early language and preliteracy development of children in Head Start programs, and to provide the children with high-quality oral language skills, and environments that are rich in literature, in which to acquire language and preliteracy skills, each Head Start agency shall ensure that—

''(1) all of the agency's Head Start teachers receive ongoing training in language and emergent literacy (referred to in this subsection as 'literacy training'), and including appropriate curricula and assessment to improve instruction and learning;

''(2) such literacy training shall include training in methods to promote vocabulary development and phonological awareness (including phonemic awareness) in a developmentally, culturally, and linguistically appropriate manner and support children's development in their home language;

''(3) the literacy training shall include training in how to work with parents to enhance positive language and early literacy development at home;

''(4) the literacy training shall include specific methods to best address the needs of children who are limited English proficient; and

''(5) the literacy training shall include training on how to best address the language and literacy needs of children with disabilities, including training on how to work with specialists in language development.

''(p) The Secretary is encouraged to contract, on a competitive basis, with an institution of higher education (as defined in section 102 of the Higher Education Act of 1965) to develop an on-line graduate-level professional development program with the goal of improving the leadership of those working in Head Start programs and improving teacher quality and the capacity of effective Head Start teachers.

''(q) INDOOR AIR QUALITY.—The Secretary shall consult with experts on issues of air quality related to children's health and inform Head Start agencies of existing programs or combination of programs that provide methods for improving indoor air quality.

''(r) DEMONSTRATION FOR CAREER LADDER PARTNERSHIPS WITH TRIBAL COLLEGES AND HISPANIC-SERVING INSTITUTIONS.—

''(1) TRIBAL COLLEGE CAREER LADDER DEMONSTRATION PROGRAM.—The Secretary is authorized to award demonstration grants, for periods of not less than 5 years, to tribal colleges and universities to—

''(A) implement education programs that include education concerning tribal culture and language and increase the number of associate, baccalaureate, and graduate degrees in early childhood and related fields that are earned by Indian Head Start agency staff members, parents of children served by such an agency, and members of the tribal community involved;

''(B) develop and implement the programs under subparagraph (A) in technology-mediated formats, including providing the programs through such means as distance learning and use of advanced technology, as appropriate; and

''(C) provide technology literacy programs for Indian Head Start agency staff members and children and families of children served by such an agency.

''(2) HISPANIC-SERVING INSTITUTIONS CAREER LADDER DEMONSTRATION PROGRAM.—The Secretary is authorized to award demonstration grants, for periods of not less than 5 years, to Hispanic-serving institutions to—

''(A) provide assistance for stipends and costs related to tuition, fees, and books for enrolling Head Start agency staff members and parents of children served by such an agency in courses required to complete the degree and certification requirements to become bilingual teachers in early childhood education and related fields;

''(B) develop career ladder program curricula to increase the number of associate's, bachelor's, and graduate degrees earned by Head Start agency staff who have the linguistic skills and expertise to teach in programs serving a large number of limited English proficient children and parents of children served by such an agency; and

''(C) other activities to upgrade the skills and qualifications of noncertified educational personnel to meet the professional standards in section 648A(a)(1), including certification and licensure as bilingual education teachers and other educational personnel who serve limited English proficient children.

''(3) REQUIREMENT.—Individuals who receive assistance under paragraphs (1) and (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 funds.''.

SEC. 18. STAFF QUALIFICATIONS AND DEVELOPMENT.

Section 648A of the Head Start Act (42 U.S.C. 9843a) is amended—

(1) in subsection (a)—

(A) by striking ''(a)'' and all that follows through paragraph (2), and inserting the following:

''(a) CLASSROOM TEACHERS.—

''(1) PROFESSIONAL REQUIREMENTS.—The Secretary shall ensure that each Head Start classroom in a center-based program is assigned 1 teacher who has demonstrated competency to perform functions that include—

''(A) planning and implementing learning experiences that advance the intellectual and physical development of children, including improving the readiness of children for school by developing their literacy, phonemic, and print awareness, their understanding and use of language, their understanding and use of increasingly complex and varied vocabulary, their appreciation of books, their understanding of early math and early science, their problem solving abilities, and their approaches to learning;

''(B) establishing and maintaining a safe, healthy learning environment;

''(C) supporting the social and emotional development of children; and

''(D) encouraging the involvement of the families of the children in a Head Start program and supporting the development of relationships between children and their families.

''(2) DEGREE REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary shall ensure that not later than September 30, 2013, 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;

''(ii) a baccalaureate or advanced degree in a field related to early childhood education, with experience in teaching preschool children; or

''(iii) except that teachers providing services in migrant and seasonal Head Start classrooms that serve children under age 3 shall be required to meet the teacher requirements described in section 645A(h).

''(B) PROGRESS REPORT.—

''(i) On an annual basis, each Head Start agency shall provide to the Secretary a report indicating the number and percentage of classroom instructors with child development/ early childhood education associate credentials and associate, baccalaureate, or advanced degrees, and number of classroom instructors who successfully transferred associate credit and completed a baccalaureate degree disaggregated by race, ethnicity, and proficiency in a language other than English, with a description of those languages.

''(ii) Not later than September 30, 2008 the Secretary shall compile and transmit reports received under (i) to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(C) PROGRESS.—Each Head Start agency shall provide to the Secretary a report indicating the number and percentage of teachers and teacher's aides 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 Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(D) REQUIREMENT FOR NEW HEAD START TEACHERS.—In accordance with rules issued by the Secretary and made effective 2 years after the effective date of this subparagraph, all Head Start agencies shall require that all Head Start teachers hired after such rules take effect to provide Head Start services in center-based programs—

''(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 or a related field, and agree to complete degree requirements not later than 3 years after the date of hire.

''(E) 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.

''(F) 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).'', and

(B) in paragraph (3)—

(i) in subparagraph (B) by striking ''or'' at the end,

(ii) in subparagraph (C) by striking the period at the end and inserting ''; or'', and

(iii) by adding at the end, the following:

''(D) a baccalaureate and has been admitted into the Teach For America program, passed a rigorous early childhood content exam, such as the Praxis II, participated in a Teach For America summer training institute that includes teaching preschool children, and is receiving ongoing professional development and support from Teach For America's professional staff.'', and

(2) by amending subsection (c) to read as follows:

''(c) FAMILY SERVICE WORKERS.—To improve the quality and effectiveness of staff providing in-home and other services (including needs assessment, development of service plans, family advocacy, and coordination of service delivery) to families of children participating in Head Start programs, the Secretary, in coordination with concerned public and private agencies and organizations examining the issues of standards and training for family service workers, shall—

''(1) review and, as necessary, revise or develop new qualification standards for Head Start staff providing such services;

''(2) review, and as necessary, revise or develop maximum caseload requirements, as suggested by best practices;

''(3) promote the development of model curricula (on subjects including parenting training and family literacy) designed to ensure the attainment of appropriate competencies by individuals working or planning to work in the field of early childhood and family services; and

''(4) promote the establishment of a credential that indicates attainment of the competencies and that is accepted nationwide.'', and

(3) 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 Head Start employees who provide direct services to children and shall ensure that such plans are regularly evaluated for their impact on teacher and staff effectiveness.''.

SEC. 19. RESEARCH, DEMONSTRATIONS, AND EVALUATION.

Section 649 of the Head Start Act (42 U.S.C. 9844) is amended—

(1) by amending subsection (a)(1)(B) to read as follows:

''(B) use the Head Start programs to develop, test, and disseminate new ideas and based on existing scientifically based research, for addressing the needs of low-income preschool children (including children with disabilities, homeless children, children who have been abused or neglected, and children in foster care) 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.'',

(2) in subsection (d)—

(A) in paragraph (7) by adding ''and'' at the end,

(B) in paragraph (8) by striking the semicolon at the end and inserting a period,

(C) by striking paragraphs (9) and (10), and

(D) by striking the last sentence,

(3) in subsection (g)—

(A) in paragraph(1)(A)—

(i) by striking clause (i), and

(ii) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively, and

(B) by amending paragraph (7)(C) to read as follows:

''(C) TRANSMITTAL OF REPORT TO CONGRESS.—Not later than September 30, 2009, the Secretary shall transmit the final report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.'', and

(4) by amending subsection (h) to read as follows:

''(h) LIMITED ENGLISH PROFICIENT CHILDREN.—

''(1) STUDY.—Not later than 1 year after the date of enactment of the Improving Head Start Act of 2007, the Secretary shall conduct a study on the status of limited English proficient children and their families in participating 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 home languages of Head Start and Early Head Start teachers;

''(F) 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

''(G) 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.

''(i) CHILDREN, FAMILIES, AND PROGRAMS AFFECTED BY HURRICANES KATRINA AND RITA.—

''(1) PURPOSE.—The purpose of this subsection is to evaluate the status of Head Start and Early Head Start programs affected by Hurricanes Katrina and Rita as well as the challenges those programs have faced in reestablishing themselves and reenrolling eligible children and families, with the ultimate goal of providing all Head Start and Early Head Start programs with recommendations for developing and implementing disaster plans.

''(2) DEFINITION.—The term 'areas affected by Hurricanes Katrina and Rita' means any parish or county for which it was determined that assistance was warranted from the Federal Government under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of Hurricanes Katrina and Rita.

''(3) STUDY.—The Secretary shall conduct a study on the status of children and families participating in Head Start and Early Head Start programs in areas affected by Hurricanes Katrina and Rita.

''(4) REPORT.—Not later than 1 year after the date of the enactment of the Improving Head Start Act of 2007, the Secretary shall prepare and submit to Congress a report containing the results of such study, including

''(A) information on the population served, including—

''(i) the number of children and families participating in Head Start and Early Head Start programs in areas affected by Hurricanes Katrina and Rita before and after Hurricanes Katrina and Rita;

''(ii) the demographics of such children and families; and

''(iii) the geographical distribution of such children and families;

''(B) information on staff and programs, including—

''(i) the number and geographic distribution of staff serving Head Start and Early Head Start children and families from areas affected by Hurricanes Katrina and Rita;

''(ii) the current status, including employment status and geographic location, of Head Start and Early Head Start staff serving in areas affected by Hurricanes Katrina and Rita prior to Hurricanes Katrina and Rita; and

''(iii) the response and recovery efforts of Head Start and Early Head Start staff serving in areas affected by Hurricanes Katrina and Rita

''(C) information on facilities, including—

''(i) the number of Head Start and Early Head Start facilities operating prior to Hurricanes Katrina and Rita in areas affected by Hurricanes Katrina and Rita;

''(ii) the current status of each such facility; and

''(iii) information on any new Head Start or Early Head Start facility that has opened in areas affected by Hurricanes Katrina and Rita or that serves children and families who lived in areas affected by Hurricanes Katrina and Rita at the time of Hurricanes Katrina and Rita;

''(D) information on coordination with the Federal Emergency Management Agency (FEMA) in areas affected by Hurricanes Katrina and Rita, including—

''(i) areas of success that Head Start agencies and programs had in working with FEMA;

''(ii) challenges that Head Start agencies and programs had in working with FEMA; and

''(iii) the number of Head Start families that received individualized assistance (as defined under the Robert T. Stafford Disaster Relief and Emergency Act) and the types of assistance received by such families.

''(E) challenges that were faced by Head Start and Early Head Start programs and families in areas affected by Hurricanes Katrina and Rita including—

''(i) the availability of Head Start services for families displaced during the period of transition;

''(ii) identification of and outreach to families displaced by the Hurricanes Katrina and Rita; and

''(iii) the extent to which non-Federal disaster assistance was available to Head Start agencies and programs, and coordination of such services with non-Federal disaster assistance resources.

''(5) DISASTER PLAN PREPAREDNESS.—Not later than 1 year after the date of the enactment of Improving Head Start Act of 2007, the Secretary shall prepare and submit to Congress, Head Start disaster plan recommendations based upon the report initiated in paragraph (4), including recommendations for prevention, preparedness, response, and recovery, that can be used to advise Head Start and Early Head Start programs in the development and implementation of disaster plans.''.

SEC. 20. REPORTS.

Section 650 of the Head Start Act (42 U.S.C. 9846) is amended—

(1) in subsection (a)—

(A) by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' each place it appears and inserting ''Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate'',

(B) by striking ''and non-English language background children'' and inserting ''children, homeless children, children in foster care, and limited English proficient children'', and

(C) in paragraph (8) by inserting ''homelessness, whether the child is in foster care or was referred by a child welfare agency,'' after '' background,'', and

(2) by adding at the end the following:

''(c) SET-ASIDE ACTIVITIES.—Not later than 60 days after the end of each fiscal year, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report detailing the different amounts of expenditures under section 640(a)(2) and the activities carried out thereunder.

''(d) FISCAL PROTOCOL.—The Secretary shall conduct an annual review to assess whether the design and implementation of the triennial reviews described in section 641A(c) include compliance procedures that provide reasonable assurance that Head Start agencies are complying with applicable fiscal laws and regulations. The Secretary shall report the findings and conclusions of the annual review to the House Committee on Education and Labor, and the Senate Committee on Health, Education, Labor and Pensions within 30 days of completing the review.

''(e) USE OF INDIVIDUALIZED EDUCATION PLANS.—The Secretary shall track the use of Head Start Individualized Education Plans by Head Start agencies in order to evaluate the reasons why Head Start agencies are opting not to use Individualized Education Plans for children with disabilities (as specified in the Individuals With Disabilities Education Act (20 U.S.C. 1414(d)), whether Head Start Individualized Education Plans are used to provide services prior to the development of an Individualized Education Plan, as required under the Individuals With Disabilities Education Act, and the length of time programs use Head Start Individualized Education Plans before an Individualized Education Plan as required under Individuals With Disabilities Education Act is developed. The Secretary shall provide a report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, not later than 1 year after the date of the enactment of the Improving Head Start Act of 2007.

''(f) EVALUATION AND RECOMMENDATIONS REGARDING OBESITY PREVENTION.—The Secretary shall evaluate and publish regulations on the issue of and concerns related to preventing and reducing obesity in children who participate in Head Start programs and shall consult, at a minimum, with experts in child and maternal health, child development, child and family nutrition and physical education, to determine the effective methods by which Head Start agencies can help address childhood obesity. The regulations should include guidance on how Head Start agencies can incorporate, at a minimum, more physical activity and nutrition education into such programs related to preventing and reducing obesity. Not later than 1 year after the effective date of this subsection, the Secretary shall submit to the House Committee on Education and Labor and the Senate Committee on

Health, Education, Labor and Pensions, a report containing such recommendations and the results of such evaluation.''.

SEC. 21. WAGES AND COMPENSATION.

Section 653 of the Head Start Act (42 U.S.C. 9848) is amended to read as follows:

''SEC. 653. WAGES AND COMPENSATION.

''(a) COMPARABILITY OF WAGES.—The Secretary shall take such action as may be necessary to assure that persons employed in carrying out programs financed under this subchapter shall not receive compensation at a rate which is (1) in excess of the average rate of compensation paid in the area where the program is carried out to a substantial number of the persons providing substantially comparable services, or in excess of the average rate of compensation paid to a substantial number of the persons providing substantially comparable services in the area of the person's immediately preceding employment, whichever is higher; or (2) less than the minimum wage rate prescribed in section 6(a)(1) of the Fair Labor Standards Act of 1938. The Secretary shall encourage Head Start agencies to provide compensation according to salary scales that are based on training and experience.

''(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 of any proration thereof, at a rate in excess of the rate then payable for level II of the Executive Schedule under section 5313 of title 5, United States Code.''.

SEC. 22. LIMITATION ON CERTAIN USES OF FUNDS.

The Head Start Act (42 U.S.C. 9858 et seq.) is amended by adding at the end 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 pre-packaged 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.''.

The CHAIRMAN. No amendment to the committee amendment is in order except the amendments printed in House Report 110–116. 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 of the amendment, shall not be subject to amendment and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110–116.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 152, line 23, strike the close quotation and the period at the end.

Page 152, after line 23, insert the following (and make such technical and conforming changes as may be appropriate):

''(s) HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HEAD START PARTNERSHIPS.—In order to promote quality services and instruction to children with diverse backgrounds, the Secretary shall work in collaboration with Historically Black Colleges and Universities to—

''(1) implement education programs that include education to increase the number of associate, baccalaureate, and advanced degrees in early childhood education and related fields that are earned by Head Start agency staff members, and parents of children served by such an agency; and

''(2) carry out other activities to upgrade the skills and qualifications of noncertified educational personnel to meet the professional standards in section 648A(a).

Individuals who receive assistance under this paragraph shall subsequently teach in a center-based Head Start program for a period of time equivalent to the period for which they received assistance or shall repay such assistance.''.

The CHAIRMAN. Pursuant to House Resolution 348, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise to offer an amendment that will increase the number of highly qualified African American Head Start teachers. Let me hasten to thank the chairman of the committee and the ranking member.

This program has been successful. I am fortunate enough to have what has been labeled as the number one Head Start program in the country in my district, and what I am attempting to do in this amendment is to create partnerships between our Nation's historically black colleges and universities and Head Start.

It does not eliminate anyone else's participation, but we know that by 2013 every Head Start teacher has to have a degree, and it could be parents because one of the secrets to success in these programs is to have lots of involvement of the parents and volunteers in the community.

The partnerships will provide an opportunity for Head Start staff and parents of Head Start students to obtain degrees in early childhood education.

Now, why must it be in a historically black college? Mr. Chairman, that is important because 30 percent of the total number of children in Head Start are African American.

Only 6 percent of our Nation's 3 million teachers are African American and this is far too few, but also the historically black colleges and universities educate more African American teachers than all the other universities put together.

So we would like to make this collaboration so that it can reflect the diversity and the need and encouragement of both the parents and the teachers to work together. They can serve as role models, the teachers who know and understand the students that come from their own communities, and this will not only increase the number of qualified African American Head Start teachers, but it will increase the number of role models for millions of children who are at risk of educational failure.

So, today, only 6 percent of our Nation's 3 million teachers are African American. It is far too small, but this would offer a unique resource and support for those that are seeking a degree which is going to be necessary to maintain these jobs, and it also will offer I think a very positive role model situation in our Head Start program where appropriate.

I would like to move adoption of my amendment.

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

Mr. MCKEON. Mr. Chairman, I rise in support of the gentlewoman's amendment.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. Mr. Chairman, I believe that the amendment will improve the underlying bill. Let me just give one example that can come from her amendment.

Delaware State University is an example of a Head Start HBCU partnership that nurtures a continual goal of providing high quality educational experiences to Head Start participants by enhancing the competence of teachers and teachers' aids; improving parental confidence and life management skills to ensure that the work of Head Start is continued in the home; and improving the administrative, managerial and leadership skills of centers directly so the Head Start resources, including personnel, are used as efficiently as possible.

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We think that her amendment will further this help, and we think it improves the bill. We would be happy to support the amendment.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. I come to the floor this afternoon to thank, first, the chairman of the committee, Mr. GEORGE MILLER of California, for his tireless work in this area, and also the gentlelady from Texas.

Mr. Chairman, I rise in support of H.R. 1429. There is no question, Mr. Chairman, that America needs more minority teachers in Head Start classrooms. I represent the First Congressional District of North Carolina, which is the 15th poorest district in the Nation. I can tell you that Head Start is making a difference in my congressional district.

I encourage the continuation of the program. I urge the adoption of this resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I rise in strong support of this amendment and urge its adoption. I thank the gentlewoman for offering it.

Mrs. JONES of Ohio. Mr. Chairman, I rise today in support of the Eddie Bernice Johnson Amendment to H.R. 1429, the Improving Head Start Act of 2007. This amendment will encourage partnerships between Head Start and Historically Black Colleges and Universities. The Johnson Amendment will encourage African American students to focus on early childhood education and participate in Head Start. My home is Cleveland, Ohio, and it is one of the poorest cities in the nation, with half of the children living below the poverty line. Head Start provides a vital service to my community, it allows the youngest and most helpless children to have a chance at the developing basic skills so they are not behind when they start attending school. I am so pleased that my colleague from Texas, EDDIE BERNICE JOHNSON has offered this amendment. It will encourage more African American teachers to return to some of the most impoverished communities across this country. They will not only serve as teachers but also as role models land mentors to inspire young children to succeed as they have. I would like to once again Congresswoman JOHNSON for offering this amendment and encourage all of my colleagues to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PRICE OF GEORGIA

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110–116.

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. PRICE of Georgia:

At the end, add the following (and make such technical and conforming changes as may be appropriate):

TITLE II—STATE DEMONSTRATION PROGRAM

SEC. 201. STATE DEMONSTRATION PROGRAM.

The Head Start Act is amended by inserting after section 643 the following new section:

"SEC. 643A. STATE DEMONSTRATION PROGRAM.

''(a) GRANTS.—

''(1) IN GENERAL.—

''(A) ELIGIBLE STATES.—In the case of each eligible State that submits to the Secretary an application that fulfills the requirements of this section, the Secretary, from amounts appropriated under section 639(a), shall make a grant to the State to carry out a State demonstration program under this section, except that the Secretary shall not make such grants to more than 8 eligible States.

''(B) DETERMINATION.—The Secretary shall make awards to those States that demonstrate—

''(i) that the State standards generally meet or exceed the standards that ensure the quality and effectiveness of programs operated by Head Start agencies;

''(ii) the capacity to deliver high quality early childhood education services to prepare children, including low-income children, for school; and

''(iii) success in improving the school readiness of children.

''(2) STATE ELIGIBILITY.—A State shall be eligible to participate in the program under this section if it meets each of the following criteria:

''(A) The State has an existing State supported system providing public prekindergarten to children prior to entry into kindergarten.

''(B) The State has implemented standards as of fiscal year 2007 for school readiness that include standards for language, prereading and premathematics development for prekindergarten that are aligned with State kindergarten through twelfth grade academic content standards and which shall apply to all programs receiving funds under this part or provides an assurance that such standards will be aligned by the end of the second fiscal year of participation.

''(C) State and locally appropriated funds for prekindergarten services and Head Start services in the base year under this section shall not be less than 50 percent of the Federal funds that the grantees in the State received under this Act in the base year for services to Head Start eligible children, excluding amounts for services provided under section 645A.

''(D) The State has established a means for inter-agency coordination and collaboration in the development of the plan under subsection (h).

''(b) LEAD AGENCY.—A program under this section shall be administered by a State governmental entity designated by the Chief Executive Officer of the State as the lead State agency.

''(c) STATE OPERATION OF PROGRAM.—The State may conduct all or any part of the program under this section (including the activities specified in subsection (g)) directly or by grant, contract, or cooperative agreement.

''(d) TRANSITION.—

''(1) IN GENERAL.—For 60 months after the effective date of this section, the State shall continue to provide funds to each local grantee who—

''(A) was receiving funds under this subchapter, as in effect prior to the date of enactment of this section, and

''(B) is serving the geographic area covered by the plan in section 643A(h).''

Such continuing grants shall be made in accordance with the terms of the grant made to the local grantee immediately prior to such date of enactment. This paragraph shall not apply to a grant applicant who has experienced substantial uncorrected deficiencies on Department of Health and Human Services monitoring reports during any year of the most recent 5-year period, or to a grantee that, as determined by the State, does not comply with the State plan described in subsection 643A(h) submitted to the Secretary.

''(e) FEDERAL FINANCIAL ASSISTANCE.—

''(1) ALLOCATION OF FEDERAL ALLOTMENTS TO STATE PROGRAMS.—From each total amount described in paragraph (2) allotted to a State for a fiscal year, the Secretary shall pay to a State with a program approved under this section for such fiscal year an amount equal to—

''(A) if the State program is statewide, 100 percent of such total amount; and

''(B) if the State program is limited to a geographic area or areas, the sum of—

''(i) an amount equal to the amount received by grantees in such geographic area or areas for the Federal fiscal year preceding the first fiscal year of the State program under this section; plus

''(ii) an amount bearing the same ratio to the excess (if any) above the total amount for such preceding fiscal year as the number of children less than 5 years of age from families whose income is below the poverty line in the geographic area or areas included in the program bears to the total number of such children in the State (as determined using the same data used pursuant to section 640(a)(4)(B)).

''(2) FUNDS ALLOCATED.—For purposes of paragraph (1), amounts described in this paragraph are:

''(A) BASIC STATE ALLOTMENTS.—Amounts allotted to States pursuant to section 640(a)(4), including amounts reserved pursuant to section 640(a)(5), excluding amounts for services provided under section 645A.

''(B) STATE ALLOTMENTS OF EXPANSION FUNDS.—Amounts allotted to States pursuant to section 640(a)(3)(D)(i)(I) for program expansion.

''(C) QUALITY IMPROVEMENT FUNDS.—Quality improvement funds (if any) reserved pursuant to section 640(a)(3).

''(D) TRAINING AND TECHNICAL ASSISTANCE FUNDS.—An amount bearing the same ratio to the amount set aside for training and technical assistance activities pursuant to section 640(a)(2)(C)(i) and (ii) as the State's share of amounts allotted under section 640(a)(4)(B) bears to the total amount so allotted (and for purposes of subparagraph (A), such amount shall be considered an amount allotted to the State for the fiscal year).

''(3) NON-FEDERAL MATCH.—(A) In determining the amount of Federal and non-Federal contributions for purposes of this section, the amounts required to be expended by the State under subsection (h)(14)(B) (relating to maintenance of effort) shall be excluded.

''(B) Financial assistance made available to a State under this subchapter shall be in an amount equal to 95 percent of the total amount expended for such programs. The Secretary shall require non-Federal contributions in an amount equal to 5 percent of the total amount expended under this subchapter for such programs.

''(C) Non-Federal contributions may be made in cash or in kind, fairly evaluated, including plant, equipment, or services.

''(4) COMBINED OPERATIONS WITH OTHER EARLY CHILDHOOD EDUCATION PROGRAMS.—A State may combine funds for a program under this section with funds for other early childhood programs serving children in the same age group, as long as all applicable requirements of this subchapter are met with respect to either—

''(A) the entire combined program; or

''(B) each child served in such combined program for whom the services provided are funded from appropriations under this subchapter or non-Federal matching contributions under this subchapter.

''(5) USE OF FUNDS WITHOUT REGARD TO ALLOTMENT PURPOSES.—A State may use funds received pursuant to this section for any program purpose set forth in section 636, without regard to the purposes for such funds specified in section 640.

''(6) OTHER FUNDS.—Funds received under this section shall not supplant any non-Federal, State or local funds that would otherwise be used for activities authorized under

this section or similar activities carried out in the State.

''(f) COORDINATION AND CHOICE.—

''(1) IN GENERAL.—A State demonstration Program shall be coordinated with the education programs of local educational agencies in the State to ensure that the program is effectively designed to develop in children in the program the knowledge and behaviors necessary to transition successfully to kindergarten and to succeed in school.

''(2) PROGRAMS CONCERNED.—

''(A) REQUIRED PROGRAMS.—Such coordination shall occur regarding the implementation of the following:

''(i) The Early Reading First and Even Start programs under title I, part B, subparts 2 and 3 of the Elementary and Secondary Education Act of 1965, and other preschool programs carried out under title I of that Act.

''(ii) State prekindergarten programs.

''(iii) The Ready-to-Learn Television Program under subpart 3 of part D of title II of the Elementary and Secondary Education Act.

''(B) OPTIONAL PROGRAMS.—Such coordination may occur regarding the implementation of the following:

''(i) Programs under the Child Care and Development Block Grant Act.

''(ii) Other publicly funded early childhood education programs.

''(3) PARENTAL CHOICE.—The program shall allow parents to choose the preschool program for their child.

''(g) REQUIRED SERVICES.—With funds under this section, the State shall provide services described in section 641A at least as extensive as were provided, and to at least as many low-income children and families in each fiscal year as were provided such services, with such funds in the base year in the State (or, if applicable, in the geographic area included in the State program). A program under this section shall include the following comprehensive activities designed to promote school readiness and success in school:

''(1) CHILD DEVELOPMENT AND EDUCATION.—Activities with enrolled children that promote—

''(A) cognitive development, language development, prereading, and premathematics knowledge and skills;

''(B) physical development, health, and nutrition (including through coordination with, and referral of children and families to local health service entities; and

''(C) social development important for environments constructive for child development, early learning, and school success.

''(2) PARENT EDUCATION AND INVOLVEMENT.—Activities with the parents of enrolled children directed at enhancing and encouraging—

''(A) involvement in, and ability to support, their children's educational development;

''(B) parenting skills and understanding of child development; and

''(C) ability to participate effectively in decisions relating to the education of their children.

''(3) SOCIAL AND FAMILY SUPPORT SERVICES.—Activities directed at securing appropriate social and family support services for enrolled children and their families, primarily through referral and coordination with local, State, and Federal entities that provide such services.

''(4) HEAD START SERVICES.—For purposes of paragraph (1) Head Start services furnished in a State program under this section shall include all Head Start services, other than—

''(A) Indian Head Start programs and migrant and seasonal Head Start programs supported with funds reserved under section 640(a)(2)(A); and

''(B) Early Head Start services provided under section 645A.

''(h) STATE PLAN.—A State proposing to administer a program under this section shall submit a State plan to the Secretary. The State plan shall include the following:

''(1) LEAD STATE AGENCY.—The plan shall identify the entity designated by the Chief Executive Officer of the State as the lead State agency.

''(2) GEOGRAPHIC AREA.—The plan shall specify whether the program is statewide, and, if it is not, identify the geographic area or areas covered by the plan. A geographic area may be a city, county, standard metropolitan statistical area, or such other geographic area in the State.

''(3) PROGRAM PERIOD.—A State program under this section shall be in effect for 5 Federal fiscal years.

''(4) PROGRAM DESCRIPTION.—The plan shall describe the services under subsection (f) to be provided in the program and arrangements the State proposes to use to provide the services specified in subsection (g), including how the State will leverage existing delivery systems for such services.

''(5) NEEDS ASSESSMENT.—The plan shall describe the results of a State needs assessment and shall provide an assurance that the State will use the results to identify the needs for early childhood education services within a State or geographic area to be served and is targeting services to those areas of greatest need and to expand and improve services to disadvantaged children in the State.

''(6) ASSURANCE OF COMPLIANCE.—The plan shall provide an assurance that the State program will comply with the requirements of this section, including each of the following:

''(A) PRIORITY FOR LOW-INCOME CHILDREN.—Requirements established pursuant to section 645(a) concerning the eligibility and priority of individuals for participation in Head Start programs.

''(B) CONTINUATION FOR EXISTING PROVIDERS.—An applicant who received funds under this subchapter in prior fiscal years and has not corrected any substantial deficiencies identified in the past 5 years shall not be eligible to receive any grants, contract, or cooperative agreements under this section.

''(C) PARTICIPATION OF CHILDREN WITH DISABILITIES.—Requirements pursuant to section 640(d) concerning Head Start enrollment opportunities and services for children with disabilities.

''(D) PROVISIONS CONCERNING FEES AND COPAYMENTS.—The provisions of section 645(b) concerning the charging of fees and the circumstances under which copayments are permissible.

''(E) FEDERAL SHARE; STATE AND LOCAL MATCHING.—The provisions of section 640(b) limiting Federal financial assistance for Head Start programs, and providing for non-Federal contributions.

''(F) ADMINISTRATIVE COSTS.—The provisions of section 644(b) limiting the share of program funds that may be used for developing and administering a program.

''(G) FEDERAL PROPERTY INTEREST.—Applicable provisions of this subchapter regarding the Federal Government interest in property (including real property) purchased, leased, or renovated with Federal funds.

''(7) IDENTIFICATION OF BARRIERS.—The plan shall identify barriers in the State to the effective use of Federal, State, and local public funds, and private funds, for early education and care that are available to the State on the date on which the application is submitted.

''(8) STATE GUIDELINES FOR SCHOOL READINESS.—The plan shall include—

''(A) a State definition of school readiness;

''(B) a description of the State's general goals for school readiness, including how the State intends to—

''(i) promote and maintain ongoing communication and collaboration between providers of early care and education and local educational agencies in the State;

''(ii) align early childhood and kindergarten curricula to ensure program continuity; and

''(iii) ensure that children successfully transition to kindergarten.

''(9) TEACHER QUALIFICATIONS.—The plan shall assure that the qualifications and credentials for early childhood teachers meet or exceed the standards in section 648A(a)(2)(A), (B), and (C).

''(10) PROFESSIONAL DEVELOPMENT.—The plan shall provide a description of the State plan for assuring the ongoing professional development of early childhood educators and administrators including how the State intends to—

''(A) improve the competencies of early childhood educators in meeting the cognitive and other developmental needs of young children through effective instructional strategies, methods, and skills;

''(B) develop and implement initiatives to effectively recruit and promote the retention of well-qualified early childhood educators;

''(C) encourage institutions of higher education, providers of community-based training, and other qualified providers to develop high-quality programs to prepare students to be early childhood education professionals; and

''(D) improve the quality of professional development available to meet the needs of teachers that serve preschool children.

''(11) QUALITY STANDARDS.—The State shall describe the State's standards, applicable to all agencies, programs, and projects that receive funds under this subchapter, including a description of—

''(A) standards with respect to services required to be provided, including health, parental involvement, nutritional, social, transition activities described in section 642(d) of this subchapter, and other services;

''(B)(i) education standards to promote the school readiness of children participating in a State program under title II of this subchapter; and

''(ii) additional education standards to ensure that the children participating in the program, at a minimum develop and demonstrate—

''(I) language skills;

''(II) prereading knowledge and skills, including interest in and appreciation of books, reading and writing either alone or with others;

''(III) premathematics knowledge and skills, including aspects of classification, seriation, number, spatial relations, and time;

''(IV) cognitive abilities related to academic achievement;

''(V) social development important for environments constructive for child development, early learning, and school success; and

''(VI) in the case of limited-English proficient children, progress toward acquisition of the English language;

''(C) the State's minimum standards for early childhood teacher credentials and qualifications;

''(D) the student-teacher ratio for each age-group served;

''(E) administrative and financial management standards;

''(F) standards relating to the condition and location of facilities for such agencies, programs, and projects; and

''(G) such other standards as the State finds to be appropriate.

''(12) STATE ACCOUNTABILITY SYSTEM.—

''(A) IN GENERAL.—The State plan shall—

''(i) ensure that individual providers are achieving results in advancing the knowledge and behaviors identified by the State as prerequisites for kindergarten success; and

''(ii) specify the measures the State will use to evaluate the progress toward achieving such results and the effectiveness of the State program under this section, and of individual providers in such program.

''(B) PUBLICATION OF RESULTS.—

''(i) IN GENERAL.—Subject to clause (ii), the results shall be made publicly available in the communities served by the program.

''(ii) CONFIDENTIALITY SAFEGUARDS.—The system shall have in effect privacy safeguards ensuring that information on children included in data and results made public in accordance with clause (i) shall be in aggregated form, and shall not include information allowing identification of individual children.

''(13) TRANSITION PLAN.—The initial State plan shall make provision for transition from the direct Federal program under section 640 to the demonstration program.

''(14) COOPERATION WITH RESEARCH STUDIES.—The plan shall provide assurances that the State will cooperate with research activities described in section 649.

''(15) MAINTENANCE OF EFFORT.—The State plan shall—

''(A) contain a commitment to provide data, at such times and in such format as the Secretary requires, concerning non-Federal expenditures and numbers of children and families served in preschool and Head Start programs during the base year and each fiscal year covered under the State plan, sufficient to satisfy the Secretary that the State program will meet its obligation with respect to the maintenance of effort requirement under subparagraph (B); and

''(B) assure that the resources (which may be cash or in-kind) contributed by the State government to child care for preschool-aged children and other preschool programs, including Head Start, in the State (or, if applicable, in the geographic area included in the State program) for each fiscal year in which the program under this section is in effect shall be in an amount at least equal to the total amount of such State governmental resources contributed to support such programs in the State (or geographic area) for the base year.

''(16) TRAINING AND TECHNICAL ASSISTANCE.—The State plan shall describe the training and technical assistance activities that shall provide high quality, sustained, intensive, and classroom-focused training and technical assistance in order to have a positive and lasting impact on classroom instruction.

''(i) RECORDS, REPORTS AND AUDITS.—The State agency administering the State program, and each entity participating as a Head Start service provider, shall maintain such records, make such reports, and cooperate with such audits as the Secretary may require for oversight of program activities and expenditures.

''(j) INAPPLICABILITY OF PROVISIONS CONCERNING PRIORITY IN AGENCY DESIGNATION.—The provisions of subsections (c) and (d) of section 641 (concerning priority in designation of Head Start agencies, successor agencies, and delegate agencies) shall not apply to a State program under this section.

''(k) CONSULTATION.—A State proposing to administer a program under this section shall submit, with the plan under this section, assurances that the plan was developed through timely and meaningful consultation with appropriate public and private sector entities, including—

''(1) representatives of agencies responsible for administering early education and care programs in the State, including Head Start providers;

''(2) parents;

''(3) the State educational agency and local educational agencies;

''(4) early childhood education professionals;

''(5) kindergarten teachers and teachers in grades 1 through 4;

''(6) child welfare agencies;

''(7) child care resource and referral agencies;

''(8) child care providers; and

''(9) a wide array of persons interested in and involved with early care and early education issues in the State, such as representatives of—

''(A) health care professionals;

''(B) the State agency with responsibility for the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966;

''(C) institutions of higher education;

''(D) community-based and faith-based organizations;

''(E) the business community;

''(F) State legislators and local officials;

''(G) museums and libraries;

''(H) other relevant entities in the State; and

''(I) other agencies that provide resources for young children.

''(l) STATE PLAN SUBMISSION.—An application shall be submitted by a State pursuant to this section to the Secretary, in consultation with the Secretary of Education, and shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of a reasonable time beginning on the date on which the Secretary received the application, that the application is not in compliance with this section.

''(m) TREATMENT OF FUNDS.—If a State or local government contributes its own funds to supplement activities carried out under the applicable programs, the State or local government has the option to separate out the Federal funds or commingle them. If the funds are commingled, the provisions of this subchapter shall apply to all of the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

''(n) FEDERAL OVERSIGHT AUTHORITY; CORRECTIVE ACTION; WITHDRAWAL OF APPROVAL.—

''(1) FEDERAL OVERSIGHT.—The Secretary shall retain the authority to oversee the operation of the State program under this section, including through review of records and reports, audits, and onsite inspection of records and facilities and monitoring of program activities and operations.

''(2) CORRECTION OF DEFICIENCIES.—If the Secretary determines that a State program under this section substantially fails to meet the requirements of this section, the Secretary shall notify the State of the deficiencies identified and require corrective action as follows:

''(A) DEFICIENCIES CAUSING IMMEDIATE JEOPARDY.—The Secretary shall require immediate corrective action to eliminate a deficiency that the Secretary finds threatens the health or safety of staff or program participants or poses a threat to the integrity of Federal funds.

''(B) OTHER DEFICIENCIES.—The Secretary, taking into consideration the nature and magnitude of a deficiency not described in subparagraph (A), and the time reasonably required for correction, may—

''(i) require the State to correct the deficiency within 90 days after notification under this paragraph; or

''(ii) require the State to implement a quality improvement plan designed to correct the deficiency within one year from identification of the deficiency.

''(3) WITHDRAWAL OF APPROVAL.—If the deficiencies identified under paragraph (2) are not corrected by the deadlines established by the Secretary, the Secretary shall initiate proceedings to withdraw approval of the State program under this section.

''(4) PROCEDURAL RIGHTS.—A State subject to adverse action under this subsection shall have the same procedural rights as a Head Start agency subject to adverse action under section 641A.

''(o) INDEPENDENT EVALUATION.—

''(1) IN GENERAL.—The Secretary shall contract with an independent organization outside of the Department to design and conduct a multi-year, rigorous, scientifically valid, quantitative evaluation of the State demonstration program.

''(2) PROCESS.—The Secretary shall award a contract within 180 days of the date of enactment of the Improving Head Start Act of 2007, to an organization that is capable of designing and carrying out an independent evaluation described in this subsection.

''(3) ANALYSIS.—The evaluation shall include an analysis of each State participating in the State demonstration program, including—

''(A) A quantitative description of the State prekindergarten program and Head Start programs within such State, as such programs existed prior to participation in the State demonstration program, including:

''(i) data on the characteristics of the children served, including the overall number and percentages of children served disaggregated by socioeconomic status, race and ethnicity of those served;

''(ii) the quality and characteristics of the services provided to such children; and

''(iii) the education attainment of instructional staff.

''(B) A quantitative and qualitative description of the State program after each year of participation in the State demonstration, which shall include each of the following:

''(i) A description of changes in the administration of the State program, including the Head Start program, within such State.

''(ii) The rate of progress of the State in improving the school readiness of disadvantaged children in the key domains of development.

''(iii) Data as described in subparagraph (A), as updated annually.

''(iv) The extent to which each State has met the goals established by such State with respect to annual goals as described under section 643(h)(10).

''(4) REPORT.—(A) The Secretary shall provide an interim report on the progress of such evaluation and of the progress of States participating in the State demonstration in increasing the availability of high quality prekindergarten services for low-income children not later than October 1, 2010 to the Committee on Education and the Workforce in the House of Representatives and the Committee on Health, Education, Labor, and Pensions in the Senate.

''(B) The Secretary shall provide a final report to the Committee on Education and the Workforce in the House of Representatives and the Committee on Health, Education, Labor, and Pensions in the Senate, not later than October 1, 2011, which shall include an overall evaluation of the State demonstration program, including an assessment of its success in increasing the overall availability of high quality prekindergarten services for

low income children in each of the participating States as compared to a representative sample of non-participating States.

''(p) STATE PARTICIPATION AGREEMENT.—Following the submission of an application fulfilling all requirements of this section, a State that meets all eligibility requirements set forth in section 643A(a)(2) and is selected by the Secretary to participate in the demonstration program under this section shall:

''(1) maintain or increase fiscal year 2007 State funding levels for early childhood education;

''(2) provide an additional contribution of non-federal funds equal to 5 percent of the State's Federal Head Start allotment;

''(3) use Head Start funding only for the purposes of Head Start as described in section 636;

''(4) provide all comprehensive social services currently available to Head Start children, including health and nutrition;

''(5) develop a strategy to maximize parental involvement to enable parents to become full partners in the education of their children;

''(6) demonstrate that the qualifications and credentials for early childhood teachers meet or exceed the standards in section 648A(a)(2)(A), (B), and (C);

''(7) enforce quality standards for school readiness that are aligned with K–12 educational standards and generally meet or exceed the Federal Head Start performance standards;

''(8) continue funding, for a period of 60 months, all current Head Start grantees as described in section 643A(d);

''(9) provide services described in section 641A that are at least as extensive as were provided, and to at least as many low-income children and families in the State, in each fiscal year as were provided such services in the base year;

''(10) establish a comprehensive collaboration effort to integrate Head Start, state-funded pre-kindergarten programs, Even Start, Title I preschool, and Early Reading First;

''(11) participate in independent evaluations of the demonstration program authorized under this subchapter; and

''(12) submit to Federal oversight by the Secretary.

''(q) DEFINITION.—For purposes of this section, the term 'base year' means the fiscal year 2007.''.

The CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the opportunity to offer this amendment. I would urge my colleagues to support it. This is an amendment of expansion and educational opportunities for our young children.

In 1965, when Head Start was implemented, State-run early childhood development programs didn't exist. Since then, and most recently, and in the past 15 years, States have invested considerable resources into early childhood initiatives. This amendment seeks to provide an incredible opportunity for eight States to participate in a 5-year demonstration program and leverage their resources and experience to improve school readiness.

It would allow eight States to coordinate Head Start and early childhood State-run programs, thus improving coordination, preventing duplication and expanding the number of children that can be served by the early childhood services. To carry it out, safeguards would be put in place. States would have to ensure that participants receive services that are as good or better than those in the Head Start program, including health, nutrition, mental health services on top of the educational services.

Enacting a demonstration program will result in expanding the number of children that can be served, which is not possible in Head Start or just a State-run program alone. This is an innovative program that would help more children in our Nation, and I urge my colleagues to adopt this amendment.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in opposition to this amendment.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Chairman, Members of the House, we are here today to authorize the Head Start program. What this amendment would do would simply end Head Start in those eight States as we know it. There would be no requirement that those States would take the money that we have set aside, that we have worked hard to provide within the budget for the Head Start program and use it to implement a program that is anything like Head Start, because there would simply be no requirements on that money to provide the kind of comprehensive programs that are now required under the Head Start program that have demonstrated the success that we just spent an hour with speakers from both sides of the aisle attesting to in their own districts or on a national basis as members of the committee have talked about what we are doing in this reauthorization. These States would be eligible for these funds without demonstrating any expertise or commitment to the high quality of this proven preschool program.

Essentially that's the end of it in those eight States. Now, maybe one of those States will have a strong commitment to Head Start and all the rest of it. That's what Head Start is. That's what Head Start is. Why are we running this money through another filter system to recreate the Head Start program? We already require, and we went through a series of hearings about coordination with the States to make sure that Head Start coordinates with other State programs and State agencies.

But we also know that because of what we have done with Head Start over the years, where we have provided reauthorization after reauthorization, the continuous improvement of the programs that are integral to the success of Head Start and to the success of the children, where we have used scientific-based educational and performance standards, where we have provided for accountability and oversight and evaluation of the program, where we have provided for the parent policy councils, all of these things that have been integral to this program over this time to bring it to a point now where we can see that it demonstrates a marked impact on these young children in closing the achievement gap for these children and getting them ready and the skills that they will need for early reading, for early math, for early writing, that is what this program does.

There are not many States that do any of that. They have a lot of early childhood programs. They have a lot of child care programs, they have a lot of it. But they don't have this comprehensive program. That's why this is considered the premier program in the Nation for the education and the development of these young children. That is why we should not support this block grant amendment.

I daresay that we have watched over the last decades effort after effort be made to block grant programs. Generally, where they have been successful, they have been the first step to the budget cuts, to the loss of quality. That's what's involved here.

Again, when we structured this legislation, and in consideration of the budget and the increases in the money, we are putting 60 percent of the money into quality, into teacher and professional development, into salaries, because we recognize that we have to have that continuous update and that improvement of the Head Start program.

Voting for this amendment is not to vote for Head Start; it's to vote for something, but it's not to vote for Head Start. It's, in fact, detrimental because that money, then, is out of the Head Start system to be used for whatever purposes. In fact, you can take this Federal money and then withdraw the local money. There is no requirement in this amendment that there be a maintenance of effort by a State to do this.

What have you really done? You have taken money for the Federal taxpayers that paid into this program that we have decided on a bipartisan basis should go for the Head Start program. You said, oh, you can give it to a State, and they can draw their money out the bottom. So we put the taxpayers' money in at the top, and the State takes the money out of the bottom.

That is not going to improve quality. That is not going to improve access. Now, you can argue that maybe you can add a lot of children to a program, a program, not the Head Start program, because the Head Start program is expensive because we do it the way we should be doing, the way it has been scientifically analyzed and supported by the data.

You can put a lot of kids in low-quality programs, but that is not what we

are trying to achieve. We are trying to achieve high quality so we get the results that Head Start gets and most other States don't get.

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

Mr. PRICE of Georgia. Mr. Chairman, may I inquire as to how much time remains.

The CHAIRMAN. The gentleman from Georgia has 3½ minutes remaining.

Mr. PRICE of Georgia. The gentleman from California?

The CHAIRMAN. The gentleman from California has 30 seconds remaining.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the chairman's passion on this, but his testimony bears little resemblance to reality. I would urge him to read the amendment which states clearly on page 11, ''Head Start services furnished in a State program under this section shall include all Head Start services.''

Mr. Chairman, I yield 1½ minutes to my good friend from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman for yielding.

Mr. Chairman, I strongly support this amendment. I have a tremendous amount of respect for the chairman of the committee, Mr. MILLER, but I disagree with him on his basic premise here.

I do believe that the Governors of this country, which I had the chance to be one, seems eons ago now, but a few years ago, have a tremendous and strong interest in the children of their States and in the education of those children.

I also believe that in the time since Head Start was created, that many of these Governors have put together prekindergarten, kindergarten, early childhood programs. I think they are ready to move forward with this. I think in many instances they have been competitive with, if not even ahead of, Head Start. We basically backed off from what the White House proposed originally, which is to give all 50 States the option to do this, to a pilot program of eight States.

There are requirements that those eight States match these funds, in fact, put in extra money in order to be able to enter into this program of dealing with the Head Start-type programs. The State demo would be limited to States with a demonstrated investment in early childhood education and established existing preschool system.

You can't just jump into this and take the money or whatever. You have to show you are ready for it, and that you are ready to do it, and you are ready to put the money into it. I believe strongly that those States should be afforded the opportunity. I actually think the competition with some of the Head Start providers would be positive in terms of developing the opportunity for young children.

I would hope that everybody would stop for a moment and take time for a moment to listen to this amendment and the arguments pro and con before votes are cast on it. I believe Mr. PRICE has demonstrated through Georgia, as well as other States, that this is something which could be beneficial to the children, which is really what this is all about, hopefully helping those children in poverty so that they could move ahead.

I hope everybody will support the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 15 seconds to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I would just say in reading the amendment that States should generally follow the standards. I served in a State legislature for 12 years in appropriations, and I know what license that word ''generally'' gives to a State legislature in a State government. Generally it does not keep these really good high standards that we have worked on for 42 years on in this bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I would just say that is exactly the point. Yes, it offers all services, but it doesn't require the same high-quality service we have now. You can do all of these things, but you end up doing these things on the cheap because the demand is for slots. We have seen that tension here all the time.

There are no requirements here that you have anything comparable to the quality and the requirements in the Head Start program, and yet you are you are taking money out of the program to give it for these other purposes.

I urge a ''no'' vote on this amendment.

Mr. PRICE of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Chairman, before I came to Washington, I served in local government on the school board, on the city council. I have great respect for local leadership. I don't know what we're afraid of.

Sometimes I get the feeling that people here in Washington feel that all wisdom resides within the Beltway. I just think that to give the opportunity to a maximum of eight States to try to expand and bring creativity to a program that's good, to make it better, I think is nothing but a good thing, and it's on the upside.

I commend the gentleman from Georgia (Mr. PRICE) for this amendment. I encourage all to support it.

Mr. PRICE of Georgia. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Georgia has 45 seconds remaining.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the perspective of the other side, but I would suggest, respectfully, that that's an old argument. It's an old argument about a block grant. This is not a block grant. This is a demonstration program that would allow States to serve more children, not fewer children, more, more than is currently possible than just with Head Start or with State-run early childhood development programs.

Economies of scale, it works. Funding levels for Head Start and early childhood services would be protected. Demonstration program States will be able to eliminate overlap, eliminate duplication of services, and participants must have access to services that are as extensive or greater than those found in Head Start. That's what the amendment states.

I urge my colleagues to read the amendment. I appreciate the fact that they have had previous amendments in legislation before them, but I urge them to read this amendment. I think they will find the common-sense aspect of it.

I appreciate the opportunity to offer it, and I urge my colleagues to adopt the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 1600

AMENDMENT NO. 3 OFFERED BY MR. SESTAK

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110–116.

Mr. SESTAK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SESTAK:

Page 159, after line 12, insert the following (and make such technical and conforming changes as may be appropriate):

''(g) INCENTIVES FOR HEAD START TEACHERS AND EARLY HEAD START TEACHERS.—

''(1) STATEMENT OF PURPOSE.—It is the purpose of this subsection to encourage individuals to begin and continue teaching in Head Start programs and Early Head Start programs.

''(2) PROGRAM AUTHORIZED.—

''(A) IN GENERAL.—From the sums appropriated pursuant to paragraph (9), the Secretary of Education, in consultation with the Secretary of Health and Human Services, is authorized carry out a program to forgive, in accordance with this subsection, the student loan debt of any borrower who has one or more loans described under subparagraph (B) made on or after October 1, 1998, and who—

''(i) commits to working as a Head Start teacher or an Early Head Start teacher for at least 3 consecutive complete program years;

''(ii) has a bachelor's degree in a field related to early childhood education; and

''(iii) is not in default on a loan for which the borrower seeks forgiveness.

''(B) METHOD OF LOAN FORGIVENESS.—To provide the loan forgiveness authorized in subparagraph (A), the Secretary of Education, in consultation with the Secretary of

Health and Human Services, shall, subject to subparagraph (C), carry out a program—

''(i) through the holder of the loan, to assume the obligation to repay a qualified loan amount for a loan made under section 428 or 428H of the Higher Education Act of 1965 (20 U.S.C. 1078, 1078–8); and

''(ii) to cancel a qualified loan amount for a Federal Direct Stafford Loan or a Federal Direct Unsubsidized Stafford Loan made under part D of title IV of such Act (20 U.S.C. 1087a et seq.).

''(C) TREATMENT OF CONSOLIDATION LOANS.—A loan amount for a loan made under section 428C or section 455(g) of such Act (20 U.S.C. 1078–3, 1087e(g)) may be a qualified loan amount for the purposes of subparagraph (B) only to the extent that such loan amount was used to repay a loan made under section 428 or 428H, a Federal Direct Stafford Loan, or a Federal Direct Unsubsidized Stafford Loan for a borrower who meets the requirements of subparagraph (A), as determined in accordance with regulations prescribed by the Secretary of Education, in consultation with the Secretary of Health and Human Services.

''(3) QUALIFIED LOAN AMOUNT.—After the beginning of the qualifying employment described in paragraph (2)(A)(I) and upon approval of a borrower's application under paragraph (5), the Secretary of Education, in consultation with the Secretary of Health and Human Services, shall forgive under this subsection not more than $10,000 of the student loan obligation of a borrower that is outstanding at the beginning of such employment.

''(4) AWARD BASIS.—Loan forgiveness under this subsection shall be on a first-come, first-served basis and subject to the availability of appropriations.

''(5) APPLICATION FOR FORGIVENESS.—

''(A) IN GENERAL.—Each borrower desiring loan forgiveness under this subsection shall submit a complete and accurate application to the Secretary of Education at such time, in such manner, and containing such information as the Secretary of Education, in consultation with the Secretary of Health and Human Services, may require.

''(B) SERVICE AGREEMENT.—Each such application shall contain an agreement by the borrower—

''(i) to complete the commitment described in paragraph (2)(A)(I) within 6 years after receiving loan forgiveness under this subsection; or

''(ii) to repay the portion required by the regulations under paragraph (6)(A) if the borrower does not complete such commitment.

''(6) REPAYMENT FOR FAILURE TO COMPLETE SERVICE.—

''(A) IN GENERAL.—In the event that any recipient of loan forgiveness under this subsection fails or refuses to complete a portion of the recipient's service obligation under the agreement required by paragraph (5)(B), the same portion of the amounts of loans forgiven under this subsection for such recipient shall be subject to repayment in accordance with terms and conditions, and in the amounts, specified by the Secretary of Education, in consultation with the Secretary of Health and Human Services, in regulations under this subsection.

''(B) FORGIVENESS IF DECEASED OR DISABLED.—Such regulations shall provide that, subject to the availability of appropriations, an individual shall be excused from repayment of any amount required under paragraph (1) if the individual dies or becomes permanently and totally disabled (as determined in accordance with such regulations).

''(7) REGULATIONS.—The Secretary of Education, in consultation with the Secretary of Health and Human Services, is authorized to issue such regulations as may be necessary to carry out the provisions of this subsection.

''(8) CONSTRUCTION.—Nothing in this subsection shall be construed to authorize any refunding of any repayment of a loan.

''(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2008 and each of the 4 succeeding fiscal years.

''(10) DEFINITIONS.—In this subsection:

''(A) HEAD START TEACHER.—The term 'Head Start teacher' means an individual who—

''(i) is employed by a Head Start agency or an entity that carries out an Early Head Start program, to provide for the education and care of children who have not reached the age of compulsory school attendance who are enrolled in a Head Start program or an Early Head Start program receiving funds under the Head Start Act (42 U.S.C. 9831 et. seq.); and

''(ii) who has, at a minimum, an associate's degree in early childhood education or a related field.

''(B) PROGRAM YEAR.—The term 'program year', where applied to service as a Head Start teacher or an Early Head Start teacher, means a program year as defined by the Secretary of Health and Human Services.''.

The CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Pennsylvania (Mr. SESTAK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

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

Mr. SESTAK. Mr. Chairman, I rise to speak in support of this amendment, to encourage more individuals to become Head Start and Early Head Start teachers, and to provide a way for existing Head Start teachers to improve their skills and education.

This amendment is just building upon the efforts of someone that I have grown to very much respect, Congressman TIERNEY, who has been working on this issue for years.

Specifically, this amendment proposes loan forgiveness of up to $10,000 for Head Start and Early Head Start teachers upon completion of a bachelor's degree, who will commit to working in a Head Start or Early Head Start program for at least 3 consecutive years.

Earlier this spring, I held my district's first education summit, bringing together over 300 educators, experts, and citizens. We discussed the need to provide and retain high quality Head Start teachers, who serve our country's most disadvantaged, low-income children.

Head Start teachers are so critical at the time of a child's cognitive reasoning development, and this amendment recognizes this by ensuring that more than 55,000 Head Start teachers have the means of getting their bachelor's degree by forgiving their student loan burden.

As we call for increased qualifications in the Head Start workforce in H.R. 1429, with 50 percent Head Start teachers nationwide now to hold a bachelor's degree by 2013, we should also provide the means to help them reach this goal. This amendment offers one way of helping current Head Start teachers upgrade their qualifications, as well as to encourage future and current students to enter this important field of teaching.

The rising cost of higher education is a concern for many, and repaying student loans is often too burdensome for these teachers, particularly when one realizes that Head Start teachers' average annual salary is only approximately $24,000 a year, forcing teachers not to go on to receive advanced degrees, or else to leave the profession in order to repay their student loans.

This amendment will help to ensure that we are able to recruit and retain a high quality workforce for our Nation's Head Start programs.

I urge all my colleagues to support this critical amendment to help our children's future.

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

Mr. MCKEON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. KIND). The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, while I support the intent of the amendment, which I think is good and which we included in last year's bill that we passed, the higher ed reauthorization bill, that I think is a better vehicle for this particular amendment.

I would encourage the Member to withdraw it and put this in the higher ed bill when we move later this year to reauthorize that. It fits better there.

We did a study, and we found that most of the education programs don't come under the Department of Education, they come under 39 other bureaucracies throughout this town. And it would be, I think, moving to try to have things more organized. It fits better under the Higher Ed Act, and I would encourage that the gentleman put it under that. Otherwise, I would oppose this amendment.

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

Mr. SESTAK. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise in support of Congressman SESTAK's amendment which flushes out, I think, the direction that this bill is taking, which is to try and improve the quality of teachers by mandating bachelor's degrees and associate's degrees over a very short period of time.

For a lot of the teachers in the Head Start program, though, this still begs the question, which is, how do you pay for it?

Higher education costs have gone up 40 percent over the last 6 years, and unfortunately the prior Congresses took no action to raise the size of Pell Grants. And we have obviously taken

some steps towards reducing the cost of interest rates under the Stafford Student Loan program, but for many teachers, the challenge of paying for higher education costs, in Connecticut the average salary for Head Start teachers is $24,000, and the Sestak amendment goes right to the heart of trying to make this new requirement affordable. I believe it is totally germane and central to the intent of this Head Start reauthorization bill. This amendment belongs there, and I strongly urge the Members to support passage of the Sestak amendment.

I want to thank Congressman SESTAK for offering this important amendment today. It would provide concrete assistance for early childhood educators in Connecticut and around the country to attain their bachelors degree. As you know, the Head Start bill before us increases teacher qualifications—half of teachers nationwide have a BA by 2013 and all new teachers have at least an associate's degree beginning in 2009.

This amendment also provides a strong incentive for students to enter the field and for established early childhood educators to remain in the field. Loan forgiveness of up to $10,000 is contingent upon at least 3 years service in a Head Start facility. Too often, our best and brightest educators are forced out of the profession because the salaries cannot keep up with individual and family economic demands.

In Connecticut, where the median Head Start salary is approximately $24,000, going back to school to attain a higher degree to satisfy the new teacher qualification requirements would be an economic hardship.

While I am pleased to say that Connecticut met the national goal of having at least 50 percent or more of its teachers having an associate's degree in early childhood education by the year 2003, the financial burden to now attain a bachelor's degree will be high.

We all know that college costs are rising and the last thing we want to do is encourage more debt. That is why I am so supportive of this amendment.

The need for committed, enthusiastic, and qualified Head Start teachers is on the rise. In Connecticut, there are more than 25 Centers serving more than 8,000 children. Poverty levels in many parts of the state are rising. Children receive valuable educational enrichment in Head Start programs, ensuring that they are on the path to educational success in elementary school and beyond. We cannot afford to leave children unprepared and we cannot afford to lose our best and talented teachers either.

This amendment provides the incentive to enter or remain in the early childhood education field and I urge my colleagues to support this amendment.

Mr. SESTAK. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, we must ensure that every child who could benefit from Head Start is able to enroll in a Head Start center. One way to do that is to provide full funding; another is to provide that we have the facilities we need; and, one of the most important ways is to ensure that we have qualified teachers.

The base bill increases the requests and requirements for teacher qualification, and it supports higher salaries and requires more college degrees. Therefore, including this amendment in the Head Start bill is absolutely appropriate, because this amendment helps Head Start teachers get the degrees that we are demanding that they have. And we do this by offering loan forgiveness to those teachers, teachers who teach in the Head Start programs. Loan forgiveness will help balance out low salaries, and it will assist with teacher retention.

Head Start is about the best thing we can do for our children, because this successful program gives children from all backgrounds a level playing field when they enter elementary school.

Mr. SESTAK. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank the gentleman for yielding.

It has been suggested that we put this in the Higher Education bill, but the Higher Education bill has been kind of stalled. And I always believe you put your cargo on the train that is moving, and this train is moving.

The Senate reported its version out of committee. I think we have a much better chance to get this done if we put it on this bill. This train is moving.

Mr. SESTAK. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. SESTAK).

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

Mr. GARRETT of New Jersey. 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 Pennsylvania will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. HIRONO

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110–116.

Ms. HIRONO. 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 Ms. HIRONO:

Beginning on page 124, strike line 8 and all that follows through line 9 on page 126, and insert the following:

''{g} MONITORING, TRAINING, TECHNICAL ASSISTANCE, AND EVALUATION.—

''(1) REQUIREMENT.—To ensure the successful operation of programs assisted under this section, the Secretary shall use funds from the portion specified in section 640(a)(6) to monitor the operation of such programs, evaluate their effectiveness, and provide training and technical assistance tailored to the particular needs of such programs.

''(2) TRAINING AND TECHNICAL ASSISTANCE ACCOUNT.—

''(A) IN GENERAL.—Of the amount made available to carry out this section for any fiscal year, not less than 5 percent, and not more than 10 percent, shall be reserved to fund a training and technical assistance account. In determining the amount so reserved, the Secretary shall consider the number of new programs serving pregnant women, infants, toddlers, and their families, recognizing their need for more intensive training and technical assistance services during program expansion.

''(B) ACTIVITIES.—Of the funds in the account described in subparagraph (A)

''(I) not less than 50 percent shall be available to local entities that carry out Early Head Start programs for training and technical assistance activities in order to make program improvements identified by such entities;

''(ii) not less than 30 percent shall be available to the Secretary to support a State-based system of early childhood education training and technical assistance to local entities that carry out Early Head Start programs that shall meet the requirements of subparagraph (C), including the creation, management, and support of a national network of the State-based infant-toddler specialists specified in such subparagraph; and

''(iii) the remainder of such amount shall be available to the Secretary to assist local entities that carry out Early Head Start programs in meeting and exceeding the standards described in section 641A(a)(1), including—

''(I) making grants to, and entering into contracts with, organizations with specialized expertise relating to infants, toddlers, and families and the capacity needed to provide direction and support to a national training and technical assistance system, in order to provide such direction and support;

''(II) providing ongoing training and technical assistance on Early Head Start program development and improvement for regional staff charged with monitoring and overseeing the administration of the program carried out under this section;

''(III) developing training and technical assistance materials and resources to support program development and improvement and best practices in providing services to children and families served by Early Head Start programs;

''(IV) creating special training and technical assistance initiatives targeted to serving high risk populations, such as children in the child welfare system and homeless children;

''(V) providing ongoing training and technical assistance to Early Head Start grantees, and support and program planning and implementation assistance for new recipients of such grants, including the conversion of Head Start grants to Early Head Start grants; and

''(VI) providing professional development designed to increase program participation for underserved populations of eligible children.

''(C) CONTRACTS.—For the purposes of delivering a State-based training and technical assistance system, as described in subparagraph (B)(ii), that will meet the needs of local grantees and provide high quality, sustained, and intensive training and technical assistance on programming for infants and toddlers to Early Head Start programs and in order to help such programs meet or exceed the program performance standards described in section 641A(a)(1), the Secretary shall—

''(i) enter into contracts in each State with 1 or more entities that have a demonstrated expertise in supporting the delivery of high quality programs for pregnant women and children less that 3 years of age, except that bi-State or multi-State contracts may be entered into if the demographics of proximal

States make such a system more appropriate;

''(ii) ensure that contracts awarded under clause (I) are in an amount sufficient to provide for each state a minimum of one full-time specialist with expertise in the development of children under age three and programming for pregnant women and such children;

''(iii) to the maximum extent practicable, ensure that the contracts awarded Under clause (I) and the services provided therein are integrated with and augment the contract or contracts awarded and services provided under section 648 (n); and

''(iv) ensure that the entities described in clause (I) determine the types of services to be provided through consultation with—

''(I) local entities that carry out Early Head Start programs;

''(II) the State Head Start collaboration office; and

''(III) the State Head Start Association.''.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentlewoman from Hawaii (Ms. HIRONO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HIRONO. Mr. Chairman, I rise today to ask for my colleagues' support for this amendment, to improve Early Head Start.

The amendment revises the training and technical assistance system by ensuring that these services are provided by entities with specific expertise in infant and toddler development. It also directs at least 50 percent of training and technical assistance funds directly to the grantees. These are the people on the ground working with children who are best able to prioritize their training needs for the purpose of program improvement.

In our hearing on the bill in the Committee on Education and Labor, we heard that Head Start providers are not getting the assistance they need under the current system. One program director said that it had been 10 months since she saw her technical assistance specialist.

The current system centralized control often results in the assistance specialist spending more time filling out forms for their supervisors than directly helping the program directors in the field. The bill we are debating today solves this problem for the Head Start program serving preschoolers by directing the responsibility for training and technical assistance responsibility into the State-based system that can better meet the needs of the local providers.

Early Head Start directors experience similar problems, and, therefore, should get a similar solution. This amendment provides that solution and, furthermore, requires that these State-based technical assistance providers include individuals with infant and toddler expertise available to work with Early Head Start providers.

Rigorous evaluations show that the Early Head Start program has made a positive difference in the lives of participating children and their families. This bill expands the Early Head Start program, which currently serves only 3 percent of eligible infants and toddlers. And as Early Head Start expands, we must ensure that individual programs have the knowledge and skills to provide positive outcomes for participants. This amendment will do that, and I urge all of my colleagues to support it.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentlewoman yield?

Ms. HIRONO. Mr. Chairman, I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I thank her very much for introducing this amendment, and we rise in support of this amendment. We think it improves the legislation, and thank her for her consideration.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to the amendment, even though I support the gentlelady's amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the gentlelady's amendment, which revises the training and technical assistance program for Early Head Start by ensuring that training and technical assistance are provided by entities with specific expertise in infant and toddler development. I believe that that makes a stronger bill, and I thank her for her amendment.

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

Ms. HIRONO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO).

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

Mr. GARRETT of New Jersey. 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 Hawaii will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MICA

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110–116.

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. 5 offered by Mr. MICA:

Page 154, line 9, strike ''2013'' and insert ''2011''.

The Acting CHAIRMAN. Pursuant to House Resolution 348, 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. Chairman, first of all, I want to take a minute to compliment Mr. MILLER and also Mr. MCKEON. This is one of the most important bills that this Congress will take up in this session because it deals with, as Mr. MILLER said, as I listened to his opening statement, with our disadvantaged youth. And, unfortunately, we have many in this country. But it gives those youth the opportunity for the future and the opportunity that we have all shared that are here on this floor and many of us listening Members.

I think the bill is a step in the right direction in requiring that at least 50 percent of all Head Start teachers nationwide have a bachelor's or advanced degree in childhood education or related field by September 30, 2013. My amendment is a simple amendment. It would move up that date 2 years, to 2011.

I am not a newcomer to this debate. I could go back to 1993, when I came here, and give statements from the floor and back over the years. My degree is in education. I am usually here on transportation and enjoy my service on that committee. But as someone educated as an educator, nothing is more important than the quality of education and those professionals that we have.

The Mica amendment moves up the date to have professionals in place to 2011. We can do that. We have done it before. We have actually required qualifications, and now we have more than a majority having an associate degree. So we have done this in the past. Currently, 38 percent of all of our Head Start teachers already meet this goal, so we are only talking about 12 percent in 4 years as opposed to 6 years.

□ 1615

Does it really take 6 years to get an additional 12 percent of the teachers to be in our most important educational program with these qualifications?

Now, we've moved this program from what I called it 14 years ago, from a glorified babysitting program, to a program that is giving our students the opportunity for quality educational opportunity. And these young people, at this age, deserve the very best. They are coming from the very worst, the worst as far as disadvantage in our society, the worst as far as opportunity, as far as family setting, as far as their readiness for school.

Mr. MILLER talked about making them ready for school. Well, do you want them ready with someone who is unqualified or someone with the best qualifications?

Better prepared, Mr. MILLER talked about. We need the most skilled professionals to give them the preparation. And these are our toughest students, the very toughest students. Do you want someone with or without qualifications?

I posed a question, and probably the reason I got this amendment out here to the Rules Committee, which is mostly composed of Democrat Members listening, there are more Head Start programs in Democrat districts than there are in Republican districts, just by the sheer economics of it, the demographics. I said, what if I came with a proposal that said, in kindergarten I'm going to recommend that we only have 50 percent of the teachers having a bachelor's degree in Democrat districts; how would you like that?

Well, this is what's happening here as you're mandating that we have a poorer quality of teachers with quality for another additional 2 years. So I think we can do better.

You heard the $24,000 average pay. That's right. We're going to increase on average a half a billion dollars, from $6.9 billion to $7.4 billion.

In my schools, in closing, there are choices. I won't name the counties, but I have seven teachers in one program with $23,000 average salary. I have nine administrators with salaries from $32,000 to $41,600; another county, 21 teachers, $20,100 average salary, eight administrators with salaries from 31- to $42,000. So it's not always how much we spend, it's how we spend it. And we need to spend it on quality education for these, our most disadvantaged students. So I urge you to consider and pass my amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman and Members of the House, I rise in opposition to this amendment, simply for the simple fact that we are trying to balance, in this legislation, the best we can do to increase the number of teachers with a B.A. degree in child education, child development and at the same time meet the other needs of the program. And to accelerate that effort on behalf of more teachers with an M.A. upsets that balance.

It's not like, with all due respect to my friend on the other side, and he shares my concern for teacher quality, it's what I've spent my public life trying to do. The fact of the matter is this is a program that essentially has received less than the COLA, last year got a 1 percent cut. And the fact of the matter is we're trying to patch it back up, trying to bring it back to the level where it was around 2002, and recognizing that we want to increase the access to a number of children, so money has to go for slots, money has to go for professional development, money has to go for quality, and money has to go for the salaries, and that's the balance that we have put in this program.

The date that you have was the date that you had at the beginning of 2005 when we started considering this legislation. That legislation didn't get through. We're now 2 years later, so we moved it back 2 years so that the programs can balance, can rebuild the quality, can add additional slots for the million children who are now waiting, and that's the balance that we arrived at on both sides of the aisle.

You could offer an amendment and say, well, there's a million children waiting. Let's put all the money into slots. Then you just reduce the quality and the availability to pay teachers to have them to stay.

So this isn't a game where you can just pick out one part of the program and say, let's put the money there, and that's the reason why we did what we did. And I don't think that this amendment is helpful in terms of our ability to hold on to current staff that have B.A.'s, and that's the staff we're trying to build, and then to attract additional ones to be able to put some money into that pay quality, and the additional slots. And I would hope that we would oppose this amendment.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I don't question the motives of Mr. MICA, but his amendment would jeopardize program quality by speeding up the deadline for the 50 percent of the Head Start teachers having their bachelor's degrees.

Budgets have really forced Head Start centers to make very difficult, sometime impossible decisions to reduce services or to serve fewer children. And I fear that the Mica amendment would exacerbate the hard choices which Head Start programs have faced over recent years because this Congress has not appropriated the kind of money we need.

The bill that came out of committee, by 42–1, establishes, I think, a rather reasonable and ambitious time line for 50 percent of our Head Start teachers to attain their bachelor's degrees. Under this time line, the bill ensures that Congress can provide the necessary funding to achieve this goal. We have to, as I think we have done in this bill which came out of committee, we have to balance the improvements in the program with the real resources. If we had unlimited resources, we could do all these things. But I think the bill balances the improvements with the resources.

Mr. GEORGE MILLER of California. Mr. Chairman, I urge a ''no'' vote on this amendment and 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 question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. MICA. 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 will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. KENNEDY

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110–116.

Mr. KENNEDY. 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. KENNEDY:

Page 3, line 2, strike ''(22) and (23)'' and insert ''(23) and (24)''.

Page 3, line 4, strike ''(20)'' and insert ''(21)''.

Page 3, line 6, strike ''(15) through (18)'' and insert ''(16) through (19)''.

Page 3, line 8, strike''(13)'' and insert ''(14)''.

Page 4, line 20, strike the close quotation and the comma at the end.

Page 4, after line 20, insert the following:

''(13) The term 'inclusive classroom' means a Head Start classroom that contains both children with disabilities and children without disabilities.'',

Page 136, line 20, strike ''and'' at the end

Page 136, line 25, strike the period at the end and insert ''; and''.

Page 136 after line 25, insert the following:

''(17) assist Head Start agencies and programs to increase the capacity of classroom staff to meet the needs of eligible children in inclusive classrooms.''.

Page 160, strike lines 6 through 12, and insert the following:

(A) in paragraph (8) by adding ''and'' at the end,

(B) by striking paragraphs (9) and (10) and insert the following:

''(9) contribute to understanding the impact of Head Start services delivered in inclusive classrooms on both children with disabilities and children without disabilities, and develop practices for increasing the availability and quality of inclusive classrooms.''.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Rhode Island (Mr. KENNEDY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. KENNEDY. Mr. Chairman, I'd first like to thank my colleague, JOHN HALL, for his work on this amendment. He was president of his local board of education and knows this issue inside and out from the local perspective. And his work on this has been absolutely instrumental in its preparation.

I also want to thank Chairman MILLER and Chairman KILDEE, without whom the work of those for whom this amendment is designed to help, the disability community, those children with disabilities, this amendment is designed to supplement.

Frankly, Mr. Chairman, this amendment is really an attempt to just support what is already in this bill in the way of support of inclusive education. What this amendment seeks to do is use those dollars in this bill for teacher education and research, to support the notion that we ought to include children in the classrooms with disabilities

so that we can both better educate those teachers teaching those children with disabilities in how to teach both children with disabilities in integrated classrooms, in inclusive classrooms, as well as learn from their experiences in doing so, both to the benefit of both children in those inclusive classrooms; and use evidence-based research that we know is constantly coming towards us in terms of how to identify children with autism, how to identify children with learning disabilities and use those new findings and be able to employ them to the benefit of these children's growth and their development.

Mr. Chairman, that is why we've introduced this amendment.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition, even though I support the gentleman's amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

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

I believe that this is an improvement to the bill and will assist Head Start programs which are required to spend 10 percent of their funds on services to disabled students in improving the quality of their programs to serve young children.

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

Mr. KENNEDY. Mr. Chairman, I'd yield 2 minutes to my good friend and colleague from New York, JOHN HALL.

Mr. HALL of New York. Mr. Chairman, I won't need that much time.

Thank you to my colleague from Rhode Island and from the other side of the floor, who just spoke in favor of this amendment. I would like to take a moment to commend all who support this issue.

There are 27 Head Start facilities in my district, and they provide critical services to families that want their children to have every opportunity to grow and succeed. I'm glad that the bill we are considering today will expand access to Head Start and help make sure that America's less well-off children can have a great chance of long-term success when they arrive in our schools.

The amendment will help to meet these goals by providing more support for inclusive education. This is the practice of teaching children with disabilities in the same classrooms as those without disabilities, and it has largely been shown to have a positive effect on the development of those children with disabilities.

The Head Start Act already requires that 10 percent of enrollment slots go to students with disabilities, and the actual number of enrollees is even higher, at about 13 or 14 percent.

Although these classrooms can provide increased educational benefits, they also present teachers and staff with increased demands. Teachers and staff have often been forced to try to handle greater responsibilities without the necessary resources. This amendment would help to bridge that gap by allowing training and technical assistance funds to be spent to enhance the ability of classroom staff to meet the needs of eligible children in inclusive classrooms.

Providing more resources for teacher training and support, this amendment would make great strides in improving the quality of the educational experience for all children in a class.

Another fundamental goal of the Head Start program is to make sure that all children have the best chance of success in school and in life. The second provision of this amendment will help to further serve those goals by working to make sure that the inclusive classroom environment benefits every student, including typically developing children. It would do so by allowing research and evaluation funding to be used in further studying the impact of inclusive classrooms on the educational experience of children with or without disabilities.

I urge my colleagues to support it.

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

Mr. KENNEDY. Mr. Speaker, let me just say, I offer this amendment in honor of my aunt, Eunice Kennedy Shriver, who started the Special Olympics, who has inspired me in this work; and my uncle, Sarge Shriver, who was the first and founding director of Head Start, both individuals who are inspirations to me and to millions in this country.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island (Mr. KENNEDY).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. PUTNAM

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110–116.

Mr. PUTNAM. 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. PUTNAM:

Page 37, beginning on line 10, strike ''subsections (a), (b), and (c) of''.

Beginning on page 39, line 21, strike '', except'' and all that follows through line 3 on page 40, and insert as period.

Beginning on page 40, strike line 7 and all that follows through line 10 on page 45, insert the following:

''(c) DESIGNATION ON COMPETITIVE BASIS.—

''(1) SELECTION.—From among entities that submit plans under subsection (b), the Secretary shall, after''.

Beginning on page 52, strike line 20 and all that follows through line 2 on page 53.

Page 53, line 3, strike ''(g)'' and insert ''(d)''.

Page 53, line 7, strike ''(h)'' and insert ''(e)''.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Florida (Mr. PUTNAM) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Florida.

□ 1630

Mr. PUTNAM. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, I rise today to urge my colleagues to support a very important amendment to H.R. 1429, and I want to commend Mr. KILDEE, Mr. MILLER, Mr. MCKEON, and the others who have worked so hard on this important bill.

Head Start is a tremendously important program in the early childhood education continuum, but it is also desperately in need of reforms.

As we all know, the purpose of Head Start is to help disadvantaged children be better prepared to enter school. But we are doing those children an enormous disservice and squandering taxpayer dollars if we do not hold the providers of Head Start services to a higher level of accountability. The existing language in 1429 allows for automatic 5-year renewal of applications, automatic renewal, if they simply meet minimum standards to the satisfaction of the review panel. Providers that don't meet the standards must enter into open competition for acceptance of their applications. I would respectfully submit this does not go far enough.

For the sake of ensuring the programs are performing better than minimal or better than good enough and as a safeguard for the taxpayers who foot the bill, I believe we should require that all Head Start providers face open competition. Such competition will encourage a higher level of performance and serve as a check on unscrupulous practices.

Mr. Chairman, I am very familiar, unfortunately, with what can happen when a provider is allowed to skate through without the discipline that comes from competition. In my own district, the Polk County Opportunity Council became a poster child for mismanagement and abuse since its dealings first became public in 2003, which actually had followed a probationary status just several years before. Years of investigation have revealed breathtaking examples of malfeasance and mendacity.

There has been everything from sweetheart deals involving the purchase of office equipment to claims for nonexistent hurricane damages, essentially amounting to insurance fraud. At one point the PCOC even fabricated a false ''certificate of compliance'' from the U.S. Department of Health and Human Services, which it tried to use to short-circuit other investigations of its misdealings. It took 3 years, 3 years, to defund that agency, and the entire appeals process along the way, and this only applies to the Head Start program, the entire appeals process was paid for not by the agency,

not by the grantee, but by the taxpayers. The taxpayers paid the bill for them to appeal mismanaging the taxpayers' dollars. Competition, I believe, an open competition, would go a long way towards solving that problem.

The effect of these abuses not only squandered taxpayer dollars, but it diverted resources from some of the neediest and most deserving members of our community. That is an outrage. We must expect better and we must do better. We cannot allow these types of abuses to become the norm. We should not maintain a system that simply continues the status quo. Let's expect providers of Head Start programs to compete with other potential providers, which, unlike during the creation of Head Start, today there are a number of State and local governments and private entities that can provide that service. Then we will truly be giving these needy children the head start they deserve.

I urge my colleagues to support the amendment.

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

Mr. KILDEE. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. Mr. Chairman, the Putnam amendment would jeopardize the seamless services that many high-quality Head Start programs with very deep roots in their communities provide to disadvantaged children. Because the quality of our Head Start programs is critical to ensuring that disadvantaged children receive the benefits of Head Start, this bill, which passed out with only one dissenting vote from committee, implements a new process to recompete underperforming programs. The amendment by Mr. PUTNAM guts the bill's provision to ensure that high-quality Head Start programs do not have to recompete for their grants.

They are reviewed by a panel of experts we put in place to look at them. They are reviewed and have to satisfy that review, but they do not then have to recompete.

The Putnam amendment also eliminates the bill's provisions to ensure a fair and equitable process for recompeting underperforming Head Start programs. And we worked hard to get a fair and equitable process for that.

By striking those provisions, which he does in his amendment, the Department of Health and Human Services is authorized to create its own system for recompetition.

We worked hard with the Head Start community to try to ensure that we would have a panel of experts that would assure that the unperforming programs were really improved or put out of the system but not have the high performing have to go through the recompetition process every 5 years, but be reviewed by the panel of experts.

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

Mr. PUTNAM. Mr. Chairman, I yield 30 seconds to the distinguished ranking member from California.

Mr. MCKEON. I thank the gentleman for yielding.

Mr. Chairman, I think this is a good amendment that Mr. PUTNAM has put forth. I don't think we should fear competition. I think the idea that once a program is granted, it should have lifelong tenure, I think, is something we should avoid. I think competition and accountability is good. Once every 5 years, programs that are good should not fear competing to keep the program for another 5 years. I think it is always good to have somebody coming up behind you that is going to make you do a little bit better.

Mr. KILDEE. Mr. Chairman, I yield back the balance of my time.

Mr. PUTNAM. Mr. Chairman, the amendment provides for competition among agencies that are given millions of dollars to manage programs for our neediest children. And unlike during the creation of the Head Start program, today across America there are thousands of potential providers. School boards are now in the early childhood business. United Way is now in the early childhood business. Local communities are now in the early childhood business, providing tremendous educational opportunities for our neediest young people before they enter kindergarten.

We want them to enter kindergarten ready to learn, and we want to guarantee that the grantees that are managing these precious Head Start dollars are running an adequate, professional, thoughtful program and being good stewards of the people's money. By providing for recompetition every 5 years, we are guaranteeing, as my ranking member friend from California said, that they understand that it is not their birthright to continue that.

I urge my friends to support this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. PUTNAM).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. MCKEON. 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 will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. PORTER

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110–116.

Mr. PORTER. 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. PORTER:

Page 159, line 12, strike the close quotation and the period at the end.

Page 159, after line 12, insert the following:

''(g) STAFF RECRUITMENT AND SELECTION PROCEDURES.—Before a Head Start agency employs an individual, such agency shall—

''(1) conduct an interview of such individual;

''(2) verify the personal and employment references provided by such individual; and

''(3) obtain—

''(A) a State, tribal, or Federal criminal record check covering all jurisdictions where the grantee provides Head Start services to children;

''(B) a State, tribal, or Federal criminal record check as required by the law of the jurisdiction where the grantee provides Head Start services; or

''(C) a criminal record check as otherwise required by Federal law.''.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Nevada (Mr. PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

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

It is an honor to be here to talk about something very critical, I think, to our families and communities across the country.

If you recall, last year this body passed historic legislation providing for protection of our children in light of the abuse of our kids throughout schools across the country. We passed legislation to provide for 24 additional States to do background checks on teachers via FBI background and other means through law enforcement. Unfortunately, 24 States were not allowed to, for many different reasons, and that legislation provided for these background checks. Through my amendment that is being proposed today, close to a million kids that are in the Head Start program will have the same tools available to them that we passed just last year to help kids in K–12.

There is one tragic example. There is one grantee in this country that between 2001 and 2005 did not perform background checks on their employees. They finally did background checks. Out of 660 employees, close to 106 had criminal charges against them, including first degree murder, involuntary manslaughter, domestic abuse, assault, child abuse, DUI, and violent crimes.

Mr. Chairman, my language ensures that Head Start programs will have all the databases containing criminal records available to them to make sure that our parents can feel that their most precious resource, their children, will be safe in the Head Start program.

Mr. Chairman, I yield such time as he may consume to Ranking Member MCKEON.

Mr. MCKEON. Mr. Chairman, I thank the gentleman for yielding.

And I have seen the work that he has done over the years in protecting children. I think that children are our most vital asset. And because of the risk out there of the kind of lawbreakers that he mentioned that we could eliminate by having a good, solid

background check, I think this is a tremendous amendment. I think it really strengthens the bill.

I thank the gentleman for his work on behalf of children, and I urge support of the amendment.

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

Mr. KILDEE. Mr. Chairman, I rise to speak in support of the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. KILDEE. Mr. Chairman, we support the amendment.

Many of these are included in the regulations, but you would put it in the statute now and expand them, and I think you have done a very good job in your expansion of that.

I commend you for your work on this. I commend you for your concern for children. It is very important. We certainly want to protect our children, and I think this is a very good amendment and we support it.

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

Mr. PORTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada (Mr. PORTER).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. CARNAHAN

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 110–116.

Mr. CARNAHAN. 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 Mr. CARNAHAN:

Page 35, after line 10, insert the following (and make such technical and conforming changes as may be appropriate):

(d) ENROLLMENT.—Section 640(g) of the Head Start Act (42 U.S.C. 9835(g)) is amended by adding at the end the following:

''(5) In the event that the amounts appropriated to carry out the program under this subchapter do not exceed the amount appropriated in the prior fiscal year, or exceed the amount appropriated in the prior fiscal year by an amount equal to less than the percentage change in the Consumer Price Index For All Urban Consumers, as published by the Bureau of Labor Statistics, Head Start grantees may negotiate with the Secretary a reduced funded enrollment level without a reduction in the grant amount if such grantee can demonstrate that such reduction is necessary to maintain the quality of services.

''(A) In accordance with this paragraph, the Secretary shall set up a process for grantees to negotiate the above-mentioned reduced funded enrollment level.

''(B) Under the conditions detailed in this paragraph, the Secretary shall be required to notify grantees of their right to negotiate a reduced funded enrollment level if such grantee can demonstrate that such reduction is necessary to maintain the quality of services.''.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Missouri (Mr. CARNAHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

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

I want to really thank Chairman MILLER and Ranking Member MCKEON for their leadership on this bill under consideration today. The Improving Head Start Act of 2007 is a very good bill, and I am pleased to be able to support it and be here today and speak on this amendment.

I want to inquire first, before I got into the text of this, if there are any others that wanted to speak on our side, having just gotten into the Chamber. If not, I will proceed.

I am presenting this amendment to H.R. 1429 based on recommendations I received from my district Head Start leaders to address the goal of maintaining quality in the Head Start program. My amendment would allow for Head Start grantees to negotiate a funded enrollment level with the HHS Secretary if funding for the program does not keep pace with inflation.

Over the past 3 years, Head Start and Early Head Start have experienced an estimated 8 percent real decline, adjusted for inflation, in Federal funding from fiscal year 2002 through fiscal year 2007. If this trend were to continue, the decline in funding would climb to 10 percent for Head Start programs. If President Bush's budget were to become law, the Head Start programs would suffer an 11 percent cut.

This decline in funding has required already efficient Head Start agencies across the country to tighten their belts even more. Sadly, local agencies are now forced to pass these cuts on to quality staff.

□ 1645

By default, agencies are unable to compete for the best and brightest of early childhood educators, thus risking the quality of Head Start programs. Our local agencies are forced to make the worst in managerial choices. As Chairman MILLER and others have pointed out, we must maintain and enhance both funding and quality.

In my congressional district, I am proud to say that the four primary organizations responsible for administering Head Start services have successfully revitalized the program in the city of St. Louis. From 2001 to 2003, the enrolled number of children grew from about 1,000 to a full enrollment of 3,000 children.

Unfortunately, the compensation of St. Louis area Head Start staff has lagged behind the salaries of those in comparable positions. After consulting with some of the brightest business leaders in our area, our local agencies have taken extraordinary steps to conserve costs and maximize efficiencies. Even with these steps, agencies are unable to keep staff compensation in line with inflation increases both in wages and insurance costs.

Programs in St. Louis and across the country are at a serious risk of losing quality staff due to this critical situation. In fact, many of you may have agencies within your districts that have experienced worse cuts across their service lines. They have turned to cutting key staff, reducing the number of weeks they operate in a year, and reducing the number of hours they operate in a day just in order to adjust for financial constraints. We must ensure that the historic quality and strength of Head Start is not placed in jeopardy.

Many of us know the vast evidence demonstrating the profound difference Head Start makes both in the lives of children served and in our local communities. I know that has been talked about at great length here in presenting this bill.

I just want to close and say, I think all of us would agree that Head Start programs should not have the right to request reduced enrollment levels unless they have taken all appropriate steps to achieve efficiency first. I want to clarify that my amendment gives HHS the discretion to determine whether or not individual agencies have explored all possible solutions prior to requesting reduced funded enrollment. The grantee must demonstrate that any reduction in enrollment is necessary to maintain the quality of services.

I appreciate, again, all the efforts on this bill that have brought this forth in a bipartisan way, and appreciate the amendment being considered.

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I thank the gentleman.

Mr. Chairman, I rise in support of the amendment. This is what agencies have to do when the funding isn't sufficient and they are trying to hold on to the number of children, the hours of availability of the program and the quality of the teachers that are there. In the past when we had the cut, I believe the agency, HHS, allowed some local programs to do this. I would hope that this will not be a necessity. We are adding an additional $400 million to this program. I hope that the Appropriations Committee will be able to follow through.

The amendment is a good amendment. I hope we don't have to use it, but it's a good amendment.

Mr. MCKEON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, this amendment allows grantees to negotiate a reduced enrollment level with the Secretary of HHS if the amounts appropriated for Head Start do not exceed the prior year's appropriation or include an increase commensurate with

the cost-of-living allowance. In effect, this amendment allows grantees to cut services for children and kick children out of the Head Start program if Congress does not appropriate ever-higher funding amounts for Head Start.

I think all of us want to service as many children as we can, and we want to have as high an appropriation level as we can, but if we fail to appropriate higher numbers, I don't think we should take it out on the children. I ask my colleagues, is Head Start an early education program or a jobs program?

We believe the purpose of Head Start is to help our Nation's most vulnerable youngsters lay the foundation for a very successful academic future. This misguided amendment has the potential for denying these children Head Start services, and I therefore urge my colleagues to oppose 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 Missouri (Mr. CARNAHAN).

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

Mr. MCKEON. 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 Missouri will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. CUELLAR

The Acting CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 110–116.

Mr. CUELLAR. 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 Mr. CUELLAR:
Page 163, after line 3, insert the following (and make such technical and conforming changes as may be appropriate):

''(ii) a description of the type of assessment or assessments used to determine the rate of progress made by limited English proficient children;''.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I rise today to encourage my colleagues to support my amendment to the Improving Head Start Act of 2007.

First of all, I would like to thank Chairman MILLER, Ranking Member MCKEON, Chairman KILDEE and Ranking Member CASTLE for bringing this legislation to the floor.

Ensuring that Head Start continues to serve our communities is important to all of us. This straightforward amendment builds upon the strong foundation of this year's reauthorization. The reauthorization requires the Secretary of Health and Human Services to conduct a study of Head Start students with limited English proficiency.

Studies have proven that the easiest time to learn a new language is when a child is young. With this in mind, early childhood is an important time for students with limited English proficiency to improve their grasp of the English language. Students who are fluent in multiple languages are better positioned to perform well in school.

The legislation requires studies of the progress limited English proficiency students make towards proficiency. The amendment that I offer simply asks that the assessment used to determine progress in the English language skill development be described.

The explanation of what is used is important for a couple of reasons. First, Head Start service providers will become more uniform in their instruction. If a description of assessment is not required, however, there may be a higher likelihood that it will become arbitrary.

Second, educators learn from the practices of their colleagues. By having all Head Start providers describe the assessments they use, meaningful information will be gathered to help educators get ideas and make better informed decisions about their own practices. Enhancing consistency and sharing methods are meaningful ways we can help students with limited English proficiency make the progress that they need to make.

My amendment is supported by the National Council of La Raza, the National Education Association, the Texas Migrant Council and the Texas Head Start Association. I urge my colleagues to support my amendment.

Mr. Chairman, I yield 1 minute to Chairman MILLER, the gentleman from California.

Mr. GEORGE MILLER of California. I thank the gentleman, and I rise in support of his amendment. I think his explanation is correct, that this will provide not only perhaps more uniformity in terms of the assessments, but also communications between programs as to which assessments are really working and which assessments are appropriate for this purpose. I think it is a good amendment, and I would hope that we would accept it. I thank the gentleman for offering it.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition, even though I support the gentleman's amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. Mr. Chairman, I rise in support of the amendment. I think it makes the bill stronger. Examining the number of children who are limited in English proficiency and monitoring the progress of these children is important to their mastery of the English language and will help determine future successes for these students in meeting the same challenging State academic content and student academic achievement standards that all children are expected to meet.

I support the amendment, and I encourage our colleagues to support the amendment.

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

Mr. CUELLAR. Mr. Chairman, again, I want to thank Chairman MILLER, Ranking Member MCKEON, Chairman KILDEE and Ranking Member CASTLE for their support. And again, I ask for their support on this amendment and on the reauthorization of the Head Start Act of 2007.

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

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. SHULER

The Acting CHAIRMAN. It is now in order to consider amendment No. 11 printed in House Report 110–116.

Mr. SHULER. 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 Mr. SHULER:
Page 2, line 4, insert ''(a) SHORT TITLE.__''.
Page 2, after line 5, insert the following:

(b) SENSE OF THE CONGRESS.—The Congress—

(1) finds that—

(A) while the steady economic growth and low inflation in the United States has yielded unprecedented prosperity, many children and families in this country have not benefited from this prosperity and continue to be socioeconomically disadvantaged,

(B) many community- and faith-based organizations have expertise in moving individuals and families from dependency to self-sufficiency by providing families with the tools and skills they need to participate in the community and contribute to our economy,

(C) the Head Start Act was established to help prepare low-income young children to succeed in school and in life by addressing the needs of the whole child and providing comprehensive services such as health and nutrition,

(D) research confirms that children who attend Head Start programs enter school better prepared than low-income children who do not attend the program, are less likely to need special education services, to repeat a grade, or commit crimes in adolescence, and are more likely to graduate from high school,

(E) community- and faith-based organizations have participated in Head Start programs since the enactment of the Head Start Act in 1965 and continue to serve more than 90,000 children and their families,

(F) parents have an integral role in the development and implementation of Head

Start programs, community- and faith-based providers of Head Start services employ parents and encourage parents to volunteer in the programs because parents are children's most important and influential teachers,

(G) community- and faith-based providers of Head Start services not only serve the needs of low-income children and their families but enrich, strengthen and reflect the diversity of the communities wherein they reside, and

(H) the Head Start Act is a critical component of America's civil rights platform, and community and faith-based organizations have been leaders in the civil rights movement in the United States,

(2) supports the continued role of community and faith-based organizations in Head Start programs as providers of comprehensive services to children, families, and communities, and

(3) extends its gratitude to community- and faith-based organizations that provide Head Start services, and to the employees and volunteers for their commitment to the education, health, and economic well-being of low-income children and families.

Page 52, after line 19, insert the following:

''(3) CONTINUED ELIGIBILITY.—Faith-based and community-based organizations continue to be eligible, on the same basis as other organizations, to participate in any program under this subchapter for which they are otherwise eligible.''.

Page 120, at the end of line 15, add the following:

Faith-based and community-based organizations continue to be eligible, on the same basis as other organizations, to participate in any program under this section for which they are otherwise eligible.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from North Carolina (Mr. SHULER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

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

Mr. Chairman, I am proud to be a product of Head Start. As a young boy, I attended a Head Start program, and that helped make me the man that I am today.

It's time for Congress to recognize that faith communities contribute to Head Start. That's why I am proud to introduce this amendment today, along with Congressman ELLSWORTH, Congressman DONNELLY, Congressman CARNEY and Congressman LOEBSACK.

This amendment thanks the community and faith-based organizations for the good work that they have done running the Head Start programs. It also confirms its right to continue running these programs.

I urge my colleagues to support this amendment.

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

Mr. MCKEON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

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

Mr. Chairman, let's be very clear at the outset about why this amendment is being considered today: It's all about political cover. It has nothing to do with protecting the civil rights of faith-based providers. If that is what we are out to do today, we would be considering Mr. FORTUÑO's amendment right now. Instead, the majority has brought up a hollow, politically motivated attempt to have it both ways. On one hand, this amendment cheers the work of faith-based providers and recognizes their contributions to our Nation; but on the other hand, it leaves them completely unprotected when it comes to their right to preserve their identity while serving children in Head Start. Frankly, this is insulting to faith-based organizations as it is transparent. Let me elaborate.

With respect to hiring authority, section 702(a) of title VII of the Civil Rights Act of 1964, as amended in 1972, states, ''This subchapter shall not apply 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.''

Mr. Chairman, does this amendment reaffirm the language from this statute? No, it does not.

Consistent with this language from the Civil Rights Act, former President Clinton signed four laws that explicitly allow religious organizations to retain their right to staff on a religious basis when they receive Federal funds. The 1996 welfare reform law, the Children's Health Act of 2000, the Community Services Block Grant Act of 1998, and the Community Renewal Tax Relief Act of 2000 each contain language that reflects the language offered to the Rules Committee yesterday by Mr. FORTUÑO.

Mr. Chairman, does this amendment reaffirm the language signed into law on four separate occasions by former President Clinton? No, it does not. The FORTUÑO amendment would codify a 2002 executive order protecting the right of a participating faith-based organization to display a cross or other religious symbols on its grounds. Mr. Chairman, does this amendment do the same? No, it does not.

This amendment may have been written in such a way that may run counter to that executive order, potentially endangering rights faith-based providers already enjoy.

In short, Mr. Chairman, in an attempt to play politics, this amendment is, at best, an attempt to provide political cover for Members who do not want to take a real vote on the issue; and at worst, a poorly drafted measure that may end up turning back the clock on the rights of faith-based providers to display religious symbols. Because of that, I urge my colleagues to oppose it.

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

□ 1700

Mr. SHULER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY. Mr. Chairman, we don't need any political cover. We are proud to stand for this amendment. The only political games are those being played by others.

I rise in support of this amendment, recognizing the important role that faith and community-based organizations play in Head Start's continued success. Head Start has been instrumental in advancing the development of comprehensive skills in disadvantaged children during the crucial years before they enter elementary school. Since 1965, Head Start has been a resounding success; in no small part because of faith-based organizations, organizations I support fully.

Since the beginning, community and faith-based organizations have been a part of this program and currently serve more than 90,000 children and their families. Faith-based organizations play a critical role because they are intimately familiar with the community in which they serve and are driven by a moral commitment to our youth.

This amendment reaffirms Congress' strong support for their current and future involvement in Head Start, making clear that regardless of rumors to the contrary, they will remain eligible on the same basis as other organizations to participate in Head Start.

Mr. Chairman, I urge all my colleagues to support this amendment and the passage of H.R. 1429. I am proud to support it and the faith-based organizations that will serve it.

Mr. SHULER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding and for offering this amendment.

It is interesting that the other side would now oppose this amendment, but all day long they have been citing us the executive order with the exact same language in it as the basis for the right of faith-based organizations to participate in this program, a right that they have exercised now for more than 40 years. What your amendment does is to take it from the regulations and put it into the statute to guarantee them that right in the law, not just in the executive order and in the regulations.

In my own district, the First Baptist organization runs the Head Start program. They do a marvelous job. The reason they are kicking up the smokescreen around Mr. SHULER's amendment is that they want to protect themselves, because they are going to come here with an amendment that is going to try to give people the right to discriminate against people based upon their religion, the right to discriminate with Federal dollars on religion.

What Mr. SHULER's amendment does is to make sure that we do not weaken

the ability of faith-based organizations to participate, as they have over their proud history. That is why the broadest array of religious organizations will oppose what is going to be offered in the motion to recommit, but strongly support, strongly support, the Shuler amendment to add this language to the statute to provide this protection and to provide this recognition of the historical service and the ongoing service that these faith communities have provided to the children that are eligible for Head Start to provide that quality education year after year after year after year.

That is what this amendment does. We should welcome it. We should adopt it overwhelmingly in this House and get on with the debate.

Mr. Chairman, I thank the gentleman and his cosponsors for offering this amendment.

Mr. SHULER. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana (Mr. ELLSWORTH).

The Acting CHAIRMAN. The gentleman from Indiana is recognized for 45 seconds.

Mr. ELLSWORTH. Mr. Chairman, I am proud to be a sponsor of this amendment, and I urge my colleagues to support it.

This amendment honors faith-based and community-based organizations that provide essential health services and education to thousands of low-income children each and every day. This program is a perfect example of government and faith-based organizations partnering to provide every child an equal playing field in school and in life, and we must ensure these churches and schools receive the support they need.

This amendment demonstrates our support to the thousands of families across Indiana who depend on Head Start programs run by faith-based and community organizations. These programs are dedicated to ensuring equal opportunities for Hoosier children, and I am proud to support them today on the House floor.

I urge my colleagues to support this amendment and to pass this important bill.

Mr. MCKEON. Mr. Chairman, I would like to read an excerpt from the Family Research Council. ''This bill should help ensure that faith-based organizations with proven records of serving the neediest among us will be allowed the freedom to hire the best staff they see fit, free of burdensome regulation.''

Unfortunately, it does not. If we had been able to discuss the Fortuño amendment today, we would have been able to vote on ensuring what they are asking for here. Later on in the discussion, I will add these letters, along with several others I have in support of the Fortuño amendment and in opposition to this amendment.

Mr. Chairman, with that, I urge my colleagues to defeat this amendment.

Mr. MCKEON. Mr. Chairman, I submit the following letters for the RECORD:

THE CENTER FOR PUBLIC JUSTICE.

April 30, 2007,

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. JOHN BOEHNER,
House Minority Leader,
Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER BOEHNER: The Coalition to Preserve Religious Freedom, a multi-faith alliance of education, social-service, and religious freedom organizations, asks for your support to make federal social programs fully open to the participation of qualified faith-based organizations. We are concerned that some federal legislation does not adequately invite faith-based participation, while ensuring the religious liberty of beneficiaries. We are also concerned that other federal legislation, such as the Workforce Investment Act and the Head Start Act, has language excluding faith-based organizations that desire to retain their freedom when hiring to take account of the religious convictions of potential employees.

We ask in particular for your support to make the Head Start program hospitable to faith-based organizations when H.R. 1429, the Improving Head Start Act, comes up for floor action.

In the Education and Labor Committee's recent markup of the bill, Resident Commissioner Fortuno's amendment to clarify the eligibility of faith-based organizations to participate in Head Start unfortunately was defeated. The amendment would have added language making it explicit that faith-based organizations are eligible to take part on the same basis as secular organizations, without being required to minimize their religious character. Such language reflects the U.S. Supreme Court's turn in First Amendment interpretation to the equal treatment or neutrality standard.

As part of the confirmation of the equal eligibility of faith-based providers, the amendment provided that religious organizations participating in Head Start would no longer be required to waive their freedom under the 1964 Civil Rights Act to take account of religion when making employment decisions. We understand that some members regard such an affirmation of the Civil Rights Act's standard as introducing pernicious religious job discrimination into the federal early childhood education program. Yet the Civil Rights Act expressly provides that it is not to be regarded as discrimination when a religious organization considers religion when evaluating potential employees.

We believe that the Civil Rights Act got it right on this, just as we believe that political and environmental organizations must be free to assess job candidates on the basis of ideological conviction. We see no reason why religion (or political views or environmental convictions) would suddenly become irrelevant to an organization's internal life and commitments when it agrees to serve its community in a partnership with government. Nor is it unconstitutional for a religious organization that receives government funds to continue to staff on a religious basis. The federal judge in the major 2005 religious staffing case, Lown v. Salvation Army, resoundingly affirmed the contrary.

We respectfully request that you disavow the characterization made by some members of Congress that religious staffing by faith-based organizations is invidious ''Job discrimination.'' ''We request that you support the continuing effort in Congress to remove from federal programs language contradicting the Civil Rights Act's affirmation of the religious staffing freedom. We believe that programs such as Head Start and the Workforce Investment Act should be brought into line with the large majority of federal programs that do not restrict religious staffing by faith-based organizations that desire to collaborate with the government to provide assistance.

Thank you.

Sincerely,

STANLEY W. CARLSON-THIES,
The Center for Public Justice.

On behalf of the Coalition to Preserve Religious Freedom and the undersigned organizations:

Organizations are listed for identification purposes only.

Dr. Robert C. Andringa, President Emeritus, Council for Christian Colleges and Universities.

Anne R. Apodaca, Executive Director, New Mexico Community FaithLinks.

Dr. Art Ayris, President, The Florida Bridge.

Greg Baylor, Director, Center for Law and Religious Freedom, Christian Legal Society.

Richard Cizik, Vice President for Governmental Affairs, National Association of Evangelicals.

Rabbi Abba Cohen, Director and Counsel, Washington Office, Agudath Israel of America.

Paul Corts, President, Council for Christian Colleges and Universities.

Lisa Cummins, Center for New Communities.

Rimmer DeVries, Camano Island, Washington.

Nathan Diament, Union of Orthodox Jewish Congregations of America.

Barrett Duke, Ph.D., Vice President for Public Policy and Research, Southern Baptist Ethics & Religious Liberty Commission.

Mark L. Earley, President, Prison Fellowship Ministries.

Rev. Bill Emery, Director, Virginia Roundtable.

Dr. Bernard Fryshman, President, Association of Advanced Rabbinical and Talmudic Schools, New York, New York.

Mr. Israel Gaither, National Commander, The Salvation Army, United States.

Walter Gilbert, CEO, Open Door Adoption Agency, Inc., Thomasville, GA.

Dennis Griffith, Executive Director, Teen Challenge of Southern California.

Rev. John Hughes, Metro United Methodist Urban Ministries, San Diego, CA.

Andrea Lafferty, Executive Director, Traditional Values Coalition.

Donna Long, President, The National Bridge Alliance.

John Long, President, The Georgia Bridge.

Rev. Paul Lundberg, Atwater Baptist Church, Atwater, CA.

Dr. Larry Martin, President, Kentucky Compassion Bridge.

Freddie John Martin, Teltech Development Consulting Corporation, Silver Spring, Maryland.

Tom McClusky, Vice-President for Government Affairs, Family Research Council.

Ellen McKinley, Child Development Education Alliance, Orange Park, FL.

Stephen Monsma, The Henry Institute for the Study of Christianity and Politics, Calvin College, Grand Rapids, MI.

Rev. James Ortiz, Senior Pastor, President, My Friend's House, Assembly of God, Inc., Metro Impact Ministries. Inc., Whittier Area Evangelical Ministerial Alliance, Whittier, California.

Rev. Carl Rehling, Diocesan Liaison for Justice and Peace, Episcopal Diocese of Maryland.

Shari Rendall, Director of Legislation and Policy, Concerned Women for America.

Amy L. Sherman, Director, Sagamore Institute Center on Faith in Communities, Charlottesville, VA.

Dr. Ronald J. Sider, Evangelicals for Social Action, Wynnewood, PA.

Dr. James W. Skillen, Center for Public Justice.

Taylor Smith, Jr., Vice President of Executive Support, Association of Christian Schools International.

Dr. Robert Vickers, President, Artful Askers, The Missouri Bridge.

David Winter, Chancellor, Westmont College, Santa Barbara, CA.

Karen M. Woods, Executive Director, Empowerment Resource Network.

Terrence Woodnorth, Endicott, NY.

Robert L. Woodson, Sr., Center for Neighborhood Enterprise.

Dr. Carl Zylstra, President, Dordt College, Sioux Center, Iowa.

ASSOCIATION OF CHRISTIAN SCHOOLS INTERNATIONAL, OFFICE OF GOVERNMENT AFFAIRS,

Silver Springs, MD, April 23, 2007.

Hon. NANCY PELOSI,
Speaker, U.S. House of Representatives, Washington, DC.

Hon. JOHN BOEHNER,
House Minority Leader,
Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER BOEHNER:

The Association of Christian Schools International (ACSI), which has member schools and preschools in every state, applauds the strong bipartisan vote by the U.S. House Education and Labor Committee that recently advanced the Improving Head Start Act (H.R. 1429). We know that this measure aims to strengthen the Head Start early childhood education program's teacher and classroom quality, boost coordination between Head Start and state and local early childhood programs, and increase Head Start's financial accountability. H.R. 1429 was introduced by a bipartisan group of Members, led by the Subcommittee on Early Childhood, Elementary, and Secondary Education's Chairman and Ranking Republican Member, Rep. Dale Kildee and Rep. Mike Castle. The undersigned commend these efforts.

We do have a major concern which we hope will be corrected before H.R. 1429 is voted upon and sent over to the U. S. Senate. During consideration of the Improving Head Start Act, the panel's majority chose to turn back an amendment offered by Committee Member Luis Fortuño (PR) to protect the civil liberties of faith-based providers by clarifying that these institutions are not required to relinquish their Title VII Civil Rights Act-hiring protections when they participate in the federal Head Start program. The existing and historic civil rights law explicitly protects the rights of religious organizations to take religion into account in their hiring practices, and former President Bill Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive federal funds. The Fortuño amendment also ensures that religious organizations would not be forced to remove art, icons, scripture, or other symbols in order to receive federal Head Start funds—which paralleled President Clinton's efforts [See 42 USC section 604a(d)(2)].

Faith-based groups should not be forced to give up their religious uniqueness because they want to assist the poor and hurting of their community. The faith and values that motivate these Americans to serve others should not be held against them. ACSI, with its many early education members, would like to cooperate with Head Start at the local level, but cannot because of this inappropriate Federal religious discrimination. We are hopeful that the House will have an opportunity to consider this important issue again when the Head Start bill comes to the House floor. The working-poor families who depend on Head Start services are counting on Congress to protect the Constitutional rights of both the secular and religious organizations that provide an ''educational jump-start'' for their children.

We commend HE&L Committee Member Luis Fortuño of Puerto Rico for his forthright stand that defends religious entities and their Constitutional right to be faithful to their religious beliefs, including the people they choose to hire. We are contacting many Members of both parties, asking them to protect and defend religious hiring rights of faith-based entities. And finally, ACSI and the two dozen groups or individuals who have signed this letter will do all that we can to protect potential Head Start programs that could be led by multi-faith-based groups in needy areas, but cannot because of the chilling effect of the draconian structure of current law. This is not a right to be given to Christian schools only, but to people of other faiths who represent a diverse, multi-faith society. Note additional cosigners listed on page 2.

Respectfully yours,

REVEREND JOHN C. HOLMES, Ed.D.

Organizations may be listed for purposes of identification only.

Carl H. Esbeck, Legal Counsel to the Office of Governmental Affairs, National Association of Evangelicals.

Stephen Lazarus, M. Phil., Senior Policy Associate, Center for Public Justice.

Tim McGhee, President, Mountaintop Group.

William Murray, Chairman, Religious Freedom Coalition.

Rev. Paul Weyrich, Chairman and CEO, Free Congress Foundation.

Jim Backlin, Vice President for Legislative Affairs, Christian Coalition of America.

Star Parker, Founder and President, Coalition on Urban Renewal & Education.

Robert Heckman, Central City Partners.

Maurine Proctor, President, Family Leader Network.

Gary Bauer. President, American Values.

Tom McClusky, Vice President of Government Affairs, Family Research Council.

Donald E. Wildmon, Founder and Chairman, American Family Association.

Ron Shuping, Executive Vice President, The Inspiration Networks.

Pam Pryor, Vice President of Government Affairs, We Care America.

Kevin ''Seamus'' Hasson, President, The Becket Fund for Religious Liberty.

Joseph Cella, President, Fidelis.

Dr. Carl Herbster, President, AdvanceUSA.

Stephen V. Monsma, Ph.D., Research Fellow, The Henry Institute for the Study of Christianity and Politics, Calvin College.

Robin Stephenson, M.A., Director, Early Education Services, Association of Christian Schools International.

Ron Sider, President, Evangelicals for Social Action.

Rev. Richard Cizik, M. Div., M.A., Vice President of Governmental Affairs, National Association of Evangelicals.

James Standish, J.D., M.B.A., Director of Legislative Affairs, Seventh-day Adventist Church.

Gregory S. Baylor, J.D., Director, Center for Law & Religious Freedom, Christian Legal Society.

The Salvation Army, USA Commander Israel Gaither, National Commander.

Hon. NANCY PELOSI,
Speaker of the House of Representatives.

DEAR MADAM SPEAKER PELOSI: The Association of Christian Schools International (ACSI) wishes it were able to commend Representatives Shuler (NC), Ellsworth (IN) and Loebsack (IA) for their amendment to H.R. 1429 regarding Head Start and the religious rights of faith-based groups. However, we cannot.

The Shuler amendment does not actually do anything. It merely lauds the history of Head Start and its relationship with faith-based groups. Should the amendment be accepted by the Rules Committee, it will only function as a ''fig leaf'' to those who do not want to vote for the legitimate Religious Freedom amendment, like the Fortuño amendment. Any worthwhile amendment must protect religious freedom for faith-based groups' right to hire co-religionists; and protect their rights to show that they are religious by what they have on their walls—such a Scripture. The Fortuño wording actually reinforces the rights religious groups obtained in Section VII of the Civil Rights Act of 1964. Such staffing freedom was held to be constitutional by the United States Supreme Court (9–0) in Presiding Bishop v. Amos in 1987. We recently sent the House Leadership a letter (see attached) that explained ACSI's position on H.R. 1429 and its need for the Fortuño amendment. This letter was cosigned by two dozen individuals and groups, including the Salvation Army, USA, which recently won a religious staffing decision in Lown v. Salvation Army in 2005.

We urge the Rules Committee to allow the Fortuño amendment to be voted upon on the House floor in an up-or-down vote. This stand-alone amendment gives Congress the opportunity to vote for or against religious freedom. Faith-based organizations that exist to impact the lives of at-risk children—especially in the inner cities—need a truly religious freedom amendment to bring hope to otherwise hopeless families.

Regrettably, the Shuler amendment would only be a way of continuing to deny truly faith-based groups from participating in Head Start with a clear conscience.

Respectfully yours,

REV. JOHN C. HOLMES, EdD,
ACSI Director, Government Affairs.

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. SHULER).

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

Mr. MCKEON. 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 North Carolina will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. SPACE

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 110–116.

Mr. SPACE. 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. SPACE:

Page 136, strike lines 21 through 25, and insert the following (and make such technical and conforming changes as may be appropriate):

''(16) provide assistance to address the unique needs of programs located in rural communities, including—

''(A) removing barriers related to the recruitment and retention of Head Start teachers in rural communities;

''(B) developing innovative and effective models of professional development for improving staff qualifications and skills for staff living in rural communities;

''(C) removing barriers related to outreach efforts to eligible families in rural communities;

''(D) removing barriers to parent involvement in Head Start programs in rural communities;

''(E) removing barriers to providing home visiting services in rural communities; and

''(F) removing barriers to obtaining health screenings for Head Start participants in rural communities.''.

Page 148, after line 25, insert the following (and make such technical and conforming changes as may be appropriate):

''(5) ensure that in entering into such contracts as described in paragraph (1), such entities will address the needs of grantees in both urban and rural communities.''.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Ohio (Mr. SPACE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Chairman, I rise today in support of the Space-Hare-Welch-Altmire amendment to H.R. 1429.

Mr. Chairman, I believe that Head Start is critical for our Nation's working families. We are a Nation founded on equality and opportunity for all. All of our Nation's children deserve the opportunity to participate in early childhood development programs regardless as to the financial standing of their families.

Head Start programs in rural areas face many unique challenges in delivering services. The January 2007 report from the National Advisory Committee on Rural Health and Human Services confirms the unfortunate reality that rural Head Start programs are, in many ways, disadvantaged.

Simply put, in rural and geographically isolated areas the distance between Head Start providers and participants is a significant mountain to climb. Especially as gas prices continue to stretch both program and household budgets, the cost of transportation can be prohibitive. These distances can also impede Head Start programs from reaching out to families eligible to participate. It is certainly a tragedy when families can't enjoy the opportunities offered by Head Start programs because they didn't know about them, not because they weren't there.

I am particularly concerned about barriers to parental involvement. I believe that parental involvement fostered by Head Start programs is incredibly important. There is no responsibility of our society more sacred or profound than raising our children. Bringing parents together to share in this experience strengthens our communities, creating bonds that can bring them closer together.

In rural areas, parental involvement is again a challenge. The realities of less advantaged areas can keep parents away from these programs. This is simply a missed opportunity to build our communities.

I believe that H.R. 1429 offers significant improvements to rural Head Start programs, and I applaud the work of my colleagues on the Committee on Education and Labor for making assistance to these areas a priority.

In particular, I wish to thank my colleague from Illinois (Mr. HARE) for his amendment in committee that draws attention to the challenges of teacher retention and the recruitment of new participants in our Nation's rural areas.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition, though I am not opposed to the gentleman's amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. Mr. Chairman, I think that this amendment makes it a stronger bill. Rural grantees are more likely to rely on home visits due to problems associated with staffing and transportation. Head Start in-home programs are required to make a minimum of 32 visits per year, or one per week. In addition, there must be a minimum of 16 group socialization activities per year.

For this reason, I rise in support of this amendment to provide additional training and support to rural Head Start programs facing these challenges to ensure that all children can access the skills necessary to succeed in school.

I urge my colleagues to support the amendment.

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

Mr. SPACE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. HARE).

Mr. HARE. I thank the gentleman for yielding.

Mr. Chairman, I am honored to join Congressmen SPACE, WELCH and ALTMIRE in introducing this amendment to improve Head Start programs for rural communities.

Much of my congressional district is rural. Therefore, I am very sensitive to the unique challenges that Head Start centers and rural families face in providing or accessing Head Start programs. Some of these challenges include instructor shortages, access to Head Start programs and outreach to eligible families.

As a member of the Education and Labor Committee, I had the privilege of addressing these concerns during the markup of this bill. The amendment we present today expands those efforts by directing the Education Secretary to provide the technical assistance and training to remove barriers to professional development, parental involvement, home visits and health screening in rural areas.

It is my hope that with this commitment from the Secretary and with the addition of services geared towards the needs of rural families, more eligible children will enroll in and experience the benefits of the Head Start program. Rural communities consist of the low-income populations that Head Start was created to serve. Therefore, it is critical that we address the challenges these communities face in administering Head Start to ensure that those families have the access to the opportunities they need and they so much deserve.

Again, I thank my colleagues for helping me on this issue, and I urge all Members to vote ''yes'' to improve the rural Head Start program by passing the Space-Hare-Welch-Altmire amendment.

Mr. SPACE. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Chairman, I thank the gentleman from Ohio for his leadership on this issue, and I rise in strong support of this amendment. I am happy to lend my name to it, because this amendment simply says that rural communities which have distinct needs in Head Start programs will now have a level playing field with the changes that have been made under H.R. 1429, which I strongly support.

This bill builds on Head Start's proven success in a way that is going to benefit parents and teachers who are involved in the program. We want to ensure through this amendment that those successes carry forward into rural communities, specifically as it relates to professional development, parental involvement, home visits and health screenings.

So I am pleased to lend my name to this. It is a great amendment, and I thank the gentleman from Ohio for his leadership.

Mr. SPACE. Mr. Chairman, I yield the balance of my time to the gentleman from California, Chairman MILLER.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman from Ohio for offering this amendment and for bringing this perspective to this legislation, along with Mr. HARE and Mr. ALTMIRE and Mr. WELCH, and for representing the rural communities and raising these issues during this debate and during the consideration of this legislation.

Sometimes issues get overlooked in the rush to reauthorize the bill and to reauthorize it from a single perspective, so I appreciate this information that they have brought to us. I think the direction to the Secretary to review and to look at these barriers and to see what we can do to remove them so that we can assure both the participation of the children in the program and of their families and their parents as is designed by the law is important.

Mr. Chairman, I urge the adoption of the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. SPACE).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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 Mr. PRICE of Georgia.

Amendment No. 3 by Mr. SESTAK of Pennsylvania.

Amendment No. 4 by Ms. HIRONO of Hawaii.

Amendment No. 5 by Mr. MICA of Florida.

Amendment No. 7 by Mr. PUTNAM of Florida.

Amendment No. 9 by Mr. CARNAHAN of Missouri.

Amendment No. 11 by Mr. SHULER of North Carolina.

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. PRICE OF GEORGIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) 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 165, noes 254, not voting 18, as follows:

[Roll No. 277]

AYES—165

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
Everett
Fallin
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
LaHood
Lamborn
LaTourette
Lewis (CA)
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Smith (NE)
Smith (TX)
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—254

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
English (PA)
Eshoo
Etheridge
Farr
Ferguson
Filner
Flake
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gonzalez
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
Kuhl (NY)
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Whitfield
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—18

Boehner
Brady (PA)
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Feeney
Gillibrand
Hunter
Johnson, E. B.
Lampson
McMorris Rodgers
Ortiz
Paul
Rogers (KY)
Simpson
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1740

Messrs. COHEN, RODRIGUEZ and HILL and Ms. WOOLSEY changed their vote from ''aye'' to ''no.''

Mrs. BACHMANN and Mr. SAM JOHNSON of Texas changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. SESTAK

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. SESTAK) 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 312, noes 107, not voting 18, as follows:

[Roll No. 278]

AYES—312

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berman
Berry
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Buchanan
Burgess
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Edwards
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Farr
Ferguson

Filner
Fortenberry
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—107

Akin
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Biggert
Blackburn
Blunt
Boehner
Bonner
Bono
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Castle
Coble
Conaway
Crenshaw
Culberson
Davis, David
Deal (GA)
Doolittle
Dreier
Duncan
Ehlers
Everett
Fallin
Feeney
Flake
Forbes
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hoekstra
Inglis (SC)
Issa
Johnson, Sam
Jordan
King (IA)
Kingston
Kline (MN)
Lamborn
Latham
Lewis (CA)
Linder
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McHenry
McKeon
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Pence
Petri
Poe
Price (GA)
Putnam
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Sensenbrenner
Sessions
Shadegg
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Upton
Walberg
Wamp
Weldon (FL)
Westmoreland
Wicker
Wilson (SC)

NOT VOTING—18

Berkley
Brady (PA)
Cannon
Cole (OK)
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Gillibrand
Hunter
Johnson, E. B.
Lampson
McMorris Rodgers
Ortiz
Paul
Serrano
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1747

Mr. EVERETT changed his vote from ''aye'' to ''no.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. BERKLEY. Mr. Chairman, on rollcall No. 278, had I been present, I would have voted "aye."

Mr. SERRANO. Mr. Chairman, on rollcall No. 278, had I been present, I would have voted "aye."

AMENDMENT NO. 4 OFFERED BY MS. HIRONO

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO) 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 372, noes 50, not voting 15, as follows:

[Roll No. 279]

AYES—372

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Ferguson
Filner
Forbes
Fortenberry
Fortuño
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillmor
Gohmert
Gonzalez
Gordon
Granger
Graves
Green, Al
Green, Gene
Grijalva
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt

Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—50

Bachmann
Baker
Barrett (SC)
Bishop (UT)
Blackburn
Burton (IN)
Cantor
Carter
Coble
Davis (KY)
Davis, David
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Goode
Goodlatte
Hensarling
Herger
Hoekstra
Inglis (SC)
Johnson, Sam
King (IA)
Kingston
Linder
Manzullo
Marchant
McCrery
Miller, Gary
Musgrave
Myrick
Neugebauer
Pence
Poe
Price (GA)
Radanovich
Sali
Sessions
Shadegg
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Weldon (FL)
Westmoreland

NOT VOTING—15

Brady (PA)
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Gillibrand
Gutierrez
Hunter
Johnson, E. B.
Lampson
McMorris Rodgers
Ortiz
Paul
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1756

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. MICA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MICA) 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 Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 137, noes 286, not voting 14, as follows:

[Roll No. 280]

AYES—137

Aderholt
Bachus
Baker
Barrett (SC)
Barton (TX)
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Dreier
Duncan
Everett
Fallin
Feeney
Forbes
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Granger
Graves
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kirk
Kline (MN)
Knollenberg
Lamborn
Latham
LaTourette
Lewis (CA)
Linder
Lowey
Lungren, Daniel E.
Mack
Marchant
McCarthy (CA)
McCaul (TX)
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Schmidt
Sensenbrenner
Sessions
Shuster
Simpson
Smith (NE)
Smith (TX)
Stearns
Sullivan
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (AK)
Young (FL)

NOES—286

Abercrombie
Ackerman
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Cannon
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Farr
Ferguson
Filner
Flake
Fortenberry
Frank (MA)
Gerlach
Giffords
Gilchrest
Gonzalez
Goode
Goodlatte
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Pitts
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rohrabacher
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—14

Brady (PA)
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Gillibrand
Hunter
Johnson, E. B.
Lampson
McMorris Rodgers
Ortiz
Paul
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1803

Mr. CAPUANO changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. LOWEY. Mr. Chairman, during rollcall vote No. 280 on H.R. 1429, I mistakenly recorded my vote as ''aye'' when I should have voted ''no.'' I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 280.

AMENDMENT NO. 7 OFFERED BY MR. PUTNAM

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. PUTNAM) 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 Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 161, noes 262, not voting 14, as follows:

[Roll No. 281]

AYES—161

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)

Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Mahoney (FL)
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—262

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Faleomavaega
Farr
Ferguson
Filner
Frank (MA)
Frelinghuysen
Gerlach
Giffords
Gilchrest
Gonzalez
Goode
Goodlatte
Gordon
Graves
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—14

Bilirakis
Brady (PA)
Cubin
Davis, Jo Ann
Engel
Fattah
Gillibrand
Hunter
Johnson, E. B.
Lampson
McMorris Rodgers
Ortiz
Paul
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN.

The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1811

Mrs. JONES of Ohio and Mr. HILL changed their vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. CARNAHAN

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. CARNAHAN) 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 253, noes 171, not voting 13, as follows:

[Roll No. 282]

AYES—253

Abercrombie
Ackerman
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Eshoo
Etheridge
Faleomavaega
Farr
Ferguson
Filner
Frank (MA)
Gerlach
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOES—171

Aderholt
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Hall (TX)
Hastert
Hastings (WA)

Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—13

Brady (PA)
Cubin
Davis, Jo Ann
Engel
Fattah
Gillibrand
Hunter
Johnson, E. B.
Lampson
McMorris Rodgers
Ortiz
Paul
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1820

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. SHULER

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. SHULER) 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 229, noes 195, not voting 13, as follows:

[Roll No. 283]

AYES—229

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Faleomavaega
Farr
Filner
Frank (MA)
Giffords
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Skelton
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—13

Brady (PA)
Cubin
Davis, Jo Ann
Engel
Fattah
Gillibrand
Hunter
Johnson, E. B.
Lampson
McMorris Rodgers
Ortiz
Paul
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining on this vote.

□ 1828

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. WEINER) having assumed the chair, Mr. KIND, 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. 1429) to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes, pursuant to House Resolution 348, 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 amendment reported from the Committee of the Whole?

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. PRICE of Georgia. Mr. Speaker, isn't it true that under the rules adopted by this House, the number of votes

allowed in the Committee of the Whole is different than the number of votes allowed when the House sits?

The SPEAKER pro tempore. The gentleman is correct.

Mr. PRICE of Georgia. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. PRICE of Georgia. Isn't it further true, Mr. Speaker, that because of the rules, any re-vote in the House on an amendment that passed in the Committee of the Whole with full participation, the total votes cast would be different?

The SPEAKER pro tempore. That is correct.

Mr. PRICE of Georgia. I thank the Speaker.

The SPEAKER pro tempore. 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.

□ 1830

MOTION TO RECOMMIT OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCKEON. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. McKeon moves to recommit the bill (H.R. 1429) to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendment:

Page 172, after line 8, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 22. OPERATIONAL RULE.

The Head Start Act (42 U.S.C. 9831 et seq.) is amended by inserting after section 654 the following:

"SEC. 654A. OPERATIONAL RULE.

''(a) RELIGIOUS ORGANIZATIONS INCLUDED AS NONGOVERNMENTAL PROVIDERS.—For any program carried out under this subchapter, the Federal Government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. The Federal Government shall not discriminate in the administration of this subchapter against an organization that provides assistance under, or applies to provide assistance under, this subchapter, on the basis that the organization has a religious character.

''(b) RELIGIOUS CHARACTER AND INDEPENDENCE.—

''(1) IN GENERAL.—A religious organization that provides assistance under a program described in subsection (a) shall retain its religious character and control over the definition, development, practice, and expression of its religious beliefs.

''(2) ADDITIONAL SAFEGUARDS.—The Federal Government shall not require a religious organization—

''(A) to alter its form of internal governance; or

''(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to provide assistance under a program described in subsection (a).

''(3) EMPLOYMENT PRACTICES.—Section 654 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 section 654.

''(c) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided directly to a religious organization to provide assistance under any program described in subsection (a) shall be expended for sectarian worship, instruction, or proselytization.

''(d) FISCAL ACCOUNTABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing assistance under any program described in subsection (a) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

''(2) LIMITED AUDIT.—Such organization shall segregate government funds provided under such program into a separate account. Only the government funds shall be subject to audit by the government.''.

Mr. MCKEON (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in support of his motion.

Mr. MCKEON. Mr. Speaker, because of a flaw in the Federal Head Start law, faith-based institutions have been forced to relinquish their civil liberties if they choose to participate in the Federal early childhood program we are poised to reauthorize today.

A sham of an amendment adopted earlier today applauded these organizations but did nothing to protect faith-based providers' civil rights. This motion to recommit does.

We have had this debate many times before here on the House floor, and 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 as ''discrimination.''

The 1964 Civil Rights Act makes clear that faith-based groups may serve their communities without being forced to give up the right to employ individuals who share the tenets and practices of their faith. Mr. Speaker, 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 Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive Federal funds. Was he pro-discrimination? No.

The motion to recommit we are considering today is offered in the same spirit as the 1964 Civil Rights Act, the 1987 Supreme Court decision, and President Clinton's signature on those four bills.

I commend the gentleman from Puerto Rico (Mr. FORTUÑO) for offering this as an amendment before the Rules Committee yesterday.

Mr. Speaker, I now yield the balance of my time to Mr. FORTUÑO.

Mr. FORTUÑO. Mr. Speaker, thank you for allowing me to speak today on the motion to recommit H.R. 1429, the Improving Head Start Act of 2007. I must commend Chairmen MILLER and KILDEE and Ranking Members MCKEON and CASTLE for completing work on this important reauthorization.

This motion to recommit would ensure that, one, religious organizations that are participating in the Head Start program are allowed to take religion into account in their hiring practices; and, two, religious organizations that are participating in the Head Start program are not discriminated against on the basis of their religious character and are not required to alter their form of governance or remove religious art, icons, or scripture or other symbols if they decide to participate in the Federal Head Start program.

Faith-based organizations, such as churches, synagogues and other faith-based charities, are a central part of the fabric of communities across America. Many of these organizations provide assistance and services to the neediest members of society, offering a helping hand to the least fortunate among us. Faith-based organizations can make a vital contribution to Federal assistance programs and are critical to the survival of many communities and to the improvement of the lives of countless individuals.

When faith-based groups hire employees on a religious basis, they are exercising their civil rights and liberties. The Civil Rights Act made clear when faith-based groups hire employees on a religious basis, it is an exercise of the group's civil liberties and does not constitute ''discrimination'' under Federal law. Faith-based providers who are willing to help provide early childhood education and other critical social services should not be denied this opportunity.

Faith-based organizations cannot be expected to sustain their religious 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. Without the right to continue to hire on a religious basis, religious organizations, in order to avoid such dangers, are likely to simply withdraw from the

Federal social service efforts altogether, to the loss of people in need everywhere.

Constitutional protections are included. The motion to recommit prohibits funds from being used for worship, instruction, or proselytization in keeping with constitutional requirements.

This motion to recommit does not permit religious organizations to refuse to assist individuals on the basis of religion, a religious belief, or refusal to participate in a religious practice. The nondiscrimination language of the current Head Start statute prevents discrimination in the provision of service on the basis of race, creed, color, national origin, sex, political affiliation, or beliefs.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I claim time in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, this motion should be called the ''religious job discrimination act.''

As a person of faith who believes strongly in the good work of faith-based groups, I rise to passionately oppose this ill-advised motion, a motion also opposed by the Baptist Joint Committee, the American Jewish Committee, the Episcopal Church, and the NAACP.

Our principle is simple but deeply profound. No American, not one, should ever have to pass another American's private religious test to qualify for a tax-funded Federal job. Not one American. Mr. Speaker, I shouldn't have to pass Mr. MCKEON's test if I am applying for a Head Start job program, and he should not have to pass my religious test.

The fact is that no group in America, which would be possible under this motion, should be able to accept a $1 million Head Start tax-funded grant and then literally, with your tax dollars in mind, put up a sign that says no Jews nor Catholics need apply here for a federally funded job. To do so is morally wrong. To do so is constitutionally wrong. No American, no American, not one, should ever have to choose between being true to his or her private religious faith and having a federally funded, tax-funded job.

This motion will harm the Head Start program. It will harm the work of faith-based groups. Vote ''yes'' for Head Start and ''no'' for this motion to recommit.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, I have been the pastor of the St. James United Methodist Church for 33 years. The bishop gives me the authority to bring pastors onto our staff, and I discriminate. I have five pastors. All of them are Methodists, and they are paid with Methodist dollars. Each one of them. They are paid out of the stewardship of the church, and I have the right to do that. But I don't have the right to accept Federal dollars and discriminate.

Minorities have come to Washington over the years because this was the seat of power and it was believed that if you could get close to the seat of power, freedom would be more available. The same thing holds true with dollars. People go to work for the Federal Government, and if they see dollars going to a Head Start program, they believe automatically that there will be no discrimination. And we should not, we should not, turn it around now.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, a few weeks ago, Don Imus provoked a national discussion about race, but that was just talk. If we pass this motion, we will take action and turn the clock back before 1965.

This amendment doesn't allow faith-based programs to get funded. The Shuler amendment that we passed reminds us that faith-based organizations can and do sponsor Head Start programs.

The fact is that any program that can be funded under this amendment could be funded anyway if they would agree not to discriminate in employment. It has nothing to do with symbols. It is absurd to suggest that this has anything to do with symbols. Whatever problem there is with symbols is a constitutional problem that cannot be solved with a motion to recommit.

This is all about discrimination. And if you can discriminate based on religion, it has racial implications. So since the 1960s, for 40 years, when you talk about civil liberties, you are talking about the victims of discrimination. We decided 40 years ago that it was so reprehensible to discriminate in employment that we made it illegal, even with your own private money. And today, as we talk about discrimination, we ought to think about the victims, not the right of the person to discriminate against the victim.

The present law allows the church to use its own church money, as the gentleman from Missouri said, to hire whom they want. But with Federal money, just with the Federal money, you have not been able to discriminate. So for 40 years, all children in Head Start programs have learned that their parents are eligible to be hired by the Head Start program regardless of the race or religion of the program. They have known that for over 40 years. This amendment will determine what the next generation of Head Start students will learn.

We need to defeat this amendment.

Mr. GEORGE MILLER of California. Mr. Speaker, I urge my colleagues to vote against this motion to recommit and not adopt a policy of employment discrimination based upon religion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

Mr. MCKEON. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minutes votes on passing H.R. 1429, if ordered, and suspending the rules and adopting House Resolution 243.

The vote was taken by electronic device, and there were—ayes 195, noes 222, not voting 16, as follows:

[Roll No. 284]

AYES—195

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)

Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—222

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—16

Brady (PA)
Capuano
Cubin
Davis, Jo Ann
Engel
Fattah
Graves
Hunter
Johnson, E. B.
Lampson
McMorris Rodgers
Ortiz
Paul
Simpson
Tancredo
Udall (CO)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining.

□ 1859

Mr. BACHUS changed his vote from ''no'' to ''aye.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. UDALL of Colorado. Mr. Speaker, I was unavoidably detained and unable to be present at the time of the vote on the motion to recommit H.R. 1429. Had I been present, I would have voted "no."

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.

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 365, noes 48, not voting 19, as follows:

[Roll No. 285]

AYES—365

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Fallin
Farr
Ferguson
Filner
Forbes
Fortenberry
Fossella
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—48

Akin
Bachmann
Baker
Barrett (SC)
Burton (IN)
Campbell (CA)
Cantor
Carter
Coble
Culberson
Deal (GA)
Doolittle
Duncan
Feeney
Flake
Foxx
Franks (AZ)
Garrett (NJ)
Gingrey
Hensarling
Hoekstra
Inglis (SC)
Johnson, Sam
Jordan
King (IA)
Kline (MN)
Lamborn
Linder
Lungren, Daniel E.
Mack
Manzullo
McHenry
Miller (FL)
Miller, Gary
Neugebauer
Pence
Pitts
Poe
Radanovich
Rohrabacher
Royce
Sali
Sensenbrenner
Shadegg
Stearns
Walberg
Weldon (FL)
Westmoreland

NOT VOTING—19

Brady (PA)
Cubin
Davis, Jo Ann
Delahunt
Engel
Everett
Fattah
Graves
Hunter
Johnson, E. B.
Lampson
Marshall
McCrery
McMorris Rodgers
Ortiz
Paul
Price (GA)
Simpson
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1906

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SIMPSON. Mr. Speaker, on rollcall No. 285 I was unavoidably detained. Had I been present, I would have voted "aye."

CALLING ON VIETNAM TO IMMEDIATELY AND UNCONDITIONALLY RELEASE POLITICAL PRISONERS AND PRISONERS OF CONSCIENCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 243, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SIRES) that the House suspend the rules and agree to the resolution, H. Res. 243, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 0, answered ''present'' 3, not voting 25, as follows:

[Roll No. 286]

YEAS—404

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Fallin
Farr
Feeney
Ferguson
Filner
Flake
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Jordan
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Musgrave
Myrick
Nadler
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Salazar
Sali
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

ANSWERED ''PRESENT''—3

Conaway
Gohmert
Poe

NOT VOTING—25

Brady (PA)
Cubin
Davis, Jo Ann
Engel
Everett
Fattah
Graves
Hunter
Johnson, E. B.
Lampson
Lantos
Linder
McCrery
McDermott
McMorris Rodgers
Murtha
Napolitano
Ortiz
Paul
Roskam
Rush
Skelton
Tancredo
Towns
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes remaining in this vote.

□ 1916

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: ''Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan, Le Quoc Quan, and other political prisoners and prisoners of conscience, and for other purposes''.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 1429, IMPROVING HEAD START ACT OF 2007

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 1429, 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 appropriate to reflect the actions of the House.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1592, LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2007

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110–120) on the resolution (H. Res. 364) providing for consideration of the bill (H.R. 1592) to provide Federal assistance to States, local jurisdictions, and Indian tribes to prosecute hate crimes, and for other purposes, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. BAIRD. 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 the bill, H.R. 1867, as amended.

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

There was no objection.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 1867, NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2007

Mr. HOYER. Mr. Speaker, I ask unanimous consent that, during consideration of H.R. 1867 pursuant to

House Resolution 349, the Chair may reduce to 2 minutes the minimum time for electronic voting under clause 6 of rule XVIII and clauses 8 and 9 of rule XX.

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

There was no objection.

NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 349 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. 1867.

□ 1920

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. 1867) to authorize appropriations for fiscal years 2008, 2009, and 2010 for the National Science Foundation, and for other purposes, with Mr. ALTMIRE in the chair.

The Clerk read the title of the bill.

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

The gentleman from Washington (Mr. BAIRD) and the gentleman from Texas (Mr. HALL) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

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

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

Mr. BAIRD. Mr. Chairman, I rise in support today of H.R. 1867, the National Science Foundation Authorization Act of 2007.

H.R. 1867 was introduced by myself, the gentleman from Michigan (Mr. EHLERS), and several other members of the Subcommittee on Research and Science Education. It was ordered reported by the unanimous vote of the Committee on Science and Technology, and is widely supported by industry and academia.

The National Science Foundation was last authorized by Congress in 2002 for 5 years, so we are right on track to ensure the continued growth and relevance of this very important agency.

The National Science Foundation is the only Federal agency whose mission is to support science and engineering research across all disciplines. Currently NSF funds 20 percent of all basic research conducted at American colleges and universities. In many fields such as mathematics, computer sciences and social science, NSF is the major source of Federal backing.

In its 57-year history, NSF has helped cultivate a scientific research enterprise in which the capacity for creativity and innovation is unrivaled in the world. Some economists estimate that half of the U.S. economic growth since World War II has been the result of technological innovation stemming from basic research and development.

NSF also has a mission to achieve excellence in U.S. science, technology, engineering and mathematics education at all levels and in all settings from kindergarten through postdoctoral training.

I don't think we can stress enough the critical leadership role that NSF has in improving STEM education, and I want to especially thank Science and Technology Chairman GORDON for tireless efforts on these issues.

In addition to supporting research and education grants at colleges and universities across the country, NSF also helps to support the construction of world-class research facilities and equipment that help to attract the top scientists and engineers from around the world to U.S. universities.

As we have seen high-paying jobs outsourced, our children graduating high school well behind their international peers in understanding basic science, other nations surging ahead in export of high-tech products, it has finally sunk in, funding basic research and teaching our kids math and science has a huge impact on our economy, our competitiveness, our national security, and our population's well-being.

H.R. 1867, like H.R. 362 and H.R. 363, two other Science and Technology Committee bills that passed the House just last week, is one more important piece of the House leadership's innovation agenda. It is also consistent with the administration's own American Competitiveness Initiative, which called for a 10-year doubling for three science agencies, the National Science Foundation, the National Institute of Standards and Technology, and the Department of Energy's Office of Science.

H.R. 1867 was developed with input received during two subcommittee legislative hearings, a number of other NSF policy hearings held over the last many months, and countless informal conversations with NSF stakeholders both inside and outside of government.

Dr. EHLERS and I personally traveled over to NSF last month to meet with the Director and all of the Assistant Directors to receive their personal input.

In drafting H.R. 1867, we tried to limit it to policy, administrative and budget issues that have arisen since the last authorization in 2002, while leaving the Foundation with maximum flexibility in translating our guidance into practice.

Likewise, we minimized the specific carve-outs, especially in the research account, where all of the grants are awarded through a competitive, merit-reviewed process, and where the Foundation often needs to respond quickly to new fields of science and new ways of doing science.

I want to especially thank all my colleagues on the committee, especially Dr. EHLERS, Ms. JOHNSON, Ms. HOOLEY, Mr. GINGREY, Chairman GORDON and Ranking Member HALL, for helping to improve this bill and move it expeditiously through the committee process. This was a bipartisan effort from beginning to end.

Mr. Chair, this bill is critical to American innovation and competitiveness. I urge my colleagues to support passage of H.R. 1867.

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

Mr. HALL of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today, of course, in support of H.R. 1867, which authorizes funding for the National Science Foundation for the next 3 years. As most of us know, NSF is one of three agencies targeted by the President's American Competitiveness Initiative. The ACI aims to double the Federal investment in physical science research over the next 10 years. Appropriate investment in research development technology and math and science education will ensure that our country remains the world leader in competitiveness and innovation.

The National Science Foundation is the primary source of Federal funding for nonmedical basic research conducted at colleges and universities and serves as a catalyst for science, for technology, for engineering, and mathematics education reform at all levels. The return that we receive from our NSF investments far exceeds the cost. In addition, the NSF peer review process for receiving Federal funding is to be an example for all Federal agencies and one in which I hope all of my colleagues more fully recognize as an appropriate means of investment.

As reported, this is a good bill. I thank Chairman GORDON and Dr. BAIRD for working with Dr. EHLERS and with me to make improvements in the measure. I urge my colleagues to support it.

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

Mr. BAIRD. Mr. Chairman, I yield 3 minutes to the gentlewoman from Oregon (Ms. HOOLEY), who has been a tireless member of this subcommittee and has championed the issue of undergraduate research, which is critical in preparing our students for the future.

Ms. HOOLEY. I would like to thank Chairman BAIRD for yielding me time to speak on this important piece of legislation and your incredible leadership on this issue.

The bill we have before us today will strengthen the National Science Foundation and allow it to better serve the needs of this country both today and well into the future.

The Foundation is unique among the Federal Government's scientific research agencies in that it supports science and engineering across all disciplines. Each year the National Science Foundation supports an average of 200,000 scientists, engineers, educators and students at universities,

laboratories and field sites all over the United States and throughout the world.

The NSF plays a critical role in helping the United States maintain its position at the forefront of global innovation and technology. The NSF provides funding and support for research at the Nation's leading universities and laboratories to develop products and materials to further our economy.

Examples of recent discoveries by NSF-funded research include new materials to make solar panels more effective, technologies to make airport screening more efficient, and the world's strongest superglue based on water-loving bacteria.

By supporting students at each phase in the educational system, the NSF helps our future scientists and engineers turn ideas into innovation.

I am particularly pleased that the committee has agreed to include language in the reauthorization that directly ties funding for the Research Experience for Undergraduates Program to funding levels at the NSF. One of the few NSF programs devoted specifically to undergraduates, this program has suffered from a declining budget for the past 3 years. By tying the funding for the program to the overall funding of NSF, we will allow students access to the resources they need to further their research at their own schools and at institutions across the country.

This legislation is not only good for students, teachers, scientists and engineers, but it is good for the United States in our leading the world on our innovation which drives our economy.

I urge my colleagues to join me in supporting this bill. And again, I thank my colleague Representative BAIRD for all of his hard work on this piece of legislation.

□ (1930)

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

I am pleased to join the speakers in rousing approval of this bill, the National Science Foundation Authorization Act of 2007. As a scientist, I have been familiar with the National Science Foundation almost since its inception. It is an outstanding American institution. It is the best science research institution in the world in terms of their strong peer review and the good results.

Just a few weeks ago, we had the announcement of the latest round of Nobel Prize winners. All of the Nobel Prize winners this year in the sciences were from the United States, and one of them was formerly funded by the National Science Foundation.

The National Science Foundation has now provided funding for 170 individuals who have gone on to win the Nobel Prize. By far, we are the leader among all the Nations, and it is not just our population. It is our ability to engage in meaningful and good research, research that results in earth-changing results, and that is extremely important to the foundations of science.

The National Science Foundation has done so many good things since its inception, and as I said, it is one of the leaders in the world.

It also has received awards from the Office of Management and Budget just within the past few years as the most efficiently run government agency. Now, that is indeed an important prize. I understand we are going to have a few amendments to try to reduce the budget of the National Science Foundation, and I think it is absurd to punish the best-operated government agency while we are continuing to fund other agencies which do not do as well, and we are not reducing their budget.

Another factor is we often talk in the Congress about investments. Sometimes I think we never spend a penny of our money; we invest it all because everyone talks about their particular project as a good investment. Well, let me tell you, if we are investing money here we will get a higher rate of return on the money that we invest in the National Science Foundation than in any other government agency, except perhaps NIH, simply because the results are so astounding and so ripe for development by the manufacturing sector.

I could give many, many examples, but let me just mention one. A friend of mine, Charlie Townes, a number of years ago, decided that he could develop a laser. Now, LASER stands for lamp amplification by stimulated emission of radiation. The initiative for that discovery came originally from Einstein in the early 1900s. In the 1930s, a theoretical physicist predicted that stimulated emission would result from a photon hitting an excited atom, yielding two photons of the same wavelength and the same phase traveling in the same direction. Mr. Townes decided he could build a laser out of this, and in fact, he did.

I do not know what types of grants he had, but I think the total was probably less than $10 million. Today, the laser industry is a multi, multi, multibillion dollar industry.

Every sewer that has been laid in this Nation and most parts of the world for the last 30 years has been leveled with a beam of laser light. Every suit, every piece of clothing that the people in this room are wearing has been cut out by a laser light, not scissors, but lasers guided around, cutting out the patterns before they are sewn together. I could go on and on with many other examples, including medical examples, by the way.

So that small investment of about $10 million resulted in thousands and thousands of billions of dollars in our economy. That is why it is totally absurd for anyone to think about reducing the budget of the NSF. If anything, we should increase it because the payback on our investment there is so good, so strong, that we should be increasing NSF funding, not decreasing it.

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

Mr. BAIRD. Mr. Chairman, I just want to say how much I appreciate Dr. EHLERS for his wisdom, his knowledge, his friendship and his leadership on this. There are few Members of Congress, or even, I think, few other people in the country who know these issues as well as Dr. EHLERS. He has been a teacher to students for many years and a teacher to those of us on the committee as well.

I thank Dr. EHLERS for his fine comments.

Mr. Chairman, I yield 2 minutes to the gentleman from Missouri (Mr. CARNAHAN), a valued member of the committee who has led critical efforts on this legislation.

Mr. CARNAHAN. Mr. Chairman, I rise in strong support of H.R. 1867, the National Science Foundation Reauthorization Act of 2007.

I really want to thank Chairman GORDON, Chairman BAIRD and Ranking Member EHLERS for their work on this bill. Under their leadership, our committee has produced a remarkable amount of quality legislation, including this bill before the House tonight.

Our country's global competitiveness is directly linked to the ability of our math, science and engineering professionals to develop innovative technologies, policies and scientific breakthroughs.

Yet while it is important to support these professionals and their industries today, it is perhaps of even greater importance to support their professions and industries of tomorrow.

In order for our Nation to compete with countries around the world, we must ensure that we increase the educational opportunities for our youth to study and pursue careers in math, science and engineering, while also investing in programs to enrich the quality of these opportunities.

Making both research and the education of our children a national priority is not simply an investment in these fields. Our global competitiveness is directly tied to our Nation's economy and national security.

NSF plays a critical role in influencing our global competitiveness as it supports science and engineering across all disciplines.

Each year NSF supports an average of about 200,000 scientists, engineers, educators and students at universities, laboratories and field sites all over the U.S., including many great institutions in my home State of Missouri.

H.R. 1867 authorizes the necessary funds for NSF which will allow the agency to foster relationships between academia and industry in order to spawn U.S. competitiveness and further the Agency's traditions of education in science, technology, engineering and math, the STEM, fields.

I urge my colleagues to invest in the future of our children, in our country's global competitiveness and support this bill.

Mr. EHLERS. Mr. Chairman, I continue to reserve the balance of my time.

Mr. BAIRD. Mr. Chairman, I am happy to yield 3 minutes to the gentleman from Illinois (Mr. LIPINSKI).

Mr. LIPINSKI. Mr. Chairman, as a past NSF grant recipient, I rise today in strong support of H.R. 1867, the National Science Foundation Reauthorization Act of 2007. I want to thank Chairman GORDON, Chairman BAIRD and Dr. EHLERS for their work in bringing this strong bill to the floor today.

Today, we stand at the cusp of numerous technological breakthroughs that will completely revolutionize our way of life; from hydrogen and other advanced fuels technologies that will free us from our addiction to oil, to nanotechnology that has the potential to impact virtually every sector of our economy.

Much of this research has been made possible by grants from NSF, and by passing this bill we are continuing our support of American researchers, scientists, engineers, educators and students who will ensure that these breakthroughs continue and that America continues to lead the world technologically and economically.

I would like to point out that consideration of this legislation comes on the heels of last week's passage of the 10,000 Teachers, 10 Million Minds and Sowing the Seeds legislation. Both of these bills were introduced in response to the recommendations of the Rising Above the Gathering Storm report, which was commissioned by Congress to help the U.S. compete, prosper and be secure in the global community of the 21st century.

This legislation we are considering today, which puts us on a path to double NSF funding over 10 years, will further build our commitment to competitiveness, being led in the House by Chairman GORDON.

The NSF has a broad mission of supporting science and engineering and funding basic research across many disciplines. Basic research is very necessary, yet oftentimes, because it does not directly, only indirectly lead to advances, does not receive private funding. The NSF does this.

This legislation also specifically calls on the director of NSF to give special consideration to research proposals having high importance for future national economic competitiveness. This is critically needed.

One example is nanotechnology, a very promising field of research that has the potential to revolutionize our society from defense to health care to energy to environmental cleanup. This will help.

The bill also gives special consideration to partnerships between academics, industrial scientists and businesses. I have spoken to a lot of professors and administrators at universities who say this is a major problem in our country of taking research and getting it to the market, and this will help to do this.

Mr. Chairman, earlier today I had the opportunity to meet with five American scientists who each just recently won a Nobel Prize. They all emphasize that continued support of the NSF is crucial to America's future success, just as it is critical to their successes.

So, as a proud cosponsor of this bill, I urge the House to heed the advice of those on the cutting edge of science and take another step in bolstering American competitiveness by passing H.R. 1867.

Mr. BAIRD. Mr. Chairman, it is a real privilege and honor to yield such time as he may consume to the gentleman from Tennessee (Mr. GORDON), Chair of the committee. Before he speaks, I just want to say what a privilege it is to serve with him and to offer that years from now, there will be Americans benefiting from technological and scientific innovations and in particular young people, scholars, benefiting from the education initiatives championed by Mr. GORDON. They may not know of the work done. He has done a great job, a bipartisanship approach to this committee. It is a privilege to serve with him.

Mr. GORDON of Tennessee. Mr. Chairman, I thank Dr. BAIRD.

Let me just say that I have a 6-year-old daughter at home, and I am very concerned that she could be a part of the first generation of Americans to inherit a national standard of living less than their parents, a complete reversal of the American Dream. And if we are going to avoid this, it is very, very important that we follow through on the recommendations of the report on Rising Above the Gathering Storm.

Now, last week we did. We got a good start. Last week, we passed the K–12 improvements in math and science education, as well as investments in our education system in other regards. This week, we are going to take another step forward, and that is follow the recommendations of increasing our commitment to basic research.

Tonight, we are going to pass the National Science Foundation authorization which will double the National Science Foundation. Tomorrow, we are going to double the NEST budget.

Let me on behalf of my daughter, I want to thank Dr. BAIRD, I want to thank Dr. EHLERS and our excellent staff for working together in a bipartisan way. I want to remind everyone that this is a bill that came out of the Science and Technology Committee unanimously because it is a good bill, it was worked on together in a bipartisan, Democrats, Republicans, with a very good staff. Again, I thank you for the great work you did, and my daughter thanks you even more.

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

Mr. Chairman, I rise today in strong support of the National Science Foundation Authorization Act of 2007. I appreciate the kind words offered by Mr. BAIRD and Mr. GORDON, and frankly, producing this bill was a lovefest. I am very impressed with the work they did on it. I am very appreciative of the very hard work that they did in putting together a bill, including direct interaction with members of NSF, talking to scientists who were familiar with the NSF, scientists who had received funds from NSF, and out of all that, we have written a bill that I think is a very good one.

□ 1945

My colleagues and I on the Science and Technology Committee have introduced a strong reauthorization bill for the National Science Foundation. It is a straightforward 3-year bill which provides authorization for the various research and education activities of the National Science Foundation.

I am pleased that this bill establishes a pathway to double the total budget of the Foundation. In 2002, Congress wholeheartedly supported a 5-year doubling path for the Foundation, and I strongly supported that and was very pleased to vote for it.

Unfortunately, appropriations have fallen far short of that target. Last year I had consultations with the President, and partly as a result of those consultations, the President introduced a plan known as the American Competitiveness Initiative that sought to double the research budgets of the National Science Foundation, National Institute of Standards and Technology and the Department of Energy's Office of Science over the next 10 years. In other words, twice as slow as the previous decision of the Congress.

I would prefer the faster increase, but I recognize realities and the tough financial conditions we have. So I am pleased to sign on with doubling over 10 years.

The National Science Foundation was included in the ACI because it conducts world-class research in areas that support new, innovative technologies, which, in turn, lead to advances in telecommunications, homeland security, alternative energy and other areas of great importance to our Nation.

I have the utmost confidence that the National Science Foundation will use the authorized funds in the most prudent manner, as NSF consistently earns the highest possible score in the annual Office of Management and Budget ratings of financial and budget performance.

The National Science Foundation Authorization Act of 2007 will support the education and training of more than 225,000 scientists, engineers, teachers and students. In addition to discipline-specific research, NSF activities include cross-cutting initiatives on nanotechnology, networking and information technology, climate science change and the International Polar Year.

It also supports the construction of major research facilities that are shared within and across many disciplines of the scientific community.

NSF research and activities touch every State of this Nation and provide tremendous support at all levels of education.

NSF is a unique agency because it is the only agency with a primary mission of supporting fundamental scientific research, as well as engineering research. Unlike some of our other science agencies, NSF is not a mission agency in the sense that it has an established program to target. In fact, it solves many problems through the process of fundamental research, often in a serendipitous manner.

As Nobel Prize winner Theodore Svedberg remarked, as he accepted his reward in 1926, ''A glance at the history of science and technics shows that it is precisely the search for truth without any preconceived ideas, research for the sake of knowledge alone, that in the long run has most benefited humanity. The investigations which have seemingly been the most purely abstract have often formed the foundation of the most important changes or improvements in the conditions of human life.''

It is challenging in this day and age to support this type of research. The U.S. has many pressing needs that require solutions on very short time lines, particularly related to national security and the health of our aging population. For this reason and others, we have seen companies decrease their investments in long-term research projects. Nevertheless, economists have confirmed the accuracy of Dr. Svedberg's statement that fundamental research has, indeed, paid the highest dividends to humanity over the years.

Estimated return on investment in research and development is difficult to calculate, but generally ranges from 20 to 400 percent. That is an incredible payback. Furthermore, past investments in NSF have contributed greatly to major technological advances in areas and industries that are critical for U.S. economic growth such as biomedical applications.

The former Director of the National Institutes of Health, Harold Varmus, is well-known for his following statement: ''Medical advances may seem like wizardry. But pull back the curtain, and sitting at the lever is a high-energy physicist, a combinational chemist or an engineer.''

Continued support for fundamental research lays the groundwork for innovations in other disciplines that directly impact the lives of every American. We are here today to authorize a continued investment in this type of NSF groundbreaking work.

I thank Chairman BAIRD and his dedicated staff for their work on preparing this bill in a bipartisan manner, and encourage my colleagues to support it.

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

Mr. BAIRD. At this point I understand Mr. KIRK would like to engage in a colloquy. Would Mr. EHLERS care to yield some time to him for that?

Mr. EHLERS. Mr. Chairman, I am pleased to yield such time as he may consume to Mr. KIRK for a colloquy.

Mr. KIRK. I thank the gentleman, one of the only working scientists serving in the Congress.

I had intended to offer an amendment to this legislation with regard to the mercury issue, but working with the committee, I understand the better place I am talking about is in the EPA Office of Science.

So I would like to say that I strongly support investment in scientific and mathematical research, but I would like to engage in a colloquy with the chairman, especially to emphasize how essential it is for comprehensive and frequent research on mercury levels in one of our Nation's most treasured ecosystems, the Great Lakes.

Mercury pollution is now a serious problem for my district in northern Illinois, as well as across the Nation. The Great Lakes are particularly vulnerable to exposure, as 36 percent of mercury emissions are generated in the Great Lakes region.

In fact, there are currently 18 fish advisories for mercury contamination in the region, yet the Great Lakes are a source of food and especially drinking water for over 40 million Americans. This undoubtedly contributes to the recent estimate that the U.S. Government has seen more than 300,000 American babies born each year with a risk of mercury poisoning.

It's critical that we begin to take an annual inventory of mercury levels in the Great Lakes to understand the sources of this pollution and especially the trend to see whether this danger is growing. With this information the Congress would be able to provide more effective and comprehensive regulation of mercury pollution and mitigation of its harmful effects.

I would like to thank Chairman BAIRD for agreeing to engage in this colloquy on this important matter, and I appreciate all his support in working to ensure that we have the most comprehensive, scientific, accurate and timely information on mercury contamination. I look forward to working with the chairman on this issue.

Mr. BAIRD. I very much thank the gentleman for working so closely with us and with Ranking Member EHLERS on this. I absolutely agree with the gentleman from Illinois on the importance of mercury in the Great Lakes, and I applaud him for raising this issue. It is crucial that we continue to gather the necessary data in order to protect current and future generations in the environment from dangerous mercury exposure. I am aware and appreciate the gentleman understands that the National Science Foundation does not generally engage in this type of research, and, as indicated, it is really more the appropriate domain of the Environmental Protection Agency.

Accordingly, I will be happy to work with the gentleman from Illinois, and I look forward to the committee providing direction to the U.S. EPA in a letter to that effect.

Mr. KIRK. I thank the chairman for that. I look forward to seeing the committee's letter, because I think it will move the ball significantly to help this Congress redress a growing danger.

To the gentleman from Michigan, a leader on Great Lakes protection, and removing environmental contamination, I thank him for working on this issue.

Mr. EHLERS. I thank the gentleman for those comments. We will be happy to continue working with him.

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

Mr. BAIRD. Mr. Chairman, I yield myself such time as I may consume in order to engage in a colloquy with the gentlelady from California (Ms. WOOLSEY).

Ms. WOOLSEY. Thank you, Mr. Chairman, for giving me this opportunity to talk about the importance of research into the environmental, cultural and health impacts of introducing new genetically modified plants and animals into our agriculture, horticulture and aquaculture systems.

The National Science Foundation, which supports a broad range of basic research in the biological sciences, is well equipped to perform this basic research that will help us develop more sustainable approaches to pest management, understand and manage unique environmental and health risks, and even discover ways in which modified plants could provide environmental benefits.

Mr. Chairman, this is critical research that the National Academy of Sciences has called for in a recent report. While I am not offering an amendment to this bill before us today, I do ask for your help in raising the profile of this very important issue as you proceed with the bill.

Mr. BAIRD. I would like to thank the gentlelady for bringing this issue to our attention. It is indeed an important area of research for our Federal Government, and for NSF in particular. I appreciate and respect very much your continued interest and leadership on this. We would be happy to work with you as we proceed towards conference about raising the profile of this issue and the importance of this research.

Ms. WOOLSEY. Thank you, Mr. Chairman. I look forward to working with you.

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

Mr. EHLERS. Mr. Chairman, I yield back the balance of my time.

Mr. BAIRD. Mr. Chairman, to close, let me just once again express my deep gratitude and tremendous respect to Dr. EHLERS for his leadership, not only now as ranking member, but over the years he has served on this committee. Quite literally there has been no more tireless and effective advocate for this legislation and for science in general than Dr. EHLERS. We all respect and admire that and appreciate that greatly.

I also want to express my appreciation to Chairman GORDON, whom I acknowledged earlier and thanked for his leadership, Ranking Member HALL. I want to express a special gratitude to my own staff member, Hilary Cain, for her leadership on this and great counsel; as well as the committee staff, Jim Wilson and Dahlia Sokolov for their tireless efforts. They have spent hours and hours on this. We are grateful.

With that, as Dr. Ehlers and others have so eloquently said, this is a good bill, it is a bipartisan bill. It has the endorsement of a long list of sponsors, who I did not enumerate here in the interests of time, but virtually every major scientific organization as well as leaders in industry and in academia have endorsed this bill strongly. It is a bill that this committee and this body should pass. I urge its passage.

I urge a ''yes'' vote.

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

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment.

No amendment to that amendment shall be in order except those printed in the designated place in the CONGRESSIONAL RECORD and pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered read.

Without objection, each section of the amendment shall be considered as read.

There was no objection.

The Clerk will designate section 1.

The text of section 1 is as follows:

H.R. 1867

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 ''National Science Foundation Authorization Act of 2007''.

The CHAIRMAN. Are there any amendments to section 1?

The Clerk will designate section 2.

The text of section 2 is as follows:

SEC. 2. DEFINITIONS.

In this Act:

(1) BOARD.—The term ''Board'' means the National Science Board established under section 2 of the National Science Foundation Act of 1950 (42 U.S.C. 1861).

(2) DIRECTOR.—The term ''Director'' means the Director of the Foundation.

(3) ELEMENTARY SCHOOL.—The term ''elementary school'' has the meaning given that term by section 9101(18) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(18)).

(4) FOUNDATION.—The term ''Foundation'' means the National Science Foundation.

(5) INSTITUTION OF HIGHER EDUCATION.—The term ''institution of higher education'' has the meaning given such term in section 101(a) of the Higher Education Act of 1965 (20 U.S.C. 1001(a)).

(6) SECONDARY SCHOOL.—The term ''secondary school'' has the meaning given that term by section 9101(38) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801(38)).

The CHAIRMAN. Are there any amendments to section 2?

The Clerk will designate section 3.

The text of section 3 is as follows:

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

(a) FISCAL YEAR 2008.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $6,500,000,000 for fiscal year 2008.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $5,080,000,000 shall be made available for research and related activities, of which $115,000,000 shall be made available for the Major Research Instrumentation program;

(B) $873,000,000 shall be made available for education and human resources, of which—

(i) $94,000,000 shall be for Mathematics and Science Education Partnerships established under section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n);

(ii) $70,000,000 shall be for the Robert Noyce Scholarship Program established under section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1);

(iii) $44,000,000 shall be for the Science, Mathematics, Engineering, and Technology Talent Expansion Program established under section 8(7) of the National Science Foundation Authorization Act of 2002 (Public Law 107–368); and

(iv) $51,620,000 shall be for the Advanced Technological Education program established by section 3(a) of the Scientific and Advanced-Technology Act of 1992 (Public Law 102–476);

(C) $245,000,000 shall be made available for major research equipment and facilities construction;

(D) $285,600,000 shall be made available for agency operations and award management;

(E) $4,050,000 shall be made available for the Office of the National Science Board; and

(F) $12,350,000 shall be made available for the Office of Inspector General.

(b) FISCAL YEAR 2009.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $6,980,000,000 for fiscal year 2009.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $5,457,400,000 shall be made available for research and related activities, of which $123,100,000 shall be made available for the Major Research Instrumentation program;

(B) $934,000,000 shall be made available for education and human resources, of which—

(i) $100,600,000 shall be for Mathematics and Science Education Partnerships established under section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n);

(ii) $101,000,000 shall be for the Robert Noyce Scholarship Program established under section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1);

(iii) $55,000,000 shall be for the Science, Mathematics, Engineering, and Technology Talent Expansion Program established under section 8(7) of the National Science Foundation Authorization Act of 2002 (Public Law 107–368); and

(iv) $55,200,000 shall be for the Advanced Technological Education program as established by section 3(a) of the Scientific and Advanced-Technology Act of 1992 (Public Law 102–476);

(C) $262,000,000 shall be made available for major research equipment and facilities construction;

(D) $309,760,000 shall be made available for agency operations and award management;

(E) $4,120,000 shall be made available for the Office of the National Science Board; and

(F) $12,720,000 shall be made available for the Office of Inspector General.

(c) FISCAL YEAR 2010.—

(1) IN GENERAL.—There are authorized to be appropriated to the Foundation $7,493,000,000 for fiscal year 2010.

(2) SPECIFIC ALLOCATIONS.—Of the amount authorized under paragraph (1)—

(A) $5,863,200,000 shall be made available for research and related activities, of which $131,700,000 shall be made available for the Major Research Instrumentation program;

(B) $1,003,000,000 shall be made available for education and human resources, of which—

(i) $107,600,000 shall be for Mathematics and Science Education Partnerships established under section 9 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n);

(ii) $133,000,000 shall be for the Robert Noyce Scholarship Program established under section 10 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–1);

(iii) $60,000,000 shall be for the Science, Mathematics, Engineering, and Technology Talent Expansion Program established under section 8(7) of the National Science Foundation Authorization Act of 2002 (Public Law 107–368); and

(iv) $59,100,000 shall be for the Advanced Technological Education program as established by section 3(a) of the Scientific and Advanced-Technology Act of 1992 (Public Law 102–476);

(C) $280,000,000 shall be made available for major research equipment and facilities construction;

(D) $329,450,000 shall be made available for agency operations and award management;

(E) $4,250,000 shall be made available for the Office of the National Science Board; and

(F) $13,100,000 shall be made available for the Office of Inspector General.

(d) MAJOR RESEARCH INSTRUMENTATION.—

(1) AWARD AMOUNT.—The minimum amount of an award under the Major Research Instrumentation program shall be $100,000. The maximum amount of an award under the program shall be $4,000,000, except if the total amount appropriated for the program for a fiscal year exceeds $125,000,000, in which case the maximum amount of an award shall be $6,000,000.

(2) USE OF FUNDS.—In addition to the acquisition of instrumentation and equipment, funds made available by awards under the Major Research Instrumentation program may be used to support the operations and maintenance of such instrumentation and equipment.

(3) COST SHARING.—

(A) IN GENERAL.—An institution of higher education receiving an award shall provide at least 30 percent of the cost from private or non-Federal sources.

(B) EXCEPTIONS.—Institutions of higher education that are not Ph.D.-granting institutions are exempt from the cost sharing requirement in subparagraph (A), and the Director may reduce or waive the cost sharing requirement for—

(i) institutions—

(I) which are not ranked among the top 100 institutions receiving Federal research and development funding, as documented by the statistical data published by the Foundation; and

(II) for which the proposed project will make a substantial improvement in the institution's capabilities to conduct leading edge research, to provide research experiences for undergraduate students using leading edge facilities, and to broaden the participation in science and engineering research by individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b); and

(ii) consortia of institutions of higher education that include at least one institution that is not a Ph.D-granting institution.

(e) UNDERGRADUATE EDUCATION PROGRAMS.—The Director shall continue to carry out programs in support of undergraduate education, including those authorized in section 17 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–6). Funding for these programs shall increase in proportion to the increase in the total amount appropriated to the Foundation in any year for which appropriations are authorized by this Act.

(f) LIMIT ON PROPOSALS.—

(1) POLICY.—For programs that require as part of the selection process for awards the submission of preproposals and that also limit the

number of preproposals that may be submitted by an institution, the Director shall allow the subsequent submission of a full proposal based on each preproposal that is determined to have merit following the Foundation's merit review process.

(2) REVIEW AND ASSESSMENT OF POLICIES.—The Board shall review and assess the effects on institutions of higher education of the policies of the Foundation regarding the imposition of limitations on the number of proposals that may be submitted by a single institution for programs supported by the Foundation. The Board shall determine whether current policies are well justified and appropriate for the types of programs that limit the number of proposal submissions. Not later that 1 year after the date of enactment of this Act, the Board shall summarize its findings and any recommendations regarding changes to the current policy on the restriction of proposal submissions in a report to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate.

(g) RESEARCH EXPERIENCES FOR UNDERGRADUATES.—The Director shall increase funding for the Research Experiences for Undergraduates program in proportion to the increase in the total amount appropriated to the Foundation for research and related activities in any year for which appropriations are authorized by this Act.

AMENDMENT NO. 1 OFFERED BY MR. HONDA

Mr. HONDA. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HONDA:

At the end of section 3, add the following new subsection:

(h) GLOBAL WARMING EDUCATION.—

(1) INFORMAL EDUCATION.—As part of Informal Science Education activities, the Director shall support activities to create informal educational materials, exhibits, and multimedia presentations relevant to global warming, climate science, and greenhouse gas reduction strategies.

(2) K–12 INSTRUCTIONAL MATERIALS.—As part of Discovery Research K–12 activities, the Director shall support the development of K–12 educational materials relevant to global warming, climate science, and greenhouse gas reduction strategies.

Mr. HONDA. Mr. Chairman, I would like to thank Chairman GORDON and Chairman BAIRD for the support of my amendment, and the Science Committee staff for their assistance in putting this amendment together.

I would also like to thank the chairman and ranking member for their excellent work on the National Science Foundation Authorization Act of 2007. I strongly support the work of the National Science Foundation, and as a cosponsor of this legislation, I urge my colleagues to support this passage.

Some years ago, I was a high school science teacher, and I clearly remember my students stopping me during one of my favorite lessons to ask the timeless question, why do I need to know this? Science is difficult. Global warming is hard to understand also. Some people are asking, why do I need to know this? Hundreds of years ago, Galileo and Sir Isaac Newton made remarkable discoveries about gravity and the behavior of falling objects, but to this day, most people couldn't explain the law of gravity or what determines the speed of a falling object if they had to. Most of the time people can go on with their lives, their everyday lives, without understanding scientific concepts, suffering no ill effects. You don't need to understand gravity to keep from falling. You don't need to understand your lungs in order to breathe. But global warming presents a new kind of a problem.

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The understanding of global warming will play a significant role in our ability to actually address the problem. And, we don't have much time. Global warming will cause significant impacts, including shifting weather patterns, drought, rising sea levels, and disrupted wildlife migration patterns.

Nearly every point on the globe is getting warmer, and the debate is no longer if, but when, these changes will occur.

These threats are the most natural consequences of a worldwide overreliance on fossil fuels and destructive, wasteful use of resources. We have lived on the earth, but we have not yet learned to live with the earth.

But we can't just give in to the fear and the sense of helplessness. We can turn the tide of global warming if we have the knowledge. That is why we need to know this.

My amendment will allow the National Science Foundation to support the creation of K–12 science curriculum, informal education materials, exhibits, and multi-media relevant to global warming, climate science, and greenhouse reduction strategies.

The education provided by this amendment will help people of all ages and backgrounds to make choices in their daily lives and in their communities to stop global warming. They will learn about the complex interrelationships between natural cycles and human activity. They will understand how their own actions and their own informed choices can heal the earth. This amendment by itself is, however, not the answer. A comprehensive and sustainable energy and environmental policy will require the expanded use of green energy such as solar, wind, and geothermal. We will also need to continue to find ways to reduce carbon dioxide emissions from transportation, from industry, and energy production. We need to increase the efficiency of energy use and transmissions, especially in buildings. We need to change much more than just our light bulbs. But people need to know why we need these things, and this amendment provides for that.

I urge my colleagues to support my amendment.

AMENDMENT OFFERED BY MR. SULLIVAN TO AMENDMENT NO. 1 OFFERED BY MR. HONDA

Mr. SULLIVAN. Mr. Chairman, I offer an amendment to the amendment.

The Clerk read as follows:

Amendment offered by Mr. SULLIVAN to the amendment offered by Mr. HONDA:

At the end of paragraph (1), insert the following: ''Such materials, exhibits, and multimedia presentations shall reflect the diversity of scientific opinion, including the diversity of opinion regarding the impact of human activities on climate change, and shall also reflect the impact of greenhouse gas reduction strategies on developing nations, United States energy security, United States energy costs, the global and United States economy, low income and middle class individuals, and those on fixed incomes.''.

At the end of paragraph (2), insert the following: ''Such materials, exhibits, and multimedia presentations shall reflect the diversity of scientific opinion, including the diversity of opinion regarding the impact of human activities on climate change, and shall also reflect the impact of greenhouse gas reduction strategies on developing nations, United States energy security, United States energy costs, the global and United States economy, low income and middle class individuals, and those on fixed incomes.''.

Mr. BAIRD. Mr. Chairman, I wish to reserve a point of order on this particular amendment.

The CHAIRMAN. The point of order is reserved.

Mr. SULLIVAN. Mr. Chairman, I believe Mr. HONDA is right on track with this amendment. However, I believe my amendment will strengthen his amendment.

Simply, my amendment ensures that children are educated on all aspects of global climate change, from global warming, climate science, and greenhouse gas reduction, to human activities on climate change, and the impact of greenhouse gas reduction strategies on developing nations, U.S. energy security, U.S. energy costs, and the global and U.S. economies.

The decisions we make today in this Congress will not only affect our children but will affect many generations to come. As the father of four children, I feel it is imperative that they know all the viewpoints on an issue so that they can make an educated decision. It is important that they obtain knowledge through schools and their parents to make informed decisions, especially when those decisions will affect the environment and the economy.

Our children are our country's future. What a bright future they have ahead of them. Every time I look at my four children, I think of the tough choices they will have to make on the road ahead, and hope that my wife and I have taught them to make the best decisions possible. I know that, between the education they receive at home and the education they receive at school, they will be well equipped to face the important choices later on in life.

It is important to me that the science education they receive in school reflect the diversity of scientific viewpoints on this very important issue. This is something my friends on the other side of the aisle have long advocated for and something my amendment achieves.

With 36.4 million elementary school-aged children and 16.8 million high school-aged children in our country, it is obvious that the science education they get today will dramatically affect their future tomorrow.

Thanks to advanced technologies, today's science classes are much more advanced than the ones I took when I was in school. Yet there are so many viewpoints out there on scientific subjects, especially climate change, it is sometimes difficult to present all views fairly to them. However, I feel that this is important, especially on an issue as sensitive and politically charged as global climate change.

Our children are our future, and we owe it to them to provide them with the best most balanced education possible. My amendment will help achieve that by presenting all viewpoints to students in kindergarten through 12th grade. My colleagues on the other side of the aisle have long called for all scientific positions to be heard, and my amendment achieves this. I encourage all my colleagues to support this amendment and ensure that all students receive fair and balanced scientific education.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. Does the gentleman continue to reserve his point of order?

Mr. BAIRD. I continue to reserve.

The CHAIRMAN. The point of order is reserved.

Mr. BAIRD. Mr. Chairman, I appreciate the sense of what the gentleman is raising with his second order amendment. Having taught science myself, I believe it is absolutely important to share different sides of it. My concern is I think you are sort of micromanaging the education process, however, positive your intent may be. And the gentleman himself just acknowledged that students from K–12 need to have balanced information.

I question whether we really want to mandate that a kindergarten teacher educate her or his students on the impact of greenhouse gases on U.S. energy security, global developing nations, et cetera.

I think it is a fair point and absolutely an important point that we present different sides of this issue, and I applaud the gentleman for raising that.

I would, however, note that the International Panel on Climate Change, which we have had two hearings of in this committee, has clearly unanimously agreed on some general principles: That the climate temperature is increasing; that humans are significantly responsible for at least a substantial portion of that increase; and, that it will have very important consequences for the well-being of the world.

So one of the problems I have is the gentleman's amendment would seem to suggest that there is an equal weight of evidence against that perspective as there is in favor of it. And I don't recall if the gentleman attended those two hearings, but if he did, I think it was pretty clear that scientists from around the world do not consider that there is an equal weight among those who might refute the evidence of global warming and the human causes thereof.

It is absolutely legitimate that we look at the pros and cons of the various strategies to remedy that; but to micromanage it in this way, which is not what the gentleman from California's initial amendment did, I think is a mistake. I certainly wouldn't want a kindergarten teacher who is trying to educate his or her students about the potential problems of global warming to say, ''Oh, my goodness. I don't have in my curriculum for these 5-year-olds a lesson on the impact of greenhouse gas on developing nations or United States energy security.'' I think a kindergarten teacher might be much more likely to say, ''Hey, kids the world is getting hotter. You and I and your folks can have a role in trying to reduce that problem, and it is in all of our best interests to do so.''

I would hate to see a kindergarten teacher micromanaged like this, however well-intentioned the gentleman's amendment is. And I still reserve the point of order, but if we don't succeed in that, I certainly urge opposition to this at this point.

The CHAIRMAN. Does the gentleman continue to reserve his point of order?

Mr. BAIRD. Mr. Chairman, at this point I will withdraw the point of order, but I would urge opposition to this amendment.

The CHAIRMAN. The point of order is withdrawn.

The question is on the amendment offered by the gentleman from Oklahoma (Mr. SULLIVAN) to the amendment offered by the gentleman from California (Mr. HONDA).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. SULLIVAN. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Oklahoma to the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. WELDON OF FLORIDA

Mr. WELDON of Florida. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. WELDON of Florida:

In section 3(a)(1), strike ''There'' and insert ''Except as provided in paragraph (3), there''.

At the end of section 3(a), insert the following new paragraph:

(3) LIMITATION.—Notwithstanding paragraphs (1) and (2), the total amount authorized to be appropriated under this subsection shall not exceed the amount actually appropriated for the Foundation for fiscal year 2007 if—

(A) the total amount appropriated for the National Aeronautics and Space Administration for fiscal year 2008 is less than $17,309,400,000;

(B) the total amount appropriated for the National Aeronautics and Space Administration Exploration Systems for fiscal year 2008 is less than $3,923,800,000; or

(C) the total amount appropriated for the National Aeronautics and Space Administration Space Operations for fiscal year 2008 is less than $6,791,700,000.

In section 3(b)(1), strike ''There'' and insert ''Except as provided in paragraph (3), there''.

At the end of section 3(b), insert the following new paragraph:

(3) LIMITATION.—Notwithstanding paragraphs (1) and (2), the total amount authorized to be appropriated under this subsection shall not exceed the amount actually appropriated for the Foundation for fiscal year 2008 if—

(A) the total amount appropriated for the National Aeronautics and Space Administration for fiscal year 2009 is less than $17,614,200,000;

(B) the total amount appropriated for the National Aeronautics and Space Administration Exploration Systems for fiscal year 2009 is less than $4,312,800,000; or

(C) the total amount appropriated for the National Aeronautics and Space Administration Space Operations for fiscal year 2009 is less than $6,710,300,000.

In section 3(c)(1), strike ''There'' and insert ''Except as provided in paragraph (3), there''.

At the end of section 3(c), insert the following new paragraph:

(3) LIMITATION.—Notwithstanding paragraphs (1) and (2), the total amount authorized to be appropriated under this subsection shall not exceed the amount actually appropriated for the Foundation for fiscal year 2009 if—

(A) the total amount appropriated for the National Aeronautics and Space Administration for fiscal year 2010 is less than $18,026,300,000;

(B) the total amount appropriated for the National Aeronautics and Space Administration Exploration Systems for fiscal year 2010 is less than $4,757,800,000; or

(C) the total amount appropriated for the National Aeronautics and Space Administration Space Operations for fiscal year 2010 is less than $6,625,700,000.

Mr. BAIRD. Mr. Chairman, I wish to reserve a point of order on this amendment.

The CHAIRMAN. A point of order is reserved.

Mr. WELDON of Florida. Mr. Chairman, I want to commend the authors of this piece of legislation, and make very clear that I am a strong supporter of the National Science Foundation. Indeed, I have an undergraduate degree in a science field, biochemistry. I did basic science research as an undergraduate, and I fully recognize the need for this country to make a significant increase in our investment in basic science research as the kind of research that comes through the National Science Foundation.

My concern before the committee today is that the National Science Foundation is in the same budget category as NASA; and already, the new majority this year has chosen to significantly cut funding to NASA.

Specifically, over one-half billion dollars was reduced out of the NASA budget to fund the replacement for the space shuttle. The replacement for the space shuttle is badly needed. Our shuttle fleet is aging, and indeed we are looking at a scenario in the early part of the next decade where we will not have the capability of putting men and women into space. And we, the United States of America, the greatest country in the world, will be relying on the Russians to put our astronauts into space for many, many years. And, that the further reductions in NASA that will put forward by the new majority have the potential to lengthen that period even further, and possibly perhaps permanently cripple our manned space flight program.

So my amendment is very simple and very straightforward. Basically what it says is that we are not going to cut NASA for the purpose of plussing up the National Science Foundation. I believe we need to fund both of these programs, and that is my goal and that is the purpose of my amendment.

I think one of the things that the authors of this bill keep talking about, which is very revealing and I think very important to the debate we are having right now, they talk about the importance of training kids in math and science, and that we are falling behind in our international competitiveness. But I can tell you, when I talk to teachers all across the country about what motivates our young people to study math and science, it is not the level of grants that are coming out of the National Science Foundation, it is actually our space program and an enthusiasm for the possibility or the chance that they might some day be able to participate in the space program, the manned space flight program in particular that motivates our kids.

So I think these two programs are really linked at the hip, and I think it is important that we do not fund one at the expense of the other. The current language in this bill has the potential to create that climate, and so I think it is critically important that the point of order be waived and that my amendment move forward and be approved by this body.

Mr. BAIRD. Mr. Chairman, I continue to reserve the point of order, but I would like to move to strike the last word.

The Acting CHAIRMAN (Mr. ANDREWS). The point of order is reserved.

Mr. BAIRD. Mr. Chairman, I very much appreciate and admire and respect the gentleman from Florida, and I understand full well where he is coming from. He has been a passionate supporter of our manned space program, and I share some of his concerns about the impact on that budget. I do think, however, that his offsets are wrong, and that is why I reserved the point of order which in just a moment I will press.

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There are many, many places in the Federal budget where we could find possible money to support the gentleman's aims, many within, for example, the Commerce appropriations bill.

It is possible for the gentleman to adjust revenue impacts of tax cuts. It would be possible for the gentleman to seek offsets or matches through funding for the war in Iraq, which is burning about $2.5 billion per week from our economy.

So if the gentleman is interested, as I know he is, in supporting space flight and continued investment in that, I would suggest that more appropriate offsets are available elsewhere in the Federal budget.

And I would also say it would be just terribly unfortunate to hold the Science Foundation budget, which this bill authorizes, hostage. You've got the wrong hostage. There are other places where lots more money is being reduced from the revenue stream or being expended on things that may not be in the best long-term national interest of this country. And for that reason, and for the fact that I actually consider the amendment nongermane, I will have to oppose it.

POINT OF ORDER

Mr. BAIRD. At this point, if it's appropriate to do so, I would wish to press the point of order with the Chair, if that's appropriate procedure at this point.

The Acting CHAIRMAN (Mr. ANDREWS). Will the gentleman state his point of order?

Mr. BAIRD. Mr. Chair, I have reserved a point of order. The amendment offered by the gentleman is not germane to the bill it is amending and, therefore, violates clause 7 of rule XVI.

The underlying section of the bill being amended is specific to the National Science Foundation, while the amendment introduces another unrelated agency, NASA, so the subject matter of the amendment is different than the underlying bill.

In addition, the amendment places an unrelated contingency on the authorization of NSF funds. On this point I would cite Deschler's Precedents, Chapter 28, 31.22.

Lastly, the purpose of the underlying section of the bill is to authorize appropriations for NSF, while the amendment seeks to affect the appropriations for NASA, so the fundamental purpose of the amendment is different from the underlying provision, and the scope of the underlying provision is significantly enlarged, and, therefore, I would urge that the amendment be ruled out of order.

The Acting CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I would just simply point out to my friends on the other side that this amendment was duly and appropriately presented to the Rules Committee. The Rules Committee has all of the availability of the parliamentarians and the appropriate expertise to be able to determine whether or not the amendment should be made in order. They determined, in their wisdom, that it should be made in order. And therefore, I would hope that the Chair would rule that, in fact, this amendment is appropriate, and that it addresses an issue that is of importance to the gentleman from Florida and importance to this Nation; and I would hope that we'd move forward with the amendment.

The Acting CHAIRMAN. Is there any other Member who wishes to be recognized on the point of order?

Mr. WELDON of Florida. Mr. Chairman, I wish to be recognized on the point of order.

Mr. Chairman, I believe that it is inappropriate to exercise a point of order on this amendment. It's quite clear that the NASA budget and the National Science Foundation are within the same budget category, function 250, and that there's a strong relationship between increasing the National Science Foundation that it can have a negative impact on NASA.

Furthermore, as my friend from Georgia just indicated, we have moved several bills through this body. Just today we did one where multiple points of order were waived. And the bottom line here, in my opinion, is NASA a priority for the new majority in this Congress. I don't believe it is. I don't believe it's a sufficient enough priority, and I ask that the point of order not be sustained.

The Acting CHAIRMAN. The Chair is prepared to rule on the point of order, seeing no other Members who wish to be recognized.

The gentleman from Washington makes a point of order that the amendment offered by the gentleman from Florida is not germane. The test of germaneness is the relationship of the amendment to the pending portion of the bill, section 3.

Clause 7 of rule XVI, the germaneness rule, provides that no proposition on a subject different from that under consideration shall be admitted under color of amendment. One of the central tenets of the germaneness rule is that an amendment may not condition the effectiveness of legislation pending an unrelated condition. Examples of this principle may be found in the Deschler-Brown Precedents, chapter 28, section 30.

The amendment offered by the gentleman from Florida proposes a condition on the level of authorizations contained in section 3. The condition relates to funding levels for the National Aeronautics and Space Administration. The activities of that separate entity are not related to an authorization for the National Science Foundation. As such, the amendment proposes an unrelated condition.

The amendment offered by the gentleman from Florida is, therefore, not germane. The point of order is sustained.

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. PRICE of Georgia. Would it have been possible for the Rules Committee to propose a rule to the House to waive the rule under which the Chair has just ruled this amendment out of order?

The Acting CHAIRMAN. The gentleman does not state a parliamentary inquiry. The gentleman's question is hypothetical.

Mr. PRICE of Georgia. Mr. Chairman, I have a parliamentary inquiry.

The Acting CHAIRMAN. The gentleman from Georgia will state his parliamentary inquiry.

Mr. PRICE of Georgia. Mr. Chairman, isn't it true that the Rules Committee has the authority to waive the rules under which this House operates so that certain amendments may be brought to the floor?

The Acting CHAIRMAN. The Chairman of the Committee of the Whole can only comment on the rule in operation for this bill.

Mr. PRICE of Georgia. I thank the Chair.

AMENDMENT NO. 5 OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. 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. CAMPBELL of California:

At the end of section 3, insert the following new subsection:

(h) LIMITATION.—None of the funds authorized under this section may be used for research related to—

(1) archives of Andean Knotted-String Records;

(2) the accuracy in the cross-cultural understanding of others' emotions;

(3) bison hunting on the late prehistoric Great Plains;

(4) team versus individual play;

(5) sexual politics of waste in Dakar, Senegal;

(6) social relationships and reproductive strategies of Phayre's Leaf Monkeys; and

(7) cognitive model of superstitious belief.

Mr. CAMPBELL of California. Mr. Chairman, we have a budget problem here in Washington, the Federal Government. The budget that was recently passed off of this floor has a deficit in it, continues that deficit for the next 4 years. It has a tax increase in it, the largest tax increase in American history, going forward. And it also continues to raid the Social Security funds, take the Social Security surplus that we have and spend it on things that are unrelated to Social Security. So we have a budget crisis going on.

What this amendment does is it says that there are certain things upon which we should not be spending money through this bill during this time of budget deficits, stealing Social Security funds, and increasing taxes.

What this amendment does, it says there's just a couple of things that we should not be increasing the deficit by spending money on, and I quote, ''The Archives of Andean Knotted-String Records,'' or to study ''The Accuracy in Cross-Cultural Understanding of Others' Emotions.''

This amendment also says that we don't want to increase spending and, therefore, increase taxes in order to pay for a study of ''Bison Hunting on the Late Prehistoric Great Plains'' or ''Team Versus Individual Play'' or ''The Sexual Politics of Waste in Dakar.''

And it also says that we don't want to increase spending and spend any of this money in this authorization and, thereby, be continuing to raid the Social Security Trust Funds in order to study ''The Social Relationships and Reproductive Strategies of Phayre's Leaf Monkeys'' or ''The Cognitive Model of Superstitious Belief.''

Now, Mr. Chairman, I understand that there is a process of peer review from which these studies come in the National Science Foundation, and that's all well and good. But our job here is we are the elected representatives and stewards of the taxpayers' money, not the academics in the National Science Foundation, and it is our decision whether or not we wish to spend taxpayers' funds on studies of the social relationships and reproductive strategies of Phayre's leaf monkeys or on bison hunting on the late prehistoric Great Plains. I think we should not do that.

I am sure that some believe that these are very fine academic studies. That's excellent. Within the realms of academic halls, they may think a number of things are fine academic studies. That's not the question.

The question before us is, do these things rise to the standard of requiring expenditures of taxpayer funds in a time of deficits, proposed tax increases and raiding Social Security funds? I think the answer is a resounding no. I think the answer should be a resounding no, which means that I would hope that the vote on this amendment would be an equally resounding yes.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

I appreciate the gentleman's comments about the budget deficit, and I would first suggest that the deficit rose to historic levels under the leadership of the former majority party, largest deficits in the history of this country, indeed, were accrued with President Bush and the former majority.

Looking to these studies, some of which are $10,000, now absolutely we must make sure that we spend all the taxpayer dollars wisely. But let me just share with you what the American Association for Advancement of Science, probably the most prestigious scientific body in this country, has said. Prohibiting specific grants sets a dangerous precedent for scientific research that has progressed and advanced for decades through freedom of inquiry into a broad spectrum of subjects. While congressional oversight of Federal programs is, of course, important, second-guessing peer review in this way could compromise the fabric of our public research enterprise one thread at a time. Therefore, we urge you to oppose such amendments.

Similar sentiments have been voiced by the Association of American Universities.

And I would be tempted to ask the gentleman from California, except he's already stated his piece, why he would be opposing research that has been supported by the United States Army Research Institute; that is seen as critical to the security of our troops serving in Iraq.

Now, my wager is the gentleman's saying to himself right now, I have no idea what the chairman is speaking about here. And that's the problem. When you look at a cursory examination of the title, or an abstract, you don't have an idea. That's why we have peer review.

Which particular study am I talking about? I'm talking about the Study of the Accuracy of Cross Cultural Understanding of Others' Emotions. What we are talking about here is if you're going to be dealing with people from another culture, and you misread their expression of emotions, it can cost you your life, your buddies their life, or the innocent civilians their lives. The U.S. Army Research Institute believes this is important, and they support the basic elements of this kind of study.

I also am not sure, the gentleman seems to suggest, it seems, that we here in the Congress, with a cursory evaluation of the abstracts from studies, should insert ourselves in the peer-review process. I wonder if the gentleman had looked at chemistry research or physics research in the same way, and do we really want to spend this body's time, and do you, sir, or you, sir, have the expertise to evaluate these studies? That's why we have a peer-review process. That's why we have a National Science Foundation. It is why we have a Science Foundation Board to direct us.

I absolutely agree that if taxpayer dollars are going to be spent on research, it is incumbent upon the scientist to do the research well, ethically, responsibly, and that it be relevant. But I do not believe it is the place of either side of this aisle to single out particular studies, as has been done in this case, and presume that with a 5-minute examination we know better than peer reviewers who have the degrees in the relevant fields and have spent years studying them and have evaluated them. That is a dangerous precedent to set, and I would urge strongly opposition to this amendment and a similar one which will emerge shortly for the sake of our soldiers.

Mr. EHLERS. Mr. Chairman, I move to strike the requisite number of words.

These are always very difficult questions, and I have learned long ago never to judge the research by the title of the proposal. These are complex issues, and I don't know if the gentleman was here earlier when I spoke about the rate of return on research at the National Science Foundation. The best estimate is that the rate of return is a minimum of 20 percent and a maximum 400 percent on individual research projects.

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Now, I challenge anyone in this Chamber to find investments that will year after year give you that rate of return on the investment.

Another point I would like to make is, as I said, you can't always judge the full proposal by the title. This was evident a few years ago when we went through exactly the same charade when discussing the National Science Foundation budget. Some of my colleagues came down to the floor to amend the NSF appropriations bill, and one offered an amendment to remove grants for the study of ATM. This person gave a magnificent speech why we should not spend money at the National Science Foundation or the Department of Energy to study ATM. His argument was, let the banking industry do the research on ATMs. What he didn't know is that the proposal was not on automatic teller machines but the proposal was on studying asynchronous transfer modes, which involves the way computers talk to each other. This research led to a substantial change in the speed at which computers were able to talk to each other. This is a good example of why it is dangerous to just look at titles and make a judgment.

I would also pick up on the comment of Mr. BAIRD about cultural studies. I think one of the basic problems in Iraq, and I have told this to people in the White House, is that there were not enough people in the White House, perhaps even in the State Department, who understood the culture of the countries we were dealing with, and we failed to realize what would happen once we moved into that country. A good NSF-funded study beforehand would have been invaluable in determining what would happen.

Another example: a few years ago there was a grant on game theory. Once again, one of our colleagues rushed to the floor and said we have to eliminate funding for that. In fact, game theory is extremely useful in calculating the operation of nuclear reactors.

So I urge defeat of this amendment. It is very easy to sit on the House floor and pontificate about these issues. But if we are going to cut the budget, there are much more fertile fields in which to cut. Why would we cut the one agency that gives us a guaranteed rate of return on our investment when there are many other areas we can cut where we are getting little or no payback at all?

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

I appreciate the comments of my good friend from Michigan, and I appreciate the comments of my fellow colleague from Washington. And I have been, as a physician, a strong supporter of the National Science Foundation. I believe strongly that, in fact, they need more money, not less. I would argue that we need to prioritize appropriately in our Federal budget and provide much greater resources in the National Science Foundation and the National Institutes of Health and the CDC and others that ultimately work and derive huge benefit to our entire society and, in fact, to the world.

But I commend my good friend from California for bringing this amendment forward because, although I may not have pulled out a couple of the items that he notes, for the life of me, I have a difficult time understanding and appreciating why on earth it would make any sense, and I would ask my good friend from Washington can you fathom how studying bison hunting on the Late Prehistoric Great Plains might have some effect on contemporary society that would make a difference with the compelling argument that you made regarding the study of cross-cultural emotions?

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

Mr. PRICE of Georgia. I would be happy to yield.

Mr. BAIRD. Mr. Chairman, I thank very much the gentleman for yielding. And I would just caution I wouldn't state ''for the life of me'' on something that I hadn't studied very well no matter how obvious it may look.

Mr. PRICE of Georgia. I would be happy to reclaim my time or I would be happy to have you answer the question, one or the other.

Mr. BAIRD. I could answer the question. I am just giving you the caveat about staking your life on things.

Here is the issue: I don't think we want to say that we should never study the history of things. It is the perspective of this gentleman that we should not study history. And particularly, when you look at bison, I am not an expert in this, but to pretend to be so would be a mistake. To pretend to be so on your side or on my side would be a mistake. The authors of this study have contended that biologists and social scientists have tried to look at how humans make decisions to maximize and minimize risks in different environmental conditions. As you face different food supply systems, how do you deal with that? And that is part of the point here. How did people who live on the plains look at where they were going to harvest bison?

Mr. PRICE of Georgia. Reclaiming my time, Mr. Chairman, I would suggest candidly that it was a valiant attempt. It was truly a valiant attempt, and I appreciate the attempt, to make a justification for bison hunting on the Late Prehistoric Great Plains. I would also suggest that the sexual politics of waste in Dakar, Senegal is a questionable study.

So I commend my good friend from California, and I would be happy to yield to him.

Mr. CAMPBELL of California. Mr. Chairman, I thank the gentleman from Georgia for yielding.

I appreciate the academic arguments, and I understand them. I am a history buff myself. I love this stuff. I might actually love this report, might enjoy reading it, might find it fascinating. That's not the point. The point is do we want to spend taxpayer funds on this?

The United States taxpayer cannot fund every bit of academic research for every university, for everything that every professor wants to do across this country. We can't do that. The question before us is, are these the sorts of things we do want to spend taxpayer money on? I would suggest that they are not, and that is why I would suggest that to vote against this amendment is to say that you believe that taxpayer money should be spent on these specific items. That is the question before us. Not whether it is interesting. I am a Civil War buff. I love all kinds of interesting stuff about that, but I don't think the taxpayer ought to pay for research into it.

Mr. PRICE of Georgia. Mr. Chairman, reclaiming my time, I thank the gentleman for his comments, and I would concur. I think that there are many things that are exciting and interesting to study, whether or not they ought to be priorities at this point, and again, I would point to the bison hunting on the Late Prehistoric Great Plains.

And if my good friend from Michigan would care to make a comment, I would be pleased to yield.

Mr. EHLERS. Mr. Chairman, I thank the gentleman for yielding.

I just want to respond to the statement that we can't fund every proposal that comes along, and that is absolutely true. The National Science Foundation funds a small fraction of the proposals that come through, and that is why we are beginning to slip as a Nation compared to other nations, because we are simply not, as a Congress, providing sufficient funds for the National Science Foundation. And I forget the current figure, but I think it is in the neighborhood of 20 percent of the grant applications are being funded; 80 percent are not being funded. It's a tough business, and these are all peer-reviewed grants. I cannot defend them individually without looking at them. As I say, you can't judge a proposal or a grant by its cover.

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the last word.

I rise in opposition to the amendment, and I yield to the gentleman from Washington.

Mr. BAIRD. Mr. Chairman, I thank the gentleman from Virginia for yielding.

The challenge here, my friends, is you asked, I think, a question that is

just improperly placed. Neither of us is trained in these areas. You are challenging a fundamental tenet of how we do National Science Foundation research. If you truly believe that the most cost-effective use of this body's time, and that we are qualified to use our time in that fashion, is to, one by one by one, review National Science Foundation grants for our considered and qualified judgment of the appropriateness of those grants, it seems to me that that is a bit of a stretch. It seems to me that you are really making a political statement.

If the political statement you want to make is we should spend the taxpayers' dollars wisely, I, 100 percent, agree. You may not know it, and probably don't, that we are working with the National Science Foundation to establish a letter actually that scientists that receive public grants would have to sign saying they understand the money came from the taxpayers, they are committed to doing research that is well designed and ethically high quality and that is relevant.

The problem for us, in this brief time we have here and lacking expertise in the field, is it is really presumptuous of us on either side to say I can either attack or defend. I would yield time to either of you if you want to tell us what your personal qualifications are in the area of expertise of any of these studies, and I will hold you to it. What personal qualifications do you have in the broad area of this study to speak to that study?

Mr. CAMPBELL of California. Mr. Chairman, will the gentleman yield?

Mr. SCOTT of Virginia. I yield to the gentleman from California.

Mr. CAMPBELL of California. We are qualified by virtue of the fact that we have been elected by people in our districts to be stewards of their money. As I said, this is not a question of whether or not these things have academic merit within a field of academics. It is a question of whether they are worthy of spending taxpayer money in that area. I think they are not.

Mr. SCOTT of Virginia. Reclaiming my time, Mr. Chairman, I yield to the gentleman from Washington.

Mr. BAIRD. Let me just share with the gentleman the dangerous path you are on. There was a study some time back dealing with the sex life of the screw worm, perhaps aptly noted. The sex life of the screw worm, that would be pretty tempting to come to the floor and say, by God, why are we spending taxpayer dollars studying the sex life of screw worms? The reason being that that research saved the cattle industry millions of dollars by eliminating a parasite that deposited eggs in the placenta of newborn cows.

We don't have the knowledge. We are indeed stewards of the taxpayers' money, which is why we created the National Science Foundation, why we are very careful about designating how the peer-review process works, and, quite frankly, why we shouldn't mess with that peer-review process. If we truly want to be stewards of the taxpayers' money, which I believe all of us want to be, then our best approach is to delegate some of the decision making about where some of that money is spent to those who best know the realm in which the research is spent. It is precisely because I believe in the task of being a steward of the taxpayer dollars that I oppose the general purpose of the amendment.

I understand you are trying to save money. I just don't think our best way to do so is by micromanaging either this or most of the other foundations.

And I thank the gentleman from Virginia for yielding.

Mr. GARRETT of New Jersey. Mr. Chairman, I move to strike the last word.

Just a couple of points and then I will yield.

I agree with the gentleman that in some respects, perhaps, this body should not be engaged in micromanaging various aspects of the Federal Government where we do not have expertise.

Earlier today, and in just the past week, we had a complete debate on that subject of whether this body, all 535 Members, were in appropriate position to micromanage the war, and I think some of us thought that we were not in the best position but that we should have, just as you are suggesting here, the trained professionals, the experts, the people on the field who are engaged in this activity on a daily basis make those decisions.

So I would agree with the gentleman there. And if we were to have consistency, then we should not be engaged in that matter and we should not be engaged in this case.

Let me make my second point and that is this: It is not incumbent upon the gentleman from California to be the expert in these areas that he is raising questions about. The underlying bill is not the gentleman from California's bill. It is the majority party's bill. It is your bill. You are coming to the floor making the case, or I should say the other side of the aisle, as I am speaking to the Chair, making the case that we should be spending all this money on these programs. So it is incumbent upon the offerer of the underlying legislation to make the case why we should be doing it and have the information why each one of these is justified so that when either the gentleman from California or Georgia raises the legitimate question, the same question that we are going to get when we go back to our constituents and are asked why did we vote on it, he should be making the justification for that.

With that, I will yield to the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman from New Jersey for his comments. And he is making a very apt point.

And I appreciate the comments of my good friend from Washington, who said, and I think it got down correctly, ''We are neither trained nor have expertise in this area.'' And you are absolutely right. But consistency is a wonderful thing and inconsistency is a challenge.

□ 2045

I would suggest that none of us are pure in this area, but my good friend talks about we ought to delegate decisionmaking to authorities who have expertise, and we should. As a physician, I am compelled and have strong affinity for all of the advocacy groups that come to my office, as I know they come to yours, and advocate on behalf of specific diseases. Most recently this week, the folks who have suffered under the scourge of breast cancer have come, and they are asking for more resources. And I always suggest to them that it is appropriate for those decisions to be made by individuals at the National Science Foundation, at the CDC, at the National Institutes of Health. But, in fact, what my good friend from Washington does all the time, in his capacity in Congress, is to determine exactly what that line item ought to be from an appropriations standpoint.

As a physician, the medical profession has suffered under the decisions that have been made in this Chamber and in the Chamber on the other side of this building because individuals thought they had greater expertise in the area of health care. And as my good friend from New Jersey clearly stated, and appropriately stated, that just this week we've been dealing with folks who believe they have greater expertise in the area of military competence and battles than our generals on the ground.

So I would suggest, Mr. Chairman, that my good friend from Washington is absolutely correct, that we ought to delegate in certain instances, but we ought to also utilize the prerogative that we have and the responsibility that we have as representatives in this body, representatives of our districts, and make certain that we are good stewards of the taxpayers' money.

Mr. GARRETT of New Jersey. Mr. Chairman, I yield to the gentleman from Michigan.

Mr. EHLERS. I thank the gentleman for yielding.

First of all, I'll make a deal with you; I won't make any judgments about medical research if you don't make judgments about NSF research.

The point of this really is that you cannot predict what will result from the research; that is the idea behind basic research.

Years ago when I was a graduate student at Berkeley, we were spending tremendous amounts of money to examine the behavior of elementary particles, protons, neutrons, mesons, and so on. And no one, even in the scientific community, could ever imagine any practical use for that. But later on the results from doing that research led to the development of a CAT scanner and

the MRI. Now, who would ever have thought that elementary particle physics would lead to major findings in medicine which every doctor relies upon today?

Mr. McNERNEY. Mr. Chairman, I move to strike the last word, and I yield to my good friend and colleague from Washington State (Mr. BAIRD).

Mr. BAIRD. I thank the gentleman from California. Just a couple of brief comments, and it's getting late, so we don't want to carry this forever.

I would suggest that we all agree that consistency is a very dangerous thing. If the gentleman talks about being consistent, I would ask the gentleman why they chose not to micromanage the vast expenditures of dollars, not even to have oversight hearings of the vast expenditure of dollars on the war.

If you really want to save the taxpayer dollars, we are burning $2.5 billion a week in Iraq. This entire bill is $21 billion over 3 years. We're talking about 3 full years to fund the basic scientific research of this entire Nation, from mathematics to physics to chemistry to social sciences. That's about 6 or 7 weeks or so of what you spend in Iraq. And yet when it came to oversight of the expenditures in Iraq, the majority, then-majority party was then just virtually silent. If you really want to save the taxpayers' money, and I do, you could have looked at that.

But let me suggest what the gentleman from New Jersey misrepresents. And I asked earlier if any folks on the other side were qualified to study this. The gentleman from New Jersey just doesn't seem to understand how this legislation works. He completely misrepresented when he said that it is incumbent upon the majority and the chairman who is bringing this forward to defend these studies. Sir, this bill does not authorize specific studies. That is not how the authorizing language for the National Science Foundation works. It would be ludicrous, and you should know that; and if you don't know it, you are not qualified to speak to this. But it would be ludicrous to suggest that when you authorize a foundation, that you are authorizing every single specific study or that you know what all those specific studies are. That's not how the National Science Foundation works. That's not how we authorize it. That's not how this bill functions. And it's indeed not how many, many of the authorizing bills function here. So to suggest that, to bring forward a broad authorization bill that gives responsibility to a foundation, one has to justify every single study is to misrepresent how this legislation works. And that's the problem. I think the gentleman either misunderstands or misrepresents how the legislation works.

I thank the gentleman from California for yielding.

The Acting CHAIRMAN (Mr. ANDREWS). The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. CAMPBELL of California. 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 California will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. CAMPBELL OF CALIFORNIA

Mr. CAMPBELL of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Mr. CAMPBELL of California:

At the end of section 3, add the following new subsection:

(h) REDUCTION.—Each of the amounts authorized to be appropriated or made available under this section shall be reduced by 1 percent.

Mr. CAMPBELL of California. Mr. Chairman, my colleague from Washington mentioned that he didn't think this last amendment that I proposed was the correct way to save money, so perhaps this is the more correct way; maybe this is something that he would find more to his liking.

H.R. 1867, this bill before us, would increase spending for the National Science Foundation by 9.9 percent in the first year, 7.4 percent in the second year and 7.3 percent in the third year, for an increase of over 25 percent over a 3-year period. Now, Mr. Chairman, that is an amount, and I, too, am someone who has sympathy for some of the things that the National Science Foundation does. However, even over the last few years where we have had very large percentage increases in our revenues to the Federal Government, they haven't been as large as this over the last 3-year period. In fact, in the next 3-year period, any of the prognosticators, whether it be the Office of Management and Budget or any of the other prognosticators, are not estimating that we will have a 25 percent increase in revenue over the next 3 years. So therefore, this proposes to increase spending at a rate greater than revenue is projected to increase over the next 3 years.

This amendment would simply reduce the amount of this increase by 1 percent per year. So instead of increasing by 10 percent the first year, it would increase by only 9; instead of increasing by 7.4 percent, the second year would increase by 6.4 percent; and 7.3 percent, it would increase by 6.3 percent in the third year. These are still large annual increases, larger than most taxpayers at home are likely to see the increases in their incomes, in their salaries, in their wages.

So this is just a small reduction. It does not deal with, as the gentleman from Washington mentioned, it does not specifically say what, it leaves that issue open. So, therefore, it does not interfere with the selection of these various proposals and research things that the gentleman from Washington just supported in the last amendment.

So with that, Mr. Chairman, I would ask for an ''aye'' vote.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, here's the problem with what the gentleman is proposing, however well-intentioned it may be. And I am deeply concerned; as the gentlemen know, I serve on the Budget Committee with some of the gentlemen who are speaking, and we are all concerned about the long-term deficit picture for this country. However, if you cut investments in scientific research and scientific education, in the long run you will increase the deficit of this country, and you will decrease our national security, our national health care and our national and international competitiveness. That is why this is a mistake.

And don't just take my word for it. The National Academies of Science, in Rising Above the Gathering Storm, a 2005 publication, called for more than a 10 percent increase; the U.S. Commission on National Security, the Hart-Rudman report, a similar level of increase; the President's Council of Advisers on Science and Technology, in their publication, Assessing the U.S. R&D Investment in 2003; a coalition of 15 industry associations, in the publication Tapping America's Potential, in 2005; the Council on Competitiveness in their publication, Innovate America.

This is not just a Democratic proposal or Republican proposal. I would remind the gentleman that this bill passed unanimously out of committee with bipartisan support.

I would also encourage you to ask your faculty administrators, ask your high technology industries, do you think this country is spending sufficient quantities on fundamental basic research and investment such as that funded by National Science Foundation? And do you think we are doing enough to keep our young people educated in science and math in ways such as supported by this legislation? I guarantee you most of them would say no. You would, I think, by this cutting, with due respect, significantly be impairing, and it sounds like a small measure, but remember, we are already falling behind in a number of areas in science and math, not only in the education, but in the applied fields.

This is consistent with President Bush's own administration request of a 7 percent per year increase. Again, this is a bipartisan approach, not a Democratic or Republican approach. The President has called for this. And again, as Dr. EHLERS said so eloquently earlier, our return on investment from research is profound. And when you cut that investment, I think you're cutting that return on investment.

Mr. EHLERS. Mr. Chairman, I move to strike the last word.

I will try to be brief. We have beat this subject to death, but I find it ironic that we talk about cutting the funding of the one agency that returns more on its money than any other agency does.

If we're talking about cutting the NSF by 1 percent, we should cut everything in the budget by 1 percent. And I might even vote for that if you are willing to cut defense by 1 percent; Cut every department, cut Social Security by 1 percent, and so on down the line. Then you might have something that would be worth doing. But to attack something that actually benefits this Nation, increases our health and wealth, and is allowing us to at least try to keep up with what other nations are doing, is utterly unrealistic.

I would point out, and I can show you graphs indicating that we are falling far behind other nations. We occupied the premier spot in research for a number of years. But now South Korea, as an example, is very rapidly getting very close to what we are spending on research as a percentage of GDP. I expect them to pass us in a few years.

It is incredible to me that we are supposed to be the brightest, most powerful Nation in the world, and yet we are losing ground compared to nations such as South Korea. If we are serious about competing with other countries, we absolutely have to keep investing our money in research, whether it's the National Science Foundation or whether it is the Department of Energy or the National Institutes of Health.

In addition to that, I would mention that the National Science Foundation is just about the lowest-cost research institution. We spend a lot less money in the National Science Foundation than we do in the Department of Energy, than we do in National Institutes of Health or that we do on NASA. One of the lowest costs with the highest rate of return, I don't see any reason in the world to cut the NSF.

Mr. Chairman, I will yield to the gentleman from California.

Mr. CAMPBELL of California. Just a short clarification, that this amendment does not propose a cut in the funding, it proposes to very slightly reduce the rate of growth from what was proposed. That is my only clarification.

Mr. EHLERS. I thank you for the clarification.

Mr. MCNERNEY. Mr. Chairman, I move to strike the last word, and I yield to my good friend from Washington State (Mr. BAIRD).

Mr. BAIRD. Mr. Chairman, I will be very brief. I want to echo what the distinguished ranking member said.

The following countries are increasing their investment in basic research faster than this legislation would authorize, and they've already put the money up front. Listen to these countries and see if you think it is wise for our Nation to reduce its investment even further, and further fall behind: China, Taiwan, European Union, South Korea, Singapore and others. Do we seriously want to further reduce our investment in basic research if we want to keep our Nation competitive? I submit we don't, and I would urge defeat of this amendment.

I thank the gentleman.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. CAMPBELL).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. CAMPBELL of California. 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 California will be postponed.

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AMENDMENT NO. 11 OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. 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 Mr. GARRETT of New Jersey:

At the end of section 3, add the following new subsection:

(h) REDUCTION.—Each of the amounts authorized to be appropriated or made available under this section shall be reduced by 0.5 percent.

Mr. GARRETT of New Jersey. Mr. Chairman, I, too, echo the words of my colleagues who are in support of the overall funding of the National Science Foundation, and I offer this amendment to H.R. 1867, which I hope will provide incentives for the NSF to identify waste and any abuse within the Agency, but also, very importantly, to help identify those programs which are either underperforming or simply just not working.

I believe this legislation will help be a model of fiscal responsibility. It is similar to the legislation we just heard from in two respects. H.R. 1867 authorizes the National Science Foundation to increase their spending, which goes to the point of the gentleman from Michigan was saying before, by 7 percent, and again in 2009 and 2010.

The point we must make here, though, is inflation has remained constant during this same time period at around 3 percent. So when we purport to be so concerned about the taxpayers' dollars and the debt we are leaving our children, which I just heard from the gentleman from the other side of the aisle previously, how can we justify programmic increases for research that are actually more than twice the rate of inflation?

As I referenced before, when I go back to my constituents back at home in town hall meetings and the like, they are not seeing 7 percent increases in their wages and salaries. They are not seeing a doubling of their incomes and their family household incomes. They may be seeing that as far as their expenses are concerned. They are seeing all other sorts of increases in spending, such as gasoline prices and the like that they have to put up with, but they are not seeing the increases in income and expenditures that we are seeing in this bill.

I will comment on one comment that the gentleman from the other side of the aisle made before as far as being consistent. I think we heard the American public on this past election day. The American public is concerned about overspending by Congress. They want us to prioritize where our dollars go. They want to make sure that we are spending every dime efficiently and appropriately.

I have yet, however, to hear one suggestion from the other side of the aisle, either here on the floor or on the Budget Committee, on which I serve with some of the gentleman on the other side of the aisle, as to where we with can make some of those cuts. Instead, what we are seeing is a continual increase in spending.

Another point to make as well: Time after time our constituents come to our office quoting the discrepancy between authorization levels and appropriation levels. It is my hope that instead of having to disappoint them once again, that we set realistic authorization levels that may actually be realistic to the appropriation levels that come down the line. Let's be realistic, both on what we can do for our constituents and also what the appropriators may be doing with this bill later on.

I encourage my colleagues to support this amendment, because it is our duty simply as stewards of our constituents' money, the taxpayers' dollars, as we step forward to make an honest assessment of what we can afford and should afford the American taxpayer.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, we have been over the basics. Let me just reiterate, this proposal for the increase in the National Science Foundation is thoroughly consistent with President Bush's own agenda. The competitiveness initiative calls for these kinds of increases. That is point one.

Point two: If we hope to maintain our competitiveness, if you look at the proportion of our economy today that is the direct result, and Dr. EHLERS illustrated a number of examples, but the direct result of research and inventions that have come out of funding by the National Science Foundation, a tremendous amount of our economic prosperity today came from those investigations.

As Dr. EHLERS so eloquently said, we don't know, ''we'' generally, not just we in the Congress, but especially we in the Congress, don't necessarily know which particular investigation, which particular study, is going to yield those profound results. But some will.

I will tell you, I just spoke to a scientist in my district last week and he

said to me, Congressman, the pipeline of U.S. scientists is drying up. You just really have to understand this. The pipeline of U.S.-based scientists is drying up, because the research funding is not adequate to meet the demand.

What is happening is many, many young researchers are either not entering the field or are dropping out of the field or abandoning potentially promising careers, promising not just for them, but for our society.

The hit rate, if you are a young researcher applying for a grant through NSF, your hit rate is low. You are going to spend a tremendous amount of effort applying for a grant, trying to further your research agenda, and your hit rate is going to be significantly low. That is demoralizing. It blocks important avenues of research that might yield promising results.

And when we make these cuts, it is easy for us. I agree that we have got a huge fiscal problem. But, again, I will tell you that if you look at the long-term drivers of the fiscal problems this country faces, nobody says it is that vast waste at the National Science Foundation that is driving this country into debt. That is not what they say. They say it is a combination of revenue, it is a combination of entitlement programs, it is a combination of defense. I agree we ought to debate those, but not on the back of the National Science Foundation, for goodness sake.

So I would urge defeat of this amendment for the same reasons I urged defeat previously.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise to support the underlying bill, H.R. 1867, and rise to express my appreciation and thank the Science Committee for the bipartisan effort that they have always engaged in, and frankly, want, to thank them for the opportunity that I have had to serve on that committee for a number of years.

Usually we rise and say with great reluctance, I rise to oppose the amendment. I might say with great vigor I rise to oppose the amendment. Because as I served on the Science Committee for a number of years, I used to always start the hearings with the idea that science is the work of the 21st century, and certainly the National Science Foundation sets the framework for encouraging research and innovativeness.

I can't imagine that the distinguished gentleman who has offered this amendment would venture to argue with me, and I cite just a few examples that I think most of my colleagues and most of America frankly understand how our lives have been changed by simply these innovations. Of course, some of them were by private ingenuity and private concepts and funding possibly, but that was an America of yesteryear.

But where would we be without the Wright Brothers and the airplane? Where would we be without Thomas Edison and electricity and the light bulb? Even though as we move into the 21st century, we want to be protectors of the environment and certainly want to be conservationists, look how that has changed our lives. And what about the Internet, interestingly enough, one of the success stories of DOD research.

The most important part of it is the work that was created, the work that was created by these inventions and by the opportunities to allow our imagination to generate a better quality of life for Americans.

This bill, H.R. 1867, which, as I said, I enthusiastically support, creates work for the 21st century. It emphasizes the underserved. It encourages research to be done by Historically Black Colleges and Historically Hispanic Serving Institutions, and as well, to encourage diversity in science, technology, engineering and mathematics.

There is an important provision that mentions, of course, the intent of this particular legislation to determine how different minority groups are impacted by this funding, which is whether or not we can increase the number of underrepresented minorities in the science, technology, engineering and mathematics fields, and how we can increase women in these fields. For the time I have worked on the Science Committee as a former member of the committee, these were issues that we worked on together.

What the gentleman is trying to achieve with this across-the-board cut is amazing to me, because what he is actually saying to the world and to America is we are second rate. We don't believe in investing in the next generation of research. We don't believe in uplifting those who are interested in these disciplines to give them merit and worth.

I would ask the gentleman, though I am sure his rebuttal will be that we don't pay those dollars. I don't know if we do. What is a high school football or basketball coach worth? What is a college football, basketball or any other sport's coach worth? Can we not, as a Nation, make a commitment to the research community by affirming their importance?

Dr. EHLERS and Dr. BAIRD have worked together affirming the importance of research, and not closing the door of this important responsibility that we have.

I am fearful, Mr. Chairman, of where this Nation is headed when we pull back on the ability of our Nation to invest in the 21st century technology. NASA represents that, the NASA Space Station represents that, the centers represent that, the laboratories represent that.

We want to encourage this funneling, this pathway, if you will, this farm team of researchers, and this particular legislation does that by increased funding, by highlighting the underserved, and I believe doing a lot more.

Let me conclude by saying I had intended to offer amendment to ensure that Historically Black Colleges and Hispanic Serving Institutions would be a viable part of the legislation. As I have reviewed it, I know that the intent is there, and that we will look forward to working with the members of the committee and working with this Congress to make sure that the United States is creating work for the 21st century.

Oppose the amendment and support the bill for the betterment of America.

Mr. Chairman, I rise in strong support of H.R. 1867, the National Science Foundation Authorization Act of 2007. This bill is another important component of the new Democratic majority's Innovation Agenda, which is designed to make our Nation more able to compete successfully in the global economy.

Mr. Chairman, to ensure that the United States will continue to have a workforce ready for global competition, it is essential that we make a sustained commitment to federal research and development. The National Science Foundation is crucial to these goals, providing vital support to our Nation's science and engineering projects and researchers.

Created by the National Science Foundation Act of 1950, the National Science Foundation, or NSF, is tasked with the broad mission of supporting science and engineering. This agency provides funding for basic research across many disciplines, and offers support for merit awards, state-of-the-art tools, and instrumentation and facilities. The majority of the research supported by the NSF is conducted at U.S. colleges and universities.

This bill reaffirms our commitment to scientific excellence by reauthorizing the National Science Foundation (NSF) for three years and providing nearly $21 billion in funding for fiscal years 2008–2010. This legislation appropriates specific funding for each of the NSF's major accounts: research and related activities, education and human resources, major research equipment and facilities construction, agency operations and award management, the National Science Board, and the Office of the Inspector General. A number of specific programs within the science, technology, engineering, and math (STEM) educational categories are singled out as the recipients of funding. Additionally, specific funding is designated for Major Research Instrumentation (MRI) awards. By raising the cap for these awards, this bill allows the NSF to support a wider range of state-of-the-art research tools.

This bill contains many other important provisions. It requires an evaluation of NSF's role in supporting interdisciplinary research, and encourages university and industry partnerships. It encourages young investigators through a new grant program, and it requires a National Academy of Sciences report on barriers to and strategies for increasing the participation of underrepresented minorities in STEM fields.

The NSF ensures a continued national supply of scientific and engineering personnel, while promoting basic research and education across a wide array of scientific and technological disciplines. In the interest of both economic prosperity and military capability, the United States must continue producing a workforce knowledgeable to maintain technological competitiveness. If we are to do this,

this Congress must continue funding and strengthening science and mathematics education. Supporting this bill is an important step, and I strongly urge my colleagues to join me in supporting this legislation.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I know my good friend from Texas did not intend to, but I would respectfully request the Chair make certain that he calls into order individuals who impugn the motive of other Members of this body. I think it is important that we not do that in this Chamber.

Ms. JACKSON-LEE of Texas. Mr. Chairman, will the gentleman yield?

Mr. PRICE of Georgia. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the gentleman.

Let me be the first, because I believe we are all distinguished gentlepersons, gentleladies and gentlemen, say that my remarks were to the value of this bill and to my philosophical disagreement with the author of this amendment, and certainly recognize that he is proud of America and all of the inventiveness that she has, and therefore any intent that might have been perceived by my words were only to glorify this bill and to celebrate our researchers and our science in this country.

Mr. PRICE of Georgia. Mr. Chairman, reclaiming my time, I appreciate the gentlelady's comments, and I would just respectfully suggest it might be appropriate to review the words that were spoken and reflect upon them.

Mr. Chairman, I would also suggest candidly that my recollection, I am not absolutely certain, but my recollection is that the Wright Brothers and Thomas Edison had no government subsidy, and the remarkable inventions that they came up with were without the benefit of government subsidy. That is not to say that government subsidy isn't appropriate for certain occasions, but I would suggest that those individuals had remarkable accomplishments without the kind of support that we are discussing today.

Mr. Chairman, I am pleased to yield to my good friend from New Jersey, the sponsor of the amendment.

Mr. GARRETT of New Jersey. Mr. Chairman, I thank the gentleman from Georgia.

Mr. Chairman, I believe the other side of the aisle has mischaracterized what this amendment does when they speak of cuts and pullbacks from science and the Foundation. Nothing of the kind is in this amendment. Instead, we will still be increasing spending this year and next year and next year and next year up to $20.87 billion for these appropriated expenditures on the National Science Foundation, instead of $20.97 billion.

I am very much concerned about education and science and our research. Let me just add, I am also concerned about the education of our youth. My constituents are just as concerned about educating their kids and being able to afford to send their kids to college and how do they pay for that? My constituents are concerned about the health care and the medical expenditures for their families and how do they pay for that? My constituents are concerned about the housing for their family and loved ones, and how do they pay for that?

They are not seeing a 7 percent increase in their wages and salaries, even though each and every one of those things are just as vitally important to them as it is that we spend money on overall Science Foundation research in the United States of America.

□ 2115

This amendment would not cut spending by a dime. This amendment would simply limit the growth rate from 7 percent down to 6.5 percent. The last amendment was seeing it go down from 7 percent to 6 percent. This would be even less, from 7 to 6.5 percent. You would still be seeing a growth year after year after year. The NSF would still be allowed to expend their dollars on those critical areas that my friend from Georgia and the Members on the other side of the aisle are so concerned about for the betterment of this country.

I would implore the Members on the other side of the aisle that if we are to be consistent when we talk about the overall spending and revenue side for this Congress, that we stop doing what the other side of the aisle has done. They have only looked at the revenue side of the equation so far in the last 3 or 4 months, giving us the largest tax increase in America's history on the other hand, but have done absolutely nothing for the American public when it says how are we going to set priorities for the American public and what we spend money on, and how are we going to try to rein in spending for the American public as well. I think we need to do it on both sides.

Finally, regarding what the gentleman from Michigan said, I agree with him. If we can do it across the board for all of the other programs, I am right in line with him, and I support him on that endeavor as well. Let's start here, and I will be the first one to cosponsor any of his amendments to do likewise, decreasing the overall increases of spending that this government has.

Mr. PRICE of Georgia. Mr. Chairman, I yield to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding.

Just briefly, I want to comment on a comment made by my friend from New Jersey about health care, a very, very important issue. But the only way we are going to be able to offer better health care to everyone is by reducing the cost.

One huge element of cost in health care is cancer treatment. Today at lunch I met with the latest seven Nobel Prize winners all of whom happen to be from America because we support this research.

The Acting CHAIRMAN. The gentleman's time has expired.

Mr. MCNERNEY. Mr. Chairman, I move to strike the last word, and I yield to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. I thank the gentleman for yielding.

Just to continue, today the Science Committee had lunch with the latest Nobel Prize winners, all of whom are from America because we try very hard to provide funding for the research. They, I might point out, did the research a number of years ago. I hope we can continue to provide Nobel Prize winners by adequately funding the National Science Foundation and others.

But in speaking to the gentleman who got the award in physiology and medicine, he talked about his discovery and the impact it is going to have on cancer treatment. That is very likely to cause a substantial reduction in the cost of the treatment of cancer using his approach.

What does his approach depend on? That is the Human Genome Project which we started a number of years ago in NIH and were the first Nation to do that.

It is always amazing to me how discoveries that we find in one area can have application, and no one, I think, dreamed that when we did the Human Genome Project that we might find the cure of cancer there rather than in medicine. So it is very important that we continue funding the fundamental basic research so we can continue to enjoy the fruits of their research.

Mr. MCNERNEY. Mr. Chairman, I yield to the gentleman from Washington (Mr. BAIRD).

Mr. BAIRD. I appreciate the gentleman yielding, and I thank Mr. EHLERS for his comments.

Very briefly, in 2002, 397 Members of this Congress, including 194 Members of the then-majority party Republicans, voted to double, double, the National Science Foundation.

For those members of your party who plan to vote against this bill or who plan to vote for this reduction in the authorized levels for this committee, I would just suggest you well may be voting against something that you voted for just a few years ago at much higher levels and that the President signed into law. The then-majority voted to double the budget. The President signed it into law at much higher levels than what we are talking about today.

In the last Presidential election, somebody ran around with a flip-flop guy chasing Mr. KERRY. If you do this, the flip-flop guy might be outside your door.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. GARRETT of New Jersey. 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 New Jersey will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. 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 Mr. GARRETT of New Jersey:

At the end of section 3, add the following new subsection:

(h) LIMITATION.—None of the funds authorized under this section may be used for research related to—

(1) the reproductive aging and symptom experience at midlife among Bangladeshi Immigrants, Sedentees, and White London Neighbors; and

(2) the diet and social stratification in ancient Puerto Rico.

Mr. GARRETT of New Jersey. Mr. Chairman, just beginning where the last comment on the last bill ended up, I appreciate the gentleman pointing out that this side did support a doubling of the NSF, and I was probably one of those who was there to support the increase; so no one, I think, can take the position that we are not uniformly as a body or as a party opposed to the general notion of increasing, making significant increases to applied research or general research, I should say, by the NSF.

What we can ask, though, is after the last election, has the American voter spoken with regard to the overall growth in Federal spending in all areas, whether it is in science and health care, whether it is in the war, for veterans or other areas; should we not look at each one individually and decide some should go up, some should remain the same, and some should go up at a slightly different way? That is what we are suggesting in the last amendment, simply that they should go up at a slightly different arc than they are in the underlying bill, 6.5 percent instead of 7 percent.

In the amendment before us right now, we look to see what is the underlying mission of the NSF. If we look at their mission statement, we see it is: ''To promote the progress of science, advance the national health, prosperity and welfare and secure the national defense.''

But during these tough fiscal times, both at the Federal level and at the family level, as I pointed out before, Congress must exercise good stewardship over every penny of taxpayers' dollars. This includes helping the NSF to focus on its priority projects.

Just as the gentleman from Georgia indicated, he has been visited by a number of people from various groups dealing with health issues, so have I; people with serious health issues like Alzheimer's, Parkinson's and diabetes. They come and ask what are we doing and how are we prioritizing for their concerns within the NSF.

The amendment before you simply says can we find more than a quarter million dollars to fund research on such programs as reproductive aging symptoms of midlife Bangladeshi immigrants, but not more funding for research projects which might bring progress and eventually cures for some of the serious illnesses we have already heard about on the floor?

In addition, how can we justify research like the diet and social stratification of ancient cultures when here at home current medical research is so desperately needed?

Now, I understand that the point has been already made that we do not specifically itemize in the authorization bills each one of these specific programs, but these are, as the gentleman knows, programs which have already been authorized in the past and are continuing under the law right now into 2007 and 2008.

So doesn't it behoove us here in Congress to make a statement, to make a stand and say that at least in several of these areas we can make a position that our limited dollars should not be going to those areas, but instead we would make the position that they should be going for Alzheimer's, Parkinson's, diabetes and cancer research and some other areas that we have previously spoken about?

So I encourage my colleagues, do not only exercise good stewardship over the taxpayers' dollars, but in essence to also ensure that worthy projects receive the funding they deserve within that noble mission that I set forth at the beginning, ''To promote the progress of science, advance the national health, prosperity and welfare and secure the national defense.''

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

I would like to thank the gentleman from New Jersey for making precisely the case I have tried to make myself. The case I have tried to make myself is that it is not in the best purview of this body to intervene and micromanage specific studies.

The reason I point that out is because the gentleman spoke about important health issues. One of the studies he seeks to eliminate funding for addresses an important health issue. Menopause is tremendously important to the women of this society. It is fine for two men to get up here and decide whether we want to fund menopause research; but I will tell you, every woman in this country is going to go through it, and they think menopause matters.

One of the studies that the gentleman wants to reduce funding for is very important in terms of addressing the factors that influence how menopause develops. I would share with the gentleman, although my knowledge is somewhat limited, I believe there are correlations between menopause and a number of the issues the gentleman mentioned like cancer and other factors.

So if we believe we want to address those important matters, one of the very studies this gentleman is suggesting we eliminate funding for could very well address those very important issues. I would just urge you go back to your women constituents and suggest to them that you decided, based on your vast medical and anthropological expertise, and your vast understanding of women's health, that menopause did not merit research funding from the National Science Foundation.

And you may try to pick the title and say what does that have to do with Bangladeshi immigrants, et cetera. It may have a lot to do because natural experiments in which one population and another population may be of the same age, different, but subject to different cultural or dietary or other factors, and thereby have different variations in how they manifest certain biological processes can often give us profound insights into disease processes and the development of natural rhythms.

And for you or I to presume that we have the expertise to say that we don't think this study will do that because we know so much about menopause, sir, and I count myself among those ''sirs,'' I think is vastly presumptuous. Menopause is profoundly important to the women of this country. This study deals with menopause, and I am tremendously grateful to the gentleman for picking this study because in so doing, you have made the best possible case for not micromanaging this fine agency.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. All Members are reminded to address their comments to the Chair.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the angst most recently demonstrated is curious in light of the events of recent history regarding what this House has dealt with over the past week or two or three, and a little longer history in light of what this House and what this Congress deals with over and over and over again; and that is not the kind of appropriate kind of decisionmaking that my good friend from Washington so passionately advocates here in this bill, which is to delegate appropriate decisionmaking to people who have the expertise and have the knowledge to determine where those resources ought be spent and where those decisions ought be made.

Would that we as a Congress and we as a House use that same brilliance in our decisionmaking when we make decisions regarding health care. Again, as a physician, this Chamber makes incredible decisions that affect the very personal health care of individuals about which it has no knowledge whatsoever, and takes the decisionmaking authority from physicians and patients in an inappropriate way, I believe.

We also this past week determined as a Chamber, the majority party has determined that they have greater knowledge about the specific military activities that ought to occur on the ground as it relates to our brave men and women who are fighting to defend our liberty and our freedom. However, the majority party apparently believes that it is appropriate for them to make specific decisions what our commanders ought to be doing on a day-to-day basis.

So I would suggest, Mr. Chairman, that it would be appropriate to have some consistency in the arguments that are being brought to the floor here this evening regarding delegation of appropriate decisionmaking to those who have the expertise.

With that, I yield to the gentleman from New Jersey (Mr. GARRETT).

□ 2130

Mr. GARRETT of New Jersey. Mr. Chairman, again, I thank the gentleman for yielding. The gentleman is a doctor and I am not going to ask him for his medical expertise because, as you say, that is not our role here to delve into these things but to simply raise the questions.

I will tell you this, that when I come back to my constituents and they tell me about their health concerns, whether it is menopause or cancer or otherwise, their first concern is how are they going to address their own health needs, how are they going to address their health care costs and what are we doing here about it. Their second question is what research are we doing here at home for these areas.

The study that you reference, reproductive aging and symptoms experienced at midlife among Bangladeshi immigrants, sedentees, and white London neighbors does not, of course, as the gentleman knows, look to those issues here at home, but rather elsewhere.

My constituents will raise the question, is that the first priority or should that be the first priority of the NSF. I am not an expert, I am not a doctor like the gentleman, so I cannot suggest that that is the most important one, but my constituents will certainly raise that question for me, and my constituents will certainly be consistent, as the gentleman from Georgia says, and that we should make sure that those dollars are spent here on their own health concerns first.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The amendment was rejected.

The Acting CHAIRMAN. The Clerk will designate section 4.

The text of section 4 is as follows:

SEC. 4. CENTERS FOR RESEARCH ON LEARNING AND EDUCATION IMPROVEMENT.

(a) FUNDING FOR CENTERS.—The Director shall continue to carry out the program of Centers for Research on Learning and Education Improvement as established in section 11 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–2).

(b) ELIGIBILITY FOR CENTERS.—Section 11 of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 1862n–2) is amended—

(1) in subsection (a)(1), by inserting ''or eligible nonprofit organizations'' after ''institutions of higher education'';

(2) in subsection (b)(1) by inserting ''or an eligible nonprofit organization'' after ''institution of higher education''; and

(3) in subsection (b)(1) by striking ''of such institutions'' and inserting ''thereof''.

The Acting CHAIRMAN. Are there any amendments to section 4?

The Clerk will designate section 5.

The text of section 5 is as follows:

SEC. 5. INTERDISCIPLINARY RESEARCH.

(a) IN GENERAL.—The Board shall evaluate the role of the Foundation in supporting interdisciplinary research, including through the Major Research Instrumentation program, the effectiveness of the Foundation's efforts in providing information to the scientific community about opportunities for funding of interdisciplinary research proposals, and the process through which interdisciplinary proposals are selected for support. The Board shall also evaluate the effectiveness of the Foundation's efforts to engage undergraduate students in research experiences in interdisciplinary settings, including through the Research in Undergraduate Institutions program and the Research Experiences for Undergraduates program.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Board shall provide the results of its evaluation under subsection (a), including a recommendation for the proportion of the Foundation's research and related activities funding that should be allocated for interdisciplinary research, to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate.

The Acting CHAIRMAN. Are there any amendments to section 5?

The Clerk will designate section 6.

The text of section 6 is as follows:

SEC. 6. PILOT PROGRAM OF GRANTS FOR NEW INVESTIGATORS.

(a) IN GENERAL.—The Director shall carry out a pilot program to award one-year grants to individuals to assist them in improving research proposals that were previously submitted to the Foundation but not selected for funding.

(b) USE OF FUNDS.—Grants awarded under this section shall be used to enable an individual to resubmit an updated research proposal for review by the Foundation through the agency's competitive merit review process. Uses of funds made available under this section may include the generation of new data and the performance of additional analysis.

(c) ELIGIBILITY.—To be eligible to receive a grant under this section, an individual shall—

(1) not have previously received funding as the principal investigator of a research grant from the Foundation; and

(2) have submitted a proposal to the Foundation, which may include a proposal submitted to the Research in Undergraduate Institutions program, that was rated very good or excellent under the Foundation's competitive merit review process.

(d) SELECTION PROCESS.—The Director shall make awards under this section based on the advice of the program officers of the Foundation.

(e) PROGRAM ADMINISTRATION.—The Director may carry out this section through the Small Grants for Exploratory Research program.

(f) NATIONAL SCIENCE BOARD REVIEW.—The Board shall conduct a review and assessment of the pilot program under this section, including the number of new investigators funded, the distribution of awards by type of institution of higher education, and the success rate upon resubmittal of proposals by new investigators funded through this pilot program. Not later than 3 years after the date of enactment of this Act, the Board shall summarize its findings and any recommendations regarding changes to or the continuation of the pilot program in a report to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate.

AMENDMENT NO. 7 OFFERED BY MR. FLAKE

Mr. FLAKE. 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. FLAKE:
Strike section 6.

Mr. FLAKE. Mr. Chairman, I just have to say from the outset that I have been amazed, like the gentleman from Georgia who mentioned a while ago, you would think if you were listening to this debate at home that the only research, the only science research going on in this country is funded by government, and it is simply not the case, gratefully. In fact, just a fraction of the research going on in the scientific field is funded by government. The private sector funds it gratefully.

And unfortunately, one can make the case and the case is often made persuasively that as we increase government funding in this area, it displaces private sector funding because companies can then rely on government rather than their own R&D budgets.

There is also something called opportunity cost. Whenever you hear the word ''investment'' in terms of government funding, you have to be a little skeptical. You have to say what is the opportunity cost? If you had left this money in the private sector, would it have produced more? You will never know that. But we do know the private sector tends to do things a lot more efficiently than government does.

Let me speak to this amendment. This amendment would strike a new pilot project created in this bill. Keep in mind, people will say we cannot cut this bill or whatever else. This is a new program that I am seeking to strike here.

This pilot project would award one-year grants to individuals to assist them in improving research proposals that were previously submitted to the National Science Foundation but were not selected for funding. In other words, if you submit an application, it is not approved for funding, the government will give you money to improve the application so it might be approved next year.

The man that comes on television, running around in this crazy suit, Matthew Lesko I think is his name, comes to mind here. Are we going to fund like Matthew Lesko? Are we simply saying, all right, here is more money to help you get government money? Are there not sufficient programs within the National Science Foundation that we

should be funding, that we have extra money to actually fund people who did not get the grants to help them improve their proposals that they might get a grant next year?

I understand the defense will say, or those defending these grants that this pilot project is intended to help younger scientists who may be losing out on NSF grants because they do not know how to prepare proposals compared to more seasoned researchers or scientists. The answer does not lie in more Federal dollars to help them prepare grant proposals. If there are problems in terms of more tenured scientists getting these proposals, then perhaps we ought to look at the application process and procedures and tweak those or change those rather than say let us spend money and take money out of the National Science Foundation budget and give it to people who were rejected in their funding.

This is a tight budget environment. I need not remind the majority that we are in a deficit situation. I would support across-the-board cuts everywhere in government, but boy, to say that we have got to increase the budget here 25 percent over 3 years is a bit steep, and then to create a new program like this one and to say we are going to give money to those who are not getting the programs, and one more thing before I yield back.

I have heard from the other side, those defending the current budget and arguing against proposals to actually cut specific programs, that we have a peer review process and that research grants should only be given out that way. I am glad to hear that because my guess is when we come 3 months from now or 2 months from now to the appropriations process, in the SSJC budget, there will be earmarks from that side of the aisle, from this side of the aisle, to fund specific research grants, some of whom were turned down during the peer review process. So this notion that you have got to have peer review and that we do not have the knowledge, I will confess that, but then why in the world are we earmarking like we are?

The earmarks are specifically to say I know better than the folks at NSF or folks over here because I am going to give it to my university or somebody who may have lost out on a grant, and so the notion that, hey, you know, you guys do not know what you are talking about when you are trying to cut spending, leave it to the experts, we do not leave it to the experts. The Congress does not leave it to the experts. If we trusted the experts, we would not be earmarking like we are.

But, again, back to the specific amendment, this is a new program, a new program to take money from the existing budget of NSF that we have all heard is so important that we have to have for research, and giving it to people who did not get their projects approved, did not get a contract, did not get research dollars to help them prepare research dollars.

This reminds me actually of many of the earmarks that you will see in the given months. Many of those are given to people to prepare grants to receive more money.

Mr. HINOJOSA. Mr. Chairman, I move to strike the last word.

I rise in strong support of H.R. 1867, legislation to reauthorize the National Science Foundation, and of this amendment that will give Hispanic-serving institutions, what we refer to as HSIs, the support they need to prepare our next generation of scientists, engineers and mathematicians.

I would like to thank my colleagues, Congressman JERRY MCNERNEY of California, Congresswoman GABRIELLE GIFFORDS of Arizona, and Congressman JOE CROWLEY of New York for bringing this amendment forward. It will make a great difference.

The McNerney-Giffords-Crowley amendment allows the National Science Foundation to establish a competitive, merit-based program to award grants to HSIs for science, technology, engineering and mathematics education. This program seeks to enhance the quality of undergraduate science, mathematics and engineering education and increase the retention and graduation rates for undergraduate students pursuing STEM degrees at 2-year and 4-year HSIs. The initiative will support curriculum and faculty development in STEM areas; stipends for undergraduate students participating in research; and funding for instrumentation purposes.

HSIs are the gateways for post-secondary education for most Hispanic students. Despite having fewer resources than other institutions, HSIs are among the top producers of our new Hispanic STEM professionals. Yet, these vital institutions are often overlooked, or at best, seen as junior partners in our national research and education enterprise. This amendment helps give HSIs the attention they deserve.

I applaud the leadership of Chairman GORDON, of Chairman BAIRD, Ranking Member HALL and Ranking Member EHLERS for their bipartisan commitment to ensuring the United States remains competitive in science, technology engineering and mathematics, better known as the STEM fields.

The Science and Technology Committee has acted with the sense of urgency that we should all share in order to put our Nation back on track to lead the world in the STEM fields. The National Science Foundation is central to developing our national capacity for research and innovation.

I am particularly pleased that this bill emphasizes our need to develop our human capital in the STEM fields. I would also like to thank my colleague and friend Congresswoman EDDIE BERNICE JOHNSON for her work in including an amendment to require strategic planning for the education and human resources mission of the foundation so that we fully develop our STEM talent across all fields and all communities, especially those that have been historically underrepresented.

Mr. Chairman, this amendment for HSIs strengthens that education and human resources mission.

I strongly urge my colleagues to support this amendment and the underlying bill, H.R. 1867.

The Acting CHAIRMAN. Who seeks recognition on the Flake amendment?

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

I greatly respect and admire the gentleman from Arizona, who I know is committed to trying to reduce the deficit, as am I, and we have worked on other areas on that, but let me just share a couple of things about this.

First of all, the gentleman talked about private industry research, and he is right about that. There is a lot of private industry research. Let me share with the gentleman some of the private industry bodies that endorse this bill, and the list is very impressive. I have got it. I would be happy to share it. If it is such a bad bill or needs to be dramatically modified, these are the organizations that support it:

Computing Research Association, National Defense Industrial Association, American Chemical Society, Business Roundtable, Information Technology Association of America, National Venture Capital Association, Semiconductor Industry Association, Software & Information Industry Association, TechNet, Technology CEO Council, Accenture, Advanced Micro Devices, Agilent, Apple, Applied Materials.

I have only it four or five. I am just on the A's. I could go on.

The point being, yes, private industry does fund a great deal of research. They recognize government has a very important role, and far from being deeply suspicious of that role, they profoundly endorse it.

As for the gentleman's amendment per se, I share with the gentleman that much of this legislation develops from research conducted by the National Academy of Science presented in Rising Above the Gathering Storm, which the gentleman may or may not have read.

One of the key challenges we face in our research enterprise is keeping young investigators in the pipeline. If you look at the data on when people are most productive, it does not correlate particularly well with when they get the most funding. There are a host of reasons for that.

Part of the reason is it takes some time to learn how to do the grants, and what we are trying to do here is to say to people, just remember that only about 25 percent of grants are funded. So the mere fact you did not get funding the first time does not mean your application is a bad application at all. It does not mean we have said it is not worthy of funding. Quite the contrary.

What it may well have said is it is a very good application, but given the competition and the constrained funding, in its current state, we will not choose it.

What this bill does is basically say to the young investigator, we will give you some help in advancing your career so you can make a second run at this. This is supported by the National Science Foundation. Folks who have done this research, and I have written applications for grants, I am sure Dr. Ehlers has, it takes you a while to learn how to do it.

Sometimes the young professors who are the very people who are teaching the undergraduate classes, trying to get their labs put up, they lack the resources. And on top of that, you need to understand the dynamics of the peer review process.

Sometimes the more senior members, the people with the long established research credentials and careers are just going to have more access to research because the peer reviewers are going to say, look, it is a safe bet to bet on this guy or this woman, they have been around a long time. The unknown person, the new person who may hold the promise of tomorrow, has a comparative disadvantage.

□ 2145

So what we are trying to do is in a small way, a relatively small way with this program, redress the difference between the new investigators. We know what that's like. We have been relatively young Members, not so anymore here in the Congress. We have had the senior Members tell us where the bathroom was, to quit voting with our meal cards and stuff like that. Nobody threw us out. They get a second chance. But what I am saying, that's what this is about.

I profoundly respect the gentleman. I hope he knows that. He is committed to try to reduce the deficit. This is not the way to do it. This program is actually a good program. It's by a host of scientists, a host of scientific bodies. I think we ought to defeat the gentleman's amendment, with respect, because I know his intent. In this case I think he would have an adverse effect on what we are trying to do with this legislation.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

I appreciate the valiant effort on behalf of my friend from Washington in attempting to dissuade Members from voting against this amendment, which I think is well founded. I appreciate the gentleman from Arizona for offering it.

I would remind the gentleman from Washington that one of the roles of our office, one of the roles of our office is to assist individuals with grant applications. So there are other resources which the Federal Government supplies for individuals who are searching to try to fill out their grant applications. We are happy to help.

I would also suggest, Mr. Chairman, that the gentleman makes the point, appropriately, that only 25 percent of the grants are accepted. So why should we waste Federal dollars on teaching individuals who have other avenues to be able to determine how to fill out their grant application appropriately?

Why should we waste precious Federal dollars that could go to, in fact, the kinds of cures that he is endeavoring to fund with the moneys that he is promoting? Why should we waste those Federal dollars in this kind of endeavor, which, I think, is frankly ill-founded and not needed.

I am pleased to yield to my good friend from Arizona.

Mr. FLAKE. I thank the gentleman for yielding.

First, let me point out I have the utmost respect for my friend from Washington. We have worked together on many issues. First, he mentioned that the private sector groups are in support of this legislation and the National Science Foundation. I have no doubt. It doesn't surprise me at all. But I would submit that that's akin to the government saying we are in a position now to fund free lunches for everyone out there, and you can do it on the government's dime.

I would say that virtually every company in America would say that's a great idea. Now we don't have to fund that. We don't have to subsidize it for our employees. We can keep the profits, invest them elsewhere. If private companies don't have to expend that money in their R&D budgets, they would like not to. But that was a point I made, that this often supplants money that would be invested in the private sector, probably more efficiently if overall government spending is any guide.

To the amendment in specific, the gentleman from Georgia said it well. With all the high-priority items in the National Science Foundation budget, to take money out of that and to give it to those who didn't present a successful proposal would seem to me not the highest-priority use of money.

Remember, this is a new program. I am not cutting a program that exists. This is a new pilot project. I just don't think this is a road that we want to go down. I started to mention, before my time ran out before, we have seen this in other fields, in other earmark fields, where people are funding business consortiums. Many of the earmarks in this body go to business consortiums to help them draft grant proposals to get other earmarks or to get grants from government or to lobby to get earmarks. It's simply not a road that we want to go down as a Congress, I would submit.

I thank the gentleman for yielding.

Mr. PRICE of Georgia. I thank the gentleman, and I commend him for his amendment.

I am pleased to yield to my good friend from Michigan.

Mr. EHLERS. I thank the gentleman for yielding.

First, to the gentleman from Arizona, I totally agree with your comments about earmarks. I have fought hard here to keep this body and the other body from providing earmarks for scientific research, because all grants should go through the peer review process.

I might also add parenthetically that when the gentleman from Arizona was on the antiearmark bandwagon a few years ago, I believe I voted with him more than most Members of the House, because I oppose earmarks in general, but particularly in scientific research.

I would also comment that the fact that industry supports us is not indicative of the National Science Foundation doing industry's research. National Science Foundation does the basic research, the fundamental research, which has no apparent immediate use. Industry picks up on that and says, okay, let's see whether we can develop something out of that. In other words, industry does not do very much research, they do a lot of development. NSF does almost totally research and essentially no development. So it's a very good symbiotic relationship.

As I mentioned earlier, before most of the people here were on the floor, the rate of return on our research money in the National Science Foundation has been incredible. Any accountant looking at this would say this is the best investment that the United States Government makes because it has great results in our economy.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Arizona (Mr. FLAKE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. FLAKE. 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 Arizona will be postponed.

Mr. BAIRD. Mr. Chairman, in the interest of time, as it is getting rather late, I would ask unanimous consent that we limit debate on subsequent amendments to 10 minutes.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Washington?

Mr. PRICE of Georgia. I object.

The Acting CHAIRMAN. Objection is heard.

The Clerk will designate section 7.

The text of section 7 is as follows:

SEC. 7. BROADER IMPACTS MERIT REVIEW CRITERION.

(a) IN GENERAL.—In evaluating research proposals under the Foundation's broader impacts criterion, the Director shall give special consideration to proposals that involve partnerships between academic researchers and industrial scientists and engineers that address research areas that have been identified as having high importance for future national economic competitiveness, such as nanotechnology.

(b) PARTNERSHIPS WITH INDUSTRY.—The Director shall encourage research proposals from institutions of higher education that involve partnerships with businesses and organizations representing businesses in fields that have been identified as having high importance for future national economic competitiveness and that include input on the research agenda from and cost-sharing by the industry partners.

(c) REPORT ON BROADER IMPACTS CRITERION.—Not later than 1 year after the date of enactment of this Act, the Director shall transmit to Congress a report on the impact of the broader impacts grant criterion used by the Foundation. The report shall—

(1) identify the criteria that each division and directorate of the Foundation uses to evaluate the broader impacts aspects of research proposals;

(2) provide a breakdown of the types of activities by division that awardees have proposed to carry out to meet the broader impacts criterion;

(3) provide any evaluations performed by the Foundation to assess the degree to which the broader impacts aspects of research proposals were carried out and how effective they have been at meeting the goals described in the research proposals;

(4) describe what national goals, such as improving undergraduate science, mathematics, and engineering education, improving K–12 science and mathematics education, promoting university-industry collaboration and technology transfer, and broadening participation of underrepresented groups, the broader impacts criterion is best suited to promote; and

(5) describe what steps the Foundation is taking and should take to use the broader impacts criterion to improve undergraduate science, mathematics, and engineering education.

The Acting CHAIRMAN. Are there any amendments to section 7?

The Clerk will designate section 8.

The text of section 8 is as follows:

SEC. 8. POSTDOCTORAL RESEARCH FELLOWS.

(a) MENTORING.—The Director shall require that all grant applications that include funding to support postdoctoral researchers include a description of the mentoring activities that will be provided for such individuals, and shall ensure that this part of the application is evaluated under the Foundation's broader impacts merit review criterion. Mentoring activities may include career counseling, training in preparing grant applications, guidance on ways to improve teaching skills, and training in research ethics.

(b) REPORTS.—The Director shall require that annual reports and the final report for research grants that include funding to support postdoctoral researchers include a description of the mentoring activities provided to such researchers.

The Acting CHAIRMAN. Are there any amendments to section 8?

The Clerk will designate section 9.

The text of section 9 is as follows:

SEC. 9. RESPONSIBLE CONDUCT OF RESEARCH.

The Director shall require that each institution that applies for financial assistance from the Foundation for science and engineering research or education describe in its grant proposal a plan to provide appropriate training and oversight in the responsible and ethical conduct of research to undergraduate students, graduate students, and postdoctoral researchers participating in the proposed research project.

The Acting CHAIRMAN. Are there any amendments to section 9?

The Clerk will designate section 10.

The text of section 10 is as follows:

SEC. 10. REPORTING OF RESEARCH RESULTS.

The Director shall ensure that all final project reports and citations of published research documents resulting from research funded, in whole or in part, by the Foundation, are made available to the public in a timely manner and in electronic form through the Foundation's Web site.

The Acting CHAIRMAN. Are there any amendments to section 10?

The Clerk will designate section 11.

The text of section 11 is as follows:

SEC. 11. SHARING RESEARCH RESULTS.

An investigator supported under a Foundation award, whom the Director determines has failed to comply with the provisions of section 734 of the Foundation Grant Policy Manual, shall be ineligible for a future award under any Foundation supported program or activity. The Director may restore the eligibility of such an investigator on the basis of the investigator's subsequent compliance with the provisions of section 734 of the Foundation Grant Policy Manual and with such other terms and conditions as the Director may impose.

The Acting CHAIRMAN. Are there any amendments to section 12?

The Clerk will designate section 12.

The text of section 12 is as follows:

SEC. 12. FUNDING FOR SUCCESSFUL STEM EDUCATION PROGRAMS.

(a) EVALUATION OF PROGRAMS.—The Director shall, on an annual basis, evaluate all of the Foundation's grants that are scheduled to expire within one year and—

(1) that have the primary purpose of meeting the objectives of the Science and Engineering Equal Opportunity Act (42 U.S.C. 1885 et seq.); or

(2) that have the primary purpose of providing teacher professional development.

(b) CONTINUATION OF FUNDING.—For grants that are identified under subsection (a) and that are deemed by the Director to be successful in meeting the objectives of the initial grant solicitation, the Director may extend the duration of those grants for up to 3 additional years beyond their scheduled expiration without the requirement for a recompetition. The Director may extend such grants for an additional 3 years following a second review within 1 year before the extended completion date, in accordance with subsection (a), and the determination by the Director that the objectives of the grant are being achieved.

(c) REPORT TO CONGRESS.—Not later than 2 years after the date of enactment of this Act, the Director shall submit a report to the Committee on Science and Technology of the House of Representatives and to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate that—

(1) lists the grants which have been extended in duration by the authority provided under this section; and

(2) provides any recommendations the Director may have regarding the extension of the authority provided under this section to programs other than those specified in subsection (a).

The Acting CHAIRMAN. Are there any amendments to section 12?

The Clerk will designate section 13.

The text of section 13 is as follows:

SEC. 13. COST SHARING.

(a) IN GENERAL.—The Board shall evaluate the impact of its policy to eliminate cost sharing for research grants and cooperative agreements for existing programs that were developed around industry partnerships and historically required industry cost sharing, such as the Engineering Research Centers and Industry/University Cooperative Research Centers. The Board shall also consider the impact that the cost sharing policy has on initiating new programs for which industry interest and participation are sought.

(b) REPORT.—Not later than 6 months after the date of enactment of this Act, the Board shall report to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives, and the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate, on the results of the evaluation under subsection (a).

The Acting CHAIRMAN. Are there any amendments to section 13?

The Clerk will designate section 14.

The text of section 14 is as follows:

SEC. 14. DONATIONS.

Section 11(f) of the National Science Foundation Act of 1950 (42 U.S.C. 1870(f)) is amended by inserting at the end before the semicolon '', *except that funds may be donated for specific prize competitions''.*

The Acting CHAIRMAN. Are there any amendments to section 14?

The Clerk will designate section 15.

The text of section 15 is as follows:

SEC. 15. ADDITIONAL REPORTS.

(a) REPORT ON FUNDING FOR MAJOR FACILITIES.—

(1) PRECONSTRUCTION FUNDING.—The Board shall evaluate the appropriateness of the requirement that funding for detailed design work and other preconstruction activities for major research equipment and facilities come exclusively from the sponsoring research division rather than being available, at least in part, from the Major Research Equipment and Facilities Construction account.

(2) MAINTENANCE AND OPERATION COSTS.—The Board shall evaluate the appropriateness of the Foundation's policies for allocation of costs for, and oversight of, maintenance and operation of major research equipment and facilities.

(3) REPORT.—Not later than 6 months after the date of enactment of this Act, the Board shall report on the results of the evaluations under paragraphs (1) and (2) and on any recommendations for modifying the current policies related to allocation of funding for major research equipment and facilities to the Committee on Science and Technology and the Committee on Appropriations of the House of Representatives, and to the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate.

(b) INCLUSION OF POLAR FACILITIES UPGRADES IN MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION PLAN.—Section 201(a)(2)(D) of the National Science Foundation Authorization Act of 1998 (42 U.S.C. 1862l(a)(2)(D)) is amended by inserting ''and for major upgrades of facilities in support of Antarctic research programs'' after ''facilities construction account''.

(c) REPORT ON EDUCATION PROGRAMS WITHIN THE RESEARCH DIRECTORATES.—Not later than 6 months after the date of enactment of this Act, the Director shall transmit to the Committee on Science and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate a report cataloging all elementary and secondary school, informal, and undergraduate educational programs and activities supported through appropriations for Research and Related Activities. The report shall display the programs and activities by directorate, along with estimated funding levels for the fiscal years 2006, 2007, and 2008, and shall provide a description of the goals of each program and activity. The report shall also describe how the programs and activities relate to or are coordinated with the programs supported by the Education and Human Resources Directorate.

(d) REPORT ON RESEARCH IN UNDERGRADUATE INSTITUTIONS PROGRAM.—The Director shall transmit to Congress along with the fiscal year 2011 budget request a report listing the funding success rates and distribution of awards for the Research in Undergraduate Institutions program, by type of institution based on the highest academic degree conferred by the institution, for fiscal years 2008, 2009, and 2010.

(e) ANNUAL PLAN FOR ALLOCATION OF EDUCATION AND HUMAN RESOURCES FUNDING.—

(1) IN GENERAL.—Not later than 60 days after the date of enactment of legislation providing for the annual appropriation of funds for the Foundation, the Director shall submit to the

Committee on Science and Technology and the Committee on Appropriations of the House of Representatives, and to the Committee on Commerce, Science, and Transportation, the Committee on Health, Education, Labor, and Pensions, and the Committee on Appropriations of the Senate, a plan for the allocation of education and human resources funds authorized by this Act for the corresponding fiscal year, including any funds from within the research and related activities account used to support activities that have the primary purpose of improving education or broadening participation.

(2) SPECIFIC REQUIREMENTS.—The plan shall include a description of how the allocation of funding—

(A) will affect the average size and duration of education and human resources grants supported by the Foundation;

(B) will affect trends in research support for the effective instruction of mathematics, science, engineering, and technology;

(C) will affect the K-20 pipeline for the study of mathematics, science, engineering, and technology; and

(D) will encourage the interest of individuals identified in section 33 or 34 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885a or 1885b) in mathematics, science, engineering, and technology, and help prepare such individuals to pursue postsecondary studies in these fields.

The Acting CHAIRMAN. Are there any amendments to section 16?

The Clerk will designate section 16.

The text of section 16 is as follows:

SEC. 16. ADMINISTRATIVE AMENDMENTS.

(a) TRIANNUAL AUDIT OF THE OFFICE OF THE NATIONAL SCIENCE BOARD.—Section 15(a) of the National Science Foundation Authorization Act of 2002 (42 U.S.C. 4862n–5) is amended—

(1) in paragraph (3), by striking ''an annual audit'' and inserting ''an audit every three years'';

(2) in paragraph (4), by striking ''each year'' and inserting ''every third year''; and

(3) by inserting after paragraph (4) the following new paragraph:

''(5) MATERIALS RELATING TO CLOSED PORTIONS OF MEETINGS.—To facilitate the audit required under paragraph (3) of this subsection, the Office of the National Science Board shall maintain the General Counsel's certificate, the presiding officer's statement, and a transcript or recording of any closed meeting, for at least 3 years after such meeting.''.

(b) LIMITED TERM PERSONNEL FOR THE NATIONAL SCIENCE BOARD.—Subsection (g) of section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863(g)) is amended to read as follows:

''(g) The Board may, with the concurrence of a majority of its members, permit the appointment of a staff consisting of not more than 5 professional staff members, technical and professional personnel on leave of absence from academic, industrial, or research institutions for a limited term and such operations and support staff members as may be necessary. Such staff shall be appointed by the Chairman and assigned at the direction of the Board. The professional members and limited term technical and professional personnel of such staff may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and the provisions of chapter 51 of such title relating to classification, and shall be compensated at a rate not exceeding the maximum rate payable under section 5376 of such title, as may be necessary to provide for the performance of such duties as may be prescribed by the Board in connection with the exercise of its powers and functions under this Act. Section 14(a)(3) shall apply to each limited term appointment of technical and professional personnel under this subsection. Each appointment under this subsection shall be subject to the same security requirements as those required for personnel of the Foundation appointed under section 14(a).''.

(c) INCREASE IN NUMBER OF WATERMAN AWARDS TO THREE.—Section 6(c) of the National Science Foundation Authorization Act of 1975 (42 U.S.C. 1881a) is amended to read as follows:

''(c) Up to three awards may be made under this section in any one fiscal year.''.

The Acting CHAIRMAN. Are there any amendments to section 16?

The Clerk will designate section 17.

The text of section 17 is as follows:

SEC. 17. NATIONAL SCIENCE BOARD REPORTS.

Paragraphs (1) and (2) of section 4(j) of the National Science Foundation Act of 1950 (42 U.S.C. 1863(j)(1) and (2)) are amended by striking '', for submission to'' and ''for submission to'', respectively, and inserting ''and''.

The Acting CHAIRMAN. Are there any amendments to section 17?

The Clerk will designate section 18.

The text of section 18 is as follows:

SEC. 18. NATIONAL ACADEMY OF SCIENCE REPORT ON DIVERSITY IN STEM FIELDS.

(a) IN GENERAL.—The Foundation shall enter into an arrangement with the National Academy of Sciences for a report, to be transmitted to the Congress not later than 1 year after the date of enactment of this Act, about barriers to increasing the number of underrepresented minorities in science, technology, engineering, and mathematics fields and to identify strategies for bringing more underrepresented minorities into the science, technology, engineering, and mathematics workforce.

(b) SPECIFIC REQUIREMENTS.—The Director shall ensure that the study described in subsection (a) addresses—

(1) social and institutional factors that shape the decisions of minority students to commit to education and careers in the science, technology, engineering, and mathematics fields;

(2) specific barriers preventing greater minority student participation in the science, technology, engineering, and mathematics fields;

(3) primary focus points for policy intervention to increase the recruitment and retention of underrepresented minorities in America's future workforce;

(4) programs already underway to increase diversity in the science, technology, engineering, and mathematics fields, and their level of effectiveness;

(5) factors that make such programs effective, and how to expand and improve upon existing programs;

(6) the role of minority-serving institutions in the diversification of America's workforce in these fields and how that role can be supported and strengthened; and

(7) how the public and private sectors can better assist minority students in their efforts to join America's workforce in these fields.

AMENDMENT NO. 8 OFFERED BY MS. MATSUI

Ms. MATSUI. 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 Ms. MATSUI:

At the end of the bill, insert the following new section:

SEC. 19. COMMUNICATIONS TRAINING FOR SCIENTISTS.

(a) GRANT SUPPLEMENTS FOR COMMUNICATIONS TRAINING.—The Director shall provide grant supplements, on a competitive, merit-reviewed basis, to institutions receiving awards under the Integrative Graduate Education and Research Traineeship program. The grant supplements shall be used to train graduate students in the communication of the substance and importance of their research to nonscientist audiences, including policymakers.

(b) REPORT TO CONGRESS.—Not later than 3 years after the date of enactment of this Act, the Director shall transmit a report to the Committee on Science and Technology of the House of Representatives, and to the Committee on Commerce, Science, and Transportation and the Committee on Health, Education, Labor, and Pensions of the Senate, describing how the activities required under subsection (a) have been implemented. The report shall include data on the number of graduate students trained and the number and size of grant supplements awarded, and a description of the types of activities funded through the grant supplements.

Ms. MATSUI. Mr. Chairman, this amendment to the NSF reauthorization is designed to improve the ability of scientists to communicate with nonscientific audiences such as businesses, the media, the general public and, of course, Members of Congress. Specifically, my amendment would add a provision to H.R. 1667 that authorizes a science communications initiative at the National Science Foundation.

I believe this proposal will ensure that we are getting as much return on the Federal Government's investment in the National Science Foundation as possible. By implementing this program, it would diversify the education of our scientists and would ensure that policymakers and other nonscientists have better access to the technical expertise fostered by NSF and the Nation's broader research enterprise, because if scientists can't tell the rest of us what they have discovered, we are not fully recognizing the benefits of our investment in scientific research. Unfortunately, the ability to articulate the content and significance of scientific information is often overlooked by graduate training programs.

My amendment directly addresses this unmet need and would create a pipeline of scientists who are increasingly engaged with nonscientists, including policymakers, business leaders and others. Providing communications training to our scientists will ensure that we, the policymakers, can make the most informed decisions possible as we debate technical issues and craft policy.

This amendment creates a competitively reviewed supplement within the Integrative Graduate Education and Research Traineeship, or IGERT program. Investigators at IGERT-awardee institutions will compete for resources to develop and implement communications training. The IGERT program will administer the competitive review process for this communications training initiative.

I have received strong support for this program from stakeholders in my district of Sacramento and from across the country. Policymakers, scientists, educators, business leaders and science writers all agree we need to better integrate scientific expertise into the public debate.

This amendment represents an important step toward that goal. That is

why this amendment has received the endorsement of the American Association for the Advancement of Science and The Council of Graduate Schools.

This amendment is based on the Scientific Communication Act of 2007, H.R. 1453, that I introduced with Chairman GORDON as an original cosponsor. I would like to thank Chairman GORDON, Mr. Hope, Mr. ALLEN, Mr. INSLEE and Mr. HIGGINS for their cosponsorship of that legislation.

Before I close, I would like to address a few misconceptions about this amendment. I want to be clear, this amendment contains no new authorization levels. For those who said that this program would take away from other NSF grants, I want to make a few points. The NSF Director would determine the level of resources to devote to this program. If the NSF Director does not deem this program worthy of funding, it won't get any.

However, I think scientists, teachers, reporters, business owners, Members of Congress and all our constituents should support this program. This bill authorized $21 billion for the National Science Foundation.

What good is that level of investment if we don't maximize the benefits? You should not need a Ph.D. to utilize the ideas and breakthroughs that NSF-supported research produces. That's why I am proposing this amendment. It will help to bridge the communication gap between scientists and the rest of us.

I hope all my colleagues here in the House will support this amendment. As policymakers, I promise you, you will personally benefit from this program when you hear expert testimony on technical topics. But, more importantly, you should support it because it will enable all your constituents to share in the excellent research supported by NSF.

Mr. EHLERS. Mr. Chairman, I move to strike the last word.

I rise with some reluctance to speak against this amendment, because I like the idea of what the gentlewoman from California is trying to do. But my concern is twofold. First of all, this will cut into the funding that the NSF already has. It's an added requirement for them.

But my major objection is, I have taught at the university level and have taught at the college level. I have always felt this is the responsibility of the colleges and universities to do, and they shouldn't need an NSF grant to do this.

The job of the colleges and universities is to teach. What this is proposing is that the NSF will be responsible for teaching these students how to communicate their research.

I always tried to do that with my students when I had graduate students. I think that's an integral part of the education program. So I reluctantly urge defeat of this amendment, simply because I think we ought to make it clear to the universities and the colleges that this is part of their responsibility.

Mr. LIPINSKI. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in support of the Matsui amendment. As Members of Congress, we all understand just how critical communications skills are, whether we are trying to influence our colleagues during debate such as tonight, or trying to explain a vote to our constituents.

□ 2200

If you cannot communicate effectively, the value of ideas can be lost and all of your work may be lost. The same is true for our Nation's scientists as they attempt to convey their work to colleagues and especially to nonscientific audience.

This afternoon, when I had the opportunity to speak with five recent American Nobel laureate scientists, I was very impressed by their ability to explain their work. I may even say I was surprised. Why? Because, unfortunately, scientists are not always the most gifted speakers, and this is not a skill that we regularly find taught in graduate schools. Dr. EHLERS was obviously doing a much better job when he was a professor, but this is not something that I have found as a professor that is taught very often. And I speak from experience both as a professor and as an engineer, and perhaps some may say I personally provide evidence supporting this generalization.

So the Matsui amendment addresses this problem by helping to provide communication training to our Nation's young scientists. If scientists can help better explain their research, it will help us as policymakers as they come to explain and we could choose the best path to move forward, especially in the Science Committee. And perhaps business leaders will be better able to turn some academic research into a good marketable product if they can understand what this research can do.

Finally, I believe that the ability of our scientists to more effectively communicate scientific information will inspire more children to pursue a career in science. No one is inspired by something that they don't know because they are unable to understand it.

I thank Congresswoman MATSUI for offering this amendment, and I urge my colleagues for joining me in supporting it.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in strong support of the gentlelady from California's amendment, and let me share with you why.

I think most Members of this body have had people from the scientific community come and talk to us about why their research matters or how it is going to help society, and we have said to ourselves or to them, ''Could you please put that in English so I know what you are talking about?''

The challenge is that the esoteric realm that some of the scientists work in is really beyond some of our ken. And I think that is fine. But if we are going to make informed policy decisions, it is essential that we understand the research that we are making decisions about that may have been illustrated earlier tonight in some of the discussion.

Let me share with you, and I respect Dr. EHLERS immensely, as everyone knows. But the very researchers who, if there is concern that this proposal by the gentlelady from California would reduce funding for other research, let me point out that many of the associations whose members depend on the core research funding nevertheless believe there is merit to this amendment. And let me share with you, the American Association for the Advancement of Science, I will read in a moment what they have to say, the Federation of American Society for Experimental Biology, the Council of Graduate Schools, the Society for Neuroscience. I absolutely believe as a former teacher of science, I believe it is our obligation as teachers to help our young charges learn how to communicate what they do. But it is not being done well enough, that has been recognized, and the gentlelady is to be commended for it.

Let me share with you that the American Association for the Advancement of Science says the following, which I will submit for printing in the RECORD. ''While Federal support of scientific research is of critical importance to innovation,'' and let me underscore this, ''it is also very important that we find ways to make sure that science is effectively used to advance the human condition. Scientists and engineers must have the tools needed to communicate the work they do. The ability to more effectively communicate scientific information may inspire more children to pursue a career in science, and certainly will help a higher quality dialogue among the research community and the citizens whose investment it relies on.''

So I commend the gentlelady. This is something that we don't talk about a lot; but when people have to communicate information to the policymakers or to the public or to the consumers of their research, it is important they do so in a way that is intelligible. This amendment moves an important step in that direction. I applaud her and urge its passage.

AMERICAN ASSOCIATION
FOR THE ADVANCEMENT OF SCIENCE,
Washington, DC, May 2, 2007.

Hon. DORIS MATSUI,
House of Representatives,
Washington, DC.

DEAR REP. MATSUI: Thank you for your support in the recent passage of the reauthorization for the National Science Foundation (NSF) by the House Science and Technology Committee.

As you prepare to debate the NSF reauthorization bill (H.R. 1867) on the floor, I would like to express our support for your efforts to improve scientific communication with the public. For over 50 years, the NSF

has had a unique role in supporting basic research across the spectrum of scientific disciplines. This support has led to remarkable advances in fields as disparate as nanotechnology and economic theory.

While federal support of scientific research is of critical importance to innovation, it is also very important that we find ways to make sure that science is effectively used to advance the human condition. Scientists and engineers must have the tools needed to communicate the work that they do. The ability to more effectively communicate scientific information may inspire more children to pursue a career in science. It certainly will help create a higher quality dialogue among the research community, the citizens whose investment it relies upon, and the broad society it ultimately serves.

Sincerely,

ALAN L. LESHNER,
Chief Executive Officer.

Mr. WESTMORELAND. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I am confused. The gentleman from Washington has been stating about micromanaging the NSF; and now that I see what this amendment does is not only try to micromanage what they do with their grants and their money, but it is also saying to me that these institutions that get these awards grants for the research from the NSF do not have a complete teaching ability to teach these graduate students how to put their thoughts to a nonscientist audience.

Now, to me, we are not only micromanaging the NSF, but now we are getting into some of these schools that receive these grants and saying: You are not doing a full curriculum enough that you can educate these young scientists and these young researchers into how to explain themselves to nonscientist audiences.

So I think you can't have your cake and eat it, too. Either we don't want to micromanage, and if we are going to micromanage, who is the ultimate decider of that? And also, are we going to start micromanaging what the curriculum is for these higher institutes of learning that are turning out these scientists?

The Acting CHAIRMAN (Mr. LYNCH). The question is on the amendment offered by the gentlewoman from California (Ms. MATSUI).

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

Mr. WESTMORELAND. 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 California will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. EHLERS

Mr. EHLERS. 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. EHLERS:

At the end of the bill, add the following new section:

SEC. 19. SENSE OF THE CONGRESS REGARDING THE MATHEMATICS AND SCIENCE PARTNERSHIP PROGRAMS OF THE DEPARTMENT OF EDUCATION AND THE NATIONAL SCIENCE FOUNDATION.

It is the sense of the Congress that—

(1) although the mathematics and science education partnership program at the National Science Foundation and the mathematics and science partnership program at the Department of Education practically share the same name, the 2 programs are intended to be complementary, not duplicative;

(2) the National Science Foundation partnership programs are innovative, model reform initiatives that move promising ideas in education from research into practice to improve teacher quality, develop challenging curricula, and increase student achievement in mathematics and science, and Congress intends that the National Science Foundation peer-reviewed partnership programs found to be effective should be put into wider practice by dissemination through the Department of Education partnership programs; and

(3) the Director of the National Science Foundation and the Secretary of Education should have ongoing collaboration to ensure that the 2 components of this priority effort for mathematics and science education continue to work in concert for the benefit of States and local practitioners nationwide.

Mr. EHLERS. Mr. Chairman, I rise to address a particular problem with this amendment. We have, for some time, had activities within the National Science Foundation aimed at teaching future teachers, teaching them how to teach math and science, and this generally fell into the rubric of a math-science partnership, because the Foundation itself did not teach the teachers but rather responded to grants submitted by professors at various institutions who were pleased to set up programs to teach these future teachers or existing teachers how better to teach math and science. These have been very successful programs and are commonly referred to as the math-science partnership.

Recently, the Department of Education has developed programs involving professional development for teachers in elementary and secondary schools to try to bring them up to speed on the latest developments in math and science and how to teach them. They ended up calling it the math-science partnership.

This has resulted in a problem because some in the administration decided to cut the budget of the National Science Foundation because they felt this was a duplication of programs. It is not.

The National Science Foundation concentrates on doing research. The Foundation's model is designed for competitive grants to spur innovative programs that will be peer reviewed and evaluated to enhance research on effective math and science education, whereas the Department of Education ensures that this knowledge is disseminated to as many school districts as possible. Knowledge gained from the competitive foundation scholarships, in other words the National Science Foundation math-science partnerships, can be used and is used to prove and enhance State investments in programs developed by the Department of Education.

In other words, these are two programs that happen to have the same names. They are very symbiotic. The discoveries out of the research at the National Science Foundation transfers directly over to the Department of Education, and is there applied to instructions in the classrooms and for teacher training programs.

□ 2210

Another reason I come to offer this amendment is because the other body, the Senate, is working on this same issue, this same bill, and they have added an amendment which clarifies the difference between the National Science Foundation programs and the Department of Education programs. I am offering essentially the same amendment so that when we go to conference with the Senate, this will be preagreed to. It's a necessary and important clarification of the functions of the two, and I urge the adoption of my amendment.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

The superb gentleman from Michigan is absolutely right. It's a superb amendment. We're happy to accept it, and I commend him for offering it.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. EHLERS).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. MCNERNEY

Mr. MCNERNEY. 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 Mr. MCNERNEY:

At the end of the bill, add the following new section:

SEC. 19. HISPANIC-SERVING INSTITUTIONS UNDERGRADUATE PROGRAM.

(a) IN GENERAL.—The Director is authorized to establish a new program to award grants on a competitive, merit-reviewed basis to Hispanic-serving institutions to enhance the quality of undergraduate science, mathematics, engineering, and technology education at such institutions and to increase the retention and graduation rates of students pursuing associate's or baccalaureate degrees in science, mathematics, engineering, or technology.

(b) PROGRAM COMPONENTS.—Grants awarded under this section shall support—

(1) activities to improve courses and curriculum in science, mathematics, engineering, and technology;

(2) faculty development;

(3) stipends for undergraduate students participating in research; and

(4) other activities consistent with subsection (a), as determined by the Director.

(c) INSTRUMENTATION.—Funding for instrumentation is an allowed use of grants awarded under this section.

Mr. MCNERNEY. Mr. Chairman, I would like to thank Chairman GORDON,

Ranking Member HALL, and my good friend Dr. BAIRD for bringing H.R. 1867, the National Science Foundation Reauthorization Act, to the floor. This is a very important bill that will benefit our young scientists for generations to come.

I would also like to thank some of my colleagues, Ms. GIFFORDS and Mr. CROWLEY, for their support.

My amendment makes a needed change to H.R. 1867 by allowing the Director of the National Science Foundation to establish a competitive, merit-based program to award grants to Hispanic-serving institutions for science, technology, engineering and mathematics, or STEM education.

The U.S. is in danger of falling behind the rest of our competitors in the world in STEM education, and it is imperative that we improve academics in this country. We need initiatives that increase educational opportunities for all young adults in order to expand the number of students who pursue careers in science and math-related fields.

The National Academy of Science's study, Rising Above the Gathering Storm, paints a very sobering picture of our future if we continue to see declines in both the quality and the quantity of science and math students. However, we can alter this current trend by expanding options for our children.

The House has passed numerous bills in recent weeks to create new opportunities in STEM education. These are excellent first steps. Likewise, today's legislation, and my amendment, provide us with the building blocks for academic progress. We should continue working hard to improve access to education and offer better services for our students and families.

This amendment does that by allowing Hispanic-serving institutions throughout the country to participate in NSF programs. As the largest minority group in the United States, Hispanic populations should be encouraged to access the educational fields where we need the most talent, in science, technology, engineering and mathematics.

At San Joaquin Delta College in my district, and at hundreds of similar 2- and 4-year institutions, students benefit from existing funds and programs that will be enhanced by the adoption of this amendment.

We should give the NSF the ability to support improvement of curriculum and courses at Hispanic-serving institutions, while also providing for faculty development initiatives that will lead to better-educated students.

In addition to the benefits of these changes, my amendment is fiscally responsible. It authorizes no new funding. It simply provides the opportunity for Hispanic-serving institutions to compete for NSF funds in the same way as other institutions.

The NSF already supports similar programs for Historically Black Colleges and Universities and Tribal Colleges, and this amendment will allow Hispanic-serving institutions to better serve our future leaders and scientists.

I strongly urge my colleagues to support this amendment.

Ms. GIFFORDS. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise today to speak in support of the McNerney-Giffords-Crowley amendment to the National Science Foundation Authorization Act of 2007.

I want to thank Congressman MCNERNEY and Congressman CROWLEY for their help in crafting this amendment. It has been a pleasure to work with both of them.

A Hispanic-serving institution is defined as an institution of higher education that has at least 25 percent Hispanic full-time enrollment, and at least 50 percent of the school's student population must be eligible for need-based financial aid.

This amendment will establish a new program in the National Science Foundation to award grants to Hispanic-serving institutions on a competitive, merit-reviewed basis. These grants will enhance the quality of undergraduate science, math, engineering and technology education. This will increase student retention and graduation rates for those students pursuing degrees in these critical areas.

Specifically, this grant program will support faculty development, which is critical; stipends for undergraduate students participating in research; and initiatives to improve courses and curriculum in science, math and engineering and technology.

In 2005, Mr. Chairman, a group of bipartisan congressional lawmakers asked the experts at the National Academies for steps that policymakers must pursue in order to ensure the United States remains globally competitive.

Their report, entitled Rising Above the Gathering Storm, which we refer to frequently on the Science Committee, found that the United States will stand to lose in terms of global competitiveness unless we act immediately.

One of the recommendations was to increase the participation of minorities in STEM education fields. That report stated that ''increasing participation of underrepresented minorities is critical to ensuring a high-quality supply of scientists and engineers in the United States over the long term. And as minority groups increase in percentage within the United States population, increasing their participation in those STEM fields is critical.''

In my home State of Arizona, 50 percent of the population 18 years of age and younger are Hispanic. My amendment will ensure that Hispanics, our Nation's largest ethnic minority, and many blacks, whites, Asians and Native Americans who attend Hispanic-serving institutions will be able to more fully contribute to American innovation. It will expand the number of students graduating with the credentials to enter the critical fields that impact American competitiveness, those STEM fields.

This amendment truly benefits all of the United States of America.

In my district I have three Hispanic-serving institutions, Pima Community College, Cochise Community College and, of course, the University of Arizona South. All three of these institutions support this amendment which would give them the opportunity to improve their STEM education programs.

Dr. Karen Nicodemus, who is the president of Cochise College, told my office, ''As President of a rural Hispanic-serving institution, I applaud and strongly support any and all efforts to fund and expand undergraduate student access to the STEM areas. Directing resources to a growing but historically underserved student population is essential, essential to fully engaging and preparing them for the 21st century,'' Mr. Chairman, which we know is so critical.

According to Dr. Roy Flores, who is the chancellor of Pima Community College, ''Our ability to increase minority graduates in science, technology, engineering and math degree programs will determine our relative position in the global economy.''

This amendment, Mr. Chairman, is all about keeping America globally competitive in this 21st century. I encourage all of my colleagues to support it.

Mr. CROWLEY. Mr. Chairman, I move to strike the last word.

I just want to simply rise to congratulate my colleagues, both Mr. MCNERNEY as well as Ms. GIFFORDS, both leaders on the Science Committee on this issue, in advancing our Democratic innovative agenda.

This amendment will benefit Hispanic-serving institutions throughout our Nation to inspire more of our young people to seek careers in industries that will foster the growth in mathematics and science among primarily Hispanic-serving institutions.

□ 2220

And I stand wholeheartedly behind this amendment. This will include over 10,000 students in my district who will directly benefit from this amendment. Let me just read some of the institutions in Queens and the Bronx, including Lehman College, Bronx Community College, Hostos Community College, LaGuardia Community College, Vaughn College of Aeronautics and Technology at LaGuardia Airport, and the College of Mount Saint Vincent. They are just a few of the colleges that will benefit from this amendment.

And with that, Mr. Chairman, I wholeheartedly support it and ask my colleagues to support this amendment as well.

Mr. Chairman, I rise today to support the McNerney-Giffords amendment. This amendment establishes a new competitive grants program specifically for Hispanic-Serving Institutions at the National Science Foundation.

I would like to thank Representative MCNERNEY and Representative GIFFORDS for their leadership in offering this amendment, which will increase opportunities for so many undergraduate students.

This amendment will focus attention on the need to involve more Hispanic students in the science field by creating a specific program for Hispanic-Serving Institutions to receive infrastructure development funding.

I would also like to thank Chairman GORDON, Subcommittee Chairman BAIRD, and the staff at the Science and Technology Committee for their assistance in drafting this amendment, and for their commitment to increasing participation of minorities in the science and technology fields.

Hispanic-Serving Institutions serve the majority of the nearly two million Hispanic students enrolled in college today, and many of these institutions offer associate, undergraduate, and graduate programs and degrees in the science, technology, engineering, and mathematics fields.

The Hispanic-Serving Institutions Undergraduate Program created by this amendment will allow these colleges and universities to access the funding they need to enhance their educational programs.

In my district alone, about 10,000 students attend Hispanic-Serving Institutions offering degrees in these science fields. Students at institutions throughout Queens and the Bronx, including Lehman College, Bronx Community College, Hostos Community College, LaGuardia Community College, Vaughn College of Aeronautics and Technology, and the College of Mount Saint Vincent, like those all across the country, will benefit from increased access to funding to improve these degree programs.

This amendment corrects a long-standing inequality at the National Science Foundation.

Unlike their counterparts of Historically Black Colleges and Universities and Tribal Colleges and Universities, Hispanic-Serving Institutions have not benefited from a specific program to provide them with grants for research, curriculum, and infrastructure development.

Without access to targeted capacity-building grants, Hispanic-Serving Institutions have difficulty increasing the ranks of Hispanics in the science, technology, engineering, and mathematics fields, where they have been historically underrepresented. Studies show that Hispanics earn less than 3 percent of doctorates in these areas, compared to more than 50 percent by non-Hispanic whites.

This amendment also goes to the heart of the Innovation Agenda spearheaded by Speaker PELOSI and the new Democratic Coalition in the House to increase our Nation's competitiveness and create more math and science graduates.

To maintain our global competitiveness, we need to increase our pool of scientists, mathematicians, and engineers.

We can do this by ensuring that Hispanics, the youngest and fastest-growing ethnic population group in the nation, are prepared with the knowledge and skills that will contribute to our Nation's future economic strength, security and global leadership.

This grants program will educate and train a new generation of experts in the science, technology, engineering and mathematics areas. By engaging Hispanic-Serving Institutions in this process, we can reach out to and involve more of the Hispanic educational community.

The National Science Foundation, through its undergraduate and graduate programs, can assist Hispanic-Serving Institutions in developing programs to prepare current and future generations of Hispanics and other minority professionals in the sciences.

I applaud the establishment of a Hispanic-Serving Institutions Undergraduate Program to achieve these goals, and I urge passage of this excellent amendment by Representatives MCNERNEY and GIFFORDS.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

The prior speakers have been very eloquent in support of this and the hour is late; so I won't go into any detail. I just want to commend them for their leadership on this and urge support of this outstanding amendment.

Mr. PRICE of Georgia. Mr. Chairman, I move to strike the last word.

I want to commend my colleagues as well for bringing what would on its face value be seen as a remarkably new and innovative program. In fact, I think as the gentleman said, advancing ''the Democratic innovation agenda.'' Well, it is curious, Mr. Chairman, because if you view and look specifically at the language that is in this amendment, and it is to be commended indeed, it bears striking resemblance to the language in current law. In fact, the National Science Foundation Authorization Act of 2002, section 24 has language that is exactly the same as is in this amendment.

So I want to commend my colleagues for being inventive and being innovative indeed.

I also think it would be appropriate for them to cite, in fact, where the original language came from, and that was the prior Republican Congress. So I commend my colleagues for their innovation, indeed, in formulating an amendment that is already in place in current law.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. MCNERNEY).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PRICE OF GEORGIA

Mr. PRICE of Georgia. 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. PRICE of Georgia:

At the end of the bill, add the following new section:

SEC. 19. REQUIREMENT OF OFFSETS.

(a) IN GENERAL.—No authorization of appropriations made by this Act or other provision of this Act that results in costs to the Federal Government shall be effective except to the extent that this Act provides for offsetting decreases in spending of the Federal Government, such that the net effect of this Act does not either increase the Federal deficit or reduce the Federal surplus.

(b) DEFINITIONS.—In this section, the terms ''deficit'' and ''surplus'' have the meanings given such terms in the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 621 et seq.).

Mr. PRICE of Georgia. Mr. Chairman, I know the hour is late and we are drawing to a close on this, and I think this is an appropriate amendment upon which to end for this is the amendment that allows us as a Congress to say, yes, indeed, we believe that fiscal responsibility is important.

As you know, Mr. Chairman, this bill, the National Science Foundation Authorization Act, authorizes $20.973 billion, nearly $21 billion, over 3 years and creates five new Federal programs. The National Science Foundation Authorization Act establishes a pilot program of 1-year seed grants for new investigators to help improve funding rates for young investigators and to stimulate higher-risk research. It encourages the NSF to foster relationships between academia and industry in order to spawn U.S. competitiveness and furthers the Agency's traditions of education in science, technology, engineering, and math.

The NSF has a mission to achieve excellence in science, technology, engineering, and mathematics education at all levels and all settings from kindergarten through postdoctoral training, from classrooms to science museums and online resources, having done so for the last half century. And while what this bill does is extremely important, equally important is this amendment that will apply the principle of pay as you go to any new spending authorized by this legislation by requiring that any new spending have a specific offset.

The amendment provides that no authorization of appropriations made by this Act that results in costs to the Federal Government shall be effective unless there are decreases in spending elsewhere in the Federal Government.

Mr. Chairman, common sense dictates that that is what we should do. Not only common sense, but previous promises by this new majority. An excerpt of ''A New Direction for America,'' which was proposed by House Democrats in the 109th Congress as their plan for the majority, it reads: ''Our New Direction is committed to pay-as-you-go budgeting, no more deficit spending. We are committed to auditing the books and subjecting every facet of Federal spending to tough budget discipline and accountability, forcing the Congress to choose a new direction and the right priorities for all Americans.''

Well, hear, hear, Mr. Chairman. I heartily agree. But on April 18, Majority Leader HOYER was quoted in Roll Call as saying, ''We want to get the budget deficit under control. We have said that fiscal responsibility was necessary, but we're not going to be hoisted on the torrent of fiscal responsibility.''

Well, Mr. Chairman, Americans all across this Nation are being shaken down by a ''torrent'' of fiscal irresponsibility.

I would suggest, Mr. Chairman, the rules are not rules if you only follow them when you want to. The Democrats promised pay-as-you-go rules for everything. Instead, they are picking and choosing, picking and choosing when to do so. At home, we call that breaking a rule and breaking a promise.

So while what this bill does is extremely important, $20.973 billion is a considerable amount of money even here in Washington, and it is equally important that we are good stewards of the hard-earned money of the American people. We should not limit our talk about fiscal responsibility only when it is politically convenient.

So I urge the new majority to rededicate itself to the principle of pay-as-you-go spending. Fiscal responsibility shouldn't be something that is just talked about only on the campaign trail.

Mr. Chairman, I urge adoption of this commonsense, fiscally responsible, pay-as-you-go amendment.

Mr. EHLERS. Mr. Chairman, I move to strike the last word.

In the midst of all this serious debate about an extremely important bill, I would like to pause just a moment to have a lighter moment that we can all enjoy as we recognize that one of our leading Members in this Congress tomorrow reaches a major milestone. The ranking member of the Science Committee, the gentleman from Texas, Mr. RALPH HALL, tomorrow will begin the second half of his life. He reaches the age of 84 tomorrow. So we can all celebrate with him and appreciate the tremendous contributions he has made to this Congress and to this country.

And I think it is entirely appropriate that on the eve of this important occasion, he spends the entire evening in this Chamber debating the esoteric aspects of science and its results.

So I hope all of you will join me at some point in the next day of wishing Mr. HALL an immensely wonderful 84th birthday tomorrow.

Mr. BAIRD. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I want to share the happy birthday wishes to the distinguished ranking member and thank him for his bipartisan participation in not only this, but so many endeavors.

Congratulations, RALPH. You are a dear friend and a model to many of us, and I very much appreciate all your service.

I also want to thank Chairman GORDON for his leadership in not only this bill but the entire innovation agenda that has been moving through this Congress so efficiently and with, again, good bipartisan support.

I mentioned Mr. EHLERS repeatedly earlier tonight. He has been so central to the passage of this bill. And I especially want to thank the majority staff and the minority staff. We have worked very well together.

And I want to thank my dear friends and colleagues on the other side. Though we have had a spirited disagreement on some issues and agreed on some, it has been a civil debate, a well-intentioned debate, and I think it has advanced our discussion of the important role of this legislation.

The amendment by the gentleman from Georgia has been offered before. It has been defeated before on other bills. I would urge its defeat. And after we accomplish that, I would urge passage of this otherwise outstanding bill.

Mr. HALL of Texas. Mr. Chairman, I move to strike the last word.

I just want to rise to first thank Dr. EHLERS and reiterate my support for H.R. 1867. I think we have a good bill here that propels us on down the innovation and competitiveness path that the President is on and that we have been on. I also thank Chairman GORDON and Chairman BAIRD.

Dr. EHLERS, I thank you again for helping to make this a better bill. In fact, I would argue that there is no one in this body more familiar with NSF than you are.

□ 2230

I thank you for your work for and against some of these amendments.

I rise in support of the bill and urge an ''aye'' vote on it.

And, Dr. BAIRD, I thank you personally for your kindness and the classy way you've handled yourself today.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. PRICE of Georgia. 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 Georgia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

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:

The amendment to Amendment No. 1 by Mr. SULLIVAN of Oklahoma.

Amendment No. 1 by Mr. HONDA of California.

Amendment No. 5 by Mr. CAMPBELL of California.

Amendment No. 4 by Mr. CAMPBELL of California.

Amendment No. 11 by Mr. GARRETT of New Jersey.

Amendment No. 7 by Mr. FLAKE of Arizona.

Amendment No. 8 by Ms. MATSUI of California.

Amendment No. 2 by Mr. PRICE of Georgia.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT OFFERED BY MR. SULLIVAN TO AMENDMENT NO. 1 OFFERED BY MR. HONDA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Oklahoma (Mr. SULLIVAN) to the amendment offered by the gentleman from California (Mr. HONDA) 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 166, noes 250, not voting 21, as follows:

[Roll No. 287]

AYES—166

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Chabot
Cole (OK)
Conaway
Costello
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ellsworth
Emerson
English (PA)
Everett
Fallin
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—250

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Burgess
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay

Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Emanuel
Eshoo
Etheridge
Farr
Ferguson
Filner
Frank (MA)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Johnson, Sam
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—21

Brady (PA)
Cannon
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Feeney
Fortuño
Graves
Hunter
Johnson, E. B.
Kennedy
Lampson
McMorris Rodgers
Neal (MA)
Norton
Ortiz
Paul
Radanovich
Tancredo

□ 2255

Messrs. JOHNSON of Illinois, DAVIS of Illinois, REYES and RUSH changed their vote from ''aye'' to ''no.''

Mr. MACK and Mrs. SCHMIDT changed their vote from ''no'' to ''aye.''

So the amendment to the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 1 OFFERED BY MR. HONDA

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. HONDA).

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

RECORDED VOTE

Mr. HALL of Texas. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 252, noes 165, not voting 20, as follows:

[Roll No. 288]

AYES—252

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Bean
Becerra
Berkley
Berman
Berry
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Ferguson
Filner
Fortenberry
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Porter
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Reichert
Reyes
Rodriguez
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOES—165

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Biggert
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Price (GA)
Putnam
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Walberg
Walden (OR)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (AK)
Young (FL)

NOT VOTING—20

Brady (PA)
Cannon
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Fortuño
Graves
Hunter
Johnson, E. B.
Kennedy
Lampson
McMorris Rodgers
Mollohan
Norton
Ortiz
Paul
Radanovich
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 1 minute remains in the vote.

□ 2259

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. CAMPBELL OF CALIFORNIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) 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 Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 195, noes 222, not voting 20, as follows:

[Roll No. 289]

AYES—195

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Barton (TX)
Bean
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Boyda (KS)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carney
Carter
Chabot
Chandler
Cole (OK)
Conaway
Cramer
Crenshaw
Cuellar
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillibrand
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Green, Gene
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Manzullo
Marchant
Marshall
Matheson
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McNulty
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Putnam
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuler
Shuster
Smith (NE)
Smith (NJ)
Souder
Space
Stearns
Sullivan
Taylor
Terry
Thornberry
Tiahrt
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—222

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Bartlett (MD)
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boswell
Boucher
Boyd (FL)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Kirk
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McNerney
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Pomeroy
Price (NC)
Pryce (OH)
Rahall
Rangel
Reichert
Reyes
Rodriguez
Rogers (AL)
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Simpson
Sires
Skelton
Slaughter
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tiberi
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—20

Brady (PA)
Cannon
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Fortuño
Graves
Hunter
Johnson, E. B.
Kennedy
Lampson
McMorris Rodgers
Mollohan
Norton
Ortiz
Paul
Radanovich
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised they have 1 minute remaining to vote.

□ 2305

Mr. JOHNSON of Illinois changed his vote from ''aye'' to ''no.''

Mrs. BOYDA of Kansas changed her vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. PATRICK J. MURPHY of Pennsylvania. Mr. Chairman, during Rollcall vote No. 289 on H.R. 1867, I mistakenly recorded my vote as "no" when I should have voted "aye." I ask unanimous consent that my statement appear in the RECORD immediately following Rollcall vote No. 289.

AMENDMENT NO. 4 OFFERED BY MR. CAMPBELL OF CALIFORNIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. CAMPBELL) 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 Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 115, noes 301, not voting 21, as follows:

[Roll No. 290]

AYES—115

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Bean
Bilbray
Bilirakis
Blackburn
Blunt
Boehner
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Chabot
Coble
Conaway
Crenshaw
Davis (KY)
Davis, David
Deal (GA)
Doolittle
Drake
Duncan
Ellsworth
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gohmert
Goode
Goodlatte
Granger
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Knollenberg
Lamborn
Lewis (CA)
Lewis (KY)
Linder
Mack
Manzullo
Marchant
McCarthy (CA)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pitts
Poe
Putnam
Rehberg
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuler
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Tanner
Taylor
Tiberi
Walberg
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wilson (SC)
Young (FL)

NOES—301

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blumenauer
Bonner
Bono
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Cole (OK)
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.

Dicks
Dingell
Doggett
Donnelly
Dreier
Edwards
Ehlers
Ellison
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Rahall
Ramstad
Rangel
Regula
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—21

Brady (PA)
Cannon
Cubin
Davis, Jo Ann
Doyle
Engel
Faleomavaega
Fattah
Fortuño
Graves
Hunter
Johnson, E. B.
Kaptur
Kennedy
Lampson
McMorris Rodgers
Norton
Ortiz
Paul
Radanovich
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised they have 1 minute remaining to vote.

□ 2308

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. GARRETT OF NEW JERSEY

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) 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 Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 126, noes 292, not voting 19, as follows:

[Roll No. 291]

AYES—126

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barton (TX)
Bean
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Boozman
Brady (TX)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Carter
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Davis (KY)
Davis, David
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Duncan
Ellsworth
English (PA)
Fallin
Feeney
Flake
Forbes
Fossella
Foxx
Franks (AZ)
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kline (MN)
Lamborn
Lewis (CA)
Lewis (KY)
Linder
Mack
Manzullo
Marchant
McCarthy (CA)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Murphy, Patrick
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pitts
Poe
Putnam
Ramstad
Rehberg
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuler
Shuster
Smith (NE)
Souder
Stearns
Sullivan
Taylor
Thornberry
Tiahrt
Tiberi
Walberg
Wamp
Weldon (FL)
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Young (FL)

NOES—292

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown (SC)
Brown, Corrine
Buchanan
Butterfield
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Dreier
Edwards
Ehlers
Ellison
Emanuel
Emerson
Eshoo
Etheridge
Everett
Farr
Ferguson
Filner
Fortenberry
Frank (MA)
Frelinghuysen
Gallegly
Gerlach
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Pickering
Platts
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Rahall
Rangel
Regula
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Simpson
Sires
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)

NOT VOTING—19

Brady (PA)
Cannon
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Fortuño
Graves
Hunter
Johnson, E. B.
Kennedy
Lampson
McMorris Rodgers
Norton
Ortiz
Paul
Radanovich
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2313

Mr. PERLMUTTER changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. FLAKE

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. FLAKE) 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 CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 128, noes 290, not voting 19, as follows:

[Roll No. 292]

AYES—128

Aderholt
Akin
Altmire
Bachmann
Bachus
Barrett (SC)
Barton (TX)
Bean
Bilbray
Bishop (UT)
Blackburn
Blunt
Boehner
Bono
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Camp (MI)
Campbell (CA)
Cantor
Carney
Carter
Chabot
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Donnelly
Doolittle
Duncan
Everett
Fallin
Feeney
Flake
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillibrand
Gillmor
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Heller
Hensarling
Herger
Hoekstra
Issa
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Kuhl (NY)
Lamborn
Lewis (KY)
Linder
Lungren, Daniel E.
Mack
Manzullo
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller, Gary
Murphy, Patrick
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Petri
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Rogers (KY)
Rohrabacher
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Shadegg
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Tiberi
Walberg
Wamp
Westmoreland
Whitfield
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—290

Abercrombie
Ackerman
Alexander
Allen
Andrews
Arcuri
Baca
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Boozman
Bordallo
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Buchanan
Butterfield
Calvert
Capito
Capps
Capuano
Cardoza
Carnahan
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Farr
Ferguson
Filner
Forbes
Fortenberry
Frank (MA)
Gerlach
Giffords
Gilchrest
Gingrey
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Hayes
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Knollenberg
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Peterson (PA)
Platts
Pomeroy
Porter
Price (NC)
Rahall
Rangel
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (MI)
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh (NY)
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Wexler
Wicker
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—19

Brady (PA)
Cannon
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Fortuño
Graves
Hunter
Johnson, E. B.
Kennedy
Lampson
McMorris Rodgers
Norton
Ortiz
Paul
Radanovich
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there is 1 minute remaining in this vote.

□ 2317

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MS. MATSUI

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. MATSUI) 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 2-minute vote.

The vote was taken by electronic device, and there were—ayes 232, noes 186, not voting 19, as follows:

[Roll No. 293]

AYES—232

Abercrombie
Ackerman
Allen
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Becerra
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Linder
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky

Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOES—186

Aderholt
Akin
Alexander
Altmire
Bachmann
Bachus
Baker
Barrett (SC)
Bean
Berkley
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cantor
Capito
Carney
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Donnelly
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Johnson (IL)
Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Souder
Stearns
Sullivan
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Brady (PA)
Cannon
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Fortuño
Graves
Hunter
Johnson, E. B.
Kennedy
Lampson
McMorris Rodgers
Norton
Ortiz
Paul
Radanovich
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 2322

Mrs. GILLIBRAND changed her vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) 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 Acting CHAIRMAN. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 235, not voting 19, as follows:

[Roll No. 294]

AYES—183

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Emerson
English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Porter
Price (GA)
Pryce (OH)
Putnam
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Saxton
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Young (AK)
Young (FL)

NOES—235

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyda (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Ferguson
Filner
Frank (MA)
Giffords
Gilchrest
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (GA)
Jones (OH)
Kagen
Kanjorski
Kaptur
Kildee
Kilpatrick
Kind
King (NY)
Klein (FL)
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Lee
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—19

Brady (PA)
Cubin
Davis, Jo Ann
Engel
Faleomavaega
Fattah
Fortuño
Graves
Hunter
Johnson, E. B.
Kennedy
Lampson
McKeon
McMorris Rodgers
Norton
Ortiz
Paul
Radanovich
Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 1 minute remains in this vote.

□ 2326

So the amendment was rejected.

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 (Mrs. BOYDA of Kansas) having assumed the chair, Mr. LYNCH, 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. 1867) to authorize appropriations for fiscal years 2008, 2009, and 2010 for the National Science Foundation, and for other purposes, pursuant to House Resolution 349, 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 amendment reported from 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

Mr. HALL of Texas. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 399, noes 17, not voting 16, as follows:

[Roll No. 295]

AYES—399

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachmann
Bachus
Baird
Baker
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyda (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Buchanan
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Carter
Castle
Castor
Chabot
Chandler
Clarke
Clay
Cleaver
Clyburn
Coble
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crowley
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
DeFazio
DeGette
Delahunt
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Donnelly
Doolittle
Doyle
Drake
Dreier
Edwards
Ehlers
Ellison
Ellsworth
Emanuel
Emerson
English (PA)
Eshoo
Etheridge
Everett
Fallin
Farr
Feeney
Ferguson
Filner
Forbes
Fortenberry
Fossella
Foxx
Frank (MA)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Giffords
Gilchrest
Gillibrand
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
Hall (TX)
Hare
Harman
Hastert
Hastings (FL)
Hastings (WA)
Hayes
Heller
Herger
Herseth Sandlin
Higgins
Hill
Hinchey
Hinojosa
Hirono
Hobson
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Inglis (SC)
Inslee
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Klein (FL)
Kline (MN)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Lamborn
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Mahoney (FL)
Maloney (NY)
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Nunes
Oberstar
Obey
Olver
Pallone
Pascrell
Pastor
Payne
Pearce
Pence
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Poe
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (AK)
Young (FL)

NOES—17

Barrett (SC)
Campbell (CA)
Cannon
Deal (GA)
Duncan
Flake
Franks (AZ)
Hensarling
Hoekstra
Johnson, Sam
Jordan
Kingston
Linder
Pitts
Royce
Sali
Shadegg

NOT VOTING—16

Brady (PA)
Cubin
Davis, Jo Ann
Engel
Fattah
Graves
Hunter
Johnson, E. B.
Kennedy
Lampson
McMorris Rodgers
Ortiz
Paul
Radanovich
Sullivan
Tancredo

□ 2344

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AMENDING THE RULES OF THE HOUSE TO CLARIFY CERTAIN MATTERS RELATING TO OFFICIAL CONDUCT

Mrs. JONES of Ohio. Mr. Speaker, I ask unanimous consent that the Committee on Standards of Official Conduct be discharged from further consideration of the resolution (H. Res. 363) amending the Rules of the House of Representatives to clarify certain matters relating to official conduct, and ask for its immediate consideration in the House.

The Clerk read the title of the resolution.

The SPEAKER pro tempore (Mr. COHEN). Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

The Clerk read the resolution, as follows:

H. RES. 363

Resolved, That clause 15 of rule XXIII of the Rules of the House of Representatives is amended to read as follows:

''15. (a) Except as provided in paragraph (b), a Member, Delegate, or Resident Commissioner may not use personal funds, official funds, or campaign funds for a flight on an aircraft.

''(b) Paragraph (a) does not apply if—

''(1) the aircraft is operated by an air carrier or commercial operator certificated by the Federal Aviation Administration and the flight is required to be conducted under air carrier safety rules, or, in the case of travel which is abroad, by an air carrier or commercial operator certificated by an appropriate foreign civil aviation authority and the flight is required to be conducted under air carrier safety rules;

''(2) the aircraft is owned or leased by a Member, Delegate, Resident Commissioner or his or her family member (including an aircraft owned by an entity that is not a public corporation in which the Member, Delegate, Resident Commissioner or his or her family member has an ownership interest, provided that such Member, Delegate, or Resident Commissioner does not use the aircraft any more than the Member, Delegate, Resident Commissioner, or family member's proportionate share of ownership allows);

''(3) the flight consists of the personal use of an aircraft by a Member, Delegate, or Resident Commissioner that is supplied by an individual on the basis of personal friendship; or

''(4) the aircraft is operated by an entity of the Federal government or an entity of the government of any State.

''(c) In this clause—

''(1) the term 'campaign funds' includes funds of any political committee under the Federal Election Campaign Act of 1971, without regard to whether the committee is an authorized committee of the Member, Delegate, or Resident Commissioner involved under such Act;

''(2) the term 'family member' means an individual who is related to the Member, Delegate, or Resident Commissioner, as father, mother, son, daughter, brother, sister, husband, wife, father-in-law, or mother-in-law; and

''(3) the term 'on the basis of personal friendship' has the same meaning as in clause 5 of rule XXV and shall be determined as under clause 5(a)(3)(D)(ii) of rule XXV.''.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROTECTING THE NATION'S HISTORICALLY BLACK COLLEGES

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, we just finished looking at two very important legislative initiatives by the Democratic leadership and as well a bipartisan effort dealing with issues like Head Start and the National Science Foundation.

As you look at the question of education, I rise today to talk of the plight of historically black colleges in America. It is important that we recognize that America's competitive edge will be based upon the opportunities for all Americans.

I am disappointed in the U.S. Department of Education's failure to fully enforce the 1964 Civil Rights Act, title VI, and one of the victims of that failure of enforcement are schools in Texas, Texas Southern University and Prairie View A&M. It has now become a national issue, an issue of importance to America because we are falling behind.

That is why the National Science Foundation legislation was important, but it is now also important for the U.S. Department of Education to wake up and do its job in protecting the Nation's historically black colleges.

HONORING C.W. MATTHEWS

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

Mr. GINGREY. Mr. Speaker, I rise today to honor the memory of C.W. Matthews, a long-term businessman in Cobb County, Georgia. Mr. Matthews passed away on Sunday at the age of 84, and with his passing, our Nation lost of one of its most inspired industrialists

In the 1940s, a 23-year-old Matthews established the C.W. Matthews Contracting Company, which today is the largest highway contractor in the southeastern United States. C.W. was a natural businessman, making friends with ease, growing his company the old-fashioned way, through hard work.

Over the past 60 years, the company has employed thousands of workers, built many of the roads that help Cobb County thrive, and even worked on the expansion at Atlanta's Hartsfield-Jackson airport. In fact, Mr. Matthews, with only an eighth-grade education, created one of the most successful family-run businesses in the Nation.

Mr. Speaker, I want to tell Mr. Matthews' wife, Myrtle, of 66 years, his two sons, two grandsons, and seven great-grandchildren, the entire Cobb County community shares in your loss. We will always remember C.W. as a man of passion, drive and ingenuity.

I ask all my colleagues to join me in honoring the legacy of C.W. Matthews.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H. RES. 106

Mr. BOREN. Mr. Speaker, I request that my name be removed from H. Res. 106.

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

There was no objection.

□ 2350

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. COHEN). Under the Speaker's announced policy of January 18, 2007, 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 gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

(Ms. WOOLSEY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

HONORING PUBLIC SERVICE RECOGNITION WEEK

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) is recognized for 5 minutes.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I am pleased to draw the attention of the House and the Nation to Public Service Recognition Week, which will take place May 7 through May 13.

This week is set aside to remind us all of the vital work that public employees do every day across our country and to honor that work. In many ways, public employees are the daily embodiment of our democracy. Every day they carry out the programs and services chosen by our elected government from the Federal to the State to the local level.

Locally, where democracy has the most direct impact, public employees carry out the programs of elected city councils and school districts as they teach our children, run parks and recreation programs, police our neighborhoods, and perform a myriad of other services to make our communities continually better places to live. Public employees are there for us, the public, 24 hours a day, 7 days a week. In the middle of the night when a water main breaks and floods a street, when a home catches fire, or when a terrorist threat is identified, it is public employees who respond for our communities and for our Nation.

Mr. Speaker, I am continually impressed with the creativity and innovation of public-sector employees and leaders, as they deliver better services and value to the public, whether it's creatively combining scarce government resources to improve public safety, or teaming up government resources with community volunteers to provide needed home improvements for disabled seniors, or finding new ways to reduce air and water pollution. I think the public would be impressed to know that their tax dollars do have many good stewards who take pride in bringing them the best possible service for their tax dollars. My own mother is a public school teacher, so I know from experience how gifted public servants are at providing first-class services on a steerage budget.

On May 9 in Los Angeles, public employees representing a wide variety of Federal, State and local government agencies and school districts will gather for a Public Service Recognition Week ceremony. Thirteen individuals, teams and projects will be honored as winners of the public service recognition awards for outstanding contributions and service to the public.

Over 200 individuals, teams and projects were nominated for these awards. Since I will be performing my own duty as a public servant on May 9 here in this House, I want to take this opportunity to extend my appreciation and congratulations to everyone who will attend that Los Angeles ceremony and ceremonies like it all across our Nation.

Let me conclude by urging all of my colleagues to honor their public employees by cosponsoring House Resolution 307, which would formally designate Public Service Recognition Week and to support public service recognition events in their districts around the Nation in the coming week.

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.)

LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2007

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, tomorrow this body will take up legislation that is referred to as hate crime legislation. On its face that sounds pretty innocuous, something we should all agree on. We are against hate.

Those of us who believe in the Bible would say that is not something that anyone should engage in. Hate. But the fact is there are laws across America that deal with crimes. What hate crime legislation does is carve out essential exemptions, special punishments for people who commit offenses.

In the past, hate crimes have been limited to felonies that involve serious bodily injury, that kind of thing, in most areas. But here for the first time, we are not going to enhance punishment, we are not going to just only spend money of Federal dollars to help other jurisdictions enforce their hate crime legislation. Now we created a special Federal crime that will allow the full weight of the Federal Government to go after those who, according to the law we will vote on tomorrow, in any circumstance, basically, willfully causes bodily injury to any person.

Now, most hate crime laws refer to serious bodily injury, but not in this legislation. We refer to bodily injury. We have lowered the bar dramatically. There are some jurisdictions that would say bodily injury can be temporary, no matter how temporary. It can be a touching, a pushing.

So, in other words, if someone opposed to your position that, perhaps, was having gender identity issues, like a transvestite, got between you and your office, and there were numbers of them, and you tried to get through to your office, then, as has happened in other places, he may be inclined now to go to the Federal Government, file a criminal complaint for which you could be arrested, and that would be bodily injury sufficient to rise to that level.

Now, some have said, in our committee, that this does not affect any speech, this is only actions. But the trouble is existing Federal law, under 18 U.S. Code 2(a) of the Federal Criminal Code, and I have taken an excerpt from it, says: ''Whoever aids . . . abets, counsels, commands, induces or procures'' a crime's commission is punishable as if they had committed the crime itself.

That's referred to in most jurisdictions as the law of principals. It's not a conspiracy law, it's a law of principals.

Therefore, as I ask about a hypothetical in committee, if a minister were to preach from the Bible or simply read from the Bible, or a rabbi were to read from the Torah or teach from it, or an imam was to read from the Koran, indicating that it is wrong to have sexual relations outside of the marriage of a man and a woman; if someone heard that and went out and committed an offense causing bodily injury, shooting someone, and then when they were questioned, they said, well, my minister, rabbi or imam said this was wrong, and this is what induced me to do this, well, under existing Federal law, when coupled with the law the majority wants to pass tomorrow, that minister could be charged under the law as a principal, as having shot the victim. That would mean that any sermons, any Bible teachings, any Koran or any Torah teachings that were perhaps on file at the home, in the office, on the hard drive, would then be admissible, because that is evidence that this individual taught and preached how wrong this was, which induced the individual to commit the crime.

Now, others say that's ridiculous, and it reminds me a great deal of the debate in this House in 1935, 1936, on Social Security, when some stood here and said, we don't want Social Security numbers because those will one day be utilized as identification numbers. That was roundly guffawed, this is ridiculous. This is simply a number on a Social Security account. It could never be identification. That's ridiculous. Others say, look, we have a provision in here that says first amendment speech.

The SPEAKER pro tempore. The time of the gentleman has expired.

U.N. RWANDA GENOCIDE EXHIBIT REVISION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for the remainder of the time until midnight.

Mr. PALLONE. Mr. Speaker, yesterday what was supposed to be an important U.N. exhibit educating the world about the Rwandan genocide was turned into a farce thanks to the actions of the Turkish Government. Three weeks ago, when the Rwanda genocide exhibit was originally set to open, the Turkish Government did what the Turkish Government often does, denied historical facts and objected to the exhibit because it objected to Armenian genocide as an example of genocide.

It was bad enough that this important U.N. exhibit documenting the Rwanda genocide was delayed by 3 weeks because Turkey continued to deny the past, but I was appalled when the exhibit was opened yesterday at the U.N. with one major revision.

Gone was the citing of the systematic killing of 1.5 millions Armenians as genocide. Instead it was referred to as a mass killing in order to appease the Turkish Government. No serious historical dispute exists about the Armenian genocide. Sadly, an intensive and well-financed effort by the Turkish Government has succeeded in preventing the United States, and now the U.N., from any formal recognition of the Armenian genocide.

This is the warped Turkish version of history, and it's simply not acceptable. The Turkish objection to this exhibit is the latest example of their genocide denial. It's absolutely ludicrous that an exhibit dedicated to the education and prevention of genocide would include Armenia as an example, use the definition of the term ''genocide,'' but not use the word ''genocide'' to describe the events.

How, exactly, are you educating the public about genocide when you refuse to call the first genocide of the 20th century by its name? The word ''genocide'' was actually created as a way to describe the barbaric crimes inflicted against the Armenians between 1915 and 1923, but now the word cannot be used in an exhibit at the U.N. This is utterly ridiculous.

Would you ever have an exhibit on Christianity without mentioning the birth of Christ? The same type of absurdity has been used by President Bush during his annual statement commemorating the anniversary of the Armenian genocide. Year after year the Bush administration continues to play word games by not calling evil by its proper name.

If I could just end by saying, I don't think that the U.N. response to genocides should be denigrated to a level acceptable to the Turkish Government. It's about time that the Bush administration started dictating a policy for Americans, not for a foreign government like Turkey. This lack of honesty is simply not acceptable.

Turkey should be condemned for its policy of denying the Armenian genocide. As a global community we must collectively stand for historical truth and properly recognize the worst humanitarian crimes we have seen.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. MCMORRIS RODGERS (at the request of Mr. BOEHNER) for the week of April 30 and the week of May 7 on account of maternity leave.

Mr. GRAVES (at the request of Mr. BOEHNER) from 6:30 p.m. today and the balance of the week on account of a death in the family.

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. PALLONE) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mrs. MCCARTHY of New York, for 5 minutes, today.

Ms. KAPTUR, for 5 minutes, today.

Ms. BERKLEY, for 5 minutes, today.

Mr. WYNN, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Ms. LINDA T. SANCHEZ OF CALIFORNIA, FOR 5 MINUTES, TODAY.

(The following Members (at the request of Mr. BURGESS) to revise and extend their remarks and include extraneous material:)

Mr. POE, for 5 minutes, May 9.

Mr. MCCOTTER, for 5 minutes, May 3.

Ms. ROS-LEHTINEN for 5 minutes, for May 8 and May 9.

Mr. GOHMERT, for 5 minutes, today.

Mr. BURGESS, for 5 minutes, today.

Mr. GINGREY, for 5 minutes, today.

BILLS PRESENTED TO THE PRESIDENT

Lorraine C. Miller, Clerk of the House reports that on May 1, 2007, she presented to the President of the United States, for his approval, the following bills.

H.R. 1591. Making emergency supplemental appropriations for the fiscal year ending September 30, 2007, and for other purposes.

H.R. 1681. To amend the Congressional Charter of The American National Red Cross to modernize its governance structure, to enhance the ability of the board of governors of The American National Red Cross in the 21st century, and for other purposes.

ADJOURNMENT

Mr. PALLONE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Thursday, May 3, 2007, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

1443. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Emerald Ash Border; Quarantined Areas; Michigan [APHIS-2006-0131] received February 27, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1444. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Viruses, Serums, Toxins, and Analogous Products; Suspension, Revocation, or Termination of Biological Licenses or Permits; Inspections [APHIS Docket No. 02-107-2] (RIN: No. 0579-AC29) received April 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1445. A letter from the Regulatory Contact, Department of Agriculture, transmitting the Department's final rule — Rules of Practice Governing Proceedings under the Packers and Stockyards Act (RIN: 0580-AA97) received April 11, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1446. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Soybean Promotion and Research: Qualified State Soybean Boards; Correction [Docket No. LS-06-06] received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1447. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Processed Fruits and Vegetables [Docket # AMS-FV-07-0025; FV-05-379] (RIN: 0581-AC56) received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1448. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tomatoes Grown in Florida; Change in Handling Requirements [Docket No. AMS-FV-06-0208; FV07-966-1 IFR] received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1449. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Hazelnuts Grown in Oregon and Washington; Establishment of Final Free and Restricted Percentages for the 2006-2007 Marketing Year [Docket No. AMS-FV-06-0175; FV07-982-1 IFR] received March 26, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1450. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Cut Flowers From Countries With Chrysanthemum White Rust [Docket No. 03-016-3] (RIN: 0579-AC18) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1451. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement Vice Admiral Albert M. Calland III, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

1452. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Donald J. Wetekam, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

1453. A letter from the Under Secretary for Acquisitions, Technology and Logistics, Department of Defense, transmitting a copy of the Department of Defense (DoD) Chemical and Biological Defense Program (CBDP) Annual Report to Congress, pursuant to 50 U.S.C. 1523; to the Committee on Armed Services.

1454. A letter from the General Counsel, Department of Commerce, transmitting a copy of draft legislation to amend the Communications Act of 1934 to terminate the Telecommunications Development Fund; to the Committee on Energy and Commerce.

1455. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting Copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b; to the Committee on Foreign Affairs.

1456. A letter from the President, Overseas Private Investment Corporation, transmitting a copy of a draft bill entitled, ''To amend the Foreign Assistance Act of 1961 with respect to the activities of the Overseas Private Investment Corporation''; to the Committee on Foreign Affairs.

1457. A letter from the Chief Administrative Officer, transmitting the quarterly report of receipts and expenditures of appropriations and other funds for the period January 1, 2007 through March 31, 2007 as compiled by the Chief Administrative Officer, pursuant to 2 U.S.C. 104a; (H. Doc. No.110–32); to the Committee on House Administration and ordered to be printed.

1458. A letter from the Secretary, Department of Interior, transmitting a copy of a draft bill entitled, ''Reclamation Water Management Improvement Act''; to the Committee on Natural Resources.

1459. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting a copy of a draft bill entitled, ''to repeal certain oil and gas incentives contained in the Energy Policy Act of 2005 and for other purposes''; to the Committee on Natural Resources.

1460. A letter from the Chairman —— Surface Transportation Board, Department of Transportation, transmitting the Department's final rule — REGULATIONS GOVERNING FEES FOR SERVICES PERFORMED IN CONNECTION WITH LICENSING AND RELATED SERVICES-2007 UPDATE [STB Ex Parte No. 542 (Sub-No. 14)] received April 20, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1461. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Phillipsburg, KS. [Docket No. FAA-2006-25943; Airspace Docket No. 06-ACE-13] received April 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1462. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Thedford, NE. [Docket No. FAA-2006-25942; Airspace Docket No. 06-ACE-12] received April 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1463. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pilatus Aircraft Ltd. Model PC-7 Airplanes [Docket No. FAA-2006-25582; Directorate Identifier 2006-CE-42-AD; Amendment 39-14813; AD 2006-23-01] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1464. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney PW4074, PW4074D, PW4077, PW4077D, PW4084D, PW4090, PW4090-3, and PW4098 Turbofan Engines [Docket No. FAA-2006-24487; Directorate Identifier 2006-NE-13-AD; Amendment 39-14810; AD 2006-22-13] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1465. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A300 Airplanes [Docket No. FAA-2006-25634; Directorate Identifier 2006-NM-143-AD; Amendment 39-14844; AD 2006-25-03] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1466. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Gulfstream Model G-159 Airplanes [Docket No. 96-NM-143-AD; Amendment 39-14843; AD 2006-25-02] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1467. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Boeing Model 767 Airplanes [Docket No. FAA-2006-24814; Directorate Identifier 2006-NM-093-AD; Amendment 39-14833; AD 2006-24-04] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1468. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness

Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135BJ and EMB-145XR Airplanes [Docket No. 2004-NM-36-AD; Amendment 39-14788; AD 2006-21-04] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1469. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Cirrus Design Corporation Models SR20 and SR22 Airplanes [Docket No. FAA-2006-24010; Directorate Identifier 2006-CE-14-AD; Amendment 39-14787; AD 2006-21-03] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1470. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; McDonnell Douglas Model DC-9-10 Series Airplanes; DC-9-20 Series Airplanes; DC-9-30 Series Airplanes; DC-9-40 Series Airplanes; and DC-9-50 Airplanes [Docket No. FAA-2005-21779; Directorate Identifier 2002-NM-349-AD; Amendment 39-14790; AD 2006-21-06] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1471. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Hartzell Propeller Inc. Propellers and McCauley Propeller Systems Controllable Propellers. [Docket No. FAA-2005-20141; Directorate Identifier 2005-NE-01-AD; Amendment 39-14836; AD 2006-24-07] (RIN: 2120-AA64) received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1472. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Application of Section 409A to Nonqualified Deferred Compensation Plans [TD 9321] (RIN: 1545-BE79) received April 13, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1473. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Disallowance of Certain Entertainment, Etc., Expenses — received April 10, 2007, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1474. A letter from the Secretary, Department of Labor, transmitting a copy of a draft bill entitled, ''Child Labor Protection Act of 2007''; jointly to the Committees on Education and Labor and the Judiciary.

1475. A letter from the Chairman, Federal Election Commission, transmitting 5 recommendations for legislative action, pursuant to 2 U.S.C. 438(a)(9); jointly to the Committees on House Administration and the Judiciary.

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. LANTOS: Committee on Foreign Affairs. H.R. 982. A bill to promote democratic values and enhance democracy, and for other purposes (Rept. 110–119). Referred to the Committee of the Whole House on the State of the Union.

Mr. MCGOVERN: Committee on Rules. House Resolution 364. Resolution providing for consideration of the bill (H.R. 1592) to provide Federal assistance to States, local jurisdictions, and Indian tribes to prosecute hate crimes, and for other purposes (Rept. 110–120). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BOUCHER (for himself, Mr. PENCE, Mr. CONYERS, Mr. COBLE, Mr. YARMUTH, and Mr. WALDEN of Oregon):

H.R. 2102. A bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media; to the Committee on the Judiciary.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Mr. ALLEN, Mrs. TAUSCHER, Mr. HASTINGS of Florida, Mr. SARBANES, Ms. SHEA-PORTER, Mr. KUCINICH, Mr. BISHOP of New York, Mr. LOEBSACK, Mr. PRICE of North Carolina, Ms. SCHAKOWSKY, and Mrs. MCCARTHY of New York):

H.R. 2103. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Education and Labor.

By Mr. BARRETT of South Carolina (for himself, Mr. KUHL of New York, Mr. ALEXANDER, Mr. LAMBORN, Mr. LUCAS, Mr. MARCHANT, Mr. GARRETT of New Jersey, Mr. WELDON of Florida, Mr. HOEKSTRA, Mr. PEARCE, Mr. CAMPBELL of California, Mr. GOHMERT, Mr. GINGREY, Mr. BILBRAY, Mr. PITTS, Mr. AKIN, Mr. GOODE, Mrs. BLACKBURN, Mr. CANTOR, Mr. RYAN of Wisconsin, Mr. BISHOP of Utah, Mr. BURTON of Indiana, Mr. WALBERG, Mr. SHADEGG, Mrs. MUSGRAVE, Ms. FOXX, Mr. CONAWAY, Mr. FRANKS of Arizona, Mr. WILSON of South Carolina, Mr. HUNTER, Mr. ROGERS of Alabama, Mr. WICKER, Mrs. EMERSON, Mr. EVERETT, Mr. BROWN of South Carolina, and Mr. CARTER):

H.R. 2104. A bill to protect the right of elected and appointed officials to express their religious beliefs through public prayer; to the Committee on the Judiciary.

By Mr. CHANDLER:

H.R. 2105. A bill to prevent the abuse and exploitation of older individuals; to the Committee on the Judiciary.

By Mr. CHANDLER:

H.R. 2106. A bill to ensure that sex offenders and sexually violent predators are not eligible for parole; to the Committee on the Judiciary.

By Mrs. CHRISTENSEN:

H.R. 2107. A bill to create the Office of Chief Financial Officer of the Government of the Virgin Islands, and for other purposes; to the Committee on Natural Resources.

By Ms. DELAURO (for herself, Ms. DEGETTE, Mr. MORAN of Virginia, Mr. GENE GREEN of Texas, Ms. SCHAKOWSKY, Ms. MATSUI, and Mrs. DAVIS of California):

H.R. 2108. A bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the safety of food for humans and pets; to the Committee on Energy and Commerce.

By Mrs. DRAKE:

H.R. 2109. A bill to amend title 18, United States Code, to provide Federal penalties for certain killings by illegal aliens, and for other purposes; to the Committee on the Judiciary.

By Mr. FORTENBERRY (for himself, Mr. PETERSON of Minnesota, Mr. TERRY, and Mr. SMITH of Nebraska):

H.R. 2110. 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. HOLT (for himself, Mr. HINOJOSA, Mrs. MCCARTHY of New York, Mr. WU, and Mr. REYES):

H.R. 2111. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a partnership program in foreign languages; to the Committee on Education and Labor.

By Mr. ISRAEL:

H.R. 2112. A bill to amend the Energy Policy Act of 1992 to require the Federal Government to acquire not fewer than 50,000 plug-in hybrid electric vehicles; to the Committee on Oversight and Government Reform.

By Mr. MAHONEY of Florida:

H.R. 2113. A bill to grant a right of first refusal to the Town of Jupiter Island, Florida, with respect to Coast Guard property on Jupiter Island, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mrs. MALONEY of New York (for herself, Mr. SHAYS, Ms. LEE, Mr. CROWLEY, Mr. HONDA, Ms. MCCOLLUM of Minnesota, Mr. CASTLE, Mr. MICHAUD, Mr. JACKSON of Illinois, Mr. MEEKS of New York, Mr. LANTOS, Mr. ALLEN, Mr. GRIJALVA, Mr. MCNULTY, Ms. WOOLSEY, Mr. CARNAHAN, Ms. SCHAKOWSKY, and Ms. WATSON):

H.R. 2114. A bill to provide a United States voluntary contribution to the United Nations Population Fund only for the prevention, treatment, and repair of obstetric fistula; to the Committee on Foreign Affairs.

By Mr. MARSHALL:

H.R. 2115. A bill to amend the Public Health Service Act and title XIX of the Social Security Act to provide for a screening and treatment program for prostate cancer in the same manner as is provided for breast and cervical cancer; to the Committee on Energy and Commerce.

By Mr. MEEK of Florida (for himself and Mr. CANTOR):

H.R. 2116. A bill to amend the Internal Revenue Code of 1986 to provide incentives to encourage investment in the expansion of freight rail infrastructure capacity and to enhance modal tax equity; to the Committee on Ways and Means.

By Mr. PAUL (for himself, Mr. BURTON of Indiana, Mr. SHAYS, Mr. BARTLETT of Maryland, and Mr. DUNCAN):

H.R. 2117. A bill to amend the Federal Food, Drug, and Cosmetic Act concerning foods and dietary supplements, to amend the Federal Trade Commission Act concerning the burden of proof in false advertising cases, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PETERSON of Minnesota (for himself, Mr. BOUSTANY, Mr. MARSHALL, Mr. GRAVES, Mr. PUTNAM, Mr. THOMPSON of Mississippi, and Mr. AKIN):

H.R. 2118. A bill to establish the National Institute of Food and Agriculture, to provide funding for the support of fundamental agricultural research of the highest quality, and for other purposes; to the Committee on Agriculture.

By Mr. POMEROY (for himself, Mr. COLE of Oklahoma, and Mr. KILDEE):

H.R. 2119. A bill to amend titles I and IV of the Employee Retirement Income Security Act of 1974 to modify the definition of governmental plan with respect to Indian tribal

governments; to the Committee on Education and Labor, 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. STUPAK:

H.R. 2120. A bill to direct the Secretary of the Interior to proclaim as reservation for the benefit of the Sault Ste. Marie Tribe of Chippewa Indians a parcel of land now held in trust by the United States for that Indian tribe; to the Committee on Natural Resources.

By Mr. STUPAK (for himself and Mr. CAMP of Michigan):

H.R. 2121. A bill to modify a land grant patent issued by the Secretary of the Interior; to the Committee on Natural Resources.

By Mr. ALEXANDER:

H. Res. 362. A resolution honoring the life of Coach Edward ''Eddie'' Robinson; to the Committee on Education and Labor.

By Mr. PETERSON of Minnesota (for himself and Mr. GRAVES):

H. Res. 363. A resolution amending the Rules of the House of Representatives to clarify certain matters relating to official conduct; to the Committee on Standards of Official Conduct. considered and agreed to.

By Mr. HONDA (for himself, Ms. ZOE LOFGREN of California, Ms. ESHOO, Mr. FARR, and Mr. MCNERNEY):

H. Res. 365. A resolution honoring San Jose State University for its 150 years of commitment to public higher education; to the Committee on Education and Labor.

By Mr. HONDA (for himself, Mr. TOWNS, and Mr. DENT):

H. Res. 366. A resolution supporting the goals and ideals of National Hepatitis B Awareness Week; to the Committee on Energy and Commerce.

By Mr. SALI:

H. Res. 367. A resolution commemorating the 25th anniversary of the construction and dedication of the Vietnam Veterans Memorial; to the Committee on Armed Services, and in addition to the Committees on Natural Resources, and Veterans' Affairs, 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.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

29. The SPEAKER presented a memorial of the General Assembly of the State of North Dakota, relative to Senate Concurrent Resolution No. 4016 urging the Congress of the United States to direct the United States Army Corps of Engineers to address and rectify the problems caused by the accumulation of sediment in the Missouri River main stem reservoirs; to the Committee on Transportation and Infrastructure.

ADDITIONAL SPONSORS TO PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 45: Mr. DAVIS of Alabama.

H.R. 71: Mr. SENSENBRENNER, Mr. MARCHANT, Mr. CARTER, Mr. WELDON of Florida, Mr. MILLER of Florida, and Mr. GARRETT of New Jersey.

H.R. 174: Ms. BERKLEY, Ms. ROYBAL-ALLARD, and Mr. SCHIFF.

H.R. 241: Mr. RYAN of Wisconsin.

H.R. 243: Mr. GORDON.

H.R. 254: Ms. SCHAKOWSKY.

H.R. 321: Mr. TURNER.

H.R. 333: Mr. DEFAZIO and Mr. MCCOTTER.

H.R. 369: Mrs. DAVIS of California.

H.R. 371: Mr. SHIMKUS.

H.R. 468: Mr. SCOTT of Virginia.

H.R. 538: Mr. HARE.

H.R. 539: Mr. JOHNSON of Georgia.

H.R. 562: Mr. WILSON of Ohio.

H.R. 566: Mr. ACKERMAN.

H.R. 579: MR. ALTMIRE and Mr. SCHIFF.

H.R. 601: Mr. KELLER, Mr. PETRI, Mrs. MCMORRIS RODGERS, Ms. FOXX, Mr. KUHL of New York, Mr. CASTLE, Mr. SOUDER, Mr. EHLERS, and Ms. GINNY BROWN-WAITE of Florida.

H.R. 620: Mr. DOGGETT.

H.R. 642: Ms. HOOLEY, Mr. PETERSON of Minnesota, and Mr. LAMPSON.

H.R. 643: Mr. LARSEN of Washington, Mr. MCNERNEY, Ms. HOOLEY, Mr. MARSHALL, Ms. WATSON, Mr. TERRY, Mr. BOUCHER, Mr. PENCE, and Mr. CONAWAY.

H.R. 690: Mr. PETERSON of Minnesota.

H.R. 692: Ms. ZOE LOFGREN of California.

H.R. 698: Mr. SIRES, Mrs. CAPPS, and Mr. ALTMIRE.

H.R. 699: Mr. TURNER.

H.R. 715: Mr. LOEBSACK.

H.R. 725: Mr. FORTENBERRY.

H.R. 726: Mr. RAHALL.

H.R. 729: Mr. OLVER and Mr. LEVIN.

H.R. 736: Mr. BILIRAKIS.

H.R. 741: Mr. ARCURI, Mr. GORDON, Mr. LYNCH, Mr. ROTHMAN, Mr. PASCRELL, Mr. LOBIONDO, Mr. HOLT, Mr. KING of New York, Mr. SIRES, Mr. PITTS, and Mr. BRADY of Pennsylvania.

H.R. 750: Ms. MOORE of Wisconsin, Ms. CLARKE, Mrs. CHRISTENSEN, Ms. WATSON, Mr. CUMMINGS, Mr. JEFFERSON, Mr. LEWIS of Georgia, Ms. SOLIS, Mr. RANGEL, and Ms. LEE.

H.R. 758: Mr. ALTMIRE.

H.R. 770: Mr. WATT.

H.R. 782: Mr. JACKSON of Illinois, Mr. BERRY, and Mr. AKIN.

H.R. 784: Ms. HOOLEY.

H.R. 808: Mr. MCNULTY.

H.R. 821: Ms. SCHAKOWSKY and Mr. MCCOTTER.

H.R. 864: Mrs. EMERSON and Mr. HINOJOSA.

H.R. 871: Mr. FILNER and Mr. PAYNE.

H.R. 882: Mr. MCCOTTER and Mr. CUELLAR.

H.R. 906: Ms. GIFFORDS.

H.R. 909: Mr. FARR and Mr. MCCOTTER.

H.R. 916: Mr. WATT.

H.R. 938: Mrs. BOYDA OF KANSAS.

H.R. 943: Mr. DICKS.

H.R. 964: Mr. MOORE of Kansas.

H.R. 969: Mr. LIPINSKI, Ms. DELAURO, Mr. KANJORSKI, Mr. OLVER, Mr. ENGEL, Mr. SERRANO, and Mr. SESTAK.

H.R. 970: Mr. MATHESON.

H.R. 971: Mr. CUELLAR.

H.R. 980: Mrs. CAPITO, Mr. GALLEGLY, Mr. WATT, Mrs. MCCARTHY of New York, and Ms. HOOLEY.

H.R. 1008: Mr. POMEROY.

H.R. 1023: Mr. MEEKS of New York.

H.R. 1032: Ms. NORTON and Mr. RUSH.

H.R. 1039: Mr. WATT.

H.R. 1063: Mr. MELANCON.

H.R. 1072: Mr. MORAN of Virginia.

H.R. 1078: Ms. NORTON and Mr. KING of New York.

H.R. 1084: Ms. WOOLSEY.

H.R. 1092: Mr. MICHAUD.

H.R. 1107: Ms. NORTON, Mr. FARR, and Mr. ISSA.

H.R. 1108: Mr. LOEBSACK, Mr. NEAL of Massachusetts, Mr. AL GREEN of Texas, and Mr. RODRIGUEZ.

H.R. 1115: Mr. DANIEL E. LUNGREN of California.

H.R. 1125: Mr. THORNBERRY, Mr. WAMP, Mr. FLAKE, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. CUBIN, and Mr. CARNAHAN.

H.R. 1127: Mr. MORAN of Virginia, Ms. GRANGER, and Mr. LATOURETTE.

H.R. 1131: Mrs. CAPITO, Mrs. JO ANN DAVIS of Virginia, and Mr. WEXLER.

H.R. 1157: Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mrs. MALONEY of New York, Mr. CLAY, Mr. KIRK, Ms. VELÁZQUEZ, Ms. ROS-LEHTINEN, Mr. HOLT, Mr. SHERMAN, Ms. SHEA-PORTER, Mr. HASTINGS of Florida, Mr. GARRETT of New Jersey, Mr. WALZ of Minnesota, Mr. DEFAZIO, Mr. JINDAL, Ms. BALDWIN, Mr. DAVIS of Illinois, Mr. FILNER, Mr. THOMPSON of California, Mr. RANGEL, Ms. MOORE of Wisconsin, Ms. WATERS, Mr. WELLER, Mr. SALAZAR, Mr. STARK, Mr. SCOTT of Georgia, Mr. SIRES, Mr. ALTMIRE, Mr. BOSWELL, Mr. ACKERMAN, Mr. MCDERMOTT, Mr. FARR, and Ms. JACKSON-LEE of Texas.

H.R. 1179: Mr. GORDON.

H.R. 1189: Mr. MARKEY.

H.R. 1216: Mr. WAXMAN and Mr. MARKEY.

H.R. 1225: Mr. WYNN, Mr. HONDA, Ms. CLARKE, and Mr. MORAN of Virginia.

H.R. 1237: Mr. RYAN of Wisconsin and Mr. BONNER.

H.R. 1239: Mr. MORAN of Virginia.

H.R. 1246: Mr. MEEK of Florida and Mr. MURPHY of Connecticut.

H.R. 1259: Mr. VAN HOLLEN.

H.R. 1264: Mr. PETRI.

H.R. 1275: Ms. SCHAKOWSKY.

H.R. 1304: Mr. MCCOTTER, Mr. ROSKAM, and Mr. CRENSHAW.

H.R. 1307: Mr. MILLER of Florida.

H.R. 1342: Mr. MILLER of Florida.

H.R. 1344: Mr. HIGGINS.

H.R. 1363: Mr. ROTHMAN and Mr. DAVIS of Illinois.

H.R. 1365: Mr. HERGER.

H.R. 1366: Mr. HERGER, Mr. RAMSTAD, and Mr. SMITH of Nebraska.

H.R. 1381: Mr. BAIRD.

H.R. 1385: Mrs. JONES of Ohio, Ms. Sutton, Mr. TIBERI, Mr. LANTOS, Ms. SCHAKOWSKY, and Mr. HIGGINS.

H.R. 1393: Mrs. SCHMIDT.

H.R. 1406: Mr. SHULER and Ms. JACKSON-LEE of Texas.

H.R. 1415: Mr. GUTIERREZ, Mr. MORAN of Virginia, Mr. DAVIS of Illinois, Mr. CUMMINGS, Mrs. GILLIBRAND, Mr. DEFAZIO, and Mr. FARR.

H.R. 1416: Mr. CUMMINGS, Mr. GUTIERREZ, Mr. MORAN of Virginia, Mr. DAVIS of Illinois, Mrs. GILLIBRAND, Mr. DEFAZIO, Mr. HODES, Mr. FARR, and Mr. JACKSON of Illinois.

H.R. 1418: Mr. CROWLEY.

H.R. 1422: Mrs. TAUSCHER and Mr. PALLONE.

H.R. 1428: Mr. GORDON.

H.R. 1430: Mr. HELLER, Mrs. BOYDA of Kansas, and Mr. MCCOTTER.

H.R. 1441: Mrs. LOWEY.

H.R. 1448: Mr. WATT.

H.R. 1461: Mr. ELLISON.

H.R. 1464: Mr. CLAY, Mr. ROTHMAN, Mr. KILDEE, Mr. PAYNE, Mr. FRANK of Massachusetts, Mrs. MALONEY of New York, Ms. DELAURO, Mr. INSLEE, Ms. HIRONO, and Mr. LEVIN.

H.R. 1473: Mr. BRALEY of Iowa and Mr. BUTTERFIELD.

H.R. 1477: Mr. PLATTS.

H.R. 1507: Mr. SIRES, Ms. ESHOO, Mr. KILDEE, and Mr. LEWIS of Georgia.

H.R. 1509: Mr. THOMPSON of California.

H.R. 1514: Mr. DENT, Mr. EHLERS, Mr. BOREN, Mr. MARSHALL, Mr. WOLF, and Mr. RUSH.

H.R. 1524: Ms. SCHWARTZ.

H.R. 1537: Mr. MEEK of Florida, Mr. LIPINSKI, Ms. ESHOO, and Mr. SCHIFF.

H.R. 1539: Mr. HERGER.

H.R. 1540: Mr. MEEKS of New York, Mr. SENSENBRENNER, and Mr. VAN HOLLEN.

H.R. 1551: Mr. RUSH, Mr. CLAY, Ms. BERKLEY, and Mr. BRADY of Pennsylvania.

H.R. 1560: Mr. DAVIS of Illinois.

H.R. 1565: Mr. PETRI.

H.R. 1567: Mr. LEWIS of Georgia, Mr. MCCAUL of Texas, and Mr. STARK.

H.R. 1576: Mr. RYAN of Wisconsin and Mr. BACHUS.

H.R. 1586: Mr. SMITH of Nebraska.

H.R. 1600: Ms. BERKLEY, Mr. MICA, Mr. CRENSHAW, Mr. KAGEN, and Mr. PRICE of North Carolina.

H.R. 1614: Ms. SCHAKOWSKY, Mr. FRANK of Massachusetts, Mr. FARR, Mr. VAN HOLLEN, Mr. OLVER, Mr. COHEN, Mr. GEORGE MILLER of California, Mr. WAXMAN, Mr. KIND, Ms. WOOLSEY, Mr. GUTIERREZ, Mrs. MALONEY of New York, Mr. DAVIS of Illinois, Mr. KUCINICH, Ms. ESHOO, Mr. MCGOVERN, Mr. HONDA, and Mr. FATTAH.

H.R. 1616: Mr. HIGGINS and Ms. WATERS.

H.R. 1645: Mr. NEAL of Massachusetts, Mr. FALEOMAVAEGA, and Mr. KUCINICH.

H.R. 1649: Mr. MORAN of Virginia.

H.R. 1653: Mr. SCOTT of Georgia.

H.R. 1687: Mr. JACKSON of Illinois and Mr. CHABOT.

H.R. 1698: Mr. DAVIS of Illinois.

H.R. 1700: Mr. HALL of New York, Mr. CLEAVER, Mr. MICHAUD, Mrs. JONES of Ohio, Mr. COURTNEY, and Mr. ARCURI.

H.R. 1709: Mrs. GILLIBRAND.

H.R. 1730: Mr. KAGEN.

H.R. 1738: Ms. ZOE LOFGREN of California, Mr. BOREN, Mr. RAHALL, Mr. HINOJOSA, Mr. MORAN of Virginia, Mr. BILBRAY, and Ms. ROS-LEHTINEN.

H.R. 1742: Mr. DOYLE and Mr. CARNAHAN.

H.R. 1745: Mr. PASTOR.

H.R. 1747: Mr. FARR.

H.R. 1752: Mr. TERRY.

H.R. 1755: Mr. ELLISON.

H.R. 1756: Mr. MCINTYRE and Ms. FOXX.

H.R. 1773: Mr. WALZ of Minnesota, Mr. ARCURI, Mr. PATRICK MURPHY of Pennsylvania, and Ms. KAPTUR.

H.R. 1778: Mr. ANDREWS, Mr. HASTINGS of Washington, Mr. FLAKE, Mr. PAYNE, Mrs. JONES of Ohio, and Mr. HENSARLING.

H.R. 1781: Mr. RAMSTAD, Mr. ELLISON, Mr. HASTINGS of Florida, Ms. MCCOLLUM of Minnesota, Mr. RANGEL, Mr. DUNCAN, and Mr. Yarmuth.

H.R. 1801: Ms. SCHAKOWSKY.

H.R. 1808: Mr. CALVERT, Mr. MCCOTTER, Mr. FEENEY, Mr. JONES of North Carolina, Mr. YOUNG of Florida, and Mr. MILLER of Florida.

H.R. 1809: Mr. CARNAHAN, Mr. HOLT, and Mr. LARSEN of Washington.

H.R. 1811: Mrs. CAPITO.

H.R. 1813: Mr. GRIJALVA and Mr. MOORE of Kansas.

H.R. 1819: Ms. MATSUI, Mr. HINCHEY, Mr. BOSWELL, Mr. HONDA, and Mr. SCHIFF.

H.R. 1820: Mr. BLUMENAUER and Mr. MCGOVERN.

H.R. 1821: Mr. MCNULTY, Mr. INSLEE, Mr. WU, Mr. SCHIFF, and Ms. LORETTA SANCHEZ of California.

H.R. 1884: Mr. WICKER.

H.R. 1907: Mr. SMITH of New Jersey, Mr. GERLACH, and Mr. PALLONE.

H.R. 1927: Mrs. CAPPS, Mr. DEFAZIO, Mrs. JO ANN DAVIS of Virginia, Mr. WALZ of Minnesota, Ms. WASSERMAN SCHULTZ, Mr. MCINTYRE, Ms. BERKLEY, Mr. LIPINSKI, Mr. FATTAH, Mr. DOGGETT, and Ms. KAPTUR.

H.R. 1930: Mr. DOOLITTLE.

H.R. 1943: Ms. SOLIS.

H.R. 1948: Mr. PRICE of North Carolina.

H.R. 1951: Mr. SHULER.

H.R. 1960: Ms. JACKSON-LEE of Texas, Ms. NORTON, Mr. JONES of North Carolina, Mr. ELLISON, and Ms. BERKLEY.

H.R. 1964: Ms. DEGETTE, Mr. HASTINGS of Florida, Mr. GEORGE MILLER of California, and Mr. VAN HOLLEN.

H.R. 1971: Ms. HARMAN and Ms. BERKLEY.

H.R. 1974: Mr. JONES of North Carolina and Mr. FERGUSON.

H.R. 1981: Mr. BOREN.

H.R. 1986: Mr. MARSHALL.

H.R. 1992: Mr. GRIJALVA and Mr. WALZ of Minnesota.

H.R. 2015: Ms. SHEA-PORTER, Mr. BRADY of Pennsylvania, Mr. FATTAH, Mr. KILDEE, Ms. DEGETTE, and Mr. COHEN.

H.R. 2035: Mr. PETERSON of Pennsylvania.

H.R. 2060: Mr. ARCURI, Mr. ELLSWORTH, Mrs. DAVIS of California, Mr. SPRATT, Mr. BUCHANAN, Mr. KIRK, Mr. COHEN, and Mr. TERRY.

H.R. 2061: Ms. CARSON.

H.R. 2063: Mr. KELLER, Mrs. MALONEY of New York, Mr. KIRK, Mr. GRIJALVA, Mr. DAVIS of Illinois, Mr. ISRAEL, Ms. MCCOLLUM of Minnesota, Mr. MCNULTY, and Mr. UPTON.

H.R. 2074: Mr. MCCAUL of Texas and Mr. RANGEL.

H.R. 2075: Mr. LEWIS of Georgia, Mr. MICHAUD, and Mr. WELLER.

H.R. 2091: Ms. SCHWARTZ.

H.R. 2095: Mr. YOUNG of Alaska.

H.J. Res. 6: Mr. TURNER.

H.J. Res. 42: Mr. GRIJALVA, and Mr. JACKSON of Illinois.

H. Con. Res. 25: Mr. WELCH of Vermont.

H. Con. Res. 48: Mr. PAYNE and Mr. POE.

H. Con. Res. 70: Mr. FRANK of Massachusetts, Mr. ARCURI, Mr. WAXMAN, and Mr. GORDON.

H. Con. Res. 91: Ms. WOOLSEY.

H. Con. Res. 102: Ms. SCHAKOWSKY.

H. Con. Res. 104: Ms. BEAN, Mr. HINOJOSA, Mr. ELLISON, and Mr. STARK.

H. Con. Res. 125: Mr. FRANK of Massachusetts.

H. Con. Res. 126: Ms. SCHAKOWSKY.

H. Con. Res. 133: Mr. GRIJALVA.

H. Con. Res. 138: Mr. BURTON of Indiana.

H. Res. 121: Mr. FARR, Mr. LEWIS of Georgia, Mr. FERGUSON, and Mr. ANDREWS.

H. Res. 137: Ms. BERKLEY.

H. Res. 194: Mr. CLYBURN, Ms. MCCOLLUM of Minnesota, Mr. SCOTT of Georgia, and Mr. BOUCHER.

H. Res. 223: Mr. ROSKAM.

H. Res. 231: Mr. MANZULLO, Ms. FALLIN, Mr. GOODE, Mrs. MYRICK, Mr. MCHENRY, Mr. CHABOT, Mr. CANTOR, Mr. KLINE of Minnesota, Mrs. MUSGRAVE, Mr. CULBERSON, Mr. HERGER, Mr. WELDON of Florida, Mr. CAMPBELL of California, and Mr. GINGREY.

H. Res. 241: Mr. DOYLE and Mr. SIRES.

H. Res. 282: Mr. LIPINSKI, Mr. KIND, Mrs. MCCARTHY of New York, Mr. PLATTS, Mr. MURTHA, Mr. HOLDEN, Ms. MCCOLLUM of Minnesota, Ms. SCHWARTZ, Mr. SHERMAN, Mr. HONDA, Mr. FERGUSON, Mr. ENGLISH of Pennsylvania, Mr. Shimkus, and Mrs. NAPOLITANO.

H. Res. 295: Mr. CONAWAY and Mr. MANZULLO.

H. Res. 296: Mr. KLEIN of Florida.

H. Res. 307: Mr. JOHNSON of Georgia and Ms. SCHAKOWSKY.

H. Res. 313: Mr. BISHOP of Georgia, Mr. BACA, Mr. SCOTT of Virginia, Ms. SUTTON, Mr. POE, and Mr. GOODLATTE.

H. Res. 345: Mr. WEINER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H. Res. 106: Mr. BOREN.

PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk's desk and referred as follows:

18. The SPEAKER presented a petition of the Miami-Dade County Board of County Commissioners, Florida, relative to Resolution No. R-355-07 desginating the Magic City Children's Zone and urging the Florida Legislature to provide for creation of the Magic City Children's Zone Pilot Project; to the Committee on Education and Labor.

19. Also, a petition of the Miami-Dade County Board of County Commissioners, Florida, relative to Resolution No. R-353-07 urging the Florida Legislature to require Florida schools to provide information to 11- and 12-year old girls and their parents about Human Papillomavirus (HPV); to the Committee on Energy and Commerce.

20. Also, a petition of the City Council of Berkeley, California, relative to Resolution No. 63,611 — N.S. opposing United States military intervention or use of force in Iran; to the Committee on Foreign Affairs.

21. Also, a petition of the City Council of Berkeley, California, relative to Resolution No. 63,606 — N.S. commending Barbara Lee for introducing H.R. 351, ''The Haiti Truth Act''; to the Committee on Foreign Affairs.

22. Also, a petition of the Miami-Dade County Board of County Commissioners, Florida, relative to Resolution No. R-350-07 urging the Florida Legislature to designate Biscayne Boulevard from N.E. 54th Street to N.E. 95th Street as ''M. Athalie Range Boulevard''; to the Committee on Oversight and Government Reform.

23. Also, a petition of the City Council of Huron, California, relative to Resolution No. 1551 objecting to Immigration and Customs Enforcement (I.C.E.) Raids Under Operation Return to Sender; to the Committee on the Judiciary.

24. Also, a petition of the Miami-Dade County Board of County Commissioners, Florida, relative to Resolution No. R-351-07 urging the Congress of the United States to fully fund the local mandates included in the Adam Walsh Child Protection and Safety Act of 2006; to the Committee on the Judiciary.

25. Also, a petition of the City Council of the City of Mendota, California, relative to Resolution No. 07-10 objecting to Immigration and Customs Enforcement (I.C.E.) Raids under Operation Return to Sender; to the Committee on the Judiciary.

26. Also, a petition of the City Council of Berkeley, California, relative to Resolution No. 63,587 — N.S. opposing the war in Iraq; jointly to the Committees on Foreign Affairs and Armed Services.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

[Omitted from the Record on May 1, 2007]

H.R. 1867

OFFERED BY: MR. WELDON OF FLORIDA

AMENDMENT NO. 9: In section 3(c)(1), strike ''There'' and insert ''Except as provided in paragraph (3), there''.

At the end of section 3(c), insert the following new paragraph:

(3) LIMITATION.—Notwithstanding paragraphs (1) and (2), the total amount authorized to be appropriated under this subsection shall not exceed the amount actually appropriated for the Foundation for fiscal year 2009 if—

(A) the total amount appropriated for the National Aeronautics and Space Administration for fiscal year 2010 is less than $18,026,300,000;

(B) the total amount appropriated for the National Aeronautics and Space Administration Exploration Systems for fiscal year 2010 is less than $4,757,800,000; or

(C) the total amount appropriated for the National Aeronautics and Space Administration Space Operations for fiscal year 2010 is less than $6,625,700,000.

[Submitted May 2, 2007]

H.R. 1867

OFFERED BY: MS. JACKSON-LEE OF TEXAS

AMENDMENT NO. 13: On page 10, line 15 after ''Act.'' Add the following:

Special consideration shall be given to Historically Black Colleges and Universities that are part B institutions as defined in section 322(2) of the Higher Education Act of 1965 (30 U.S.C. 1061(2)) and minority institutions (as defined in section 365(3) of that Act (20 U.S.C. 1067k(3))) and Hispanic-serving institution as that term is used in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).

On page 11, line 24 after ''Act.'' Add the following:

Special consideration shall be given to Historically Black Colleges and Universities that are part B institutions as defined in section 322(2) of the Higher Education Act of 1965 (20 U.S.C. 1061(2)) and minority institutions (as defined in section 365(3) of that Act (20 U.S.C. 1067k(3))) and Hispanic-serving institutions as that term is used in section 502 of the Higher Education Act of 1965 (20 U.S.C. 1101a).