We learned from the testing that Matt had very poor phonemic awareness. In other words, he could not separate word ''dog'' into its component sounds /d/ /o/ /g/ or blend the sounds /k/ /a/ /t/ to say ''cat''. All his hard work learning to match the sounds and letters was important, but he needed more information before letters could convey worlds to him. Matt needed to learn how to hear, order, segment, and blend sounds.

Working with the reading tutor two hours a week, Matt began at last to make progress. By the beginning of fourth grade, he was reading at second grade level. A personal triumph—but still enough of a discrepancy for him to be tested for learning disabilities. We were told that reading was a ''high expectation'' for Matt. He would always need accommodations. He had to be placed in the ''least restrictive environment''.

After our first case conference, my husband took Matt to Earlham College for a soccer practice. He was in a hurry, so he drooped Matt off at the parking lot. ''You've been here before,'' he said. ''Just find the sign for the Athletic Building, then find the sign for the Coach's Office''. Oh, no. Matt would have to read. He looked at his father through the car window and said, ''Dad, I can't.'' That evening, my husband said, ''Peggy, we have to fix this. It's going to be up to us.''

That began a journey which has taken a lot of our time, our energy, and our savings. It is a journey which has been worth every step.

First, we took Matt out of school (using a home schooling form) and enrolled him in a very intensive reading clinic in Nashville, Tennessee. (I don't want to mislead you about Matt's enthusiasm for this—on the way, he kept kicking the dashboard and screaming, ''I am not going to Nashville!'') At the clinic, Matt continued to work on his phonemic awareness, and on how to use letters to get information about sounds. The instruction was systematic, explicit, and very intense—Matt worked four hours a day one-on-one with his tutors. Yes, the environment was restrictive, but only for a short time. Matt was at the clinic for six weeks. The alternative of remaining in the world of illiteracy would have restricted him for the rest of his life.

In those six weeks, Matt progressed from a second grade reading level to a fifth grade reading level. He returned to school, and we monitored him very carefully. Occasionally, he slipped, and we enrolled him again in a variety of clinics until he could solidify his new skills.

In total, Matt received 720 hours of remediation. He is now an 8th grader, reading at grade level with 90% accuracy. His reading speed improves daily. Last year. on one of our many car trips to and from clinics, Matt turned to me and said, ''Mom, this is the best year of my life. I'm finally getting my dyslexia fixed.''

We have our son back. He is happy and confident again. College is a very real option in his future. I want to be honest with you. We have lived through a very severe case of dyslexia. Even so, if we had caught Matt's delay in developing phonemic awareness back when he was in kindergarten, all of our lives would have been very different. Waiting until fourth grade to accommodate and remediate was very expensive, and I don't mean just in terms of dollars. This expense can be avoided.

This is what I have learned as a parent: Reading is an incredibly complex process, which can break down at any stage. To help our children master this process, we must know where they are breaking down as soon as possible. We must know how to address our children's needs, and be prepared to deliver what they need in the amount needed.

My husband and I were fortunate to be able to do that for Matt. I am here today because I hope that every child in Indiana can get that same attention.

Matt's first need was phonemic awareness. In that, Matt was not alone. Poor phonemic awareness is the single most common factor among people who do not read. Please, as you consider policies about reading, remember children like Matt. Think of the Matt that might have been, what the future holds for him now, and share with me the dream that all children will enter the world of literacy.

Thank you. I'll be glad to answer any questions I can.

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Mr. Speaker, let me just close and say this does not need to be controversial. It simply says one method that we think is important for our teachers to teach is the use of phonics. They will have complete discretion in their classroom about how they teach, but let us recognize the fact that when 67 percent of our fourth graders are below standard on reading something is desperately wrong. We have to use what the scientific studies say work, that is phonics, and this Congress should go on record today as being in favor of teachers using this as one method in their classroom.

Finally, I would address the Congress in saying this is not a mandate. This is, at its core, a sense of Congress resolution, that this issue is so important that the body wants to go on record urging our teachers to use phonics, urging our teaching training schools to teach phonics as one method among many that they will use to teach our children to read.

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

The SPEAKER pro tempore (Mr. BARRETT of Nebraska). The question is on the motion offered by the gentleman from Indiana (Mr. MCINTOSH) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 214, as amended.

The question was taken.

Mr. CLAY. 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 and the Chair's prior announcement, further proceedings on this motion will be postponed.

GENERAL LEAVE

Mr. MCINTOSH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on House Concurrent Resolution 214.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

CLARIFYING OVERTIME EXEMPTION FOR FIREFIGHTERS

Mr. BOEHNER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1693) to amend the Fair Labor Standards Act of 1938 to clarify the overtime exemption for employees engaged in fire protection activities.

The Clerk read as follows:

H.R. 1693

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEFINITION OF FIRE PROTECTION ACTIVITIES.

Section 3 of the Fair Labor Standards Act of 1938 (29 U.S.C. 203) is amended by adding at the end the following:

''(y) 'Employee in fire protection activities' means an employee, including a firefighter, paramedic, emergency medical technician, rescue worker, ambulance personnel, or hazardous materials worker, who—

''(1) is trained in fire suppression, has the legal authority and responsibility to engage in fire suppression, and is employed by a fire department of a municipality, county, fire district, or State, and

''(2) is engaged in the prevention, control, and extinguishment of fires or response to emergency situations where life, property, or the environment is at risk.''.

SEC. 2. CONSTRUCTION.

The amendment made by section 1 shall not be construed to reduce or substitute for compensation standards (1) contained in any existing or future agreement or memorandum of understanding reached through collective bargaining by a bona fide representative of employees in accordance with the laws of a State or political subdivision of a State, and (2) which result in compensation greater than the compensation available to employees under the overtime exemption under section 7(k) of the Fair Labor Standards Act of 1938.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

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

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

Mr. Speaker, H.R. 1693 is a simple and noncontroversial bill, introduced by our friend from Maryland (Mr. EHRLICH), that would amend the Fair Labor Standards Act to clarify the existing overtime exemption for firefighters. The Committee on Education and the Workforce reported the bill yesterday without amendment and by voice vote. The bill has major bipartisan support in the House and it is supported by both labor and management, who would be affected by the change under the bill.

In addition, the National Association of Counties, the National Association of Towns and Townships, the U.S. Conference of Mayors and the National League of Cities are supporters of this bill.

Generally, under the Fair Labor Standards Act, workers are entitled to overtime compensation for hours worked in excess of 40 within a week. The act contains unlimited exemption for overtime, under Section 7(k), for employees of public agencies who are engaged in fire protection activities.

The firefighter exemption allows employees engaged in fire protection activities additional scheduling flexibility in recognition of the extended

periods that firefighters are often on duty. Employees who are covered by Section 7(k) may work up to 212 hours within a period of 28 consecutive days before triggering the overtime pay requirement.

The Department of Labor's regulations specify that rescue and ambulance service workers, sometimes referred to as emergency medical services personnel, may be eligible for the firefighter exemption if they perform duties that are an integral part of the agency's fire protection activities, but an employee may not perform activities unrelated to fire protection for more than 20 percent of the employee's total hours worked.

Many State and local governments employ EMS personnel who receive training and work schedules and maintain levels of preparedness which is very similar to that of firefighters. In the past, these types of employees fit within the 7(k) overtime exemption.

In recent years, however, some courts have narrowly interpreted the 7(k) exemption and held that emergency medical services personnel do not come within the exemption because the bulk of their time is spent engaged in nonfire protection activities. These lawsuits have resulted in State and local governments being liable for millions of dollars in back pay, attorneys fees and court costs.

So there is a real need to modernize this area of the Fair Labor Standards Act and to clearly specify who can be considered a fire protection employee for purposes of the exemption.

H.R. 1693 clarifies the law by specifying the duties of employees who would be eligible for the limited overtime exemption. The bill would ensure that firefighters who are cross-trained as emergency medical technicians, HAZMAT responders and search and rescue specialists would be covered by the exemption even though they may not spend all of their time performing activities directly related to fire protection.

Finally, the bill would clear up the confusion that employers face in trying to interpret the law. A misinterpretation of the law could needlessly expose local governments to significant financial liability and dramatically increase the cost of providing adequate fire protection services.

H.R. 1693 is a narrow bill, but one that is important in helping State and local governments provide fire protection and emergency medical services in a most effective and efficient way possible. I would urge my colleagues to support this clarification.

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

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

Mr. Speaker, I support this bill. Under the 1985 amendments to the Fair Labor Standards Act, the 7(k) exemption was intended to apply to all firefighters who perform normal firefighting duties. H.R. 1693 provides that where firefighters are cross-trained and are expected to perform both firefighting and emergency medical services, they will be treated as firefighters for the purpose of overtime. However, where emergency medical technicians are not cross-trained as firefighters, they will remain outside the purview of 7(k) and will be entitled to overtime after 40 hours a week, even if the emergency medical services are placed within the fire department.

This bill is supported by both management and labor. The policy it reflects ensures that unreasonable burdens are not placed upon fire departments in accounting for hours worked.

I commend the sponsor, the gentleman from Maryland (Mr. EHRLICH), for his efforts to produce consensus legislation, and the chairman of our committee, the gentleman from Pennsylvania (Mr. GOODLING), for bringing this bill to the floor. Mr. Speaker, I urge a yes vote on H.R. 1693.

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

Mr. BOEHNER. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. EHRLICH), the sponsor of this legislation.

Mr. EHRLICH. Mr. Speaker, I thank my friend, the gentleman from Ohio (Mr. BOEHNER) for yielding me this time.

Mr. Speaker, from its inception, the Fair Labor Standards Act has exempted fire protection employees from the traditional 40-hour workweek. Historically, any emergency responder paid by a fire department was considered to be a fire protection employee. However, recent court interpretations of Federal labor statutes have rendered this definition unclear.

Mr. Speaker, H.R. 1693 seeks to clarify the definition of a fire protection employee. The bill reflects the range of lifesaving activities engaged in by today's fire service, built upon its long tradition of responding to all in need of help. Specifically, today's firefighter, in addition to fire suppression, may also be expected to respond to medical emergencies, hazardous materials events, or even to possible incidents created by weapons of mass destruction.

The issue addressed by H.R. 1693, Mr. Speaker, concerns fire department paramedics trained to fight fires who have prevailed in several civil suits for overtime compensation under the FLSA. The paramedics successfully argued they were not fire protection employees covered by the FLSA exemption since more than 20 percent of their normal shift time was spent engaged in emergency responses rather than firefighting, such as emergency medical calls.

The U.S. Supreme Court has declined to consider these cases, thus exposing city and county governments to compensation liability for unpaid overtime into the millions of dollars. For example, one subdivision I am privileged to represent, Anne Arundel, Maryland, taxpayers are liable for $3.5 million under a recent FLSA case.

The potential consequences of these cases are serious and far-reaching and could ultimately result in a dramatic increase in the local costs of fire protection to taxpayers nationwide.

This bipartisan bill is supported by the International Association of Firefighters, the International Association of Fire Chiefs, the National Association of Counties. Labor and Management support this bill as a remedy, as the remedy, for an increasingly serious situation.

Keep in mind, Mr. Speaker, H.R. 1693 only affects those who are trained, prepared and have the legal authority to engage in fire suppression, but also work to save lives in so many other ways. This bill clarifies the law by more precisely defining those duties that should qualify for the firefighter exemption, thereby preserving the intended flexibility afforded to cities and fire departments under the original Fair Labor Standards Act.

On a point of personal privilege, Mr. Speaker, I would like to thank the gentleman from Ohio (Mr. BOEHNER) for managing the bill on the floor, the gentleman from Pennsylvania (Mr. GOODLING), the chairman of the full committee, the gentleman from Pennsylvania (Mr. WELDON), the gentleman from New Jersey (Mr. ANDREWS), the cochairs of the Congressional Fire Caucus.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. BOEHNER) that the House suspend the rules and pass the bill, H.R. 1693.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1693.

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

There was no objection.

SENSE OF CONGRESS THAT SCHOOLS SHOULD USE PHONICS

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 214, as amended.

The Clerk read the title of the concurrent resolution.