United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 108th CONGRESS, FIRST SESSION

Vol. 149 WASHINGTON, THURSDAY, JULY 24, 2003 No. 111—Part II

House of Representatives

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material on the subject of H.R. 2738 and H.R. 2739, the bills just passed.

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

There was no objection.

MOTION TO ADJOURN

Mr. MCDERMOTT. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. MCDERMOTT moves that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentleman from Washington (Mr. MCDERMOTT).

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

RECORDED VOTE

Mr. MCDERMOTT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 23, noes 392, answered ''present'' 1, not voting 18, as follows:

[Roll No. 437]

AYES—23

Capuano
Clay
Clyburn
Conyers
Davis (TN)
Doggett
Emanuel
Feeney
Filner
Grijalva
Jefferson
Johnson, E. B.
Jones (OH)
Lampson
McDermott
Murtha
Oberstar
Olver
Rangel
Sandlin
Thompson (MS)
Towns
Woolsey

NOES—392

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLay
DeMint
Deutsch
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kanjorski
Kaptur
Keller
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Obey
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Pascrell
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

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ANSWERED ''PRESENT''—1

DeFazio

NOT VOTING—18

Berkley	Honda	Pastor
Bishop (UT)	John	Schakowsky
Capps	Kelly	Sessions
DeLauro	LaTourette	Sullivan
Diaz-Balart, L.	Marshall	Waters
Gephardt	Matsui	Wynn

□ 1604

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1793

Mr. DAVIS of Florida. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1793.

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

There was no objection.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Ms. Wanda Evans, onme of his secretaries.

PROVIDING FOR CONSIDERATION OF H.R. 2210, SCHOOL READINESS ACT OF 2003

Ms. PRYCE of Ohio. Mr. Speaker, by the direction of the Committee on Rules, I call up House Resolution 336 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 336

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. 2210) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Education and the Workforce now printed in the bill, 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 printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each 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. After a motion that the Committee rise has been rejected on a legislative day, the Chairman may entertain another such motion on that day only if offered by the chairman of the Committee on Education and the Workforce or the Majority Leader or a designee. After a motion to strike out the enacting words of the bill (as described in clause 9 of rule XVIII) has been rejected, the Chairman may not entertain another such motion during further consideration of the bill. 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 amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

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

Ms. PRYCE of Ohio. Mr. Speaker, for purposes of debate only, I yield the customary 30 minutes to the gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Res. 336 makes in order the bill H.R. 2210, under a structured rule. The rule provides 1 hour of debate to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce.

The rule provides that in lieu of the amendment recommended by the Committee on Education and the Workforce, it shall be in order to consider as an original bill for the purpose of amendment, the amendment in the nature of a substitute printed in part A of the Committee on Rules report accompanying this resolution and provides that it shall be considered as read. The rule waives all points of order against the amendment in the nature of a substitute printed in part B of the report.

It makes in order only those amendments printed in part B of the Committee on Rules report, which shall be considered 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 opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question in the House or in the Committee of the Whole. All points of order are waived against the amendments printed in part B of the report.

Finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, there are many things in this world that I can be content with, fully satisfied. Watching a beautiful sunset, eating a good piece of chocolate cake, or reading a great ending to a nail-biting suspense book. But there are other things in this world with which we should never be content; ideals which we should never tire of championing, that we should never stop striving for. And the quality of our children's education is one of those items with which we should never be content. We should always want more for them.

Mr. Speaker, the debate today is in many ways a vote on the status quo. Do we keep the existing system as it is, or do we demand more for our children? More specific to our debate: Are we completely satisfied that the quality of our children's education is fine, or do we demand more? The bill before us today, the School Readiness Act, strengthens the Head Start program, the Federal Government's largest effort to prepare the Nation's most disadvantaged children for school.

An immensely popular program, Head Start provides a range of services including education, nutrition, health, and parent training to over 20 million preschool children and their families who are living in poverty. But Head Start can do better.

The legislation before us aims to reform and improve Head Start so that disadvantaged children hold the same level of academic preparedness as all of their peers before entering kindergarten. Specifically, this plan aims to enhance school preparedness, improve teacher quality, and close the ''readiness gap'' that exists between Head Start and non-Head Start children.

First, this education package will help enhance each school's effectiveness by providing certain select States with more flexibility and control over the operation of prekindergarten initiatives through a measured pilot program. Currently, States lack the ability to fully coordinate their State's early childhood programs with Head Start. This inefficiency results in the duplication of programs and services, underenrollment, gaps in services, and missed opportunities. With this pilot program, however, States and local communities will be able to tailor their programs and services to best meet the needs of local families.

It is important to note that this pilot program in no way eliminates basic programs and services, nor is the program an unfunded mandate or a loophole for States to cut early childhood education programs. Let us be crystal clear: this bill in no way cuts funding for any of Head Start's education, nutrition, or health services. Quite the opposite, Mr. Speaker. This package provides safeguards to prohibit participating pilot program States from making funding cuts. In addition, the Head Start package authorizes a $202 million increase in funding for the program, an amount that has nearly doubled in the past 7 years.

This legislation will also ensure that more Head Start teachers are adequately trained and educated in early childhood development, particularly in teaching the fundamental skills of language, prereading, and premathematics. These provisions will help to meet a goal set recently by the National Head Start Association itself, which calls for 75 percent of the Head Start teachers to have at least an associate degree by the year 2005 and for all Head Start teachers to have at least an associate degree by 2008.

And, finally, for our country's most, most disadvantaged children, this education plan will help close the Head Start readiness gap and ensure that all children achieve academic parity.

Most children entering Head Start hold academic skills far below national standards. That is very sad. And while most children make improvements in these schools while enrolled in Head Start, the average Head Start child still lacks many of the premathematics and prevocabulary skills that their peers attain.

Head Start students are learning, but they are not learning enough. In fact, for the brightest 25 percent of Head Start kids, there is no evidence of academic progress while enrolled in the program. This bill makes significant improvements to the program, fine-tuning its focus on a strong curriculum and academic excellence.

And so we find ourselves faced with the same questions I asked just moments ago: Is Head Start better and more effective than it was yesterday or last year?

□ 1615

It is a worthy question, especially when faced with the long list of studies that shows the sad truth, that Head Start children simply do not begin kindergarten with the same level of academic preparedness as their more fortunate peers.

So I ask the opponents of this legislation, are you satisfied with this readiness gap? Are you comfortable with the status quo? Well, I am not. Parents are not. And neither are the supporters of this bill.

The level and quality of our children's education is something with which we can never be completely content. It is an on-going struggle, an area where we must be willing to constantly demand more.

There is no rest when it comes to fighting for a better education and a brighter future for the youngest in our society. There is no such thing as a perfect classroom, a perfect teacher, or a perfect student. There is always room for improvement.

Mr. Speaker, this plan raises the bar on our standards and our expectations. It closes the readiness gap between disadvantaged and more affluent children, and it will enhance teacher quality and school effectiveness.

In short, Mr. Speaker, it is a bill that demands the best for our children, and I urge my colleagues to pass the rule and agree to the underlying bill.

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

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Speaker, H.R. 2210 will dismantle Head Start and rob single moms of the very best childhood education for their children.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would advise Members that as indicated by previous occupants of the Chair on June 26, 2003, on June 22, 2002, and on March 24, 1995, although a unanimous consent request to insert remarks in debate may comprise a simple, declarative statement of the Member's attitude toward the pending measure, it is improper for a Member to embellish such a request with other oratory, and it can become an imposition on the time of the Member who has yielded for that purpose.

The Chair will entertain as many requests to insert as may be necessary to accommodate Members, but the Chair also must ask Members to cooperate by confining such remarks to the proper form.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. LOFGREN).

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

Ms. LOFGREN. Mr. Speaker, H.R. 2210 would cynically dismantle Head Start, so I rise in opposition to the bill.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. ROYBAL-ALLARD).

(Ms. ROYBAL-ALLARD asked and was given permission to revise and extend her remarks.)

Ms. ROYBAL-ALLARD. Mr. Speaker, H.R. 2210 will dismantle the successful Head Start program.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from Michigan (Ms. KILPATRICK).

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

Ms. KILPATRICK. Mr. Speaker, H.R. 2210 will dismantle Head Start, which in these desperate economic times should be strengthened and not weakened.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Speaker, H.R. 2210 will dismantle Head Start and rob single moms of the best early childhood education for their children.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Mrs. CAPPS).

(Mrs. CAPPS asked and was given permission to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise to speak regarding H.R. 2210, because in these desperate economic times Head Start needs to be strengthened, not weakened.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. SOLIS).

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

Ms. SOLIS. Mr. Speaker, H.R. 2210 will dismantle Head Start, which in these desperate economic times should be strengthened and not dismantled.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ).

(Ms. LINDA T. SÁNCHEZ of California asked and was given permission to revise and extend her remarks.)

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, H.R. 2210 will dismantle Head Start and take thousands of beloved Head Start teachers from the children who depend on them.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. LORETTA SANCHEZ).

(Ms. LORETTA SANCHEZ of California asked and was given permission to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, as the only Member of Congress that is a former Head Start child, I rise to speak about H.R. 2210, which will dismantle Head Start and rob single moms of the best early childhood education for their children.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. WATSON).

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

Ms. WATSON. Mr. Speaker, I rise to speak about how H.R. 2210 will dismantle Head Start and take thousands of beloved Head Start teachers from the children who depend on them so greatly.

Mr. Speaker, I rise today in strong opposition to H.R. 2210, the wrongheaded Republican Head Start Bill that represents an unprecedented attack on our federal preschool system

I want to bring to your attention two important reports that were released this week by

the Government Reform Committee of which I sit on, one commissioned by members representing Los Angeles area, and one by the congressional Black Caucus. Both of which demonstrate that H.R. 2210 is detached from reality and does little to address the programs' existing challenges.

The reports released by the Government Reform Committee track the success of current Head Start program. They tracked studies that showed how Head Start children are more likely to receive medical services than other low-income children, and they are less likely to repeat a grade, require special education, or be convicted of a crime. Head Start children are also more likely to graduate from high school and college, and that the program narrows the performance gap between disadvantaged children and other children in vocabulary, writing skills, and social behavior.

So why is this Administration trying to dismantle a successful and popular 40-year old program? Studies after studies have showed that when states run their own pre-school programs, they fail to provide the services guaranteed under the comprehensive standards of Head Start. For example, 60 percent of the states do not require dental care referrals, while 40 percent of the states fail to provide mental health referrals.

Under H.R. 2210's proposal to block grant Head Start in eight states, hundreds of children would lose the protection of federal standards providing that they receive preventive and primary health care. They would lose the protection of federal standards providing that they receive all necessary immunization, and they would lose such protection for dental care. This is simply not acceptable!

The President is trying to hoodwink the American people into believing that one of the most successful child development programs ever needs to be ''fixed.'' Head Start isn't broken, but it is under threat from Republican meddling. My constituents have seen the Bush bait and switch before—on education, on the economy, and on prescription drugs. They won't be fooled this time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, as a father, I rise in opposition to H.R. 2210, which will dismantle Head Start, which should be strengthened, not weakened, in any economic time.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from Georgia (Ms. MAJETTE).

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

Ms. MAJETTE. Mr. Speaker, I rise in opposition to H.R. 2210, which will dismantle Head Start and rob children of their best opportunity to break the cycle of poverty and to become successful, happy, and healthy adults.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from Wisconsin (Ms. BALDWIN).

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

Ms. BALDWIN. Mr. Speaker, H.R. 2210 will dismantle Head Start, leaving thousands of children without the comprehensive tools that have been a proven success for decades.

Mr. Speaker, I rise today in strong opposition to H.R. 2210.

While traveling through Wisconsin, I have seen first-hand how important this program is for our children. Its comprehensive approach to child development—through health, social and learning skills—has been proven success for over 19 million children since 1965.

The simple fact is that Head Start works. Head Start kids arrive at school more ready to learn and do better in school than low income children who don't participate in Head Start. In addition, Head Start narrows the readiness gap between Head Start kids and their more affluent peers.

I have also heard countless personal stories about how Head Start has strengthened entire families. Parents who may have limited resources to provide for their children in other ways are overjoyed to enroll their children in Head Start. They know it is an investment in their child's future—something that they can do now to benefit their children for their entire lives.

Why then, I ask, has such a successful and important program become the focus of an unnecessary political battle? Why has this reauthorization been the only contentious reauthorization in Head Start's 38 year history?

Because instead of strengthening Head Start by providing full funding and expanding Early Head Start, the bill's sponsor has chosen to alter the Head Start program in such a fundamental way that if these provisions are passed into law, head Start as we known it will cease to exist.

This bill starts down the slippery slope of turning Head Start into a block grant program. The eight states that participate in the block grant demonstration program would only have to meet four weak eligibility criteria. The states can then spend the block grant funds as they please with no Federal guidelines on what should constitute a Head Start program. This block grant scheme actually weakens educational standards for Head Start!

In addition, this bill allows religious institutions who participate in the Head Start program to hire and fire based on religious beliefs. I have serious concerns about direct government funding of religious organizations engaging in religious discrimination as proposed in this legislation. Under this bill, a church could refuse to hire a person who is Jewish to work as a janitor in their day care, or a Muslim soup kitchen could refuse to hire a Baptist. But not only that, a church could refuse to hire a person who is divorced if divorce is against that church's tenets and teachings, even though the position is for a secular activity. In addition to expanding religious discrimination, the bill also preempts all State and local laws against discrimination. The religious community has been an integral part of Head Start's success. They have helped millions and millions of children from all parts of the country. They have not asked for this provision.

Finally, this bill actually cuts funds for teacher training, while increasing educational requirements for Head Start teachers. This is insulting to both the teachers who would like to further their education and to the children and families who benefit from Head Start.

Instead of attacking the Head Start program, its participants, and its teachers, we should be having a real discussion of how to improve the program. Only 60 percent of eligible preschoolers participate in Head Start due to a lack of funding. And only 3 percent of eligible children participate in Early Head Start. Instead of dismantling a successful program, we should provide additional funding to expand opportunities for all children in our country.

I urge my colleagues to vote against H.R. 2210.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. HARMAN).

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

Ms. HARMAN. Mr. Speaker, as a California mother of four who values early education, I rise in opposition to H.R. 2210.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Mrs. DAVIS).

(Mrs. DAVIS of California asked and was given permission to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Speaker, H.R. 2210 should be strengthened and not weakened for families and their children.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. ESHOO).

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

Ms. ESHOO. Mr. Speaker, I rise in opposition to H.R. 2210. Head Start should be strengthened even more, rather than dismantled. It is the most effective program for children in our country today.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from Ohio (Ms. KAPTUR).

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

Ms. KAPTUR. Mr. Speaker, Head Start works. It should not be dismantled. The Republican Party should not dismantle Head Start.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from the District of Columbia (Ms. NORTON).

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

Ms. NORTON. Mr. Speaker, H.R. 2210 will dismantle Head Start, despite its proven effectiveness for our children and despite its demonstrated scientific validity.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Mr. Speaker, H.R. 2210 would dismantle Head Start and take dedicated teachers from the children and families who depend on them.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from New York (Ms. SLAUGHTER).

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

Ms. SLAUGHTER. Mr. Speaker, I rise in opposition to H.R. 2210. Head Start has more than paid for itself over these years, giving children precisely what it says, a head start on education and a much better society for the rest of us. I ask that it not be dismantled.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from Connecticut (Ms. DELAURO).

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

Ms. DELAURO. Mr. Speaker, I rise in opposition to H.R. 2210, which in essence really will dismantle the Head Start Program, which has proven its effectiveness, and has provided youngsters an opportunity to realize their potential to grow, to become productive members of our society. It would be contrary to the role that we have in this institution to turn our backs on a program that has been so effective in making a difference in the lives of children and families. We should not do it.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, H.R. 2210 will dismantle the most effective of all Great Society programs, Head Start.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from Florida (Ms. CORRINE BROWN).

(Ms. CORRINE BROWN of Florida asked and was given permission to revise and extend her remarks.)

Ms. CORRINE BROWN of Florida. Mr. Speaker, H.R. 2210 will dismantle Head Start. The Republican example of compassionate conservatism is destroying our best early childhood education program for our children. If it isn't broke, don't fix it; and, whatever you do, don't break it.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself 5½ minutes.

Mr. Speaker, I thank my good friend from Ohio for yielding to me.

Mr. Speaker, what we have just seen is a powerful demonstration of women and two men that represent nearly 13 million people in the United States of America.

One would think that this highly contentious Head Start reauthorization bill would be the kind of thing that would allow us to not have this kind of undertaking. One would think that this would be a simple four-step process involving the systematic introduction of a bill that increases funding and expands Head Start services; followed by committee markups to ensure the bill includes bipartisan interests; next, it is placed on the calendar; and, finally, a 15-minute vote with the passing of Head Start reauthorization. But since the Republicans are in control of the House, it is never that simple. Instead, I wind up opposing the rule and the underlying bill on Head Start.

Head Start is America's best known Federal program. Of the more than 20 million children and families that are enrolled in Head Start nationwide, there are 2,574 Head Start children in my congressional district alone, including 41 Head Start centers with a total of 127 classrooms. Of those Head Start children in my district, 98 percent of them live in families that receive public assistance or have incomes that are below the Federal poverty line.

These kids receive a gamut of services which include medical and dental care, mental health services, disability assessment and treatment and family assistance.

In fact, studies have shown that Head Start narrows the gap between disadvantaged children and other children, narrows that gap in vocabulary, writing skills, and social behavior. Head Start children are less likely to repeat a grade, require special education or be convicted of a crime. And I underscore, 80 percent of all of the children who start and end Head Start do not wind up in prison. These children show IQ gains compared to low-income children who are not in the program and are more likely to graduate from high school and college.

Mr. Speaker, I cite these statistics to simply say it seems to me that, as one of the gentlewomen said, If it ain't broke, don't fix it. This seems to be a solution in search of a problem.

Although Head Start has a well-documented record of improving the education and health of participating children, Republicans seek to begin its evisceration. The current proposal by my colleagues on the other side of the aisle is completely without reason.

While H.R. 2210 does seek to reauthorize Head Start funding, it also seeks to undermine and erode the foundation of Head Start programs through its proposed change. We need legislation that will build upon and ensure Head Start's continued success.

We would not be building upon its success if we passed a bill that begins the state-by-state dismantling of Head Start programs by establishing block grants in eight States, Florida included.

We would not be building upon its success if we passed a bill that promotes discrimination in hiring by ignoring civil rights laws and lowers Federal standards.

We would not be building upon its success if we passed a bill that literally and figuratively shortchanges teachers by not mandating an increase in pay and denies services to eligible children through an insignificant increase in funding.

Mr. Speaker, I might also add that of the 25 amendments that we heard in the Committee on Rules that were offered by Democrats, only two were allowed, and the one Republican amendment by arguably the most qualified Member of the House on this particular matter, the gentleman from Pennsylvania (Mr. MURPHY), a child psychologist, was also rejected.

This is shameful, and, frankly, sinister. You Republicans really know how to kick a kid when he is down. First the child tax credit, now this. What is next? Maybe there is a Republican bill out there that outlaws kickball or stickball.

Mr. Speaker, this body owes the American people a reauthorization that significantly increases funding and allows for the expansion of Head Start and Early Head Start. We will be doing a disservice to lower-income families and the future of America to pass the bill on the floor today. I urge rejection of this Draconian rule and of the underlying bill.

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

□ 1630

Ms. PRYCE of Ohio. Mr. Speaker, I am very pleased to yield 5 minutes to my distinguished colleague, the gentleman from the great State of Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce from which this bill arose.

Mr. BOEHNER. Mr. Speaker, I thank my colleague from Ohio for yielding me this time.

Mr. Speaker, I rise today in support of the rule for H.R. 2210, the School Readiness Act, important legislation that will help close the readiness gap that exists between Head Start children and their more affluent peers.

This rule clears the way for consideration of a consensus agreement reached among Members who believe children in Head Start deserve the very best that our Nation can give them. It clears the way for steps supported by the President that will strengthen the academic components of Head Start, ensure that well-qualified teachers are helping Head Start children get ready for school, and encourage coordination between Head Start and other successful State programs.

These changes are badly needed. Children in Head Start are learning, but

they are not learning as much as they deserve to be learning. There is still a significant school readiness gap between children in Head Start and their peers when they enter kindergarten, and that is simply not acceptable. Children in Head Start deserve the same shot at a good education as every other child in America. These children are capable of achieving the same things, and they deserve that chance and nothing less.

When Head Start was a new program in 1964, it aimed to give disadvantaged children a ''head start'' by allowing them to begin learning earlier than everyone else who started in school in the first grade. Now, most States run their own pre-kindergarten programs and virtually every child attends kindergarten.

Unfortunately, Head Start has not changed with the times. As this chart shows, Head Start's graduates beginning kindergarten are more than 25 percentile points below in average skills like recognizing letters, numbers, shapes, and colors. And when compared to what other children are learning before they start school, disadvantaged children are not getting an even start, much less a head start. Too many children in Head Start are being left behind.

The average child entering kindergarten today is right here, at the 50 percentile, and if we look at the numbers across the bottom of this chart, we can begin to see where Head Start children are in each of these subject areas. We can do better and we must do better.

And it is not because there is a lack of funding. We have almost doubled funding for Head Start since 1995. What is holding Head Start back is that it has become isolated from change and improvement. It has been walled off from other good programs that it should be coordinated with.

Today, States administer the vast majority of programs that provide early childhood care and education. Even programs funded by the Federal Government, such as Temporary Assistance for Needy Families, child care and development block grant funds are administered by State governments. Head Start is the only program that lies outside of this network.

If we are going to ensure children in Head Start get the best our Nation can give them, qualified States need more freedom to coordinate Head Start with these programs. There is an agreement on this across the ideological spectrum, from the Brookings Institution to the Heritage Foundation, from the Wall Street Journal to the Washington Post, from faith-based organizations to State school leaders.

The rule would allow for consideration of the bill that will strengthen Head Start by addressing this need in up to eight States, so long as those eight States meet tough new rigorous standards. The bill also ensures that Head Start children can benefit from the full talents and compassion of America's faith-based organizations by restoring civil rights protections for such groups and removing barriers that discourage them from participating in the Head Start program.

The 1964 Civil Rights Act established that faith-based organizations have the right to hire workers on a religious basis; for example, a Catholic organization can intentionally hire Catholic individuals under the law. Over the years, though, many Federal programs have trampled on this right, including Head Start. It is just wrong; it is just as wrong to deny any civil right to any other group or individual. If a Catholic group operating Head Start intentionally hires Catholic individuals, that organization should not have to worry that it may be breaking the law.

The rule allows consideration of the measure that would restore this protection to faith-based organizations and ensure that they are full participants in the effort to prepare disadvantaged children for school. The rule allows for consideration of a base bill that will address these pressing needs.

President Clinton signed four different bills during his Presidency that do exactly the same thing that the faith-based provision in this underlying bill does. Yet, some of our friends on the other side of the aisle disagree with that proposal. The rule accommodates their concerns by allowing for an open debate on an amendment that would strike this provision from the bill. It also allows for a substitute offered by our colleague, the gentleman from California (Mr. GEORGE MILLER).

I would urge my colleagues to support the rule and to support the underlying bill.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA), my good friend.

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

Mr. HINOJOSA. Mr. Speaker, I rise today in opposition to this rule on H.R. 2210. The bill, which the majority has brought to the floor, is not a good-faith effort to reauthorize the Nation's premier early childhood education program, the only program that exists to serve some of the most deprived children. Instead, the majority has stifled serious debate on areas of need within the Head Start program. They have refused to significantly increase the funding resources for this vital program.

The majority say they are for improving the quality of Head Start and access to Head Start, but only, only if it does not cost money. Once again, poor children and families are left off of the majority's list of priorities.

Under this restrictive rule, the majority refuses to debate many of the critical amendments by Members on this side of the aisle. Because of the majority, we will not debate how to help Head Start teachers earn their B.A. degrees or how to increase their wages. We will not debate how to expand Head Start to all eligible children. We will not debate the appropriate use of assessments in the education of our youngest children.

I had offered an amendment to increase funding for Early Head Start and improve its services for limited-English-proficient families. The majority refused to allow me. Early Head Start currently reaches only 3 percent of the eligible families. Access to this program for Hispanic and limited-English-proficient families falls below these dismal national figures.

In the entire State of Texas, the second most populous State in the Nation, only 2,500 infants and toddlers are being served. The need is great, yet my proposed amendment will never get a vote on the House Floor.

I urge my colleagues to defeat this unfair rule.

Ms. PRYCE of Ohio. Mr. Speaker, I am very pleased to yield four minutes to my distinguished colleague, the gentleman from Nebraska (Mr. OSBORNE), a member of the Committee on Education and the Workforce.

Mr. OSBORNE. Mr. Speaker, as I have talked to my colleagues here in the House, I have been really surprised and somewhat dismayed at the amount of misunderstanding and misinformation we have had regarding this particular bill. We have already heard some of those: We are going to dismantle Head Start. I do not think anybody on this side or the other side intends to dismantle Head Start. Everyone values Head Start. Head Start is not being transformed into a State-run program. It is not a block grant program. That is absolutely not true.

So currently what we are talking about is the possibility of eight States entering a pilot program, if they so choose. Now, if all 50 States say we want to keep Head Start like it is, they can keep the program in all 50 States like it is. So the maximum would be eight States in a pilot program, 42 States in a similar program that we have had previously. So it is entirely voluntary. Pilot States must increase spending for early learning and not decrease it, so it does not take money from Head Start.

I have often heard, as I talk to people around the floor here, Well, we are afraid that this is going to take money away from Head Start. This is not structured in this way. Actually, the State must increase its spending; no Head Start dollars will be transferred to the State.

This will create a seamless, coordinated early learning program in pilot programs instead of a two-track system. Right now, we have Head Start in most States and we have State-run early learning programs, and they exist side-by-side. There is no coordination. There is no commonality of standards. We think this is wasteful and inefficient.

So what we are talking about is a program that will serve more children

and will have higher standards, not lower.

Also, the Castle bill increases Head Start funding, as we have said previously, by $202 million, up to $6.9 billion, which, as the gentleman from Ohio (Chairman BOEHNER) said, has more than doubled since 1995. It raises the standards for teacher qualifications. It does not lower standards at all.

Head Start continues to be administered by Health and Human Services. It not being transferred to another department. Again, that is a myth that has been out there for some reason.

Health and nutrition programs remain in place. They will not be changed at all.

Underachieving Head Start programs receive additional funds. This is one thing I think we really need to look at and think about.

The academic content of Head Start is strengthened while maintaining important socialization components. So as has been stated earlier, there is an emphasis on pre-mathematics, which currently is not something that happens in most Head Start programs. There is also an emphasis on pre-science, which again is not emphasized in Head Start programs currently; also in pre-reading.

Currently, most Head Start programs say all you have to do is be able to recognize 10 letters of the alphabet. Well, by the time you are four years old, you had better know the whole alphabet. So we think that we can make considerable improvements.

What we would like to emphasize here is that according to the Family and Child Experience Survey, the average child entering Head Start in terms of school readiness ranks in the 21st percentile. Two years later, $6,500 a year later, that child leaves Head Start at the 24th percentile, which is hardly statistically significant.

We cannot afford to do this. So if you start in the lower one-fourth of readiness and you end Head Start in the lower one-fourth, by the age of 16, you are probably still in the lower one-fourth, because where you start is usually where you finish. Now, that is critical. So something needs to be done to address this problem. So that is all we are saying.

Let us make some changes here. This is not a perfect program, but it is a good program, and we are trying to make it better.

So we hope that people will consider and will understand the bill better. We think if they understand it, they will vote for it.

Mr. HASTINGS of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. ORTIZ).

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

Mr. ORTIZ. Mr. Speaker, in Texas we say, ''If it ain't broke, don't fix it.'' I oppose H.R. 2210.

Head Start is one of the greatest programs this government has produced. It is highly successful; and it is by no means broke . . . so this action by the House is unwarranted. If we pass this bill today, we will be denying hundreds of thousands of little kids from poor homes a solid foundation from which to begin their lives.

Since the beginning of the program, Head Start has provided the foundation for low-income working families. Upon this foundation, thousands of adults throughout South Texas have overcome tremendous obstacles to break the cycle of family poverty and become productive citizens. Without the foundation of Head Start, the children and families in the 21st century will have a much harder time trying to get a start on education, nutrition habits, and other basic health care needs.

In South Texas, we have a long and successful relationship with Head Start. In my district alone, Head Start serves nearly 4,000 kids from birth to 5 years old. Head Start offers several unique opportunities and programs to South Texas; including transportation, parent training, Diabetes and obesity education, general nutrition information, and services for immunizations, counseling and dental health. Their whole-family approach to these services vastly improves the health and education in South Texas.

By providing transportation to the program facilities, the South Texas Head Start helps parents who are too impoverished to have their own transportation from smaller towns to the Head Start facilities. By training parents through English courses, promoting GEDs, increasing literacy, and offering job referral services, parents learn to be self-sufficient for themselves, their kids and their community.

One of the more valuable offerings of the local Head Start is the Diabetes and obesity education. The Hispanic population suffers from diabetes at two times the rate of whites. Of Hispanic 2½ to 3 year-old kids, 50 percent will likely be diagnosed with diabetes within their lifetime, according to a recent CDC study.

Losing weight, of course, can prevent diabetes, along with exercising and following a sensible diet, all of which Head Start teaches local families. Through providing nutrition information to parents and kids with a focus on healthy eating and balanced meals, kids will develop healthier habits and break the cycle of obesity and diabetes.

By offering a comprehensive immunization record for kids to get the appropriate shots, Head Start helps prevents increase in spread of disease along the international border, where disease is often rampant. Dental services through Head Start educate parents and kids in proper dental hygiene and about how nutrition affects oral health.

Through counseling services, Head Start serves the many kids with severe emotional problems, who come from difficult backgrounds. Head Start works with professionals, parents and kids to improve the emotional well-being of the kids before they start school.

That's the overview of Head Start in South Texas; but let me share with you stories from people who have used this program and precisely what we will be taking away from the children of Texas and other states around the Nation.

Jaime Reyna—28-year-old with a Master's Degree in pediatric physical therapy, fondly recalls learning, not just numbers, colors and how to read, but also how to build self-esteem through social interactions with other kids.

Victor Sauceda—Honors graduate and varsity football player from Texas A&M University-Kingsville, is currently a football, basketball, and track coach who will travel to Reno, Nevada next spring to take a shot at the NFL. He attributes his outgoing leadership style to the encouragement and interaction he had from his Head Start teachers and peers.

Lizandro Garcia—4th-year student at University of Texas-Brownsville, is earning his Master's degree in accounting while holding a steady job as the Accounts Payable Supervisor. He says that thanks to the teaching he received at Head Start, teaching him to always be your best, strive higher and never settle for second best, he has been able to succeed in life.

Antonio Guerra—Principal of Elma Barrera Elementary School in Santa Rosa, Texas, says that even though he didn't understand the importance of being in Head Start as a child, he does remember that the people were friendly, smart and caring. He came from a low-income single parent home, where the things other kids take for granted weren't always affordable, but where education was a high priority. Head Start provided him with the educational foundation to improve his future.

Melissa Duran—Attended Head Start in the early 70s, went to college and worked as a Head Start teacher for a couple of years after graduation. She received her Child Development credentials through the Head Start program, and now has owned her own two Day Care Centers for 11 years.

Pat Gomez—Parent of three boys who went through Head Start. The program gave them the opportunity to gain self-esteem and confidence in themselves. They are all successfully employed. One is a dentist.

Ms. Davis—Single mother of one son who went through Head Start. Because of the one-on-one attention her son received, he changed from being shy and withdrawn to an outgoing young man who is now a successful lawyer.

Ida Gonzalez—Raised by her grandmother who spoke very little English. She specifically remembers learning how to brush her teeth, jump rope, eat healthy food and was prepared enough academically to stay ahead of her peers in the Gifted and Talented Program once she entered school. Her love of learning motivated her to become a teacher and child advocate.

Jessika Perez—Former Head Start student who is currently beginning her senior year at Texas A&M University where she received full scholarship for all four years. She has spent summers working at California State University with NASA researchers, and plans to start her own Engineering Firm after graduating with her Masters Degree in Civil Engineering.

This is only a small sample of what this House is ready to end if we pass H.R. 2210.

Mr. HASTINGS of Florida. Mr. Speaker, I am privileged to yield 2 minutes to the gentleman from Texas (Mr. EDWARDS), my good friend.

Mr. EDWARDS. Mr. Speaker, no American citizen should have to pass someone else's religious test to qualify for a federally funded job. That is why I am strongly supporting the Woolsey amendment allowed under this rule.

Without the Woolsey amendment, private groups could actually receive millions of Federal Head Start dollars to run Head Start programs, and then

with those public tax dollars, they could hire and fire people not based on whether they could help educate and support children, but whether they passed a religious test. That is wrong.

For any citizen to have to choose between his or her job and personal religious faith makes a mockery of the free exercise clause in the first amendment of our Constitution.

Let me be specific, without the Woolsey amendment, a group associated with Bob Jones University could receive a multimillion dollar Federal grant and use those tax dollars to put out a sign that says this: No Jews or Catholics need apply here for a federally funded job.

Now, if you think it is okay to have that kind of religious discrimination using Federal dollars, then vote against the Woolsey amendment. If, like many Americans and the vast majority of Americans, you think that that kind of religious bigotry is wrong, then vote for the Woolsey amendment.

Without the Woolsey amendment, American women could be denied a federally funded Head Start job simply because a grant recipient says, in their religious beliefs, women really should not have the right to work. Without the Woolsey amendment, a Federal Head Start grantee would ask job applicants the most private of religious questions and then refuse to hire someone based on their answers.

I wonder, Mr. Speaker, how Members on the floor right now would feel if somebody, while they were applying for a job, somebody asked them these questions: Are you a Christian? Are you Jewish? Are you Muslim?

□ 1645

Did you tithe to your church last year? Do you believe in evolution or creationism? How many times did you attend church last year? What religious beliefs are you teaching your children? How many times did you pray yesterday?

Protect the fundamental American principle of religious freedom by voting for the Woolsey amendment.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 4¾ minutes to the gentleman from Florida (Mr. MICA), a member of my very own class in Congress.

Mr. MICA. Mr. Speaker, I thank the gentlewoman for yielding me time.

I am pleased to come before the House on this issue, and I am so glad this issue is being discussed. I have waited some 10 years for this issue to be discussed in this manner before the House of Representatives.

This is the most important vote that this House of Representatives and this Congress will have since we did welfare reform because we are talking about the future of our most needy and deserving citizens, our most disadvantaged citizens. We are talking about the children of those individuals in our society who need a Head Start and we were not providing that.

I have heard rhetoric from the other side, and we saw the parade of mediocrity coming down the aisle advocating the continuation of the same, the same exact situation.

Mr. HASTINGS of Florida. Mr. Speaker, I would most respectfully ask that the gentleman's words with reference to idiocrasy be stricken, but without asking a ruling from the Chair, I would ask the gentleman to give consideration to undertaking to do that before making such a demand. He said idiocrasy.

Mr. MICA. Mediocrity. That is what we are talking about today.

We are talking about mediocrity and perpetuating mediocrity among our neediest students and those who really need an advantage. Let me say, I have a degree in education and my interest is in the quality of the education. And for the first time, a President has come forward with a package that would not ensure mediocrity but ensure quality in the Head Start program for the very first time.

Let me give an example. I come from a district that is very broad and very big. I represent large counties, and I represent small counties. So I spent the time some 6 and 8 years ago and have been back again to look at the Head Start program and the preschool programs to see what they are doing. I can tell you what they are doing is they are spending a lot of money. They are spending a lot of money on bureaucracy, not all on programs. I have a good program in my big county, and we are able to support that. I have two counties that are over 45 miles apart, and I begged and pleaded to try to get a Head Start program that made sense.

We went to Atlanta. We went to Washington. We said, no, you cannot do that. We do not have enough students in either county. We have 200 in one and 300 in another to support the bureaucracy that is required by Head Start. So we asked for a little flexibility, and we got no flexibility. We still have no flexibility today.

Today we have eight administrators in a program earning between $31,000 and $42,000. I have a total of 34 administrative various personnel required by the program for 500 students and two counties that are separated by almost 50 miles. So I am spending the monies on bureaucracy, and you will not give me the flexibility to give my kids the best chance possible.

I have got teachers; and I do not have one teacher, not one teacher out of all the so-called teachers that we have in the program that are certified. Would you want your children to go to a school if we take the certification out of the school, the pre-school programs or any of the programs that we take it out and force your children to go to that?

Today we are spending between $12,000 for our so-called teachers and $22,932. And my bureaucrats in the program are getting up to $42,000. I do not have one qualified teacher and that is the mediocrity you want to resign our children to, my children to? These children deserve a head start. That is what the program was about.

There is not one dollar cut in this. There are no standard cuts in this; but we do allow a little bit of flexibility, and we do allow quality. The President has requested quality in the program. For the first time we will have people who actually have had an education to educate our weakest, poorest-performing students. Is that a lot to ask for, I ask you?

I have waited some 8, 9 years for these students. Do not deny my students this opportunity. Do not deny them quality. Do not deny them flexibility. Do not relegate them to mediocrity or bureaucracy.

You can tell I am very passionate about this. I feel very strongly about this. This is the biggest improvement we can make for the future of these children. I do not ask you to accept this. I plead with you to work with us to try to improve this program. We do not cut money. We do not cut quality. We make improvements and I ask you to help us.

Mr. HASTINGS of Florida. Mr. Speaker, I yield myself 10 seconds.

To the gentleman from Florida (Mr. MICA), I went to school in Alta Mont Springs. There were no certified teachers. Every one of them loved me. My mama and daddy and grandmama never went to school and somehow or another I managed to get three degrees.

Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER), my very good friend and a leader in this field; and I invite the House to listen for 2 minutes to the gentleman.

Mr. GEORGE MILLER of California. Mr. Speaker, I rise in strong opposition to this unfair rule.

Just yesterday a very contrite leader in the Republican Party acknowledged a chronic mistreatment of members of the minority of this House.

On Monday, the former Republican leader talked about an emerging theme in this House. The theme is 10 years of one-party rule is enough. The Republicans have had control for 10 years. They have gotten arrogant. They demean the institution. They demean democracy by virtue of their heavy-handed way they run the House, minority rights are downtrodden, and it is time for a change.

The rule we have here today is a perfect example of the arrogant and abusive treatment that is directed not just at Democrats but 140 million Americans who sent us here to represent them and look out for their interests and particularly the children. Many of those Americans feel very strongly about Head Start programs. Many of their children participate in it, and they would like to know this program is going to be improved. But we have the same old arrogance we saw last week with the pension bill.

Last minute changes were made in this legislation at 11 o'clock last night. When we asked the right to change our

substitute to take into account those changes, we were told we would not be given the opportunity. So instead we will not be able to offer the amendments that people came before the Committee on Rules and asked for.

So what is the result? The result is for the first time in the history of this program, for the first time in the history of this program, where we had Republican Presidents, Republican Congresses, Democratic Congress, we have always sought to improve this program.

For the first time in history we have a partisan attack on Head Start, and for the first time in history we are undermining the performance standards, the quality standards in this program. And for the first time in history, we will be limiting the participation of children in Head Start. In the third year of this bill because of the caps on funding for the first time in history under any administration in any Congress, we will reduce the number of Head Start children that will be able to participate from the current population. No Republican President in the past has ever done that. No Congress has ever done that. No Democratic President has done that because we have had a national consensus, because this is the best program we have in the Nation, with the best results.

You may want to do a lot of things with this program, but you cannot put it somewhere where a program has better results than Head Start. This attack should be rejected and this rule should be rejected.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 4 minutes to the gentleman from Ohio (Mr. REGULA), the distinguished colleague of mine and the dean of our delegation, a former elementary school teacher and principal himself, and, most importantly, the chairman of the Appropriations Committee on Health and Human Services that funds this bill.

Mr. REGULA. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, I rise today in support of H.R. 2210, the School Readiness Act of 2003. As a former elementary teacher and an elementary principal, I am aware of the necessity of a first-rate education and the need to ensure that children have adequate skills before entering kindergarten. You cannot start too soon. My daughter-in-law reads to my 16-month-old granddaughter, and here we are talking about children who are 2, 3, 4 years old.

The Head Start program has been a successful program over the years, providing comprehensive services to many children not otherwise reached, and providing students with some of the basics needed to be successful in school.

As successful as Head Start has been, I believe that the program can be even more successful by maintaining the comprehensive services already provided and enhancing, that is the key word, the academic component. H.R. 2210 will allow the Head Start program to achieve this goal by emphasizing cognitive development, improving teacher quality, and providing extra help for Head Start programs identified as underachieving.

I would like to emphasize, as my colleagues have stated, that there will be no additional testing required of the children in this program. Further, arbitrary performance measures will be eliminated, ensuring that the performances of Head Start centers are more fairly evaluated.

Because of the value of the comprehensive services, recently referred to as the crown jewel of Head Start, this legislation will keep the program at the Department of Health and Human Services, preserving and extending the health and nutrition components. The bill authorizes a level of more than $200 million over the current level and limits Federal Government administrative expenses allowing as many as 10,000 more children, 10,000 more to be served by the Head Start program.

I would like to add that in the appropriations bill for the Departments of Labor, Health and Human Services and Education that this body recently approved, we provide an additional $148 million. This bill was just approved a few weeks ago. We added $148 million to the program. I might point out that in the last 8 years the Republican majority has more than doubled the amount going to Head Start.

I hear conversation about how the program is not getting adequately funded. The facts are the facts. Funding has more than doubled in the last 8 years since we have been responsible. Additionally, the bill contains incentives for States to maintain or expand funding of early childhood education. Education should be seamless. It should start with the Head Start program, go through the elementary into the high school and on to the college level. And I have had a real concern since I have been chairman of this subcommittee about the number of high school dropouts. Many of the major cities are in excess of 50 percent in the dropout rate. That is a terrible waste of human capital; and we need to address it. One of the key elements in this is the ability to read. I do not think decisions are made by young people at the ninth grade or the tenth grade to drop out. Those decisions are made when they do not learn to read at the first, second, third, fourth, fifth grade level.

Therefore, the Head Start program as envisioned by this bill will be an added component to ensure that individuals will have skills so that when they reach high school they can participate. They can read. They can comprehend, and they can be ensured that they will get the skills they need to participate in our economy.

We hear today about unemployment levels. We hear about people not finding jobs, and the need for skills only grows. Therefore, I think this program is a very important part of the early education of a young person, of a child and on into adulthood. I would urge my colleagues to support this legislation. Give these kids the same chance that others have. That is what it is. It is Head Start. And we want to give them a head start, and this bill will do that.

The SPEAKER pro tempore (Mr. SIMPSON). The Chair would advise Members that the gentleman from Florida (Mr. HASTINGS) has 18½ minutes remaining. The gentlewoman from Ohio (Ms. PRYCE) has 5¼ minutes remaining.

□ 1700

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent to the gentlewoman from Kansas City, Missouri (Ms. MCCARTHY).

(Ms. MCCARTHY of Missouri asked and was given permission to revise and extend her remarks.)

Ms. MCCARTHY of Missouri. Mr. Speaker, I believe the rule to H.R. 2210 will dismantle Head Start which, in these desperate economic times, should be strengthened, not weakened.

Mr. Speaker, I rise today in opposition to the rule on the School Readiness Act, which would seriously jeopardize the Head Start early education program.

For decades, Head Start has been a successful program dedicated to helping disadvantaged children receive the preparation they need to succeed in school and to lead better lives. This bill would leave our neediest children behind by shortchanging the Head Start program and putting its federal funding at risk in States that are mired in their own budget woes.

In my district of Kansas City, MO, over 3,800 children are enrolled in Head Start programs and they depend on help from the Federal Government. Head Start is one of the oldest and most thoroughly studied early education programs in America. Studies find that children involved in Head Start programs are less likely to repeat a grade and to require special education services than disadvantaged children who are not lucky enough to experience Head Start. Furthermore, Head Start students are more likely to graduate high school and to attend college.

This past Fall a young mother named Michelle enrolled her son, August, in a Head Start program in Kansas City. Her two older daughters had already successfully completed the program, but Michelle worried that her son's speech and physical disabilities would put him far behind his classmates when he started kindergarten. The Head Start Mental Health and Disability Consultant coordinated his efforts with the County Health Department and the North Kansas City School District to insure that Michelle's fears would not become a reality. An Individualized Education plan was put into place and August was enrolled in speech therapy classes. Today, all of Michelle's children are doing well academically and socially, and she stays involved in Head Start as a volunteer so that she can give back to the program that meant so much to her and her children.

The measure before us (H.R. 2210) authorizes barely enough funds to even cover the cost of inflation, let alone expand Head Start

programs. It will actually reduce the number of children in the program. It provides no resources for teacher training and will allow discrimination in hiring practices. But the part of this legislation that concerns me the most is that it puts Head Start money into the hands of States that will be able to use these block grant funds to defray their own deficits rather than expanding the program to reach students.

Governor Holden of Missouri shares my concern that resources usually suffer when a federal program becomes a block grant. It is his fear, and mine, that federal mandates will be shifted to deficit wracked states such as mine, forcing them to do more with less money.

Head Start works in Missouri, and it works all over the country. Let's put federal dollars into education programs such as Head Start that have been proven to make students ready for a successful school experience and a productive life. It's the best investment we can make for our Nation's future.

Thank you, Mr. Speaker.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), my very good friend.

Mr. SCOTT of Virginia. Mr. Speaker, I rise in support of the Woolsey antidiscrimination amendment and against the part of the bill which would allow employment discrimination based on religion in the Head Start program for the first time since the program began.

Yesterday, the bipartisan leadership of the House and Senate celebrated the historic March on Washington and praised the gentleman from Georgia (Mr. LEWIS), Reverend Martin Luther King, Jr., and others for their courageous demonstration 40 years ago. Let us not forget what that march was about because two of the demands of the March on Washington were:

''Withholding of Federal funds from all programs in which discrimination exists'' and ''a Federal Fair Employment Practices Act barring discrimination.'' Both of those demands were enacted within 2 years of the march.

Now, one day after the bipartisan celebration, we have a bill before us which undermines the same victories which were celebrated. But the Woolsey amendment will preserve the tradition of nondiscrimination in federally funded programs. That tradition goes back to 1941, when President Roosevelt issued an executive order prohibiting antidiscrimination laws that have not caused all these problems over all these years. In fact, today 8 percent of Head Start programs are sponsored by faith-based organizations, and Head Start officials recently expressed outrage that someone could tell a Head Start child's parents that they were not qualified to be Head Start teachers solely because they attended a synagogue rather than a church or a mosque rather than a temple.

Next year, we will celebrate the 50th anniversary of the Supreme Court's decision in Brown v. Board of Education. That case spoke of the ravages of segregation when it stated that ''the policy of separating the races is usually interpreted as denoting the inferiority of the Negro group. A sense of inferiority affects the motivation of a child to learn. Segregation with the sanction of law, therefore, has a tendency to retard the educational and mental development of the Negro children.''

Mr. Speaker, although the children in the Head Start programs may not be segregated, some will not miss the message their parents were not qualified to be teachers while parents of other children were qualified.

Mr. Speaker, we have a choice today. Preserve the equal employment opportunity principles and traditions established by President Roosevelt, Brown v. Board of Education and the March on Washington or change the law in such a way that someone will have to explain to some young Head Start students why their parents were not good enough to be teachers solely because of the family religion.

The vote on this amendment will determine what kind of Head Start the next generation will have.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from New York (Mr. NADLER), my very good friend.

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

Mr. NADLER. Mr. Speaker, I rise in opposition to the bill as crafted and to this rule. I also urge my colleagues to support the substitute that will be offered by the gentleman from California (Mr. GEORGE MILLER) and the amendment to be offered by the gentlewoman from California (Ms. WOOLSEY).

The bill creates a new block grant for eight States and eliminates the obligation that States abide by Head Start's educational performance standards by allowing governors to increase class size, increase child-to-staff ratios, dumb down existing curricula, all without any accountability.

The President has told us repeatedly that his goal is to leave no child behind. Unfortunately, the reality fails to match the rhetoric. Because of inadequate funding, we are already leaving 400,000 children behind. An appalling 40 percent of those eligible to participate in Head Start cannot participate because of short funding.

With the changes made by this bill, even more of our at-risk, eligible children will be shut out of this successful program, endangering their opportunities to succeed in school and to contribute all they might to this Nation. We must not deny children the health, social and educational services they need. This Nation cannot afford to cheat its future by robbing our children of educational opportunities today.

Without the amendment to be offered by the gentlewoman from California (Ms. WOOLSEY), the bill would betray our core values by explicitly permitting, for the first time in the history of this program, religious discrimination in employment. It would allow Head Start programs that use taxpayer funds to discriminate against teachers and parent volunteers solely because of their religious convictions.

The bill does so by eliminating existing law that has, since the beginning of the Head Start program, protected the people who teach our children against this most reprehensible form of discrimination. No public school, no publicly funded Head Start program should be permitted to hang out a sign that says no Jews or Catholics or Protestants or Muslims or whatever need apply. Incredibly, this bill deliberately would allow them to do just that. For shame.

Head Start is an exceptional program that has served nearly a million children and their families. It works. It works well. Instead of cutting its funding and eliminating basic standards and promoting religious discrimination, we should be standing up and expanding this program and not destroying it.

Mr. Speaker, I rise in strong opposition to the legislation and to this rule. I also urge my colleagues to support the substitute that will be offered by the gentleman from California (Mr. MILLER), and the amendment to be offered by the gentlewoman from California (Ms. WOOLSEY).

This bill creates a new block grant program for eight states, yet it eliminates the obligation that states abide by Head Start's educational performance standards by allowing governors to increase class size, increase child to staff ratios, dumb-down existing curricula—all without any accountability.

The President has repeatedly told us that his goal is to leave no child behind. Unfortunately, the reality fails to match the rhetoric. Due to inadequate funding, we are already leaving behind over 400,000 children—an appalling 40 percent of those eligible to participate in Head Start.

With the changes made by this bill, even more of our most at-risk, eligible children will be shut out of this successful program, compromising their opportunities to succeed in school and contribute all they could to our nation. We cannot continue to deny children the health, social, and educational services they need. This nation cannot afford to rob its future by robbing our children of educational opportunities today.

This bill also betrays our core values by permitting, for the first time in the history of the Head Start program, religious discrimination. It allows taxpayer funds to be used in Head Start programs that discriminate against teachers and parent volunteers solely because of their religious convictions. The bill does so by eliminating existing law that has, since Head Start's beginning, protected the people who teach our children against this most reprehensible form of discrimination.

We have heard terrible allegations from the other side of the aisle, and from the administration alleging, that certain members of the other body have hung a sign on the federal courts saying ''No Catholics Need Apply.'' While I continue to believe that this slur against conscientious Catholic members of the other body is blatantly false and slanderous, those making the charge, including the President and our colleagues on the other side of

the aisle, understand that religious discrimination in employment, or the imposition of a religious test for federally funded employment in violation of the Constitution, is reprehensible and an affront to our First Freedom.

I urge my colleagues to support the Democratic substitute, and the Woolsey amendment, both of which would strip this indefeasible provision from the bill.

Head Start is an exceptional program that serves nearly 1 million children and their families. We know from experience that it works and works well, helping our children succeed educationally. Instead of cutting funding, eliminating basic standards, and promoting religious discrimination, we should be standing up for families and our most vulnerable children by providing the necessary resources and accountability, to ensure that all children who qualify for the Head Start program can participate and succeed.

By failing to improve, rather than destroy, Head Start, this administration, and this bill, are making clear that our children are not valued and do not deserve a head start in life. Instead of dismantling this program, with a proven track record, that countless early childhood educators, child psychologists support, and parents support, this bill would replace it with an untested, unproven, unaccountable program.

It is time to match the rhetoric with action and leave no child behind. It is time to make good on the promise of this nation that we are all created equal, that all children are entitled to a decent education, and that no one should ever have to decide between a job helping our children and their religious faith. No child was ever helped by governmentally funded and endorsed religious discrimination. That is not what this country is about, and it is not befitting of a nation dedicated to liberty and justice for all.

I urge the rejection of this rule, and the adoption of the Democratic substitute and the Woolsey amendment.

Mr. HASTINGS of Florida. Mr. Speaker, will the Chair tell me how much time we have remaining.

The SPEAKER pro tempore (Mr. SIMPSON). The gentleman from Florida (Mr. HASTINGS) has 13½ minutes remaining. The gentlewoman from Ohio (Ms. PRYCE) has 5¼ minutes remaining.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE), my good friend.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for yielding me the time.

I wanted to debate this at the very beginning of this very long evening because this is the rule that will design whether we work on this in a bipartisan manner or whether or not we use the singular view, My way or the highway.

This is actually Head Start retrogression, and I wish that we could have come to the floor of the House and crafted reform that would truly help our children, but Mr. Speaker, this legislation continues the saga.

Only 60 percent of preschool children are able to access the real Head Start, 19 percent only of those who are seasonal and migrant children and 3 percent only of infant and preschoolers are able to access a real Head Start program.

Mr. Speaker, if we look at America, we will find Members of this body that started in Head Start. Children who are children of incarcerated persons were in Head Start. Average Americans have had the ability to be in Head Start, but we have never finished the job, and this legislation that we have before us is going to unravel Head Start as we know it, a nurturing, caring program that has nutrition, has psychology, has education, has teachers who care and teaches parents how to access better education for their children.

Why could my Republican colleagues not see that education is a dream of all America? This rule should be denied because this rule does not address the question of giving block grant moneys to the States so that they can abuse those resources, and our children still will not have a viable Head Start program.

I support the Woolsey amendment. I support the substitute. We need to go back to the drawing board and really listen to those who have now grown up who have been products of Head Start. Ask them the question whether or not they have benefited from the ability to have immunization and good health care, good nutrition and then be able to have a loving environment to educate or to be educated in.

Why my good friends think that that is a good bill, I do not know, but the best thing to do is to send it back. It is a Head Start retrogression. Vote against the rule.

I oppose the rule governing H.R. 2210, the Head Start Authorization Act, because it denies the Minority an opportunity to make a bad bill better. Make no mistake about it; the underlying legislation is a bad bill. I regret that my colleagues and I do not have the opportunity to improve upon it.

The Republicans on the Rules Committee have denied us the opportunity to have our amendments heard, to have our colleagues vote on the amendments and to decide for themselves what best suits their constituents. The Head Start program is of critical importance to our children and this rule does not do justice to the undertaking of reauthorizing that program.

A total of 26 amendments were submitted to the Rules Committee on this bill. Of those 26 amendments, Democratic Members submitted all but one. The rule makes in order only two of those amendments: a Democratic substitute and the Woolsey/Edwards/Frank/Scott/Van Hollen amendment to restore civil rights protections to Head Start teachers by striking the language in the bill that allows Head Start programs to discriminate in hiring with regard to religion. Certainly, those are both excellent amendments and it is my hope that they will be adopted. Then, this bad bill will be better. Those two amendments however, were not the only worthy amendments that should have been allowed to come to this floor.

There was Mr. GRIJALVA's Migrant and Seasonal Head Start and Indian Head Start amendment which calls for additional funds to be allocated to Head Start. That is important because the legislation currently on the table will prevent more than 80 percent of eligible children from benefiting from Head Start services. The U.S. Department of Health has found that Migrant and Seasonal Head Start Programs serve only 31,400 out of 161,400 migrant and seasonal children; this is a mere 19 percent of all eligible children. That overwhelming shortfall leaves 130,000 children of migrant and seasonal Head Start families behind.

This is simply unacceptable; America's children deserve better. As a Texan, I understand the importance of that amendment, as would many of my colleagues on both sides of the aisle. I wish that we had the opportunity to vote for the Grijalva amendment.

The amendment proposed by Mr. GRIJALVA aimed to minimize the existing gaps that are preventing the children of migrant and seasonal workers from receiving the early education that prepares children for more structured schooling later in life. The amendment calls for an increase in the total authorization of early education programs from $6.87 billion to $7 billion and raises the set-aside for each of these programs from 13 percent to 15 percent. While Migrant and Seasonal Head Start Programs as well as Indian Head Start programs serve both infants and toddlers, the fact remains that neither program has access to Early Head Start Funds. However, these funds are available to Regional Head Start programs. The only way Migrant and Seasonal Head Start and Indian Head Start Programs can receive increases is if additional funds are appropriated. That is what the Grijalva amendment would do.

By making a modest increase in the funding for Migrant and Seasonal Head Start as well as Indian Head Start programs, we would be able to move these programs toward parity and ultimately to reduce the significant funding gap. What a small price to pay for the success of our children. Given the chance I would have urged my colleagues to vote in favor of the Grijalva amendment and to support the measure on behalf of America's marginalized children. Due to the Republican's restrictive and unfair rule, I will not have the opportunity to do so.

The Republican leadership of the Rules Committee closed out a number of other valuable amendments. One of those amendments was offered by Mr. DAVIS of Illinois. His amendment would have provided scholarships to Head Start teachers to assist them with the cost of obtaining a post-secondary degree. It is stunning that the majority denied this amendment because post-secondary degrees will be a requirement for half of current Head Start teachers, if this version of H.R. 2210 passes.

If we are to demand higher levels of formal education from Head Start teachers then we must compensate them fairly. Unfortunately, well-educated Head Start teachers can earn more by taking a new job teaching kindergarten. It is a fact that a teacher with a Bachelor's degree in Early Childhood Education can earn, on average, about $16,000 a year more teaching in a public school kindergarten than working in a Head Start program. That is nearly double the salary. How then can we expect these teachers to bear the expense of attaining additional education and then remain

as Head Start employees earning lower salaries? It is illogical and frankly, it is unlikely that most Head Start teachers will make that choice.

We know that these teachers are caring people. They want to remain in their jobs working with children and families that need them most. Without the Davis amendment, however, H.R. 2210 will make that financially impossible for many Head Start teachers. The result could be a great loss to Head Start programs, to the children they serve and thus to the future of the country.

I too offered amendments to the underlying bill. I too had those amendments shut out of the process. One amendment was written to maintain the mandate for a study comparing the educational achievement, social adaptation, and health status of children participating in Head Start programs with that of eligible children who do not participate. The underlying bill would eliminate that study. It is apparent, that the data gained from the study would be useful in adding to our understanding of the importance of Head Start and the ways in which we can improve program.

Among those children who are eligible for Head Start, the study would focus on the developmental differences between children who participate in Head Start and those who do not. Such a study could be particularly relevant as we seek to better accommodate the increasing number of special needs disabled children, emotionally or mentally challenged children, and non-English-speaking Head Start children.

In Texas, and in other states, there are thousands of children who are eligible for Head Start but who are not enrolled. Those children are entitled to the services that they would receive from the Head Start program. The families of those children would benefit from the holistic approach of Head Start as it seeks to educate not only the child but also the child's parents about what it takes to help a child thrive. This study is a mechanism through which we may better understand the positive impact that Head Start creates on the lives of the children and families whom it serves. Unfortunately, the Members on the other side of the aisle would not allow it to be heard on the floor.

My other amendment was authored to prevent states from using federal funds allocated under this Act to supplant other federal funds that states are currently spending on Head Start. In other words, my amendment would have helped keep Head Start dollars in Head Start programs. Under the amendment, the text of the Head Start Act would read, in part, ''Funds received under this section shall not supplant any Federal, State or local funds.'' That language is crucial to the preservation of Head Start in states that currently spend federal dollars on Head Start centers.

Without this amendment, the cash strapped states could choose to use funds allocated under this Act to supplant funds currently being spent. Thus, there would be no net gain for the children who need the services provided by Head Start. Undoubtedly, the overburdened states will use this opportunity to plug federal dollars into another hole in their budgets. My amendment would had cured that problem but the majority on the Rules Committee will not allow it.

The amendment was supported by the Children's Defense Fund, yet my colleagues were denied the opportunity to vote the amendment up or down. What a shame, Mr. Speaker. What a pity that something so important should fall prey to partisan politics.

While I am disappointed that my amendments and those of my colleagues were excluded from the legislative process here on the floor, I am substantially more disappointed about what the underlying bill will do to Head Start. I am dismayed by this rule but I am in fact more dismayed about what this bill will do to the children and families who would otherwise benefit from a healthy Head Start program. I am so disappointed and dismayed because the legislation seeks to desolve Head Start. Although the Republicans seek to disguise it, Title II of this bill will end Head Start as we know it.

Frankly, the underlying bill is the answer to a question that has not been asked. It is a solution for a problem that does not exist. The block grant created under Title II is no more than a treacherous experiment. It will push a successful program onto states that have unproven expertise to manage it. Not only does the bill push Head Start to the states for experimentation but also, it does so without the federal quality requirements and oversight that have demonstrated their success.

There are other failures in this bill that could have been corrected had the Democrats of this House been allowed to offer their amendments. Would that I had time to speak about them all but, I have only 2 minutes to speak on the rule. Would that my colleagues had the opportunity to vote on those amendment to improve this bill. Nevertheless, there is still a chance.

There is still an opportunity for this body to improve the Head Start bill. Voting ''no'' on this rule will allow us that opportunity. Therefore, I urge my colleagues to join me in voting no on the rule. Vote no and let us come together to pass a better piece of legislation one that will strengthen not dismantle Head Start and serve the needs of our children.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the gentleman from Arizona (Mr. GRIJALVA), a new Member, but a distinguished person that has dynamics with reference to this matter as a part of his portfolio.

Mr. GRIJALVA. Mr. Speaker, I rise today to express my deep, deep disappointment in the Republican proposal to dismantle Head Start.

Head Start has been an historic, powerful tool in ending poverty in this country, and we heard about passion earlier today, but when we profess our passion, it should not be about empty rhetoric. It should be about real compassion, real care and real resources for children.

I am very proud of my Democratic colleagues' persistent attempts to improve this disastrous bill. Yet of the 25 Democratic amendments submitted to the Committee on Rules only two were made in order. Receiving a rewritten bill in the middle of the night last night, many of us have not had sufficient time to review the changes. From what I can see, though, this is essentially the same bill, causing lasting damage to a widely successful program like Head Start.

The bill offers no accountability. The bill repeals long-standing civil rights protections on employment discrimination; and my colleagues have addressed many of the other issues that are wrong with this bill.

I want to concentrate on one aspect. The most troubling part of this forum from my perspective is the weak attempt by the Republicans to provide a funding increase for migrant and seasonal Head Start. Before these changes, the bill would have provided between $8.5 and $17 million additional funds to migrant and seasonal Head Start.

This new bill creates a provision that guarantees $17 million to this program. While this looks like an improvement, it actually only guarantees one-quarter of 1 percent of the total appropriation for eligible children of migrant and seasonal farm-working families. This modification would only extend services to 2,200 of the 130,000 eligible children that are currently neglected. This is a so-called improvement? It is a slap in the face to these children and their families.

Mr. Speaker, these children deserve equal resources. They deserve our attention and they deserve to be treated equitably in this legislation.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for a unanimous consent request to the gentlewoman from Illinois (Ms. SCHAKOWSKY), my good friend.

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

Ms. SCHAKOWSKY. Mr. Speaker, I believe H.R. 2210 will dismantle Head Start and rob single moms of the best early childhood education for their children.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased to yield 2 minutes to the gentlewoman from California (Ms. LINDA T. SÁNCHEZ) who is distinguishing herself in our body as new Member, my friend.

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, let me just begin first by saying that I take umbrage to comments that were made earlier from the gentleman from Florida that the female Democratic Members of the House were ''a parade of mediocrity.'' These are amazing, talented women who are not mediocre, but extraordinary women as evidenced by their passion on this issue.

Having said that, I rise in opposition to this flawed rule. We are considering a bad bill, the so-called School Readiness Act, H.R. 2210, without any options for improvement. There are so many things wrong with this bill that I cannot even begin to count them.

A fair rule would have allowed us to fix some of those things, like providing adequate funding to expand Head Start, especially migrant and seasonal Head Start programs, and providing scholarships for Head Start teachers.

H.R. 2210 begins an irreversible process of dismantling Head Start by promoting religious discrimination in hiring, shortchanging teachers by increasing requirements and denying services

to eligible children by continuing to underfund Head Start.

Worst of all, H.R. 2210 puts in danger years of proven success. For what? An experiment, a so-called pilot program that does not require States to even abide by national Head Start standards or have a sound preschool infrastructure.

Nearly four decades of research have established that Head Start delivers the intended services and improves the lives and the development of children and families that it serves. Head Start is about preparing children for school like Pablo Robles, a constituent of mine. It is about helping parents become better parents and advocates for their children and involved in their school work. Ultimately, Head Start is about giving low-income children an opportunity to succeed in life.

Republicans are just like scam artists trying to sell us an oceanfront property in the desert, but now they are trying to sell us a phony Head Start bill. We must not fall for it, especially when it is gambling with the lives of children.

I urge my colleagues to vote ''no'' on the rule for H.R. 2210 and on the underlying bill. Let us not play with the future of our most vulnerable children, like Pablo Robles.

Mr. HASTINGS of Florida. Mr. Speaker, how much time do we have at this time?

The SPEAKER pro tempore (Mr. SWEENEY). The gentleman from Florida (Mr. HASTINGS) has 7½ minutes remaining. The gentlewoman from Ohio (Ms. PRYCE) has 5¼ minutes remaining.

Ms. PRYCE of Ohio. Mr. Speaker, I would inquire of the gentleman as to how many speakers he has?

Mr. HASTINGS of Florida. Three, and we are at that time prepared to close.

Mr. PRYCE of Ohio. The gentleman may as well go ahead then, please.

Mr. HASTINGS of Florida. Mr. Speaker, I am very privileged and pleased to yield 2 minutes to the gentlewoman from California (Ms. WATERS), who is not only my good friend, but is a person that ran a Head Start program in the United States of America while the rest of us are running our mouths about Head Start.

Ms. WATERS. Mr. Speaker, I thank the gentleman for allowing me this time, and I must tell my colleagues that as I stand here today, my heart is broken. It is broken because after 38 years of a successful program we allowed 90 minutes on a closed rule to destroy Head Start.

□ 1715

It is shameful. Republicans ought to know and understand what they are doing. It is another blow that you are striking against children, and poor children and poor families at that.

Mr. Speaker, I cannot help it that the gentleman from Florida (Mr. MICA) and others do not understand how Head Start was organized, the delegate agencies, to keep it closer to the communities. We bypassed the Governors on purpose to keep them from snatching the money from Head Start, and my colleagues are throwing it back into a block grant. That money is going to be siphoned off in even States like mine where we have a $38 billion deficit.

My Republican colleagues want to throw it back into school systems and preschool programs that have no mandates, that do not mandate parental involvement, that will not guarantee nutrition programs, that will not give the physical examinations to help identify the deficiencies that these children have before we put them in the classroom and help get them ready for school.

Everyone has admitted that Head Start is successful. Each of my colleagues says that as they get up to destroy it. If it is successful, why then are we messing with Head Start? We need to try and do something about K through 12. When we send kids to Head Start, they are doing well. Sometimes they lose it because the school systems are not ready for them.

Mr. Speaker, we need more money in Head Start. It is only servicing 60 percent of the children who need it. We have waiting lists. To add insult to injury, not only do my colleagues dismantle this program by putting it into a block grant, then they bring on discrimination and only allow those parents to participate who are of the same religion of some of the delegate agencies that are trying to run a Head Start program.

Again, it is shameful. You break my heart today, and you dismantle a program that is desperately needed.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 2½ minutes to the gentleman from North Carolina (Mr. ETHERIDGE), who was the superintendent of education in North Carolina and speaks very clearly with reference to these issues based on his experience.

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

Mr. Speaker, I want to thank the gentlewoman who just spoke, my friend from California. She knows what she is talking about. Head Start is working. And I rise today in opposition to this rule, and I urge my colleagues to oppose H.R. 2210, the Republican Head Start bill. It is not what it says it is.

Someone said earlier today, if it is not broken, do not fix it, improve it. Currently, Head Start funds are targeted directly to the specific local initiatives of children who need it. But under H.R. 2210, the responsibility for operating Head Start would shift to the State through a series of block grants. And I can tell you when you go to block grants, the next thing you are going to see is they are going to be cut and they will not go to the children who have the needs. I know. I have been there. I have been involved.

Governors have enough to do rather than trying to put their fingers in this. They can help improve it, but not run it. This change would require the establishment of a new State bureaucracy, placing yet another burden on our already cash-strapped States. Most importantly, there is no guaranty that under these block grants Federal funds would ever find their way to Head Start. Oh, sure, some of them will; but eventually we will see it slip.

Additionally, these block grants eliminate accountability and exempt States from quality standards and oversight. The bill is not a reauthorization. It is a demolition of a program that has worked so well for so many children and so many families.

We have learned that under H.R. 2210 States would be allowed to increase class size and child teacher ratios, reduce the number of hours children have to spend in Head Start, eliminate health services and supplement Federal dollars. That alone is enough to tell us not to do it. We should not allow States to supplant the dollars. Instead of recklessly dismantling Head Start, we should invest in it and improve, as we have already heard.

Today, Mr. Speaker, I will vote for the Miller substitute to this bill which will strengthen school readiness, enhance quality and accountability, expand the initiative to more children and families, all while maintaining local control and high performance standards. That is what we ought to be about in this House, making it better, not dismantling it.

Mr. Speaker, H.R. 2210 flies in the face of reason. It will ruin Head Start and needlessly jeopardize the future of thousands of children. This bill is a part of the disturbing trend in this House of trampling on low-income families and children.

Ms. PRYCE of Ohio. Mr. Speaker, I am very pleased to yield 1 minute to the distinguished gentleman from New York (Mr. HOUGHTON), a very thoughtful member of this conference.

Mr. HOUGHTON. Mr. Speaker, I have been listening to all of the discussion on the other side; and I may be missing something, but I think this bill makes sort of sense.

I believe in Head Start. I work with the people who have taught and been in it. My kids have been a part of the program. It works the way it should in some areas. In other areas it does not. Where it works, the kids compete and succeed and it is fine. Where it does not work, we find those kids as they move into kindergarten no better off than the kids who do not go to Head Start. That is not right. If we have a program we spend money on, it ought to work.

This new program, at least to me, is a win-win situation. If a State wants to take a look at its programs, it can. If it needs help, it can get it. The bill adds over $200 million to that. If on the other hand the State likes what it has, does not want to change, it does not apply for the demo project. It does not

have to do it. And if it does, every single one of those demo projects is guaranteed to have the full 5-year funding.

I think the program makes sense, and I hope I am not missing something essential.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from New Jersey (Mr. PAYNE).

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

Mr. PAYNE. Mr. Speaker, H.R. 2210 will dismantle Head Start, resulting in lowering the quality and effectiveness and quite possibly ending one of the most successful programs our Nation has ever had. Since its inception, Head Start has served over 20 million children. Its focus on the whole child extends through recognizing the importance of the family, not only the institution. Its full-day, full-year programs provide preschool children of low-income working families with a comprehensive program to meet their emotional, social, health, nutritional, and parental support.

The bill really does a lot. It brings in parents that work with the teachers. It brings in parents who have helped design the program. It emboldens the parents then to become interested in also improving their education. It has local vendors being able to provide services to that local Head Start program. It is a program that really has a tremendous amount of impact on a local program. And having this sent to the States, I think, goes in the wrong direction; and I ask the defeat of the rule.

Ms. PRYCE of Ohio. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Delaware (Mr. CASTLE), the chairman of the Subcommittee on Education Reform, the chief sponsor and author of this legislation.

Mr. CASTLE. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I thank all the members who took enough interest in Head Start to be here today to speak. Obviously, we do not agree on everything, but they are interested, and that is good.

My view of this legislation is greatly influenced by the history of it. Looking back to 1965, in what was called the Great Society and the creation of this, many people say this is maybe the best program extant from that in terms of it being able to help children. We have heard the millions it has helped over the years. And, frankly, I believe that is accurate. I believe particularly in the areas of just well-being, in nutrition and medicine, it has been a tremendous amount of help.

This program has been continued pretty much as is directly from the Federal Government to the local grantees who run the Head Start programs. It serves today about 900,000 students at about $7,100 a year. Most of the 4-year-olds that are eligible are served. Some 3-year-olds are served. And they go to school for roughly half the year for roughly half a day. I think all of this is in the interest of these children because we are dealing with children who are at 100 percent of poverty, or roughly $20,000 for a family of four. So for that reason, I think we can agree that Head Start does some good things.

On the other hand, to suggest that Head Start is doing what it should do educationally for these young kids who need it as badly as anyone else in our society would be, in my judgment, a very inaccurate statement. Another inaccurate statement I have heard today are words like dismantling Head Start. This is not an accurate statement whatsoever; and also block grant, which is also not an accurate statement.

I have had this argument so much I am almost tired of making it, but perhaps some people have not heard it. Essentially, the bottom line is that we are not block granting anything here. Forty-two States will be treated just as they were before and eight States would go through a demonstration program that would hopefully show us how better to educate these young people as far as Head Start is concerned.

Is it a block grant? Let us take a look at it. First of all, the States would have to maintain or increase their fiscal year 2003 State funding levels. Then they would have to add 5 percent to that in order to be one of the eight States which qualify. They could only use Head Start funds for Head Start-related uses. All comprehensive health and nutritional services currently provided by Head Start would continue to be provided. Parental involvement strategies must be developed. State teacher quality standards would meet or exceed the new requirements for Head Start programs. This is hardly block granting or dismantling. It just simply is not that. This is an opportunity for improvement, as far as young people are concerned.

A speaker from the other side said at one point that for the first it will reduce the number of children to be served. I do not know mathematically how anybody arrived at that. I have seen the authorization figures, and I have seen the appropriation figure for this year. The increases are there for that.

The rule itself is fair. There will be a substitute certainly that is very significant in terms of what we are going to do.

A number of other people have spoken to this legislation, Mr. Speaker; and I thought it would be interesting to go through what some other people are saying, since we are a little bit political on the floor, if you will. Today, in Roll Call, Mr. Morton Kandracke said, ''Children who were in the upper 25 percent of their Head Start class when they entered Head Start in 1997 showed no gains on any measure of cognitive ability over the course of the Head Start program year, and actually experienced losses in some measures in comparison to national norms. The report said that more recent 2000 data shows modest improvement in results of children, but overall progress is still too limited. Children continue to lag behind national norms when they exit Head Start. They also lag behind more advantaged children throughout their school years.''

And then it says, in conclusion, and this is, I believe, a fair man: ''Democrats ought to be urging, not fighting, upgrades in Head Start's academic rigor. Instead, they are denouncing the measure sponsored by Representative MIKE CASTLE to give eight high-performing States leeway to improve the program.''

And that is my judgment as well. Because today, and we are in 2003 not 1965, all these States have early education programs, prekindergarten programs and other programs that help with this. Others have looked at this. The Brookings Institute has looked at it; and they have reached the same conclusions, that we should be doing this.

So I think we need to be very cautious about what we are saying about what is in this program. I believe this affords kids an opportunity. Vote for the rule, support the legislation. It will be interesting to continue the debate through the evening.

Mr. HASTINGS of Florida. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. PELOSI).

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

Ms. PELOSI. Mr. Speaker, I rise to say that H.R. 2210 will dismantle Head Start and rob single moms of the best early childhood education for their children.

Mr. HASTINGS of Florida. Mr. Speaker, I am pleased to yield 30 seconds to the gentlewoman from the District of Columbia (Ms. NORTON), who should be able to vote on whether or not there are vouchers in her city.

Ms. NORTON. Mr. Speaker, I thank the gentleman for yielding me this time. I wanted to put on the record what I learned at a Congressional Black Caucus hearing. The rap is put on these children that they are not as far ahead as they should be. I asked why they were not exposed to reading, and the testimony was there had been, until recently, a Federal mandate against exposing these children to the kind of early access to reading that other kids get in nursery schools. The problem is with the Feds and not with the program.

□ 1730

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

The SPEAKER pro tempore (Mr. SWEENEY). The gentleman from Florida is recognized for 1½ minutes.

Mr. HASTINGS of Florida. Mr. Speaker, the gentleman from Delaware

knows that I have great respect for him. That will continue regardless of our different views on this subject.

What he did was read from today's Roll Call by that paragon of education, Morton Kondracke, who is probably a friend of his and certainly a friend of mine. But the gentleman left out another thing that Mr. Kondracke said. He said, ''Democrats did help Bush pass his No Child Left Behind standards and testing initiative in 2001 and now have every right to blast his and the GOP Congress' failure to fund it.''

So, you see, context has a lot to do with things. When the gentleman was before the Committee on Rules, I asked him, in a respectful manner, was there one teacher organization or one parent organization or one student organization that supported the bill that he put forward. He looked to his staff and indicated that there was an education trust group, which the Democrats support as well because it deals with the quality of teachers and teacher pay. There are no teacher organizations, no parent organizations, no student organizations that support this proposition.

The fact of the matter is, one of my distinguished colleagues from Florida came down here and all of these ladies who represent nearly 13 million people, along with the two men that stood with them and asked unanimous consent, he referred to them as a line of mediocrity. If he wants mediocrity, all he has to do is suggest that if this bill rose to the level of mediocrity, it would be fine. Look to Florida for mediocrity when they say they leave no children behind. In Florida we not only leave them behind, we lose them and cannot find them.

Ms. PRYCE of Ohio. Mr. Speaker, I yield myself such time as I may consume.

It is time to demand the best for our children. The gentleman from Delaware (Mr. CASTLE) and the gentleman from Ohio (Mr. BOEHNER) are offering us that opportunity this evening. I urge my colleagues to pass this fair rule and agree to the underlying legislation. It is time to improve our children's chances.

Mr. DAVIS of California. I rise to object to the rule on consideration of H.R. 2210, the Head Start reauthorization. Once again, thoughtful amendments that address core issues were not ruled in order by the committee.

As has been so widely discussed this week, I believe it is important that this legislative body be able to give the proper consideration to this reauthorization—which is so critical to the most vulnerable among us, low income children.

I valued the opportunity to participate in considering this measure at the subcommittee and the committee levels. In that process, I was able to offer significant amendments for consideration and in one case for adoption by the committee. Happily, the reauthorization now before us recognizes the central nature of the social and emotional development of young children as well as their cognitive and physical development.

Nonetheless, other core issues were not adopted during the committee consideration. However, only 10 percent of the members of this body had the opportunity to consider those issues. The public deserves a full consideration by other 90 percent of their representatives.

I would particularly point to these major areas of concern: (1) providing financial support and loan forgiveness for the increased educational levels which will be required of teachers and staff members; (2) requiring performance standards of curriculum, developmentally appropriate accountability processes, personnel education, and professional development opportunities to be at least as high as federally required standards; and (3) assuring that any state-operated programs would be required to provide the comprehensive health and family services that are integral to Head Start.

Mr. Speaker and members, 100 percent of the members of this representative body have the right and obligation to consider how these issues should be resolved in order to enable the most vulnerable children to enter kindergarten closer to the levels of preparation enjoyed by more economically advantaged children.

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

The SPEAKER pro tempore. 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. HASTINGS of Florida. 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 question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 5 o'clock and 34 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1807

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SWEENEY) at 6 o'clock and 7 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 2427, PHARMACEUTICAL MARKET ACCESS ACT OF 2003

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 335 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 335

Resolved, That upon the adoption of this resolution it shall be in order without intervention of any point of order to consider in the House the bill (H.R. 2427) to authorize the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs, and for other purposes. The bill shall be considered as read for amendment. The previous question shall be considered as ordered on the bill to final passage without intervening motion except: (1) one hour of debate on the bill equally divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce or their designees; and (2) one motion to recommit.

SEC. 2. During consideration of H.R. 2427 pursuant to this resolution, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

The SPEAKER pro tempore. The gentleman from Texas (Mr. SESSIONS) is recognized for 1 hour.

Mr. SESSIONS. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), 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.

Mr. Speaker, the resolution before us is a well-reasoned rule providing for consideration of H.R. 2427, the Pharmaceutical Market Access Act of 2003. This rule waives all points of order against consideration of the bill and provides 1 hour of debate, evenly divided and controlled by the chairman and ranking minority member of the Committee on Energy and Commerce or their designees.

The rule also provides that during consideration of the bill, notwithstanding the operation of the previous question, the Chair may postpone further consideration of the bill to a time designated by the Speaker.

Finally, Mr. Speaker, this rule provides for one motion to recommit.

Mr. Speaker, I rise today to introduce the rule for H.R. 2427, the Pharmaceutical Market Access Act of 2003. The fact that this legislation is on the floor today demonstrates the willingness of the House Republican leadership to deal with contentious issues publicly on this House floor and to allow democracy to work by giving every Member an opportunity to cast their vote on an important issue and issues that are important to them and the American public.

But, while I believe that the underlying legislation that we will bring to the floor later is well-intentioned, it is also deeply flawed and puts the health and well-being of the American public at great risk. Congress needs to find a way to provide affordable prescription drugs to all Americans. This, however, is not the way to do it.

Mr. Speaker, the problems with this legislation can be divided into three main categories. First, safety; second, fairness; and, lastly, legal liability.

On the topic of safety, H.R. 2427 is certain to harm Americans in a number of ways. First is the issue of

verifiability. Today, on nearly every single East Asian street corner, an American traveler can pick up for only a few dollars what looks like at first inspection to be a Polo shirt that would retail in American stores for around $50. However, as anyone who has ever bought one of these shirts has learned, perhaps the hard way, after a few washings, these shirts fade, rip and generally fall apart. But I believe the consumer knew what the consumer was buying at the time that they bought it.

H.R. 2427 would open American consumers of prescription medicine up to this same kind of potential scam by allowing them to be ripped off by offering an inferior product that looks like the genuine article, but with life or death consequences not associated with purchasing illegal leisure wear. The difference here is that the consumer does not know what they are purchasing. The other can be verified and they know for sure.

I believe that the health and well-being of American drug consumers is all too important to allow them to be taken advantage of in this fashion by passing a law that would allow clever black market manufacturers with the capability to make superficially similar reproductions of prescription drugs and to pass them off as the real thing to unsuspecting American consumers.

Of course, the difference here is that when you buy that shirt on the street corner, you know that what you are buying is probably a fake and it will fall apart after a few washings, whereas our Nation's seniors and other prescription drug buyers will think that they are getting the real thing, a mistake that could have dangerous or even fatal consequences.

Another safety issue raised by this legislation is that it leaves us utterly defenseless if a health safety crisis caused by substandard or fake imported medicine is discovered. The bill would remove 16 important provisions in the U.S. law which currently protect American consumers from unsafe, counterfeit and substandard imported medicines.

For example, importation would be required under H.R. 2427 even if the Secretary of Health and Human Services believes it would pose ''an additional risk to the public health and safety.''

To demonstrate the full nature of this threat, an analogy can be drawn with yet another health crisis that happened recently. Earlier this year, when there were concerns about Mad Cow Disease in cattle from Canada that might make it its way into the United States, the Food and Drug Administration took immediate action to close the border to Canadian beef. Likewise, we need the same kind of protection for counterfeit prescription drugs that may be making their way across the border. Unfortunately, this legislation provides no protection.

The removal of these important safety provisions will lead to an influx of counterfeit and dangerous medicines into the United States. I believe that our public health and safety officials should have the right to close our borders to counterfeits and to importers who counterfeit prescription drugs. However, once again, H.R. 2427 would strip the ability of the Department of Health and Human Services to suspend reimportation of specific products or from specific importers, even if the agency discovers a pattern of counterfeits.

Existing law already allows for reimportation of prescription drugs when the health and safety of Americans can be ensured.

□ 1815

This bill would change that and allow importation even when health and safety could not be assured.

This legislation says that safety, in essence, does not matter. But I do say that safety matters, and it should matter whether we are talking about the beef we eat or the prescription drugs that we take.

Finally, this legislation poses a safety risk to consumers because it prevents consumers from being able to guarantee the source or effectiveness of their prescription drugs. In fact, in a letter to the gentleman from Louisiana (Mr. TAUZIN), chairman of the Committee on Energy and Commerce, the Commissioner of the Drug Administration, Dr. Mark McClellan stated that this legislation would ''create a wide channel for large volumes of unapproved drugs and other products to enter the United States that are potentially injurious to the public health and that pose a threat to the security of our Nation's drug supply.''

A real live example of this case is of an Internet-based counterfeit drug provider, TrustedCanadianPharmacy.com, that claims to be the most trusted pharmacy in Canada. The site is actually registered in Barbados which, I believe, is an island off Venezuela, not a Canadian province. The products from this site could be imported into America fraudulently, with consumers believing that they were getting reimported drugs through Canada. That is why the Canadian Government has ''never stated that it would be responsible for the safety and quality of prescription drugs exported into the United States, or any country, for that matter.''

The second set of problems created by this legislation relates to fairness, both to American consumers and to the developers of the new and innovative drugs of tomorrow. If Congress were to pass this legislation, America would be justified in importing the practices of those countries that coerce drug innovators into providing their life-saving products at below market rates. These other countries get these anti-competitive prices for medicine by blackmailing drug innovators with the threat of breaking their patent rights and illegally transferring their intellectual property to a domestic manufacturer if they refuse to concede in providing their drugs at an artificial, nonmarket rate.

As it currently stands, American prescription drug consumers already subsidize the anticompetitive practices of countries with socialized medical schemes, and I believe that is unfair. However, the answer to this problem is not to import the price controls and strong-armed tactics of the European Community. It is to address the issues through trade negotiations and the enforcement of legal mechanisms to protect American manufacturers' intellectual property.

By being unfair to the producers of these innovative medicines, H.R. 2427 also has shortcomings that consumers need from these medicines to live healthy, productive, and pain-free lives. Importing the socialist price controls of other nations will create a disincentive for drug companies to reinvest in new drug research and development, and could set back the search for cures for breast cancer, AIDS, and a number of other deadly diseases for decades by starving the private sector of these funds and the incentives that it needs to conduct this ongoing, time-consuming, and often unprofitable research. In fact, in a letter to House Speaker DENNIS HASTERT, the National AIDS Treatment Advocacy Project noted that ''It is foolhardy for Congress to double NIH research and then launch hasty reimportation schemes that will undermine the entire drug development process by opening the floodgates to counterfeits which will destroy the value of intellectual property.''

Finally, this legislation raises a number of complicated and troubling legal issues. For example, if a consumer who purchases a tampered or counterfeit medicine gets sick or simply does not get better because they are taking a counterfeit placebo, where do they turn for legal relief? Will they sue the drug manufacturer of the real drug who had nothing to do with the counterfeit product consumed? Will they sue the doctor who prescribed the medicine, thinking that their patient will be using the real or true product? Will they sue the pharmacy that reimported it? How about the hospital or medical complex where the doctor has that practice?

There is no telling how great the overall drain on these productive and helpful industries could be as a result of being in court with these tort claims arising from this faulty reimportation scheme, nor is there any indication of how much this inefficiency will increase the health care and insurance costs of every American.

Mr. Speaker, this legislation would create a congressionally mandated litigation disaster that has the potential to destroy the viability of health care and insurance in America.

I would like to close by listing just a few of the organizations who oppose

this bill: the American Medical Association, the United States Chamber of Commerce, the Hispanic Business Roundtable, the Leukemia and Lymphoma Society, the Society for Women's Health Research, the Seniors Coalition, 50 Plus, the National Alliance for the Mentally Ill, and the National Prostate Center Coalition. These are simply a few of the 200 organizations that have looked at this underlying legislation and wish to make their words known that they do not support the underlying legislation.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Texas for yielding me the 30 minutes, and I yield myself such time as I may consume.

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

Ms. SLAUGHTER. Mr. Speaker, after listening to my colleague, I can hardly believe that this is the same bill that passed the House twice. I had no idea that the Canadians were posing such a danger to us. That is really quite frightening. It strikes me, I think probably the danger is that the drug companies think that they may lose some research money; but since a great deal of it comes from the taxpayers of the United States, I do not know why they are so worried.

But anyway, Mr. Speaker, we are here again today with a rule that silences debate and deliberation. Late last night, along party lines, the Committee on Rules passed a closed rule for this bill. The closed rule prohibits anyone from offering amendments, including the gentlewoman from Missouri, who is, in large part, responsible for the consideration of this important legislation. The floor procedure muffles the voices of millions of Americans suffering under the outrageous cost of prescription drugs. And each side, for and against, deserves equal time and equal treatment.

Mr. Speaker, we are fortunate to live in an age when the wonders of science produces medicines that cure illness and improve the quality of life. Yet, the promise of the wonder drug is meaningless if you cannot buy them. The soaring costs of prescription drugs is a cancer on the body politic, threatening public health and our health care system. Prescription drug spending is the fastest growing component of health care spending. This spreading affliction harms everyone: seniors, working families with children, and small businesses that are doing everything they can to provide medical insurance for their employees.

A few years ago as a temporary Band-Aid, I organized a bus load of seniors to travel to Canada to purchase medications at a fraction of the cost charged in American markets. We had far more people interested than we could accommodate on our trip, but those who went saved anywhere from $100 to $650 on 3-month supplies of medication.

Right now, 10 million Americans are looking outside of the United States for affordable medicines. My constituents continue to write to me desperately looking for information on how to buy cheaper prescription drugs from Canada.

The U.S. market constitutes half of the worldwide revenue of pharmaceutical corporations. In 2001, for every dollar earned by the top 10 largest drug makers, 60 cents came from the U.S. market. U.S. consumers are routinely charged 20 to 80 percent more for prescription drugs than consumers in other industrialized nations.

If a woman from Niagara Falls fills a prescription at a pharmacy near her home, she could pay 67 percent more than she would if she crossed the Whirlpool Bridge and filled her prescription in Ontario. Tamoxifen is a highly effective, state-of-the-art medicine used in breast cancer therapy. An average prescription costs $340 in the United States, $340. In Canada, the same prescription is $40. Women in the United States should not have to pay 750 percent more for this lifesaving medicine.

People with diabetes and high cholesterol and arthritis and osteoporosis and other chronic illnesses should not be forced to buy needed prescription drugs at inflated prices just so that the pharmaceutical company executives can enjoy gargantuan profits. H.R. 2427 could reduce an average drug price by 35 percent and reduce drug spending by $635 million over 10 years.

The impact of these drug prices is particularly harsh on older Americans. Seniors disproportionately rely on prescriptions, and many have no drug coverage. It is estimated about one-third of the Medicare beneficiaries have no drug coverage at all, and others have partial coverage. Seniors are forced to pay most or all of their drug costs out-of-pocket.

Due to the ever-increasing costs, many older Americans go without filling prescriptions. Disturbingly, a study found that many seniors with serious health problems reported that they skip doses to make prescriptions last longer. According to a study released just today, African American Medicare beneficiaries age 65 and older are more than twice as likely as white beneficiaries to fail to fill prescriptions merely because of the cost.

The opponents of the legislation have put forth several arguments against drug reimportation. And, after hearing some of these arguments, I feel like I should call my friends and my colleagues across Lake Ontario and warn them about the grave danger posed by the prescriptions in their medicine cabinets.

But the fact is that drugs from Canada are safe. If the U.S. was faced with a medical crisis and a shortage of medicine to deal with it, I assure my colleagues we would not hesitate a second to import the drugs we needed from Canada to save our population.

Opponents claim that drug reimportation will result in a boom of counterfeit drugs. But the vast majority of counterfeit operations have been broken up here in the United States, not Canada, perhaps because the unaffordable cost of drugs in the U.S. creates a market for cheaper and sometimes counterfeit drugs.

Opponents are also saying that lower drug prices will impede research. The U.S. taxpayer already pays for much of the research through the National Institutes of Health, and the pharmaceutical industry remains by far the most profitable sector in the United States' economy. From 1994 to 1998, the after-tax profits averaged 17 percent, compared to 5 percent for all other industries. The high drug prices in the United States enabled pharmaceutical companies to spend more on marketing and administration than on research. And in the year 2000, the pharmaceutical industry spent more than $15 billion on marketing.

A few years, Schering-Plough spent more money marketing Claritin than Coca Cola spent advertising Coke, and more than Anheuser-Busch promoting Budweiser beer. The pharmaceutical companies have the funds necessary to continue research to discover the next breakthrough treatment, but consumers do not have the funds to buy the medicine at the inflated prices.

Some opponents of drug reimportation question the safety and efficacy of medicines brought into the United States. The underlying bill restricts the exporting countries to other industrial nations like Canada, Australia, New Zealand, and the countries of the European Union. And the United States imports guns, it imports explosives, it imports lethal chemicals and uranium and food and medical devices like pacemakers and heart valves. If we can safely and effectively import these, we can safely import prescription drugs.

The technology to ensure the safety and efficacy of imported medicines exists; we just need to use it. Even the Federal Government shops for pharmaceuticals in foreign markets. When the Federal Government needed additional doses of Anthrax vaccine after our domestic supplies had run out, where do you suppose the Pentagon bought the vaccine? From Canada.

Mr. Speaker, H.R. 2427 is an effective remedy for the crippling cost of prescription drugs and is an immediate treatment that benefits seniors, working families, and small businesses. In the end, the only loser is the inflated profits of the cash-rich pharmaceutical industry. We can and we must do better for the American people. We owe it to them to pass this legislation for the third time.

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

Mr. SESSIONS. Mr. Speaker, I yield 3 minutes to the gentlewoman from Girardeau, Missouri (Mrs. EMERSON).

□ 1830

Mrs. EMERSON. Mr. Speaker, I want to take this opportunity to thank my colleagues and thank the Speaker of the House for allowing us to have debate on this very, very critical issue.

Mr. Speaker, Americans will spend $1.8 trillion on prescription drugs over the next 10 years according to the CBO, and over the same period a policy of pharmaceutical market access will save them $630 billion. Americans pay higher prices for prescription drugs than any other nation in the world. Our tax dollars heavily subsidize research and development. But prices for the same pills right across the border, Mr. Speaker, are a fraction of those here at home. Pharmaceutical market access means a great deal on the bottom line of the drug companies. But it means much more to the bottom line of America's senior citizens.

Because of the enormous costs of prescription drugs, some of America's senior citizens are forced to cut their pills in half, some must alternate months of taking their medication, and even more must choose between food and medicine, people like my mother-in-law who live on fixed incomes, but she is lucky because she has me and our family to help her. But what about the others, Mr. Speaker, what about the seniors living in my district in Missouri, the ninth poorest district in the United States of America, who do they have to help them?

The answer, well, the answer is right here in this room. They are counting on us today, my colleagues. We can end the bus trips to Canada. We can stop the pill cutting. We can alleviate the budget-busting burdens on American seniors. We can do it, and we can do it safely. The only question is, will we?

I was raised, Mr. Speaker, to put people before politics. As a Member of this House, I have a mandate from my constituents. I was not sent here by drug companies, and I will not stand by and see American seniors take a back seat to the pharmaceutical industry.

In this place, Mr. Speaker, our credibility is our currency, and our credibility is on the line tonight.

Ms. SLAUGHTER. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I thank the gentlewoman for yielding me time.

Mr. Speaker, first it is important to acknowledge what everybody knows. We are not here on the House floor today because the Republican leadership has seen the light on the high cost of prescription drugs, and we are not here discussing drug reimportation because the Republican leadership suddenly thinks it is a good idea. We are here because during the vote on Medicare a few Members of the majority stood up and stood their ground and demanded a vote on it.

Now, it has been widely reported, Mr. Speaker, that during the discussions that led to today's debate, the Republican leadership promised that they would not lobby against the reimportation bill. That lasted about 5 minutes. They have even bragged about their reference in the press. As the majority leader said the other day, ''We are trying as hard as we can to defeat it.''

Now, apparently, the Republican leadership, and the majority leader in particular, has gotten bored with breaking the promises they made to seniors and to students and to middle-income workers and to Democrats and Independents, and now they are breaking their promises to their own Members. I hope that they fail in their attempts to defeat this bill, because our seniors, gouged by the high cost of prescription drugs, are looking for affordable alternatives. They are our mothers and our fathers and our grandmothers and our grandfathers and our neighbors. Too many of them living on a fixed income simply cannot afford to pay thousands of dollars for their medicines. Something must be done. And while I believe the only long-term answer is a true prescription drug benefit under Medicare, a benefit that allows the Secretary of HHS to negotiate for lower prices for prescription drugs, the Gutknecht bill is a good step.

There has been a lot of rhetoric about safety. Let us set the record straight. First, prescription drugs will not be reimported from Mexico or other developing countries. Instead, under the Gutknecht bill, Americans can buy FDA-approved drugs produced at FDA-approved facilities in other industrialized nations.

Second, the same technology used by the U.S. Treasury Department to prevent illegal counterfeiting of American currency is being used by the drug industry in Europe to prevent illegal counterfeiting of prescription drugs. It is clear to me that the real motivation behind the massive lobbying campaign we have seen is not safety. The motivation is money. The pharmaceutical companies do not want anything to affect their profits.

What they do not tell you is that the prices set by these companies are artificially high, 30 to 300 percent more than in other countries with the same medicine.

Now, I am not against businesses succeeding, and I am not against companies doing well; but those profits should not be made unfairly, on the backs of our most vulnerable senior citizens.

Thousands of my constituents, desperate for affordable medicine, are way ahead of our Congress on this issue. Several times a year they travel by bus to Canada to get the drugs they need at low costs they can afford.

Mr. Speaker, I am disappointed that this rule only allows for 1 hour of debate. But then again, this is an important issue. And this body, thanks to the Republican majority and the Committee on Rules, has become a place where we debate trivial issues passionately and important issues hardly at all.

I urge my colleagues to vote for the Gutknecht bill.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Surf Side, Texas (Mr. PAUL).

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

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

Mr. Speaker, I rise in support of the rule, but I also strongly support the bill itself, H.R. 2427. And I would like to advise other Members here that I approach all legislation the same way. I look at it through two prisms. One, I look to see if it promotes freedom, and the other I look to see if it conforms to the Constitution.

Every piece of legislation I look at it in this manner. Now, the sad part is I do not get to vote for many bills. They come up short on quite a few occasions. So I want to thank the gentleman from Minnesota (Mr. GUTKNECHT) and the gentlewoman from Missouri (Mrs. EMERSON) for giving us a bill tonight that I can vote for enthusiastically. I finally found one, and I thank them very much.

But in looking at the particular bill, one of the specific reasons why I oppose it, is I came to Congress opposing all welfare. Some people oppose welfare for the poor, but they support welfare for the rich. Others support welfare for the rich, but not for the poor; and some people support both kinds of welfare. I do not support any kind of welfare. This bill is needed to stop the indirect welfare through regulation for the rich and the pharmaceutical corporations. This is corporate welfare. That is one of the strong reasons why I am opposed to that.

I also believe in freedom of choice. People have the right to make their own choices. We do not need to promote the nanny state. People are wise enough and cautious enough to make their own choices. Today we had two votes on free trade legislation. They were promoting international trade agreements, but done in the name of free trade. Why do we have free trade legislation, so-called? To lower tariffs, to lower prices to the consumer. But those very same people who worked so hard on free trade legislation are saying now we cannot allow the American people the option of buying drugs from other countries and saving money.

I urge all my colleagues to support H.R. 2427.

Mr. Speaker, I am pleased to be an original cosponsor of H.R. 2427, the Pharmaceutical Market Access Act, because I believe it is an important bill that will benefit all Americans. As my colleagues are aware, many Americans are concerned about the high cost of prescription drugs. These high prices particularly affect senior citizens who have a greater than average need for prescription drugs and a lower than average income. Of course, some of these seniors may soon have at least part of their prescription drug costs covered by Medicare.

However, the fact that Medicare, that is already on shaky financial ground, will soon be

subsidizing prescription drug costs makes it more important than ever that Congress address the issue of prescription drug costs. Of course, Congress's actions should respect our constitutional limits and not further expand the role of government in the health care market.

Fortunately, there are a number of market-oriented policies Congress can adopt to lower the prices of prescription drugs. This is because the main reason prescription drug prices are high is government policies, that give a few powerful companies monopoly power. For example, policies restricting the importation of quality pharmaceuticals enable pharmaceutical companies to charge above-market prices for their products. Therefore, all members of Congress who are serious about lowering prescription drug prices should support H.R. 2427.

Opponents of this bill have waged a hysterical campaign to convince members that this amendment will result in consumers purchasing unsafe products. Acceptance of this argument not only requires ignoring H.R. 2427's numerous provisions ensuring the safety of imported drugs, it also requires assuming that consumers will buy cheap pharmaceuticals without taking any efforts to ensure that they are buying quality products. The experience of my constituents who are currently traveling to foreign countries to purchase prescription drugs shows that consumers are quite capable of purchasing safe products without interference from Big ''Mother.''

Furthermore, if the supporters of the status quo were truly concerned about promoting health, instead of protecting the special privileges of powerful companies, they would be more concerned with reforming the current policies that endanger health by artificially raising the cost of prescription drugs. Oftentimes, lower income Americans will take less of a prescription medicine than necessary to save money. Some even forgo other necessities, including food, in order to afford their medications. By reducing the prices of pharmaceuticals, H.R. 2427 will help ensure that no child has to take less than the recommended dosage of a prescription medicine and that no American has to choose between medication and food.

Other opponents of this bill have charged that creating a free market in pharmaceuticals will impose Canadian style price controls on prescription drugs. This is nonsense. Nothing in H.R. 2427 gives the government any additional power to determine pharmaceutical prices. H.R. 2427 simply lowers trade barriers, thus taking a step toward ensuring that Americans pay a true market price for prescription drugs. This market price will likely be lower than the current price because current government policies raise the price of prescription drugs above what it would be in the market.

Today, Americans enjoy access to many imported goods which are subject to price controls, and even receive government subsidies, in their countries of origin. Interestingly, some people support liberalized trade with Communist China, which is hardly a free economy, while opposing H.R. 2427! American policy has always been based on the principle that our economy is strengthened by free trade even when our trading partners engage in such market distorting policies as price controls and industrial subsidies. There is no good reason why pharmaceuticals should be an exception to the rule.

Finally, Mr. Speaker, I wish to express my disappointment with the numerous D.C.-based ''free-market'' organizations that are opposing this bill. Anyone following this debate could be excused for thinking they have entered into a Twilight Zone episode where ''libertarian'' policy wonks argue that the Federal Government must protect citizens from purchasing the pharmaceuticals of their choice, endorse protectionism, and argue that the Federal Government has a moral duty to fashion policies designed to protect the pharmaceutical companies' profit margins. I do not wish to speculate on the motivation behind this deviation from free-market principles among groups that normally uphold the principles of liberty. However, I do hope the vehemence with which these organizations are attacking this bill is motivated by sincere, if misguided, principle, and not by the large donations these organizations have received from the pharmaceutical industry. If the latter is the case, then these groups have discredited themselves by suggesting that their free-market principles can be compromised when it serves the interests of their corporate donors.

In conclusion, Mr. Speaker, I once again urge my colleagues to show that they are serious about lowering the prices of prescription drugs and that they trust the people to do what is in their best interests by supporting H.R. 2427, the Pharmaceutical Market Access Act.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, if you are defending the indefensible, that U.S.-manufactured, FDA-approved drugs are available at half the price or less in Canada, well, then change the subject. Say it is about safety. PhRMA has spent tens of millions of dollars advertising how it is about safety.

Which capsule has been tampered with? Well, actually the answer in Canada is neither. Not a single one has been found in the last decade in Canada of a USA-manufactured, FDA-approved drug that has been tampered with. However, what is really at risk here and the real danger is the danger to their profits.

Look at the difference in price. Which one of these capsules is the one that is 50 percent cheaper? Guess what? They are identical, but this capsule took a short vacation to Canada and the price dropped in half.

That is what we are defending against here on the floor. This is not about safety. You want to talk about safety for my seniors. I am a gerontologist, and I have sat with seniors who cried because they could not afford the prescription drugs they needed, couples who decided which one would get the prescription month in month out. Go talk to your pharmacist. Go talk to your seniors. Ask them how they divide the drugs and the dosages in half, not to save money but because they cannot afford to take a full dosage. That is what is killing seniors. It is killing them today.

Now you want to create this mythical threat of adulteration. So the manufacturers, the drug manufacturers, the most wealthy, profitable industry on Earth cannot afford to invest in tamper-proof packaging?

I guess it is beyond their capabilities. Come on. Let us get real. Let us talk about what it is really about. It is about profit. The profit center for the drug industry is in the United States because other countries have negotiated the price down on behalf of their citizens, and we were getting gouged to pay for it.

The research is not going to go away. That is the last thing that is going to go away. They only make money on the patented drugs. They will maybe cut the CEOs salaries and maybe the $6 billion a year in direct advertising before they cut the research. We will still get the research. We will get the new drugs, and we will have healthier seniors if we pass this legislation.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania (Mr. TOOMEY), one of the brightest young Members of Congress that we have.

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

Let me start by saying, I do not mind when pharmaceutical companies make profits. In fact, I want them to make profits because it is evidence that they are providing a product that people value and people need. I am also one of the most vehemently opposed, amongst all Members of Congress, there is nobody more vehemently opposed to price controls than me. And I have nothing but criticism for countries overseas that fix their prices and intentionally set artificially low prices on drugs or anything else for that matter.

The main reason that I support this rule and I support this bill is because this is the only way I can think of that we can begin the process of tearing down the artificial prices around the rest of the world that are forcing Americans to subsidize drug consumption all over the world. This is what we need to do in order to get to more normal market prices everywhere in the world.

If we pass this legislation and American consumers start to go to other countries and buy drugs at those artificially low levels, pharmaceutical companies will have no choice but to confront those countries and threaten to either withdraw from those countries entirely or have those governments raise their prices to normal market levels. That is what they will do.

Now, if a foreign country refuses the deal and says, go ahead and leave and we will make a knock-off product ourselves, then we have to use every vehicle available to us to enforce the intellectual property rights that are inherent in our patents laws and prevent them from going in every multilateral and bilateral forum that we have. That is an obligation that we have.

Now, I wish I could wave a wand and make these price controls go away so that everyone in the world is paying their fair share of the cost of prescription drugs, but I cannot do that. And as

the world-famous and brilliant economist Art Laffer said, and he supports this bill, by the way, he made the point that trade barriers have never made a problem better.

Well, that is the case here today as well. The status quo is unacceptable. We need to take whatever measures we can to start to dismantle this very artificial construction of prices that are extremely unfair and unequal all around the world. I think this bill is the best chance to do that. I urge my colleagues to support the rule and support the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Speaker, I thank the gentlewoman from New York (Ms. SLAUGHTER) for yielding me time.

Mr. Speaker, in 11 years here I have never seen anything like this. The drug industry and its allies have spent the past few weeks unloading a lobbying blitzkrieg on Members of Congress. They have run disingenuous ads likening America's closest allies to rogue states. They have targeted individual House Members, accusing them of putting their constituents' lives at risk. They have manufactured claims that importation would encourage abortion.

These are the actions of a lobby that knows it loses on the merits and desperately wants to change the subject.

Nothing new here.

For years the drug industry has been spending a lot of time and a lot of money trying to change the subject. During the past decade, the drug industry spent a half billion dollars to tell public officials and the American people what they should believe and how they should think. They have spent $100 million to assist President Bush and the Republican leaders in this House.

These are the actions of a lobby that wants desperately to talk about anything but its unsupportable and unjustifiable prices.

If this were a sincere, serious debate about the public's interest in securing safe, affordable medicine, opponents of this bill would not just be complaining about safety, they would be suggesting ways to help importation address their concerns. In an honest debate, Mr. Speaker, opponents would not just be lambasting importation; they would be suggesting alternative strategies for bringing prices down. They have done none of that with their heavy-handed lobbying.

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It is not about protecting consumers. It is about protecting the drug industry. It is just the latest tool in a drug industry lobbying effort that knows no bounds.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Nebraska (Mr. BEREUTER).

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

Mr. BEREUTER. Mr. Speaker, many people will talk about the substance of the bill. I want to talk about what is really at stake here tonight and what is really at stake is the integrity of the legislative process.

The gentleman from Ohio just talked about the spending program that has gone on here by the pharmaceutical industry. We are all knee-deep in Washington, D.C., with money being spent on this issue. Extraordinary numbers of groups have been brought to bear on this issue, massive spending, nothing like it that I have ever seen since I have been here.

When I went to my town hall meetings, I saw my name, my picture, informing me by the Senior Coalition exactly why counterfeit drugs were so potentially lethal and such a big loss to the protection of consumers. It was funded by the Senior Coalition. Ask AARP how much money from the pharmaceutical industry comes to the Senior Coalition.

What is at stake here, I would say, is whether or not this is the people's House, whether or not we have integrity in this House to do what is right for our constituents.

Four of my colleagues actually have a Dear Colleague out which says, ''The Canadian-European socialistic price controls already dictate drug prices in the United States because drug-makers and policy-makers are willing to pander to price control systems overseas. We enable protectionism and fixed high prices at home,'' and that is exactly right. What we have is massive cost-shifting on drug costs in this world, and it is all coming on the back of the American consumer. Every developed country on Earth has price controls. We do not.

Of course, research and development is important, but it is being paid for primarily by American consumers, and its costs ought to be spread across the world to at least a reasonable degree.

I think it will be interesting to compare what the pharmaceutical industry spends on advertising and what it spends on inducing health professionals to prescribe their particular drugs. Compare that with what they are spending on R&D, it would be very interesting for constituents to see that.

My constituents understand what is happening there. I think we need to protect the integrity of the House. Vote for the Gutknecht bill. It is the best thing we have, and we ought to proceed with it.

Mr. Speaker, as an original cosponsor, this Member wishes to add his strong support for the Pharmaceutical Market Access Act of 2003 (H.R. 2427). This legislation would provide American consumers with access to markets where they can obtain more affordable prescription drugs.

This Member would like to commend the distinguished gentleman from Minnesota (Mr. GUTKNECHT) for sponsoring H.R. 2427 and for his personal interest in providing Americans with access to world class drugs at world market prices. This Member would also like to commend the gentlewoman from Missouri (Mrs. EMERSON) for her persistence on this issue and her work to ensure that this measure was debated on the House Floor.

Mr. Speaker, this Member recognizes that American consumers pay the highest prices in the world for prescription drugs. Canadian and European senior citizens frequently pay half or less of the amount U.S. seniors pay for the same drugs. The same drugs are often even less expensive in Mexico. This anomaly has led some Americans to travel outside of the U.S., particularly to Canada, to purchase prescription drugs.

This Member has concluded that drug companies charge Americans what they believe the market will bear and that high pricing probably is abetted by the fact that effectively under current law, only the drug companies themselves can import or reimport prescription drugs into the U.S. In fact, all or nearly all developed countries have imposed price controls on drugs. Thus, there is huge international cost-shifting; pharmaceutical companies are charging what the market will bear in America. American consumers are being forced to subsidize the dramatically lower prices paid by consumers elsewhere.

Mr. Speaker, the Pharmaceutical Market Access Act provides a solution to this problem. This legislation would provide individuals, pharmacists, and wholesalers in America with access to FDA-approved drugs from FDA-approved facilities in industrialized nations abroad. Those countries are limited to: the European Union, Australia, Canada, Iceland, Israel, Japan, Lichtenstein, New Zealand, Norway, Switzerland, and South Africa.

The pharmaceutical industry has spent millions of dollars trying to defeat the concept of market access. The industry claims that H.R. 2427 would undermine the safety of the U.S. drug supply and place American consumers at risk. This is simply hogwash! There have been no reported deaths from Americans taking imported pharmaceuticals.

Mr. Speaker, if prescription drugs are not affordable, they are not accessible. American consumers cannot afford to continue to pay excessive prices for prescription drugs so that Canadians, Europeans, and individuals of other countries can pay significantly lower prices for their pharmaceuticals. American citizens should not continue to be held captive from the global marketplace.

In closing, this member urges his colleagues to support H.R. 2427.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Mr. Speaker, I thank the gentlewoman for yielding me the time.

Mr. Speaker, as the first Member of the Congress to take constituents across the Canadian border in order to purchase safe and affordable medicine, I have been involved in the issue of reimportation for many years; and the reason for that is, I will never forget the look on the faces of Vermont women who went with me across the border, who were struggling with breast cancer, and they were able to purchase in Canada Tamoxifen, the widely prescribed breast cancer drug, for one-tenth the price that they were paying in the United States, women

fighting for their lives, same product, same company, one-tenth the price.

Mr. Speaker, let us be clear about what this debate is all about. Those of us who are sick and tired of seeing Americans being forced to pay by far the highest prices in the world for prescription drugs are taking on the most powerful lobby in the country. In the last several years, they have spent hundreds of millions of dollars to keep their profits the highest of any industry and to make Americans pay the highest prices in the world. If people are on Capitol Hill today, they will see a swarm of hundreds of paid lobbyists trying to defeat this legislation.

Mr. Speaker, let us be clear that the pharmaceutical industry lies and lies and lies again. Whether it is telling Americans that this issue has something to do with abortion, it is a lie. Whether it is telling advocates for low-income people that a two-tier prescription drug system will be set up, it is a lie, and the safety issue is a lie. They are going to bring out their charts of rat-infested laboratories where medicine is made. It is a lie.

Today, Mr. Speaker, we eat food, pork bellies and beef that come from Canada, vegetables that come from Latin America, food products that come from China. We can safely import FDA-safety-approved products, and that is what we have got to do.

Mr. SESSIONS. Mr. Speaker, I yield 1 minute to the gentlewoman from Kentucky (Mrs. NORTHUP).

Mrs. NORTHUP. Mr. Speaker, there is not one Member of Congress who would ever jeopardize the safety of their constituents. We all agree, no matter what the costs of prescription drugs are, safety is the first, most important thing, but the wildly exaggerated claims that this bill would jeopardize safety is typical of the type of rhetoric we have heard from pharmaceutical companies.

The truth is, the Americans know the truth. Over one million Americans get their drugs right now from Canada and places around the world. They reimport. We see articles like the one on the front page of my paper that talks about how to get drugs from the Internet or from overseas, and the truth is, we know that our friends, our families, none of them have been harmed by this.

Why is that? Because developed countries around the world share all the same production facilities, all the same license distribution facilities, all the same licensed pharmacies so that our drugs are as safe as any in the other developed countries.

This may be the wrong rule. It is the toughest bill. It is the latest hour, but I have faith that Congress will do the right thing and pass this rule and this bill tonight.

Ms. SLAUGHTER. Mr. Speaker, may I inquire how much time is remaining on both sides?

The SPEAKER pro tempore (Mr. OSE). The gentlewoman from New York (Ms. SLAUGHTER) has 13 minutes remaining. The gentleman from Texas (Mr. SESSIONS) has 7½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, I am from New Jersey, and a lot of the pharmaceutical companies are based in my District. But I have to tell my colleagues, when I talk to my constituents, when I have my town meetings, do my colleagues know what they say to me? They say, Congressman PALLONE, we know the drug companies are never going to let the Republicans pass a decent prescription drug benefit. The only hope for us is if you pass this drug reimportation bill because that is the only way we are going to get low-priced drugs now at this time.

They do not believe any of the stories about the problems with safety. Many of them are already getting their drugs from Canada, and they know exactly what the previous speaker said on the Republican side, which is these are FDA-approved facilities, these are FDA-approved drugs. We are already importing them in some fashion to the tune of about $15 million a year from overseas. So there is no reason in the world why we cannot pass this bill.

Do not believe anybody when they talk about the safety. That is something that the pharmaceutical industry is telling my colleagues and sending over the airwaves in the same way that they are opposed to a decent prescription drug benefit. And they are opposed to any mechanism that would bring down the price. It is just a price. It is nothing more. Pass this bill and give the people a chance.

Mr. SESSIONS. Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota (Mr. GUTKNECHT), who is the author of this legislation.

Mr. GUTKNECHT. Mr. Speaker, I thank the gentleman for yielding me the time, and I rise in reluctant support of this bill.

This is the people's House. This is an historic night. Tonight we will decide whether we represent the people or whether we represent the big pharmaceutical companies. This is an important vote, and I am proud of the discussion we have heard here tonight. It is Republicans, it is Democrats, it is Independents.

This is not an issue of right versus left. This is an issue of right versus wrong, and we have an opportunity tonight to right that wrong, and the wrong is all around us and we see it.

Look at the numbers. I am just a guy with a chart. I do not have a big PAC. I do not have 600 lobbyists, but I have got charts and I have got facts, and John Adams said it best, Facts are stubborn things, and look at the facts.

Look what Americans pay for these drugs. Look what my father has to pay for coumadin in the United States, almost $90. The same drug can be bought in Germany for $21. Look at glucophage, $5 in Germany, $29.95 here in the United States.

The worst one is this one, Tamoxifen. This is a lifesaver for women with breast cancer. It sells in the United States for $360. This same drug made in the same plant under the same FDA approval sells in Germany for $60. That is unacceptable, and those who defend the system by saying safety, let them explain how it is that this industrialized Nation can import hundreds of thousands of tons of food every week. We import 40 percent of our orange juice. We will import 318,000 tons of plantains, but somehow we cannot import prescription drugs.

My bill makes it even safer because we require tamper-proof, counterfeit-proof packaging. Frankly, we should not even have to require that. If I ran a pharmaceutical company, we would put that out there right now. Do my colleagues know how much this package will cost in an additional cost to pharmaceuticals? Less than a nickel to make certain that our drug system is even safer.

I support this rule. I support this debate. We ought to pass this bill tonight by an overwhelming majority.

I thank my colleagues and may God bless America.

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Maine (Mr. ALLEN).

Mr. ALLEN. Mr. Speaker, I thank the gentlewoman for yielding me the time.

I congratulate the gentleman from Minnesota (Mr. GUTKNECHT) and the gentlewoman from Missouri (Mrs. EMERSON) and so many on the Democratic side who have worked so hard on this issue.

Seniors in Maine have come to rely on Canada to get their low-cost medicines, and this reimportation bill will make it easier for Americans to take advantage of lower prices that other Nations negotiate on behalf of their citizens.

We really should, of course, fix the problem here with a true Medicare prescription drug benefit and giving the Secretary of Health and Human Services the power to negotiate lower prices. I would remind my colleagues that the Medicare prescription drug bills that we have passed in both the House and the Senate actually prohibit the Secretary from negotiating lower prices.

The cold, hard truth is that PhRMA, the pharmaceutical industry, has had a stranglehold on this Congress, 675 registered lobbyists in this town, $150 million for a lobbying budget this year. This is a concentration of economic and political power that undermines our democratic traditions. Until we break that power, seniors will continue to pay the highest prices in the world.

We have an historic opportunity today to give seniors a chance to escape from the anxiety and the frustration that they face every day due to the high cost of their prescription

drugs. We can give them hope and we can make this once again not PhRMA's House, but the people's House.

Support this rule, support this legislation.

Mr. SESSIONS. Mr. Speaker, I would like to let the minority know that I have two additional speakers, but I would like for them to feel free to run down their time and then just before the gentlewoman from New York closes, we will have one speaker for 1 minute and then we will close; and if we could proceed under that agreement.

Ms. SLAUGHTER. That is fine, Mr. Speaker. We would be happy to do that.

Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. WYNN).

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

Mr. WYNN. Mr. Speaker, seniors in America are crying out for help. Heart patients in need of blood thinner, coumadin, are having to pay $64 in America but only $24 if they can get it from Canada. Diabetics have to pay $124 in America but only pay $26 if they could get it from Canada. We ought to give them some help and cut out the lip service.

The arguments we hear from opponents is always safety-safety-safety. That is absolutely false. It is the worst kind of scare tactic. There is overwhelming consensus reflected in editorials in the Washington Post, the New York Times, there are no safety concerns.

My colleagues have stood before us and talked about antitampering, anticounterfeiting technology. We have the methodology to prevent the safety concerns, the safety problems that are being discussed.

What we need this evening is the will to do the right thing to really help seniors. We hear a lot about what we want to do, what we ought to do, what we could do. It is time to quit talking. It is time to do. We need to pass this bill.

Let me say this in conclusion: Whenever we see Democrats and Republicans walking down the aisle hand and in hand, it is something called bipartisanship. It also means we have got a good bill.

Let us pass the Gutknecht bill.

□ 1900

Ms. SLAUGHTER. Mr. Speaker, I yield 1½ minutes to the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Speaker, we have before us a bad rule on a bad bill. This is a bill which is going to come up simply because somebody wanted a vote, and it is also a bill which is going to put our senior citizens and everybody else at risk.

Some of my colleagues think that prices are going to be lower. They are not. What in fact is going to happen is that the country is going to be flooded with unsafe pharmaceuticals, counterfeits, over-aged pharmaceuticals, pharmaceuticals that do not preserve and protect the safety of our senior citizens. That is what the House is doing. There were no hearings, there was no opportunity for the committee to consider this legislation; and as a result, we are at risk of passing legislation that is liable to hurt our senior citizens and other Americans.

Let me tell my colleagues what the AMA says. These are doctors: ''We believe that H.R. 2427 would be so dangerous to patients' safety that we must oppose it. This legislation would eliminate most of the important safety restrictions on reimportation to pharmaceuticals in current law and replace them with a system of unverifiable and unsafe provisions.''

The American Osteopathic Association says, ''H.R. 2427, while increasing the possible number of drugs reimported into the United States, does nothing to ensure the safety and efficiency of these drugs. There is no bargain to be found for our patients who purchase drugs that are ineffective or contaminated.''

The Food and Drug Administration says this: ''H.R. 2427 would authorize the importation of prescription drugs from foreign sources without adequate assurance that such products are safe and effective. H.R. 2427 creates a wide channel of large volumes of unapproved drugs and other products to enter the United States that are potentially injurious to the public health and pose a threat to the security of our Nation's drug supply.''

That is what my colleagues are doing here today. They are not making cheaper drugs available; they are putting our citizens at risk.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ).

Mr. MENENDEZ. Mr. Speaker, I thank the gentlewoman for yielding me this time, and I rise in strong opposition to this restrictive rule and to the bill.

I can respect and agree with the intentions of the bill's sponsors in wanting our seniors to have access to more life-saving, life-enhancing prescription drugs; but this bill could actually endanger the health and safety of millions of seniors. And I think the worst tactic, and I have heard what some of the worst tactics supposedly are, is to suggest that there are no safety issues here whatsoever. Under this legislation, the Food and Drug Administration would no longer be able to adequately ensure the safety of our Nation's drug supply because of the dramatic influx of foreign pharmaceuticals flooding our market from countries with drug regulatory policies inferior to ours.

This bill would authorize the importation of prescription drugs not from Canada but 25 different countries, including some which have rampant drug counterfeit problems and substandard drug safety enforcement measures. By creating an expansive inlet for counterfeit drugs and other second-rate pharmaceuticals to enter our borders, this bill poses a clear and considerable threat to the security and safety of our Nation's drug supply.

Now, the reason we will have so many Republicans come down here and argue in favor of this bill is because they want seniors to be diverted from the real issue. Instead of debating this bill, we should be considering the real issue of providing a guaranteed universal Medicare drug benefit for our seniors so that they have access to affordable and safe medicine.

Mr. Speaker, bring a real Medicare drug benefit to this floor where prices will be forced down because of the purchasing power of 40 million seniors so that they will not have to worry about the affordability or the safety of their medications. That is why this bill should be opposed. That is why we should get to a real prescription drug benefit under Medicare, universally guaranteed. And that is why many, including the Secretary of Health and Human Services, say that this bill should be defeated.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, this is about safety, who will safely protect the profits of the drug companies. The pharmaceutical industry wants to maintain the world's highest prices in America by telling consumers imported pharmaceuticals are unsafe, even though the drug companies import drugs as a normal business practice. They sold $15 billion in imported drugs in 2001. They save money buying from overseas. They do not want the captive customers in America to save money.

The Gutknecht bill is the pill which will cure the drug companies of their greed. It will also signal a moment in this House when the power of government of the people, by the people, and for the people rises to its glory.

Ms. SLAUGHTER. Mr. Speaker, may I inquire of the time, please.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman from New York has 5 minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. People from around the world, Mr. Speaker, come to America for first-class medical care, but Americans need to travel around the world for affordable medications. Between 2000 and 2003, seniors' expenditures on prescription drugs increased by 44 percent.

The legislation we are debating today is about inserting competition into drug pricing to ensure that Americans no longer have to pay a 25 to 40 percent premium over the prices paid in other countries. For too long, price gouging of our seniors has gone on, subsidizing the discounts the French, Germans, and Italians enjoy.

We are about to embark on the largest expansion of an entitlement in over 40 years, spending $400 billion of taxpayer money. We owe it to our taxpayers to ensure that they are getting the best price, not the most expensive price.

And to the issue of safety, I would like to address two points. One, I spoke to Donna Shalala, the former Secretary of HHS, on Friday. She never said that you could not do this. She said you could ensure the safety if you put the resources behind the FDA. And a lot of folks wants to build a mythology around what she said.

Second, in 2001, we imported $14.8 billion of medications. Lipitor is manufactured in Ireland, and it is on the shelves here in the United States. So to those who spout this myth about safety, we better take Lipitor off the shelves.

Let me also say one thing. When people say something is not about money, well, it is about money. I understand how this system works. There is a pharmaceutical lobbyist and a half for every Member of Congress. They have spent $100 million in contributions, entertainment, and lobbying expenses all focused on this body. Meanwhile, our seniors are being overcharged by approximately $100 billion.

The question before us tonight is, are we going to put more priority on the $100 million focused on us or the $100 billion our constituents are overcharged?

Now, I know we all came here for a set of values and a set of ideas. We ran on those values and those ideas. Whether we believe in competition, protecting taxpayers, or affordable prices for our seniors, let us ensure tonight that the people we represent have a voice, not the special interests.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

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

Mr. TIERNEY. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

Mr. Speaker, this issue of safety is nothing more than a red herring, and to the American people it is another example of big corporate interest and big government joining together against the interest of the American people.

Tonight we are going to learn who here in this body represents PhRMA and who here represent the interests of the American people. We will find out who here refuse to be swayed by the prescription drug companies who have tried everything, from 650 lobbyists to millions of dollars in campaign contributions, to false and misleading advertisements, to company letters threatening they will do no more research, and to threats to their employees that they have to write us letters because they are afraid they will lose their jobs.

Greed, fear, lies, and ignorance are their weapons and their tools. But tonight we are going to find out that those supporting this bill can defeat it with the truth, with the facts, with common sense, and with an abiding commitment to serving those people who sent them here to represent them and an abiding commitment to fulfill their responsibilities to this institution.

This is about hope. This is about renewal. This is about hope that the American people can finally overcome a large corporate interest and an overwhelming government that too often does not listen to them. And this is about the renewal of this institution, of people standing up for the integrity of this institution and for the American voice.

Mr. SESSIONS. Mr. Speaker, I yield 1 minute to the gentleman from Morristown, New Jersey (Mr. FRELINGHUYSEN).

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

Mr. FRELINGHUYSEN. Mr. Speaker, I rise to associate myself with the remarks of the dean of the House, the gentleman from Michigan (Mr. DINGELL), and rise in strong opposition to the Gutknecht bill, which would basically legalize the dangerous practice of reimportation of undocumented medicines from foreign countries into the United States. The American people, especially senior citizens, need to know that this provision could threaten their health and safety.

Earlier this month, the Committee on Energy and Commerce released a bipartisan report on the safety and efficacy of drugs imported into the United States. This report should be a must-read for all Members of this House as it raises serious questions about reimportation, and describes ''a system overwhelmed with an avalanche of imported counterfeit unapproved drugs into the United States.'' Yet tonight, the House is giving serious consideration to a bill that would allow American pharmacists and wholesalers to import prescription drugs from Canada and other foreign countries and resell them for a lower price here in the United States with absolutely no regulation.

There is no doubt that Congress must and will act to help older Americans cover the cost of expensive prescription medicines, but this amendment is not the right prescription.

Mr. SESSIONS. Mr. Speaker, I would like to inquire and confirm that I have 4½ minutes remaining.

The SPEAKER pro tempore. That is correct.

Mr. SESSIONS. Mr. Speaker, I have one other speaker for about 4 minutes, and then I will consume the last 30 seconds. So I will let the gentlewoman decide if she would like to finish and then we will close.

MOTION TO ADJOURN.

Ms. SLAUGHTER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from New York (Ms. SLAUGHTER).

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

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 41, nays 370, answered ''present'' 1, not voting 22, as follows:

[Roll No. 438]

YEAS—41

Berry
Brown, Corrine
Capuano
Carson (IN)
Clay
Clyburn
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Emanuel
Evans
Farr
Filner
Grijalva
Hastings (FL)
Jones (OH)
Kanjorski
Larson (CT)
McGovern
McIntyre
McNulty
Miller (NC)
Miller, George
Murtha
Olver
Pallone
Pelosi
Radanovich
Rangel
Sanchez, Loretta
Sandlin
Schakowsky
Taylor (MS)
Thompson (CA)
Thompson (MS)
Towns
Velazquez
Waters
Woolsey

NAYS—370

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burton (IN)
Buyer
Calvert
Camp
Cantor
Capito
Capps
Cardin
Cardoza
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emerson
Engel
English
Etheridge
Everett
Fattah
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Ford
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hobson
Hoeffel

Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McHugh
McInnis
McKeon
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Oberstar
Obey
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Paul
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Rahall
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sabo
Sanchez, Linda T.
Sanders
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Spratt
Stark
Stearns
Stenholm
Strickland
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

Reyes

NOT VOTING—22

Baird
Bishop (UT)
Burr
Cannon
Conyers
Eshoo
Fossella
Gephardt
Hinojosa
Houghton
John
Johnson, E. B.
Kingston
Lowey
Nussle
Pastor
Pomeroy
Price (NC)
Ryun (KS)
Souder
Sullivan
Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1931

Ms. LOFGREN, Mr. MEEHAN, and Mr. MORAN of Kansas changed their vote from ''yea'' to ''nay.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2427, PHARMACEUTICAL MARKET ACCESS ACT OF 2003

The SPEAKER pro tempore (Mr. LAHOOD). The time remaining on the rule, the gentleman from Texas (Mr. SESSIONS) has 4½ minutes remaining, and the gentlewoman from New York (Ms. SLAUGHTER) has 1½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, before I start I would like to clarify with the gentleman from Texas (Mr. SESSIONS), we had a conversation, and he has one more speaker for the remainder of the time; is that correct?

Mr. SESSIONS. Mr. Speaker, to answer the gentlewoman, I have 4½ minutes remaining. I will use 4 minutes for a speaker to close, and then I will end the debate.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 20 seconds.

Mr. Speaker, I simply wanted to remind the House that this is probably one of the most important votes that they are going to take because their constituents are waiting to see where we fall. Are we with the pharmaceutical companies, or are we with them? The safety issue absolutely will hold no water anywhere, and they know it. And I think that there will be a lot to answer to if we do not support this tonight.

Mr. Speaker, I yield the remainder of my time to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I have been here for 21 years in this body. I know I look a lot younger, but I have been here 21 years. And I have never seen the kind of pressure exerted on Members of this body like I have seen on this bill.

They say it is about safety. It is not about safety; it is about money. They say it is about health, the health of the seniors who might be taken in by counterfeit drugs. It is not about that. It is about money, the money that the pharmaceutical companies are making on the backs of the American people.

Talk to a lady who has got a child who is suffering from some very serious disease and she finds out, to buy her pharmaceutical products here, it costs four or five times here than what it costs in Canada or Germany or France. What do we say to her? It is about money. What do we say to a woman who has breast cancer, who is going to die, who needs Tamoxifen to survive? Her life depends on it. How do we tell her it is going to cost six or seven times what it costs in Canada or Germany for the very same thing? Is her life worth that much less? Tell me, is her life worth that much less?

And if the profits are so great here and they are not as great elsewhere, then why not spread it around? Why should all these profits be loaded on the backs of the American people?

When the Members vote, I want them to think about this. Think about this. And I approach this from a personal standpoint. There is a woman who is dying of breast cancer. This is one example. How do we tell her when she goes to buy Tamoxifen and she cannot afford it that she could go right across the border to Canada and get it for one-sixth or one-seventh what it costs here? How do we tell her that? We cannot.

We need to pass this bill to send a message to the pharmaceutical companies that the American people deserve the same rights and privileges as anybody else in this world, especially those who really need it because of their health.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. MCCRERY).

Mr. MCCRERY. Mr. Speaker, one thing I agree with the last speaker about, and that is that Americans pay an unfair share of the research and development costs for pharmaceuticals in the world; but the proper way to address that is not by abandoning our free market principles and importing price controls, and that is what this bill would do.

I have heard it several times here this evening, there is no safety issue. That is a ruse. Do not believe PhRMA. Do not even believe FDA. But how about the Secretary of HHS for two different administrations, one Democratic and one Republican? A previous speaker said, well, I personally talked to Secretary Shalala not long ago and she assured me that that is not what she really said. What she really said is that if the FDA had the appropriate resources, then we could certify the safety of these drugs.

I would ask the gentleman who spoke with Donna Shalala, did he ask her does the FDA have the appropriate resources? The answer would be no. Does this bill give them the appropriate resources? The answer is no. When would they get the appropriate resources? We do not know. But you want to pass this bill tonight. If the FDA got the appropriate resources, how long would it take them to put those safety devices in place?

So you can say there is not a safety issue, but that is all it is, is words. The people who have researched this, the people in positions of responsibility in government, both Democratic and Republican, have said there is a safety issue. So think about that before voting for this bill.

There is a chart to my left here. This side of the chart shows a chart that was put up on this floor earlier by one of the proponents of the bill. The other side shows the rest of the story. Germany imposes price controls, called

''reference prices'' on most drugs. Seven out of the 10 drugs on this chart that was shown have price controls. Most of the drugs on this list are also available as generics in Germany. Seven out of 10, in fact, are available as generics. Nine out of 10 are either subject to price controls or are available in generic form. What happens when a generic form comes on market? The price comes down of the patented drug.

In addition, all drugs in Germany are subject to the threat of compulsory licensing, that is, the drug company can lose its patent in Germany if they refuse to sell the drugs there. I do not know where the United States prices on the supporters' charts came from. The difference is not 300 percent, as they would advertise, but 31 percent. That is reality. Vote against this bill if we want better wonder drugs in the future for better health.

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

These proposed changes will prevent the greatest scientific research and development organization in the world from continuing to solve the medical problems of tomorrow. We need to pass a prescription drug plan that reduces the cost of drugs, not one that ruins those that make drugs that solves problems, that takes care of the real-life problems that we face, moms, dads, brothers, and sisters. We need to make sure that we vote ''yes'' on the rule and that we vote ''no'' on Gutknecht to make sure that the prescription drug people who do the hard work are alive and well and provide those things that are necessary and pass a prescription drug plan that takes care of the problems with the cost of high prescription drugs.

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.

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the vote on adoption of the resolution, if ordered, and on any other votes arising in this series.

The vote was taken by electronic device, and there were—ayes 417, noes 10, not voting 7, as follows:

[Roll No. 439]

AYES—417

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clay
Coble
Cole
Collins
Conyers
Cooper
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeGette
Delahunt
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Doggett
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Flake
Fletcher
Foley
Forbes
Ford
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McGovern
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pallone
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Stearns
Stenholm
Strickland
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOES—10

Clyburn
Costello
DeFazio
Dicks
Johnson, E. B.
Menendez
Pascrell
Rothman
Stupak
Towns

NOT VOTING—7

Baird
Bishop (UT)
Gephardt
Houghton
Istook
Pastor
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are reminded there are 2 minutes remaining in this vote.

□ 1959

Messrs. OLVER, COOPER, and NADLER changed their vote from ''no'' to ''aye.''

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 resolution was agreed to.

A motion to reconsider was laid on the table.

MOTION TO ADJOURN

Ms. SLAUGHTER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from New York (Ms. SLAUGHTER).

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

RECORDED VOTE

Ms. SLAUGHTER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this vote will followed by a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 35, noes 393, not voting 6, as follows:

[Roll No. 440]

AYES—35

Brown, Corrine
Capuano
Clay
Conyers
Davis (TN)
DeFazio
DeGette
Delahunt
Doggett
Filner
Ford
Gordon
Grijalva
Hastings (FL)
Johnson, E. B.
Lampson
Lewis (GA)
Markey
Matsui
McGovern
Miller, George
Pallone
Pelosi
Rangel
Sandlin
Schakowsky
Shimkus
Solis
Strickland
Thompson (CA)
Thompson (MS)
Towns
Velazquez
Waters
Woolsey

NOES—393

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Ballance
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Becerra
Bell
Bereuter
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carson (IN)
Carson (OK)
Carter
Case
Castle
Chabot
Chocola
Clyburn
Coble
Cole
Collins
Cooper
Costello
Cox
Cramer
Crane
Crenshaw
Crowley
Cubin
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLauro
DeLay
DeMint
Deutsch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Dooley (CA)
Doolittle
Doyle
Dreier
Duncan
Dunn
Edwards
Ehlers
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Frost
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gonzalez
Goode
Goodlatte
Goss
Granger
Graves
Green (TX)
Green (WI)
Greenwood
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hill
Hinchey
Hinojosa
Hobson
Hoeffel
Hoekstra
Holden
Holt
Honda
Hooley (OR)
Hostettler
Houghton
Hoyer
Hulshof
Hunter
Hyde
Inslee
Isakson
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jefferson
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
King (NY)
Kingston
Kirk
Kleczka
Kline
Knollenberg
Kolbe
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Manzullo
Marshall
Matheson
McCarthy (MO)
McCarthy (NY)
McCollum
McCotter
McCrery
McDermott
McHugh
McInnis
McIntyre
McKeon
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mollohan
Moore
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Ose
Otter
Owens
Oxley
Pascrell
Paul
Payne
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Pomeroy
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schiff
Schrock
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Souder
Spratt
Stark
Stearns
Stenholm
Stupak
Sweeney
Tancredo
Tanner
Tauscher
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Visclosky
Vitter
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—6

Bishop (UT)
Gephardt
Moran (VA)
Pastor
Sullivan
Tierney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are advised that 2 minutes remain in the vote.

□ 2018

Mr. REYNOLDS changed his vote from ''aye'' to ''no.''

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2210, SCHOOL READINESS ACT OF 2003

The SPEAKER pro tempore. The pending business is the question of ordering the previous question on House Resolution 336.

Mr. MCGOVERN. Mr. Speaker, I ask unanimous consent to vacate the ordering of the yeas and nays on the question of ordering the previous question on House Resolution 336 in favor of the previous force vote thereon.

The SPEAKER pro tempore. Without objection, so ordered.

The aye voice vote on that question earlier today stands, and the previous question is ordered.

The question is on the resolution.

The resolution was agreed to.

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. 2210.

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

There was no objection.

SCHOOL READINESS ACT OF 2003

The SPEAKER pro tempore (Mr. BASS). Pursuant to House Resolution 336 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. 2210.

The Chair designates the gentleman from Tennessee (Mr. DUNCAN) as Chairman of the Committee of the Whole, and requests the gentleman from Illinois (Mr. LAHOOD) to assume the Chair temporarily.

□ 2025

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. 2210) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, with Mr. LAHOOD (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

(Mr. HOYER asked and was given permission to speak out of order.)

LEGISLATIVE PROGRAM

Mr. HOYER. Mr. Speaker, I know the Members of the House are concerned about the schedule that we have been on and the schedule we are going to be on. And in the interest of apprising Members of what they might expect for the balance of this evening and tomorrow, I yield to the distinguished majority leader, the gentleman from Texas (Mr. DELAY).

Mr. DELAY. I appreciate the distinguished whip yielding to me.

In consultation with the minority, we have come up with what we think is a very firm schedule, very fair schedule, and that is we, as most Members know, will go to the Head Start bill at the end of this conversation. There will be about 2 hours, 2 hours 20 minutes of debate before a vote. Then when that bill is disposed of, we will go to the drug reimportation bill, hopefully voting on that final passage sometime around 1 o'clock. Then we will break and come back tomorrow.

We have been in discussion with the ranking member of the appropriations and the chairman of the appropriations. They want to do a supplemental on FEMA and fires first thing in the morning, or in the morning, and then

go to VA–HUD appropriations. We will not be doing D.C. appropriations tomorrow. We anticipate or we hope that Members will get us amendments to the VA–HUD bill so that we can make some sort of arrangements in time on that debate. And if everything goes well, we ought to be able to adjourn sometime around 5 o'clock tomorrow afternoon.

Mr. HOYER. Reclaiming my time, if I might, Mr. Leader, it is my understanding that the first thing that will be considered tomorrow will be the Solis motion to instruct on the Child Tax Credit. We would have an hour of debate on that. Am I correct, sir?

Mr. DELAY. The gentleman is correct. We will start that at 9 a.m.

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

Mr. HOYER. I yield to the gentleman from Wisconsin.

Mr. OBEY. I think Members need to understand if we are to facilitate the agreement that has been described and if we are going to get out of here at a reasonable time tomorrow, we do need to have all of the amendments that are going to be offered to the VA–HUD bill in tonight. So my understanding is on our side of the aisle, the leadership is sending out a bulletin to all Members that they need to have their amendments filed by 10:30 tonight because that is the only way we can work overnight to get an agreement on the universe of amendments and work out time agreements for all of them; otherwise, we will be here until midnight tomorrow.

□ 2030

Mr. HOYER. I yield to the majority leader.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding.

I appreciate the ranking member of the Committee on Appropriations pointing that out because it will take all night tonight to work on those amendments, and during the time of the debate on the motion to instruct and the supplemental, we will have to firm up those agreements so that the debate on VA-HUD will go smoothly.

Mr. HOYER. Reclaiming my time, my question did not include it, so you did not say it, but just to clarify it for Members, on the motions to instruct on the child tax, the vote will be tomorrow, as well, after debate, or at least shortly after the debate. It may not be immediately, but it will be tomorrow; am I correct?

Mr. DELAY. Mr. Speaker, if the gentleman will continue to yield, it will be tomorrow, but hopefully we can work it where we can roll it into other votes.

Mr. HOYER. I thank the leader and I thank the ranking member as well as the chairman of the Committee on Appropriations for helping us arrive at this schedule which will be defined, and Members can, I think, pretty well know when they are going to be voting on issues from here on in.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

Under the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

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

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

Mr. Chairman, I rise tonight in support of H.R. 2210, the School Readiness Act, legislation that will improve the Federal Head Start program by increasing its focus on academics and helping to close the readiness gap. We believe that the bill that we have before us will close the readiness gap that exists between Head Start graduates and their more affluent peers.

I want to thank the gentleman from Delaware (Mr. CASTLE), the chairman of the Subcommittee on Education Reform and the author of this bill, for his dedication on behalf of disadvantaged children. We would not be here today without his hard work.

The measure before us reflects a consensus agreement amongst Members of this House who believe that disadvantaged children in our country are getting the best this Nation can possibly give them. In opposing our efforts to strengthen Head Start, my friends on the other side of the aisle have repeatedly said, ''If it ain't broke, don't fix it,'' but the evidence suggests this is a system that badly needs fixing.

Too many studies show Head Start children are entering kindergarten behind their peers. Improving school readiness standards for Head Start grantees in all States will help close this readiness gap.

Worse, in many parts of the country, Head Start centers are not getting the job done. Data from the U.S. Department of Health and Human Services shows most Head Start grantees across the country are actually falling far short of Federal standards, the very standards that the congressional Democrats say would be undermined by the School Readiness Act.

In fiscal year 2002, a total of 559 Head Start grantees were reviewed. Only 9 percent were found to be in compliance, 9 percent, with our Head Start performance standards. The remaining 509 grantees, 91 percent, had one or more areas of noncompliance.

In fiscal year 2001, nearly 600 Head Start grantees were reviewed by the U.S. Department of Health and Human Services. Only 11 percent of those grantees were found to be in compliance with all Head Start performance standards; 89 percent were out of compliance.

These statistics are nothing short of shocking, and I would ask my friends on both sides of the aisle, do not our children deserve better? We think they do.

The measure before us meets the President's goal to strengthen the overall quality of Head Start, especially the academic standards, by emphasizing cognitive development and the results of scientifically based research. It requires all new Head Start teachers to have at least an associate degree by 2005 and half of all Head Start teachers nationwide to have a bachelor's degree by 2008. It restores civil rights protections to faith-based organizations, removing barriers that discourage some of America's most talented and compassionate groups from providing services to children in need.

It gives up to eight States with an existing commitment to early childhood education the opportunity to coordinate Head Start with their own preschool programs; and we recognize that offering highly qualified States the opportunity to coordinate programs will result in better outcomes for parents and children than what Head Start serves today.

The bill guarantees that children in these demonstration States have access to pre-kindergarten programs that are at least as strong, if not stronger, than what is currently offered by Head Start. States are required to have strong standards for school readiness already in place to increase their already substantial funding of early childhood education and maintain or improve all comprehensive services, including health, nutrition and parental involvement.

The bill ensures that no State or local funds can be supplanted and that all Head Start funds must be spent on Head Start uses.

Additionally, the bill increases authorized funding for Head Start by more than $202 million for the upcoming year, as originally proposed, while setting specific spending levels for the remaining spending years of the bill. It also includes a 5-year hold harmless that guarantees funding for all Head Start centers in the pilot States, instead of the 3 years that were originally proposed.

I am grateful to everyone who played a part in helping us to reach this agreement, and I do believe it has helped pave the way for this legislation that could dramatically improve school readiness for disadvantaged children.

In his remarks on Head Start earlier this month, President Bush said, Head Start is ''working okay. We want better than 'okay' in America. We want excellence.'' The children in Head Start deserve the very best that this Nation can give them, nothing less.

Mr. Chairman, these reforms will not dismantle the Head Start program as some of my colleagues have claimed, and I am sure will claim as the evening goes on. They will strengthen the Head Start program. This debate is about protecting children, not about protecting turf. Instead of clinging jealously to the status quo, these lobbyists should join us in bringing real improvement to the Head Start system that needs to do better for our children.

I want to urge my colleagues to vote ''yes'' tonight on H.R. 2210.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 5½ minutes.

Mr. Chairman, I rise in strong opposition to the underlying bill. While we spent a great deal of time in No Child Left Behind to provide for improved student achievement, increased standards and accountability to ask more of State schools and students, this legislation does exactly the opposite. It decreases the standards and decreases the accountability, and it weakens our commitment to quality and it asks less of the States.

We should not be experimenting with this program. I appreciate that the gentleman says that 91 percent of these programs were out of compliance, but what he does not tell us is that in that same audit 85 percent of the programs were found to be of high quality. Why were they of high quality? Because of the Head Start standards, the Head Start performance standards and the quality standards. These are the performance and quality standards that Congress after Congress and President after President have worked to continuously improve so that Head Start now is the premier pre-K program for impoverished children in this Nation. There is no State that has a program comparable to Head Start for these children.

When my colleague on the other side suggests that these children do not do as well as their peers, he is denying all of the evidence. These children are doing better than their peers. They are not doing as well as middle-class white children in the suburbs, but he does not know of any program that will have these children do as well in the year or two as middle-class white children in the suburbs, but among their peers, among the children in same community who do not get to participate, these children do much better and they accelerate by the end of kindergarten.

Head Start works and it performs, and it performs well for these children. But this legislation takes another approach. While the first part of this legislation makes many improvements that we agree with and we support in this bill, the second provision provides for a block grant. It was a wholesale block grant of the entire program that politically was unsustainable. It became an eight-State block program, and over the last few days apparently some people got promises to vote for this bill and they would not block grant their State. There is a commitment to block grants.

But what do they do with these block grants? In the block grants they circumvent the standards of performance and quality and education standards and health services and comprehensive services because if they have a block grant, they do not have to meet those standards. It says so in the bill. They will say in their Dear Colleagues, it has to meet or exceed Head Start standards, but in the law, it says it must generally meet or exceed. ''Generally'' is a very important word here because they do not have to comply with the standards.

The same is true in accountability, and yet we do this. We weaken these standards. We create this loophole of the block grant, and we do it without any evidence to suggest that that is the answer.

The concern is about accountability, the concern is about performance; and we put the children into a system for which there really is no accountability or performance. Nothing requires a showing that the system that will be created is better than the current Head Start system, that the program running currently in the State is better than the Head Start system; and yet, we are talking about creating a system where almost as much as 40 percent of the children could be put in that system.

That is really not fair to these children because Head Start is their best hope. Head Start is our premier early education program in this country, and that is why it must be protected. And ''protected'' is the right word because this legislation with the block grant is an all-out assault on Head Start as we know it, on Head Start as it performs and Head Start as it delivers for these children and these families and their educational opportunity.

Can it be improved? Of course it can be improved, and what every President and every Congress on a bipartisan basis, Republican and Democratic administrations, year after year, time after time, they have continuously improved this program. I have been on this committee for 29 years, and we have continuously approved this program every 3 to 5 years. That is why it is the premier program. That is why it gets the results it does.

Now what happens here? For the first time, we essentially see a partisan assault on that bipartisan coalition that has led to that continuous improvement of this program, that has led to these comprehensive services for these children.

□ 2045

And these services are terribly important. Terribly important. Health screening, vision, dental care. What will you get under their block grant? You will get a referral to a service. You may not get the service. You may get to stand in line. You may get put on a waiting list, but you do not necessarily get the service for mental health screening and general health screening and nutrition and health education, all of which we know in terms of child development of these impoverished children is terribly important.

But, finally, let me say this. There is something else going on in this bill that is the first in 35 years. When they capped the expenditures in the outyears, when they changed such sums as necessary, under which every President and every Congress has expanded the participation in the Head Start program, there is not enough money for inflation. So in the third year, we find that some 5,000 to 10,000 children at a minimum are going to have to stop attending Head Start because of the capped authorization.

I appreciate all of the money we have put in Head Start under President Clinton's leadership, under this Congress, the Republican leadership, that we have done over the last 8 years; but that comes to a grinding halt in this legislation. That is why this bill should be rejected, and later we will hope that the substitute will be accepted by the Congress; and then we can continue the process of continuing to improve America's premier education program for pre-K impoverished children.

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

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from Delaware (Mr. CASTLE), the author of the bill and the chairman of the Subcommittee on Education Reform.

Mr. CASTLE. Mr. Chairman, I thank the gentleman from Ohio (Mr. BOEHNER) for yielding me this time tonight and for all the tremendous work he has done in the committee and on this piece of legislation.

There has been a lot of rhetoric about this legislation, and we are going to hear a lot more in the next 2 hours. Frankly, I would love to be able to stand and try to repudiate all that we are hearing, but perhaps we do not have time for that. So I thought I would take a little different tack in the time I have and that is to make sure that people who are really willing to listen understand what truly is in this title II, which is the State demonstration program of this bill.

I think we can all agree on the reforms made in title I, or at least most of them anyhow. What has been the strongest point of contention is title II, which does create the eight-State demonstration program that would allow a select number of qualified States to better coordinate and to improve their early education programs.

What title II does not do is seek to dismantle Head Start as we know it. It does not create a block grant, nor does it permit States to use this money as a bandage for their ailing budgets. Since H.R. 2210 was introduced, we have listened to the concerns raised by Members on the other side of the aisle as well as Head Start advocates across the Nation. What we have before us today is a carefully crafted bill which clearly addresses all of these concerns.

I very strongly believe in the State demonstration project. Title II is critical, because today, unlike in 1965 when Head Start was created, Governors have a host of initiatives to serve disadvantaged citizens, including WIC, TANF, Community Services Block Grant, and state-run prekindergarten programs. Most of these programs are run through States, making coordination easy. In Head Start, however,

grantees receive funds directly from the Federal Government, despite the fact that it may be more beneficial to coordinate with similar State initiatives.

Those Governors who have demonstrated a commitment to early childhood education programs will now have an opportunity to fully coordinate all of those programs. By empowering those States that are committed to early childhood education to coordinate their existing patchwork of child care and preschool programs, we will produce improved results for all our children.

In order for a State to participate in the demonstration program, they would have to meet a set of eligibility requirements. The State would then submit a plan to the U.S. Department of Health and Human Services for approval by the Secretary. In order to be eligible, a State would need to show evidence that they are contributing to Head Start or State prekindergarten programs an amount in State and local dollars that is at least half of what the State receives in Head Start funding; existing State school readiness standards and demonstration of a willingness to allowing those State standards with K through 12 State standards, if they have not already done so; existing professional development criteria for early childhood educators; and an established means of interagency coordination.

Once a State has been approved by the Secretary, there are a number of requirements and prohibitions attached to the State. For example, a State would be prohibited from using Head Start funds to pad their State budgets. Explicit in the legislation is a prohibition on supplanting, misdirecting, or misappropriating Federal or State early childhood education funds to other purposes. States are also required to continue to fund early childhood education at the same level as the 2003 fiscal year.

Under this bill, it is illegal for States to reduce their complements to early childhood education. In order to participate in the pilot, States must be matching at least 50 percent of the Federal commitment with State and local dollars and contribute from any non-Federal sources an additional 5 percent of their Federal Head Start allotment. This good-faith money ensures that States make a strong commitment to early childhood education.

Participating States must also have state-developed standards that generally meet or exceed the standards that ensure the quality and effectiveness of programs operated by Head Start agencies. Children in a Head Start program in a participating State will be receiving the same, if not better, services than if that State remained in the current structure. States must have standards that ensure children participating in a program demonstrate language skills, prereading knowledge, pre-mathematics knowledge, cognitive abilities related to academic achievement and social development.

Finally, today, we require a State in a demonstration program to continue to fund all current Head Start grantees for the full 5 years of the project.

Mr. Chairman, I ask my colleagues to look at the details and the facts. This is good policy. Examining how State coordination will enhance the academic preparedness of pre-K children is something that will ultimately help all of the children in our districts.

The School Readiness Act of 2003 builds upon the reforms of previous reauthorizations of Head Start as well as the requirements of the landmark No Child Left Behind and the vision of President Bush and Secretary Thompson. We all want to do the best for our children. I truly believe this bill does this.

I have looked at the results that have existed in Head Start for a number of years, and they just are not what we need. We need to enhance the program and do even more. That is what this bill does. That is what it is all about. I would ask all of us to support the legislation when the time comes for it.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY), the ranking member of the subcommittee dealing with Head Start.

Ms. WOOLSEY. Mr. Chairman, I thank the ranking member for yielding me this time.

This Head Start bill is outrageous. It turns a program that is a proven success at improving the lives and futures of low-income children into a Federal experiment. And for the first time in this Nation's history, it repeals the law that protects employees against religious discrimination.

Head Start does a better job than any other program to narrow the school readiness gap between low-income children and their more advantaged peers. These are our Nation's most disadvantaged children, Mr. Chairman, children who face multiple barriers to learning. One year in Head Start can erase all of these barriers.

We have absolute proof that children who have been in Head Start enter kindergarten ahead of their peers from similar backgrounds but without Head Start. These children make substantial gains in specific academics during kindergarten. They end up close to all national academic norms by the end of the kindergarten year.

We know that children who complete Head Start are less likely to become delinquent and more likely to graduate from high school. Yet not only does this bill hand Head Start over to the States to do what they would do with it as a block grant, it would also lead to tens of thousands of Head Start children losing their beloved teachers for no other reason than religious prejudice. The base bill allows faith-based Head Start providers to fire thousands of dedicated Head Start teachers because of their religious beliefs or practices.

Today, Members will have the opportunity to vote for the Miller amendment, which will stop the dismantling of Head Start, and for my amendment against religious discrimination. Voting for these amendments will ensure that low-income children can continue to get the head start they need to succeed in school and to succeed in life. Without these amendments, this bill must be defeated.

Mr. CASTLE. Mr. Chairman, I yield 3½ minutes to the distinguished gentleman from California (Mr. MCKEON), who is the chairman of the Subcommittee on 21st Century Competitiveness of the Committee on Education and the Workforce and who does a wonderful job.

Mr. MCKEON. Mr. Chairman, I rise in strong support of H.R. 2210, the School Readiness Act, which will strengthen the Head Start program by closing the readiness gap that exists between low- and upper-income children.

I want to thank my good friend, the gentleman from Ohio (Mr. BOEHNER), and the chairman of the Subcommittee on Education Reform, the gentleman from Delaware (Mr. CASTLE), for their hard work on getting this important piece of legislation here to the floor. At the outset, I want to thank them for their willingness to work with me to include language in the committee report on facilities management.

The Los Angeles County Office of Education, the largest Head Start grantee in the country, has been experiencing great difficulty in meeting the Department's requirement that it spend facility-related funding by the end of the Federal Government's fiscal year. In my State of California, with the numerous environmental and permitting reviews that are required at the local and State level, it is nearly impossible to get approval to spend money in this time frame, much less 2 years. Even more daunting is the fact that fiscal years for many grantees do not coincide with the Federal Government. I am grateful that we are urging the Department to take a look at giving grantees some flexibility to meet a longer time period.

Mr. Chairman, like many of my colleagues, I have been listening to the debate, and I have heard criticisms of this bill. Over the last few weeks, those on the other side of the aisle and their supporters have vilified the School Readiness Act all in the name of protecting the status quo and resisting the efforts to ensure that disadvantaged children in this country are better prepared for school. I think it is important that we put down our political talking points and get to the bottom of what this bill truly will do.

Now, there is no question that there is near-unanimous support for the Head Start program. Created in 1965, and located in every community in the country, the program has been a valuable part of our Nation in preparing lower-

income children for elementary school. At the same time, it is Congress' responsibility to examine every program up for reauthorization to see if it is truly meeting our high standards for success and if there are any potential reforms that we can perform.

I would argue that regardless of the political reluctance to enact and accept fundamental reforms, every Federal program could do a better job of carrying out its mission than it is currently performing. This applies to those programs on the elementary and secondary school level, it applies to programs governing postsecondary education, it applies to workforce development programs, and, yes, it applies to early childhood programs like Head Start.

And so we come here to consider H.R. 2210, which will improve the Head Start program and close the readiness gap that exists between Head Start children and their more affluent peers. We strongly believe that we must strengthen Head Start's academic standards by emphasizing cognitive development and the results of scientifically based research on topics critical to children's school readiness. I believe that Head Start has placed an unbalanced emphasis on providing health and social services to children and their families, which have resulted in Head Start children not making the gains necessary to begin school with an equal opportunity to succeed.

A critical component of school readiness is the attainment of prereading abilities. Head Start programs should provide children from low-income families with a high-quality oral language and literature-rich environment. Through scientific research, much has been learned about the way children learn to read and the strong foundation that is important before children are given formal reading instruction in kindergarten and first grade.

Consistent with the early reading initiative, launched as part of the No Child Left Behind Act, Head Start must play a pivotal role in this effort. We have done this and can do this while preserving all current health and nutrition services for Head Start children.

Mr. Chairman, I know there has been a lot of criticism about this bill because of the State option, but I think it is important to point out this committee has produced a bill which improves the education of our Nation's most vulnerable children, and for this reason I urge all my colleagues to support this bill.

□ 2100

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 15 seconds just to say to my colleague, we do not know whether this bill will improve the education of the children, but we do know that the language contained in this bill will weaken the education standards, will weaken the comprehensive services available to these children and will weaken the accountability of this program.

Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), subcommittee ranking member.

Mr. KILDEE. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in opposition to this bill.

This bill literally turns back the clock on decades of efforts to improve programs for our youngest children. Head Start has meant so much to so many of our most disadvantaged children and their families. Rather than strengthen Head Start through bipartisan consensus, this bill begins the dismantling of the most successful and popular early childhood education program in our Nation's history.

I must also express my disappointment that the majority has not sought to reach bipartisan consensus on this legislation. I have been through, Mr. Chairman, a number of Head Start reauthorizations during my 27 years here in the Congress, and they were all pleasant and productive experiences. This statute has always been reauthorized in a bipartisan manner. I strongly believe that we do our best work when we pass bipartisan legislation, especially legislation dealing with children. Not to do so is a doleful disappointment.

The Republican Head Start bill creates an unaccountable block grant that undermines the comprehensive nature of Head Start. Under this legislation, the strength of Head Start's decades of existence would be eviscerated through lower-quality State-controlled block grants.

What makes the bill's block grants even more troubling is that it departs from the efforts of this committee over the past decade to strengthen accountability and results in Federal programs, the most recent example being the No Child Left Behind. On that bill, Democrats and Republicans in both the House and the Senate, along with the President, all worked to create bipartisan legislation to strengthen accountability in our K–12 programs.

Now we are confronted by a White House and Republican bill to create unaccountable block grants in the Head Start program. This does not make sense. I urge opposition to this legislation.

Mr. CASTLE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. ISAKSON) having assumed the chair, Mr. DUNCAN, 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. 2210) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, had come to no resolution thereon.

REPORT ON H.R. 2861, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

Mr. WALSH, from the Committee on Appropriations, submitted a privileged report (Rept. No. 108–235) on the bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the Union Calendar and ordered to be printed.

The SPEAKER pro tempore. Pursuant to clause 1, rule XXI, all points of order are reserved on the bill.

SCHOOL READINESS ACT OF 2003

The SPEAKER pro tempore. Pursuant to House Resolution 336 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2210.

□ 2103

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 further consideration of the bill (H.R. 2210) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, with Mr. DUNCAN in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole rose earlier today, time remaining under general debate, the gentleman from Ohio (Mr. BOEHNER) has 15½ minutes and the gentleman from California (Mr. GEORGE MILLER) has 20¼ minutes remaining.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Nebraska (Mr. OSBORNE) who not only is extremely well known for his expertise in coaching, but is one of the leading experts on mentoring in this country.

The CHAIRMAN. Without objection, the gentleman from Delaware (Mr. CASTLE) controls the time.

There was no objection.

Mr. OSBORNE. Mr. Chairman, I certainly agree with all those who have spoken tonight that Head Start is an excellent program. It is a necessary program. Yet many people feel that no changes are needed to the program.

I guess if you put it in any context, let us say you ran a business for 35 years, a football team for 35 years, a school for 35 years, and you said over and over again, if it ain't broke, don't fix it and you stayed with a pat hand, my feeling is you would drift toward mediocrity. There is no organization that can stay the same year after year after year. I think there are a couple of things that really can be fixed. I think

there are some things that need to be done here.

The first question is, does Head Start do what it is designed to do, which is to get kids ready to go to school? As we have mentioned earlier tonight, the Family and Child Experience Survey, which is the best measure I know of of school readiness, says this. They said that the average student entering Head Start is at the 21st percentile in terms of readiness to go to school. And then 2 years later, $6,500 a year, $13,000 later, we see those same students ranking at the 24th percentile, a gain of 3 percent in 2 years.

I think that is unsatisfactory. I do not think we are doing the right thing by our children. When they enter Head Start, they are in the bottom fourth of school readiness, when they leave Head Start they are in the bottom fourth, and the best statistical prediction we can make is that at age 16, they are still going to be in the bottom fourth. This is something that I think needs to be rectified.

As we have mentioned, the Castle bill does introduce some academic rigor to Head Start. I think this is critical. I think this change needs to be made. Pre-math, pre-science, ramp up the reading programs. We think students ought to be somewhere around the 40th percentile on average after leaving Head Start instead of the 24th percentile. I think that can be done. I think that is doable.

Secondly, there are 1.5 million children eligible for Head Start; 900,000 are in Head Start and there are 600,000 left over. Of that 600,000, some are in State programs, and we have State programs here and we have Head Start and then we have got a whole bunch in the middle that are falling through the cracks. They are not in anything. That is why we think the demonstration program is critical, because we need to have a more seamless program where those kids are not falling through the cracks, where we have some type of a comprehensive plan as to how we are going to take care of all of them. I think that is going to be important.

The last thing I will mention, that in fact we might think about a little bit, is one of the real strengths of Head Start is we involve the parents. We are expecting now that there is a transition from Head Start to the elementary school where those kids' parents stay with the student. That is something that we have incorporated in this bill which we think is very important.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2½ minutes to the gentleman from Maryland (Mr. HOYER), the distinguished minority whip.

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

Mr. HOYER. Mr. Chairman, let us be clear about what we are doing here. We are asking this body to begin, in my opinion, to dismantle Head Start, one of the most successful programs in American history.

Head Start serves more than 900,000 3- to 5-year-olds in every State in this Nation every single year. Head Start teaches reading, writing, mathematics and language skills. Head Start, as well, provides comprehensive services that increase school readiness: health and mental health screenings and services, nutrition, dental and vision services, and extensive parent involvement in education, a critical component of this program.

And Head Start combines local control with strong Federal quality standards. That is the key. In fact, Head Start is one of our most evaluated education programs. Over the last 30 years, it has helped millions of children do better in school. But now, through H.R. 2210, the sponsors are trying, in my opinion, to unravel Head Start.

The Republican initiative initially was to block-grant all of Head Start. That did not fly. They are now down to eight States. This bill, however, would create a new block grant program for eight States without requiring any of the Federal Head Start program performance standards. What does that really mean to parents and their children? It means, I think, that States could run Head Start programs with lower educational standards, minimal comprehensive services and less oversight and accountability. That is not good for our children or their parents.

In looking at this bill, we should look at the intent. The intent of this bill directly contradicts, I believe, our bipartisan recognition that no child should be left behind, that the Federal Government needed to establish high educational standards and tough accountability for the educational achievement of low-income children because the States had not done so. In essence, this bill proposes that we turn our 3- to 5-year-olds in Head Start over to the States even though the premise of the No Child Left Behind Act is that States are not currently serving low-income children as well as they should. As the Los Angeles Times stated recently:

''Now, when States are in precarious financial shape, is hardly the time to dismantle the program's, Head Start's, Federal management.''

Let me close by saying, despite our best efforts in Head Start, we still are not doing enough for low-income children. There are some 1.5 million children eligible. There are 900,000 participating, 600,000 being left behind. Now is not the time to start to dismantle Head Start.

Mr. Speaker, let's be clear about what the Republican majority is proposing today: They are asking this body to begin to dismantle Head Start, one of the most successful Government programs in American history.

Head Start serves more than 90,000 three- to five-year-olds in every State in this Nation every single year.

My Democratic colleagues and I are not standing here today just reflexively defending Head Start because Lyndon Johnson signed it into law in 1964.

No, we are here defending Head Start—and to expose the GOP's bill that is designed to dismantle it—Because Head Start Works!

Head Start teaches reading, writing, mathematics, and language skills.

Head Start provides comprehensive services that increase school readiness—health and mental health screenings and services; nutrition, dental and vision services; and extensive parent involvement and education.

And Head Start combines local control with strong Federal quality standards.

In fact, Head Start is one of our most evaluated education programs—and over the last 30 years it has helped millions of children do better in school and achieve more in life.

But now, House Republicans, through H.R. 2210—the misnamed ''School Readiness Act''—are trying to unravel Head Start. They want to end it.

They would like nothing more than to see 50 State programs run by 50 State Governors.

This bill would create a new block grant program for eight States without requiring any of the Federal Head Start program performance standards.

What's that really mean to parents and their children?

It means that States could run Head Start programs with lower educational standards, minimal comprehensive services, and less oversight and accountability.

Now, doesn't that strike any of you as odd?

It should, because the intent of this bill directly contradicts our bipartisan recognition in the No Child Left Behind Act—that the Federal Government needed to establish high educational standards and tough accountability for the educational achievement of low-income children because the States had not done so.

In essence, the Republicans are proposing that we turn our 3- to 5-year-olds in Head Start over to the States even though the premise of the No-Child Left Behind act is that States are not currently serving low-income children.

And as the Los Angeles Times stated recently: ''Now, when States are in precarious financial shape, is hardly the time to dismantle the Program's—Head Start's—Federal Management.

Let me close by saying, despite our best efforts in Head Start, we still are not doing enough for low-income children.

Right now, Head Start is only serving 6 out of every 10 eligible preschool children because of inadequate funding.

That's 600,000 American children left behind. And it's simply unconscionable.

It's unconscionable in the greatest Nation on the face of the Earth.

And it's unconscionable when Republicans talk about leaving no child behind, but then propose a budget for fiscal year 2004 for Head Start that barely covers inflation.

I urge my colleagues to vote for the Democratic plan offered by the gentleman from California Mr. MILLER.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to

the gentleman from New York (Mr. OWENS), a member of the committee.

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

Mr. OWENS. Mr. Chairman, for its exemplary performance, Head Start deserves to be rewarded by the decision-makers in both parties. But instead of rewarding Head Start, the Republican majority is proposing to abandon Head Start through the slow death process which begins with the block-grant experiment.

When translated into realistic terms, realistic political terms, the Republican block grant means, first, a withdrawal of compliance requirements and the automatic granting of endless waivers. In the next appropriations cycle, it means a reduction in Federal funds. This slow strangling process has been utilized to destroy enough safety net and social programs to provide us with a clear vision of the fate that Head Start will suffer if it is block-granted.

Consider the fate of title XX social service programs. Consider the fate of the summer youth employment programs. For years, youth summer jobs could be protected from the floor of this House, but once the block grant took place, we have a situation this year where State by State you will find that everywhere summer youth employment programs are being drastically reduced. In New York State, the Governor started the budget process by putting zero in the budget for summer youth employment programs. Block grant means certain death.

The time to save Head Start is now. Vote ''no'' on this Republican proposal.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. PAYNE).

Mr. PAYNE. Mr. Chairman, I strongly oppose the dismantling of the Head Start program, a program that has proven to be a winner since its inception 38 years ago. These changes will result in lowering the quality and effectiveness and quite possibly end one of the most successful programs in the Nation. The New York Times said on July 11, 2003:

''The Bush administration has mastered the art of producing speeches and press that bear little resemblance to the legislative program they purport to describe.''

□ 2115

''This block grant approach has loopholes that the President either does not understand or fails to acknowledge.'' The Boston Globe on June 16, 2003, said: ''Over Democratic objections, they [Republicans] advanced a bill that would transfer Federal control of the program to as many as eight States,'' which has 33 percent of the students, ''in a demonstration project. The measure requires those States to serve the same number of children and provide the same services. But there is no guarantee that the quality of services will be maintained, and there is no extra money to handle the new enrollees.''

The Star-Ledger of New Jersey on February 20, 2003, said: ''Against the backdrop of Bush's anemic education budget, the President's proposal is to turn Head Start into a [block] grant program, to hand responsibility for delivering preschool services for poor children to the States,'' and this is very ''suspect.''

Let me just hold up, if I can, some of the mail that I have received from my district. Some are petitions with 10 names on it. I have never received as much mail from my constituents as I have on this particular bill. So I would just say that I have not heard parents say change it. I have not heard educators say change it. I have not heard people who are researchers say change it. Let us defeat this bill and keep the program as it is.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes and 15 seconds to the distinguished gentleman from Michigan (Mr. EHLERS), who probably has had more to do with increasing the emphasis on math and science education than anybody in the Congress and has indicated this is one of the most misunderstood bills he has seen in 10 years here.

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

It is a pleasure to rise and defend this bill. And as the chairman of the subcommittee has mentioned, I have been shocked by the misunderstanding about this bill that has been propagated throughout this country. It is a good bill, and I wanted to comment about one part of it that I think has really been improved.

The migrant and seasonal children of this country are special children who need special help. They need special help because they are moved from place to place, and they have special conditions that have to be dealt with. For example, in my community they must be attended to in Head Start programs from early summer to mid-fall. That is not the standard school year.

But that is just one of many ways in which they have to be treated specially. I am very familiar with their problems because in my youth I lived in a farming community. I worked on a produce farm. I worked side by side with migrant workers, both in the fields and in the packing sheds and even in transporting produce to markets.

It is very important to provide services for migrant children. When these children are not served, parents sometimes will bring their children to the field and sometimes even have them working. This certainly exposes them to harmful conditions.

Today, migrant and seasonal Head Start serves close to 35,000 children and operates in 39 States in every region of the country. But in contrast to the normal Head Start program that serves approximately 60 percent of eligible children, migrant and seasonal Head Start serves only approximately 19 percent. That is a dramatic shortfall, and we must improve that.

I am pleased that I was able to get an amendment approved by the committee that, first of all, will allow all migrant and seasonal Head Start grantees to operate Early Head Start programs. That is not true of all Head Start programs, but it is essential because that way the youngest children of the migrant and seasonal workers can participate in Head Start programs rather than being taken to the fields.

My amendment will also require the Secretary to ensure that migrant and seasonal Head Start programs are included in the planning and coordination of the State system of training and technical assistance. In addition, part of my amendment, in combination with a change that the gentleman from Delaware (Mr. CASTLE) made in his substitute, specifically makes one-fourth of 1 percent of all the total authorization available for seasonal and migrant Head Start. This means that we will have an additional $17.4 million in fiscal year 2005 and $18.5 million in 2008. This also means that the funding that will be available will provide an additional 2,300 slots for children to receive services in 2005 and up to 2,500 in 2008. I expect that these provisions will allow the migrant and seasonal Head Start program to successfully take care of a substantially greater number of migrant and seasonal Head Start children.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, we support Head Start, and we support constructive changes to Head Start. We must oppose this bill because of two very destructive changes. The majority says there are 600,000 children eligible for Head Start who, today, do not get Head Start. They do change that. They increase the number of children eligible who will not get funded. About 10,000 more children by the end of this bill who are eligible for Head Start will not be.

The second change is even more odious. There is an understanding in this country that if a church or religious organization runs a preschool program and someone who is not a member of that religious organization comes and applies for a teaching job to teach mathematics or reading or other skills that under present law they cannot deny that person a job because they do not go to their church or their religious organization. This bill changes that law. It violates that principle. It is wrong. It is divisive. It is destructive. It is unconstitutional.

There are a lot of good reasons to oppose this bill; but ripping us asunder,

giving employers the right not to hire people because of where they worship is just plain wrong, and so is this bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. HINOJOSA), a member of the committee.

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

Mr. HINOJOSA. Mr. Chairman, I rise today in opposition to this bill. The majority has placed divisive and damaging provisions in the legislation. They propose to begin the dismantling of Head Start through a block grant to the States. The majority has also proposed to allow discrimination in hiring of teachers that educate our youngest citizens. And I ask the Members, what kind of head start in life could that be?

In the few moments given me to debate, allow me to inform the Members about migrant Head Start children. In the case of perhaps our neediest children, the sons and daughters of migrant and seasonal farmworkers, the majority in the Committee on Education and the Workforce has offered crumbs. Only 19 percent of these eligible migrant children are served now, compared to the 60 percent for the regular Head Start program nationally. The majority bill will move that figure by only 1 percentage point to approximately 20 percent. Furthermore, their meager authorization funding level will ensure that a larger percentage of children will never be served and helped to be school-ready in the foreseeable future.

For farmworker families, access to Head Start is more than a school readiness issue. It is a public health and safety issue. The Republican bill provides no new money to close this access gap for the migrant children, and I have to emphasize that the only way to close this gap is to substantially increase our investment in Head Start. It does not have to be this way. Head Start has a 35-year history of bipartisan cooperation. Until that happens, I urge Members of Congress on both sides of the aisle to vote ''no'' on H.R. 2210.

I hope that my colleagues on the other side of the aisle will come back to the table and work with us to write a bill that will be worthy of our children, our future.

Until that happens, I urge Members of Congress on both sides of the aisle to vote "no" on H.R. 2210.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. LANGEVIN).

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

Mr. LANGEVIN. Mr. Chairman, today I rise in opposition to the so-called School Readiness Act, H.R. 2210. Currently, Head Start provides services to our most vulnerable population, children born into families who live below the poverty line. Head Start reaches those children. It reaches their families and does tremendous work in providing them with access to health services, teaching parenting skills, and preparing young children to overcome the obstacles related to poverty and enter kindergarten with a fighting chance.

Title II of H.R. 2210 strips Head Start programs of oversight and accountability measures. The already-vulnerable children served by Head Start will undoubtedly be left behind. Many indicators of the difference this program has made in children's lives are quite measurable, and we can prove that Head Start works. Add to that the immeasurable value of breaking the cycle of poverty, and I am at an utter loss to comprehend why the Republican leadership insists on this seriously flawed bill.

Mr. Chairman, in the spirit of preserving a program that works wonders, I urge my colleagues to vote against H.R. 2210.

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

Mr. MURPHY. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I would like to enter into colloquy with the distinguished gentleman from Ohio (Chairman BOEHNER), and I would like to thank him and the gentleman from Delaware (Chairman CASTLE) for their ongoing generosity in letting me voice my thoughts on this very important piece of legislation.

Mr. Chairman, I testified before the Committee on Rules in support of an amendment which the gentleman from Delaware (Chairman CASTLE) and the administration support, dealing with accepted scientific standards of reliability and validity that will have a very positive impact on Head Start. As a psychologist who has focused my career on dealing with early childhood education, I know the values of these measures.

Head Start currently uses a variety of assessment measures, some acceptable and some less reliable, and teachers and parents need good, reliable information for the sake of tracking Head Start successes and providing taxpayers with information on how well this Federal program is functioning. Less reliable tests provide little value in identifying children's needs for further evaluations. They run the risk of misdiagnosing problems and mislabeling children and are more prone to cultural biases.

I ask the gentleman from Ohio (Mr. BOEHNER), is it his intent to continue to explore this issue?

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

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

Mr. BOEHNER. Mr. Chairman, as we progress through the conference, I do intend to explore this issue further. Quality research relies on valid and reliable data, and I believe that we must have quality research to drive the real improvements that are necessary in Head Start. The gentleman from Pennsylvania (Mr. MURPHY) is a leader on these issues, and I appreciate his interest and his advice on this matter.

Mr. MURPHY. Mr. Chairman, I thank the gentleman for his response.

I must add an emphasis on quality research that is going to drive program administrators to use scientifically valid measures. And additionally, when information is disclosed to the local community and parents, it is imperative that the reports depend on quality measures. Finally, let me add, we know that Head Start is not alone among early childhood education programs. The Perry Preschool Project and the Abcedarian Project are two that are frequently quoted in scientific literature, and we need room for innovations that follow research, but accompanying any Head Start help must be sound ways of measuring success.

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

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

Mr. BOEHNER. Mr. Chairman, I want to thank the gentleman for his commitment to these quality programs and look forward to continuing to work with him as we move this bill through the conference.

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 have heard talk tonight about people saying that everybody on this side of the aisle wants to have things stay the same, and that frankly is not so. We worked quite hard together to make changes and improvements in the first section of this bill, as we have made changes and improvements on the bill in previous years, continually improving it and continually reducing the gap in readiness for school.

The problem comes in the second part of this bill. And the fact of the matter is that those proponents of the change in the block grant cannot show a single stitch of evidence that this would improve the situation. When the gentleman from Delaware (Mr. CASTLE) was asked at the Committee on Rules to give an example of one parent group, one child group, one educational group, one social advocacy group that supported the block grant section of the bill, he could not do it. When all the editorialists and all those are people are dead set against this, somehow the Republicans still think that they are right. Other people would have some pause for thought on it.

The fact of the matter is that the block grant does do damage to the Head Start program. It would not require performance standards. It would allow States to weaken educational standards by increasing class size, increasing child/teacher ratio, shortening

the program duration, cutting off 3-year-olds, using unproven curricula. States can, under their provisions, gut comprehensive services, eliminate parent classroom involvement, eliminate health and mental health screenings and services, eliminate adult literacy services, eliminate vision and dental services, eliminate health and nutrition education. And, yes, under this they can take block grant money and supplant other Federal funds. And CRS, Congressional Research Service, an independent group, says that that is so, despite the protestations of the other side.

□ 2130

We also leave too many children behind. For one-fourth of what we are spending in a month in Iraq, we could add another 87,000 children to this program that already underserves America's children.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE), a member of our committee.

Mrs. MUSGRAVE. Mr. Chairman, I rise in support of H.R. 2210.

While the resources spent for Head Start have been very significant, hard-earned dollars of our taxpayers, the results have been mixed. Studies indicate that children who are enrolled in Head Start make some progress, but are still lagging far behind the national average in school readiness.

Let me share some research from Health and Human Services. In 1997, Head Start children entered the program at an average of the 19th percentile in early learning knowledge areas and graduated in the 23rd percentile. That left Head Start students 27 percentile points behind the national average.

In the 1997–98 school yard, Head Start students actually decreased performance in letter recognition.

In 2000, Head Start children entered the program at an average of the 21st percentile in early learning knowledge areas and graduated in the 24th percentile. That left these Head Start children more than 25 percentile points behind the national average.

Sadly, in the 2000–2001 school year, the Head Start students made no gains in letter recognition.

A recent publication by the U.S. Department of Health and Human Services again concludes that both higher- and lower-achieving Head Start children have low scores overall and show limited progress after completion of the Head Start program, another way of saying they enter and leave the Head Start program with below average skill and knowledge areas.

We know that disadvantaged children need all the help they can get because in order for them to succeed in school, well before they enter school they have to have this knowledge base. We can predict how they are going to do in school by the progress they have made when they enter. The importance of all children achieving academic parity upon entry into kindergarten is critical, because children who start behind have been shown to never catch up.

I am very much in support of this bill, and I commend the gentleman from Ohio (Mr. BOEHNER), the gentleman from Delaware (Mr. CASTLE) and the staff and members for their hard work.

The stakes are high with these disadvantaged children. We need to do everything we can to prepare them for school.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 30 seconds.

Mr. Chairman, it is rather remarkable that the other side has discovered that the poorest children in the Nation do not do as well as the average children in the Nation, but what they ought to tell you is, these children do better than their peers that do not have an opportunity, and by the time they finish kindergarten, they are in the 50th percentile.

That was the job, to try to get them ready for school, and they are accelerating as they go through kindergarten; but they somehow seem astonished that they cannot compete with the average child the first year in Head Start, when they are the most impoverished children in the Nation.

Yes, we are dedicated to all of the changes in title I of this legislation. We are just not dedicated to the eradication of the Head Start program in title II.

Mr. Chairman, I yield 1½ minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, change for any program can be a good thing, if it is change the right way. That is why I reluctantly rise in opposition to the Head Start bill this evening. The recommended changes are wrong for the children of the Head Start program.

The story of Head Start is that it works. It is a highly successful program. Studies have shown for every $1 we invest in children at this age in Head Start programs, we realize $4 to $7 worth of savings down the line. There is not a business person in the country that would not take that deal.

According to surveys, 96 percent of the Head Start families express a high level of satisfaction with their Head Start programs because of the quality and the accountability that exists there already. That is probably why there has been such overwhelming opposition to the radical Republican transformation of the Head Start program before us tonight.

We have heard the concerns of the block grant proposal that they are recommending without accountability or quality assurances. We have also heard the concerns that the bill would legalize religious discrimination in the Head Start program.

What we have not heard this evening is that under their bill they call for a reduction in funding for professional development programs, again affecting the quality of these programs.

What we also have not heard, perhaps a very important issue, is that they are planning on moving forward with an entirely new testing regime by this fall for these 3- and 4-year-olds, when experts in early childhood development tell us, unless we do it right, unless we have the right measurements, it could do more harm than good for these children.

That is why I got included in the legislation a National Academy of Sciences study to recommend what measurements are appropriate for children. But instead of waiting for the results of that study, they are moving forward on an untested, unscientific, new testing system this fall, which could do our children more harm.

Mr. Chairman, I urge my colleagues to oppose this legislation.

Mr. Chairman, I join educators, parents, and Head Start staff around Wisconsin as well as many of my colleagues here today in opposing drastic changes to the highly successful, early education Head Start program. Changes offered by the Bush Administration and backed by the Republican Congressional majority threaten the program, which has helped millions of high-risk children from impoverished families achieve academic success.

In the 38 years of Head Start, there has always been bipartisan consensus to continue this program that currently helps more than 13,000 children in Wisconsin and 2,000 in the 3rd Congressional district alone. As a member of the House Education and Workforce Committee, it is my believe that the majority leaders have put our 3- and 4-year-old children in the middle of a partisan tug-of-war.

Under the bill, which I voted against during the committee consideration, the burden of Head Start would be on the shoulders of cash-strapped States through a series of block grants. Under current law, the Department of Health and Human Services gives money directly to local Head Start programs. Under the proposed changes, however, block grants would be administered by new State bureaucracies, which would cost additional money and provide no guarantee the money would go towards Head Start.

Nearly every State in the nation is facing a budget deficit. We cannot take the chance that one dime of this critical funding would fail to go towards Head Start and the kids it serves.

Educators and parents are particularly upset with the changes because of the success rate of Head Start. Further, numerous studies indicate that every dollar spent on Head Start saves taxpayers $4 to $7 in the future due to savings and lower education and welfare expenses.

I offered a series of amendments to H.R. 2210 during Committee markup and again to the Rules committee last week. The first amendment would restore to current law the 2 percent set aside for training and technical assistance for improving program quality in Head Start. We know the key to quality Head Start programming is having quality teachers dealing with the students. And, yet, the base bill before us would actually go backwards. It

would decrease the training and technical assistance fund to an undetermined amount between 1 and 2 percent. That is especially disconcerting since we know that approximately 2.5 percent of Head Start funds are currently being spent on such programs.

This money is critical for quality staff. Funds are being used to supplement teacher salaries and train staff in a variety of areas. For example, this funding is used to improve staff qualifications, to implement early childhood curriculum, to assess child development, to monitor child health and safety, provide human resources training, support parenting and family services, and to better integrate the use of technology in Head Start centers in working with these kids. Now is not the time we should be going back on the maximum amount that is allowed for ongoing training and technical assistance.

Furthermore, I offered an amendment that would have halted the National Reporting System until the National Academy of Science (NAS) reports to Congress on the appropriate standards and benchmarks for school readiness and valid measures of assessment.

I am concerned with the Administration's implementation of a country-wide testing system for Head Start children despite protests by early child education experts who question the validity and reliability of the assessments developed. The National Research Council's ''Eager To Learn'' report warns, ''assessments must be used carefully and appropriately if they are to resolve and not create educational problems.'' Thus, while we support ongoing assessments of Head Start children to help ensure their school readiness, these specific assessments were developed behind closed doors and with very little input from Congress, Head Start Centers, or other experts.

Reauthorization provides Congress with an opportunity to evaluate appropriate standards and benchmarks for school readiness, as well as valid measures of assessments for Head Start students. Unfortunately, efforts to slow down and properly evaluate the National Reporting System during Committee consideration were defeated. For the sake of our children, it is important that these assessments are not rushed and are given ample review before implementation.

Therefore, Mr. Chairman, I strongly oppose H.R. 2210. I will not support any legislation that reduces the opportunities for children. All children deserve a high-quality prekindergarten program and according to numerous studies that is exactly what Head Start children currently receive.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Chairman, when H.R. 2210 was considered in the Committee on Education and the Workforce, Democrats offered a number of amendments to the bill, an amendment to disallow a provision that taxpayer dollars be used to support religious discrimination in hiring, an amendment to provide money to Head Start teachers to help them acquire bachelor's degrees and be better qualified to teach low-income children of this Nation, and an amendment to fully fund Head Start, ensuring that all eligible preschoolers would have access to the program.

Unfortunately, all of these amendments were rejected. As a result, low-income children in 42 States will suffer and the Head Start program will not have improved access or resources for teacher quality or protection from discrimination in hiring.

In eight States, the majority would dismantle, would dismantle, the program, dissolving Head Start into a block grant without requiring Federal Head Start performance standards. This means States then can eliminate health screenings, parenting education, dental exams, adult literacy services, parent classroom involvement and vision services. The block grant is the first step towards the end of Head Start.

Poverty is on the rise. We should not be dismantling Head Start. Our Democratic substitute will ensure that the program continues unharmed, eliminating the discrimination provision and eliminating the block grant.

Children deserve Head Start. They deserve a chance in life. They deserve our votes for the Democratic alternative and to reject the wrong-headed Republican proposal.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Michigan (Mr. UPTON), a member of our committee and a real leader on this issue.

Mr. UPTON. Mr. Chairman, I too want to commend the gentleman from Ohio (Chairman BOEHNER), the gentleman from Delaware (Chairman CASTLE) and the terrific staff for their work as we prepared this bill for the House floor tonight.

Mr. Chairman, I strongly support this legislation. I have worked with a number of Head Start operations all of my years. I have been impressed with the teachers and the aides; I have been impressed with the administrators, the parents often working as volunteers; and certainly the kids themselves, not only the kids I have seen in the classrooms, but the same kids as I have watched them progress K through 12.

Though tonight there has been a lot of criticism focused on title II of this bill, this is the provision that allows only eight States, only eight States, to establish a pilot program. It is important to note that those States cannot use the money that they receive for these pilot programs for other programs. It has to be dedicated solely to Head Start. They also have to dedicate more of their own State money for these programs. To me, the kids win. They get more money, particularly to see if they can make the program work even better.

As I said earlier, I visited many of these Head Start facilities, and I was concerned as we developed this legislation that under title II perhaps some of those Head Start grantees may have had their funds cut. Well, I did not want to see that happen. I offered a successful amendment in committee to have a hold-harmless provision that prevents any cuts to current grantees that will now be in place for 5 years. So you cannot say that those grantees in fact are going to be cut if that State goes into a pilot program.

By the end of the demonstration period, the 5 years authorization period of this bill, Congress will have an accurate perspective on the effectiveness of whether or not these pilot programs work.

This is a better bill for our kids. Let us see it pass.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield a minute and a half to the gentleman from New Jersey (Mr. HOLT), a member of the committee.

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

Mr. HOLT. Mr. Chairman, for almost 40 years Head Start has assisted low-income, preschool children and their families, establishing a comprehensive, early learning environment addressing a variety of social and medical needs. Certainly in my district, as in districts all over the country, Head Start has been a tremendous success: IQ gains, reading and writing and math skills improved, high school graduation, significantly greater; the need for special education, reduced; crime, reduced.

So if it is so good, why overhaul it? If one wants to improve it, we can do that. But one should review it in a bipartisan way. This is not bipartisan. There is nothing bipartisan here. And this is not a debate. No Member will be persuaded, no vote will be changed.

The Republicans are foisting a block grant program on the country on a take-it-or-leave-it basis. And you know what a block grant program is. It is a pot of money that goes to the State with the message ''This is for early education. You know what to do with it.''

Well, some States know what to do with it, and some States do not.

The block grant approach is flawed and it is illogical. It guts quality comprehensive services, primary health care, dental care, mental health services. The block grant approach weakens performance standards, it sets no minimum thresholds for school readiness standards, teacher-student ratios, classroom size or curriculum content. It weakens oversight and evaluation.

Rather than pursuing a bill that will lead to a partisan vote on Head Start legislation, we should reconsider the block grant approach for the sake of America's children.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Mrs. DAVIS), a member of the committee.

(Mrs. DAVIS of California asked and was given permission to revise and extend her remarks.)

Mrs. DAVIS of California. Mr. Chairman, I must regretfully rise in opposition to a bill which I believe has many good elements.

I see the Head Start program, as my colleagues do, as a successful and long-

standing effort to engage low-income children in the preparation for kindergarten, that we know is readily available and enjoyed by children from more financially secure families. In fact, I have two of my current staff members who are graduates of the Head Start program, and so I know that the program indeed does work.

I am pleased to support the requirements for relevant training for staff members, but the problem is that we really have not done the job of providing loan forgiveness for those staff members. We really have not done the job of finding a way for them to get the professional development that they need.

We have talked about the religious discrimination introduction into this bill, and that is a real problem. But let me just talk about another problem. We have targeted title II, and we have targeted that for a very good reason, because in reality the bill fails; it fails to secure guarantees and require that States not supplant State or other Federal funds with Head Start funds.

We know about the current budget crisis in my State of California. States will find a way to find opportunities to supplant when they are in fiscal crisis, and the bill does not really prevent that.

There is another thing that the bill does not do. It only says that States must generally meet the requirements, not meet or exceed those requirements, and all the special programs in Head Start, we need them to meet those requirements.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Mr. Chairman, Head Start is a program that works. Studies have shown that this is an investment that pays off. Children in Head Start are less likely to be held back in school or placed in special education classes, saving our schools precious dollars. These children are more likely to be successful students and to graduate.

In my home State, there are currently 16,000 children eligible for Head Start and not receiving services because of lack of funding.

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Budget constraints this year have forced Minnesota to make drastic cuts in early childhood programs, cutting more than $3 million in Head Start funding. Early childhood and family education was cut by $7 million. School readiness was cut by almost $2 million, and the Way to Go program, well, that was just plain eliminated. Combined, this represents a 14 percent cut in base funding for early childhood programs in Minnesota.

Now, this legislation would give States a block grant, and in my opinion, that will limit accountability, allowing States to reduce performance standards, allowing for increased class sizes, decreased child-teacher ratios, cutting off services possibly for 3-year-olds, and using unproven curriculum. This legislation would allow States like Minnesota to cut Head Start funding, a temptation I know they will not be able to resist, given the current track record with early childhood programs, and allow governors like my own to shift funding away from Head Start and put programs at risk.

Head Start works. It does not need to be overhauled; it needs to be funded.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Delaware (Mr. CASTLE), the author of the bill and the chairman of the Subcommittee on Education Reform.

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I just want to take on the question of how well we are doing, at least educationally, in Head Start. This is really, really important, that everybody understands it.

First of all, there are not that many studies with respect to how Head Start children are doing. There is a longitudinal study in the works right now which we should have pretty soon. This is a study, and I will show 2 charts, one from 1997 and one from 2000, which shows children in Head Start far below average. The average is 50 percent. That is the median that we are dealing with here.

This study is by the Family and Child Experiences Survey, and it shows, and you cannot see it probably, but the blue is the fall of 1997 and the purple is the spring of 1998, so after they had been through a year of this. It shows the vocabulary of the kids had gone from the 16th percentile to the 23rd. In letter recognition they actually went down from the 27th to the 25th. In early writing, 16th to 23rd, and early mathematics, 17 to 19.

Believe me, these are numbers which tell us that these kids are not going to make it in school. This is absolutely why we have to challenge Head Start. It is why we need to go to a State demonstration to make sure it is brought in with all of the other State programs which exist.

Now, the numbers really are not a lot different for the year 2000, but there they are: 16 to 23 for early letter recognition; early writing went from 16 to 19; early mathematics, 21 to 23. This means that when these children reach kindergarten, we can almost predict that they are not going to make it out of school ultimately, and that, unfortunately, Head Start has not done all for them that it could.

Head Start does a wonderful job in many ways that we have described here today in terms of helping with the well-being of our young children, but it is not doing what we need to do in education, and we need to challenge it. It is as we have seen and heard in some of the newspapers that have written about it. The Detroit News on July 9 said:

''Head Start advocates fear States will fritter away any Federal Head Start funds shifted their way, but proposals now in the House restrict States in how they spend earmarked money. The pilot program would be limited to eight States, and that would be a good test for proposed preschool reforms. If government can devise a better Head Start program, one which helps children more effectively, it should hurry to do so. The program's 900,000 children, the ones who need the help, deserve no less.''

That is absolutely correct. We need to take steps to help them academically. What we have proposed will do so. Please support this legislation.

The CHAIRMAN. The gentleman from Ohio (Mr. BOEHNER) has 1½ minutes remaining, and the gentleman from California (Mr. GEORGE MILLER) has 1½ minutes remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield the remaining time to the gentleman from Illinois (Mr. DAVIS).

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Chairman, sometimes when we evaluate, we need to look at the depths from which one comes as opposed to only the heights to which they have not excelled.

I rise in strong opposition to H.R. 2210. I am pleased that my amendments in committee to restore reference to the importance of delivering culturally appropriate services and to increase opportunities for fathers to more actively participate in Head Start were agreed to. And while I am pleased with the acceptance of these amendments and others introduced by my colleagues, I am greatly disappointed by the fact that other amendments will not be discussed here today.

Among these is my amendment to provide funding for grantees to fulfill the requirement that 50 percent of teachers have bachelor's degrees. Since my amendment was not accepted, this will continue to be an unfunded mandate like the rhetoric of Leave No Child Behind.

Education is, in fact, the great equalizer, and since its introduction in 1965, the Head Start program has helped over 21 million of America's poorest children gain the academic, social, emotional behavior, and readiness skills necessary for success. In those 38 years, we have learned much about the needs of disadvantaged children living in poverty. What we have learned is what it takes to prepare them for school. It takes dedicated, skilled, well-trained teachers. It takes parental involvement. It takes comprehensiveness. It takes health care. It takes nutrition. It does not take some kind of program that has never been tested.

Let us keep Head Start. ''If it ain't broke, don't fix it.''

Mr. Chairman, I would like to begin by commending Chairman BOEHNER and Ranking Member MILLER from the Education and the Workforce Committee and Chairman CASTLE and Ranking Member WOOLSEY from the Subcommittee on Select Education for their work

on this bill. I rise in strong opposition to H.R. 2210. I am pleased that my amendments in committee to restore references to the importance of delivering culturally appropriate services and to increase opportunities for fathers to more actively participate in Head Start were agreed to. While I am pleased with acceptance of these amendments and others introduced by my colleagues on the Education and the Workforce Committee, I am greatly disappointed by the fact that numerous amendments designed to improve this legislation will not be discussed today. Among these is my amendment to provide funding for grantees to fulfill the requirement that 50% of teachers have Bachelor's degrees. Since my amendment was not accepted, this will continue to be an unfunded mandate, like the rhetoric of Leave No Child Behind.

Education is the great equalizer. Since its introduction 1965, the Head Start program has helped over 21 million of America's poorest children gain the academic, social, emotional, behavioral and readiness skills necessary for success in the future. In those thirty-eight years, we have learned much about the needs of disadvantaged children living in poverty and what it takes to prepare them for school. It takes skilled, well trained and dedicated teachers. It takes comprehensiveness. It takes health care, nutrition, it takes parental involvement and participation. It takes more than eloquent speeches about Leave No Child Behind experiments. The Head Start program has grown and changed through the years with the increased knowledge of how best to serve low-income children and their families. Study after study has shown that participation in the program results in decreased incidence of school failure, higher graduation rates, lower crime rates later in life, and better social and emotional relationships. In these times when politicians speak so eloquently on how no child should be left behind, why would we conduct an experiment that would restructure an already successful program and, ultimately, result in thousands of children being left behind?

Title II of this bill would do just that. It implements a pilot program for eight states to take the Head Start money appropriated to them and run the program on their own. The idea behind this experimental program is to integrate Head Start with already existing state preschool programs. However, such a move would undermine the intent of Head Start as a comprehensive, family-based program. Title II would allow states to determine their own standards, guidelines, and qualifications. These states could decide to implement Head Start as a pre-kindergarten program, cutting out nutrition, vaccinations, dental care, medical care, and other important services currently guaranteed to children in the program. With the current state budget crisis, these services will almost certainly be eliminated, leaving the low-income children served by Head Start with no way to receive these extremely important services.

The Head Start program has been in place for 38 years and has been continually improving in quality as professionals have gained knowledge on how best to serve low-income children. This knowledge and understanding has resulted in high quality standards being set. In contrast, many states do not even have preschool programs, and those that do are still in the early stages of developing them. Few state-run preschool programs have established quality standards. Nor do state-run preschool programs encourage the active participation of parents. Helping parents learn how to provide nurturing environments for their children has a positive impact for years after graduation from Head Start and is beneficial for the child in the program as well as his or her siblings. The role of parents in Head Start goes far beyond being a PTA member or a teacher's aide; parents learn that they are the most important role model for their children and must be a caring and supportive influence. The vast majority of State-run preschool programs also have little to no integration of services, which is already a major part of the Head Start program. Merging Head Start with programs that do not have quality standards, do not encourage parent participation, and do not provide such services as nutrition, health, and immunizations runs the risk of destabilizing a successful program and lowering standards and minimizing services that have been so painstakingly developed.

Mr. Chairman, Head Start could serve our children better. However, dismantling the program and leaving states to rebuild it without the insights gained over the past thirty-eight years would be a tragedy for our low-income children and their families.

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, if we look at the proposal that we have before us, in title I, the main part of the program, there is quite a bit of unanimity about the changes that need to be made to help improve Head Start if, in fact, we are going to improve the futures for many poor children in America. I think there is a recognition that more of an education component to Head Start is absolutely necessary.

And so if we look at title I of the bill, there is no amount of disagreement over it. The real disagreement is over title II which would set up an eight-State demonstration program, only for the States who have made big commitments to early childhood development, only States that would agree to meet or exceed Federal standards, only for States that are willing to make a big commitment and are already doing it, and they will have to add more money. And if that is not enough, we guarantee that the local grantees that are there today in those eight States will continue to receive their money for 5 years.

How anybody could ever refer to this as a block grant is beyond me.

Why are we doing this? Very simply this: Some States are making big commitments to help poor kids, and if they are able to take their pre-kindergarten programs, their early childhood development programs, their child care programs, they can work with poor children in their States and their families to create a more seamless system to help prepare children for school.

Why should we not see if it works? Why should we not take the chance to help these children? Because I do believe that some States will be better able to prepare these children to be ready for school.

Mr. MATHESON. Mr. Chairman, in my district, nearly 200 children and their families utilize Head Start. I am opposed to the legislation before us today because it would pose a risk to the many Utahns who receive health, dental, social and educational services under this vital program.

This is a program with a long-term record of success in investing in the future of our children. Head Start has a proven pattern of success with enrollment correlating to IQ gains, improved high school graduation rates and higher achievement in writing, vocabulary and social skills.

For almost 40 years, Head Start has been a lifeline for disadvantaged Utah children, providing comprehensive services to them and their families. I have seen the positive results. Children are receiving medical, social and education help unavailable to them from any other entity.

After taking to Utah parents, administrators and children in Head Start, I am convinced that the current program serves as well, and I don't understand the why Congress would want to make the significant changes before us today.

Mr. RODRIQUEZ. Mr. Speaker, I rise in strong opposition to H.R. 2210, the School Readines Act.

I rise today, not only as Chair of the Congressional Hispanic Caucus, not only as a Member of this body, but as a person who had to fight for every day of his education and who is determined not to have his grandchildren go through the same thing because of a partisan attack.

The changes to Head Start proposed through this legislation are disgraceful.

And the lack of resources committed to serve all eligible children is shameful.

We can no longer block grant the needs of families and then cut them off at our discretion.

There are currently an estimated 270,000 Hispanic children benefiting from Head Start today.

For over three decades, Head Start has grown tremendously, however, funding has failed to keep up with inflation, let alone provide enough to maintain or improve quality.

And now the President's 2004 budget proposals laid out the beginning of this plan to dismantle Head Start.

His plan will keep 32,000 of our immigrant and seasonal children in the fields and prevent the diversity of our education system through religious discrimination.

The Head Start program is not perfect, but this plan throws the baby out the bathwater.

Mrs. JONES of Ohio. Mr. Chairman, I rise today in opposition to H.R. 2210, the School Readiness Act of 2003.

In my State of Ohio, the State Head Start Program, as passed by the Ohio General Assembly, and signed by Governor Taft, provided funding to serve only 11,672 children in fiscal year 2004 using $57,170,000 in TANF Block Grant funds, which is a reduction of services to 6,328 kids. In the second year, funding was increased to $110,184,000 in TANF Block Grant Funds with an anticipated enrollment of 14,000 children—still 4,000 fewer children that were served compared to last year.

There is only a small amount of State funds that are included in the Head Start line item, $16 million in General Revenue Fund (GRF) money—$11 million in fiscal year 2004 and $5 million fiscal year 2005. But, State funds can

only be used for start-up, and can only be used for TANF-eligible services. This means that homeless children, children whose parents are unemployed, and foster care children are ineligible for State-funded Head Start. The State contends these children can be served by Federal Head Start even though there is no increase in funding in H.R. 2210 to accommodate these children.

Since the State program is funded almost exclusively by TANF, except for the self-imposed funding restrictions on the State money as mentioned above, comprehensive health services will not be able to be provided to children in State-funded Head Start. This violates both performance standards and common sense as to what we know these children need.

In tough economic times, one of the first programs to be cut in Ohio, as well as other States, has been early care and education services.

The goal of creating a comprehensive early care and education system that provides quality services for children, easier access for parents, and fabulous results for all children is laudable and one for which we all strive. In the last several years Ohio has taken several steps in the opposite direction by continuing to flat fund preschool, lowering child care eligibility, cutting 6,300 low-income children off of State Head Start, and eliminating almost all State resources to support one of our most vulnerable populations. Until Ohio has proven on a consistent basis that a comprehensive, appropriately funded early care and education system is one of its top priorities, Ohio should be one of the last in line for flexibility to do what it will with children: recent history already has shown we are not ready for it.

Mr. Chairman, I rise to reiterate my opposition to H.R. 2210. Funding authorization in H.R. 2210 does not even cover cost of living increases, let alone provide enough to implement improvements in teacher credentialing and wages or to increase the number of children served in Head Start, Early Head Start, and the Indian, Migrant and Seasonal Head Start programs, all of which are woefully underfunded. Ohio has done much work to help Head Start teachers receive higher credentials and degrees, but it takes a long time and significant resources.

States given the option to administer Head Start would have little federal monitoring. The states would be free to determine their own standards and monitor their progress, unlike the current requirements to closely monitor Head Start programs. This is of great concern.

Finally, several Ohio faith-based organizations and coalitions are not in support of provisions in H.R. 2210 that allow discrimination in hiring based on religion. My constituents believe that discrimination of any kind should not be allowed in this bill. It is also of great concern should this provision extend to volunteers. Parents are often the ones encouraged to volunteer in their child's classroom. Parents often are ultimately hired as staff in Head Start centers. Do we want to discourage parent involvement and a potential job applicant pool because of their religion?

Mr. LEVIN. Mr. Chairman, I rise in opposition to the bill. The Bush Administration and many in this Congress have said over and over that the education policies of this country should leave no child behind. The President pledged to leave no child behind, and then proposed more than a billion dollars of education cuts. If the legislation before the House today passes, the Majority will once again fail the kids who need our help the most.

Head Start was created to help secure a good start, a good education, and good prospects for at-risk youth. Not only does it help children develop cognitive learning and social skills, but also provides comprehensive health, dental and nutrition services which are vital to educational success. This bill before the House would undo the foundation of a program that has been a glowing success for nearly 40 years.

In addition, this bill seriously underfunds Head Start. With already limited resources, Head Start struggles to serve two our of every five eligible children. Without additional funding, we will leave nearly 1 million children behind. It is ironic that the Majority will push to pass billions in tax cuts that chiefly benefit the very rich, yet is unwilling to provide the necessary funding to school kids. This speaks volumes about the priorities of the Majority.

In contrast, the Democratic substitute which I support would build on the success of Head Start. It does so by strengthening school readiness, improving program quality and accountability, and expanding access so more eligible children will be served. It does all this while maintaining local control and high program performance standards.

I ask you to defeat the Republican-sponsored legislation. If you vote for this legislation, not only are you voting to undermine the foundation of Head Start, you're voting to undermine the future of the children who depend on it.

Mr. BACA. Mr. Chairman, I rise in support of the Democratic substitute to protect Head Start. I oppose H.R. 2210, because this bill will do nothing to help African American, Latino, and low-income children get a head start on education.

Head Start has been helping minority and low-income families for over 38 years.

It has helped millions of children from our families have access to quality education.

Ninety percent of the families served by Head Start are below the poverty level and 30 percent are Latino. We must fight to protect this program.

Head Start helps our children compete on a level playing field with children from more privileged backgrounds.

Our families deserve a level playing field. Our children deserve a quality education.

If we truly cared about all children, we would simply expand Head Start not leave it up to the States.

There are nearly 1 million children from Spanish speaking homes that could use a Head Start, but because of funding it can only serve 21 percent of them.

We must not let Republicans block grant this program. It is too important to minorities and low-income families. We must pass the Miller substitute and stop the destruction of Head Start.

Right now, States like my State of California are facing huge deficits. They have their hands full. They cannot adequately protect this program.

All children deserve a better chance at life. We should simply expand this program.

Right now, Head Start only serves 60 percent of all eligible children.

I am tired of watching legislation be passed every day that hurts minorities and hurts the poor. This doesn't make sense.

We must provide more money to our Latino communities since we are now the largest minority in the country.

We need more money to train teachers to meet the needs of children with limited English skills.

The only way to improve Head Start is to invest in our children. Giving control to the States simply doesn't make sense.

I urge my colleagues to vote ''yes'' on the Democratic substitute and ''no'' on H.R. 2210.

Mr. ISRAEL. Mr. Chairman, I rise today in strong opposition to H.R. 2210, the School Readiness Act of 2003.

Head Start is one of the great success stories in the history of American education. Since 1965, Head Start has benefited more than 20 million low-income pre-school children, preparing them to compete with their more affluent peers when they reach primary school.

Head Start offers these kids a research-based academic curriculum and a wide range of vital services, including health screenings, nutrition, dental and vision services, as well as extensive parental involvement in education. It currently serves over 900,000 pre-schoolers, including 2,500 on Long Island.

Last week, I had the privilege of meeting several Head Start success stories in my district. Let me tell you about one of them.

Thomas Farrell attended Head Start for 2 years as a pre-schooler. Thomas came into Head Start with a speech impediment, which the Head Start educators worked to correct.

Now, Thomas has just finished his first year at Brown University. He has excelled in his coursework. He plays linebacker on the football team. And he speaks perfectly.

From Head Start to the Ivy League. That's the kind of life-changing difference that Head Start makes.

But this bill will pull the rug out from under all of the future Thomas Farrells out there—ending Head Start as we know it. H.R. 2210 dismantles Head Start, turning the program over to States with unproven expertise and without the Federal program's quality standards and oversight.

It this bill passes, our low-income kids will be placed into State-run Head Start programs, which will be held to a weaker set of quality standards—if they are held to any standards at all—than current, locally run Head Start programs.

States will be able to cut off all services to 3-year-olds, increase class size, eliminate adult literacy services, eliminate parent classroom involvement, and use unproven and untested academic curricula.

And under this bill, States will be able to raid Head Start funding to pay for other educational programs.

My Republican colleagues say they want to make Head Start better. But under this bill, State are under no obligation to show that they would improve the program. In fact, no State pre-kindergarten program has ever been demonstrated to be as effective as Head Start.

Mr. Chairman, my Democratic colleagues and I are willing to work with our friends across the aisle to make Head Start an even more effective program for our low-income kids. We can start by fully funding Head Start so no eligible child is left behind. We can work together to expand Early Head Start to serve

more infants and toddlers. And we can improve the quality of Head Start teachers by requiring that more of them have bachelor degrees and by compensating them properly so that they stay with Head Start.

But what we must not do is dismantle a program that has proven to be so effective for our low-income kids.

Mr. Chairman, education is the great equalizer for kids like Thomas Farrell to achieve the American Dream. I implore my colleagues to vote against H.R. 2210, which makes the playing field even more unlevel for them.

Our primary job in Congress is to set priorities for America. Let our children be our highest priority.

Mr. FARR. Mr. Chairman, I rise today in strong opposition to H.R. 2210, the School Readiness Act of 2003. Since 1965, Head Start has profoundly improved the lives of more than 20 million children, and their families. The legislation before us undermines the very structure of the Head Start program and its ability to continue to improve the lives of low-income children who deserve a chance to succeed.

This bill establishes an eight state, block grant program that would provide funds to cash-strapped states that have neither the experience nor the commitment to run a Head Start program. These state run Head Start programs would not be required to meet Head Start performance standards that ensure a quality, comprehensive program that focuses on: health, education, and family and community development.

One of the most valuable parts of the Head Start program is the commitment to families and communities. The ''federal to local'' organization of Head Start has allowed each program to address the particular needs of their locality. Through this tailored approach, Head Start teaches and encourages parents to become more involved and committed to their children's continuing education. The result is that Head Start has been able to improve the long-term outlook for many children. Studies show that by the spring of their kindergarten year, Head Start students show substantial progress in word knowledge, letter recognition, math skills, and writing skills in comparison to national norms. In addition, Head Start students are less likely to be held back a grade, or require special education. Rather, they are more likely to graduate from high school and college, than their peers who did not enjoy the benefits of Head Start. There is no evidence to show that state-run Head Start programs could replicate these successes or the invaluable community focus.

In order to continue to help more low-income children overcome the disadvantage of poverty, Head Start must receive adequate funding. Currently, Head Start is capable of serving only: 60 percent of eligible children, and 19 percent of migrant children; while Early Head Start serves only 3 percent of eligible children. Rather than jeopardizing the quality programming of Head Start by ceding control to states that are inexperienced in managing Head Start programs, we need to catch more at risk children who are slipping through the cracks.

In addition to making irresponsible structural changes, H.R. 2210 repeals longstanding civil rights protections for the employees of Head Start programs that are operated through faith based organizations. Under this legislation, faith based organizations could legally discriminate, on the basis of religion, in the hiring of their Head Start employees. Many Head Start programs are admirably operated by faith-based organizations, however, that does not give them the right to discriminate if they accept Federal funds. The only consideration in hiring Head Start teachers should be to secure the best possible educator for these children who so desperately need quality instruction. It is shameful to think that educational qualifications could be overshadowed by religious affiliation.

In my home State of California, over 100,000 children and their families participate in Head Start and Early Head Start programs annually. These programs have dramatically improved school readiness, health, and family relationships of participating children. I am unwilling to support H.R. 2210 and its unproven provisions that threaten the established success of the Head Start Program. I would urge all of my colleagues to oppose this dangerous legislation.

Ms. LOFGREN. Mr. Chairman, I rise today to express my strong opposition to proposed changes to Head Start that will lead to the dismantling of this important program for children. Instead of making these changes, we should be working in a nonpartisan manner to strengthen a program that has served so many children so well for almost 40 years. Turning Head Start over to the States who already face growing record budget revenue shortfalls can only lead to deep, unacceptable cuts in State government support for early childhood education and development programs.

Countless studies show that Head Start is effective at an early age and continues to be effective into adulthood.

One study shows that only about one-fourth as many female Head Start participants as nonparticipants failed to obtain a high school or GED diploma and only one-third as many were arrested for crimes.

The Administration itself said in a 2002 report by the Department of Health and Human Services (HHS) that Early Head Start programs consistency enhanced cognitive development and reduced negative aspects of children's social-emotional development.

HHS reported that the Head Start program received the highest customer satisfaction score of any government agency and even had a higher score than many major companies.

HHS also found that the children and families served by Head Start are diverse in culture and language and that parents have been pleased with the program's attempts to respond to linguistic and cultural uniqueness of their children.

We must not by persuaded by word games involving Head Start. I do not believe that we should attempt to ''improve'' Head Start by breaking it up and diverting its funding to the States for use in untested and unproven programs that may not survive deficit-driven State budget cuts over the nest few years. Our constituents will be watching to see how we work to best serve their children.

It is inconceivable that we would strive to serve fewer children than Head Start does not or provide less comprehensive services to those children who are served. These outcomes are simply not acceptable since these at-risk children who rely upon Head Start require special assistance in order to be ''ready to learn'' when they start kindergarten and elementary school. Why, Mr. Speaker, should we support spending funds on state administrative costs that would be better spent serving children in the classroom? Perhaps, someone can explain to me how reducing teacher educational requirements and other key standards and providing no role for Head Start parents and volunteers will strengthen this program.

Rather than this dangerous bill, I support making Head Start work better rather than dismantling Head Start. This House should make sure that this program survives and is properly funded to serve all eligible children, including the two out of five 3- and 4-year-old children who could be in the program, but are not, today. We should be building on the success of Head Start, not rendering it useless. Mr. Chairman, Head Start deserves the funds it needs to serve all eligible children and to put more teachers with top qualifications into the classrooms where they are so urgently needed today.

Mr. STARK. Mr. Chairman, I rise today in opposition to the Republican Anti-Head Start legislation that strives to destroy this nationwide pre-school program for poor children, and in support of the Democratic substitute.

The Head Start program is by far the most successful preschool program in this Nation's history. The facts show that Head Start works. Children enrolled in Head Start show gains in their IQs, are more likely to graduate from high school, and are less likely to need special education, repeat a grade, or commit crime than low-income children who do not attend Head Start.

Head Start works because it provides comprehensive health and nutritional services as well as educational services to poor children. This is important because well-fed and healthy children learn better than hungry and unhealthy children.

Head Start also works because it provides services to parents such as education classes, health services and parent training classes. This is vital because parent services involve fathers and mothers in their children's development and as a result their children perform better academically.

Unfortunately, the Republican bill today attempts to destroy all that is good about Head Start. Instead of expanding the program, the Republicans allow states to gut Head Start and the benefits it provides to children. By turning the program into a block grant, Republicans are ensuring that unproven state preschool programs could soon replace Head Start.

It is a proven fact that these state programs aren't as good at improving our children's academic performance. A recent Yale University Study shows that Head Start provides better health and nutritional services than any state preschool program. Yet, the Republican bill does not even require States to demonstrate that their preschool programs can do a better job than Head Start. In fact, States could use Head Start dollars to support preschool programs that have no quality education standards or that have no school readiness standards.

Republicans also allow States to cut off all services to 3 year olds, to increase class size, to increase child-staff ratios, and to eliminate adult literacy services, parent classroom involvement and all health and nutrition services.

Mr. Chairman, our children deserve better than a second rate start to their education. They need the best Head Start we can give them.

Unlike the Republican bill, the Democratic substitute builds on the proven success of Head Start by strengthening school readiness, improving program quality and accountability, and expanding access so more children can receive its benefits. The Democratic bill strengthens Head Start's focus on pre-literacy, language and pre-math skills and creates new quality standards to develop school readiness skills.

Our legislation also expands Head Start to all eligible preschoolers and increases access for poor families to the Early Head Start program. Even the most successful programs need improvements over time. The Democratic bill addresses this. It strengthens Head Start by providing meaningful reforms that build upon this program's success.

Mr. Chairman, I urge all my colleagues to stand up and stop this heartless destruction of Head Start. The hopes of millions low-income children are depending on us to do the right thing. We should not deny these children the Head Start services that give them a better chance, that help them to succeed, and allow them to become healthy and productive citizens of our great country.

I urge my colleagues to vote to save Head Start and Early Head Start by supporting the Democratic substitute and voting down this destructive Republican anti-Head Start bill.

Mr. BLUMENAUER. Mr. Chairman, it makes no sense to gamble with Head Start. We have a program that serves almost a million people. Since Head Start's inception in 1965, the program has reached over 21 million children. In our community it has served over 214,000 children and their families. It works.

Head Start children score higher on standardized assessments of cognitive development than children who haven't been able to participate.

Head Start is an investment. There are estimates for each dollar invested in the long term savings to society are seven times as much, but that does not really tell the whole story. It's not just money, it is more stable families, a sense of worth and accomplishment and it is a demonstration that we care enough to invest in children who don't have all the advantages.

Children learn by example. Parents of Head Start children are more likely to be engaged with their children, and more likely to read with their children. Head Start is more than just an education program. Health screenings provided by Head Start are an essential component of many children's health at a time when too many of our working families do not qualify for health coverage.

In my 8 years serving in Congress I have not heard one complaint about Head Start. In fact, Oregonians support Head Start and are opposed to the changes. This bill is a sign that we don't care enough to provide services for another two-thirds of a million children and their families that are eligible but for whom funding is not available, this of course would be small fraction of the money we are giving in tax cuts to people who have all the financial advantages and do not want for education and support. It will be extremely difficult to explain to the vast majority of Americans how we have money for the most well off and not to extend this basic proven service to those not in need and who would benefit not just themselves but the society for years to come.

The problem is compounded by the insistence administration and Republican leadership to take chances with Head Start. Because of economic upheaval, more restrictive financial operating requirements and frankly because the Federal Government has not kept its promises, state governments are a source of significant turmoil.

Across the country, states are dealing with the economic calamity and the lack of federal support by cutting back on services and some cases abandoning long held principles of their own. College tuition is skyrocketing, social service networks are unraveling and money that was to be directed to long-term social problems are being robbed to avoid complete financial breakdown. State after state is raiding tobacco settlement money which was given to correct health problems from use of tobacco. This money is being diverted, to provide short-term financial relief.

Why would we take a proven successful program and throw it into the financial black hole that is represented by so many states? Why would we abandon the guarantees that these Head Start money will go to the children who need it? Why after the travesty of Leave No Child Left Behind which has degenerated into a series of unfunded mandates would we now impose another unfunded mandate for Head Start teacher qualification and provide no addition resources? In my good conscious I cannot support a bill that gambles with our children.

Mr. LARSON of Connecticut. Mr. Chairman, I rise today in opposition to a bill that would turn back the clock on the improvements made to early childhood education and development in this country.

The School Readiness Act, H.R. 2210, would turn the successful Head Start education program for disadvantaged children into block grants in eight states, including Connecticut, which would reduce accountability and ignore performance standards. It would allow states to qualify for a block grant simply by having a state preschool program, regardless of the quality, components, size or proven record of that state program. It also allows states to run Head Start programs with lower educational standards, minimal comprehensive services, less oversight and accountability and no evidence that they do a job equal to or better than Head Start.

This legislation is the first step in the process of completely dismantling a very significant early childhood education program by turning it into a block grant initiative for states without requiring them to live up to any Head Start performance standards. The bill diverts funds from local programs to state governments while at the same time relieving states of the responsibility to meet the current federal performance standards that have made Head Start so successful. This change will result in reduced performance standards, accountability and oversight, ending the Department of Health and Human Services review process and weakening the program.

Mr. Chairman, Head Start is one of the most evaluated federal programs, and research concludes that Head State works. Children who attend Head Start exceed national norms in vocabulary, early writing, letter recognition and social behavior, and they enter school better prepared than low-income children who do not attend Head Start. Head Start students are less likely to need special education services, are less likely to repeat a grade, are more likely to graduate from high school and are less likely to commit crimes during adolescence.

For nearly 40 years, Head Start has successfully served millions of children through comprehensive services to ensure they are ready for school. The efforts to dismantle this program is little more than an ideological exercise cloaked in rhetoric about collaboration with states and improving outcomes. It is an unjustified and unnecessary experiment on a successful program that is less about real policy and more about advancing an ideological crusade. It will end up doing harm to the children of this country and I urge my colleagues to oppose it.

Mr. OBERSTAR. Mr. Chairman, I rise in opposition to H.R. 2210, because it unjustifiably turns the Head Start program—one of the most evaluated and successful federal anti-poverty programs—into an unproven experiment.

The very strength of the Head Start program lies in the comprehensive services it provides. Consistent with Maslow's hierarchy of needs, the program improves academic achievement only because it addresses basic health and mental health, nutritional, dental and other social needs of low-income children. These needs must be met in order to facilitate learning. H.R. 2210 discards Head Start's comprehensive approach and curtails parent involvement. It troubles me that proponents of this bill believe that we can expect children to excel academically, along with their privileged peers, when, in fact, their learning is seriously impeded by the devastating effects of poverty.

Pediatric dentists are rare in rural areas. In Blossburg, PA, the local Head Start program makes several trips each year to Scranton with children who needed so much dental work that local dentists will not treat them. Parents do not have the means to drive 180 miles to access dental treatment, so Head Start provides the transportation.

John Holdsclaw, who worked with the National Head Start Association and was a Head Start student himself, would not be the successful adult that he is now without the program. When he entered Head Start at the age of four, he was called ''Thick John,'' because he never responded when asked a question. Head Start employees found that he had an inner ear problem; had this problem not been corrected, John would have entered school unable to hear his teacher and unable to learn.

There are eleven Head Start agencies, including five tribal programs, serving families in my Congressional District. Over the past 5 years, these programs served 12,683 children ages 0–5. In my district, 50 percent of eligible children go unserved by Head Start and Early Head Start.

In recent weeks, I have received numerous expressions of support for this vital program from Early Childhood experts, Head Start teachers, and Head Start families in my district. They all state the obvious: Head Start has yielded countless success stories, and it should not be restructured in the name of ''reform.''

Recently, I heard from Susan Woidyla, a Head Start teacher who serves children in two

counties in my district. She described the success of the Early Head Start program's curriculum for prenatal woman. The program currently serves ten pregnant women, many of whom are teenagers who will be first-time mothers. Woidyla spoke about one teenage mother who is homeless and in an abusive relationship. As the only social service program in her life, Head Start is not only providing her with critical information about the brain development of her fetus and the potential effects of periodontal disease, but the program is helping this young woman find the services she needs to care for herself and her developing child.

Julia Kicker, another constituent of mine, shared her family's experience with Head Start. Although Julia and her husband knew that their first son, Jacob, was lagging behind other children in his social development, they were told differing information from local day care providers. Some day care providers insisted that he was fine; others believed he needed to be medicated; and still others suggested parenting classes for the Kickers.

Then Jacob began Head Start. The staff identified his needs, and they encouraged special education professionals to become involved with assessments and other services for Jacob, who is now enrolled in kindergarten. He has a one-on-one para-professional helper in the classroom and has been diagnosed with sensory delay and emotional behavior disorder.

Not only did the program assist Jacob, but it assisted Julia as well. It was the support that the Head Start program routinely gives parents and families that gave Julia the self-confidence to run for and be elected to the Policy Council for Head Start, the Board of Directors of the Community Action Council, and the City Council.

I will not vote for legislation that guts Head Start's comprehensive services and parental involvement and unravels a successful program that HHS itself has said is working. Instead, Head Start should be adequately funded to meet the needs of all eligible children.

I urge my colleagues to vote ''no'' on H.R. 2210.

Ms. SLAUGHTER. Mr. Speaker, Head Start works. In my home district, over 3,300 children benefit from Head Start programs. Ninety-seven percent of these children are part of families that live below the poverty level or receive public assistance. For these children in Western New York and the other million children enrolled in Head Start across the Nation, I oppose the Head Start Reauthorization Act and its attempts to dismantle Head Start.

Countless studies have shown that Head Start is an effective program that helps some of our Nation's neediest youths succeed. It takes a holistic approach to children's welfare by proving early childhood education in reading, writing, mathematics, and language skills, providing medical and dental care, providing mental health services, and providing disability assessment and treatment. Virtually every single child in Head Start programs in my district has received appropriate preventative and primary medical care and comprehensive dental care. This is health care they likely would not receive otherwise.

The comprehensive approach to preparing children for academic success is itself a success. Dollars spent on Head Start produce taxpayer dividends for year. Children who go through Head Start are better prepared for elementary school. Without Head Start, many of these children would be far behind their peers from the first day of kindergarten. Head Start children are less likely to repeat a grade, require special education, or be convicted of a crime. Head Start children show IQ gains when compared to low-income children who are not in the program. In addition, Head Start children are more likely to graduate from high school and college.

H.R. 2210 is the first step toward destroying Head Start. The bill would hand control and responsibility for Head Start to eight states—states that are facing the severe budget crisis gripping almost every state and local government. However, these states would not be required to meet minimum federal standards. Without these federal basic requirement, states are likely to weaken educational standards, cut services like medical and dental care, and shift more funds to cover administrative costs—especially during this jobless recovery that is squeezing state budgets. It is irresponsible to hand states such a substantial sum of money without ensuring that it will be spent for the optimum benefit for the 900,000 children currently enrolled in Head Start and the thousands of eligible children who are not enrolled.

The Head Start programs in states that are not part of the block-grant experiment continue to be severely underfunded. The lack of sufficient funds denies many eligible children access to Head Start programs. Only 60 percent of eligible preschoolers are enrolled in Head Start; Early Head Start only serves 3 percent of eligible infants and toddlers; and Migrant and Seasonal Head Start only serves 19 percent of children or migrant and seasonal farm workers—all due to insufficient funds.

Further, I am incredibly disturbed that this bill promotes discrimination by allowing Head Start programs to hire and fire teachers based on religion. This country has an admirable history of advancing the fundamental principle of nondiscrimination, particularly when the federal government spends taxpayers' money. It is irresponsible to allow religious organizations using federal dollars to run secular Head Start programs which could discriminate against people of other faiths. The landmark Civil Rights Act of 1964 prohibits many insidious forms of discrimination. It also permits religious organizations to hire people of their own faith for religious functions. It protects synagogues from discrimination suits for not hiring a Catholic priest to serve as a religions leader. This is as it should be. But Head Start is not a religious program—it is a secular education program. The faith of the teachers in Head Start is irrelevant to their jobs. It is a terrible lesson to teach thousands of children that discrimination against peoples of a differing religious faith is desirable. How are Head Start teachers supposed to teach their students that discrimination is wrong when a federal statute validates it? Mr. Chairman, I strongly support the Woolsey/Edwards/Frank/Scott (VA)/Van Hollen amendment that would restores civil rights protections to Head Start teachers and oppose H.R. 2210.

Mrs. TAUSCHER. Mr. Chairman, I rise today to voice my strong opposition to H.R. 2210, the School Readiness Act of 2003. Nationwide, Head Start programs are facing serious budget and service cutbacks in the comprehensive health, nutrition, social and educational services they offer. Most Head Start programs only have enough funds to operate a half-day schedule while most parents need full day care to accommodate their work schedules. Only three out of every five children eligible for services find a slot in a Head Start classroom. Only 62,000 infants and toddlers—just 3 percent of those eligible—are served in Early Head Start. Many centers will face possible closure within the next 5 years if President Bush's proposal is enacted.

Last year, federal funding for Head Start was almost cut by 10 percent. If that funding cut had been enacted, the Napa Solano Head Start Program, which serves children in some of the areas I represent, would have been forced to eliminate 100 slots for kids; would have had to close five classrooms; and would have had to fire 15 teachers. The Napa Solano Head Start program serves over a thousand infants, toddlers, and pre-school children in my district. These children come from families who live in poverty—where the parents' incomes are around $18 thousand a year for a family of four. Without Head Start, these families would have almost no options.

Incredibly, Head Start is only receiving a paltry 1.6 percent increase in funding for 2004—an amount that barely covers inflation. Head Start administrators say they will be forced to make cuts. But Mr. Chairman, the cuts are not the biggest concern. The crux of this debate is that the White House and Republicans in Congress are trying to dismantle Head Start as we know it. The Republican bill being debated today would change Head Start from a program that provides federal grants directly to local community organizations into a state-controlled program.

I've always believed that education needs to be a national obsession and a local possession, and I am very concerned that taking money away from communities to run Head Start programs tailored to their needs would devastate children in our communities. States will be forced to use money for administrative expenses instead of spending it all on early education, healthcare, and nutrition services for our children. This plan may also allow states to use Head Start dollars for non-Head Start programs because the block grant money could be funneled to other programs to reduce state budget deficits. A state only needs an existing program providing pre-kindergarten in order to qualify for funds. Unfortunately, nothing in this bill requires the state to have a good pre-K program. There are no measures dictating quality, class size, or components of curriculum. Any program would suffice. Thus, a state with an untested, unproven program that is less rigorous and comprehensive than the Head Start program would still qualify for funds.

According to the National Head Start Association, only four states have services as comprehensive as Head Start, and none have been demonstrated to be of equal or better effectiveness. And, because of conditions put on states to receive Federal funds, many simply would not qualify. The net effect of this, Mr. Chairman, is that there will be fewer dollars to administer programs at the local level and our kids will be the ones who suffer. But that's not the only problem with this bill. It essentially guts performance standards, which will ultimately lead to dismantling Head Start. Current law requires the Department of Health and Human Services to thoroughly review all Head

Start grantees every 3 years. Head Start experts supervise and conduct the reviews. Under H.R. 2210, accountability and oversight will disappear because the reviews will be contracted out and there will be no initial evaluation of the quality of their state plan before funds are released. By determining priorities and making decisions at the state level instead of at the local level, the input of community leaders and parents would be eliminated.

I do support the underlying bill's provision requiring that 50 percent of Head Start teachers nationwide have a bachelor's degree by 2008, and that by 2005, all new teachers have at least an associate's degree. This would provide our children with better trained teachers and would provide our teachers with a way to earn a higher salary. Unfortunately, this bill provides no funding for teacher education or salaries. It actually cuts the amount of funds that may be reserved for teacher training and technical assistance to less than 2 percent. Head Start teacher salaries cannot compete with the benefit packages offered by county offices of education and school districts; therefore we train teachers and then lose them to the higher paying entities after they obtain their degrees. This bill does not provide enough money for teacher training and salaries and is thus another unfunded mandate.

Head Start is not just a literacy program or just a pre-kindergarten program. It is an anti-poverty program that seeks to build strong families and strong communities. Strengthening the family is the only way we can effect long-term, positive change in a child's life.

My colleague from California, GEORGE MILLER, has offered a substitute bill that will keep Head Start in place as we know it. The Miller substitute will strengthen school readiness, improve program quality, and expand access so more eligible kids are served—and provide enough funds to do so all while maintaining local control. The Democratic substitute includes assistance for children of migrant and seasonal farm workers, creates a new quality standard to develop school readiness, and focuses on pre-literacy, language and pre-math skills. While our children's performance standards in some content areas do need to be improved, dismantling the entire Head Start program, as the majority's proposal would do, is a huge leap backwards in the progress we've made for children in communities across the country.

I urge my colleagues to support the Democratic substitute and to preserve this great program.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I am here today to oppose H.R. 2210, the School Readiness Act of 2003. While I agree that every child deserves an early education—the ''head start''—that they need to get a strong start in life, and to be safe and secure while their parents are at work, providing its funding in the form of block grants and moving the program from the Department of Health and Human Services would strip the program of its effectiveness.

Every day, three out of five preschoolers are in childcare and millions of older children are in after-school activities while their parents work. Head Start activities help to shape the way children think, learn, and behave for the rest of their lives, but little attention is being paid to the quality of those experiences.

While Head Start offers a strong educational foundation, the program teaches proper nutrition and provides health mental health and mental health screenings and other important services that many of these children would not have if it were not for the Head Start program. This Nation's most comprehensive and successful pre-school program for low-income families, Head Start serves at least 1 million children each year.

As a member of this body, but more importantly as a grandmother I am troubled by the administration's plans to dismantle this proven program by turning it over to struggling states. I find this move to be incredulous and it baffles me as to why such a move would be necessary.

Disappointingly, last week the Rules Committee voted on a closed rule, which allowed no amendments to H.R. 2210. During the last week, colleagues on both sides of the aisle echoed the need for civility and respect in this institution in making this a better America. Republicans offer a rule that allows changes to their bill without allowing changes to the Democratic substitute, and also blocks consideration of critical Democratic amendments. I understand that my colleagues on the other side of the aisle are doing everything to succeed the President's agenda, but I am shocked that they are doing it at the cost of innocent, deserving young children.

This administration is eager to prescribe unfunded mandates yet they offer no tangible means of implementing measures. An issue of great concern to many, which is not addressed in the current bill, is how Head Start programs will comply with new regulations issued by the Department of Health and Human Services (found at 45 CFR part 1310). These new regulations require significant changes to the manner in which these programs transport Head Start children to and from school and were issued without providing programs with any effective means to fund these changes.

As a result, numerous programs are having difficulty complying with the transportation regulations and particularly with the next deadline for implementation—January 20, 2004.

If an open rule were provided, I planned on offering an amendment. In order to address this problem, I recommend extending the deadline for Head Start programs to comply with the transportation requirements from January 2004 to 2006. During this time period, with the input from the local Head Start centers, I believe these regulations could be effectively revisited and modified.

The Head Start program not only involves the child but also recognizes the importance of the family. Head Start has included parents in both the child's education and their membership of in the Head Start Policy Council. Although this bill does focus on literacy, it abandons the comprehensive approach that is fundamental to Head Start's success. There are additional benefits of Head Start, including providing medical screenings, immunizations, nutritional assistance and referral service for families.

I have received numerous letters from teachers, parents, and other employees of the Sunnyview and Greater Head Start locations in my district of Dallas, Texas. Each one pleading for additional funding and urging the program to be kept in its current structure. One parent writes, ''they teach them how to write, count, their ABCs, to draw, to be responsible. . . . Many families feel comfortable with this program because they can come in and volunteer in the classes and see what the children are learning.''

Mr. Chairman, we must join hands and commit to work together in our country's educational struggle. A good education is the key component of success in the information age. That is why extending educational opportunity to every child in America has become my principal mission in life.

It is my earnest plea that my colleagues will join me and vote against H.R. 2210 in its current form. Head Start should not be moved to the Department of Education, nor should the funding ever be in question by having it succumb to the politics of block grants.

Mr. SANDLIN. Mr. Chairman, I rise today to join my colleagues in speaking against the House leadership's ill-conceived plan to abandon our Nation's most vulnerable children, through their latest attempt to dismantle Head Start.

The re-authorization of Head Start grants Congress the express opportunity to honor and strengthen the original intent of this landmark anti-poverty legislation. Instead, we stand here today with legislation that directly assaults Head Start by weakening the academic, health, social and civil rights protections created by the Office of Economic Opportunity as part of President Johnson's War on Poverty social programs. Furthermore, we have once again been robbed of the opportunity to amend and improve H.R. 2210, through the leadership's restrictive, unfair rules denying us a voice in this process. It is unconscionable to play legislative games with politics that affect our most vulnerable citizens' lives.

First implemented in 1965, Head Start has been a beacon of hope for low-income families and has fostered their dreams for their children's successful futures. By offering comprehensive services, including early childhood development, educational support, social development, healthcare, dental services and parenting classes, we recognize the unique needs of disadvantaged children, and offer much needed assistance to level the playing field.

The leadership's so called reform legislation will only serve to undermine Head Start and the success of the children whose futures we debate here today. By block granting Head Start, states will be permitted to create their own achievement and readiness standards, while allowing them to gut the crucial programs currently used to achieve national objectives. Under H.R. 2210, class sizes can increase, programs can be shortened, and unproven curricula can be implemented.

Make no mistake about it, the existing Head Start guidelines value the communities that implement the program. Currently, funding is sent directly to the school systems, nonprofit organizations, and agencies that assist our Nation's low-income children. By block granting Head Start to states, funding will have to endure an extra level of bureaucracy, with an extra level of administrative costs, without the national accountability.

Our leadership's abysmal funding for Head Start is also indicative of the low priority it holds for this essential program. The bill's authorization does little more than cover inflationary costs by providing only 2.9 percent more than the fiscal year 2003 appropriation. In addition, while increasing teacher quality

degree requirements, a new unfunded federal mandate is enacted by its failure to provide the funds to achieve these measures. Even worse, H.R. 2210 cuts funding for training and technical assistance.

Jodi Ogden, the executive direct of Community Services of North East Texas, told me she is currently able to serve over 500 children in 10 Head Start centers under her purview. Weeks before the fall school year has even begun, five of these centers have wait lists for needy children. These children should not have to be waitlisted for essential services. We should do better by them today.

Finally, we should be ashamed that this Head Start program, a hallmark of federal social assistance, will allow nationwide discrimination under the new reauthorization legislation. Current law allows faith-based organizations to participate in the Head Start program, as long as they do so fairly. However, under the reauthorization these organizations will be permitted to use discriminatory hiring practices to favor job applicants of certain faiths over others. This is not how our scarce federal tax dollars should be used. It is sadly ironic that a program intended to create equity would permit such an inequitable hiring practice.

Like many of my colleagues, I have been gratified by the opportunity to visit with those at the front lines that are providing Head Start services to our disadvantaged children. They know the benefits of Head Start. They see how families are helped by comprehensive Head Start services. They know that we must augment, not annihilate the valued tenets of the Head Start program. Any reform to essential programs must be thoughtful, balanced, and reflect our citizens' most essential needs for successful lives. As Karen Swenson, executive director of Greater East Texas Community Action, wrote to me about this legislation, ''I do not want children to suffer just because of the idea of change.''

Mr. Chairman, this terrible legislation will cause children to suffer. Knowing this, I am forced to vote against it today.

Mr. FALEOMAVAEGA. Mr. Chairman, I would like to take this opportunity to discuss a section of H.R. 2210 which is critical to my district. Section 640(a)(2) of the Head Start Act directs the Secretary of Health and Human Services to reserve 13 percent of the amount appropriated for Head Start to be divided between Indian Head Start programs, services for children with disabilities, migrant and seasonal Head Start programs, and American Samoa, Guam, the Northern Marinas, and the Virgin Islands.

Mr. Chairman, American Samoa has a population of almost 60,000. Six out of every 10 residents in American Samoa live below the poverty level and more than 3,000 children qualify for Head Start services. American Samoa currently provides Head Start services for 1,532 children. American Samoa also has the highest enrollment of any other Pacific island group.

Given this, I am concerned about the lack of funding American Samoa is receiving and the allocation process being utilized by the Secretary of Health and Human Services. It was my intent to offer an amendment which would direct the Secretary to conduct a full review of how to more equitably distribute Head Start funding among Indian Head Start programs, services for children with disabilities, migrant and seasonal Head Start programs, and American Samoa, Guam, the Northern Marianas, and the Virgin Islands, and it is my hope that language will be inserted into the conference report which will direct the Secretary to review the formula being utilized. If this is not possible, then I am hopeful that this statement will establish that it is the intent of Congress for the allocation process to be immediately reviewed.

Mr. RAMSTAD. Mr. Chairman, I don't understand why the administration wants to fix a program that's not broken.

Head Start is one Federal program that works and gives parents a voice in how to best meet their children's educational needs.

I have visited a number of Head Start classrooms, and I have seen firsthand that Head Start is working well for ''at-risk'' preschoolers and their families.

I oppose this bill to recast Head Start because it would disrupt Head Start's comprehensive mission of education, health and nutrition. Comprehensive services, along with parental involvement, are the foundation that make Head Start successful.

This bill diverts funds from local programs to the States, while relieving States of the responsibility to meet current performance standards.

Early childhood experts agree that the proposed changes would be devastating for Head Start and the children and families it serves. The last thing Congress should do is experiment with a successful program.

I urge my colleagues to vote against this legislation.

Ms. SCHAKOWSKY. Mr. Chairman, I rise today in support of Head Start and against H.R. 2210, the so-called ''School Readiness act of 2003''. The only thing this bill ''readies,'' is the dismantling of the successful, time-tested Head Start program. I am an avid supporter of Head Start and have been since its beginning in 1965 when I taught Head Start classes. The Head Start program was founded on the basic principle that children cannot learn when they are hungry or sick or when their parents are not actively involved in their lives. Currently, this program serves only 60 percent of eligible pre-schoolers, 3 percent of eligible infants and toddlers, and 19 percent of migrant and seasonal farm workers. Congress should be working to strengthen the program and expand the ability of low-income families to access its benefits. Instead, this bill does not even authorize enough funds for the program to cover the cost of inflation.

There is a major difference between what H.R. 2210 claims to do and what it actually does. H.R. 2210 promises quality improvements by increasing teacher credential requirements, but fails to provide any funds to increase teacher salary or assist teachers in obtaining education. Head Start teachers earn half of the average salary for kindergarten teachers—this bill allows only for a modest raise. The bill increases teacher credential requirements—requiring 50 percent of Head Start teachers to have a B.A. by 2008—while decreasing the amount of funds that are spent on training and technical assistance.

Further placing the future of Head Start at risk, this bill would allow eight states to replace their successful Head Start programs with other unproven pre-school programs. At a time when our states are facing severe budget crises, this bill would turn complete control of the program over to the states. It allows states to set their own quality standards and to determine whether or not they meet those standards. It guts that Head Start program—allowing increases in class size, unproven curricula, and shorter programs that do not provide the crucial nutrition, health, and social services children need to succeed.

More insidious than the full-frontal attack H.R. 2210 wages on Head Start is the attack it wages on civil rights. H.R. 2210 repeals long-standing civil rights protections to allow faith-based organizations to discriminate on the basis of religion. The bill allows these organizations to use Federal dollars to practice discriminatory hiring policies. This is an assault on two of our Nation's most fundamental principles: the separation of church and state and equal protection under the law. The Federal Government should never be in the business of permitting discrimination nor should it break down the historic separation of church and state.

We must stand up for our nations neediest. Head Start provides children in difficult, often impoverished, situations the developmental tools needed to give them a head start in their lives—an equal starting place in life so they can catch up to their more fortunate peers. Children, and their families, cannot afford the loss of any of those services. We must reject H.R. 2210.

Ms. MAJETTE. Mr. Chairman, I rise today in support of Head Start, the most successful program our country has in the war against poverty. The Head Start program gives children the tools they need to break the cycle of poverty. As the philosopher, Plato, once noted, ''The direction in which education starts a man will determine this future life.''

Dr. Martin Luther King Jr., Congressman JOHN LEWIS, A. Philip Randolph, and hundreds of thousands of others marched on Washington 40 years ago to demand that the President and Congress give every man, woman, and child an equal opportunity to be the best we can be. That opportunity can only come about when every child has equal access to education.

Indeed, providing a firm foundation for the education of our children is the most important investment we as a nation can make in our future. When President Lyndon B. Johnson convinced Congress to put this program in place almost 40 years ago, we began a war on poverty that has benefited this country in countless ways.

Poverty in America weakens our greatest resource by sapping our children of their hope that they can realize their dreams. These children can, and do, realize their dreams when they take part in Head Start.

Head Start is not a simple daycare program it focuses on the whole child. These children receive balanced, nutritional meals. They also receive basic health care, including dental, medical and vision screenings and vaccinations. Head Start children not only learn their colors, they are enveloped in nurturing relationships, and by age four or five come to school ready to learn. Head Start focuses on the whole child, and Head Start works.

It's a fact that Head Start children are:

Less likely to be held back in school.

Less likely to be placed in special education classes.

More likely to succeed in school.

More likely to graduate.

More likely to be rated as behaving well in class and being better adjusted in school.

And five times less likely to end up in jail as adults.

Mr. Chairman, I'd like to bring up a sad state of affairs in America today: Right now, there are over 2 million Americans in prison.

The evidence shows that we can actually reduce incarcerations if we act early enough because children who participate in Head Start are five times less likely to end up in jail. There is no disagreement about this face: Head Start reduces the likelihood that a child will become one of those two million in jail.

Unfortunately, Head Start serves fewer than 1 million children: only helping 1 out of 5 needy children in Georgia and across the Nation. Even though the money we put into this program now will save us much more in the long run by, among other things, reducing the amounts we need to spend on prisons. Head Start is quite simply the best investment opportunity we can offer our constituents for their tax dollars. We are being penny wise and pound foolish.

Despite this huge investment opportunity, taxpayers are currently supporting twice as many prisoners as Head Start students. The administration does not have its priorities straight. Just look at the cost: We spent less than $7 billion on Head Start this year, while we spend over $74 billion a year on the prison system. It costs only $18 a day to place a child into Head Start, and over $50 a day to keep someone incarcerated in jail. This is not fuzzy math—it is crystal clear. We can save money if we realign our priorities. We must fully fund with Head Start to guarantee that we leave no child behind.

This is not just any ''program,'' it is an incredible investment in our future. Head Start takes our poorest children and cures their toothaches, fills their stomachs, and gives them eyeglasses. With that vision, children are able to see far beyond the blackboard. Full funding of Head Start would enable us to fulfill our Nation's promise to give everyone an equal opportunity in life. In short, Head Start gives children a reason to hope, and the ability to succeed.

And isn't that what our Nation is all about? The promise that everyone, regardless of their background, can pursue their own happiness and achieve their own dreams. Every day people come to America in the hope that their children will have better opportunities than they did. Head Start is a critical part of our commitment to fulfill this promise. It is our Nation's attempt to be sure that every child gets to take advantage of an education. A good education represents everyone's best hope of realizing the American dream. Head Start is our program, painstakingly designed over 35 years, to ''aid participating children in attaining their full potential.'' This bill removes this language, but this ideal is still a part of Head Start.

Do we want children who get a head start to come to school ready to learn, graduate and become productive members of our society, or do we want to watch our prison population continue to explode and scratch our heads, wondering what went so wrong?

Today we have the capability to reduce the number of Americans in prison, to reduce the burden on taxpayers and at the same time give millions more children a reason to hope. Head Start is the smartest investment we can make in our future. For just $12.5 billion over the next 5 years, we can set every child on the road with their best foot forward and show them a world of possibilities.

We are spending $1 billion a week in Iraq. Should we do less for the children of America?

If some citizens don't succeed, it may not be our fault, but if we fail to show them how to succeed in the first place, we have only ourselves to blame.

Mr. DAVIS of Illinois. Mr. Chairman, I have always stood by the saying that ''education is the great equalizer''. Yet, in this bill, we are allowing education to be easily accessible to the haves and more difficult to obtain for our Nation's have-nots. This attitude toward education is a giant step backwards to 40 years ago. Low-income children, children with disabilities and individuals who want to go to college are the ones that are being hurt substantially in this bill.

Although, the 2004 budget resolution was to provide the Department of Education with a $3 billion increase, this bill only allows for a $2.3 billion increase over Fiscal Year 2003. The Title I program is one that is hit the heaviest. Title I schools have the least experienced teachers, less competitive teacher salaries, higher teacher turnover, a less rigorous curriculum, the least amount of resources and students with greater academic deficits, which all adds up to these schools being less able to meet the No Child Left Behind Act's mandates. Instead of providing a substantial increase to offset the disadvantage these schools are already facing, this bill only provides a $666 million increase, compared to the $1 billion in the 2004 budget resolution.

On April 30, this House passed the IDEA reauthorization bill with the promise attached from the 2004 budget resolution to provide a $2.2 billion increase over the current level. Yet, this bill falls $1.2 billion short of that promise. As deficit stricken states continue to cut from their school funding, schools will have to continue to absorb the costs of providing special education for nearly 6.7 million school children as well as even cut other school programs or hope for a local referendum to pass to offset the shortfall.

A college graduate can expect to earn 80 percent more than a high school graduate, or $1 million over the course of a lifetime. This obviously allows for an individual to have a better quality of life by having a higher skilled job, better health insurance, pension and the ability to provide a better life for their children. Yet, this bill in essence abandons higher education federal student aid. All the federal student aid programs: Pell Grants, Supplemental Educational Opportunity Grants (SEOG), Federal Work Study, Perkins Loan Program, LEAP, and Graduate Education are level funded. This may not sound too bad but for example the Pell Grants maximum award was kept at $4,050 which will only cover 38 percent or less of expenses in a 4-year public college compared to 84 percent of expenses covered by Pell Grants in 1975, when the program originated. Unfortunately, the Federal Government is abandoning higher education while the states suffer record breaking deficits. These simultaneous occurrences result in cuts in grant aid to students facing rising cost in higher education. Loyola University Chicago lost $1 million in state grant aid for needy students due to Illinois $5 billion deficit. How much more will their students lose without any increases to the federal student aid programs?

Mr. Chairman, If we pass this bill, we are sending the message that we do not care enough about all of our nation's children and young people. We need to ensure that we are helping those who are in most need of help—low-income children, children with disabilities, and those who have the desire to continue their education but who just can not afford to go without assistance of state and federal aid. Our message needs to be clear. But most importantly, our message needs to be more than just words. Let's see increases in funding where they are most needed.

Ms. ROYBAL-ALLARD. Mr. Chairman, I rise today in opposition to H.R. 2201, a bill that will dismantle the successful Head Start program. I am troubled that the Republican majority is trying to pass a bill that will hurt America's children under the guise of ''reform.''

The current Head Start program provides low-income children across the Nation with cost-free, high-quality early education. In my district, and other traditionally underserved communities, Head Start not only helps ensure the academic success of our children, but also provides a holistic approach to school readiness that includes individualized services in the areas of early childhood development, parental involvement, nutrition, and medical, dental, and mental health. This multi-pronged approach recognizes the fact that children need to be healthy in order to facilitate learning. Under the Republican plan, all these services are in jeopardy because guaranteed comprehensive services are made optional.

Nationally, Head Start serves more than 900,000 children, nearly a third of whom are Latino. Yet, this bill fails to provide resources for programs important to Latino and other immigrant children. For example, this bill does not include one new cent to train teachers to help limited English proficient students and provides no new resources for the more than 130,000 children eligible for the Migrant and Seasonal Head Start program.

Mr. Chairman, in closing the Republican bill not only fails to protect important provisions of one of the most successful Federal programs in the history of our country, but by all accounts, ends a program that has given countless children the opportunity to reach their full potential.

That is why, Mr. Chairman, I urge my colleagues to defeat the flawed Republican bill, known as the School Readiness Act, and to pass the Democratic substitute that will truly strengthen our children's pre-literacy, language and pre-math skills, without sacrificing essential comprehensive health and family services. The Democratic substitute, in every way, helps to ensure that every child in the United States is given all the tools needed to succeed in school.

Mr. CUMMINGS. Mr. Chairman, I rise today in opposition to the School Readiness Act, H.R. 2210, and I implore my colleagues to vote against it as this bill is a blatant attempt to dismantle the Head Start program.

Mr. Chairman, Head Start is a very successful Federal program run at the local level. As we are all well aware the program provides education, health care, nutrition and parent involvement programs to nearly 1 million low-income preschool children and their families. The language in the bill we are considering right now will weaken Head Start and jeopardize the comprehensive educational and social services Head Start now provides to hundreds of thousands of families.

On July 15, I released a report, prepared at my request by the House Government Reform Committee, entitled ''Proposed Overhaul of Head Start Could Affect Thousands of Children in Maryland's 7th Congressional District.'' If the administration's changes are implemented in Maryland, the report indicates that almost 3,000 children in Baltimore City, Baltimore County, and Howard County would be adversely affected in the following way:

2,742 children would not be guaranteed dental care;

2,433 families may be left out of participating in their child's education;

472 children may not receive mental health care that they currently get in Head Start;

444 children would be at risk for not getting treatment for asthma, anemia and vision problems; and

341 children could possibly lose guaranteed access to disability services.

What we may not be aware of is that by block granting, we are cutting the number of children currently served and leaving millions of eligible low-income children without the needed resources in advance is not wise. Many Head Start advocates are concerned that states that accept block grants will weaken educational standards. And let me tell you how, because I think it is a nuance that many of my compassionate conservative colleagues miss. This bill allows a demonstration project in eight states which essentially allows these States to take their Head Start monies and use them as they see fit for early childhood education programs. In a phrase blockgranting. We know block granting does not work because in tough economic times with a record $544 billion national deficit, states make tough budget choices and programs like Head Start get shortchanged. Block grants are a veiled way to kill the Head Start program as we know it. Blockgranting makes it easier to cut programs and as a result more programs begin to dwindle. Eventually, Head Start will not exist. The comprehensive nature of the program supports the notion that success inside the classroom requires that children be physically and mentally healthy, with a stable home life.

Head Start works and is highly successful. The broad nature of the program has resulted in the following accomplishments:

Head Start has proven to narrow the gap between disadvantaged children and other children in vocabulary skills, writing and social behavior;

Children who participate in Head Start programs are less likely to repeat a grade, require special education or be convicted of a crime;

The program's graduates show higher IQ gains compared to low-income children who have not attended Head Start;

And finally, children who attend Head Start are more likely to graduate from high school, and college.

But one does not have to read this report to realize the positive impact Head Start can make on a child.

Any of my colleagues who questions the positive difference that Head Start can make should listen to my constituent, Ms. Portia DeShields.

When her son Marcus was three, Ms. DeShields realized that he was struggling with a speech and language disability. Recalling how she had gained from her childhood participation in Head Start, Ms. DeShields and her husband enrolled Marcus in a Head Start program sponsored by Baltimore's Union Baptist Church.

Beginning in September of last year, a Head Start speech pathologist worked with Marcus two or three times each week. A mental health specialist helped Marcus learn how to control his anger, and ''positive parenting'' classes taught his parents how to better meet his needs.

Today, at age 4, Marcus's speech and language skills have improved to the point where he is functioning at near-kindergarten level.

Head Start is working for Marcus and nearly 1 million other children.

As such, I urge my colleagues to reject the underlying bill and support the Democratic substitute that builds on the proven success of Head Start by strengthening school readiness, improving program quality and accountability, and expanding access so more eligible children. The Democratic substitute accomplishes this while maintaining local control and high performance standards in its programming.

That is why the Democratic Substitute is supported by many organizations including the National Head Start Association, the National Education Association, the Children's Defense Fund, the American Federation of Teachers, the ACLU, and the National League of Cities.

H.R. 2210 is opposed by these same groups because these groups understand that block grants put this important program in a perilous position. But not only that, this bill does not improve Head Start—if it's not broken, don't tinker with it to break it!

Mr. Chairman, we cannot shortchange the early education of millions of children because to do so would be to shortchange the rest of their lives. I urge my colleagues on the other side of the aisle, compassionate conservatives too, to put children first and to make good on the promise that ''no child be left behind.''

This bad bill puts the future of these children in jeopardy. H.R. 2210 dismantles ore than 38 years of bipartisan support for this critical early education program. Reject the H.R. 2210 and support the Democratic substitute. Only by supporting the Democratic substitute will children indeed have a head start.

Ms. KILPATRICK. Mr. Chairman. I rise in strong opposition to H.R. 2210. My opposition is based on the following reasons. The bill will make it legal for faith-based institutions that receive Federal funds and run Head Start programs to discriminate in their hiring practices. I contend that our focus should be on continuing to fund a wonderful pre-school educational program. Unfortunately, this bill undermines current anti-discrimination laws, and will allow institutions to establish a litmus test in their hiring programs. Let me make it clear, I respect and admire the tremendous work performed by faith-based organizations. However, the Head Start Program is being used as a political vehicle to institutionalize discrimination in an early learning environment.

We all believe in educating our youth in their embryonic learning states. I am struck though by the rhetoric from my majority colleagues that they are motivated to help disadvantaged students. That is a laudable goal, but the goal can be achieved through the current Head Start program. I am struck by the hypocrisy of the bill before us. The majority abhors affirmative action, yet they seek legal protection to discriminate based on religion. They allege that affirmative action is discriminatory. Yet they seek to sanction religious-based discrimination through the pre-school educational process. The logic and the method are flawed.

I also oppose this bill because it purports to administer Head Start through a state block grant. States can also use block grant money to supplant Federal funds, in addition to not requiring performance standards. I question the wisdom of relying on states to use their discretion in this manner. Increasingly, we have witnessed the administration promote policies that the House and the Senate pass as laws that re-direct power to the states. The majority recipe has produced catastrophic results, the most glaring example is the No Child Left Behind Act. The majority promised wholesale reform, and it is delivering widespread misery. If H.R. 2210 is enacted, more misery is surely on the way for America's poor and disadvantaged children. I urge my colleagues to reject the false premises put forward by the proponents of H.R. 2210, and to embrace the Woolsey amendment that restores civil rights to Head Start teachers, and the Miller substitute amendment that retains Federal-to-local funding and which strikes hiring discrimination.

Mr. MORAN of Virginia. Mr. Chairman, I rise in strong opposition to the School Readiness Act of 2003, which will reauthorize the Head Start program.

I strongly support Head Start programs because they provide low-income preschool-aged children a comprehensive array of services such as child development, education, health, nutritional, social and other activities which help them receive greater advantages in life.

Some of these services include health screenings and services. Statistics have shown that children who receive crucial services such as dental and eye care, or a hot breakfast every morning, have increased school readiness.

In my congressional district, one of the most successful Head Start programs is the Alexandria Head Start. This is a collaboration among the Campagna Center, the city of Alexandria, and the Alexandria City Public Schools formed 35 years ago.

AHS serve 253 Head Start children, and because of a wonderful group of dedicated educators, parents and teachers, these children have truly been given a ''head start.''

While many of my low-income constituents in the city of Alexandria are served by Head Start, I am concerned with the devastating statistic that 40 percent of eligible children nationwide will continue to be underserved under H.R. 2210.

In fact, after a COLA adjustment for staff salaries and increased rent costs, H.R. 2210 just barely covers inflation and allows almost no program expansion. Due to ''insufficient funds,'' a large number of children who need these services will be unable to obtain them.

Let's look at the facts right now. The President's budget request for fiscal year 2004 is $7.2 billion below the level needed to maintain current services for domestic priorities.

Unfortunately with slashes in domestic discretionary spending coupled with massive tax cuts, the result has been fiscal crises at the State and Federal levels, which have translated into the underfunding of critical programs and services such as affordable housing, Medicare and Head Start.

Due to this stark economic climate, supporters of H.R. 2210 want to block-grant Head Start to eight States whose preschool programs are untested and unproven.

A year and a half ago, we all celebrated when the President Bush signed into law, the No Child Left Behind legislation, which was touted as the plan to bring stronger accountability and stronger standards to our Nation's schools.

H.R. 2210 will in fact do the exact opposite of NCLB, by allowing States that have not demonstrated expertise or the commitment to providing quality service to these children, to be eligible for this block grant.

Where are the standards? This block-grant will allow States to strip the Head Start program of the qualified services that it provides to children nationwide, and more importantly, that they and their families rely on. This was not what President Johnson intended when he founded this vital program.

It was once said that ''Education is the great equalizer in a democratic society, and if people are not given access to a quality education, then what we are doing is creating an underclass of people who will ultimately challenge our very way of life.''

This statement has never been more true than today. The Head Start program was designed to give preschoolers a quality education while also ensuring that their social and physical needs were met, which helps put them on the path to success.

Yet, the bill before us today will weaken and underfund the Head Start program while continuing to leave 40 percent of eligible children unserved.

Instead, I ask all my colleagues to support the Miller amendment which will continue to build upon the successes of the Head Start program while striving to ensure that all eligible children in our country are served by Head Start and obtain the services that they need to receive a true ''head start'' in life.

Mr. TERRY. Mr. Chairman, I rise in strong support of H.R. 2210, the School Readiness Act.

Last year, President Bush proposed strengthening Head Start to help the program produce more kindergarten-ready children. Research shows that early learning skills such as letter, number, shape and color recognition are crucial to a child's future success in school. In fact, technological advances have made it possible to predict how well a child will read in the 10th grade based on his or her knowledge of the alphabet in kindergarten. Unfortunately, Head Start graduates consistently score in the lowest 25 percent in key early knowledge areas.

More than 1,000 children attend Head Start in Douglas County, NE. Last November, the Child and Family Development Corporation that runs the program failed its Federal review. Government inspectors cited mismanagement, health and safety concerns, and a lack of program goals. This situation is a perfect example of why we need greater accountability in Head Start programs. The children who graduated from this failed program entered school at a disadvantage. We must demand better for these children. We must give them the skills they need to overcome poverty and low expectations.

The Omaha Public School District and a charitable foundation tried to partner Head Start with a successful, private preschool program last year. Almost a hundred additional low-income children could have been helped. Unfortunately, Head Start backed out at the last minute. Construction had already begun on the new $6 million preschool building. From conversations with involved parties, I am convinced this decision was made in the interest of self-preservation rather than concern for disadvantaged children. Head Start pulled out to hide the failures of their program from parents, educators, and government officials. At least one member of the Head Start parents advisory board resigned in protest over this debacle.

H.R. 2210 is necessary to put the future of our children before the small-mindedness of entrenched bureaucrats. Partnerships between public schools, private foundations and Head Start programs are essential. Chicago and Atlanta have successfully implemented this model to benefit children, and another partnership is being created in Milwaukee. The Federal Government should not be allowed to stand in the way of such caring community partnerships to rescue disadvantaged children from hopeless futures. This is a travesty and an immeasurable disservice to the next generation.

It is crucial that school districts be involved in preparing low-income children for academic success. These children already face tremendous obstacles. Research conducted by D.E. Caspar highlights the differences between environments in which children from poor, middle-class and affluent families grow up. For example, affluent children are exposed to 45 million words before kindergarten; working-class children 26 million; and children in poverty only 13 million words.

These conditions affect a child's language development and word comprehension, skills necessary for learning to read. President Bush has called reading ''the new civil right.'' We now know that children who are reading at grade-level by the third grade have a greater chance for success throughout their school years.

The disparity between low-income and affluent children is even more obvious in the amount of positive reinforcement they receive. Children from affluent families are given 32 positive affirmations an hour; working class children 12 per hour, and poor children only 5. Without assistance from caring educators in the community, disadvantaged children will not have the social, emotional or academic skills to succeed in school and life. We must allow States and local school districts the chance to partner with Head Start and provide these children with quality early education programs.

I urge my colleagues to join me in voting for H.R. 2210 to give disadvantaged children a real head start in life.

The CHAIRMAN. All time for general debate has expired.

In lieu of the amendment recommended by the Committee on Education and the Workforce printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute printed in part A of the House report 108–232. That amendment in the nature of a substitute shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 2210

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

SECTION 1. SHORT TITLE.

This Act may be cited as the ''School Readiness Act of 2003''.

TITLE I—HEAD START REAUTHORIZATION AND PROGRAM IMPROVEMENTS

SEC. 101. PURPOSE.

Section 636 of the Head Start Act (42 U.S.C. 9831) is amended to read as follows:

''SEC. 636. STATEMENT OF PURPOSE.

''It is the purpose of this subchapter to promote school readiness by enhancing the development of low-income children, through educational instruction in prereading skills, premathematics skills, and language, and through the provision to low-income children and their families of health, educational, nutritional, social and other services that are determined, based on family needs assessments, to be necessary.''.

SEC. 102. DEFINITIONS.

Section 637 of the Head Start Act (42 U.S.C. 9832) is amended as follows:

(1) In paragraph (17) by striking '', but for fiscal years'' and all that follows down to the period.

(2) By adding the following at the end thereof:

''(18) The term 'eligible entities' means an institution of higher education or other agency with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the quality of early childhood educations programs.

''(19) The term 'homeless children' has the meaning given such term in subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).''.

SEC. 103. AUTHORIZATION.

Section 639 of the Head Start Act (42 U.S.C. 9834) is amended to read as follows:

''SEC. 639. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated for carrying out the provisions of this subchapter $6,870,000,000 for the fiscal year 2004, $6,988,750,000 for fiscal year 2005, $7,106,500,000 for fiscal year 2006, $7,245,000,000 for fiscal year 2007, and $7,427,000,000 for fiscal year 2008.

''(b) SPECIFIC PROGRAMS.—From the amount appropriated under subsection (a), the Secretary shall make available not more than $20,000,000 for fiscal year 2004, and such sums as may be necessary for fiscal year 2005 through 2008 to carry out such other research, demonstration, and evaluation activities, including longitudinal studies, under section 649.

''(1) not more than $7,000,000 for each of fiscal years 2004 through 2008 to carry out impact studies under section 649(g); and

''(2) not more than $13,000,000 for fiscal year 2004, and such sums as may be necessary for each of fiscal years 2005 through 2008, to carry out other research, demonstration, and evaluation activities, including longitudinal studies, under section 649.

''(c) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2004 through 2008 to assist participating States with the administrative expenses associated with implementing a program under section 643A.''.

SEC. 104. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSISTANCE.

Section 640 of the Head Start Act (42 U.S.C. 9835) is amended as follows:

(1) In subsection (a)(2):

(A) By striking ''1998'' in subparagraph (A) and inserting ''2003''.

(B) By amending subparagraph (B) to read as follows:

''(B) payments, subject to paragraph (7) to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands of the United States;''.

(2) By striking the last sentence of paragraph (2) of subsection (a).

(3)(A) By amending subsection (a)(2)(C) to read as follows:

''(C) training and technical assistance activities that are sufficient to meet the needs associated with program expansion and to foster program and management improvement as described in section 648 of this subchapter, in an amount for each fiscal year which is equal to one percent of the amount appropriated for such fiscal year, of which—

''(i) not less than 50 percent shall be made available to local Head Start agencies to comply with the standards described in section 641A(a)(1), of which not less than 50 percent shall be used to comply with the standards described in section 641A(a)(1)(B) and for the uses described in clauses (iii), (iv), and (vii) of subsection (a)(3)(B);

''(ii) not less than 30 percent shall be made available to support a State system of early childhood education training and technical assistance;

''(iii) not less than 20 percent shall be made available to the Secretary to assist local programs in meeting the standards described in section 641A(a)(1); and

''(iv) not less than $3,000,000 of the amount in clause (iii) appropriated for such fiscal year shall be made available to carry out activities described in section 648(c)(4);''.

(B) By inserting the following at the end of subsection (a)(2):

''Of an additional one percent of the amount appropriated for such fiscal year, the Secretary shall use not less than 25 percent of such funds to fund the expansion of services to migrant and seasonal Head Start children. If sufficient migrant and seasonal eligible children are not available to use such funds, then enrollment priority shall be given to other disadvantaged populations referred to in subparagraph (A). Not less than 60 percent of such one percent amount shall be used to fund quality improvement activites as described in sec 640(a)(3)(B) and (C)''.

(4) In subsection (a)(3)(A) by inserting at the end thereof:

''(iii) After the reservation of amounts under paragraph (2) and the 60 percent amount referred to in subparagraph (A) of this paragraph, a portion of the remaining funds shall be made available for quality to expand services to underserved populations, such as children receiving services under the Early Head Start and Migrant and Seasonal Head Start programs.''.

(5) In subsection (a)(3)(A)(i)(I) by striking ''1999'' and all that follows down to the semicolon and inserting ''2004 through 2008''.

(6) By amending subsection (a)(3)(B) to read as follows:

''(B) Funds reserved under this paragraph (referred to in this paragraph as 'quality improvement funds') shall be used to accomplish any or all of the following goals:

''(i) Ensuring that Head Start programs meet or exceed standards pursuant to section 641A(a)(1).

''(ii) Ensuring that such programs have adequate numbers of qualified staff, and that such staff is furnished adequate training, including developing skills to promote the development of language skills, premathematic skills, and prereading in young children and in working with children with non-English language background, children referred by child welfare services, and children with disabilities, when appropriate.

''(iii) Developing and financing the salary scales described under section 644(a) and section 653, in order to ensure that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

''(iv) Using salary increases to improve staff qualifications, and to assist with the implementation of programs specifically designed to enable lead instructors to become more effective educators, for the staff of Head Start programs, and to encourage the staff to continually improve their skills and expertise by informing the staff of the availability of Federal and State incentive and loan forgiveness programs for professional development.

''(v) Improving community-wide strategic planning and needs assessments for such programs and collaboration efforts for such programs, including collaborations to increase program participation by underserved populations of eligible children.

''(vi) Ensuring that the physical environments of Head Start programs are conducive to providing effective program services to children and families, and are accessible to children with disabilities and their parents.

''(vii) Ensuring that such programs have qualified staff that can promote language skills and literacy growth of children and that can provide children with a variety of skills that have been identified, through scientifically based reading research, as predictive of later reading achievement.

''(viii) Providing assistance to complete post-secondary course work needed to attain baccalaureate degrees in early childhood education.

''(ix) Making such other improvements in the quality of such programs as the Secretary may designate.

''(x) To promote the regular attendance and stability of highly mobile children, including migrant and homeless children.''.

(7) By amending subsection (a)(3)(C) to read as follows:

''(C) Quality improvement funds shall be used to carry out any or all of the following activities:

''(i)(I) Not less than one-half of the amount reserved under this paragraph, to improve the compensation (including benefits) of classroom teachers and other staff of Head Start agencies providing instructional services and thereby enhancing recruitment and retention of qualified staff, including recruitment and retention pursuant to achieving the requirements set forth in section 648A(a). The expenditure of funds under this clause shall be subject to section 653. Salary increases, in excess of cost-of-living allowance, provided with such funds shall be subject to the specific standards governing salaries and salary increases established pursuant to section 644(a).

''(II) If a Head Start agency certifies to the Secretary for such fiscal year that part of the funds set aside under subclause (I) to improve wages cannot be expended by such agency to improve wages because of the operation of section 653, then such agency may expend such part for any of the uses specified in this subparagraph (other than wages).

''(III) From the remainder of the amount reserved under this paragraph (after the Secretary carries out subclause (I)), the Secretary shall carry out any or all of the activities described in clauses (ii) through (vii), placing the highest priority on the activities described in clause (ii).

''(ii) To train classroom teachers and other staff to meet the education standards described in section 641A(a)(1)(B), through activities—

''(I) to promote children's language and prereading growth, through techniques identified through scientifically based reading research;

''(II) to promote the acquisition of the English language for non-English background children and families;

''(III) to foster children's school readiness skills through activities described in section 648A(a)(1); and

''(IV) to educate and provide training necessary to improve the qualifications particularly with respect to such assistance to enable more instructors to meet the degree requirements under section 648A(a)(2)(A) and to support staff training, child counseling, and other services necessary to address the problems of children participating in Head Start programs, including children from dysfunctional families, children who experience chronic violence in their communities, and children who experience substance abuse in their families.

''(iii) To employ additional Head Start staff, including staff necessary to reduce the child-staff ratio lead instructors who meet the qualifications of section 648A(a) and staff necessary to coordinate a Head Start program with other services available to children participating in such program and to their families.

''(iv) To pay costs incurred by Head Start agencies to purchase insurance (other than employee benefits) and thereby maintain or expand Head Start services.

''(v) To supplement amounts provided under paragraph (2)(C) to provide training necessary to improve the qualifications of the staff of the Head Start agencies, and to support staff training, child counseling, and other services necessary to address the problems of children participating in Head Start programs, including children from dysfunctional families, children who experience chronic violence in their communities, and children who experience substance abuse in their families.

''(vi) To conduct outreach to homeless families in an effort to increase the program participation of eligible homeless children.

''(vii) Such other activities as the Secretary may designate.

''(viii) To conduct outreach to migrant and seasonal farm-working families and families with children with a limited English proficiency.''.

(8) In subsection (a)(4) by striking ''1998'' in subparagraph (A) and inserting ''2003''.

(9) In subsection (a)(5)(B)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by inserting ''early childhood education'' after ''regarding''.

(10) By amending subsection (a)(5)(C) to read as follows:

''(C) In order to improve results for children, a State that receives a grant under subparagraph (B) shall—

''(i) appoint an individual to serve as the State Director of Collaboration between—

''(I) the appropriate regional office of the Administration for Children and Families;

''(II) the State educational agency;

''(III) the State Department of Health and Human Services;

''(IV) the State agency that oversees child care;

''(V) the State agency that assists children with developmental disabilities;

''(VI) the State Head Start Association;

''(VII) the State network of child care resource and referral agencies;

''(VIII) local educational agencies;

''(IX) community-based and faith-based organizations;

''(X) State representatives of migrant and seasonal Head Start programs;

''(XI) State representatives of Indian Head Start programs;

''(XII) State and local providers of early childhood education and child care; and

''(XIII) other entities carrying out programs serving low-income children and families in the State;

''(ii) ensure that the State Director of 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;

''(iii) involve the entities described in section clause (i) to develop a strategic plan for the coordinated outreach to identify eligible children and implementation strategies based on a needs assessment conducted by the Office of the State Director of Collaboration which shall include an assessment of the availability of high quality prekindergarten services for low-income children in the State. Such assessment shall be completed within one year after the date of enactment of the 'School Readiness Act of 2003' and be updated on an annual basis and shall be made available to the general public within the State;

''(iv) ensure that the collaboration described in subparagraph (B) involves coordination of Head Start services with health care, welfare, child care, child protective services, education, and community service activities, family literacy services, activities relating to children with disabilities (including coordination of services with those State officials who are responsible for administering part C and section 619 of the Individuals with Disabilities Education Act), and services for homeless children (including coordination of services with the Office of Coordinator for Education of Homeless Children and Youth designated under section 722 (g)(1)(J)(ii) of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001;

''(v) consult with the chief State school officer, local educational agencies, and representatives of local Head Start agencies and providers of early childhood education and care in unified planning regarding early care and education services at both the State and local levels, including collaborative efforts to develop school readiness standards; and

''(vi) consult with the chief State school officer, local educational agencies, State child care administrators, State human services administrators, representatives of local resource and referral agencies, local early childhood councils, providers of early childhood education and care and other relevant State and local agencies, and representatives of the State Head Start Associations to plan for the provision of full-working-day, full calendar year early care and education services for children.''.

(11) By amending clause (i) of subsection (a)(5)(D) by inserting ''and providers of services supporting early childhood education and child care'' after ''Associations''.

(12) By amending subsection (a)(6)(A) to read as follows:

''(A) From amounts reserved and allotted pursuant to paragraphs (2) and (4), the Secretary shall use, for grants for programs described in section 645A(a) of this subchapter, a portion of the combined total of such amounts equal to at least 10 percent for fiscal years 2004 through 2008, of the amount appropriated pursuant to section 639(a), except as provided in subparagraph (B).''

(13) By inserting the following before the period at the end of subsection (f): '', including models that leverage the existing capacity and capabilities of the delivery system of early childhood education and child care''.

(14) By inserting the following after ''manner that will'' in subsection (g)(2)(G): ''leverage the existing delivery systems of such services and''.

(15) By amending subsection (g)(2)(C) to read as follows:

''(C) the extent to which the applicant has undertaken community-wide strategic planning and needs assessments involving other community organizations and public agencies serving children and families (including organizations and agencies providing family support services and protective services to children and families, and organizations serving families in whose homes English is not the language customarily spoken), and organizations and public entities serving children with disabilities and homeless children (including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001);''.

(16) By inserting in subsection (g)(2)(H) after ''serving the community involved'' the following: '', including the liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001,''.

(17) By adding the following new subsections at the end thereof:

''(m) ENROLLMENT OF HOMELESS CHILDREN.—The Secretary shall by regulation prescribe policies and procedures to remove barriers to the enrollment and participation of eligible homeless children in Head Start programs. Such regulations shall require Head Start agencies to:

''(1) implement policies and procedures to ensure that eligible homeless children are identified and prioritized for enrollment,

''(2) allow homeless families to apply to, enroll in and attend Head Start programs while required documents, such as proof of residency, immunization and other medical records, birth certificates and other documents, are obtained within a reasonable time frame, and

''(3) coordinate individual Head Start centers and programs with efforts to implement Subtitle VII-B of the McKinney-Vento Homeless Assistance Act.

''(n) SAVINGS PROVISION.—Nothing in this Act shall be construed to require a State to establish a program of early education for children in the State, to require any child to participate in a program of early education, to attend school, or to participate in any initial screening prior to participation in such program, except as provided under section 612(a)(3), (consistent with section 614(a)(1)(C)), of the Individuals with Disabilities Education Act.

''(o) MATERIALS.—All curricula and instructional materials funded under this subchapter shall be scientifically based and age appropriate. Parents shall have the ability to inspect, upon request, any curricula or instructional materials.''.

SEC. 105. DESIGNATION OF AGENCIES.

Section 641 of the Head Start Act (42 U.S.C. 9836) is amended as follows:

(1) In subsection (a)—

(A) by inserting after ''community'' in the first place it appears '', including a community-based or faith-based organization'';

(B) by inserting ''(1)'' after ''(a)'';

(C) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(D) by adding the following at the end thereof:

''(2) In order to be designated as a Head Start agency and to receive a grant under this subchapter, a grantee shall establish grantee-determined goals for improving the school readiness of children participating in a program under this subchapter, which shall include goals for—

''(A) educational instruction in prereading, premathematical, and language skills; and

''(B) the provision of health, educational, nutritional, social, and other services.

''(3) In order to receive a grant subsequent to the initial grant provided following the date of enactment of this subchapter, the grantee shall demonstrate that it has met the goals described in paragraph (2).

''(4) Progress in meeting such goals shall not be measured primarily or solely by the results of assessments.''

(2) By amending subsection (c) to read as follows:

''(c) In the administration of the provisions of this section, the Secretary shall, in consultation with the chief executive officer of the State involved if such State expends non-Federal funds to carry out Head Start programs, give priority in the designation of Head Start agencies to any local public or private nonprofit or for-profit agency which is receiving funds under any Head Start program on the date of the enactment of this Act that fulfills the program and financial management requirements, standards described in section 641A(a)(1), results-based performance measures developed by the Secretary under section 641A(b), or other requirements established by the Secretary.''.

(3) By amending subsection (d) to read as follows:

''(d) If no entity in a community is entitled to the priority specified in subsection (c), then the Secretary may designate a Head Start agency from among qualified applicants in such community. In selecting from among qualified applicants for designation as a Head Start agency, the Secretary shall give priority to any qualified agency that functioned as a Head Start delegate agency in the community and carried out a Head Start program that the Secretary determines met or exceeded such performance standards and such results-based performance measures. 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—

''(1) any past performance of such applicant in providing services comparable to Head Start services, including how effectively such applicant provided such comparable services;

''(2) the capacity of such applicant to serve eligible children with scientifically-based programs that promote school readiness of children participating in the program;

''(3) 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;

''(4) the plan of such applicant to provide comprehensive health, nutritional, educational, social, and other services needed to prepare children to succeed in school;

''(5) the plan of such applicant to coordinate the Head Start program it proposes to carry out with other preschool programs, including Early Reading First and Even Start programs under title I, part B, subparts 1 and 2 of the Elementary and Secondary Education Act of 1965; other preschool programs carried out under title I of the Act; programs under part C and section 619 of the Individuals with Disabilities Education Act; State prekindergarten programs; and with the educational programs such children will enter at the age of compulsory school attendance;

''(6) the plan of such applicant to coordinate the Head Start program it proposes to carry out with private entities with resources available to assist the Head Start Program meet its program needs;

''(7) the plan of such applicant—

''(A) to seek the involvement of parents of participating children in activities (at home and in the center involved where practicable) designed to help such parents become full partners in the education of their children;

''(B) to afford such parents the opportunity to participate in the development, conduct, and overall performance of the program at the local level;

''(C) to offer (directly or through referral to local entities, such as entities carrying out Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.), public and school libraries, and family support programs) to such parents—

''(i) family literacy services; and

''(ii) parenting skills training;

''(D) to offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on drug-exposed infants and fetal alcohol syndrome;

''(E) at the option of such applicant, to offer (directly or through referral to local entities) to such parents—

''(i) training in basic child development;

''(ii) assistance in developing communication skills;

''(iii) opportunities for parents to share experiences with other parents; or

''(iv) any other activity designed to help such parents become full partners in the education of their children;

''(F) to provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in subparagraphs (C) (D), and (E) in which such parents may choose to become involved (taking into consideration their specific family needs, work schedules, and other responsibilities); and

''(G) to extend out reach to fathers in order to strengthen the role of fathers in families by working directly with fathers and father-figures through such activities as including fathers in home visits; implementing father outreach efforts, providing opportunities for direct father-child interactions; and targeting increased male participation in the program;

''(8) the ability of such applicant to carry out the plans described in paragraphs (2), (3), and (4);

''(9) other factors related to the requirements of this subchapter;

''(10) the plan of such applicant to meet the needs of non-English background children and their families, including needs related to the acquisition of the English language;

''(11) the plan of such applicant to meet the needs of children with disabilities;

''(12) the plan of such applicant who chooses to assist younger siblings of children who will participate in the proposed Head Start program to obtain health services from other sources;

''(13) the plan of such applicant to collaborate with other entities carrying out early childhood education and child care programs in the community; and

''(14) the plan of such applicant to meet the needs of homeless children.''.

SEC. 106. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

Section 641A of the Head Start Act (42 U.S.C. 9836a) is amended as follows:

(1) In subsection (a)(1)(B) by amending clause (ii) to read as follows:

''(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 and emotional 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.''.

(2) By amending subsection (a)(2)(B) to read as follows:

''(B) take into consideration—

''(i) past experience with use of the standards in effect under this subchapter on October 27, 1998;

''(ii) changes over the period since October 27, 1998, in the circumstances and problems typically facing children and families served by Head Start agencies;

''(iii) developments concerning best practices with respect to early childhood education and development, children with disabilities, family services, program administration, and financial management;

''(iv) projected needs of an expanding Head Start program;

''(v) guidelines and standards currently in effect or under consideration that promote child health services, and projected needs of expanding Head Start programs;

''(vi) changes in the population of children who are eligible to participate in Head Start programs, including the language background and family structure of such children;

''(vii) the need for, and state-of-the-art developments relating to, local policies and activities designed to ensure that children participating in Head Start programs make a successful transition to schools; and

''(viii) the unique challenges faced by individual programs, including those that are seasonal or short term, and those that serve rural populations; and''.

(3) In subsection (a)(2)(C)(ii) by striking all that follows ''in effect on'' down to the period and inserting ''October 27, 1998''.

(4) By amending subsection (b)(2) to read as follows:

''(2) CHARACTERISTICS OF MEASURES.—The performance measures developed under this subsection shall—

''(A) be used to assess the impact of the various services provided by Head Start programs and, to the extent the Secretary finds appropriate, administrative and financial management practices of such programs;

''(B) be adaptable for use in self-assessment, peer review, and program evaluation of individual Head Start agencies and programs;

''(C) be developed for other program purposes as determined by the Secretary;

''(D) be appropriate for the population served; and

''(E) be reviewed no less than every 4 years, based on advances in the science of early childhood development.

The performance measures shall include the performance standards described in subsection (a)(1)(A) and (B).''.

(5) By amending subsection (b)(4) to read as follows:

''(4) EDUCATIONAL MEASURES.—Results based measures shall be designed for the purpose of promoting the competencies of children participating in Head Start programs specified in subsection (a)(1)(B)(ii), with an emphasis on measuring those competencies that have a strong scientifically-based predictability of a child's school readiness and later performance in school.''.

(6) In subsection (c)(1)(C) by striking ''the standards'' and inserting ''one or more of the performance measures developed by the Secretary under subsection (b)''.

(7) By amending subsection (c)(2) to read as follows:

''(2) CONDUCT OF REVIEWS.—The Secretary shall ensure that reviews described in subparagraphs (A) through (C) of paragraph (1)—

''(A) that incorporate a monitoring visit, do so without prior notice of the visit to the local agency or program;

''(B) are conducted by review teams that shall 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;

''(C) include as part of the reviews of the programs, a review and assessment of program effectiveness, as measured in accordance with the results-based performance measures developed by the Secretary pursuant to subsection (b) and with the standards established pursuant to subparagraphs (A) and (B) of subsection (a)(1);

''(D) seek information from the communities and the States involved about the performance of the programs and the efforts of the Head Start agencies to collaborate with other entities carrying out early childhood education and child care programs in the community;

''(E) seek information from the communities where Head Start programs exist about innovative or effective collaborative efforts, barriers to collaboration, and the efforts of the Head Start agencies and programs to collaborate with the entities carrying out early childhood education and child care programs in the community;

''(F) include as part of the reviews of the programs, a review and assessment of whether a program is in conformity with the income eligibility requirements, as defined in section 645 and regulations promulgated thereunder;

''(G) include as part of the reviews of the programs, a review and assessment of whether programs have adequately addressed the population and community needs (including populations of children with a limited English proficiency and children of migrant and seasonal farm-working families); and

''(H) include as part of the review the extent to which the program addresses the community needs and strategic plan identified in section 640(g)(2)(C).''.

(8) By amending so much of subsection (d)(1) as precedes subparagraph (A) to read as follows:

''(1) DETERMINATION.—If the Secretary determines, on the basis of a review pursuant to subsection (c), that a Head Start agency designated pursuant to section 641 fails to meet the standards described in subsection (a) or results-based performance measures developed by the Secretary under subsection (b), or fails to adequately address the community needs and strategic plan identified in 640(g)(2)(C), the Secretary shall—''

(9) By amending subsection (d)(2) to read as follows:

''(2) QUALITY IMPROVEMENT PLAN.—

''(A) AGENCY AND PROGRAM RESPONSIBILITIES.—In order to retain a designation as a Head Start agency under this subchapter, or in the case of a Head Start Program, in order to continue to receive funds from such agency, a Head Start agency, or Head Start program that is the subject of a determination described in paragraph (1) (other than an agency or program required to correct a deficiency immediately or during a 90-day period under clause (i) or (ii) of paragraph (1)(B)) shall—

''(i) develop in a timely manner, a quality improvement plan which shall be subject to the approval of the Secretary, or in the case of a program, the sponsoring agency, and which shall specify—

''(I) the deficiencies to be corrected;

''(II) the actions to be taken to correct such deficiencies; and

''(III) the timetable for accomplishment of the corrective actions specified; and

''(ii) eliminate each deficiency identified, not later than the date for elimination of such deficiency specified in such plan (which shall not be later than 1 year after the date the agency or program received notice of the determination and of the specific deficiency to be corrected).

''(B) SECRETARIAL RESPONSIBILITY.—Not later than 30 days after receiving from a Head Start agency a proposed quality improvement plan pursuant to subparagraph (A), the Secretary shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.

''(C) AGENCY RESPONSIBILITY FOR PROGRAM IMPROVEMENT.—Not later than 30 days after receiving from a Head Start program, a proposed quality improvement plan pursuant to subparagraph (A), the sponsoring agency shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.''.

(10) In subsection (d)(3) by inserting ''and programs'' after ''agencies''.

(11) Subsection (e) is amended to read as follows:

''(e) SUMMARIES OF MONITORING OUTCOMES.—Not later than 120 days after the end of each fiscal year, the Secretary shall publish a summary report on the findings of reviews conducted under subsection (c) and on the outcomes of quality improvement plans implemented under subsection (d), during such fiscal year. Such information shall be made available to all parents with students receiving assistance under this Act in a 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.''.

SEC. 107. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

Section 642 of the Head Start Act (42 U.S.C. 9837(b)) is amended as follows:

(1) By amending subsection (b) to read as follows:

''(b) In order to be so designated, a Head Start agency shall also—

''(1) establish a program with standards set forth in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section;

''(2) demonstrate capacity to serve eligible children with scientifically-based curricula and other interventions that help promote the school readiness of children participating in the program;

''(3) establish effective procedures by which parents and area residents concerned will be enabled to directly participate in decisions that influence the character of programs affecting their interests;

''(4) provide for their regular participation in the implementation of such programs;

''(5) 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;

''(6) 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, conduct, and overall performance of the program at the local level;

''(7) conduct outreach to schools in which Head Start children 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;

''(8) offer (directly or through referral to local entities, such as entities carrying out Even Start programs under part B of chapter 1 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;

''(9) offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on drug-exposed infants and fetal alcohol syndrome;

''(10) at the option of such agency, offer (directly or through referral to local entities), to such parents—

''(A) training in basic child development;

''(B) assistance in developing communication skills;

''(C) opportunities to share experiences with other parents;

''(D) regular in-home visitation; or

''(E) any other activity designed to help such parents become full partners in the education of their children;

''(11) provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in paragraphs (4) through (7) in which such parents may choose to be involved (taking into consideration their specific family needs, work schedules, and other responsibilities);

''(12) consider providing services to assist younger siblings of children participating in its Head Start program to obtain health services from other sources;

''(13) perform community outreach to encourage individuals previously unaffiliated with Head Start programs to participate in its Head Start program as volunteers; and

''(14)(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.''.

(2) Amend subsection (c) to read as follows:

''(c) The head of each Head Start agency shall coordinate and collaborate with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other early childhood education and development programs, including programs under subtitle VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431-11435), Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.), and programs under Part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1431-1445, 1419), and the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a), serving the children and families served by the Head Start agency to carry out the provisions of this subchapter.''.

(3) In subsection (d) by redesignating paragraphs (2) through (4) as paragraph (3) through (5) and inserting the following new paragraph after paragraph (1):

''(2) In communities where both public prekindergarten programs and Head Start programs operate, a Head Start agency shall coordinate with the local educational agency or other public agency responsible for the operation of the prekindergarten program and providers of prekindergarten, including for outreach to identify eligible children.''.

(5) In paragraph (3) (as redesignated) of subsection (d), strike ''and'' at the end of subparagraph (A) and insert the following after subparagraph (A) and redesignate subparagraph (B) as (C):

''(B) collaborating to increase the program participation of underserved populations of eligible children; and''.

SEC. 108. HEAD START ALIGNMENT WITH K–12 EDUCATION.

Section 642A of the Head Start Act (42 U.S.C. 9837a) is amended as follows:

(1) The heading is amended to read as follows:

''SEC. 642A. HEAD START ALIGNMENT WITH K–12 EDUCATION.''.

(2) In paragraph (2) after ''social workers,'' insert the following: ''McKinney-Vento liaisons as established under section 722 (g)(1)(J)(ii) of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001,''.

(3) Add the following new paragraph after paragraph (2) and redesignated paragraphs (3) through (7) as (4) through (8):

''(3) developing continuity of developmentally appropriate curricula between Head Start and local educational agencies to ensure an effective transition and appropriate shared expectations for children's learning and development as they make such transition to school;''.

(4) Paragraph (6)(as redesignated by paragraph (3) of this section) is amended to read as follows:

''(6) developing and implementing a family outreach and support program in cooperation with entities carrying out parental involvement efforts under Title I of the Elementary and Secondary Education Act of 1965 and family outreach and support efforts under subtitle VII-B of the McKinney-Vento Homeless Assistance Act;''.

(4) In paragraph (7)(as redesignated by paragraph (3) of this section) by inserting ''and continuity in parental involvement activities'' after ''developmental continuity''.

(5) Strike ''and'' at the end of paragraph (7)(as redesignated by paragraph (3) of this section) and strike the period at the end of paragraph (8)(as redesignated by paragraph (3) of this section) and insert a semicolon.

(6) Add the following after paragraph (8):

''(9) helping parents 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; and

''(10) developing and implementing a system to increase program participation of underserved populations of eligible children.''.

SEC. 109. ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

Section 644 of the Head Start Act (42 U.S.C. 9839) is amended in subsection (f)(2) by redesignating subparagraphs (A) through (E) as (B) through (F) and inserting the following new subparagraph before subparagraph (B) (as so redesignated):

''(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 Act, and of the potential for collaboration with such providers and the cost effectiveness of such collaboration as opposed to the cost effectiveness of the purchase of a facility;''

SEC. 110. ELIGIBILITY.

Section 645(a) of the Head Start Act (42 U.S.C. 9843) is amended as follows:

(1) By striking ''to a reasonable extent'' in paragraph (1)(B)(i) and inserting ''not to exceed 10 percent of the total enrollment'' and

by striking ''benefit from such programs'' and inserting ''benefit from such programs, including children referred by child welfare services,'' .

(2) By adding the following new paragraph at the end thereof:

''(3) The amount of a basic allowance provided under section 403 of title 37, United States Code, on behalf of an individual who is a member of the uniformed services for housing that is acquired or constructed under the authority of subchapter IV of chapter 169 of title 10, United States Code, or any other related provision of law, shall not be considered to be income for purposes of determining the eligibility of a child of the individual for programs assisted under this subchapter.''.

SEC. 111. EARLY HEAD START PROGRAMS.

(a) IN GENERAL.—Section 645A of the Head Start Act (42 U.S.C. 9643) is amended as follows:

(1) By amending paragraphs (4) and (5) of subsection (b) to read as follows:

''(4) provide services to parents to support their role as parents (including parenting skills training and training in basic child development) and to help the families move toward self-sufficiency (including educational and employment services as appropriate);

''(5) coordinate services with services (including home-based services) provided by programs in the State and programs in the community (including programs for infants and toddlers with disabilities) to ensure a comprehensive array of services (such as health and mental health services, and family support services);''.

(2) By amending paragraph (8) of subsection (b) to read as follows:

''(8) ensure formal linkages with the agencies and entities described in section 644(b) of the Individuals with Disabilities Education Act (20 U.S.C. 1444(b)) and providers of early intervention services for infants and toddlers with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and the agency responsible for administering the Section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a); and''.

(3) In subsection (g)(2)(B) by striking ''and'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting ''; and'' and by inserting the following at the end:

''(v) providing professional development designed to increase program participation for underserved populations of eligible children.''.

(b) MIGRANT AND SEASONAL PROGRAMS.—Section 645A(d)(1) of the Head Start Act (42 US.C. 9643(d)(1)) is amended to read as follows:

''(1) entities operating Head Start programs under this subpart, including migrant and seasonal Head Start programs; and''.

(c) COMMUNITY- AND FAITH-BASED ORGANIZATIONS.—Section 645A(d)(2) of the Head Start Act (42 US.C. 9643(d)(21)) is amended by inserting '', including community- and faith-based organizations'' after ''entities'' in the second place it appears.

SEC. 112. TECHNICAL ASSISTANCE AND TRAINING.

Section 648 of the Head Start Act (42 U.S.C. 9843) is amended as follows:

(1) By inserting the following new subsection after subsection (a) and redesignating subsections (b) through (e) as subsections (c) through (f):

''(b) The Secretary shall make available to each State the money reserved in section 640(a)(2)(C)(ii) to support a State-based system delivering training and technical assistance that improves the capacity of Head Start programs within a State to deliver services in accordance with the Head Start standards in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section. The Secretary shall—

''(1) ensure eligible entities within a State are chosen by the Secretary, in consultation with the State Collaboration Board described in section 640(a)(5)(C)(i), through a competitive bid process;

''(2) ensure that existing agencies with demonstrated expertise in providing high quality training and technical assistance to improve the delivery of Head Start services, including the State Head Start Association, State agencies, migrant and seasonal Head Start programs operating in the State, and other entities currently providing training and technical assistance in early education, be included in the planning and coordination of the State system of training and technical assistance; and

''(3) encourage States to supplement the funds authorized in section 640(a)(2)(C)(ii) with State, Federal, or local funds other than Head Start funds, to expand activities beyond Head Start agencies to include other providers of other early childhood services within a State.''.

(2) In subsection (d) (as redesignated):

(A) In paragraph (2), after ''disabilities'' insert ''and for activities described in section 1221(b)(3) of the Elementary and Secondary Education Act of 1965''.

(B) In paragraph (5) after ''assessment'' insert '', including the needs of homeless children and their families''.

(C) By striking ''and'' at the end of paragraph (10), by striking the period at the end of paragraph (11) and inserting ''; and'' and by inserting the following at the end:

''(12) assist Head Start agencies and programs in increasing program participation of eligible homeless children.''.

(3) In subsection (e) (as redesignated by paragraph (1)) by inserting '', including community- and faith-based organizations'' after ''entities''.

(4) By amending subsection (f) (as redesignated by paragraph (1)) to read as follows:

''(f) 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 non-English language background children (including services to promote the acquisition of the English language), training for personnel providing services to children determined to be abused or neglected, training for personnel providing services to children referred by or receiving child welfare services, training for personnel in helping children cope with community violence, and resource access projects for personnel working with disabled children.''.

(5) Insert at the end of the section:

''(g) HELPING PERSONNEL BETTER SERVE MIGRANT AND SEASONAL FARM-WORKING COMMUNITIES AND HOMELESS FAMILIES.—The Secretary shall provide, either directly or through grants, or other arrangements, funds for training of Head Start personnel in addressing the unique needs of migrant and seasonal working families, families with a limited English proficiency, and homeless families.

''(h) AUTHORIZED ACTIVITIES.—The majority of funds expended under this section shall be used to provide high quality, sustained, intensive, and classroom-focused training and technical assistance in order to have a positive and lasting impact on classroom instruction. Funds shall be used to carry out activities related to any or all of the following:

''(1) Education and early childhood development.

''(2) Child health, nutrition, and safety.

''(3) Family and community partnerships.

''(4) Other areas that impact the quality or overall effectiveness of Head Start programs.

''(i) PROHIBITION ON USE OF FUNDS.—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) DEFINITION.—For purposes of this section, the term 'eligible entities' means an institution of higher education or other entity with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the delivery of Head Start services.''.

SEC. 113. STAFF QUALIFICATIONS AND DEVELOPMENT.

Section 648A of the Head Start Act (42 U.S.C. 9843a) is amended as follows:

(1) By amending paragraph (2) of subsection (a) to read as follows:

''(2) DEGREE REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary shall ensure that not later than September 30, 2008, at least 50 percent of all Head Start teachers nationwide in center-based programs have—

''(i) a baccalaureate, or advanced degree in early childhood education; or

''(ii) a baccalaureate, or advanced degree in a field related to early childhood education, with experience in teaching preschool children.

''(B) PROGRESS.—Each Head State agency shall provide to the Secretary a report indicating the number and percentage of classroom instructors with child development associate credentials and associate, baccalaureate, or advanced degrees. The Secretary shall compile all program reports and make them available to the Committee on Education and the Workforce of the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions of the United States Senate.

''(C) REQUIREMENT FOR NEW HEAD START TEACHERS.—Within 3 years after the date of enactment of this clause, the Secretary shall require that all Head Start teachers nationwide in center-based programs hired following the date of enactment of this subparagraph—

''(i) have an associate, baccalaureate, or advanced degree in early childhood education;

''(ii) have an associate, baccalaureate, or advanced degree in a field related to early childhood education, with experience in teaching preschool children; or

''(iii) be currently enrolled in a program of study leading to an associate degree in early childhood education and agree to complete degree requirements within 3 years from the date of hire.

''(D) SERVICE REQUIREMENTS.—The Secretary shall establish requirements to ensure that individuals who receive financial assistance under this Act 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.''.

(2) By adding the following at the end thereof:

''(f) PROFESSIONAL DEVELOPMENT PLANS.—Every Head Start agency and program shall create, in consultation with an employee, a

professional development plan for all full-time employees who provide direct services to children.''.

SEC. 114. RESEARCH, DEMONSTRATIONS, AND EVALUATION.

Section 649 of the Head Start Act (42 U.S.C. 9844) is amended as follows:

(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 approaches for addressing the needs of low-income preschool children (including children with disabilities and children determined to be abused or neglected) and their families and communities (including demonstrations of innovative non-center based program models such as home-based and mobile programs), and otherwise to further the purposes of this subchapter.''.

(2) By striking paragraph (9) of subsection (d) and inserting ''(9) REPEALED.—''.

(3) By striking clause (i) of subsection (g)(1)(A) and redesignating clauses (ii) and (iii) as clauses (i) and (ii).

(4) In subsection (g)(7)(C)(i) by striking ''1999'' and inserting ''2003'', striking ''2001'' and inserting ''2005'', and striking ''2003'' and inserting ''2006''.

(5) By amending subsection (h) to read as follows:

''(h) NAS STUDY.—

''(1) IN GENERAL.—The Secretary shall use funds allocated in section 640(a)(2)(C)(iii) to contract with the National Academy of Sciences for the Board on Children, Youth, and Families of the National Research Council to establish an independent panel of experts to review and synthesize research, theory and applications in the social, behavioral and biological sciences and shall make recommendations on early childhood pedagogy with regard to each of the following:

''(A) Age and developmentally appropriate Head Start academic requirements and outcomes, including but not limited to the domains in 641A(a)(B).

''(B) Differences in the type, length, mix and intensity of services necessary to ensure that children from challenging family and social backgrounds including: low-income children, children of color, children with special needs, and children with limited English proficiency enter kindergarten ready to succeed.

''(C) Appropriate assessments of young children for the purposes of improving instruction, services, and program quality, including systematic observation assessment in a child's natural environment, parent and provider interviews, and accommodations for children with disabilities and appropriate assessments for children with special needs, including English language learners.

''(2) COMPOSITION.—The panel shall consist of multiple experts in each of the following areas:

''(A) Child development and education, including cognitive, social, emotional, physical, approaches to learning, and other domains of child development and learning.

''(B) Professional development, including teacher preparation, to individuals who teach young children in programs.

''(C) Assessment of young children, including screening, diagnostic and classroom-based instructional assessment; children with special needs, including children with disabilities and limited English proficient children.

''(3) TIMING.—The National Academy of Sciences and the Board shall establish the panel not later than 90 days after the date of enactment of this paragraph. The panel should complete its recommendations within 18 months of its convening.

''(4) APPLICATION OF PANEL REPORT.—The results of the panel study shall be used as guidelines by the Secretary to develop, inform and revise, where appropriate, the Head Start education performance measures and standards and the assessments utilized in the Head Start program.''.

SEC. 115. REPORTS.

Section 650 of the Head Start Act (42 U.S.C. 9845) is amended as follows:

(1) The first sentence of subsection (a) is amended to read as follows: ''At least once during every 2-year period, the Secretary shall prepare and submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, a report concerning the status of children (including disabled, homeless, and non-English language background children) in Head Start programs, including the number of children and the services being provided to such children.''.

(2) Paragraph (8) of subsection (a) is amended by inserting '', homelessness'' after ''background''.

SEC. 116. HEAD START NONDISCRIMINATION PROVISIONS.

Section 654 of the Head Start Act (42 U.S.C. 9849) is amended to read as follows:

''SEC. 654. NONDISCRIMINATION PROVISIONS.

''(a)(1) The Secretary shall not provide financial assistance for any program, project, or activity under this subchapter unless the grant or contract with respect thereto specifically provides that no person with responsibilities in the operation thereof will discriminate with respect to any such program, project, or activity because of race, creed, color, national origin, sex, political affiliation, or beliefs.

''(2) Paragraph (1) shall not apply to a recipient of financial assistance under this subchapter that is a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. Such recipients shall comply with the other requirements contained in this subsection.

''(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance under this subchapter. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if such person is excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment (except as provided in subsection (a)(2)), in the administration of any program, project, or activity receiving assistance under this subchapter.

''(c) The Secretary shall not provide financial assistance for any program, project, or activity under this subchapter unless the grant or contract relating to the financial assistance specifically provides that no person with responsibilities in the operation of the program, project, or activity will discriminate against any individual because of a handicapping condition in violation of section 504 of the Rehabilitation Act of 1973, except as provided in subsection (a)(2).''.

SEC. 117. EFFECTIVE DATE.

The amendments made by this Act shall be effective with respect to fiscal years beginning on and after October 1, 2003.

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 2003 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 School Readiness Act of 2003, 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, 2006 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, 2007, 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 2003 State funding levels for early childhood education;

''(2) provide an additional contribution of non-federal funds equal to five 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 2003.''.

The CHAIRMAN. No amendment to that amendment shall be in order except those printed in part B of the report. Each 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 read, 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 a division of the question.

It is now in order to consider amendment No. 1 printed in House report 108–232.

AMENDMENT NO. 1 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. 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. WOOLSEY: Page 57, strike lines 6 through 14.

The CHAIRMAN. Pursuant to House Resolution 336, the gentlewoman from California (Ms. WOOLSEY) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, this is a very simple amendment. It strikes the provision in the bill which would allow faith-based providers of Head Start services to discriminate based on religion against employees who are paid with public funds.

Faith-based providers are already participating in Head Start, Mr. Chairman, and they abide by current law which says they cannot discriminate based on religion when they use taxpayers' dollars to hire employees. H.R. 2210 changes that.

If H.R. 2210 becomes law with this employment discrimination exception in it, it will be the first time, the first time Congress has ever repealed a law that prohibits religious discrimination. And contrary to what my colleagues on the other side have been saying, H.R. 2210 is not consistent with title VII of the civil rights law.

Title VII allows faith-based organizations to discriminate using their own money. H.R. 2210 will allow public taxpayers' money to be used for religious discrimination.

Faith-based organizations do not want this, Mr. Chairman. That is why the Coalition Against Religious Discrimination sent a letter signed by 30 faith-based organizations asking Members to vote for the Woolsey-Edwards-Frank-Scott-Van Hollen amendment.

Mr. BOEHNER. Mr. Chairman, I claim the time in opposition to the amendment, and I yield myself such time as I may consume.

Mr. Chairman, I rise in strong opposition to this amendment and any attempt to deny organizations their long-standing civil rights protections. The amendment before us is a direct attack on faith-based service providers seeking to participate in the Head Start program, where they can make a valuable difference in the lives of disadvantaged children.

Make no mistake, the amendment before us would not only be stripping faith-based organizations of their rights, but worse, will eliminate an entire category of potential Head Start

service providers simply because they choose to maintain their legally protected right to make staffing decisions consistent with their organizational character and with the protections provided them under title VII of the Civil Rights Act.

This debate must be understood in real terms. Let us take the Catholic church, for example. Often these churches have strong roots in the community and a vast network of volunteers and employees who work together to make a difference for those who need a helping hand. They participate in many activities that are not about religion, but simply about making a difference in the lives of those in need. These organizations are a natural choice to participate in the Head Start program. After all, the infrastructure is in place, the members of the community already consider church a resource for social services, and workers are ready and willing to take in these needy children and give them the comprehensive support they need to get ready to enter school.

So what is the catch? Catholic churches have a tendency to hire Catholics. The Supreme Court does not see a problem with this. In fact, the Supreme Court has unanimously upheld the right of religious organizations to be religious and make staffing decisions based on that decision. There is no debate about that right. Until today, that is, when we consider this amendment that would make it illegal for these churches to continue to hire Catholics if they choose to participate in the Head Start program.

That is what we are talking about here, a double standard applying only to faith-based organizations, which tells them that they cannot serve disadvantaged children in Head Start unless they relinquish their identity, especially when it comes to hiring.

Faith-based organizations are a priceless national resource, providing help and hope to communities across America. And by their very nature, faith-based organizations often reach out to those in need when others may turn a blind eye. Improving lives is all in a day's work for faith-based organizations. That is why the President has called on Congress to level the playing field when these compassionate service providers are seeking to play a role in Federal initiatives like the Head Start program, to serve those who need our help.

□ 2200

Mr. Chairman, I strongly urge my colleagues to vote ''no'' and defeat this amendment. We should not ask religious groups to forfeit their religious character and identity as a condition of participating in Head Start. If we have discourage faith-based organizations from participating, we will be giving Head Start children less than we are capable of giving them. I think we must stand firm to protected the civil rights exemption for faith-based organizations so they can do their good works and community all across the Nation.

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

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

Mr. SCOTT of Virginia. Mr. Chairman, this amendment is simple. It preserves the law just as it has been since the Head Start program began. Faith-based organizations can and do sponsor Head Start programs. In fact, 8 percent of the Head Start programs today are sponsored by faith-based organizations. They administer the Head Start programs just as any other sponsor of a federally funded program, including compliance with traditional anti-discrimination laws.

The underlying bill allows many programs to discriminate in employment based on religion. Make no mistake, if there is discrimination based on religion, there can be discrimination based on race, because eleven o'clock on Sunday is still the most racially segregated hour of the week.

So if an organization can select employees based on which church, synagogue, mosque or temple someone belongs to, that will have racial overtones. There used to be a time in America when certain people were routinely denied the opportunity to even be considered for good jobs and all African American parents at one time or another had to explain to their children why they had to sit in the back of the bus or why they could not be considered for jobs at certain companies. That invidious discrimination was so ugly that our Nation passed laws to make it illegal to discriminate in employment based on race, color, creed, national origin or sex in most cases, even with private funds, but illegal to discriminate in all cases with Federal funds.

Now, churches can discriminate with their own money, but not with Federal taxpayers' money. If this amendment is not adopted, the days of invidious discrimination could return and some parents will have to explain to their children why other parents could become teachers but not them solely because of the family's religion. Just what kind of head start lesson is that?

So this vote is important because it will decide and we will decide tonight just what kind of head start our next generation will have.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN), a member of our committee.

Mrs. BLACKBURN. Mr. Chairman, a few weeks ago in my district we held a government reform subcommittee hearing on the effectiveness of faith-based organizations. And our chairman is exactly right. These are priceless national resources. There is an issue that I am familiar with and today I must rise in opposition to the Woolsey amendment to strike the faith-based provision from the School Readiness Act.

I have listened to the debate on this bill in subcommittee and here on the floor, and actually I have been surprised at the level of false information being used to defeat what is an excellent aspect of this legislation. This bill does not ignore or undermine civil rights laws. Instead, it brings the Head Start program up to date with them. The Civil Rights Act was amended in 1972 by the Equal Employment Opportunity Act because Congress recognized that there needed to be a more defined relationship between church and State. Indeed, these changes were made in response to concerns that government might interfere with the affairs of religious organizations.

As the law is written now, a church or religious institution can set up a Head Start center, but they have to give up their right to hire based on a person's religion, something that most are not willing to do. And in many communities there is a great need to establish more Head Start centers. Think how many more children would be served if the restriction were removed.

One of the fundamental tenants of faith is that we must help people in need and work to better one's community. When religious organizations cannot participate in establishing and running Head Start centers, children lose out on an opportunity to learn, to prepare for school, and to be nurtured.

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

Mr. EDWARDS. Mr. Chairman, no American citizen, not one, should have to pass someone else's religious test to qualify for a federally funded job. That is the principle behind the Woolsey amendment. Frankly, I am appalled that the Civil Rights Act of 1964 would be mischaracterized by some to defend the act of religious discrimination and bigotry when using Federal tax dollars.

Mr. Chairman, I want you to imagine for a moment that you are applying for a Head Start job which is funded by Federal tax dollars. You have a college degree in early childhood education. You have excellent references and 10 years of experience in working with prekindergarten children. Prior to your job interview, you prepare for days for possible questions regarding teaching methods and enhancing children's self-esteem. Then when you sit down for your job interview, the first question asked of you is this: Are you Jewish or Catholic? Puzzled about why you would be asked such a question for a Head Start job interview, you answer that your faith is a private matter and it has nothing to do with your job qualifications. But the job interviewer responds by saying, no, your job interview is over. You are not being hired because we do not hire Catholics or Jews. Offended, you say you are an American citizen and you cannot be denied a federally funded job based solely

on your private, personal religious faith.

The interviewer says, no, you are wrong. On July 24 of 2003, the House of Representatives in Washington passed the Head Start bill which allows me to make hiring and firing decisions based solely on your personal religious faith.

Mr. Chairman, I find this scenario to be deeply offensive and so do the vast majority of Americans. I would repeat: no American citizen should have to pass someone else's religious test to qualify for a federally funded tax-supported job. Yet, by saying no to the Woolsey amendment, Members of this House would be legalizing Federal subsidies of religious discrimination and bigotry. That is wrong. Stand up for the fundamental right of religious freedom. Vote for the Woolsey amendment.

Mr. BOEHNER. Mr. Chairman, I yield 1 minute to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I rise in opposition to this amendment because quite simply it is an exceptionally bad idea.

Children who are served by Head Start have the right to receive those services in the most effective way possible. In many cases it will be a traditional public sector provider; but in at least some, in some, it may be a faith-based organization. We should encourage faith-based groups from coming forward. This would do the opposite. It is a bad idea. Vote down the amendment.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I thank my colleague for yielding me time.

Mr. Chairman, let me start by talking about what this amendment is not about. It is not about whether faith-based organizations can provide valuable services. They can and they do. In fact, many are currently running Head Start programs. The issue is whether those Head Start programs, faith-based programs that are receiving taxpayers dollars can discriminate in hiring based on religion; whether someone who comes to them with a terrific background in early childhood education can have the door shut on them because they do not pass a particular religious test, because they are not Jewish or not Christian or not Muslim or whatever the particular test is.

Now, I have talked to many people around this country involved in the Head Start program, and not one of them has said to me, gee, we could do a much better job teaching children how to read, we could do a much better job teaching children arithmetic if only we could discriminate, if only we could fire the Jews in our organization, if only we could fire the Christians, if only we could fire the Baptists. No one has said that we need to do that, and it is a sad day that that comes up on this bill.

Nothing should be more universal. Nothing is more universal in this country than the desire of everyone to provide their children with a good start in life, a head start in life. And yet what this provision of the bill does that we are stripping out is sends a terrible message to the children of this country that it is okay to discriminate based on religion.

When we are teaching children in their earliest years the values that we want them to learn, we do not want to teach them the lesson of religious intolerance and religious bigotry. We must support the Woolsey amendment. I urge my colleagues to do so.

Mr. BOEHNER. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. CARTER), a new member of our committee.

Mr. CARTER. Mr. Chairman, I rise in support of H.R. 2210 and in opposition to the Woolsey amendment.

The United States Supreme Court has ruled and has looked at this issue in the Corporation of the Presiding Bishop v. Amos and has upheld the title VII exemption as constitutional under our law. Finding that the exemption did not violate the establishment clause, the Supreme Court has made it clear that ''it is a permissible legislative purpose to alleviate significant governmental interference with the ability of religious organizations to define and carry out their religious missions.''

This is not a matter of discrimination or teaching children discrimination. This is a matter of abiding by the law. The Clinton administration passed numerous legislation that followed this same idea. These faith-based organizations provide good services. They should be able to hire the people that they feel are important to their cause, and this would in no way interfere with the rights of the students that come before the Head Start program. It is a good idea led by good people. I urge its support.

Ms. WOOLSEY. Mr. Chairman, how much time remains on both sides?

The CHAIRMAN. The gentlewoman from California (Ms. WOOLSEY) has 3 minutes. The gentleman from Ohio (Mr. BOEHNER) has 3½ minutes.

Ms. WOOLSEY. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, a couple of things that have been said that I think need direct response to.

One is you could serve more children if you allow people to discriminate. That is not true. You will serve more people if you put more money into the Head Start program. There are plenty of sponsors who are willing to provide services without discriminating.

Second, you lose your right to discriminate. You do not lose your right to discriminate with your church money if you sponsor a federally funded program, but you cannot discriminate with the taxpayers' money. I think that needs to be said in response to some of the comments previously made.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. SOUDER), a former member of our committee.

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

Mr. SOUDER. Mr. Chairman, I thank the chairman for his leadership on this difficult bill. When you make changes that are important to help poor kids in America, those who are disadvantaged, you will get controversy. You have plenty of it, but I congratulate you on trying to improve a good program.

Let me directly address this amendment. This amendment would in effect say that if you have strong religious values of any faith, check it at the door or do not apply. In fact, it was also said by another Member that many organizations and people who are currently serving these kids are not asking for this amendment. Of course not. They have the contracts.

Let us be frank here. In these inner-city areas where the Head Start programs are concentrated or in the rural poorer areas, we are mostly looking at black and Hispanic small churches that have been cut out of the system. We are also looking at rural white churches, the only institutions that have often stayed in those communities and they would like to be involved and some of those of deepest passion.

If you are a Christian church, you believe your church is supposed to reflect the glory of God. You do not want to be forced to hire who the government says you must hire. If you have somebody who has had things that violate your faith, you do not want to be told that you cannot violate them. You want to be involved in helping people. You want to practice that compassion, whether you are Muslim, whether you are Jewish, whether you are Christian. This amendment would say to those small churches who are the pillars of those institutions, no, you are not eligible.

Of course the people who have the contracts want this. This has already been ruled constitutional by the Supreme Court. They have said that there is a constitutional right, even when you get public funds, to keep your religious liberty to hire and fire who you want. This is a question of do we believe these programs are effective. Do we believe the local-based programs in these communities have a value there; that the minority churches that I have visited in the urban centers who want to get involved with the kids and give them a chance, should these churches be allowed to participate without accepting the mandates of the Federal Government.

□ 2215

This is not about big white suburban churches coming in and discriminating. This is mostly going to be minority churches in these poor areas who want to apply for these grants, and you are saying, unless you are willing to take

the Federal Government telling you who to hire, who to fire, do not apply. And that is wrong, and it is a constitutionally protected right, and this amendment would be a disaster to many of those small churches who want to participate.

Ms. WOOLSEY. Mr. Chairman, would the Chair advise me, please, who has the right to close.

The CHAIRMAN. The gentleman from Ohio (Mr. BOEHNER) has the right to close.

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

Mr. FRANK of Massachusetts. Mr. Chairman, as to the history, it is clear, as it has been for 31 years, that the law says that if you take Federal funds, you cannot take the money you took from all the taxpayers and then tell some of those taxpayers many of them are ineligible because of their religion.

The gentleman from Indiana is wrong. We are not having the Federal Government tell you who to hire. We are saying that the Federal Government tells you you cannot refuse to hire most of the people who pay taxes that you are now spending because they do not like your religious beliefs. And I have to say, you tell me that this drives religions away. What are we talking about, the Taliban? I mean, what is it that is so terrible?

We are saying when you run your church, you run your church. When you hire people with your own money then you hire whoever you want, but when you take Federal tax dollars for a secular purpose, remember by definition, you cannot get Federal funds for religious purposes. So you are getting Federal funds for secular purposes, nonreligious purposes. Every taxpayer contributes and you are telling people then you can hire only people of your religion as they believe. That means racial segregation de facto.

How many whites will the black Muslims hire? How many blacks will the Orthodox Jews hire? Religion unfortunately de facto means segregation. But they also have to say what is it that is so terrible?

What we are saying to religious people is, in doing these good works with Federal money, we ask you please to associate with people of other religions, and you are telling us that asking religious people to associate with people of other religions defiles them. You ought to call your position the Antiheretic and Infidel Association Act. Unclean. Get away from me, unbeliever.

Well, if you want to say, get away from me, unbeliever, go ahead, but do not take the unbeliever's money through taxes and say, thank you for the tax money, now get out of here before you profane my day care center, before you profane my Head Start center.

How can you tell people that everybody has to pay taxes, but only those who meet a certain religious test, and it is not a broad religious test, it is a specific one, you believe in evolution, you cannot do Head Start here? You believe in all kinds of things, out you go.

So we are simply asking that the law be maintained. Our amendment maintains current law, and we ask you, please do not take the Taliban as the model for American social service.

Ms. WOOLSEY. Mr. Chairman, can the Chair advise me how much time I have remaining?

The CHAIRMAN. The gentlewoman from California (Ms. WOOLSEY) has 30 seconds remaining. The gentleman from Ohio (Mr. BOEHNER) has 1½ minutes remaining.

Ms. WOOLSEY. Mr. Chairman, I yield myself the remainder of the time.

Mr. Chairman, the people in this country will not believe what they are hearing tonight, that this amendment will allow thousands of dedicated Head Start teachers to be fired for no other reason than religious prejudice.

Our amendment will reinstate the fundamental American protections against religious discrimination in employment. It will protect the jobs of thousands of Head Start teachers and the stability of children and families in Head Start programs.

Voting for this amendment means that my colleagues are voting against religious discrimination.

Why would anyone do otherwise?

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of the time.

I think there are is some misunderstanding. Title VII of the Civil Rights Act says that religious organizations can discriminate in their hiring based on religion. That is what it says.

Look at Federal laws that provide grants to community-based organizations. Some of those require these organizations to give up their title VII protections, like the Head Start program we have before us. We have other programs, dozens of them, where they can maintain their title VII protections, and as I have told the Members on the other side over the last several months, as we bring these reauthorizations through our committee, like the Workforce Investment Act, like Head Start, I am going to provide some consistency.

President Clinton signed five programs into law that allowed faith-based organizations to have their title VII exemption with Federal funds, and all we want to do is to say if you take Federal funds and you provide Head Start services, you do not have to give up your title VII protections that are granted to you, plain and simple.

I urge my colleagues to defeat the gentlewoman's amendment.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I support the Woolsey-Scott amendment to H.R. 2210 to remove the provision allowing religious discrimination in employment from the underlying bill. The Head Start Act, a bill that should be designed to improve the education of children, is no place to encourage discrimination. In fact, there is no place for religious discrimination in American law just as there should be no place in America for that kind of backwards thinking.

H.R. 2210, in its current state, erodes fundamental civil rights protections for Head Start workers and families by exempting faith-based organizations from compliance with the current Head Start law. Presently, under our country's existing laws, in Title VII of the Civil Rights Act, employing institutions using private funds were exempt from employment discrimination protections. However, Head Start programs are federally funded and as such do not fall under the jurisdiction of the Title VII statute. Simply put: Public funds are not allowed to be used to encourage religious discrimination in employment and that should not change.

Each of my colleagues should understand that without the Woolsey-Scott amendment, we are advocating the notion that one's ability to nurture and develop the minds of our children is contingent on the religious institution to which the individual belongs. What if anything is accomplished by attempting to create religious hierarchies in the workplace? What benefit does that provide the Head Start child? None. And thus the language allowing religious discrimination should be stricken from the bill. As should all language that does not add to the well being of children.

The Founding Fathers of this country found it necessary to say that no one should be unfairly judged or discriminated against on the basis of their religion. This Congress should do no less. We should not create law that does harm. We should not encourage discrimination of any kind, religious or otherwise.

Surely, this country prides itself on its diversity and its willingness to open its doors to people of different religions, races, and ethnic backgrounds. Yet on the floor of the people's House we are faced with an attempt by the Republicans to create a monolithic sub-culture within our Head Start programs. Despite the rhetoric on the other side of the aisle, H.R. 2210 as it currently reads will not only result in the loss of jobs for teachers who do not identify with their employer's religious beliefs but more importantly it will cause the loss of role models and advocates for youth who are already at-risk.

The Woolsey-Scott amendment will effectively retain civil rights protections for employees of Head Start programs. This amendment simply retains their freedom of religious choice and their freedom not to be discriminated against due to their religion. This amendment adds nothing to the law rather it maintains current law. Without the addition of the Woolsey-Scott amendment, however, the body elected to serve all of the people of this country will have endorsed employment discrimination with federal dollars. We simply cannot allow this to happen. We must do everything we can to preserve the fundamentals of Head Start. I urge my colleagues to vote to ensure that our child readiness programs are not muddied and degraded by the promotion of religious discrimination. Therefore, I stand in full support of the Woolsey-Scott amendment and I urge my colleagues to do the same.

The CHAIRMAN. All time on this amendment has expired.

The question is on the amendment offered by the gentlewoman from California (Ms. WOOLSEY).

The question was taken; and the Chairman announced that the noes appeared to have it.

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote, and pending that, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from California will be postponed.

The point of no quorum is considered withdrawn.

It is now in order to consider amendment No. 2 printed in House Report 108–232.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment in the nature of a substitute offered by Mr. GEORGE MILLER of California:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''School Readiness Act of 2003''.

SEC. 2. PURPOSE.

Section 636 of the Head Start Act (42 U.S.C. 9831) is amended to read as follows:

''SEC. 636. STATEMENT OF PURPOSE.

''It is the purpose of this subchapter to promote school readiness by enhancing the development of low-income children, through educational instruction in prereading skills, premathematics skills, and language, and through the provision to low-income children and their families of health, educational, nutritional, social and other services that are determined, based on family needs assessments, to be necessary.''.

SEC. 3. DEFINITIONS.

Section 637 of the Head Start Act (42 U.S.C. 9832) is amended as follows:

(1) In paragraph (17) by striking '', but for fiscal years'' and all that follows down to the period.

(2) By adding the following at the end thereof:

''(18) The term 'eligible entities' means an institution of higher education or other agency with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the quality of early childhood educations programs.

''(19) The term 'homeless children' has the meaning given such term in subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431 et seq.).''.

SEC. 4. AUTHORIZATION.

Section 639 of the Head Start Act (42 U.S.C. 9834) is amended to read as follows:

''SEC. 639. AUTHORIZATION OF APPROPRIATIONS.

''(a) IN GENERAL.—There are authorized to be appropriated for carrying out the provisions of this subchapter $6,870,000,000 for the fiscal year 2004 and such sums as may be necessary for fiscal years 2005 through 2008.

''(b) SPECIFIC PROGRAMS.—From the amount appropriated under subsection (a), the Secretary shall make available not more than $20,000,000 for fiscal year 2004, and such sums as may be necessary for each of fiscal years 2005 through 2008, to carry out such other research, demonstration, and evaluation activities, including longitudinal studies, under section 649.

''(1) not more than $7,000,000 for each of fiscal years 2004 through 2008 to carry out impact studies under section 649(g); and

''(2) not more than $13,000,000 for fiscal year 2004, and such sums as may be necessary for each of fiscal years 2005 through 2008, to carry out other research, demonstration, and evaluation activities, including longitudinal studies, under section 649.

''(c) ADMINISTRATIVE EXPENSES.—There are authorized to be appropriated $5,000,000 for each of fiscal years 2004 through 2008 to assist participating States with the administrative expenses associated with implementing a program under section 643A.''.

SEC. 5. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSISTANCE.

Section 640 of the Head Start Act (42 U.S.C. 9835) is amended as follows:

(1) In subsection (a)(2):

(A) By striking ''1998'' in subparagraph (A) and inserting ''2003''.

(B) By amending subparagraph (B) to read as follows:

''(B) payments, subject to paragraph (7) to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands of the United States;''.

(2) By striking the last sentence of paragraph (2) of subsection (a).

(3)(A) By amending subsection (a)(2)(C) to read as follows:

''(C) training and technical assistance activities that are sufficient to meet the needs associated with program expansion and to foster program and management improvement as described in section 648 of this subchapter, in an amount for each fiscal year which is not less than one percent, and shall not exceed 2 percent, of the amount appropriated for such fiscal year, of which—

''(i) not less than 50 percent shall be made available to local Head Start agencies to comply with the standards described in section 641A(a)(1), of which not less than 50 percent shall be used to comply with the standards described in section 641A(a)(1)(B) and for the uses described in clauses (iii), (iv), and (vii) of subsection (a)(3)(B);

''(ii) not less than 30 percent shall be made available to support a State system of early childhood education training and technical assistance;

''(iii) not less than 20 percent shall be made available to the Secretary to assist local programs in meeting the standards described in section 641A(a)(1); and

''(iv) not less than $3,000,000 of the amount in clause (iii) appropriated for such fiscal year shall be made available to carry out activities described in section 648(c)(4);''.

(B) By inserting the following at the end of subsection (a)(2):

''If less than 2 percent of the amount appropriated for such fiscal year is made available for the activities authorized in subparagraph (C), then the Secretary is authorized to use at least 25 percent of such funds to fund migrant and seasonal Head Start programs for expansion of services. If sufficient migrant and seasonal eligible children are not available to use such funds, then enrollment priority shall be given to other disadvantaged populations referred to in subparagraph (A).''.

(4) In subsection (a)(3)(A) by inserting at the end thereof:

''(iii) After the reservation of amounts under paragraph (2)(including the 2 percent amount referred to in paragraph (2)(C)) and the 60 percent amount referred to in subparagraph (A) of this paragraph, a portion of the remaining funds shall be made available to expand services to underserved populations, such as children receiving services under the Early Head Start and Migrant and Seasonal Head Start programs.''.

(5) In subsection (a)(3)(A)(i)(I) by striking ''1999'' and all that follows down to the semicolon and inserting ''2004 through 2008''.

(6) By amending subsection (a)(3)(B) to read as follows:

''(B) Funds reserved under this paragraph (referred to in this paragraph as 'quality improvement funds') shall be used to accomplish any or all of the following goals:

''(i) Ensuring that Head Start programs meet or exceed standards pursuant to section 641A(a)(1).

''(ii) Ensuring that such programs have adequate numbers of qualified staff, and that such staff is furnished adequate training, including developing skills to promote the development of language skills, premathematic skills, and prereading in young children and in working with children with non-English language background, children referred by child welfare services, and children with disabilities, when appropriate.

''(iii) Developing and financing the salary scales described under section 644(a) and section 653, in order to ensure that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

''(iv) Using salary increases to improve staff qualifications, and to assist with the implementation of programs specifically designed to enable lead instructors to become more effective educators, for the staff of Head Start programs, and to encourage the staff to continually improve their skills and expertise by informing the staff of the availability of Federal and State incentive and loan forgiveness programs for professional development.

''(v) Improving community-wide strategic planning and needs assessments for such programs and collaboration efforts for such programs, including collaborations to increase program participation by underserved populations of eligible children.

''(vi) Ensuring that the physical environments of Head Start programs are conducive to providing effective program services to children and families, and are accessible to children with disabilities and their parents.

''(vii) Ensuring that such programs have qualified staff that can promote language skills and literacy growth of children and that can provide children with a variety of skills that have been identified, through scientifically based reading research, as predictive of later reading achievement.

''(viii) Providing assistance to complete post-secondary course work needed to attain baccalaureate degrees in early childhood education.

''(ix) Making such other improvements in the quality of such programs as the Secretary may designate.

''(x) To promote the regular attendance and stability of highly mobile children, including migrant and homeless children.''.

(7) By amending subsection (a)(3)(C) to read as follows:

''(C) Quality improvement funds shall be used to carry out any or all of the following activities:

''(i)(I) Not less than one-half of the amount reserved under this paragraph, to improve the compensation (including benefits) of classroom teachers and other staff of Head Start agencies providing instructional services and thereby enhancing recruitment and retention of qualified staff, including recruitment and retention pursuant to achieving the requirements set forth in section 648A(a). The expenditure of funds under this clause shall be subject to section 653. Salary increases, in excess of cost-of-living allowance, provided with such funds shall be subject to the specific standards governing salaries and salary increases established pursuant to section 644(a).

''(II) If a Head Start agency certifies to the Secretary for such fiscal year that part of the funds set aside under subclause (I) to improve wages cannot be expended by such agency to improve wages because of the operation of section 653, then such agency may expend such part for any of the uses specified in this subparagraph (other than wages).

''(III) From the remainder of the amount reserved under this paragraph (after the Secretary carries out subclause (I)), the Secretary shall carry out any or all of the activities described in clauses (ii) through (vii), placing the highest priority on the activities described in clause (ii).

''(ii) To train classroom teachers and other staff to meet the education standards described in section 641A(a)(1)(B), through activities—

''(I) to promote children's language and prereading growth, through techniques identified through scientifically based reading research;

''(II) to promote the acquisition of the English language for non-English background children and families;

''(III) to foster children's school readiness skills through activities described in section 648A(a)(1); and

''(IV) to educate and provide training necessary to improve the qualifications particularly with respect to such assistance to enable more instructors to meet the degree requirements under section 648A(a)(2)(A) and to support staff training, child counseling, and other services necessary to address the problems of children participating in Head Start programs, including children from dysfunctional families, children who experience chronic violence in their communities, and children who experience substance abuse in their families.

''(iii) To employ additional Head Start staff, including staff necessary to reduce the child-staff ratio lead instructors who meet the qualifications of section 648A(a) and staff necessary to coordinate a Head Start program with other services available to children participating in such program and to their families.

''(iv) To pay costs incurred by Head Start agencies to purchase insurance (other than employee benefits) and thereby maintain or expand Head Start services.

''(v) To supplement amounts provided under paragraph (2)(C) to provide training necessary to improve the qualifications of the staff of the Head Start agencies, and to support staff training, child counseling, and other services necessary to address the problems of children participating in Head Start programs, including children from dysfunctional families, children who experience chronic violence in their communities, and children who experience substance abuse in their families.

''(vi) To conduct outreach to homeless families in an effort to increase the program participation of eligible homeless children.

''(vii) Such other activities as the Secretary may designate.

''(viii) To conduct outreach to migrant and seasonal farm-working families and families with children with a limited English proficiency.''.

(8) In subsection (a)(4) by striking ''1998'' in subparagraph (A) and inserting ''2003''.

(9) In subsection (a)(5)(B)—

(A) by striking ''may'' and inserting ''shall''; and

(B) by inserting ''early childhood education'' after ''regarding''.

(10) By amending subsection (a)(5)(C) to read as follows:

''(C) In order to improve results for children, a State that receives a grant under subparagraph (B) shall—

''(i) appoint an individual to serve as the State Director of Collaboration between—

''(I) the appropriate regional office of the Administration for Children and Families;

''(II) the State educational agency;

''(III) the State Department of Health and Human Services;

''(IV) the State agency that oversees child care;

''(V) the State agency that assists children with developmental disabilities;

''(VI) the State Head Start Association;

''(VII) the State network of child care resource and referral agencies;

''(VIII) local educational agencies;

''(IX) community-based and faith-based organizations;

''(X) State representatives of migrant and seasonal Head Start programs;

''(XI) State representatives of Indian Head Start programs;

''(XII) State and local providers of early childhood education and child care; and

''(XIII) other entities carrying out programs serving low-income children and families in the State;

''(ii) ensure that the State Director of 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;

''(iii) involve the entities described in section clause (i) to develop a strategic plan for the coordinated outreach to identify eligible children and implementation strategies based on a needs assessment conducted by the Office of the State Director of Collaboration which shall include an assessment of the availability of high quality prekindergarten services for low-income children in the State. Such assessment shall be completed within one year after the date of enactment of the 'School Readiness Act of 2003' and be updated on an annual basis and shall be made available to the general public within the State;

''(iv) ensure that the collaboration described in subparagraph (B) involves coordination of Head Start services with health care, welfare, child care, child protective services, education, and community service activities, family literacy services, activities relating to children with disabilities (including coordination of services with those State officials who are responsible for administering part C and section 619 of the Individuals with Disabilities Education Act), and services for homeless children (including coordination of services with the Office of Coordinator for Education of Homeless Children and Youth designated under section 722 (g)(1)(J)(ii) of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001;

''(v) consult with the chief State school officer, local educational agencies, and representatives of local Head Start agencies and providers of early childhood education and care in unified planning regarding early care and education services at both the State and local levels, including collaborative efforts to develop school readiness standards; and

''(vi) consult with the chief State school officer, local educational agencies, State child care administrators, State human services administrators, representatives of local resource and referral agencies, local early childhood councils, providers of early childhood education and care and other relevant State and local agencies, and representatives of the State Head Start Associations to plan for the provision of full-working-day, full calendar year early care and education services for children.''.

(11) By amending clause (i) of subsection (a)(5)(D) by inserting ''and providers of services supporting early childhood education and child care'' after ''Associations''.

(12) By amending subsection (a)(6)(A) to read as follows:

''(A) From amounts reserved and allotted pursuant to paragraphs (2) and (4), the Secretary shall use, for grants for programs described in section 645A(a) of this subchapter, a portion of the combined total of such amounts equal to at least 10 percent for fiscal years 2004 through 2008, of the amount appropriated pursuant to section 639(a), except as provided in subparagraph (B).''

(13) By inserting the following before the period at the end of subsection (f): '', including models that leverage the existing capacity and capabilities of the delivery system of early childhood education and child care''.

(14) By inserting the following after ''manner that will'' in subsection (g)(2)(G): ''leverage the existing delivery systems of such services and''.

(15) By amending subsection (g)(2)(C) to read as follows:

''(C) the extent to which the applicant has undertaken community-wide strategic planning and needs assessments involving other community organizations and public agencies serving children and families (including organizations and agencies providing family support services and protective services to children and families, and organizations serving families in whose homes English is not the language customarily spoken), and organizations and public entities serving children with disabilities and homeless children (including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001);''.

(16) By inserting in subsection (g)(2)(H) after ''serving the community involved'' the following: '', including the liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001,''.

(17) By adding the following new subsections at the end thereof:

''(m) ENROLLMENT OF HOMELESS CHILDREN.—The Secretary shall by regulation prescribe policies and procedures to remove barriers to the enrollment and participation of eligible homeless children in Head Start programs. Such regulations shall require Head Start agencies to:

''(1) implement policies and procedures to ensure that eligible homeless children are identified and prioritized for enrollment,

''(2) allow homeless families to apply to, enroll in and attend Head Start programs while required documents, such as proof of residency, immunization and other medical records, birth certificates and other documents, are obtained within a reasonable time frame, and

''(3) coordinate individual Head Start centers and programs with efforts to implement Subtitle VII-B of the McKinney-Vento Homeless Assistance Act.

''(n) SAVINGS PROVISION.—Nothing in this Act shall be construed to require a State to establish a program of early education for children in the State, to require any child to participate in a program of early education, to attend school, or to participate in any initial screening prior to participation in such program, except as provided under section 612(a)(3), (consistent with section 614(a)(1)(C)), of the Individuals with Disabilities Education Act.

''(o) MATERIALS.—All curricula and instructional materials funded under this subchapter shall be scientifically based and age appropriate. Parents shall have the ability to inspect, upon request, any curricula or instructional materials.''.

SEC. 6. DESIGNATION OF AGENCIES.

Section 641 of the Head Start Act (42 U.S.C. 9836) is amended as follows:

(1) In subsection (a)—

(A) by inserting after ''community'' in the first place it appears '', including a community-based or faith-based organization'';

(B) by inserting ''(1)'' after ''(a)'';

(C) by redesignating paragraphs (1) and (2) as subparagraphs (A) and (B), respectively; and

(D) by adding the following at the end thereof:

''(2) In order to be designated as a Head Start agency and to receive a grant under this subchapter, a grantee shall establish grantee-determined goals for improving the school readiness of children participating in a program under this subchapter, which shall include goals for—

''(A) educational instruction in prereading, premathematical, and language skills; and

''(B) the provision of health, educational, nutritional, social, and other services.

''(3) In order to receive a grant subsequent to the initial grant provided following the date of enactment of this subchapter, the grantee shall demonstrate that it has met the goals described in paragraph (2).

''(4) Progress in meeting such goals shall not be measured primarily or solely by the results of assessments.''

(2) By amending subsection (c) to read as follows:

''(c) In the administration of the provisions of this section, the Secretary shall, in consultation with the chief executive officer of the State involved if such State expends non-Federal funds to carry out Head Start programs, give priority in the designation of Head Start agencies to any local public or private nonprofit or for-profit agency which is receiving funds under any Head Start program on the date of the enactment of this Act that fulfills the program and financial management requirements, standards described in section 641A(a)(1), results-based performance measures developed by the Secretary under section 641A(b), or other requirements established by the Secretary.''.

(3) By amending subsection (d) to read as follows:

''(d) If no entity in a community is entitled to the priority specified in subsection (c), then the Secretary may designate a Head Start agency from among qualified applicants in such community. In selecting from among qualified applicants for designation as a Head Start agency, the Secretary shall give priority to any qualified agency that functioned as a Head Start delegate agency in the community and carried out a Head Start program that the Secretary determines met or exceeded such performance standards and such results-based performance measures. 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—

''(1) any past performance of such applicant in providing services comparable to Head Start services, including how effectively such applicant provided such comparable services;

''(2) the capacity of such applicant to serve eligible children with scientifically-based programs that promote school readiness of children participating in the program;

''(3) 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;

''(4) the plan of such applicant to provide comprehensive health, nutritional, educational, social, and other services needed to prepare children to succeed in school;

''(5) the plan of such applicant to coordinate the Head Start program it proposes to carry out with other preschool programs, including Early Reading First and Even Start programs under title I, part B, subparts 1 and 2 of the Elementary and Secondary Education Act of 1965; other preschool programs carried out under title I of the Act; programs under part C and section 619 of the Individuals with Disabilities Education Act; State prekindergarten programs; and with the educational programs such children will enter at the age of compulsory school attendance;

''(6) the plan of such applicant to coordinate the Head Start program it proposes to carry out with private entities with resources available to assist the Head Start Program meet its program needs;

''(7) the plan of such applicant—

''(A) to seek the involvement of parents of participating children in activities (at home and in the center involved where practicable) designed to help such parents become full partners in the education of their children;

''(B) to afford such parents the opportunity to participate in the development, conduct, and overall performance of the program at the local level;

''(C) to offer (directly or through referral to local entities, such as entities carrying out Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.), public and school libraries, and family support programs) to such parents—

''(i) family literacy services; and

''(ii) parenting skills training;

''(D) to offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on drug-exposed infants and fetal alcohol syndrome;

''(E) at the option of such applicant, to offer (directly or through referral to local entities) to such parents—

''(i) training in basic child development;

''(ii) assistance in developing communication skills;

''(iii) opportunities for parents to share experiences with other parents; or

''(iv) any other activity designed to help such parents become full partners in the education of their children;

''(F) to provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in subparagraphs (C) (D), and (E) in which such parents may choose to become involved (taking into consideration their specific family needs, work schedules, and other responsibilities); and

''(G) to extend out reach to fathers in order to strengthen the role of fathers in families by working directly with fathers and father-figures through such activities as including fathers in home visits; implementing father outreach efforts, providing opportunities for direct father-child interactions; and targeting increased male participation in the program;

''(8) the ability of such applicant to carry out the plans described in paragraphs (2), (3), and (4);

''(9) other factors related to the requirements of this subchapter;

''(10) the plan of such applicant to meet the needs of non-English background children and their families, including needs related to the acquisition of the English language;

''(11) the plan of such applicant to meet the needs of children with disabilities;

''(12) the plan of such applicant who chooses to assist younger siblings of children who will participate in the proposed Head Start program to obtain health services from other sources;

''(13) the plan of such applicant to collaborate with other entities carrying out early childhood education and child care programs in the community; and

''(14) the plan of such applicant to meet the needs of homeless children.''.

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 as follows:

(1) In subsection (a)(1)(B) by amending clause (ii) to read as follows:

''(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 and emotional 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.''.

(2) By amending subsection (a)(2)(B) to read as follows:

''(B) take into consideration—

''(i) past experience with use of the standards in effect under this subchapter on October 27, 1998;

''(ii) changes over the period since October 27, 1998, in the circumstances and problems typically facing children and families served by Head Start agencies;

''(iii) developments concerning best practices with respect to early childhood education and development, children with disabilities, family services, program administration, and financial management;

''(iv) projected needs of an expanding Head Start program;

''(v) guidelines and standards currently in effect or under consideration that promote child health services, and projected needs of expanding Head Start programs;

''(vi) changes in the population of children who are eligible to participate in Head Start programs, including the language background and family structure of such children;

''(vii) the need for, and state-of-the-art developments relating to, local policies and activities designed to ensure that children participating in Head Start programs make a successful transition to schools; and

''(viii) the unique challenges faced by individual programs, including those that are seasonal or short term, and those that serve rural populations; and''.

(3) In subsection (a)(2)(C)(ii) by striking all that follows ''in effect on'' down to the period and inserting ''October 27, 1998''.

(4) By amending subsection (b)(2) to read as follows:

''(2) CHARACTERISTICS OF MEASURES.—The performance measures developed under this subsection shall—

''(A) be used to assess the impact of the various services provided by Head Start programs and, to the extent the Secretary finds appropriate, administrative and financial management practices of such programs;

''(B) be adaptable for use in self-assessment, peer review, and program evaluation of individual Head Start agencies and programs;

''(C) be developed for other program purposes as determined by the Secretary;

''(D) be appropriate for the population served; and

''(E) be reviewed no less than every 4 years, based on advances in the science of early childhood development.

The performance measures shall include the performance standards described in subsection (a)(1)(A) and (B).''.

(5) By amending subsection (b)(4) to read as follows:

''(4) EDUCATIONAL MEASURES.—Results based measures shall be designed for the purpose of promoting the competencies of children participating in Head Start programs specified in subsection (a)(1)(B)(ii), with an emphasis on measuring those competencies that have a strong scientifically-based predictability of a child's school readiness and later performance in school.''.

(6) In subsection (c)(1)(C) by striking ''the standards'' and inserting ''one or more of the performance measures developed by the Secretary under subsection (b)''.

(7) By amending subsection (c)(2) to read as follows:

''(2) CONDUCT OF REVIEWS.—The Secretary shall ensure that reviews described in subparagraphs (A) through (C) of paragraph (1)—

''(A) that incorporate a monitoring visit, do so without prior notice of the visit to the local agency or program;

''(B) are conducted by review teams that shall 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;

''(C) include as part of the reviews of the programs, a review and assessment of program effectiveness, as measured in accordance with the results-based performance measures developed by the Secretary pursuant to subsection (b) and with the standards established pursuant to subparagraphs (A) and (B) of subsection (a)(1);

''(D) seek information from the communities and the States involved about the performance of the programs and the efforts of the Head Start agencies to collaborate with other entities carrying out early childhood education and child care programs in the community;

''(E) seek information from the communities where Head Start programs exist about innovative or effective collaborative efforts, barriers to collaboration, and the efforts of the Head Start agencies and programs to collaborate with the entities carrying out early childhood education and child care programs in the community;

''(F) include as part of the reviews of the programs, a review and assessment of whether a program is in conformity with the income eligibility requirements, as defined in section 645 and regulations promulgated thereunder;

''(G) include as part of the reviews of the programs, a review and assessment of whether programs have adequately addressed the population and community needs (including populations of children with a limited English proficiency and children of migrant and seasonal farm-working families); and

''(H) include as part of the review the extent to which the program addresses the community needs and strategic plan identified in section 640(g)(2)(C).''.

(8) By amending so much of subsection (d)(1) as precedes subparagraph (A) to read as follows:

''(1) DETERMINATION.—If the Secretary determines, on the basis of a review pursuant to subsection (c), that a Head Start agency designated pursuant to section 641 fails to meet the standards described in subsection (a) or results-based performance measures developed by the Secretary under subsection (b), or fails to adequately address the community needs and strategic plan identified in 640(g)(2)(C), the Secretary shall—''

(9) By amending subsection (d)(2) to read as follows:

''(2) QUALITY IMPROVEMENT PLAN.—

''(A) AGENCY AND PROGRAM RESPONSIBILITIES.—In order to retain a designation as a Head Start agency under this subchapter, or in the case of a Head Start Program, in order to continue to receive funds from such agency, a Head Start agency, or Head Start program that is the subject of a determination described in paragraph (1) (other than an agency or program required to correct a deficiency immediately or during a 90-day period under clause (i) or (ii) of paragraph (1)(B)) shall—

''(i) develop in a timely manner, a quality improvement plan which shall be subject to the approval of the Secretary, or in the case of a program, the sponsoring agency, and which shall specify—

''(I) the deficiencies to be corrected;

''(II) the actions to be taken to correct such deficiencies; and

''(III) the timetable for accomplishment of the corrective actions specified; and

''(ii) eliminate each deficiency identified, not later than the date for elimination of such deficiency specified in such plan (which shall not be later than 1 year after the date the agency or program received notice of the determination and of the specific deficiency to be corrected).

''(B) SECRETARIAL RESPONSIBILITY.—Not later than 30 days after receiving from a Head Start agency a proposed quality improvement plan pursuant to subparagraph (A), the Secretary shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.

''(C) AGENCY RESPONSIBILITY FOR PROGRAM IMPROVEMENT.—Not later than 30 days after receiving from a Head Start program, a proposed quality improvement plan pursuant to subparagraph (A), the sponsoring agency shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.''.

(10) In subsection (d)(3) by inserting ''and programs'' after ''agencies''.

(11) Subsection (e) is amended to read as follows:

''(e) SUMMARIES OF MONITORING OUTCOMES.—Not later than 120 days after the end of each fiscal year, the Secretary shall publish a summary report on the findings of reviews conducted under subsection (c) and on the outcomes of quality improvement plans implemented under subsection (d), during such fiscal year. Such information shall be made available to all parents with students receiving assistance under this Act in a 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.''.

SEC. 8. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

Section 642 of the Head Start Act (42 U.S.C. 9837(b)) is amended as follows:

(1) By amending subsection (b) to read as follows:

''(b) In order to be so designated, a Head Start agency shall also—

''(1) establish a program with standards set forth in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section;

''(2) demonstrate capacity to serve eligible children with scientifically-based curricula and other interventions that help promote the school readiness of children participating in the program;

''(3) establish effective procedures by which parents and area residents concerned will be enabled to directly participate in decisions that influence the character of programs affecting their interests;

''(4) provide for their regular participation in the implementation of such programs;

''(5) 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;

''(6) 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, conduct, and overall performance of the program at the local level;

''(7) conduct outreach to schools in which Head Start children 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;

''(8) offer (directly or through referral to local entities, such as entities carrying out Even Start programs under part B of chapter 1 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;

''(9) offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on drug-exposed infants and fetal alcohol syndrome;

''(10) at the option of such agency, offer (directly or through referral to local entities), to such parents—

''(A) training in basic child development;

''(B) assistance in developing communication skills;

''(C) opportunities to share experiences with other parents;

''(D) regular in-home visitation; or

''(E) any other activity designed to help such parents become full partners in the education of their children;

''(11) provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in paragraphs (4) through (7) in which such parents may choose to be involved (taking into consideration their specific family needs, work schedules, and other responsibilities);

''(12) consider providing services to assist younger siblings of children participating in its Head Start program to obtain health services from other sources;

''(13) perform community outreach to encourage individuals previously unaffiliated with Head Start programs to participate in its Head Start program as volunteers; and

''(14)(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.''.

(2) Amend subsection (c) to read as follows:

''(c) The head of each Head Start agency shall coordinate and collaborate with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other

early childhood education and development programs, including programs under subtitle VII-B of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431-11435), Even Start programs under part B of chapter 1 of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.), and programs under Part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1431-1445, 1419), and the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a), serving the children and families served by the Head Start agency to carry out the provisions of this subchapter.''.

(3) In subsection (d) by redesignating paragraphs (2) through (4) as paragraph (3) through (5) and inserting the following new paragraph after paragraph (1):

''(2) In communities where both public prekindergarten programs and Head Start programs operate, a Head Start agency shall coordinate with the local educational agency or other public agency responsible for the operation of the prekindergarten program and providers of prekindergarten, including for outreach to identify eligible children.''.

(5) In paragraph (3) (as redesignated) of subsection (d), strike ''and'' at the end of subparagraph (A) and insert the following after subparagraph (A) and redesignate subparagraph (B) as (C):

''(B) collaborating to increase the program participation of underserved populations of eligible children; and''.

SEC. 9. HEAD START ALIGNMENT WITH K–12 EDUCATION.

Section 642A of the Head Start Act (42 U.S.C. 9837a) is amended as follows:

(1) The heading is amended to read as follows:

''SEC. 642A. HEAD START ALIGNMENT WITH K–12 EDUCATION.''.

(2) In paragraph (2) after ''social workers,'' insert the following: ''McKinney-Vento liaisons as established under section 722 (g)(1)(J)(ii) of the McKinney-Vento Homeless Education Assistance Improvements Act of 2001,''.

(3) Add the following new paragraph after paragraph (2) and redesignated paragraphs (3) through (7) as (4) through (8):

''(3) developing continuity of developmentally appropriate curricula between Head Start and local educational agencies to ensure an effective transition and appropriate shared expectations for children's learning and development as they make such transition to school;''.

(4) Paragraph (6)(as redesignated by paragraph (3) of this section) is amended to read as follows:

''(6) developing and implementing a family outreach and support program in cooperation with entities carrying out parental involvement efforts under Title I of the Elementary and Secondary Education Act of 1965 and family outreach and support efforts under subtitle VII-B of the McKinney-Vento Homeless Assistance Act;''.

(4) In paragraph (7)(as redesignated by paragraph (3) of this section) by inserting ''and continuity in parental involvement activities'' after ''developmental continuity''.

(5) Strike ''and'' at the end of paragraph (7)(as redesignated by paragraph (3) of this section) and strike the period at the end of paragraph (8)(as redesignated by paragraph (3) of this section) and insert a semicolon.

(6) Add the following after paragraph (8):

''(9) helping parents 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; and

''(10) developing and implementing a system to increase program participation of underserved populations of eligible children.''.

SEC. 10. ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

Section 644 of the Head Start Act (42 U.S.C. 9839) is amended in subsection (f)(2) by redesignating subparagraphs (A) through (E) as (B) through (F) and inserting the following new subparagraph before subparagraph (B) (as so redesignated):

''(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 Act, and of the potential for collaboration with such providers and the cost effectiveness of such collaboration as opposed to the cost effectiveness of the purchase of a facility;''

SEC. 11. ELIGIBILITY.

Section 645(a) of the Head Start Act (42 U.S.C. 9843) is amended as follows:

(1) By striking ''to a reasonable extent'' in paragraph (1)(B)(i) and inserting ''not to exceed 10 percent of the total enrollment'' and by striking ''benefit from such programs'' and inserting ''benefit from such programs, including children referred by child welfare services,'' .

(2) By adding the following new paragraph at the end thereof:

''(3) The amount of a basic allowance provided under section 403 of title 37, United States Code, on behalf of an individual who is a member of the uniformed services for housing that is acquired or constructed under the authority of subchapter IV of chapter 169 of title 10, United States Code, or any other related provision of law, shall not be considered to be income for purposes of determining the eligibility of a child of the individual for programs assisted under this subchapter.''.

SEC. 12. EARLY HEAD START PROGRAMS.

(a) IN GENERAL.—Section 645A of the Head Start Act (42 U.S.C. 9643) is amended as follows:

(1) By amending paragraphs (4) and (5) of subsection (b) to read as follows:

''(4) provide services to parents to support their role as parents (including parenting skills training and training in basic child development) and to help the families move toward self-sufficiency (including educational and employment services as appropriate);

''(5) coordinate services with services (including home-based services) provided by programs in the State and programs in the community (including programs for infants and toddlers with disabilities) to ensure a comprehensive array of services (such as health and mental health services, and family support services);''.

(2) By amending paragraph (8) of subsection (b) to read as follows:

''(8) ensure formal linkages with the agencies and entities described in section 644(b) of the Individuals with Disabilities Education Act (20 U.S.C. 1444(b)) and providers of early intervention services for infants and toddlers with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and the agency responsible for administering the Section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a); and''.

(3) In subsection (g)(2)(B) by striking ''and'' at the end of clause (iii), by striking the period at the end of clause (iv) and inserting ''; and'' and by inserting the following at the end:

''(v) providing professional development designed to increase program participation for underserved populations of eligible children.''.

(b) MIGRANT AND SEASONAL PROGRAMS.—Section 645A(d)(1) of the Head Start Act (42 US.C. 9643(d)(1)) is amended to read as follows:

''(1) entities operating Head Start programs under this subpart, including migrant and seasonal Head Start programs; and''.

(c) COMMUNITY- AND FAITH-BASED ORGANIZATIONS.—Section 645A(d)(2) of the Head Start Act (42 US.C. 9643(d)(21)) is amended by inserting '', including community- and faith-based organizations'' after ''entities'' in the second place it appears.

SEC. 13. TECHNICAL ASSISTANCE AND TRAINING.

Section 648 of the Head Start Act (42 U.S.C. 9843) is amended as follows:

(1) By inserting the following new subsection after subsection (a) and redesignating subsections (b) through (e) as subsections (c) through (f):

''(b) The Secretary shall make available to each State the money reserved in section 640(a)(2)(C)(ii) to support a State-based system delivering training and technical assistance that improves the capacity of Head Start programs within a State to deliver services in accordance with the Head Start standards in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section. The Secretary shall—

''(1) ensure eligible entities within a State are chosen by the Secretary, in consultation with the State Collaboration Board described in section 640(a)(5)(C)(i), through a competitive bid process;

''(2) ensure that existing agencies with demonstrated expertise in providing high quality training and technical assistance to improve the delivery of Head Start services, including the State Head Start Association, State agencies, migrant and seasonal Head Start programs operating in the State, and other entities currently providing training and technical assistance in early education, be included in the planning and coordination of the State system of training and technical assistance; and

''(3) encourage States to supplement the funds authorized in section 640(a)(2)(C)(ii) with State, Federal, or local funds other than Head Start funds, to expand activities beyond Head Start agencies to include other providers of other early childhood services within a State.''.

(2) In subsection (d) (as redesignated):

(A) In paragraph (2), after ''disabilities'' insert ''and for activities described in section 1221(b)(3) of the Elementary and Secondary Education Act of 1965''.

(B) In paragraph (5) after ''assessment'' insert '', including the needs of homeless children and their families''.

(C) By striking ''and'' at the end of paragraph (10), by striking the period at the end of paragraph (11) and inserting ''; and'' and by inserting the following at the end:

''(12) assist Head Start agencies and programs in increasing program participation of eligible homeless children.''.

(3) In subsection (e) (as redesignated by paragraph (1)) by inserting '', including community- and faith-based organizations'' after ''entities''.

(4) By amending subsection (f) (as redesignated by paragraph (1)) to read as follows:

''(f) 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 non-English language background children (including services to promote the acquisition of the English language), training for personnel providing services to children determined to be abused or neglected, training for personnel providing services to children referred

by or receiving child welfare services, training for personnel in helping children cope with community violence, and resource access projects for personnel working with disabled children.''.

(5) Insert at the end of the section:

''(g) HELPING PERSONNEL BETTER SERVE MIGRANT AND SEASONAL FARM-WORKING COMMUNITIES AND HOMELESS FAMILIES.—The Secretary shall provide, either directly or through grants, or other arrangements, funds for training of Head Start personnel in addressing the unique needs of migrant and seasonal working families, families with a limited English proficiency, and homeless families.

''(h) AUTHORIZED ACTIVITIES.—The majority of funds expended under this section shall be used to provide high quality, sustained, intensive, and classroom-focused training and technical assistance in order to have a positive and lasting impact on classroom instruction. Funds shall be used to carry out activities related to any or all of the following:

''(1) Education and early childhood development.

''(2) Child health, nutrition, and safety.

''(3) Family and community partnerships.

''(4) Other areas that impact the quality or overall effectiveness of Head Start programs.

''(i) PROHIBITION ON USE OF FUNDS.—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) DEFINITION.—For purposes of this section, the term 'eligible entities' means an institution of higher education or other entity with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the delivery of Head Start services.''.

SEC. 14. STAFF QUALIFICATIONS AND DEVELOPMENT.

Section 648A of the Head Start Act (42 U.S.C. 9843a) is amended as follows:

(1) By amending paragraph (2) of subsection (a) to read as follows:

''(2) DEGREE REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary shall ensure that not later than September 30, 2008, at least 50 percent of all Head Start teachers nationwide in center-based programs have—

''(i) a baccalaureate, or advanced degree in early childhood education; or

''(ii) a baccalaureate, or advanced degree in a field related to early childhood education, with experience in teaching preschool children.

''(B) PROGRESS.—Each Head State agency shall provide to the Secretary a report indicating the number and percentage of classroom instructors with child development associate credentials and associate, baccalaureate, or advanced degrees. The Secretary shall compile all program reports and make them available to the Committee on Education and the Workforce of the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions of the United States Senate.

''(C) REQUIREMENT FOR NEW HEAD START TEACHERS.—Within 3 years after the date of enactment of this clause, the Secretary shall require that all Head Start teachers nationwide in center-based programs hired following the date of enactment of this subparagraph—

''(i) have an associate, baccalaureate, or advanced degree in early childhood education;

''(ii) have an associate, baccalaureate, or advanced degree in a field related to early childhood education, with experience in teaching preschool children; or

''(iii) be currently enrolled in a program of study leading to an associate degree in early childhood education and agree to complete degree requirements within 3 years from the date of hire.

''(D) SERVICE REQUIREMENTS.—The Secretary shall establish requirements to ensure that individuals who receive financial assistance under this Act 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.''.

(2) By adding the following at the end thereof:

''(f) PROFESSIONAL DEVELOPMENT PLANS.—Every Head Start agency and program shall create, in consultation with an employee, a professional development plan for all full-time employees who provide direct services to children.''.

SEC. 15. RESEARCH, DEMONSTRATIONS, AND EVALUATION.

Section 649 of the Head Start Act (42 U.S.C. 9844) is amended as follows:

(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 approaches for addressing the needs of low-income preschool children (including children with disabilities and children determined to be abused or neglected) and their families and communities (including demonstrations of innovative non-center based program models such as home-based and mobile programs), and otherwise to further the purposes of this subchapter.''.

(1) By striking paragraph (9) of subsection (d) and inserting ''(9) REPEALED.—''.

(2) By striking clause (i) of subsection (g)(1)(A) and redesignating clauses (ii) and (iii) as clauses (i) and (ii).

(3) In subsection (g)(7)(C)(i) by striking ''1999'' and inserting ''2003'', striking ''2001'' and inserting ''2005'', and striking ''2003'' and inserting ''2006''.

(4) By amending subsection (h) to read as follows:

''(h) NAS STUDY.—

''(1) IN GENERAL.—The Secretary shall use funds allocated in section 640(a)(2)(C)(iii) to contract with the National Academy of Sciences for the Board on Children, Youth, and Families of the National Research Council to establish an independent panel of experts to review and synthesize research, theory and applications in the social, behavioral and biological sciences and shall make recommendations on early childhood pedagogy with regard to each of the following:

''(A) Age and developmentally appropriate Head Start academic requirements and outcomes, including but not limited to the domains in 641A(a)(B).

''(B) Differences in the type, length, mix and intensity of services necessary to ensure that children from challenging family and social backgrounds including: low-income children, children of color, children with special needs, and children with limited English proficiency enter kindergarten ready to succeed.

''(C) Appropriate assessments of young children for the purposes of improving instruction, services, and program quality, including systematic observation assessment in a child's natural environment, parent and provider interviews, and accommodations for children with disabilities and appropriate assessments for children with special needs, including English language learners.

''(2) COMPOSITION.—The panel shall consist of multiple experts in each of the following areas:

''(A) Child development and education, including cognitive, social, emotional, physical, approaches to learning, and other domains of child development and learning.

''(B) Professional development, including teacher preparation, to individuals who teach young children in programs.

''(C) Assessment of young children, including screening, diagnostic and classroom-based instructional assessment; children with special needs, including children with disabilities and limited English proficient children.

''(3) TIMING.—The National Academy of Sciences and the Board shall establish the panel not later than 90 days after the date of enactment of this paragraph. The panel should complete its recommendations within 18 months of its convening.

''(4) APPLICATION OF PANEL REPORT.—The results of the panel study shall be used as guidelines by the Secretary to develop, inform and revise, where appropriate, the Head Start education performance measures and standards and the assessments utilized in the Head Start program.''.

SEC. 16. REPORTS.

Section 650 of the Head Start Act (42 U.S.C. 9845) is amended as follows:

(1) The first sentence of subsection (a) is amended to read as follows: ''At least once during every 2-year period, the Secretary shall prepare and submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, a report concerning the status of children (including disabled, homeless, and non-English language background children) in Head Start programs, including the number of children and the services being provided to such children.''.

(2) Paragraph (8) of subsection (a) is amended by inserting '', homelessness'' after ''background''.

SEC. 17. EFFECTIVE DATE.

The amendments made by this Act shall be effective with respect to fiscal years beginning on and after October 1, 2003.

The CHAIRMAN. Pursuant to House Resolution 336, the gentleman from California (Mr. GEORGE MILLER) and a Member opposed 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 4 minutes.

Mr. Chairman, there has been a lot of discussion tonight about those who do not want to see change or are somehow suggesting that those who oppose the block grants are against change. This amendment is an amendment to strike the block grant and to retain title I of the legislation as it has been reported from committee. Many Members on this side of the aisle worked with our colleagues on the other side of the aisle in committee on title I.

We had numerous discussions, and we all believe, as I said, that there can be continuous improvement, and this is the purpose of the reauthorization of Head Start, to provide for that continuous improvement, to take the evaluations, to take the studies, to take the things that we have learned and apply them to make this an even better program for America's poorest children so that, in fact, they will have a better opportunity at achieving an education

that will allow them to fully participate in American society and the American economic system.

The fly in the ointment to that continuous improvement is the block grant, because as many times as my colleagues will say it, that the block grant requires the adherence with the quality standards and performance standards in Head Start, the very quality standards and performance standards that have made this the best program in the Nation with room for improvement, that the States need not adhere to that. There is no requirement that they do so. They can generally meet or exceed those standards.

That is the beginning of the end. That is the reason we have so carefully evaluated this program, because you are not going to find those standards in the States. They do not exist. They do not have the achievement standards that we have in this program, and they do not have the success that we have in this program.

What they really do is, they say if the States put up some additional money and the States have a pre-K program somewhere in the State, they can make application and that application is deemed to be accepted. Then the State is on its way. It can serve a different population of children. It can serve more children. It just cannot have more money. So by the end of the third year, we see that for the first time children who were otherwise eligible to be served will be cut back from this program.

They talk about how they are going to meet or exceed the commitment to comprehensive services, but when we read the legislation, we find out that that is not true. Again, they must generally meet or exceed, but in this case, they can provide the services or they can provide a referral to services.

Well, it will not take the governor long, unlike the State of Delaware, it will not take a lot of other governors long to figure out that they do not have to provide those services or all of those services or the comprehensive nature of those services, and they can then serve more children; and we start to see the dilution of the program, the dilution of the quality of the program, and that is the concern.

A great effort has been made by this Nation to maintain the integrity and the quality of the Head Start program, and that is what is threatened by the block grant. This is not a question of whether one is for improving or against improving Head Start. This is not a question of whether or not you think we can do it better or not. This is a question of setting in motion a process that, just as sure as rain, will bring about a diminution in the integrity and the high quality of this program.

This amendment provides for striking that block grant program. They can say, well, it is just a demonstration, it is just an experiment. It conceivably could be as high as 30 to 40 percent of the children in the Head Start program.

I appreciate that they say, we are going to fund the program for 5-years and they ran around and told their moderates and others, this program will be funded for 5 years; but there is a huge loophole. If that program does not comply with the State plan in any fashion, there is no guarantee of that funding taking place. What you read and what you they say turn out to be two different things.

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

Mr. CASTLE. Mr. Chairman, I rise in opposition to the amendment and claim the time in opposition.

The CHAIRMAN. The gentleman from Delaware (Mr. CASTLE) is recognized for 30 minutes.

Mr. CASTLE. Mr. Chairman, I yield 5 minutes to the very distinguished gentleman from Georgia (Mr. ISAKSON), who is the former chairman of the State Board of Education and a tremendous asset to the Committee on Education and the Workforce.

Mr. ISAKSON. Mr. Chairman, I thank the gentleman from Delaware (Mr. CASTLE) for his work as a governor and as a leader, for his work on this committee and for his hard work on this bill.

When I was a little boy, and I heard something that I was not quite sure was correct, I used to always go to my daddy and I would say, Pop, is this right? Being the kind of guy that wanted me to learn how to find out for myself, he would say, Son, why do you not go look it up? So tonight I have heard that we are going to serve less people with demonstration grants, that the standards are not being held to as in title I. I heard there were not any new things. I heard it was an experiment.

So I decided to go look it up, and just for a second, please indulge me.

I want to read on page 66, subparagraph (g), the required services of the block grant. With the funds under this section, the States shall provide services described in Section 641(a) which is every required service, standard and audit of title I, and at least as extensive as were provided previously and to at least as many low-income children, families in each fiscal year. And then, further, it adds a page of new requirements and new standards which I guess are the experiments.

I do not think a 4-year-old prekindergartener is an experiment. I do not think physical development, health and nutrition is an experiment, and I do not think social development is an experiment. I do not think parental engagement and involvement is an experiment.

I think what we need to look at here tonight is what is really trying to be done.

Title II allows States, on their own volition, to apply for grants in such cases only when they already offer a 4-year-old pre-kindergarten program and other services. It requires them to invest more money, not less; serve at least as many children, not less; and meet every standard that existed under 641(a). That is what it says. I looked it up in the book.

Let me tell my colleagues what else it does. Out in America today somewhere there are 3-year-olds soon to be eligible or currently eligible for Head Start named Jose and Maria, Willy and Bob. There is probably a little Johnny who cannot read somewhere out there, and if they could write, which they cannot because they are three and they are impoverished, or if they could call you, but they really cannot because their parents do not have the money for a phone, I will tell you what they would tell us.

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They would say, gosh, if you could, take all the benefits of Head Start in title I and add to it a dimension of things like Even Start, where my mom and I can learn to read together, and a 4-year-old prekindergarten program that has, as this bill requires, an early reading, early cognitive skill, and early language development requirement aligned with the State requirements for criteria and for curriculum in grades K through 12.

Now, it is not a block grant because it does not waive the standards of 641(a), which is what is required on title I. If that is true, then title I is a block grant. It is not an experiment. Education is not an experiment. It is the great enabler. It is the great empowerer.

Yes, I do know that all those children that it needs to serve are those who started out with a disadvantage far worse than the ones that I did. But the gentleman from Michigan (Mr. KILDEE) in his original remarks said that this bill turned back the clock. Well, if it turned back the clock, that means it went to the year preceding Head Start, which was 1964, where there were very few publicly funded kindergartens much less prekindergartens, where nutrition programs were just beginning to develop, where in my part of the country Brown v. Board of Education and its promise of equal access to education had just really begun.

This bill does not turn back the clock. It addresses the challenges of the 21st century. It is permissive for challenging our States to reach for the stars, to help those most impoverished to do better, and to see to it that we take a program that has proven it can do well and give States that want a chance to improve it through academic enrichment and collaboration.

I close with this. My State developed a 4-year-old prekindergarten 10 years ago under Governor Zel Miller. Today, 600,000 4-year-olds have gone through that program, and 68,000 will enter this August. We have an Office of School Readiness where we collaborate with the Atlanta Symphony that has an inner-city and minority classical musical program for 3- and 4-year-olds based on the scientifically based brain research to enrich the cognitive skills of children.

Should we not say to those States that want that opportunity that they have the chance, just as long as they spend more money, meet every standard as required in 641(a), serve every child, or at least every one they did before? I think we want to say that. And I say we say ''no'' to the substitute and ''yes'' to the bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Minnesota (Mr. OBERSTAR).

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

Mr. OBERSTAR. Mr. Chairman, I rise in support of the Miller amendment and in opposition to H.R. 2110.

Mr. Chairman, I thank the gentleman for yielding. In my district, 11 Head Start agencies, five of which are tribal programs, have served 12,683 children up to 5 years of age over the past 5 years. Yet, due to inadequate funding, half of all eligible children in my district are not served by Head Start and Early Start.

Ever since people began hearing about this bill, there has been an out-pouring of support for Head Start from early childhood experts, Head Start teachers, and Head Start families throughout my district. They all say the same thing: Head Start has produced countless success stories; it should not be restructured in the name of so-called reform.

Listen to Susan Woidyla, a Head Start teacher who serves children in two counties in my district. She described the success of the Early Head Start program's curriculum for prenatal women. The program serves 10 pregnant women, many of whom are teenagers who will be first-time mothers. Woidyla wrote to me about one teenage mother who is homeless and in an abusive relationship. As the only social service program in her life, Head Start is not only providing her with critical information about the brain development of her unborn child and the potential effects of periodontal disease, but the program is also helping this young woman find the services she needs to care for herself and her developing child.

Julia Kicker, another constituent of mine, shared her family's experience with Head Start. Although Julia and her husband knew that their first son, Jacob, was lagging behind other children in his social development, they were told differing information from local day care providers. Some day care providers insisted that he was fine; others believed he needed to be medicated; and still others suggested parenting classes for the Kickers.

Then they enrolled Jacob in Head Start. The staff identified his needs, and they encouraged special education professionals to become involved with assessments and other services for Jacob, who is now enrolled in kindergarten. He has a one-on-one para-professional helper in the classroom and has been diagnosed with sensory delay and emotional behavior disorder.

Not only did the program help Jacob, it helped Julia as well. It was the support that Head Start has routinely offered parents and families that gave Julia the self-confidence to run for and be elected to the Policy Council for Head Start, the board of directors of the Community Action Council, and the City Council.

The very strength of Head Start is in its comprehensive services. Head Start improves academic achievement in very large part because, in addition to academics, it also addresses basic health, mental health, nutritional, dental, and other social needs of low-income children, which facilitate learning.

We cannot expect underprivileged children to thrive academically along with their privileged peers, when their learning is seriously undermined by the devastating effects of poverty.

I will not for legislation that guts Head Start's comprehensive services and parental involvement and unravels a successful program that HHS itself has said is working. Instead, Head Start should be adequately funded to meet the needs of all eligible children.

I urge a "no" vote on H.R. 2210.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 1 minute.

The gentleman from Georgia is right, we should look it up, because when it says at least as extensive, what it does is it exempts you from the regulation. So you offer health care services because health care is provided under the law. But what you are exempt from is the legislation that requires screening for all the children in 45 days.

So what happens in my district? Some 150 Head Start children are diagnosed with speech and language impairments, and with this knowledge we can immediately provide the services because those are the regulations and that is the screening that is required. But it is not required under the block grant.

My colleagues can use euphemisms, they can play with the language; but the fact of the matter is there is a huge credibility gap between what they say the bill does and what the bill does. That is what we all have to understand.

Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. GRIJALVA), a member of the committee.

Mr. GRIJALVA. Mr. Chairman, I thank the distinguished ranking member from the committee for yielding me this time, and I want to thank the chairman as well.

I rise again before my colleagues today to express my opposition to the Republican plan to destroy Head Start and in support of the substitute.

Head Start, a successful Federal program for nearly 40 years, has never been a partisan issue. This year, though, my Republican colleagues have hijacked the issue and it now risks becoming the victim of a social political agenda, nothing to do with education. Head Start has become part of the plan to eliminate social programs from Federal responsibility. This cynical ''not my problem, let 'em eat cake'' agenda ignores our shared responsibility for poor children in this country. Yes, a shared responsibility to these children, a shared responsibility to fight poverty, and a shared responsibility to provide equal opportunity to all children regardless of their parents income.

Mr. Chairman, it is simply irresponsible to neglect these children when we can do so much to help them. I urge my colleagues to vote ''no'' on H.R. 2210 and ''yes'' on the substitute.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Georgia (Ms. MAJETTE).

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

Ms. MAJETTE. Mr. Chairman, I rise today in support of Head Start and in support of the Miller substitute.

Head Start gives children the tools that they need to break the cycle of poverty. Each child deserves an equal opportunity to be the best that he or she can be. That opportunity can only come when every child has equal access to education.

Educating our children is not only our moral obligation; it is a smart investment. Head Start focuses on the whole child. Children receive balanced nutritional meals, basic health care, dental, medical, vision screenings and vaccinations. It is a fact that Head Start children are less likely to be held back in school, more likely to graduate, and five times less likely to end up in jail as adults.

There are more than 2 million Americans in prison today, and the evidence shows that Head Start children are five times less likely to end up in jail. Head Start reduces the likelihood that children will become one of those 2 million incarcerated.

Unfortunately, Head Start serves fewer than 1 million children at this time, only helping one out of five needy children in Georgia and across this Nation. When it comes to our children, we are being penny-wise and pound-foolish. Taxpayers are supporting twice as many prisoners as Head Start students.

Just look at the costs. We spent less than $7 billion on Head Start this year while we spend more than $74 billion a year on the prison system. It costs only $18 a day to place a child in Head Start and more than $50 a day to keep someone incarcerated in jail. This is not fuzzy math; it is crystal clear.

We must make sure that each and every child has the opportunity to succeed, and Head Start is the smartest investment we can make in our future. We are spending $1 billion a week in Iraq. We should do no less for the children of America. I urge my colleagues to vote for the Miller amendment.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the gentlewoman from Illinois (Mrs. BIGGERT), a strong proponent for the children of our country.

Mrs. BIGGERT. Mr. Chairman, I thank the gentleman for yielding me this time and for his kind words.

Mr. Chairman, I rise today to support H.R. 2210 and to oppose the Democrat substitute. Mr. Chairman, I am probably the only Member of Congress who has ever worked in a Head Start program, and that happened in 1964, the first year of Head Start. I worked as a volunteer in the summer when the program first started. So I really know

firsthand the tremendous benefits Head Start has delivered to children; and I love the Head Start program, and I only want it to be better.

I have gone out to visit the Head Start programs in my community and found them to be great schools. But to listen to some of my colleagues and their notions of Head Start, you would actually think the sky is falling. Let me make this clear. There really is no new block grant in this Head Start authorization. There really is no lowering of the standards or shrinking of Federal responsibility. There is no massive restructuring, and there is no falling sky.

What there is in H.R. 2210 is a straightforward reauthorization with some improvements for 42 of the 50 States in the Union. For the other eight States, there is a new pilot program, a pilot program which is voluntary, maintains high standards, and is limited to the highest-quality States that have exhibited the strongest commitment to early childhood learning. So why is that so frightening? For those eight States with the strongest programs, there is an option of trying something slightly new for 5 years. That is what pilot projects are designed to do, to try something new that may work a little bit better.

Yes, the Head Start program is, in my view, one of the most successful programs in history. But does that success rule out the possibility of improvement and need for progress and opportunity to make it even better? I do not think so. I will admit that when this reauthorizing bill first was introduced earlier this year, I had a few misgivings. Like many Members who have spoken this evening, why tinker with a program that works was what crossed my mind. But I must admit that many of my concerns later were addressed both in the improved legislation that came out of the committee and in the substitute amendment that the gentleman from Delaware (Mr. CASTLE) has proposed that we are voting on tonight.

The State pilot program has the potential to make Head Start even better, and that is why these changes are in the bill. For instance, States must match a sizable proportion of the Head Start funds they receive from the Federal Government with State funds, and Head Start funds may not be used for any other purpose. These are good solid safeguards that will allow for progress and improvements while preventing abuses and unintended consequences.

In contrast, the Democrat substitute offers no incentive for States to improve their early childhood programs, nor does it give local Head Start centers the opportunity to coordinate with other programs to make Head Start better. The Democrat substitute says Head Start is good and cannot and will not be made better.

Mr. Chairman, I urge my colleagues to reject the Democrat substitute and support the improved H.R. 2210.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Maryland (Mr. VAN HOLLEN), a member of the committee.

Mr. VAN HOLLEN. Mr. Chairman, we have had bipartisan support for the Head Start program since it was founded in 1965, so it is extremely unfortunate that here tonight that bipartisan support is being sacrificed for an ideological agenda of block granting.

As we have heard tonight, we agree on two things. We all agree Head Start has been a great success story for millions of American children. We also all agree that it can be improved, that it can be strengthened.

So here is the great irony. Our committee did strengthen and improve Head Start in one part of this bill, the first part of the bill. That is what we need. We improved the coordination, and that would help millions of children in the Head Start program. Yet in the other part of the bill we take those improvements away. We take the higher performance standards away. We take away the benefits of the Head Start program, so that what we have provided and strengthened on the one hand we take away with the other.

It is a bad deal for America's children. We can do much better. I urge us all to adopt the Miller substitute amendment.

Mr. CASTLE. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Michigan (Mr. EHLERS), where they have the university that stole their football uniforms from the University of Delaware, I might add.

Mr. EHLERS. Mr. Chairman, there is an incredible amount of misunderstanding about the bill, and apparently about football uniforms as well.

Mr. Chairman, let me clarify a few points. I find so many people misunderstand the intent dealing with faith-based organizations receiving Federal funding. This is not money that is going to religious groups to proselytize students or kids or indoctrinate them. This is money provided to organizations who, in seeking to carry out their religious faiths, are trying to help their communities by establishing institutions that serve the people of their community. Head Start is just one example of that. There are many other examples of charitable organizations, faith-based organizations, which do good for the community.

My community is almost a poster child for that. We have the second largest private mental hospital in the world in my community. It is a faith-based organization. People come from all over this country and even from some other countries to get the service there because it is so extremely good. We have the largest adoption agency in the world headquartered in my district. It started there by a faith-based organization to serve with adoptions.

□ 2245

These are not people who are trying to proselytize. They are people who are trying to serve and serve in the name of God. That is what we are talking about.

I heard a reference from the gentleman from Massachusetts earlier about this is awful, that we are taking unbelievers' money and giving it to faith-based institutions. I would remind the gentleman that religious people pay taxes as well, and I can guarantee you that the amount of tax money collected from believers is considerably greater than the amount of money going to faith-based institutions. That statement simply makes no sense.

We have a long history in this Nation of supporting faith-based institutions. I taught at a State university. I have taught at a private religious college. The grants I received from the Federal Government were the same at both institutions. The Federal Government treats them evenhandedly.

I believe it is very important that we continue the faith-based practice outlined in this bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. BISHOP), a member of the committee.

Mr. BISHOP of New York. Mr. Chairman, I rise to express my deep concern over the proposed Head Start legislation on which we will be voting this evening. Almost 1 million low-income children will be served by Head Start this year and 2,000 of them reside in my district. It is well established that Head Start gets children off to a positive start in life by providing them with an improved vocabulary, better writing skills and enhanced social skills, all tools they need in order to succeed.

The reauthorization of Head Start was meant to help correct problems within the existing program, but this bill goes way beyond that. Title II of this bill would allow block-granting of Head Start in eight States without requiring any of the Federal Head Start program performance standards or guarantees as to the distribution or allocation of Federal funds by the States. This action will turn a program that has been a proven success over to States in fiscal crisis with unproven expertise in coordinating these types of services.

The bill also lacks any real funding for teacher training and retention. Although the bill does take the positive step of requiring 50 percent of Head Start teachers to have a bachelor's degree, it does not provide the money and resources needed for them to achieve the requirements that we have set forth for them. This is a good requirement, but one that will be very difficult to achieve absent significant additional funding. The average salary of a Head Start teacher in my district is less than $20,000 a year. How will a Head Start program attract highly qualified teachers if the funds are not available to pay competitive salaries?

Similarly, how will current staff achieve a bachelor's degree if funds are

not available to support their return to school?

H.R. 2210 is fundamentally flawed. I urge my colleagues to vote ''no'' on H.R. 2210 and ''yes'' on the Miller amendment.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Florida (Mr. MICA), clearly a person very concerned about Head Start.

Mr. MICA. Mr. Chairman, I urge my friends in the Chamber to oppose the substitute that is being proposed because it does not offer us the opportunity for the flexibility that we need.

Let me say at the outset, and this has been repeated over and over, that the proposal before us does keep standards, it ensures standards, it has fire walls to protect standards and it even increases standards as we heard from the previous speaker, because for the first time we will have teachers who have qualifications to teach our most disadvantaged students.

We increase funding. There is no diminution of funding in this legislation. The red herring that at some point funding will be decreased or diverted is not possible under the provisions of this legislation. Most importantly, we do improve quality.

I described earlier the problem that I face. I have some wonderful Head Start programs. I represent some small areas and some large metropolitan areas and some of the Head Start programs are great. I have been to them; I have seen what they can do. But the substitute before us would eliminate the flexibility that we need in some of our other areas.

I described two Head Start programs, one with 200 children, one with 300 and not enough to support 34 noninstructive personnel that are required under the standards that we cannot get any flexibility on. We have pleaded to try to have that flexibility, to give these students a chance. So here we have for the first time the opportunity to improve the quality.

Let us talk about the students that we have, the children that we have in these programs. These, Mr. Chairman, are our poorest children. These are our most disadvantaged children. These are our children that maybe are social problems throughout their lives. Here is an opportunity to improve the quality. They have come from homes where they cannot have that advantage, and Head Start can give them that advantage. We can do more even with less money.

I measured the amount of money we are spending in this one program that is over two counties. It is $8,439. I have no problem with spending that. I would double the amount if the program is effective. The best prep school, preschool program in my district costs, ironically, $8,400. I could save $39 and send them to that and I am not even proposing that. I urge my colleagues to take advantage of this opportunity for flexibility and quality, improving the lives of our most needy children.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LORETTA SANCHEZ).

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN. The Chair would advise the gentlewoman that she should remove the badge while she is addressing the Committee.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I thank the gentleman from California for yielding me this time.

For months now we have heard statements from politicians on both sides of the aisle arguing about what works best for Head Start. I have been listening here all night, and I have been hearing you talk about children who are in households in poverty. I think most of you do not know about that, or households where no English is spoken or households where parents have no education, where parents do not know how to access the education system, or with children who have a speech and hearing problem.

Or imagine somebody who sits in a home like that and has all of that and then you can imagine what I looked like 40 years ago. See, I know about these kids, because I am one of those kids. It hurts to hear you talk about how we are not successful, or how we are losers. But we are very successful. We have had a lot of successes with Head Start. All you have to do is ask us. You do not have to imagine it. We write to you about it all the time.

Let us keep Head Start the way it is.

Mr. CASTLE. Mr. Chairman, I yield 3 minutes to the distinguished gentleman from Michigan (Mr. HOEKSTRA), head of the Subcommittee on Select Education in the Committee on Education and the Workforce and a strong force on our committee.

Mr. HOEKSTRA. I thank the gentleman for yielding me this time.

Mr. Chairman, I want to talk again about the right that is taken away in this substitute, the right of religious organizations to retain their religious character while receiving Federal funds. It takes away something that even Al Gore supports. Al Gore during the campaign said that ''faith-based organizations can provide jobs and job training, counseling and mentoring, food and basic medical care. They can do so with public funds, and without having to alter the religious character that is so often the key to their effectiveness.''

Churches should be allowed to compete for Federal social services funds and to remain churches while doing so. The only way a church can remain a church is if it can staff itself, to the extent it desires, with those who share the same faith. The underlying bill, unlike the substitute, provides for the equal treatment of religious organizations.

Members of faith-based organizations should enjoy the same rights to associate with others sharing their unique vision as other nonreligious groups currently enjoy. To deny them that right is to discriminate against people simply because they are religious and have a religious, rather than a purely secular, way of looking at the world. The underlying bill provides for equal treatment. The amendment singles out religious people for adverse treatment, and that is wrong.

The Supreme Court has upheld the title VII exemption for religious organizations. In fact, the Supreme Court decided the Amos case on grounds that support the constitutionality of the title VII exemption as applied to employees of religious organizations that receive Federal funds.

In Corporation of the Presiding Bishop v. Amos, the Supreme Court unanimously upheld the exemption permitting religious organizations to staff on a religious basis in matters concerning employment. Finding that the exemption did not violate the establishment clause, the Supreme Court has made clear that it is a permissible legislative purpose to alleviate significant governmental interference with the ability of religious organizations to define and carry out their religious missions.

Even where the content of their activities is secular, in the sense that activities do not include religious teaching, proselytizing, prayer or ritual, Justice Brennan in the Amos case recognized that the religious organization's performance of such functions is likely to be ''infused with a religious purpose.'' He also recognized that churches and other religious entities ''often regard the provision of such services as a means of fulfilling religious duty and of providing an example of the way of life a church seeks to foster.''

Perhaps one of the greatest liberal Justices, then, recognized that preserving the title VII exemption when religious organizations engage in social services is a necessary element of religious freedom.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

Ms. PELOSI. Mr. Chairman, I thank the gentleman for yielding me this time. As I approached the podium here, I removed my sticker that said ''Head Start Works,'' but that is where I would like to begin my remarks.

Mr. Chairman, I want to commend the gentleman from California for his extraordinary leadership on behalf of children of America in every aspect of their lives, their health, their education, the economic security of their families, the environment in which they live. Tonight, I particularly want to thank him for his leadership on this Head Start legislation. His amendment to eliminate the block grant segment of this bill is a very important one.

I also want to commend the gentlewoman from California (Ms. WOOLSEY) for her stewardship of her amendment

through the process, another very important antidiscrimination addition to tonight's debate.

Mr. Chairman, as I mentioned, Head Start Works is the motto of the effort this evening. I first saw Head Start work as a young mother over 30 years ago on the playgrounds of New York. As I wheeled my babies to the playground and played there every day, we saw a Head Start program. My oldest child was born in 1964, the same year Head Start was born, but this would be like a couple of years after that.

We saw the Head Start program right there and the facility next to the program day in and day out. We would see children come, children learn, children thrive and parents participate. It was pretty exciting because it was a new experience for them, made a difference in their lives personally; and it was a new experience for our country, and it made a tremendous difference not only to those children but to all of our children. Lifting up children, all children in America, is good for our entire country.

And so imagine how exciting it was for me over 20 years later to come to Congress, go to the appropriations committee and serve on the Labor-HHS subcommittee which funds Head Start. Year in and year out our committee reviewed the Head Start program, always seeking to improve it, always, always, anything we do, looking at every initiative to make it better, greatly assisted by the superior work of the authorization committees, of course. On both committees, on appropriations and on authorization committees, the work was always bipartisan and in good spirit.

For decades, Head Start worked and for decades Head Start has been helping children arrive at school ready to learn. Head Start children do better in vocabulary, letter writing, letter recognition and social behavior. They are less likely to need special education services, repeat a grade and are more likely to graduate from high school and go on to college. Again, it ensured that children got not only education but nutrition and the medical treatment they needed for a head start.

I saw in the Committee on Appropriations, reviewing not only these issues, but others, that the best way to undermine a program, to really begin the end of it, was to turn it into a block grant. Central to the Head Start successes were its standards. So once you block-granted this and undermined the standards, you were changing the very nature of the program and undermining the excellence of it.

□ 2300

The block grants that are contained in H.R. 2210 will dismantle Head Start in eight States because it creates new block grants programs for eight States without requiring any of the Head Start performance standards. It would allow States to run Head Start programs with lower educational standards, minimal comprehensive service, less oversight and accountability, no evidence that they do an equally good or better job than Head Start, and relieves States of providing comprehensive services currently provided by Head Start and are proven to improve school readiness, to name but a few of the concerns that I have about the block grants.

So as I said before, I worked on the Committee on Appropriations, which I was pleased to serve with the gentleman from Mississippi (Mr. WICKER), the gentleman from Rhode Island (Mr. KENNEDY), others who have spoken here. It was always bipartisan when it came to Head Start and, as I said earlier, not so today. The majority has put forth a bill that dismantles Head Start by eliminating, as I say, the quality standards that are the foundation of its success.

The Republican bill will not strengthen academic standards. Instead, the bill removes minimum standards, and I keep repeating that, on curriculum content, class size and child/staff ratios. The Republican bill eliminates the comprehensive health, nutritional, and social services available both to parents and children through Head Start.

The bottom line is that the Republican bill undermines opportunity. It undermines the aspirations of hard-working parents who want the best for their children, parents who dream of their children making the honor roll, going to college.

Head Start is about giving every child an opportunity to succeed. Head Start is about all Americans having the opportunity to fulfill their dreams. With that, Mr. Chairman, I will prepare to put my sticker back on that says ''Head Start Works'' and in doing so again commending the gentleman from California (Mr. GEORGE MILLER), the gentlewoman from California (Ms. WOOLSEY), and all of the members on the Democratic side of the committee for the fight that they are making to preserve Head Start.

I urge my colleagues to support the Miller substitute and reject the underlying bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Chairman, I thank my friend and ranking member of the Committee on Education and the Workforce for yielding me this time.

I rise in opposition to H.R. 2210. Since 1965, Head Start has successfully provided comprehensive child development and family support services for more than 20 million low-income preschool children and their families. Programs are designed locally and are administered by a network of 1,500 public and private nonprofit agencies. Each year this program serves more than 900,000 students, ensuring that these children are better prepared when they enter kindergarten. It is an extremely effective and popular program, one that we should be working to strengthen. We should be working to strengthen the educational component for the children and their parents. We should be continuing the health care, not referrals away from the Head Start center sites. We should strengthen accountability and cover more children.

We have great examples in my own congressional district that I represent of successful public school- and Head Start-provided cooperation, putting both Federal dollars and public dollars, and local State dollars to effectiveness, serving more children. We do not need to block grant it. I have watched States this year reduce educational funds. We do not need to do that to Head Start. This is not reform. This bill deforms Head Start.

Mr. Chairman, I rise today in opposition to H.R. 2210, the School Readiness Act.

Since 1965, Head Start has successfully provided comprehensive child development and family support services to more than 20 million low-income preschool children and their families.

Programs are locally designed, and are administered by a network of about 1,500 public and private nonprofit agencies. Each year, this program serves more than 900,000 students, ensuring that these children are better prepared when they enter kindergarten.

This is an extremely effective and popular program, and one that we should be working together to strengthen.

We should be strengthening the educational component and better health care effort but that is not the focus of H.R. 2210.

Instead, H.R. 2210 seeks to dismantle the program by moving it closer to a State block grant, despite evidence that these are lower-quality, less comprehensive programs.

Despite claims that the legislation we are considering today is improved from previous versions, this bill still allows States to weaken educational standard by increasing class size, increasing child-teacher ratio, shortening program duration, cutting off 3-year-olds from services, and using unproven curricula.

The bill would undermine the comprehensive nature of the program by eliminating parent-classroom involvement, health and mental health screenings and services, adult literacy services, vision and dental services, and health and nutrition education.

This bill would also allowing States to use Head Start funds to supplant other Federal funds. I don't know about you, but I don't want Head Start funds to be paving highways and building bridges.

And as my colleague from California will point out, this legislation repeals longstanding civil rights protections for employees of Head Start programs operating through faith-based organizations. This bill would allow taxpayer dollars to be used to support discrimination in hiring based on religion.

Mr. Chairman, I know that the Head Start program isn't perfect, but rather than working toward bipartisan improvements to the program, this bill is a partisan effort at dismantling this program.

Our children deserve better. I urge my colleagues to reject H.R. 2210.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. REYES), a long awaited appearance.

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

Mr. REYES. Mr. Chairman, I thank the gentleman for yielding me this time.

I have about four pages of things that I wanted to say, including statistics about Head Start, but I would like to just put it in the context of personal experience. Fifty-three years ago, a 6-year-old boy was sent to school by his parents. I was born on a farm, and in Texas one has to go to school when they are 6 years old. The problem was that we only spoke Spanish in my house. So about 10 other kids and I were moved to kindergarten from first grade because the teacher did not speak Spanish, and we did not speak English. That did not work too well; so they decided that we were holding back the kids of kindergarten; so they devised a new grade that was called prekinder at that time. That was 53 years ago.

So those that are wondering why we are apprehensive about the changes that they want to make in a program that works, if that program had been in place 53 years ago, I and nine other brothers and sisters that followed me would have been much better off. We made it, but how many kids do not make it? And if we change Head Start, Head Start that is working today, shame on all of us as Americans.

Mr. Chairman, I rise today in opposition to the so-called ''School Readiness Act.'' This bill is a direct attack on the Head Start program. Head Start has been serving low-income children from birth to age 5 and their families since 1964 in order to increase their school readiness. Passage of this bill will lead to the dismantling of the program as we know it.

Mr. Chairman, the Head Start Center in my district of El Paso, TX, serves 3,803 children and their families, 94 percent of whom are of Hispanic decent. There are even more children who can benefit from what Head Start has to offer. This bill does not do nearly enough to increase the number of needy children served. This bill also leaves behind children of migrant and seasonal farm workers who are currently not being targeted. This is unacceptable.

Under this bill, States would be allowed to run Head Start programs, thus allowing for children to be held at lower educational and child care standards. Accountability for these programs are key to their success. Mr. Chairman, Head Start programs are already held to high developmental and performance standards that were created by this body. We need to be taking steps forward when preparing our children for school. Passage of this bill will be a step backward.

This bill would also allow for Head Start providers to discriminate in their hiring practices on the basis of religion. Under this bill, faith-based organizations will be allowed to provide this service and again not be held to the same Federal accountability standards.

I urge my colleagues to support the children of their districts and oppose this bill. I also urge my colleagues to support the substitute provided by Mr. MILLER.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. HONDA).

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

Mr. HONDA. Mr. Chairman, I want to thank the gentleman from California (Mr. GEORGE MILLER) for yielding me this time.

I have about three or four pages of written comments; so I have to say my comments within a minute.

I am opposing H.R. 2210. I was a classroom teacher and a principal. And my wife has been a kindergarten teacher since 1965. So most of us here, we talk about Head Start from personal experiences and from professional experiences rather than sitting in the board rooms of school board members and other things, volunteers to these programs; and I am not going to question the motivations of those who are proposing this bill. But I have to say from my gut that you are wrong. You are wrong about the direction you are headed with Head Start. We understand because we lived it, and we understand it because we worked with the youngsters and we saw it work.

I had two primary schools. I established two Head Start programs. Our teachers worked with youngsters who spoke Cambodian, Vietnamese, Spanish; and our kindergarten teachers and first and third grade teachers said it works. If it ain't broke, why do you want to adjust it?

Mr. Chairman, as a former teacher and principal, I rise today to voice my opposition to H.R. 2210, the Republican Head Start Reauthorization bill.

We should be increasing funding for Head Start, so that all eligible children can enroll. We should be increasing the salaries of Head Start teachers, and providing the necessary resources to improve teacher quality. We need to continue to impose the high standards that Head Start has been required to meet for the past 38 years.

Instead, Republicans are advocating for the exact opposite. They support trillion dollar tax cuts, but refuse to provide resources for disadvantaged children. The Head Start Reauthorization bill would dismantle this critical program by shortchanging teachers, denying services to eligible children, and weakening accountability.

Republicans shortchange Head Start teachers. Currently, Head Start teachers only make about half of what kindergarten teachers make. Common sense tells us that increasing salaries is imperative for attracting and retaining highly qualified teachers.

However, Republicans only provide an annual increase of $49 for teacher salaries and education next year—this is over $300 million short of what is needed in 2004, and $2 billion short of what is needed over the lifetime of the bill.

As vice chairman of the Congressional Asian Pacific American Caucus, I am particularly alarmed by how these Republican cuts will hurt APA communities. Nationwide, over 25,000 APA children are served by Head Start.

In California alone, over 6,000 APA children are enrolled in Head Start, with over half of them coming from homes where English is not the primary language. By cutting funding for Head Start, Republicans deny these children the opportunities they richly deserve.

Mr. Chairman, I urge all Members to put the needs of children first, and vote against the Republican's proposal to destroy the Head Start program.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise in support of the substitute because Head Start is very dear to me. I love Head Start. Thirty-eight years ago I helped to organize one of the first Head Start programs in the Los Angeles area. Head Start happened to change my life, and I have seen what Head Start can do for families and for the children.

They talk about wanting to make Head Start better. Let me tell the Members, Head Start created new ways by which to deal with education for poor children. Five children to every one adult. In the public schools they still do not have the right ratios, classrooms all over this country, 25 and 35 and 45 children to one adult. Nutrition for every child, parental involvement for every child. All kinds of services. Physical examinations. They are going to help make Head Start better?

We have the President and people on other side of the aisle talking about Leave No Child Behind. They need to put some money into the public schools so they can receive these children from Head Start who are doing better, who are ready to learn.

This is a sad moment for me. I never thought I would come to the Congress of the United States and be involved with the demise of the Head Start program. Shame on you, Republicans.

Mr. Chairman, I rise in strong opposition to this bill. You don't fix what isn't broken. Head Start has achieved tremendous successes in helping the most vulnerable of our children. It does not need a legislative fix. It needs funding so that Head Start can reach the 40 percent of eligible children it does not presently serve.

With this bill, the Republican party is undermining our efforts to help these children get an education and break the cycle of poverty that plagues so many of them.

This bill is just the latest example of Republicans choosing to leave our children behind. They have consistently underfunded the President's so-called signature education program, Leave No Child Behind. And, they refuse to pass a child tax credit that would benefit millions of children.

Now, they seek changes that would ruin the most successful early childhood education program we have. It is a crime and every Member of Congress should oppose this bill.

Mr. Chairman, there are two fundamental flaws contained in this bill. The first is the block grant provision that will ruin the program. Block granting will gut the high quality, comprehensive services that are the hallmark

of Head Start and weaken the program's educational performance standards. It also will weaken oversight and evaluation of the program.

But what I fear the most, is that block granting will significantly waken the important role of parents in their children's education. We all know that teaching effective parenting strategies and involving parents in their children's education is strongly related to children's achievement in school.

The Castle substitute purports to provide for parental involvement while the original Republican bill did not. What is clear is that the Castle substitute is not as strong on parent involvement as the existing Head Start program. Why should we recklessly experiment when we have a Head Start program that effectively involves parents in their children's education? We should stick with what works.

In fact, experts have often cited the Head Start-parent partnership as one of the most successful aspects of the Head Start program. To retreat from our emphasis on the importance of this relationship, would be to turn back the clock on our commitment to improving the lives of adults. It also would be a profound insult to the millions of parents who have been inspired to improve their parenting skills, volunteer in the program or return to school.

My other concern is with section 654, which would allow Head Start programs run by faith-based organizations to discriminate on the basis of religion.

Mr. Chairman, this is appalling. One of the greatest strengths of Head Start is the diversity of individuals who participate in, and work, for the Head Start program. Yet, if the Congress supports this provision, one of the historic foundations of Head Start will crumble. Teachers will not be hired or parents will be unable to volunteer simply because they do not share the views of the religious organization's teachings. This provision will severely hamper the program and goes against what we stand for as Americans.

Mr. Chairman, the groups that understand children, who understand the struggles of low-income families, all oppose this bill. The scope of groups that oppose H.R. 2210 is truly breathtaking. Civil rights groups, labor, business, teachers, the National Head Start Association, early education experts—they all oppose this bill because they understand that the holistic approach that Head Start employs works. And it works very, very well.

We have heard it before, but I'm going to say it again: ''Head Start ain't broke, so don't try to fix it.''

Mr. Chairman, this is a bad bill. I urge my colleagues to reject it.

Mr. CASTLE. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina (Mr. WILSON), another distinguished member of the Committee on Education and the Workforce.

Mr. WILSON of South Carolina. Mr. Chairman, I want to thank the gentleman from Ohio (Chairman BOEHNER) for his leadership on improving the educational opportunities for our poorest children and the gentleman from Delaware (Mr. CASTLE), former Governor of Delaware, for his passion and dedication to this issue.

I strongly support the improvements to the Head Start program and the School Readiness Act as the husband of a school teacher, as a parent, and as a new grandparent since March 14. We cannot allow fear of change to keep children from reaching their full potential. I hope we can all work together to help low-income children to be better prepared to learn as I learned from State superintendent of education Barbara Nielson.

First, the School Readiness Act requires children to be taught early reading, math, and writing skills. It also directs that 50 percent of the Head Start teachers have a 4-year degree by 2008. Second, through an eight-State pilot program, States like South Carolina that already are committed to educating pre-K children will be able to combine efforts with Head Start to maximize resources and experiences to provide comprehensive, coordinated services that must generally meet or exceed Head Start services.

The School Readiness Act does not dismantle Head Start. It reinvigorates and improves it by focusing on academic skills and allowing States to be innovative.

Our military has proven that tactics must be constantly examined and improved to be successful in combat. The School Readiness Act brings this same philosophy to a 40-year program for one purpose: to better prepare our country's poorest children to succeed in schools. I urge my colleagues to vote against the Miller amendment and support the underlying bill.

God bless our troops.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, Head Start works. Despite the warnings from the National Academy of Sciences that, under this bill, the poorly designed tests of young children can have a negative impact on their education, under this legislation the Head Start Bureau is plowing forward with plans to give a significantly flawed test to these children starting in the fall. The use of this test will jeopardize the integrity of Head Start, as teachers skew the test to focus on the few skills that those children will be tested upon.

We risk labeling these children as failures before they even get on track to advance in other equally important developmental domains. We are negligent in our responsibilities under this legislation when it comes to putting politics, not science, ahead of our discussions. Under this bill, we put politics ahead of what the National Academy of Sciences says is what is right when it comes to educating our young people.

I support the Miller substitute and oppose the underlying bill.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentlewoman from Colorado (Mrs. MUSGRAVE).

Mrs. MUSGRAVE. Mr. Chairman, I rise in support of H.R. 2210 and in opposition to the substitute. I wish to emphasize the important work that religious organizations do and to support their right to staff on a religious basis.

The landmark Federal law prohibiting religious discrimination in employment includes an explicit exemption for religious employers in section 702(a) of title VII of the Civil Rights Act of 1964, and nothing in title VII provides that a religious organization loses its exemption because it receives Federal funds.

Any Federal legislation governing Federal social service funds should continue to protect the rights of religious organizations to hire and staff on a religious basis when they take part in Federal social service efforts. To do otherwise would deny religious organization rights they have enjoyed for decades under the Civil Rights Act of 1964.

As the New Republic's legal critic, Jeffrey Rosen, has made clear: ''Preserving churches' ability to fire or refuse to hire people who reject their religious values is . . . necessary to protect religious autonomy and State neutrality.''

□ 2315

Faith-based organizations cannot be expected to sustain their religious drive without the ability to employ individuals who share the tenets and practices of their faith, because it is that faith that motivates them to do the good work they do.

Faith is an idea, not an immutable characteristic. Faith is not tied to the color of one's skin, to one's genetic makeup, or to one's ethnic ancestry. It is a unique blend of emotion and intellect that can be shared by anyone.

I strongly support a religious organization's right to staff on a religious basis, and I commend them for the good work that they do and the good work they will do in regard to Head Start.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, I think that the most important work that our faith-based organizations could perhaps do on behalf of this Nation is to pray for the soul of our country. If we would come at this hour and block grant Head Start to States, it would appear that we have blocked out of our heads the historical circumstances in our States in terms of the way they treated the academic development of poor children.

What State in our country will we put on the honor roll in terms of providing an adequate educational opportunity for poor children, where they insisted that these children get qualified teachers and decent classrooms? In 45 of our 50 States there has been litigation by thousands of our school districts about the inadequacy of the provision of public education.

Why did the Federal Government get in the business of Head Start? Was it

because States were rushing to help poor children get ready for school? Why did we get involved in school lunch programs and summer job programs, in title I? We have gotten involved because States have never sought to provide for poor children what they need to prepare for their future.

The CHAIRMAN pro tempore (Mr. SWEENEY). Without objection, the gentleman from Ohio (Mr. BOEHNER) will control the balance of the time of the gentleman from Delaware (Mr. CASTLE).

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. LEE).

Ms. LEE. Mr. Chairman, let me thank the gentleman for yielding me time and for his leadership and for making sure we have a way to make sure that the world knows what we are trying to stop tonight.

Head Start has a proven record of preparing low-income children for school and for life. It has been successful because Head Start understands that education is not just about reading and writing; it understands that all children need a sound body if they are to have a sound mind. Just as much as they need education and learning, Head Start understands that they need nutrition and health care.

Recent studies show the congressional districts represented by Congressional Black Caucus Members have almost twice as many children in Head Start as other congressional districts. That means if this bill goes through, children in our districts will be disproportionately hit.

Mr. Chairman, block granting is a recipe for disaster. It guarantees that thousands of Head Start students will start their life well behind. It is the beginning of the end of Head Start. By supporting the Miller substitute, however, we are recognizing that Head Start works. Let us keep it working.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore. The Chair will ask the gentlewoman to remove her badge.

When Members are being recognized, they are not to wear badges to communicate a message.

Mrs. CHRISTENSEN. Mr. Chairman, as a representative of another area of this country which has successfully utilized Head Start to improve the readiness of our children for school and help parents improve their own lives and provide a more stable and nurturing family environment for them, I rise in opposition to H.R. 2210 and for the Miller substitute.

H.R. 2210 would begin the dismantling of a program that is of vital importance to the welfare of our country. Head Start is not just an early education program, but deals with the whole child and all that is important to his or her optimal development.

One of those areas is health care. I have done health screenings at Head Start, and I can tell you we find many potential disabilities, hearing, sight, speech, lack of immunization and others, which can be corrected if we find them early. We know poor parents often do not have transportation costs to go where referred as H.R. 2210 wants them to do.

This would hurt our children, weaken our families, undermine our communities, and really weaken our Nation.

Mr. Chairman, let us not destroy this program and the hope that it has provided for so many to build their families and lives upon. Oppose H.R. 2210 and support the Miller substitute.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I will take off my badge that said ''Head Start Works,'' but I do want to start, as the leader did, by saying that Head Start does work, and I thank the distinguished gentleman for his amendment to bring reality into this discussion.

Mr. Chairman, we are not talking about a frivolous issue tonight on the floor. It is almost midnight here on the east coast. The parents of Head Start children are beginning, probably some of them, to just be able to lay their heads down. Many of them will rise in the early morning. Many of them are on hourly jobs. Some of them are the parents of children who are in fact impacted by migrant and seasonal work. Sixty percent of the eligible children are served; 40 percent are not. Nineteen percent of the migrant and seasonal worker children are served; the rest are not served. Three percent of infant and preschool children are served only; the rest are not served.

This is a bill that is a bad bill. This particular amendment puts Head Start back where it needs to be, serving all of the children of America, not just a few. This is a bad bill. Support the Miller amendment.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Nebraska (Mr. OSBORNE), a member of our committee.

Mr. OSBORNE. Mr. Chairman, I would like to thank the gentleman from Ohio (Chairman BOEHNER) and the gentleman from Delaware (Chairman CASTLE), and also the gentleman from California (Mr. GEORGE MILLER) for his thoughtful amendment. I think his amendment does represent some improvement.

I would like to just briefly discuss eight State demonstration programs. That seems to be the crux of the problem right now. I can point out that no State has to join the demonstration program. This is totally optional.

We may have all 50 States say, Let's keep the thing like it is. I do not believe any State will join unless it feels it can actually better serve children. So what is the fear? Why are we concerned about this? Is it the argument of a camel's nose under the tent, maybe it will work and then it might spread? I do not think this is a dangerous issue at all.

So it only makes sense that two programs that are now existing side by side, a State program and Head Start, can be better coordinated, can serve more children, and can do a better job than what we are doing at the present time.

So I recommend that we defeat the substitute and pass the Head Start reauthorization.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. BACA).

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

Mr. BACA. Mr. Chairman, I rise in support of the Democratic substitute to protect Head Start and oppose H.R. 2210.

Basically, one of the reasons why I am behind it is because we are talking about monies going into block grants right now. We are talking about monies that are going to be going there, because States are in a deficit right now. It is a time we should pour monies into education, invest more money into education; and Head Start should receive a lot more money.

Let me tell you, a lot more kids are receiving help when they go into Head Start. It builds their self-esteem, it gets them involved, it builds their confidence, it allows them an opportunity to progress and advance in education.

I can talk about my personal experience. I was put in a slow-learners' class. I was not put in the regular classes during that periods of time. Had there been a Head Start class, I would have been able to build my self-esteem, my confidence and my ability to go on and learn. It is important that we do.

The Republicans now are saying we want to reach out to the Hispanic community. Well, you are not reaching out to the Hispanic community. You say we want to include you; we want to leave no child behind.

You are going to leave more children behind, because what you are doing right now is you are cutting off support for them, giving them the ability to learn, giving them the ability to progress by putting it into block grants, putting it into States that have deficits right now, and making those decisions.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Ms. VELÁZQUEZ).

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

Ms. VELÁZQUEZ. Mr. Chairman, the work we do here in Congress is all about priorities, and the decisions we

make are a measure of what we value as a Nation.

What this bill shows us very clearly is that low-income children are again not a priority for our President and the Republican leadership. We have spent $350 billion in another tax cut for our wealthiest families, yet we cannot afford to provide Head Start services to two out of every five eligible preschool children.

Mr. Chairman, instead of expanding the libraries in Head Start classrooms, this bill will take books out of the hands of our most at-risk children. Rather than providing teachers additional resources, we are jamming even more students into the crowded classrooms.

This legislation jeopardizes funding, slashes critical health services, weakens educational standards, and repeals civil rights protections.

I am outraged by the Republican bill, but I am not surprised. The Republican leadership constantly extols family values, yet its legislative agenda so clearly fails to value American families.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 4 minutes to the gentleman from Delaware (Mr. CASTLE), the author of the bill, and the chairman of the Subcommittee on Education Reform.

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

Mr. CASTLE. Mr. Chairman, I thank the gentleman for yielding me time.

Mr. Chairman, I listened to this argument all night, and there is some great success stories in Head Start, and there are a lot of us that are very devoted to what Head Start has done. But I hark back to about 15 or 16 years ago when I was Governor of the small State of Delaware, and we started welfare reform before anybody here in Congress had talked about it. We started it by having classes, mandatory classes. You had to go to classes, or you would not get your welfare.

I went to that first class after they had been there for about 2 months. I walked in there; I remember there were 19 people there, one man and 18 women. I was stunned, because I thought they would want to run me out of the place. Instead, they thanked me for giving them an opportunity.

We have done what you had to do with welfare in Delaware, and now in the United States. We have reduced welfare by 50 percent. The time has come in the United States of America to do more with Head Start.

There are some wonderful success stories for Head Start, no question about it. But there are also in-bred problems that we need to deal with if we are going to make Head Start better, and some of those we need to talk about right now.

First of all, I do appreciate the support for title I, because we did make a lot of changes. That is everything but the State demonstration and the faith-based business.

Secondly, we have increased spending. Since 1995, we have doubled spending. But if you look at these results for just 1 year, and I showed these charts before, ironically, that was about an hour and a half ago, nobody has come forward to show me anything different, any study, any chart, any test whatsoever, to show that Head Start results are better than this.

This shows that the increases are rather marginal, in fact, in some instances no increases at all as far as Head Start is concerned, averaging in the low twenties. This means these are kids that are going to have difficulty in school. Some are going to be higher and they are going to do all right; but for the most part, they are going to have difficulty in schools because we simply have not gotten them to where they should be, which is as close to the median level, 50 percent, as we can get them. We have to raise that.

What does the State demonstration make? The State demonstration that people are so concerned about, what does it do with respect to this? Well, it fences in all of the Federal money, all of local money, it adds more local money to what we are doing here, and it makes sure that the State merges it in with all of the other programs and projects which they are trying to do to help children.

Some of the comments which I have spelled out before from people on the outside, for example, the San Diego Union said: ''The strident opposition to President Bush's modest pilot proposal to fine-tune Head Start is nothing more than partisan sniping, pure and simple. Bush is looking to close the achievement gap for poor youngsters. He would do so by merging Head Start into often overlapping State programs and opposing new academic standards on the combined program.''

That is positive. That will help educate young people.

Then the Des Moines Register said: ''The eight States selected for the 5-year pilot project just might do better. The eight-State pilot project is a chance to see what States can do on their own. Meanwhile, Head Start is working to improve early literacy and math preparation. When the 5-year experiment is over, Congress can decide whether a state-by-state or national framework better serves the interests of young children.''

□ 2330

That is not taking apart Head Start, that is not block-granting anything. That is affording opportunities to young people to be able to be educated.

The Council of State School Officers has come forward and has indicated that they believe in this proposal and we need to do something about it. This is a council of State school officers which has done that, people who believe in education. The Brookings Institution, certainly a middle-of-the-road operation, has come forward and said that we need to do something. It said, given the immensity of the task and the modest success achieved thus far, new ideas are worth trying.

This is a new idea. This is not dismembering anything. This is affording opportunity. This is taking eight States and saying, we are going to give you, the best States in the country, who are willing to put in extra money and who are already running programs that are going to help in early education with these young children, the opportunity to do more to lift the standards of where we are going with Head Start. Everything else will be done in Head Start.

And Lord only knows, it does some wonderful things, and we have heard that said by a lot of people here tonight. But this is unacceptable; we have to do better educationally. That is what this is all about.

Please support the underlying legislation and defeat the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Chairman, Head Start works. It has for 38 years. Providing comprehensive child development, literacy, family services to more than 18 million preschoolers. One million children and their families are served every single year, unquestionably, the most effective early childhood development program ever developed.

Why do we want to change it? What is the reason for it?

The bill that underlies this amendment tonight, it would shift the responsibility of the program to the States. In essence, what we would see, we are going to pave the way for what the founder of Head Start, Dr. Edward Zigler, has called 50 Head Start programs run by 50 governors. It is going to these States untested and unproven. They lack the high standards, the accountability that is already found in the Head Start program. And the sole problem with this program is that only three out of five eligible preschoolers and only 3 percent of eligible infants and toddlers can participate in Head Start because of the funding constraints.

Farming the program out to cash-strapped States will not improve matters. Do not deny our children opportunity. Do not deny them success. Support the Miller amendment and let us do something right for the youngsters of this country.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, tonight we have a choice. We have a choice about whether or not we can build upon the continued and improving success of the Head Start program, and whether or not we can provide the kind of quality assurance and performance standards that this generation of children, of impoverished children, of many children who have not had opportunity up until the

day they walked through the door of a Head Start center, whether we can provide that kind of quality program and performance standards to assure that they will, in fact, have the opportunity to exercise the education that they will be given.

The gentleman from Delaware (Mr. CASTLE) pointed out the chart that showed these children were improving a few percentiles during their time in Head Start; then he suggested in his earlier remarks, not in these remarks but in the earlier remarks, that these children were performing so poorly that for all intents and purposes, they are done educationally. Well, that obviously does not jive with some of our colleagues who talked about their own success as Head Start students and our own experiences in our congressional districts; nor does it jive with the rest of the study which the gentleman from Delaware (Mr. CASTLE) cited, which is, by the end of kindergarten, these children are performing at about average.

What does that suggest to us? It suggests to the researchers that Head Start, in fact, did lay down the foundation, did lay down the basis by which these children, compared to other children in kindergarten, are able to achieve in that 1 year the average of those children. That is against all children in that kindergarten.

How does Head Start work against their peers, other poor children who do not have the opportunity? We see that these children have substantial gains, IQ gains over the children who did not get to participate in Head Start. Their reading, writing, and math skills are superior to those children who did not get to participate; a much higher level of high school graduation. They are not doomed because they are not doing as well as we would like in Head Start; they are doing better than their peers. Special education, many fewer held back in school, and fewer put into special education and, of course, a lower incidence of participation in crime.

So it is working against their peers, and it is providing them an educational opportunity against the average children.

We have already agreed, and we have said on both sides of the aisle, that there is much improvement in this legislation. But again we go back to the fundamental principle that the improvements that we make in title I, the improvements in the performance standards and in the law, are then undermined by the block grant.

It is interesting that the gentleman from Delaware, and I can understand his experience, because his State has basically adopted the Head Start performance standards for State pre-K programs, as has Ohio, the chairman; and I guess, apparently, of Oregon.

But in this block grant, the very things that strengthen and provide for the success that the gentleman from Delaware talks about are not included, because when you say it is extensive, you do not have to take the body of regulations that have provided the quality and the continuous improvement of this program over 35 years. The States do not have to take that, and that is the big difference. And that is what we see when we talk about the erosion that the block grant leads to.

We can take the block grant and we can reduce program hours. We can exclude 3-year-olds. We can increase child-teacher ratios. We can provide unproven curricula. We have spent a fortune trying to get Head Start doing something with the massive amounts of research that we have been involved in, and yet we can cast that aside and go out to some vendor who promises us something for these children. We can run half-year programs and we can serve more children by running the half-year program.

These are the core elements that have separated Head Start from so many other State-run programs where they do not have the quality and they do not get the results. That is why there is such a strong adherence by our communities to the Head Start program. That is why there is such strong adherence by the Members of Congress to the Head Start program, because we understand that they are being measured by their compliance, by their compliance to those standards.

Yes, many of them are out of compliance in one fashion or another, but we also know that many of those are just minuscule, tiny, tiny factors that they are out of compliance with. Because in that same study, again, 85 percent of them were high quality.

And then it comes to the question of the comprehensive services and the direct access, and the body that we have built up, services that are not provided in many of the State programs. That is why we ask our colleagues to accept this bill and all of the hard work that has gone into title I and to reject title II.

Finally, let me say that all of this improvement and all of these children that are supposed to be served are all essentially going to be served with less money in a few years because of the capped authorization in this legislation. For the first time, this Congress will reauthorize a bill that will not allow for the expansion over the period of that reauthorization of this program. That is the first time any Congress has done that, and that is the first time any administration, Republican or Democrat, has suggested that that is the right way to go.

We know it is not the right way to go. We are only serving 60 percent of the children, and yet we are going to knock out in the next few years some 5,000 to 10,000 of those children because the authorization does not provide sufficient funding.

Mr. Chairman, I urge the adoption of this amendment, and rejection of the block grant and the undermining of the Head Start program.

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

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, I want to thank the author of this bill, the gentleman from Delaware (Mr. CASTLE), the subcommittee chairman, for the brilliant job that he did with the subcommittee to bring this bill together and to bring it to this point.

Also, I want to thank the gentleman from Nebraska (Mr. OSBORNE) for all of his efforts, and all of the members of our committee who have worked hard and come together from the right wing to the more moderate wing to help craft a bill that will help poor children get a better start in life.

I also want to thank the staff of the gentleman from Delaware (Mr. CASTLE), including Sara Rittling and Paul Leonard. I want to thank the committee staff: Kate Houston, Amanda Farris, Melanie Looney, Julian Baer, Parker Hamilton, Krisann Pearce, Dave Schnittger, Jo-Marie St. Martin, and Sally Lovejoy and others who were so helpful in putting this bill together.

Head Start has done a lot for a lot of children all across the country. There is not one Member in this room, not one, who does not believe that Head Start cannot be improved.

Now, the question is, how do we improve it? In title I of the bill, there is basic agreement on the changes that will bring a more academic component to Head Start.

The big issue was over title II, the eight-State pilot project. We have heard it called a block grant, we have heard it described as the dismantling of Head Start. Please. There are some States out there who are doing magnificent things, and to give them the opportunity to better coordinate Head Start with their own pre-kindergarten programs, their own early childhood development programs, their own child care programs, States can, in fact, provide a comprehensive package that we believe could be of great help to poor children and their parents in terms of helping improve this program.

And to just say ''no,'' we are not going to try it, we are never going to go there, frankly, is not fair. It is not fair to the 3- and 4-year-olds in America who need our help.

So we have in this bill this eight-state demonstration project, but only for those States who would hold themselves to high standards, only those States who will make a big commitment to early childhood development, and only States who really want to take this project on.

I believe that we have got a good bill before us. I want to ask my colleagues to reject the Miller substitute and to vote ''yes'' on final passage.

Ms. WOOLSEY. Mr. Chairman, I thank the ranking member for introducing this necessary substitute. This Head Start bill is an outrage!

H.R. 2210 it turns a program that is a proven success at improving the lives and futures of low-income children into some kind of Federal experiment. And, for the first time in this

Nation's history, it repeals a law which protects employees against religious discrimination, and Mr. MILLER's substitute fixes both of these issues.

We know that children who complete Head Start are less likely to become delinquents and are more likely to graduate from high school than their peers from similar economic backgrounds. We know this and we know that voting for these amendments will ensure that low-income children can continue to get the Head Start they need to succeed in school and in life.

Mr. BOEHNER. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN pro tempore (Mr. SWEENEY). The question is on the amendment in the nature of a substitute offered by the gentleman from California (Mr. GEORGE MILLER).

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

Mr. GEORGE MILLER of California. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment in the nature of a substitute offered by the gentleman from California (Mr. GEORGE MILLER) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. 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. 1 offered by Ms. WOOLSEY of California; amendment No. 2 in the Nature of a Substitute offered by Mr. MILLER of California.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

AMENDMENT NO. 1 OFFERED BY MS. WOOLSEY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WOOLSEY) 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 CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 199, noes 231, not voting 5, as follows:

[Roll No. 441]

AYES—199

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Sherwood
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—231

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (KY)
Lucas (OK)
Manzullo
Marshall
McCotter
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Davis (TN)
Gephardt
Gutierrez
McCrery
Pastor

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SWEENEY) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 0004

Mr. TIAHRT and Mr. JANKLOW changed their vote from ''aye'' to ''no.''

Mr. TANNER changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. SWEENEY). Pursuant to clause 6 of rule XVIII, the next vote will be a 5-minute vote.

AMENDMENT NO. 2 IN THE NATURE OF A SUBSTITUTE OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentleman from California (Mr. GEORGE MILLER) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 200, noes 229, not voting 6, as follows:

[Roll No. 442]

AYES—200

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—229

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
John
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
Marshall
McCotter
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—6

Buyer
Gephardt
McCrery
Oberstar
Pastor
Sullivan

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

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

□ 0012

So the amendment in the nature of a substitute was rejected.

The result of the vote was announced as above recorded.

The CHAIRMAN pro tempore. There being no other amendments, the question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute was agreed to.

The CHAIRMAN pro tempore. Accordingly, under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. SWEENEY, Chairman pro tempore 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. 2210) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, pursuant to House Resolution 336, 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.

The question is on the amendment in the nature of a substitute.

The amendment in the nature of a substitute 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.

MOTION TO RECOMMIT OFFERED BY MR. GRIJALVA

Mr. GRIJALVA. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. GRIJALVA. Yes, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Grijalva moves to recommit the bill H.R. 2210 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with the following amendments:

Page 2, line 23, strike ''$6,870,000,000'' and all that follows down through line 26 and insert ''$7,000,000,000 for the fiscal year 2004, $7,119,000,000 for the fiscal year 2005, $7,232,904,000 for the fiscal year 2006, $7,370,329,000 for the fiscal year 2007, and $7,554,587,000 for the fiscal year 2008.''.

Page 4, strike lines 10 and 11 and insert the following:

(2)(A) By inserting, after ''13 percent of the amount appropriated for each fiscal year'' in subsection (a)(2) the following: ''or increase such reservation to 15 percent in any year in which the amount appropriated hereinafter under section 639(a) exceeds the amount appropriated under such section for fiscal year 2003, increasing such reservation only from such excess,''.

(B) By inserting '', consistent with the last sentence of this paragraph'' after ''except in subsection (a)(2)(A).''

(C) By striking ''1998'' in subsection (a)(2)(A) and inserting ''2003''.

(D) By amending the last sentence of subsection (a)(2) to read as follows: ''For any fiscal year in which the amount appropriated hereinafter under section 639(a) exceeds the amount appropriated under such section for fiscal year 2003, the Secretary, from such excess amount, shall increase the amount made available under subparagraph (A) for programs described under such subparagraph to not less than 3 percent for Indian Head Start programs and 5 percent for migrant and seasonal Head Start programs.''.

Page 5, line 16, after ''the following'' insert ''before the last sentence''.

Mr. GRIJALVA (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 Arizona?

There was no objection.

□ 0015

The SPEAKER pro tempore (Mr. SIMPSON). Pursuant to the rule, the gentleman from Arizona (Mr.

GRIJALVA) is recognized for 5 minutes in support of the motion.

Mr. GRIJALVA. Mr. Speaker, I yield 1½ minutes to the gentleman from Texas (Mr. HINOJOSA), who is also chair of the Education Task Force for the Congressional Hispanic Conference.

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

Mr. HINOJOSA. Mr. Speaker, I urge my colleagues to support this Grijalva motion to recommit. Migrant children whose parents do the most back-breaking work in the Nation in order to put food on our tables deserve better than crumbs when it comes to early childhood education.

I would especially like to recognize the leadership that my colleague, the gentleman from Arizona (Mr. GRIJALVA), has shown on this issue. Migrant children have no better friend than this gentleman from Arizona.

We began the reauthorization process thinking we could come to a bipartisan solution to the access gap in Head Start programs for the children of migrant and seasonal farm workers. But the majority has steadfastly refused to provide the financial resources needed to expand the program. Their bill will only increase the migrant Head Start children from 19 percent served to 20 percent.

When these families do not have access to the program, parents have no alternative but to take their children to the fields, or perhaps leave them unattended in the labor camp. We are fooling ourselves if we think that we can provide Head Start services to the 80 percent of children we have left behind. Vote ''yes'' on the motion to recommit.

Mr. GRIJALVA. Mr. Speaker, I thank the gentleman for his comments, and I yield 1½ minutes to the gentlewoman from California (Ms. SOLIS), a great advocate for education and a former member of the Committee on Education and the Workforce.

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

Ms. SOLIS. Mr. Speaker, I also would like to rise to support the Grijalva motion to recommit. I want to also state to the Members here tonight that I have heard a lot of discussion and debate about Head Start. I want to point out the family here that I represent in my district. They are actually recipients of the WIC program, the Women, Infant and Children program.

These young children are not even eligible for Head Start yet, but you are already determining their fate by cutting out program services when you propose legislation that would block grant these services. I am talking about real people, people who need help, who are not looking for a handout but want to see educational improvements in their lives.

When we help to educate a mother, we help to educate her children and her family. But when we deny her that ability to take her children somewhere so that they can be taught appropriately to learn the language, to become assimilated to this society, to be able to seek assistance from this government, because they also pay taxes, this is also a working family, and let us not lose sight of that. This is not something about people who were looking for handouts.

Right now in the State of California there are over 103,000 children who will not be eligible under the Republican proposal; 6,500 in the 32nd Congressional District that I am very proud to represent in East Los Angeles and the San Gabriel Valley, where 60 percent of the students enrolled in Head Start are Hispanic. They look like this family. My colleagues are telling them that they are not going to have a future. You are telling them and their mother that the mother will not be able to participate in their education.

We need to help these families. We need to help provide support for migrant education programs. These are families that are coming and seeking a better tomorrow, the American Dream. They are immigrants seeking a better tomorrow. I support the motion to recommit, and I support full funding for the migrant seasonal education program as well as the efforts of my colleague, the gentleman from Arizona (Mr. GRIJALVA).

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

Mr. Speaker, I rise today to urge my colleagues to provide a ray of hope to thousands upon thousands of the poorest of the poor, the children of migrant and farm worker families.

The child in this picture is eligible for migrant and seasonal Head Start services, yet he wanders in a field in North Carolina with his parents while they work all day. He is exposed to pesticides, hazardous equipment, extreme heat, and other health dangers. The sad part of this situation is that he is not alone. Over 130,000 children are in the exact same situation in the richest country in the world. These children are neglected because Congress has chosen not to provide the funds to give them services.

If you have not seen these children, you have seen their families' hard work. Every day you see their hard work on your dinner table, in your restaurants, and in your grocery stores. With just 19 percent of migrant children being served, this program is so drastically underfunded that providing new money is the only clear and real solution.

Republicans are rearranging the money in Head Start, claiming that they are providing relief to these children. This is simply untrue. Strategies that steal from Peter to pay Paul are unfair. Only 2,200 of the 130,000 neglected children will be served with this new funding scheme, and it ignores the Native American children all together.

There are deadly weapons in this Nation: ignorance, intolerance, injustice, neglect, and denial of opportunity. These children are the victims. These are weapons we can find and we can destroy, and this is your opportunity.

Let us extend to these children the American Dream. Let these children who are the sons and daughters of farm workers feel that they too have a stake in this country. Mr. Speaker, I urge my colleagues to use their consciences and support the motion to recommit and vote ''no'' on final passage.

It is time we start speaking for children that have no voice in this House. The children of farm workers deserve our support and our care.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would kindly ask all Members to turn off electronic equipment.

Mr. BOEHNER. Mr. Speaker, I rise in opposition to the motion to recommit.

Mr. Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. EHLERS), the gentleman who has led our efforts with Members on both sides of the aisle to help seasonal migrant workers.

Mr. EHLERS. Mr. Speaker, I thank the chairman for yielding me this time, and it is my pleasure to rise and defend this bill, and particularly the provisions in it regarding seasonal and migrant workers.

The migrant and seasonal children of this country have special needs and should get special help, and I do not disagree with the minority on that part. They need special help because they are often moved from place to place, and they have special conditions that have to be dealt with.

For example, in my community, they attend Head Start programs from early summer to mid-fall. Obviously, this is not the standard school year. But that is just one of the many ways in which they have to be treated specially. And I am personally very familiar with their problems because in my youth I lived in a small farming community in the great State of Ohio. I worked on a produce farm. I worked side by side with migrant workers, in the fields and in the packing sheds, and even in transporting produce to markets.

It is very important for us to provide the services for these children. When these children are not served properly, parents will often bring them to the fields and sometimes even have the slightly older ones working. They certainly can be exposed to harmful conditions that way. Today, migrant and seasonal Head Start serves close to 35,000 children in 39 States in every region of this country. But in contrast to the standard Head Start program, the part that serves the migrant and seasonal serves only approximately 19 percent of the eligible children. That is dramatically lower than the 60 percent of eligible children served in other areas.

Mr. Speaker, I was pleased to be able in the committee to offer an amendment that was approved by the committee that allows all migrant and seasonal Head Start grantees to operate early Head Start programs. Not every Head Start program is allowed to operate early Head Start, but this amendment allows all migrant and seasonal Head Start grantees to operate these.

Why is that important? Because frequently migrants have small children and they need the early Head Start program, or they are going to be taken to the fields. That is one great improvement.

Another is that my amendment will require the Secretary to ensure that migrant and seasonal Head Start programs are included in the planning and coordination of the State systems of training and technical assistance. In addition, part of my amendment, in combination with a change that has been made in the substitute, will provide at least 25 percent of any remaining technical assistance funds which are used in migrant and seasonal Head Start programs. And the bill specifically makes 1 percent of the technical training assistance funds available in this category. This means we will have an additional $17.4 million in fiscal year 2005 and an additional $1 million in 2008. This will provide an additional 2,300 slots for children to receive services and up to 2,500.

This is not just a magic authorization improvement. This is money that will be there. These are slots that will be there. These are children that will receive service. It is not simply increasing authorization; it is producing additional spots for the kids to go in.

We have covered a good deal of this problem in this bill through this amendment. Let us vote for this bill, let us reject the recommittal motion, and let us go on and get this bill into effect and help all the seasonal and migrant children of this Nation.

Mr. BOEHNER. Mr. Speaker, I yield back the balance of our time.

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. GRIJALVA. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage, if ordered.

The vote was taken by electronic device, and there were—ayes 203, noes 227, not voting 5, as follows:

[Roll No. 443]

AYES—203

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—227

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
John
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—5

Gephardt
Myrick
Pastor
Petri
Sullivan

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 0043

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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. GEORGE MILLER of California. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

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

The vote was taken by electronic device, and there were—ayes 217, noes 216, not voting 2, as follows:

[Roll No. 444]

AYES—217

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)

Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Janklow
Jenkins
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—216

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Duncan
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frelinghuysen
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren
Lowey
Lucas (KY)
Lucas (OK)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Paul
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velazquez
Visclosky
Walsh
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—2

Gephardt
Pastor

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 0057

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

□ 0100

ANNOUNCEMENT OF INTENTION TO OFFER MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

Ms. SOLIS. Mr. Speaker, subject to clause 7(c) of rule XXII, I announce my intention to offer a motion to instruct on H.R. 1308. The form of the motion is as follows:

Mr. Speaker, I move that the managers on the part of the House in the conference on the disagreeing votes of the two Houses on the House amendment to the Senate amendment to H.R. 1308 be instructed as follows:

1. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides immediate payments to taxpayers receiving an additional credit by reason of the bill in the manner as other taxpayers were entitled immediate payments under the Jobs and Growth Tax Relief Reconciliation Act of 2003.

2. The House conferees shall be instructed to include in the conference report the provision of the Senate amendment (not included in the House amendment) that provides families of military personnel serving in Iraq, Afghanistan, and other combat zones a child credit based on the earnings of the individuals serving in the combat zone.

3. The House conferees shall be instructed to include in the conference report all of the other provisions of the Senate amendment and shall not report back a conference report that includes additional tax benefits not offset by other provisions.

4. To the maximum extent possible within the scope of conference, the House conferees shall be instructed to include in the conference report other tax benefits for military personnel and the families of the astronauts who died in the Columbia disaster.

5. The House conferees shall, as soon as practicable after the adoption of this motion, meet in open session with the Senate conferees and the House conferees shall file a conference report consistent with the preceeding provisions of this instruction, not later than the second legislative day after adoption of this motion.

The SPEAKER pro tempore (Mr. LAHOOD). The gentlewoman's statement will appear in the record.

PHARMACEUTICAL MARKET ACCESS ACT OF 2003

Mr. TAUZIN. Mr. Speaker, pursuant to House Resolution 335, I call up the bill (H.R. 2427) to authorize the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The text of H.R. 2427 is as follows:

H.R. 2427

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 ''Pharmaceutical Market Access Act of 2003''.

SEC. 2. FINDINGS.

The Congress finds as follows:

(1) Americans unjustly pay up to 1000 percent more to fill their prescriptions than consumers in other countries.

(2) The United States is the world's largest market for pharmaceuticals yet consumers still pay the world's highest prices.

(3) An unaffordable drug is neither safe nor effective. Allowing and structuring the importation of prescription drugs ensures access to affordable drugs, thus providing a level of safety to American consumers they do not currently enjoy.

(4) According to the Congressional Budget Office, American seniors alone will spend $1.8 trillion dollars on pharmaceuticals over the next ten years.

(5) Allowing open pharmaceutical markets could save American consumers at least $635 billion of their own money each year.

SEC. 3. PURPOSES.

The purposes of this Act are as follows:

(1) To give all Americans immediate relief from the outrageously high cost of pharmaceuticals.

(2) To reverse the perverse economics of the American pharmaceutical markets.

(3) To allow the importation of drugs only if the drugs and the facilities where they are manufactured are approved by the Food and Drug Administration, and to exclude pharmaceutical narcotics.

(4) To require that imported prescription drugs be packaged and shipped using counterfeit-resistant technologies approved by

the Bureau of Engraving and Printing (technologies similar to those used to secure United States currency).

SEC. 4. IMPORTATION OF PRESCRIPTION DRUGS.

Section 804 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 384) is amended—

(1) in subsection (a)—

(A) by striking ''The Secretary'' and inserting ''Not later than 180 days after the date of the enactment of the Pharmaceutical Market Access Act of 2003, the Secretary''; and

(B) by striking ''pharmacists and wholesalers'' and inserting ''pharmacists, wholesalers, and qualifying individuals'';

(2) in subsection (b)—

(A) by amending paragraph (1) to read as follows:

''(1) require that each covered product imported pursuant to such subsection complies with sections 501, 502, and 505, and other applicable requirements of this Act; and'';

(B) in paragraph (2), by striking '', including subsection (d); and'' and inserting a period; and

(C) by striking paragraph (3);

(3) in subsection (c), by inserting ''by pharmacists and wholesalers (but not qualifying individuals)'' after ''importation of covered products'';

(4) in subsection (d)—

(A) by striking paragraphs (3) and (10);

(B) in paragraph (5), by striking '', including the professional license number of the importer, if any'';

(C) in paragraph (6)—

(i) in subparagraph (C), by inserting ''(if required under subsection (e))'' before the period;

(ii) in subparagraph (D), by inserting ''(if required under subsection (e))'' before the period; and

(iii) in subparagraph (E), by striking ''labeling'';

(D) in paragraph (7)—

(i) in subparagraph (A), by inserting ''(if required under subsection (e))'' before the period; and

(ii) by amending subparagraph (B) to read as follows:

''(B) Certification from the importer or manufacturer of such product that the product meets all requirements of this Act.''; and

(E) by redesignating paragraphs (4) through (9) as paragraphs (3) through (8), respectively;

(5) by amending subsection (e) to read as follows:

''(e) TESTING.—

''(1) IN GENERAL.—Subject to paragraph (2), regulations under subsection (a) shall require that testing referred to in paragraphs (5) through (7) of subsection (d) be conducted by the importer of the covered product, unless the covered product is a prescription drug subject to the requirements of section 505B for counterfeit-resistant technologies.

''(2) EXCEPTION.—The testing requirements of paragraphs (5) through (7) of subsection (d) shall not apply to an importer unless the importer is a wholesaler.'';

(6) in subsection (f), by striking ''or designated by the Secretary, subject to such limitations as the Secretary determines to be appropriate to protect the public health'';

(7) in subsection (g)—

(A) by striking ''counterfeit or''; and

(B) by striking ''and the Secretary determines that the public is adequately protected from counterfeit and violative covered products being imported pursuant to subsection (a)'';

(8) in subsection (i)(1)—

(A) by amending subparagraph (A) to read as follows:

''(A) IN GENERAL.—The Secretary shall conduct, or contract with an entity to conduct, a study on the imports permitted pursuant to subsection (a), including consideration of the information received under subsection (d). In conducting such study, the Secretary or entity shall evaluate the compliance of importers with regulations under subsection (a), and the incidence of shipments pursuant to such subsection, if any, that have been determined to be misbranded or adulterated, and determine how such compliance contrasts with the incidence of shipments of prescription drugs transported within the United States that have been determined to be misbranded or adulterated.''; and

(B) in subparagraph (B), by striking ''Not later than 2 years after the effective date of final regulations under subsection (a),'' and inserting ''Not later than 18 months after the date of the enactment of the Pharmaceutical Market Access Act of 2003,'';

(9) in subsection (k)(2)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

''(D) The term 'qualifying individual' means an individual who is not a pharmacist or a wholesaler. ''; and

(10) by striking subsections (l) and (m).

SEC. 5. USE OF COUNTERFEIT-RESISTANT TECHNOLOGIES TO PREVENT COUNTERFEITING.

(a) MISBRANDING.—Section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352; deeming drugs and devices to be misbranded) is amended by adding at the end the following:

''(w) If it is a drug subject to section 503(b), unless the packaging of such drug complies with the requirements of section 505B for counterfeit-resistant technologies.''.

(b) REQUIREMENTS.—Title V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351 et seq.) is amended by inserting after section 505A the following:

''SEC. 505B. COUNTERFEIT-RESISTANT TECHNOLOGIES.

''(a) INCORPORATION OF COUNTERFEIT-RESISTANT TECHNOLOGIES INTO PRESCRIPTION DRUG PACKAGING.—The Secretary shall require that the packaging of any drug subject to section 503(b) incorporate—

''(1) overt optically variable counterfeit-resistant technologies that are described in subsection (b) and comply with the standards of subsection (c); or

''(2) technologies that have an equivalent function of security, as determined by the Secretary.

''(b) ELIGIBLE TECHNOLOGIES.—Technologies described in this subsection—

''(1) shall be visible to the naked eye, providing for visual identification of product authenticity without the need for readers, microscopes, lighting devices, or scanners;

''(2) shall be similar to that used by the Bureau of Engraving and Printing to secure United States currency;

''(3) shall be manufactured and distributed in a highly secure, tightly controlled environment; and

''(4) should incorporate additional layers of non-visible covert security features up to and including forensic capability.

''(c) STANDARDS FOR PACKAGING.—

''(1) MULTIPLE ELEMENTS.—For the purpose of making it more difficult to counterfeit the packaging of drugs subject to section 503(b), manufacturers of the drugs shall incorporate the technologies described in subsection (b) into multiple elements of the physical packaging of the drugs, including blister packs, shrink wrap, package labels, package seals, bottles, and boxes.

''(2) LABELING OF SHIPPING CONTAINER.—Shipments of drugs described in subsection (a) shall include a label on the shipping container that incorporates the technologies described in subsection (b), so that officials inspecting the packages will be able to determine the authenticity of the shipment. Chain of custody procedures shall apply to such labels and shall include procedures applicable to contractual agreements for the use and distribution of the labels, methods to audit the use of the labels, and database access for the relevant governmental agencies for audit or verification of the use and distribution of the labels.''.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind Members who are speaking to remove the yellow tags from their lapel.

Pursuant to House Resolution 335, the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) each will control 30 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. TAUZIN).

Mr. TAUZIN. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota (Mr. GUTKNECHT) be permitted to control 15 minutes of the debate time allocated to me.

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

There was no objection.

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio (Mr. BROWN) be permitted to control 15 minutes of the time allocated to me.

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

There was no objection.

GENERAL LEAVE

Mr. TAUZIN. 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. 2427.

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

There was no objection.

Mr. TAUZIN. Mr. Speaker, I yield myself 2½ minutes.

Mr. Speaker, I join my colleague, the ranking member of our committee, the gentleman from Michigan (Mr. DINGELL), in opposing this bill because it is dangerous.

This week the gentleman from Michigan (Mr. DINGELL) and I and all of the members of the Committee on Energy and Commerce had to face a horrible realization: This week we faced the parents of Steve Bechler, the 23-year-old pitcher for the Baltimore Orioles, who died of a heart attack at that young age taking ephedra tablets, tablets which we in 1994 voted to exempt from FDA safety regulations. I have got that on my conscience now. In 1994, you and I decided, those of you who were here with me, that safety did not matter when it came to ephedra.

Mr. Speaker, as the Justice Department criminal investigations are under way and as our own Committee's investigation is under way, we learned this week that over 17,000 serious events

have occurred as a result of the use of unregulated ephedra; young athletes, young people, dying, suffering strokes, heart attacks, like Steve Bechler, because we voted in 1994 to say that safety did not count when it came to ephedra.

And with this bill tonight, its authors I know well-intentioned, angry at the price of drugs in America, angry at Canada because they impose price controls that take advantage of our citizens, angry at those trade laws that let it happen, they are asking us tonight to do exactly what we did in 1994, to vote for a bill that says safety does not matter when it comes to drugs, that safety does not really count; that we are going to repeal tonight, if they get their way, the language that is in the law that says that FDA must certify the safety of any drugs that are imported into this country; to take away the language that says FDA must do those things appropriate to ensure that the drug supply in this country is never compromised; that bogus, counterfeit, diluted, old, rotten drugs are not permitted into this country.

I voted wrong in 1994. I am not going to vote wrong tonight. I will never vote to compromise safety again in the use of drugs or products for our young people and our old people and our citizens.

Tonight we will learn about those rotten drugs that are coming into this country from Canada, yes, and from a lot of other countries, transhipped through Canada. We will have the smoking gun for tonight to show what is about to happen if we open the door to that awful problem.

I urge Members, vote against this bill.

Mr. DINGELL. Mr. Speaker, I yield myself 3½ minutes.

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

Mr. DINGELL. Mr. Speaker, this is a bad bill. On its face it would appear to be a good bill. It is not. It will allow this country to be flooded with unsafe, counterfeit drugs; drugs that will not do what they should; drugs that are unsafe; drugs that will kill the American people. I tell Members, it is a bad bill, and I ask them to remember the experiences that were reported by my colleague from Louisiana.

This bill would reduce the capacity of the Food and Drug Administration to protect our people from unsafe prescription pharmaceuticals, which will begin to flood the country if and when it is passed.

H.R. 2427 is a prescription for trouble. They open our borders. They provide millions of Americans with access to perhaps drugs which are cheaper, but drugs which are unsafe and which evade the responsibility and the ability of Food and Drug to protect the American people.

Mr. Speaker, do not take my word for that. Listen to what the health care professionals and regulators say.

The American Medical Association says, ''We believe H.R. 2427 would be so dangerous to patient safety that we must oppose it. This legislation would eliminate most of the important restrictions on reimportation of pharmaceuticals in current law and replace them with a system of unverifiable and unsafe provisions.''

The National Medical Association has said, ''This legislation would result in counterfeit, adulterated, and dangerous drugs entering the United States. We do not believe that H.R. 2427 should be enacted at the risk of jeopardizing patient safety.''

The American Osteopathic Association says, ''H.R. 2427, while increasing the possible number of drugs reimported into the United States, does nothing to ensure the safety and efficacy of these drugs. There is no bargain to be found for our patients who purchase drugs that are ineffective or contaminated.''

The Food and Drug Administration says, ''H.R. 2427 would authorize the importation of prescription drugs from foreign sources without adequate assurances that such products are safe and effective. H.R. 2427 creates a wide channel for large volumes of unapproved drugs and other products to enter the United States that are potentially injurious to public health and pose a threat to the security of our Nation's drug supply. The bill would do so by taking unprecedented steps that limit FDA's authority to assure the safety of prescription drug products to be used by American consumers.''

Mr. Speaker, this will enable foreign manufacturers to import into Canada for reimportation into the United States tons of counterfeit foreign drugs, drugs which are ineffective, over-age, unsafe, unregulated and improperly manufactured in ways which will offer threats to the United States, to our citizens and to the people who are looking to you to see to it that their food, drugs and cosmetics are safe.

Mr. Speaker, let us look at it. Foreigners are going to use this device to enter Canada to sell unsafe drugs to the American people. Do not deceive yourself to think that any one of those importers will be bound by any requirements of American law or that they will, in fact, sell those drugs at less price. They will simply sell them at U.S. market prices, and you are going to have on your hands the possibility that you have voted to injure, sicken, hurt or kill the American people by allowing the importation of unsafe drugs.

RECENT COUNTERFEITS

COUNTERFEIT LIPITOR

Lipitor, a cholesterol-lowering medicine, is used by 11 million Americans each year to help prevent serious heart disease. Last month, according to FDA, a large quantity of fake Lipitor entered the U.S. market. The product was imported to the U.S. and repackaged here, for sale to distributors and pharmacies. To date, FDA and Lipitor manufacturer Pfizer have recalled 200,000 bottles of this dangerous phony product.

FAKE AND MISLABELED ZERIT

Counterfeit Zerit, a medication to treat HIV infection, was first discovered in 1997. According to the real manufacturer, Bristol-Myers Squibb, this not only was not its authentic product, but the labels incorrectly told consumers they were taking 30 mg, when in fact the capsules inside the bottles allegedly contained 40 mg of the active ingredient. Patients were exposed both to a product of unknown origin and the dangerous possibility of an overdose.

PHONY CLARITHROMYCIN

This antibiotic, called Biaxin, is used to treat infections such as pneumonia, bronchitis, and ear infections—including infections in children. Recently, according to the drug's manufacturer, Abbott, counterfeit Biaxin, containing absolutely no active ingredient, has been found in Russia (where counterfeits make up 15 percent of the prescription drug market). Because the legal system in Russia makes pursuit and punishment of these counterfeiters difficult, these dangerous products remain available in Russia as well as for export to other lucrative markets like the U.S.

COUNTERFEIT NEURONTIN, ACCUPRIL, AND CELEBREX

Counterfeits of these Pfizer products—Neurontin, for seizures in children 3 and older and adults and for treating shingles pain in adults; Accurpril, for high blood pressure; and Celebrex, for treating debilitating arthritis pain—have recently been found in California, at a company called NuCare Pharmaceuticals. Laboratory analysis confirmed no active ingredient in any of the tablets, which actually were vitamins. Neither the origin of the bottles nor the disposition of the original medications is known.

FAKE ALLEGRA

Fexofenadine, an important active ingredient in products to treat allergies, is sold under the name Allegra in the U.S. Recently, security personnel of the product manufacturer, Aventis, ordered Allegra from an internet site purported to be based in the UK. The product shipped was one called Telfast, a fexofenadine product sold in other countries, but not approved by the U.S. FDA. Furthermore, a stick-on label indicated an expiration date of 1/03; the product actually had expired in 1/02. Finally, although the web site appeared to be promising products from a ''safe'' country in the UK, this product came not from the UK but from Vanuatu, an island off the coast of New Zealand well known for businesses trafficking in illegitimate prescription drugs destined for the U.S.

FAKE LOSEC

Losec (omeprazole), a treatment for ulcers and other gastric conditions, is sold in the U.S. as Prilosec. A generic version of Prilosec is also on the market in the U.S. Counterfeit Prilosec, according to its manufacturer AstraZeneca, was manufactured in an underground facility and distributed through an affiliated wholesaler. The counterfeiter boasted that the copies were sufficiently clever to avoid detection by the government and, in fact, only AstraZeneca had the technical information necessary to determine this product was a fake.

COUNTERFEIT MONOPRIL

Fakes of this high-blood-pressure medication were discovered earlier this year by the LA County Sheriff's Office. The counterfeit operation was uncovered after a local printing company contacted the sheriff to report a suspicious order for thousands of drug product labels. The product, vitamins substituted for the real pills, bottle caps, and seals were all counterfeit. Arrested individuals were owners of prescription drug diversion businesses in Canada, Europe, and Asia. Many other drugs found in the LA raid were

expired or fake, then repackaged, relabeled, and sold to American doctors and pharmacies.

COUNTERFEITS FROM INDIA

According to FDA, an American patient ordered product from an internet site promising ''Canadian drugs manufactured in the U.S.'' The drug he appears to have needed was a seizure medication called gabapentin. What he received was a knock-off from India, labeled ''Gabantin.'' What IS ''gabantin?'' Only the counterfeiter in India, and the so-called ''Canadian'' on-line pharmacy knows. The patient was the unwitting dupe.

COUNTERFEIT PROCRIT

Epoetin alpha, marketed as Procrit, treats anemia in patients with chronic kidney disease, HIV, and cancer. The first discovery of counterfeit Procrit was made in 2002; subsequent discoveries followed. The counterfeit, of unknown origin, has been found at two large wholesalers and a number of retail outlets. The counterfeit, some with 20 times less active ingredient than the real drug and some with no active ingredient but bacteria-contaminated water, appeared identical with the authentic product. Sophisticated anti-counterfeiting technology used on this product failed to challenge the ingenuity of the counterfeiters, who quickly learned to mimic it.

FAKE CRIXIVAN, PEPCIDINE, ZOROXIN, AND ZOCOR

According to Merck, the manufacturer of these products, substantial quantities of counterfeits were found in a police raid on a home in Bogota, Columbia. In addition to these products, the home possessed many other counterfeits. English language labeling suggested the final destination for many; unwary U.S. patients.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO), who knows that the drug industry imports $15 billion worth of drugs into this country, but then claims that importation is unsafe in order to protect their profits.

Ms. DELAURO. Mr. Speaker, in my 13 years in Congress, no issue has made such a deep impression on my constituents than the rising price of prescription drugs. This is an issue for seniors, but high health care prices are eroding the living standards of middle-class families across this country. We all have a stake in driving drug prices down.

Last week, the Congress of the United States abrogated its responsibility to address the problem of soaring drug prices. It did worse than nothing, barring the government from negotiating lower prices for seniors.

We can strike a blow for lower prices with a simple step, giving ordinary Americans the choice they are taking on their own out of desperation. It should be legal to reimport drugs from some countries. This alone would save Americans $600 billion in the next decade, savings passed directly on to the consumer. We know that this is a safe option. In 2001, U.S. drug companies reimported $14.7 billion worth of brand name medications from their overseas plants.

□ 0115

This legislation guarantees safety. It not only requires that drugs reimported from other countries are FDA-approved, but that the facilities they are manufactured in are rigorously inspected and approved by the FDA as well. Add to that the requirement that all prescription drugs use counterfeit-resistant packaging, which means every drug purchased here in the United States, reimported or otherwise, will be safer than the drugs that are available today.

The FDA's opposition is one more instance of a regulatory agency becoming captive of the industries they are supposed to regulate. There is no safety issue here. This bill would only allow the importation of FDA-approved drugs manufactured in FDA-approved facilities from 26 designated countries, clearly, a superior system to what we have today in the area of food and drug safety both.

The issue is not safety, I say to my colleagues. The issue is price. It is time that this Congress stop acting as a wholly owned subsidiary of the pharmaceutical companies and step up to its responsibility to help the consumers of this Nation.

I urge my colleagues to support this bill.

Mr. GUTKNECHT. Mr. Speaker, I just want to clarify real quickly that nothing in this bill deals with controlled substances like RU486 or morphine, and nothing in this bill would have anything to do with Ephedra.

Mr. Speaker, I am happy to yield 1½ minutes to the gentlewoman from Missouri (Mrs. EMERSON).

Mrs. EMERSON. Mr. Speaker, I want to thank the Speaker of the House for his graciousness in letting us bring this bill to the floor for debate tonight.

And speaking of the leadership in the House, I thought it would be important to all my colleagues for a little clarification. We hear talk about the FDA blasting the Gutknecht bill, saying that it is unsafe. I want my colleagues to know, and it is very important that they know, that in 2000 when we passed the reimportation language that is current statute, that language was written, that statute was written by our leadership, by a person who is now working at the White House, by me, and by the FDA.

My colleagues might remember it passed in the Agriculture appropriations act. The FDA chose the 26 countries where it felt it was safe to import from those countries, because our current drug manufacturers, U.S. manufacturers, are today manufacturing drugs in those facilities that are approved and inspected by the FDA.

It is very important that my colleagues know this. This is the underlying bill of Gutknecht. Plus, we have added extremely high-tech packaging, tamper-resistant, counterfeit-proof packaging. And this is in addition to the safety requirements, the chain of custody that the FDA has written in the underlying bill today.

Mr. TAUZIN. Mr. Speaker, I would point out that the packaging is held by a single company and the bill they have mandates a monopoly. We ought never do this in this country.

Mr. Speaker, I yield 1½ minutes to the gentleman from Florida (Mr. BILIRAKIS), the chairman of the Subcommittee on Health of the Committee on Energy and Commerce.

Mr. BILIRAKIS. Mr. Speaker, this dangerous bill is a legislative Trojan Horse that uses a promising veneer to hide dangerous realities.

I do not have the time to go into all of the reasons why I personally am opposing this legislation, but I want to remind my colleagues that a number of patient advocate organizations dedicated to the health and well-being of our constituents, including the ALS Association, the National Alliance for the Mentally Ill, and the Friends of Cancer Research, and this long list here, and so many others that will not fit on this chart, are joining me in my opposition tonight. They, they consider the issue safety. They consider the issue safety.

Also, the bill, in addition to the devastating impact on patient safety, would adversely affect the ability of our research-driven pharmaceutical and biotechnology industries to develop breakthrough cures for a myriad of devastating diseases.

Many of the solutions to high pharmaceutical prices have already been considered on this floor. They include a meaningful Medicare prescription drug benefit and Hatch-Waxman reforms to ensure quicker access to less costly generic drugs. We also need to find a way to reduce the number of Americans without health insurance. In fact, I recently introduced a bill that would attempt to do just that.

Mr. Speaker, this is a bad bill. It will do more harm than good. I urge my colleagues to do the responsible, the responsible and not the political thing, and that is to defeat H.R. 2427 tonight.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New York (Mr. TOWNS), my good friend.

Mr. TOWNS. Mr. Speaker, this is a bad bill. If we vote for this legislation tonight, we are kissing safety regulations good-bye and saying to patients, fend for yourselves in determining what drugs are safe. The FDA will have no oversight responsibility here.

I will admit that I am not qualified to determine what drugs are safe. It takes expertise to distinguish between counterfeit medicines and the genuine article. We rely on our government's health and safety officials like the Food and Drug Administration to keep unsafe drugs out of American medicine cabinets.

It is a mystery to me why anyone would vote for a bill that would prevent our health officials from doing their job. That just blows my mind. And it is a giant step in the wrong direction.

I ask all of my colleagues here tonight to vote against this bill because

safety is a nonpartisan issue. The life you save might be your own.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2½ minutes to the gentlewoman from California (Ms. LEE), who knows the drug industry profits for 20 years running are the highest of any industry in America.

Ms. LEE. Mr. Speaker, let me just thank the gentleman for yielding me this time, and I thank all of my colleagues on this side of the aisle and also our colleagues on the other side of the aisle, especially the gentlewoman from Missouri (Mrs. EMERSON) and the gentleman from Minnesota (Mr. GUTKNECHT) for leading this very important fight for more affordable prescription drugs.

Mr. Speaker, I want to start off tonight by sharing with my colleagues the news from a study which was featured today in the Wall Street Journal. Now, this article begins, ''Black Medicare beneficiaries are more than twice as likely as white beneficiaries to go without a prescription drug because they could not afford it.'' This is a study conducted by the Robert Wood Johnson Foundation. Let me repeat: African Americans are two times more likely to go without needed medicine.

Now, this study goes on to detail the deep disparities in access to drugs, reporting that fully 16 percent of black recipients of Medicare said they could not afford to fill at least one prescription in 2001 compared with 7 percent of whites.

Mr. Speaker, make no mistake, African Americans are suffering disproportionately and mightily under the current laws crafted to protect the drug companies and their inflated prices. And make no mistake, that the suffering will only get worse if we do not pass this bill. And the suffering will last for as long as there is this huge, and I cannot believe this huge, resistance to efforts to reduce the skyrocketing and irrational cost of these lifesaving medicines.

The reality for African Americans and millions of Americans on Medicare is outrageous and shameful, but we have the option tonight to do something about it. We should and we must seize this opportunity to provide lifesaving medicine to millions of Americans who are going without, simply because they cannot afford the bloated costs of drugs. And we should do so by voting to allow, as this bill does, safe, FDA-approved prescription drugs to be reimported into the United States.

Now, much has been said about safety and logistics of reimportation, and I think it is very important to point out that the FDA-approved drugs are already frequently and legally imported into this country, but only by the manufacturers. It is also important to note that more than 1 million Americans already purchase their medicines from outside the United States, and there has not been one reported death or illness from Americans taking such products.

Mr. Speaker, the simple fact is that seniors' drug costs increased 44 percent between 2000 and 2003, with the top 50 drugs prescribed to seniors increasing in cost by 3.5 times the rate of inflation in the last year.

The simple fact is, Americans pay 30 to 300 percent more for medicines than do people in other industrialized countries. We should pass this bill tonight.

Mr. GUTKNECHT. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Connecticut (Mr. SHAYS), the author of the Shays act.

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

The debate tonight to allow the reimportation of FDA-approved drugs is obviously long overdue. The arguments that Americans will be put at risk and the pharmaceutical industry will be harmed is specious and reminds me of the debate on the use of generic drugs that we had years ago in States throughout America.

Like the reimportation of drugs, the use of generic drugs was illegal and stayed that way for years and years because the pharmaceutical industry opposed it. Like the reimportation of drugs, we were told, generic drugs would harm the pharmaceutical industry and endanger individual Americans. Fortunately, we did not listen to those false arguments then, and we should not listen to them now, as they relate to the importation of FDA drugs. If Canadians, Germans, and others have the ability to buy FDA-approved drugs at a fraction of the cost, then Americans in this day and age should have the same opportunity.

Please vote for H.R. 2427, the Pharmaceutical Market Access Act.

I thank the proponent, the gentleman from Minnesota (Mr. GUTKNECHT) and others, for their efforts and the House leadership for bringing this bill before the chamber.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Pennsylvania (Mr. GREENWOOD), the distinguished chairman of our Subcommittee on Oversight and Investigation.

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

We all want safe and affordable drugs, especially for our senior citizens. And in recent years, as the price of drugs skyrocketed and seniors were without a benefit through Medicare, they became desperate, and many considered it a calculated risk to buy drugs from other countries that were not certified safe by the FDA; and this reimportation legislation grew from that desperation. But today we are on the verge of providing seniors affordable and safe drugs through Medicare. It will happen this fall.

The reimportation bill is now an unnecessary relic. We do not have to trade off safety for affordability. We can offer our seniors both through Medicare, and we ought to.

The risk is real. The gentleman from Florida (Mr. DEUTSCH) and I have been to airports and watched these packages come through, opened up by the Customs people, and what we saw would turn your stomach. Drugs coming from countries all over the world where there is no regulation, drugs that have incalculable content, unknowable safety. We do not need to put our seniors at that risk.

Mr. DINGELL. Mr. Speaker, I yield 2 minutes to the distinguished gentlewoman from California (Ms. ESHOO).

Ms. ESHOO. Mr. Speaker, I thank the distinguished ranking member for yielding me this time.

I rise in opposition to H.R. 2427. Mr. Speaker, I think it is very important for everyone in the House to really understand exactly what this bill will do.

Some think that drug reimportation will dramatically reduce drug costs in the United States. This has never been proven. Secretaries of Health and Human Services for two Presidents have stated that they could not certify that reimportation would actually save Americans money.

Now, minus this guarantee that the bill would ever achieve its primary purpose, I think we are taking huge risks for little or no gain.

Secondly, the bill is dangerously flawed and poses considerable risks to the people that we represent. Current law states that the Secretary of HHS must certify that reimportation will not add risks to the public health. This bill removes that requirement, effectively eliminating our last line of defense against unsafe and illegal pharmaceuticals.

The bill expands reimportation to 25 countries, many of which do not have the regulatory regimes that even remotely, remotely match the FDA.

□ 0130

This is very different from ''Canada only.'' We have the safest drug supply in the world today, and Americans rely on this safety every day. Do we really want to dilute this?

The sponsors of 2427 have said the bill contains numerous provisions that will ensure that drugs reimported into our country are safe. I disagree. The bill purports to only allow reimportation of drugs made in FDA-approved factories, but the bill also eliminates the requirements that reimporters demonstrate who has had custody of a drug since its creation. Now, how can we verify that a drug is made in an FDA-approved facility if we do not even know who had custody of it last?

The bill requires reimporters to test the drugs they are bringing back into the United States to ensure they are legitimate. The results of those tests are to be verified by the FDA. Is there an appropriation to this bill to fund the added mandate to the FDA? There is not.

The bill requires counterfeit-proof packaging for many of the drugs that will be reimported to the United States. And yet there is not any guarantee that the counterfeit technology

itself will not be counterfeit or tampered with. This is happening in the United States today as we debate this bill. This is an example of a hologram that has been tampered with. You and I would not know the difference. The FDA would. My mother would not.

We have to remember that nearly 20 years ago the gentleman from Michigan (Mr. DINGELL) introduced and passed the prescription drug marketing law. He did so on the heals of a multiyear investigation by oversight and investigations of the Committee on Commerce. We should not give up this safety. What my fear is is that we have so taken for granted the efficacy of pharmaceuticals that we are willing to let it go tonight. Vote against this bill.

Mr. BROWN of Ohio. Mr. Speaker, I yield 2 minutes to the gentleman from Arkansas (Mr. BERRY), who knows that a Federal Government that says it can store nuclear waste for 10,000 years can surely ensure the safety of imported prescription drugs.

Mr. BERRY. Mr. Speaker, I am the only registered pharmacist in this Congress. And I know what I am talking about.

Now, do not confuse safety with the fact that FDA many times just simply does not do its job. Let me tell you what the real danger is. The danger is not getting or not being able to afford the medicine you have to have to stay alive, stay healthy, and have a decent life-style. That is danger.

Now, this safety deal is bogus. I am not even going to tell you how bogus it is. On the front page of Roll Call this morning it says, ''The Food and Drug Administration has formed an unofficial alliance with the pharmaceutical industry to urge House Members to vote today against a bill that could flood the Nation with cheap prescription drugs from Canada and overseas.''

Now, would that not be a tragedy, that our people could afford the medicine that they need? This is a classic, cynical example of crony capitalism. An alliance between the Food and Drug Administration has existed for many years, and the pharmaceutical industry makes them nothing better than common thieves. And if you vote against this bill tonight, just think about what you are going to tell your constituents when you go back and say, I voted to keep your medicine five times more expensive than any place else in the world. I voted to let the pharmaceutical industry continue to rob the old people in this country. You go back and tell them that.

What I have seen here this evening makes me think of that old Southern philosopher, Brother Dave Gardner, who said when you get people down, kick them. It gives them an incentive to rise above themselves.

We were charged by our Founding Fathers with this responsibility, and we will be judged by God Almighty as to how we do it.

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

Mr. Speaker, I would point out that both the American Pharmacists Association and the Arkansas Pharmacists Association have sent letters in strong opposition to this bill.

Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. BUYER).

Mr. BUYER. Mr. Speaker, I am quite bothered that someone would actually come to the floor and denigrate the great minds of the world that come to the only free market, America. And these individuals improve the quality of our life, not only just us, but around the world. This debate needs to be elevated, elevated, because other countries out there who call themselves friends of America are taking advantage of those manufacturers. This is a serious trade issue, and we think we can only address it by addressing price? I do not know where you all went to school. You cannot address it just on price.

This is safety. We have a closed system. When you take that pill, you have trust and confidence that it will do exactly what the label will say.

Somebody brought up the issue of chain of custody. When those drugs end up, and we create a very wide berth and a very wide channel for drugs, we lose that chain of custody. We do not know what it is going to do. You can go to Canada, but it will not have the labeling. This is very serious.

Mr. DINGELL. Mr. Speaker, I yield 2½ minutes to the distinguished gentleman from New York (Mr. MEEKS).

Mr. MEEKS of New York. Mr. Speaker, as we enter this late night, I am reminded of a show: Things that make you say hmmm. When I think of just the title of this bill and what is referred reimportation of drugs, I say hmmm.

Reimportation tries to give the implication that the drugs were manufactured here, gone over, and they are coming back here so, therefore, they are safe. If the issue of safety were not there, what would we be talking about? We are really talking about the reimportation of drugs from many a different country. The FDA, if you just look up at the Web site of the FDA, over the last 5 years they have only inspected labs, labs over the last 5 years. Yet, we say safety is not an issue.

My esteemed colleague from Illinois talked earlier. He said he spoke with the former Secretary of the FDA, Donna Shalala; and she said if the FDA had additional money, maybe they could do this. Well, as indicated, there is no additional appropriations here because the implication is if the FDA does not have the money, they cannot ensure safety of the medicine.

What money will go to the FDA? There is no appropriations to this bill.

Just recently there was a situation that occurred in Florida where 19 individuals were indicted for distributing millions of dollars of counterfeit cancer, AIDS and other drugs. It occurs all over this country. If H.R. 2427 were to pass tonight, this is exactly what the Congress would be encouraging. Yes, we would be encouraging counterfeit drugs, improperly stored drugs, expired drugs, diluted products to enter our borders and to be distributed by qualified individuals, who, when I read the bill, qualified individuals, who they are? They have added, qualified individuals can bring this in, but there is no clear definition of who those qualified individuals are.

Supporting this bill suggests that health and safety warnings, I present, are simply myths. I beg to differ.

I have two pills in my hands. Distinguish between an authentic pill and a counterfeit pill. I ask anybody to just tell me how you, not experts, can determine which is the real one and which one is the counterfeit.

Mr. DINGELL. Mr. Speaker, how much time remains?

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Louisiana (Mr. TAUZIN) has 9 minutes. The gentleman from Minnesota (Mr. GUTKNECHT) has 12½ minutes. The gentleman from Michigan (Mr. DINGELL) has 5 minutes. The gentleman from Ohio (Mr. BROWN) has 8½ minutes.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from Vermont (Mr. SANDERS), who recognizes that 270 Members voted for free trade for Singapore yesterday while many oppose free trade for prescription drugs for American today.

Mr. SANDERS. Mr. Speaker, I became involved in this issue several years ago when I took women who were struggling with breast cancer across the border from Vermont and they were able to purchase the breast cancer drug Tamoxifen for one-tenth of the price that they paid in the United States. Mr. Speaker, tonight we must end the national disgrace of Americans being forced to pay by far the highest prices in the world for prescription drugs.

Tonight, in terms of safety, we must understand that one million Americans have gone to Canada to buy their medicine without one death, without one problem. To the gentleman from Louisiana (Mr. TAUZIN), yes, the death of one baseball player is a tragedy; but it is a far greater tragedy that millions of elderly people in this country are suffering, and in some cases dying, because they cannot afford prescription drugs. And the issue tonight is do we stand up to the money interests and protect the American people or are they going to buy the House of the people? Let us stand tall.

Mr. GUTKNECHT. Mr. Speaker, I yield myself 15 seconds to respond.

First of all, I hope Members would at least read the bill. We have heard a lot about safety tonight. This bill specifically includes section sections 501, 502, 505, which are the safety codes. As the gentlewoman from Missouri (Mrs. EMERSON) said earlier, essentially the FDA wrote all the law that is here. Secondly, the FDA has inspected, this is the report, 949 facilities, all the way to China in the last 5 years.

Mr. Speaker, I yield 2 minutes to the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Speaker, I rise tonight to appeal to my fellow conservatives to open markets and help seniors by supporting this act.

Some critics say this act will merely import price controls. But every day in America we import a myriad of products from food to machinery that have some form of government price controls embedded within them, be they subsidy, tax preference or direct price controls. Yet we do not block their import even though their prices are not derived in a truly free market.

The relevant question for us ought to be: are we working for more competition or less competition and whether or not we respect the economic liberties of our citizens.

Now, other critics say this bill will cause less research and development. I am uncertain if this is true, but I do know that closing our borders to trade and denying Americans their economic liberties is not the answer. Typically, we let private individuals within a competitive marketplace make these R&D decisions. If we choose to second guess them and believe that they have underinvested, then Congress can easily remedy the situation by a variety of means, like tax credits and subsidies. This body does it every day, wind energy, aerospace technology, semiconductors, the list goes on.

Finally, critics contend that seniors will be hurt by a rash of counterfeit imported drugs. Are thousands dying in Europe and Canada from fake drugs? Can counterfeit drugs not be produced domestically as well as overseas?

Every year we import tons of food and occasionally this food may be tainted, yet we do not prohibit agricultural imports. Should pharmaceuticals be different?

Perhaps the safety argument may have some merit, but I also know it is usually the first argument of the protectionist. Mr. Speaker, it is time for my fellow conservatives to choose. We can choose free trade over protectionism. We can choose to side with seniors' interests over pharmaceutical companies' interests. We can choose less government and more freedom. The choice is ours. And if there should be any doubts whatsoever, we should err on the side of freedom.

Mr. TAUZIN. Mr. Speaker, I yield 1 minute to the distinguished gentleman from New Jersey (Mr. FERGUSON), who knows the difference between a cancer drug and a strawberry.

Mr. FERGUSON. Mr. Speaker, after the attacks on our Nation on September 11 when thousands of Americans died, many from my congressional district, what was our collective response in this House? What did we do? Did we decide to eliminate the safety and security laws of our Nation to make ourselves more vulnerable to those who would seek to do us harm? Of course not. We did the opposite. We strengthened our laws.

□ 0145

We strengthened our laws. We took steps to protect our citizens and we made America a safer place.

Then why, I ask, at a time when we are at an increased danger of counterfeit and altered drugs, when we are having a tough time keeping up with attempts by criminals who want to smuggle dangerous, counterfeit drugs into this country, why would we then pass a law which would gut the current law of this Nation? Why would we pass a law that would eliminate 16 different health and safety regulations which are specifically designed to protect our citizens against these dangers?

Unfortunately, that is exactly what this bill would do.

Mr. DINGELL. Mr. Speaker, I am low on time and I would reserve.

Mr. BROWN of Ohio. Mr. Speaker, could the Chair let us know how much time each of us has.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Louisiana (Mr. TAUZIN) has 8 minutes remaining. The gentleman from Minnesota (Mr. GUTKNECHT) has 10¼ minutes remaining. The gentleman from Michigan (Mr. DINGELL) has 5 minutes remaining. The gentleman from Ohio (Mr. BROWN) has 7½ minutes remaining.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 seconds to the gentleman from Hawaii (Mr. ABERCROMBIE) who knows the drug industry has 1.5 lobbyists for every Member of this body.

Mr. ABERCROMBIE. Mr. Speaker, this is about money, money, piles of money, oodles of money, tons of money. This is what this is about.

You do not have to worry about safety because if you cannot afford the drug in the first place, you are not even going to get it to take it, and if you are a Democrat, a minority Democrat, and you do not vote for this bill, there is not any Democrat in the country that is not going to say you sold out and you rolled over belly up again and you are not standing up for the people of this country.

We deserve to be in the minority if we cannot pass this bill. We are defying everything that makes us Democrats, and if you are a Republican, then they are going to say you are in the pockets of the big pharmaceuticals again and you are just acting like a Republican.

If you are a Republican or Democrat, vote this bill through and save the integrity of this House.

Mr. GUTKNECHT. Mr. Speaker, I yield 1 minute to the gentleman from Michigan (Mr. HOEKSTRA), who has the unenviable task of following that.

Mr. HOEKSTRA. Mr. Speaker, amen, Brother. I notice that none of the folks that are opposed to the bill are willing to answer the single most important question tonight which is, why do drugs cost 40 percent more in the United States than they do in Canada and in Europe? That question is not being answered.

It is about safety, but they are missing the big elephant in the room. They do not want to talk about pricing. We have to realize that when working Americans pay 40 percent more for prescription drugs than the rest of the world, our workers are subsidizing the health care costs of the rest of the world.

If we reject this bill, once again this Congress will undercut America's workers, will force American workers to continue to subsidize foreign workers' prescription drugs; and then we will go out and ask them to compete in global markets. No wonder America is facing a crisis in manufacturing. This is blatantly unfair. How long do we believe American workers can survive under this burden?

Tonight, we have a wonderful opportunity to support working Americans, let them have access to fairly priced products and improve their global competitiveness.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Illinois (Mr. CRANE).

Mr. CRANE. Mr. Speaker, I thank the chairman for yielding me the time, and Mr. Speaker, I rise today in opposition to H.R. 2427.

It is clear to me that the best way to help seniors is both to ensure that they have access to safe, affordable prescription drugs and to foster an environment where innovation can flourish, where new and better drug treatments will be developed for future generations.

The U.S. continues to be the world leader in the development of new drugs and treatments that improve the quality of every American. I want to lower drug costs for the seniors in my district, but not at the risk of stifling the very innovation that creates the drugs in the first place.

Some have called this a free trade issue. Yet it runs contrary to the fundamental tenets of free trade. Free trade creates efficiencies by opening borders, lowering tariffs, and giving consumers access to products and services from other countries. Reimportation stands this fundamental tenet on its head by giving Americans access to American pharmaceuticals that have been sold to the Canadian Government, a single payer that can, in effect, name its price at a lower cost than the laws of supply and demand allow.

Congress can take a number of different steps to lower the cost of drugs for all consumers. We have already taken the most important one by passing a $400 billion drug benefit for Medicare beneficiaries.

Mr. GUTKNECHT. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Nebraska (Mr. OSBORNE).

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

I think ultimately each of us has to be responsible to our constituents, and what I hear from Nebraska seniors contacting me is much more concern about high prescription drug prices

than safety issues. Many of those Nebraskans are already getting their prescription drugs from Canada, and if drug prices continue to escalate as they have been and as they will continue to do, the $400 billion prescription drug benefit passed by the House will be insufficient. I think we all know that intuitively, and I think OMB knows that empirically.

So I see that the only solution, that I can think of at least, is holding drug prices down through competition in the free market, which I think most of us believe in. We import meat, fruit, wine, cheeses for direct consumption without undue alarm about safety. Americans take millions of dollars of imported prescription drugs each year, and yet no deaths or significant problems have occurred.

I have a lot of confidence in this country. I believe we can have cheaper drugs and also have the intelligence and technology to have safe drugs.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), my good friend.

Mrs. CHRISTENSEN. Mr. Speaker, I rise in opposition to H.R. 2427, not because I do not believe, like my fellow Democrats, that we must do something about the high cost of medicines, I am committed to that end, but this is not the way to do it.

I will always be against bypassing established authorities and applying quick fixes to complex challenges. The first because it is always a mistake, proven sooner or later, and sometimes with grave consequences, and the latter because such remedies usually end up no fixes at all. This bill fails on both tests.

I know through my years of medical practice the difficulty of lower-income people and seniors and even middle-income people having to pay for life-improving and -saving medication, but there are also cases where medicines have been brought back in from other countries and caused harm.

This is not an easy issue because health and lives are at the center of it, and the high prices present a major barrier to the important goal of eliminating disparities and improving the well-being of many, especially our racial and ethnic minorities.

We must continue to seek ways to lower drug prices safely, and we must eliminate this and every other barrier that exists in this country to good health, but H.R. 2427 is not the way.

I urge my colleagues to vote no.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE) who knows opponents of this bill offer no alternative strategy for bringing down drug prices.

Mr. PALLONE. Mr. Speaker, I urge my colleagues, do not believe the FDA or the drug companies on this bill. They do not have any credibility.

If you think about it, the bill says that these products can be imported for FDA-approved drugs from FDA-approved facilities. We are already importing drug products from these types of facilities in these various countries that are mentioned in the bill. If the FDA had a problem with it, why are they not shutting down the facilities? They are not credible when they tell you there is a problem because they have the authority to shut them down if they are not safe or they think the product is causing a problem here in this country.

The drug companies, forget that. They have no credibility at all. They have told you to oppose reimportation. They told you to oppose any kind of Medicare benefit that has a negotiated price reduction. They told you to oppose Hatch-Waxman and any kind of generic drugs being used in some type of competition. They have no credibility. They are only concerned about price. They only want to make sure that their profits are secure.

That is all there is here, and I do not believe that we are going to get Hatch-Waxman reform. I do not believe that we are going to get even a Medicare benefit. This is the only alternative for the seniors to lower prices.

This is it. Vote for it. Do not vote against it. Do not leave those seniors hung out to dry.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 1 minute to the distinguished gentleman from Indiana (Mr. PENCE).

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

Mr. PENCE. Mr. Speaker, I rise in opposition to the reimportation bill, but I do so with the deepest respect and affection for the author of this bill whose character and tenacity I admire greatly.

America, without a doubt, has the greatest health care system in the history of the world. Some have spoken of riding buses to Canada to purchase prescription drugs. Well, they have, and I am sure they could wave at the many tens of thousands of Canadians that come on buses across our border to receive the elective treatment that takes 9 to 18 months in some cases in their system.

It has been asked today by my colleague from Michigan, why do drugs cost 40 percent more in Canada. Well, the answer is very simple. Because Canada, like Germany, like France, are socialist countries. I am sure pharmaceutical drugs would have been cheaper in the Soviet Union.

The truth is, reimportation of drugs is simply reimportation of price controls and socialism. Let us not import Canadian price controls and socialism. Let us export the free market health care principles that make our system the envy of the world.

Mr. GUTKNECHT. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Arizona (Mr. SHADEGG).

Mr. SHADEGG. Mr. Speaker, I rise in strong support of the Pharmaceutical Access Act against protectionism and in favor of a free market.

I want our pharmaceutical companies to be profitable. I particularly want them to have the funds they need to do the research and development they must do. I just do not want them to take that money from Americans and only Americans and to impose the burden of that R&D on our seniors only. It simply is not fair to impose the entire cost of the phenomenally expensive research and development on just America's seniors and to allow the rest of the world to profit from that.

Over and over again, we hear the issue is safety, safety, safety, and yet there are thousands of counterfeit drugs in the market today precisely because we do not have a free market, precisely because we do not allow reimportation. The minute you allow reimportation, a system similar to the Good Housekeeping Seal of Approval or the Underwriters Laboratory will arise and that system will advertise, If you buy our drug, we have inspected the plants where they came from; we have certified the shipping of that drug; and we certify it safe. Americans will buy those drugs and those drugs only.

Trust the market. End protectionism. Americans cannot afford to pay protectionist prices for our drugs any longer. Fix this market. Allow a free market to work.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 seconds to the gentlewoman from Ohio (Ms. KAPTUR) who knows that the breast cancer drug Tamoxifen is more expensive in our country than in Canada.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for his leadership on this important issue and rise in support of H.R. 2427.

I wish to say, last year, average drug prices in our country were 67 percent higher than in Canada and double that of Europe. The real issue is that pharmaceutical companies have been gouging the American public for far too long, and the leadership in this Congress has allowed them to do that.

This bill requires the FDA to do what it must to assure safety, but more than that, it finally blows the whistle on an industry that has been taking America's seniors to the cleaners. It is time their gig is up. Support H.R. 2427.

□ 0200

Mr. TAUZIN. Will the Speaker announce how much time remains.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Louisiana (Mr. TAUZIN) has 6 minutes remaining, the gentleman from Minnesota (Mr. GUTKNECHT) has 7¼ minutes remaining, the gentleman from Michigan (Mr. DINGELL) has 4 minutes remaining, and the gentleman from Ohio (Mr. BROWN) has 5½ minutes remaining.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from Texas (Mr. BURGESS).

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

Mr. BURGESS. Mr. Speaker, drug prices can be higher in some cases for consumers than in other industrialized countries because the governments of Canada, Mexico, and Europe hold down the costs through market intervention. In other industries we do not permit the imposition of foreign price controls on American businesses, and we should not in this case either. These price controls would stifle the development of new drugs, drugs like Avastin, a powerful and promising new anti-cancer drug that inhibits blood vessel growth in tumors, an entirely new approach to treating cancer. This drug took 20 years and millions of dollars to develop.

In my own medical practice, I have witnessed what might be politely called therapeutic misadventures resulting from drugs illegally imported from Mexico. Vote ''no'' on H.R. 2427 and let us work together on feasible solutions that will bring down the cost of prescription drugs in a constructive manner, not proposals like this that will put our constituents at risk.

Mr. GUTKNECHT. Mr. Speaker, I am happy to yield 1 minute to the gentlewoman from Louisville, Kentucky (Mrs. NORTHUP).

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

Mr. Speaker, despite the histrionics we have seen tonight, there is not one Member of Congress that would vote for a bill that would endanger the people in this country, not the seniors, not our children, and no one in between.

The false arguments, the scare tactics, the unrelated examples should not surprise anybody because we hear them every day, and these tactics have worked in the past. But Americans know the truth. Over 1 million have imported drugs every single year into this country safely. They buy drugs that are manufactured and regulated on how they are distributed the same way we regulate them in the United States. In fact, they are the same plants, and they are the same distribution systems.

Our unions and our businesses are telling us that drugs are costing them a fortune, and without relief our taxpayers are going to foot the bill for our seniors who are going to have to pay extraordinary prices for their drugs. Tonight is historic. We are going to, without the money, without the staff, and without the army of lobbyists take back the House and pass this bill to reduce the cost of drugs for our seniors.

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

Mr. TAUZIN. Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Speaker, I thank the gentleman from Louisiana for yielding me this time. Tonight is a very important debate for this country. It is important for us to understand that the drugs that get reimported in this country may not be known and understood exactly for what they are by the consumers of this country.

As a person who travels overseas, when I want to buy a shirt that might be on the street in Bangkok or in Shanghai, I know that that is probably a counterfeit. I buy that and purchase that shirt knowing that. But as a consumer in this country, going on the Internet, thinking I am buying something from Canada, it can be from somewhere else. It happens every day.

Let us not let this happen to consumers. Let us let them know what they are buying, where they are getting it from; and let us make sure we reduce the cost of prescription drugs in this country. We have a plan to do that. That plan is called a prescription drug plan that the Republican Party has had on this floor. Let us reduce the cost of prescription drugs but let us keep our seniors safe.

Mr. GUTKNECHT. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Speaker, I thank the gentleman for yielding me this time. I want to say as a supporter of the Gutknecht bill that this bill is about safety because it is unsafe not to take your medicine.

If you need Glucophage, if you need Lipitor, if you need Tamoxifen, you have to get it as inexpensively as you can or you are going to be skipping your groceries to do it.

What you can do is join millions of Americans and go to our biggest trade partner, Canada, and get it at 40 percent less than what we are paying now. And incidentally, in the next 10 years senior citizens alone will spend $1.8 trillion on prescription drugs.

What should we do about the people who are buying these drugs from Canada? Should we arrest them now? Or since it is so unsafe, why do we not just wait for them at the hospital and then arrest them?

The reality is that this right now is the domain of the border State constituents and the savvy Internet buyer. I want to support this bill so that the working people can have access at their local pharmacists to these low-cost prescription drugs. That is what this is about. Support the Gutknecht bill.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 seconds to the gentleman from Texas (Mr. GREEN), who knows that a drug you cannot afford is simply not a safe drug.

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Speaker, I rise in support of the Pharmaceutical Market Access Act, and I would not be here this morning supporting this reimportation bill if we had passed a real pharmaceutical prescription drug plan under Medicare that did not have a hole you could drive an M–1A tank through.

I have constituents who now go to Mexico and order pharmaceuticals through Canada on the Internet. I have bought pharmaceuticals in Mexico myself to use. They are safe. We need to make sure they are available for our constituents legally.

If we are not going to pass a real pharmaceutical prescription drug plan under Medicare, we need to at least pass this bill.

Mr. Speaker, I rise today in support of the Pharmaceuticals Market Access Act, and urge my colleagues to join me in voting for this important legislation.

For far too long, Americans have been paying a premium for prescription drugs. Our constituents are paying top dollar for their drugs, while citizens from other industrialized countries like Canada, France, Italy, Germany, and Great Britain are getting deeply discounted prescription drugs.

American consumers are charged, on average, 38 percent more than consumers in Canada, 31 percent more than citizens of Great Britain, 45 percent more than French consumers, and 48 percent more than Italian citizens. This is simply unacceptable.

Now I know that opponents of this bill will try to muddy the waters by raising the specter that reimportation is unsafe and unfair, but this is simply not true.

Manufacturers have been safely importing drugs into this country for years. In 2001 alone, they spent $14.7 billion bringing prescription drugs into the United States.

Additionally, H.R. 2427 specifically prohibits counterfeit drugs, drugs that have been tampered with, and expired drugs from entering the United States.

Under this bill, only FDA approved drugs would be allowed into the country. The only difference from U.S. manufactured drugs will be the more affordable price.

And don't be alarmed by cries that this will decrease research and development into new medicines. Pharmaceutical companies' after-tax profits—and after expenditures for R&D—averaged 17 percent from 1994 to 1998. This leaves plenty of money for R&D.

The bottom line is that opponents of this bill want to protect pharmaceutical industry profits.

I urge my colleagues to stand up a against these special interests, and for your constituents.

Mr. GUTKNECHT. Mr. Speaker, I am happy to yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

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

It has been a great debate tonight. I am not supporting this bill because I believe that it will lower drug prices substantially in the long term. I do not believe that it will. But what it will do is, as has been pointed out earlier tonight, it will force some of the other countries who have been freeloading off of us for far too long to pay some of the costs of R&D to develop these medicines for the future. That is important.

I want to also read this. From ''The Wealth of Nations,'' Adam Smith addressed this issue. He said: ''To narrow competition can only serve to enable the dealers, by raising their profits above what they naturally would be, to levy, for their own benefit, an absurd tax on the rest of their fellow citizens.''

The absurd tax has been paid by Americans for far too long. It ought to be shared by the rest of the world to pay for the cost of research and development.

Mr. TAUZIN. Mr. Speaker, I am pleased to yield 1 minute to the gentleman from California (Mr. GARY G. MILLER).

Mr. GARY G. MILLER of California. Mr. Speaker, I rise in opposition to this bill. The argument is we are dealing with reimportation, not drugs manufactured in Canada.

Ask yourself the question, why are there no major manufacturing facilities in Canada? The reason is they invest billions of dollars in these drugs to save our lives. Of every thousand they work on, seven hit the market place and one makes a profit. Now, ask yourself the question, Canada represents 1 percent of the marketplace. That is all they represent. Do you believe that U.S. manufacturers are going to ship enough drugs to Canada to sell them back at less prices in the United States to fill the volume that is needed in the largest market in the world?

When people get sick in Canada and they are seriously ill, they come to the United States. Why? Because we have the best health care and the best treatment forms in the world.

It is already legal to reimport if you can prove safety, but they cannot prove safety; and you know it. And they will have that same difficulty in the future. So do not believe there is some manufacturer in Canada who is just arbitrarily going to ship drugs here. Our companies do not meet the demand.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 seconds to the gentleman from Rhode Island (Mr. LANGEVIN) who knows that a Federal Government who says it can build a national missile defense can surely ensure the safety of imported drugs.

Mr. LANGEVIN. Mr. Speaker, I rise in strong support of H.R. 2427, the Pharmaceutical Market Access Act. We know that Americans pay 30 to 300 percent more for their medications than those in other industrialized nations. The United States has failed time and time again to assert our force in the pharmaceutical marketplace, and we should continue to pursue all available avenues to lower drug costs for our citizens.

Today, we have the opportunity to take action by passing H.R. 2427. This bill makes possible the reimportation of FDA-approved drugs from FDA-approved facilities. It includes new standards for safety messages in the packaging of drugs. It is the right thing to do for our seniors and we must act now.

Mr. Speaker, I rise in support of H.R. 2427, the Pharmaceutical Market Access Act. I am grateful that the House of Representatives has the opportunity to substitute existing reimportation language in the House-passed Medicare bill with a meaningful provision, one that could result in billions of dollars in savings to American seniors and bring balance back to the global marketplace for prescription drugs.

American taxpayers heavily subsidize the research that leads to life-saving medications, used worldwide. Despite that, citizens of this country pay 30 to 300 percent more than those in other industrialized countries. The reason for this disparity is that the government of every other industrialized nation works on behalf of it's citizens to control the cost of medication—through the use of bulk purchasing power, and other methods the United States has failed to adopt. The recently-passed Medicare bill failed to incorporate any meaningful cost control measures for the 54 million Medicare beneficiaries—in fact the legislation strictly forbade the U.S. government from negotiating for these seniors and discouraged reimportation. There are other steps the United States should be taking to lower costs, and we should continue to pursue the use of bulk purchasing power and speeding the approval process for generic drug entry to the market—but tonight, we have the opportunity to vote on market access.

Americans are suffering because of their government's failure to assert their force in the pharmaceutical market. Last month, I joined the Rhode Island Academy of Family Physicians in releasing a survey showing that a third of seniors in Rhode Island are relying on physician samples for their necessary medications and 20 percent are failing to take them as prescribed because of cost—skipping prescriptions to make them last longer and failing to refill them. There is absolutely no reason for this. Today, we have the opportunity to take action by passing H.R. 2427, which would level the playing field by allowing American pharmacists, wholesalers and individuals to legally and safely import the same drugs they are paying inflated prices for at home from other countries. The tangible result of this policy will be significant savings—savings that will be passed from pharmacists and wholesalers to American consumers.

It is ironic that the drug companies are telling us that importation cannot be done safely. For years now, drug manufacturers have safely and legally reimported drugs—$14.7 billion worth in 2001—and in certain circumstances, individuals have been able to purchase their own medications abroad. In the years of this legal reimportation—there have been zero reported deaths from Americans taking imported pharmaceuticals. However, thousands of Americans become ill or die from food-borne illnesses each year, yet no one suggests the banning of the importation of food. Instead, we work hard to regulate the importation of food, and we incorporate current technology to ensure the safety of the process. H.R. 2427 includes new standards for safety measures in the packaging of drugs and limits importation to FDA-approved drugs from FDA-approved facilities. This can be done, and it can be done safely.

Earlier today we heard a number of Members on the floor talking about the benefits of free trade, as we debated the United States-Chile Free Trade Agreement. I am certain that these Members recognize drug companies can set drug prices at extraordinarily high prices in the United States, because current law protects them from competition. I hope that, in the spirit of consistency, these Members will support H.R. 2427, and allow the market forces to work in favor of American consumers when it comes to the purchase of life-saving medications.

We must not let the opportunity to lower the cost of prescription drugs for Americans pass us by. I urge all of my colleagues to vote in favor of H.R. 2427.

Mr. TAUZIN. Mr. Speaker, may I inquire once again as to the time allocations.

The SPEAKER pro tempore. The gentleman from Louisiana (Mr. TAUZIN) has 3 minutes remaining, the gentleman from Minnesota (Mr. GUTKNECHT) has 4¼ minutes remaining, the gentleman from Michigan (Mr. DINGELL) has 4 minutes remaining, and the gentleman from Ohio (Mr. BROWN) has 4 minutes remaining.

The order of closing will be the gentleman from Ohio (Mr. BROWN) will go first, the gentleman from Minnesota (Mr. GUTKNECHT) will go second, the gentleman from Michigan (Mr. DINGELL) will go third, and the gentleman from Louisiana (Mr. TAUZIN) goes last.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. STRICKLAND) who knows this debate is not about safety, but about drug industry profits.

Mr. STRICKLAND. Mr. Speaker, this is an interesting debate because it is not primarily between Democrats and Republicans; it is between the people and the pharmaceutical companies.

The gentleman from Louisiana (Mr. TAUZIN), the distinguished chair of my committee, says he is concerned about safety, that if we pass this bill people may die. I contend that people are dying every day in this country. People are dying because they are not getting the medicines they need because they cannot afford the medicines they need.

Does the gentleman believe if we pass this bill others may die? I believe if we do not pass this bill there will be many Americans who will die as a result of our inaction.

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

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Mr. Speaker, night after night my Democratic colleagues come to this floor to characterize the Republican Party as being the party controlled by monied special interests. Well, this evening, my fellow Democrats, is a moment of truth for the Democratic Party and what we stand for and who we stand for and who we stand with: the people or the big drug corporations.

Seniors in my district are splitting their pills to make their prescriptions last. And if a big PhRMA splits our party over the issue of lowering drug prices, it is a prescription for disaster for the Democratic Party. It is time we stood up and showed America who we really are, with the people or with the corporations.

Mr. GUTKNECHT. Mr. Speaker, I yield 1 minute to the gentleman from Arizona (Mr. HAYWORTH).

□ 0215

Mr. HAYWORTH. Mr. Speaker, I thank my friend from Minnesota for

yielding me this time, and I thank my friends across this Chamber for the warm reception.

Mr. Speaker, when a prescription is written by a physician, there is not an inquiry as to partisan affiliation or political persuasion. A decision is made that a medicine is needed. The question tonight in this House is how best can that delivery be achieved. Economic conditions are the overwhelming criteria upon which this must be decided.

My friend from Arizona spoke earlier, and he was quite right. An unfair tax has been levied on Americans. We have borne the costs that should be shared with others. Oh, yes, and we already subsidize many of those costs and we also have a research and development tax credit that exists currently in the Tax Code.

Vote ''yes'' on the Gutknecht legislation. Let us seek a rational solution.

Mr. DINGELL. Mr. Speaker, I yield 1 minute to the distinguished gentleman from North Carolina (Mr. PRICE).

Mr. PRICE of North Carolina. Mr. Speaker, H.R. 2427 is both a diversion and a danger. It is a diversion from the prescription drug coverage we should be providing.

What have we done instead? We have instead passed a Republican Medicare bill which actually denies the Secretary of HHS the ability to negotiate volume discounts. So much for my colleague's elephant in the room.

And it is a danger. This bill is a danger. It would allow distributors to import drugs that have been sold, stored and transported outside the FDA's closed regulatory system. Massive and haphazard reimportation is the wrong prescription for a very real problem, the lack of drug coverage under Medicare available to all beneficiaries.

I urge colleagues not to be diverted, to vote against the inferior and dangerous solution which H.R. 2427 represents.

Mr. TAUZIN. Mr. Speaker, I am honored to yield 1 minute to the distinguished gentleman from California (Mr. DREIER), chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, yesterday afternoon, earlier this legislative day, we made history by passing two very important measures which are designed to eliminate tariff barriers in our relationship with both Singapore and Chile. And now we have people who have injected the issue of free trade in this debate.

Mr. Speaker, the fact of the matter is, as we look at this challenge, what it is that we are dealing with is government subsidization, government cost controls and mandatory licensing, which is antithetical to the entire concept of the free flow of goods and services and ideas. Vote against this measure.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 seconds to the gentleman from New York (Mr. NADLER) who knows that if you want to talk safety, we should talk about Americans having to split their pills to afford to pay for their expensive medicines.

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

Mr. NADLER. Mr. Speaker, for 30 years the pharmaceutical companies have opposed proposals for the government to help senior citizens buy their products. Why? Because they are afraid that the government, as a bulk purchaser, would exercise market power to do what a bulk purchaser in a free market society should do, use bulk market power to get lower prices. And they tell us that lower prices will mean they could not do research and development when they spend 33 percent of their revenues on marketing and 14 percent on research and developing.

That is why the Republican bill we debated a few weeks ago prohibits the government from negotiating prices. This bill is a substitute for that, not a good substitute, but the best we are likely to get. It will help the seniors buy their drugs and we ought to pass it.

Mr. BROWN of Ohio. Mr. Speaker, I yield 30 seconds to the gentlewoman from Texas (Ms. JACKSON-LEE) who knows the drug industry's pricing policies put the health of American patients at risk every day.

Ms. JACKSON-LEE of Texas. I thank the distinguished gentleman for yielding me this time.

Mr. Speaker, tonight's vote is a vote of the heart and a vote of one's conscience. This weekend, many of us spent time with our senior citizens, and I am glad that we are talking now not about Democratic and Republican politics but about saving lives.

I grappled with this whole question of pharmaceuticals and senior citizens, but when I got this letter from Ms. Davis and said, ''My pressure pill is too high, the rest of my medicine is too high, I cannot afford no medicine; my doctor gives me samples, I cannot afford the regular medicine,'' I had to stand with these senior citizens who need our help.

We have got to vote for this bill so we can save lives in America.

Mr. Speaker, I must say that this is one of the toughest votes I have made in my tenure in Congress. We have an epidemic upon us in America today. It is not an epidemic caused by a virus or a bacterium. Instead, it is the epidemic of Americans who have no access to affordable healthcare.

One of the fastest growing segments of our nation's healthcare budget is the cost of prescription drugs. I had a town hall meeting last week, so that I could hear the seniors in my district talk about their prescription drug costs, and what they want me to do about it. The conversation turned to the question of why Americans pay 2 to 10 times more than Canadians, for the exact same prescription drugs. It was then that I realized the truth: that those seniors, 70, 80, one over 90 years old—many living on about $12,000 per year that they receive from Social Security—are buying drugs for rich Canadians. Every Canadian or German or Brit, no matter of their income gets a giant discount on their drugs, because the elderly in our Districts here in the U.S. are paying on average about 60 percent too much for their drugs. They are having to choose between eating and taking their medications on a regular basis, and they are subsidizing the costs of people around the world with much more.

That is outrageous.

I and my fellow Democrats have been fighting to ensure that more Americans have access to affordable medications, and I believe that the drug industry wants more people to be able to buy their medications. Surely we should be perfect collaborators. Furthermore, the drug industry has made tremendous advances in their labs, that have lengthened and improved the lives of millions of people around the world. That is why I have been trying to work with our nation's drug companies to find common ground, to seek compromise that helps people get the drugs they need, and enables our companies to get the profits and recognition they deserve. On several occasions they have stepped up to the plate—with patient assistance programs giving free drugs to the working poor, and discount cards, like Together Rx, that give discounts to low-income seniors. They have also donated drugs to those suffering in Africa and other developing nations. I commend the drug industry for their good works.

I was hoping to build on those modest steps, and continue to make progress toward increasing access to state-of-the-art prescription drugs, by partnering with the good people in the industry—and I do believe there are good people in PhRMA. But the Republican leadership put an end to that, and turned this into a political war. I and my fellow Democrats fought to give the Secretary of HHS the ability to negotiated with the drug industry on behalf of our 40 million seniors on Medicare, to lower their drug costs. Such negotiations would have brought about prices lower than we pay now, but probably not quite as dramatic a decrease in PhRMA profits as H.R. 2427 will bring about. The Republican leadership denied us that common sense provision, so a door was closed.

As H.R. 2427 was coming to the floor, there were some of us who felt that there could be compromise legislation, that would increase safety, and would perhaps lessen the impact on our drug industry, and their workers, and their investors. But we knew, as usual, that there would be no chance for such smart improvements, and as we see today the Rules Committee has sent this bill to the Floor with yet another Closed Rule. Again a door was closed.

In 2006, a Medicare Prescription Drug benefit will probably kick in. If it looks like anything that came out of the House or Senate last week, that benefit will leave many of our seniors far worse off than they are today. According to Republican estimates, a senior paying $5000 per year will only get 20% of their costs covered by their insurance plan. But by 2006, drug costs will have risen more than 20%, and also the discount card programs that the industry has put forth, will end as seniors get a drug benefit.

So, I don't see many options here. I do not like the idea that under this legislation, we will

be shipping American drugs overseas, paying foreign middlemen to handle them, then ship them back to us, all in an effort to get a better price out of companies in our own backyards. There should have been a better way; but I do not see it today.

Today the problem of access is out of hand; it is about life and death. Every one of us has an elderly friend or relative, who has suffered a catastrophic blow to their health and watched the emotional, physical, and financial struggle that that can cause. We have people in the richest nation in the world choosing amongst eating, or paying rent, or buying their medications. Losing any one of the three can be deadly. I cannot help perpetuate this nightmare. I will support this bill.

The one issue that might have caused me to rethink my vote is that of safety. If I really believed the hype—that this bill would lead to a deluge of dirty drugs from Canada, or Switzerland, or Japan, or wherever—I would have voted against it. But I do not. We have the technology and the creativity to make this venture safe. And the bill before us does not strip the FDA of its powers to search for potential sources of counterfeits, or damaged, or outdated products, and stop their influx into this country. Those abilities are specifically protected in the bill.

This is a bill whose time has come, and I believe that it will save lives. My one regret is that it may cause some temporary hardship to some excellent companies. But I am confident that they will survive. They are creative and industrious, and I hope that they will work harder to increase their profits overseas.

I also want to work with the industry to create provisions that will improve the Medicare Prescription Drug Bill in a way that will increase access to fairly priced drugs to ensure fair profits for producers, and protect the health of consumers. It is possible, but the leadership will need to put lives before politics.

Again, it is an idea whose time has come.

Mr. BROWN of Ohio. Mr. Speaker, I yield the balance of my time to the gentleman from Illinois (Mr. EMANUEL) who knows the same Federal Government that put a man on the Moon certainly can ensure the safety of prescription drugs.

The SPEAKER pro tempore (Mr. LAHOOD). The gentleman from Illinois is recognized for 2 minutes.

Mr. EMANUEL. Mr. Speaker, people from around the world come to America for their medical care. Yet Americans travel around the world for affordable medications. Between 2000 and 2003, seniors' expenditures on prescription drugs increased 44 percent.

The legislation we are debating today is about inserting competition and the free market into the pricing of medication to ensure that Americans no longer have to pay a 25 to 40 percent premium over the prices paid in other countries.

For too long, our constituents have subsidized the starving French, Germans, Italians and Canadians. Americans have also subsidized the research and development for pharmaceutical companies through the NIH funding and through the R&D tax credit. We are about to embark on the largest expansion of entitlement in over 40 years and spend $400 billion of the taxpayers' money. We owe it to the American taxpayer to ensure that they are getting the best price for their money, not the most expensive price.

I want to address and speak to the myth of safety concerns. Last year, Americans imported $14.8 billion worth of medications from around the world. Lipitor is a cholesterol drug that is on every pharmaceutical counter. It is made in Ireland, but we import it. If it is unsafe, get it off the counter and get those ads off the television, because we import Lipitor from Ireland.

Folks, when somebody tells you it ain't about money, it is about money, and that is what this debate is about. I know how this system works like everybody else here. There is a pharmaceutical lobbyist and a half for every Member of Congress. They have spent over $100 million in contributions, entertainment, lobbying expenses, all focused on us. But meanwhile our seniors are being overcharged approximately $100 billion.

The question before us tonight is, are we going to put more priority on the $100 million focused on us or the $100 billion that our constituents are overcharged?

I know why we all came here. We ran for a set of ideas, a set of values and a set of principles. They may be different, but we share a common set of values. Whether you believe in competition in the free market, protecting our taxpayers or ensuring affordable prices, tonight the vote is about the special interests versus the American people. I ask you to support our constituents.

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

The SPEAKER pro tempore. The gentleman from Minnesota is recognized for 3¼ minutes.

Mr. GUTKNECHT. Mr. Speaker, first of all, let me say thank you to the gentlewoman from Missouri (Mrs. EMERSON), because we would not be having this historic debate tonight without her courage, and I want to thank her.

Mr. Speaker, I have been down on this floor many, many times with my charts, talking about this issue. I have had charts and plenty of statistics, but the saddest statistic of all that I have come across is this from the Kaiser Foundation. Twenty-nine percent of seniors say that they have had prescriptions that went unfilled because they could not afford them. Shame on us.

I was at a community pharmacists meeting a few months ago. There were 300 community pharmacists there. I asked them this question: Has this ever happened to you where someone comes into your store with a prescription, they hand you the prescription, you tell them how much it is going to be and their head drops, their voice drops, and they say, Well, maybe I'll be back tomorrow. And they never come back. Shame on us.

We have heard about safety. We have heard about intellectual property rights. No one wants unsafe drugs or to steal patents. We have heard about price controls and aren't we simply importing them. But the plain truth is today, Americans are subsidizing them.

This bill is not perfect, but it is not complicated, either. We simply take away the FDA's power to defy the will of this the people's House and in its place we put counterfeit-proof, tamper-proof packaging.

I will not question any Member's motives, but others will. If you are going to vote against this bill tonight, you had better go back to your office and write a letter to your constituents explaining exactly why, because you will be asked. Maybe it will be at a town hall or a candidates forum, or maybe in your opponent's ads next year, but you will be asked. Someone is going to hold up a package of pills and they are going to ask this: Why is it that Americans have to spend $360 for this drug, this lifesaving drug, when Germans can buy it for $60? And then they are going to ask the even tougher question: Congressman, what did you do about it?

Tonight we can send a very simple but clear message. The status quo is unacceptable, and we will not stand idly by and allow Americans to be forced to pay the world's highest prices for prescription drugs.

Members, all I ask is vote your conscience. Millions of proud Americans are counting on us.

Mr. DINGELL. Mr. Speaker, I yield the balance of my time to the distinguished gentlewoman from Colorado (Ms. DEGETTE).

The SPEAKER pro tempore. The gentlewoman from Colorado is recognized for 3 minutes.

Ms. DEGETTE. Mr. Speaker, this legislation will harm patients. It will harm the children, and it will harm the elderly. It lacks the necessary guarantees of safety and we should not subject the American people to it.

Permitting reimportation would significantly increase the risk that counterfeit, misbranded and adulterated drugs would show up in U.S. pharmacies and American homes. Every one of us here tonight is concerned about the high cost of prescription drugs, but we should not and must not substitute the hope of lower prescription drug prices for the fundamental safety of the drugs that we are providing to our citizens. We have a duty to protect the people of this Nation.

Every expert agrees, this bill will not help Americans. The Food and Drug Administration, along with the U.S. Customs Service, currently cannot enforce the existing laws. Counterfeit drugs are pouring across our borders. I used to think I supported this legislation, and then the Subcommittee on Oversight and Investigations had hearings. This chart is just one example of counterfeit Viagra that was received in the Miami office. There are tons of counterfeit drugs coming into this country right now.

Proponents of the bill say that the quality of the drugs will be protected.

I have not heard one Member on either side of the aisle say how that will happen, when you have drugs that are coming in from all parts of the world. This is counterfeit Voltaren. It is a pill that is used to relieve pain, tenderness, inflammation and stiffness caused by arthritis.

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Every one of these pills is marked with the manufacturer. It looks real. There is no active ingredient in these pills. I challenge anybody who just thinks that we will be safe to come get on a plane to Miami and see the counterfeit drugs that are coming into this country.

The gentleman from Arkansas (Mr. BERRY) said the country will be flooded with cheap prescription drugs. That may happen under this bill, but we cannot guarantee that any of those cheaper prescription drugs will have any active ingredients in them. The gentleman from Pennsylvania (Mr. HOEKSTRA) asked why the Canadian drugs are 40 percent cheaper. I have a different answer than the gentleman from Indiana (Mr. PENCE) had. I think they are cheaper because Canadian law allows the government to negotiate with pharmacies for lower prices. And that is what we should do too in this country. We should not go in a roundabout way letting these counterfeit drugs come in, putting our citizens at risk simply because we want lower prices.

Here is the bottom line. We were elected to preserve the health and safety of the people we represent, over 600,000 each. Let us not sacrifice that fundamental right for a convoluted bill that is not even guaranteed to do what it is supposed to do. Vote ''no'' on this ill-conceived legislation.

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

Current law allows importation. Current law contains 10 provisions to protect the safety of drug supplies in this country, 10 provisions protecting the safety of those drugs that are imported into this country. This bill that the Members are asked to vote on tonight strikes all 10 of those safety provisions, all 10.

I am going to show the Members tonight what we get if we pass this bill. What we are looking at now is a Web site of a Canadian prescription center where one can order prescriptions from Canada right now which would be legalized under this bill, illegal under current law because the FDA cannot verify the safety of drugs obtained on this Web site.

The FDA obtained some drugs on this Web site to just see what they could get. I want to show the Members what they got. What they got was this drug. This is a drug called Gabapentin. It is used as an antiseizure measure. It is to prevent seizures for people who have all kinds of seizures with all kinds of diseases. Do the Members know where it was made? It was made in India, not in Canada; and it came to an American over that Canadian Web site. And do the Members know what is in it? Nothing. It is water inside this package. And the folks who buy it in America at these cheap prices we are told they are going to get it for nothing except fake drugs.

Here is another set of drugs to look at. This is one is called Serostim. It is used by HIV/AIDS patients to prevent wasting. This is the authentic one; this is the fake one. The fake one contains nothing but pond water. Imagine giving that to an HIV/AIDS patient. Is the price, half price, quarter price worth it to take a drug like that?

I want to ask the Members something before we end this debate, and I have the greatest respect for those who bring this issue to the floor because I hate the fact that Canada and other countries take advantage of our patients in America, and we have to end those trade imbalances. We have to fight them. We do. We do. But I want to ask one question. If the Members vote to say that safety does not count and Americans increasingly buy these drugs full of nothing but pond water and diluted and old and rotten drugs, are they going to have to face the mother and father the way we faced them this week who said, Why is my son dead, because you did not put FDA regulations into place?

Vote down this bill. It is dangerous for every American. It needs to be defeated.

Mr. HOLT. Mr. Speaker, I am sad to say that for the second time during this Congress, the House has considered legislation offering a false promise to help for seniors struggling to pay for prescription medications.

Last month, the House passed a bill that purported to offer Medicare prescription drug coverage. I have long supported providing seniors with a reliable, comprehensive, and affordable drug benefit under Medicare. I could not in good conscience vote for the bill passed by the House, however, because it would provide only a meager benefit while quite possibly leading to the death of the traditional Medicare program that has served seniors in my district so well.

Congress has an obligation to help Americans who cannot afford the prescription drugs they need. Seniors need and deserve a voluntary, universal, prescription drug benefit under Medicare that can help lower prices using the collective buying power of the Medicare population. But making it easier to bring counterfeit, substandard medicines into the United States is not the way to help seniors get the drugs they need. H.R. 2427 poses a very serious danger—exposing American consumers to unsafe counterfeit drugs.

The evidence of this is well documented. The Food and Drug Administration, which has for nearly a century been responsible for certifying the safety and efficacy of medications sold in the United States, opposes reimportation. According to FDA Commissioner Mark McClellan, ''At a time when FDA faces more challenges than ever in keeping America's supply of prescription drugs safe and secure, H.R. 2427 would create new drug safety problems. H.R. 2427 creates a wide channel for large volumes of unapproved drugs and other products to enter the United States that are potentially injurious to public health and pose a threat to the security of our Nation's drug supply. The bill would do so by taking unprecedented steps that limit FDA's authority to assure the safety of prescription drug products to be used by U.S. consumers.

These sentiments are shared by eight former FDA Commissioners as well as current and former HHS Secretaries Tommy Thompson and Donna Shalala, who both refused to certify the safety of reimportation. The Nation's largest association of physicians, the AMA, also opposes this dangerous policy.

The dangers of reimportation were brought to life recently, when 19 people in Florida were arrested in charges of selling ''adultered'' drugs, including fake Lipitor pills imported illegally from England. We were lucky in this case. Sometimes the dangers of counterfeit imported pills don't become apparent until it's too late.

Mr. Speaker, I cannot vote to jeopardize the safety of our supply of medications. The United States is the envy of the world because its medicines are the safest. Opening our borders to the peril of counterfeit drugs is simply a foolish way to increase accessibility. We need a Medicare prescription drug benefit—not a flood of dangerous counterfeits. Do we really want to open our borders to let in drugs from other countries when the worldwide rate of counterfeit drugs is 8 percent.

I urge my colleagues to protect the safety of U.S. consumers and vote no on H.R. 2427.

Mr. UDALL. of Colorado. Mr. Speaker, I cannot support the reimportation bill because it will create a flood of unsafe, counterfeit or ineffective drug products that will end up in the medicine cabinets of millions of Americans, and I do not think it will result in the cost savings that supporters are hoping for.

First and foremost, this issue is about patient safety. I agree with the Food and Drug Administration, the American Medical Association and many physician and patient organizations who say that allowing wholesalers and pharmacists to reimport drugs from foreign countries will pose serious public health concerns for our country. There are no safety provisions in this bill that will assure Americans that the drugs they are taking are safe and effective. And the bill does not provide any resources to the FDA, Customs, or other Federal agencies to test, inspect and certify that drugs coming into our country from around the world are safe.

In addition to the safety issues involved, I do not think this bill will lower the cost of drugs in the U.S. Recently, the non-partisan Congressional Budget Office released a report saying that reimportation legislation ''would not produce substantial savings to the Federal government.'' Furthermore, some regulations in the bill will result in higher prices for pharmaceuticals. If our aim is to make drugs more affordable for seniors, Congress should pass a fair and affordable Medicare drug benefit bill.

Pharmaceuticals play a critical role in our health care delivery system. As such, I want to support initiatives that spark research and innovation in the pharmaceutical industry and that increase accessibility to prescriptions drugs. These should not be mutually exclusive goals. Ultimately, I cannot support legislation that will endanger the health of millions of Americans who rely on medications to treat a condition or an illness.

Mr. DAVIS of Illinois. Mr. Speaker, I rise today in strong support of H.R. 2427, the Pharmaceutical Market Access Act of 2003. Those who are debating this bill can be divided into just two separate groups: those who support making pharmaceuticals more affordable to Americans, and those who are swayed by the pharmaceutical industry's attempts to maintain astronomical profit margins. I proudly stand with the first group.

You cannot deny the skyrocketing prescription drug costs in this country. The price of the top 50 drugs used by American seniors rose at three and a half times the rate of inflation in 2002. At community clinics, physicians prescribing common antibiotics find that their patients cannot afford them. Americans with diabetes, high blood pressure, and other manageable diseases go without life-preserving medications. Meanwhile, those in other countries pay as little as one tenth what Americans pay for the exact same pharmaceuticals. In Canada, the country's national health care system allows them to negotiate prices with drug companies, substantially reducing costs for Canadians. In their quest for profit, those drug companies raise prices in the U.S. to compensate for lost profits in Canada.

Contrary to our opponents' claims, H.R. 2427 has built-in provisions to ensure the safety of reimported drugs. The new technologies developed to ensure the safety of reimported drugs will also safeguard domestic pharmaceuticals against counterfeiting. Our opponents claim that the FDA fails to adequately monitor the safety of drugs already being imported into the U.S. The answer is not to deny Americans the right to reimported pharmaceuticals, but to hold the FDA accountable for its failures and demand improvement.

Our opponents claim that H.R. 2427 would hurt low-income Americans, in attempts to win more support for their position. In fact, this bill would only provide poor Americans with more access to the medicines they need through cost reductions.

Mr. Speaker, as health care costs rise out of control, we must take every step possible to improve health care for the 41 million uninsured and countless underinsured Americans. I urge you to join me in support of H.R. 2427. Do now allow our opponents, influenced by the pharmaceutical industry, to deny safe, affordable prescription drugs to Americans.

Mr. KIND. Mr. Speaker, I rise today in support of the Pharmaceutical Market Access Act (H.R. 2427). Every day, seniors in western Wisconsin face the escalating cost of prescription drugs. A recent Families USA study found that the prices of the 50 drugs most commonly used by seniors increased by an average of three and a half times the rate of inflation over the past year. And between 2000 and 2003, seniors' expenditures on prescription drugs increased by 44 percent.

One solution for many Wisconsin residents is to drive to Canada where they can purchase prescription medication at a substantial savings compared to a drug store in the United States. On average, American consumes in 2002 were charged 38 percent more than consumers in Canada. A 38 percent savings is sizable amount of money to an individual on a fix income. H.R. 2427 would help all seniors realize this savings.

The legislation we are debating today is about inserting competition into drug pricing, to ensure that Americans no longer have to pay a 25- to 40-percent premium over the prices paid in other countries. As we embark on the largest entitlement expansion in recent history, $400 billion, we must ensure that we get the best price for prescription medicines. We owe it to our taxpayers to ensure that they are getting the best bang for their buck.

The legislation before us would lower prescription drug costs for all American consumers by allowing the importation of drugs with appropriate safeguards. This legislation mandates that the Food and Drug Administration approve drugs and manufacturing facilities before reimportation. In addition, imported drugs must be packaged and shipped using approved counterfeit-resistant technologies. The truth is, more people in Wisconsin have become sick from imported strawberries than from imported prescription drugs. Today, the FDA only imports roughly 1 percent of imported food. Surely we can do a better job of ensuring the safety of imported drugs.

As I travel around my district in western Wisconsin I consistently hear about the high cost of prescription medicines, not only from my seniors but also from businesses and average citizens. The Pharmaceutical Market Access Act is a significant step in the right direction to bring prescription drug costs down and ensure that all Americans have better access to affordable medicines. I urge my colleagues to support H.R. 2327.

Mr. SIMMONS. Mr. Speaker, I rise in opposition to H.R. 2427, Prescription Drug Reimportation legislation. My fear is that this bill will result in a flood of fake foreign pharmaceuticals into our country.

Immediately following 9/11/01, Congress came together in a bipartisan fashion and moved quickly and swiftly to protect our borders, protect our airports, protect our drinking water, our food supply.

Yet the reimportation bill before Congress today would allow the import of unregulated prescription drugs through our borders.

That's why so many groups oppose H.R. 2427. This bill, although well-intentioned, jeopardizes the safety of consumers who use prescription drugs.

Among the opponents to the bill is the Food and Drug Administration. In a letter to Congress, the FDA stated that H.R. 2427 ''would erode the ability of the FDA to fulfill its challenging mission of ensuring the safety and efficacy of the U.S. drug supply.'' The FDA goes on to state it, ''simply cannot support legislation that exposes Americans to greater potential risk of harm from unsafe or ineffective drugs.''

The American Medical Association, who also opposes the bill, stated in a recent letter, ''We believe that H.R. 2427 would be so dangerous to patient safety that we must oppose it.''

From my home state, the Connecticut Medical Society says, ''While we support broader availability of prescription drugs at the lowest price possible, quality must be assured. For the safety of our patients in Connecticut, we respectfully urge you to reject H.R. 2427.''

Our Nation's pharmacists also oppose the measure. The National Community Pharmacists Association says it ''is strongly opposed to any legislation that legalizes and/or encourages the importation of prescription drugs by individuals.''

Mr. Chairman, I believe in listening to the experts. And it's clear that the experts all oppose this unsafe policy.

Instead of supporting a risky reimportation bill, Congress must work harder to bring a cost-effective prescription drug bill to our citizens. American citizens deserve access to safe, effective American drugs.

I urge my colleagues to join me in voting against H.R. 2427.

Ms. KILPATRICK. Mr. Speaker, I rise in support of H.R. 2427, the Pharmaceutical Market Access Act of 2003, sponsored by Representatives GUTKNECKT and EMERSON. I appreciate their hard work and efforts to bring this bill up for debate in this chamber. They have faced considerable obstacles in trying to get this bill considered by this chamber. They are to be commended for their success in having H.R. 2427 debated tonight.

Opponents of this bill suggest that patients whom we intend to help with the passage of this bill will actually be harmed. They charge that they will be vulnerable to purchasing unsafe prescription drugs and that we are encouraging patients to purchase lower-cost drugs from countries that have less stringent regulatory regimes. Opponents are also concerned that the bill repeals language that requires the Secretary of Health and Human Services to certify that reimportation of prescription drugs is safe before any reimportation occurs. There are more objections to the legislation, but I have mentioned the major arguments advocated by the bill's opponents.

Not too long ago a pharmacist from Michigan visited with my Washington staff. He told my staff how seniors would leave his pharmacy in tears because they did not have the resources to purchase their medicine. This is an important issue to seniors. It is an important issue to all Americans because the high cost of prescription drugs is driving many families to dilute prescribed dosages in order to stretch out their prescription orders to make them last longer. If pharmacists were able to purchase drugs, lower costs would be passed on to our seniors and families who are struggling with the high cost of health care.

This is the only opportunity that this Congress will have to vote on legislation dealing with the cost of prescription drugs. I am using this opportunity to support lower drug prices for many Americans. This bill puts people before profits. It puts affordable health care for Americans ahead of profit margins for the pharmaceutical industry. It is time to send the industry and the Administration a message: Americans want affordable drug prices. Support this bill and put people ahead of the profit margins of the pharmaceutical industry.

Mr. EVANS. Mr. Speaker, everyone knows American seniors are facing staggering prescription drug costs. Currently, safe and cheaper drugs lie across our northern border in Canada. Seniors do not have to go far to see how much less the rest of the world pays for the same FDA-approved drugs sold many times higher in our country.

The issue of the safety is a non-issue. Seniors in Illinois know that the pharmaceutical industry is fighting one of the biggest and most expensive fights to keep the United States in this protectionist state, not because drugs from FDA-approved facilities in other industrialized countries are unsafe, but because this measure forces drug companies here to lower their hugely inflated prices.

With the implementation of affordable, anti-counterfeit technology, we will know that drugs that come into this country are indeed safe,

reliable, and tamper-free. There is a counterfeit technology currently being used by the drug industry in the EU. This is a similar technology used on billions of pieces of currency around the world which is a testament to its effectiveness and true affordability. There is no evidence to believe that the importation of prescription drugs will increase Americans' risk of receiving tainted drugs.

It is ironic, Mr. Speaker, that the discussion of drug re-importation comes hours after debate on two free trade bills. While we have debated and passed today two bills that do not meet these standards, many of my colleagues are not willing to engage in the trade of FDA-approved drugs from industrialized nations that do indeed meet these standards. Many of these countries already have free trade agreements with the U.S. and the most important factor is that this reimportation will benefit Americans greatly through reduced pharmaceutical prices; not taking away a single American job.

H.R. 2427 will make sure that Americans have access to fair prices by forcing the drug industry to play by the same rule as every other business. My colleagues continually come to this floor to speak on behalf of ''free markets'' and this is one opportunity to demonstrate whether they support an industry hiding behind protective trade barriers or one providing a needed good at a competitive price. I urge my colleagues to do the right thing for America's seniors and support this legislation.

Ms. SCHAKOWSKY. Mr. Speaker, I rise tonight in support of H.R. 2427, the Pharmaceutical Access Act.

Over 13 million senior citizens on Medicare and 42 million uninsured Americans have no access to prescription drug coverage. Millions of others have skimpy coverage that runs out quickly, leaving them to face months of bills that they must scramble to find the money to pay. The excessive price of prescription drugs creates financial crises for those who struggle to pay exorbitant bills and health crises for those who are forced to go without needed medications, to share drugs with family members, or to take half doses in an attempt to make their prescription last a little longer.

I wish that we were on the floor tonight debating legislation to force U.S. drug manufacturers to charge reasonable prices for their products, products that are developed and tested with significant amounts of U.S. taxpayer dollars. It is shameful that we—alone among the industrialized world—have left the pharmaceutical industry free to price gouge our constituents. We should be here tonight debating measures to ensure that health care consumers can go to their local pharmacy and get the drugs that they need at a price that they can afford. We should be passing legislation to make sure that American consumers here at home are not charged many times more than their neighbors in Canada for the same drugs.

Unfortunately, the drug companies have used their financial clout to prevent those debates. Last year, drug companies spent over $91 million to lobby Congress. They hired 675 lobbyists—enough to provide each member of Congress with their own personal lobbyist with more to spare. They have spent millions of dollars on front groups to get their message out. Tragically for the American consumer, those investments have paid off. Last month, this body even passed a Medicare prescription drug bill that prohibits Medicare from using its power to negotiate for discounts or from interfering in any way to lower unconscionably high drug prices. Ironically, a number of my colleagues who support H.R. 2427 because it will give American consumers access to affordable drug prices established through negotiations by other governments, voted to prevent Medicare from using the same techniques.

Tonight, the drug industry is now working to shut down the only remaining avenue open to senior citizens and other health care consumers. Having stopped access to affordable drugs here in the United States, the drug companies are now trying to block access to affordable drugs from Canada and other countries.

Reimportation can and must be done safely. We all want to make sure that consumers get safe medications. H.R. 2427 provides access only to FDA-approved drugs manufactured in FDA-approved facilities. There are requirements that drugs must be packaged to prevent tampering. There is not a single documented death from imported drugs, and we have the means to maintain that record.

We all know that the reason the drug industry is pulling out all the stops to prevent passage of the Pharmaceutical Access Act is not their concern about safety, it is their concern about their profits. We could put every safety protection in a reimportation bill and the U.S. drug industry will still oppose it. They will oppose any bill that prevents U.S. consumers from being held hostage to their price-gouging practices.

If this body is unwilling to take on the drug industry here at home, the least that we can do is to ensure that U.S. consumers will have access to safe and affordable drugs through reimportation. We should pass H.R. 2427 but, in doing so, we should not be too quick to claim victory. We should not be proud of telling our constituents that they must rely on the actions of foreign governments to provide them with affordable medications. The real solution—the solution of which we could all be proud—would be if we were willing to join those governments in confronting the power and greed of the pharmaceutical industry.

Mr. LEVIN. Mr. Speaker, tonight I vote for H.R. 2427 with some reservations. I have put those reservations aside because this is not the final step in the process.

I would have much preferred if the Republican leadership had not blocked a vote on the Emerson ''Save Our Seniors Act'' and all other amendments. Unfortunately, the Republican leadership decided to block a vote on Emerson and all amendments in the hopes of shutting this effort down and saving the pharmaceutical industry's policy of charging Americans the highest drug prices in the world.

Our senior citizens are more likely to need prescription drugs and less likely to have insurance to cover them than any other group. As a result, many of them pay high prices or go without needed medication. That is wrong.

In recent years, many seniors in my district have tried to solve this problem by traveling to Canada, where drugmakers charge lower prices for the same medications. Some of them have been able to purchase medications, especially for chronic illnesses, at a thirty to 50 percent discount. I strongly support allowing them to continue doing this without interference from the Food and Drug Administration or the U.S. Customs department. I believe that Canada's system of regulating prescription medications sold at its pharmacies is safe and reliable for my constituents.

But bus trips to Canada should not be the answer to the serious problem facing our seniors. The real answer is a Medicare prescription drug benefit so that they can get the drugs they need here at home. I have cosponsored H.R. 1199, which would add a comprehensive prescription drug benefit to the Medicare seniors know and trust. If H.R. 1199 becomes law, the federal government will be able to negotiate lower prices for medications and help seniors afford to buy them.

Last month, the House instead passed a bill which uses an inadequate, unreliable drug insurance program for seniors as a decoy to distract people from the bill's real purpose—privatizing Medicare and turning it into a voucher program. I voted against that bad bill. That bill is now in a House-Senate conference, which is charged with combining it with a very different Senate bill. If H.R. 2427 passes the House tonight, it will become part of the discussion for that conference committee and increase the pressure for that committee to address the issue of affordable drugs, rather than focusing on privatizing Medicare.

I believe we must address the issue of real drug coverage for seniors and the issue of unreasonably high drug prices. The Republican leadership hoped to avoid that issue by only allowing a vote on the broadest possible approach. Tonight, I stand with my colleagues in refusing to play games, and I will vote for H.R. 2427 to keep this issue alive and force action.

Mr. STARK. Mr. Speaker, I rise in support of H.R. 2427, the Pharmaceutical Market Access Act.

This bipartisan legislation overcomes the stranglehold that the drug lobby has on Congress and provides a means of providing safe, affordable medication to all our citizens. It allows for the importation from Canada and Western European countries of Federal Drug Administration (FDA)-approved prescription drugs that sell at prices significantly below those charged for the same medications in the United States.

Last year, average drug prices in the United States were approximately 67 percent higher than those in Canada and about twice those in Italy and France. Yes, for the same drugs! As a result of these high prices, many Americans are denied the medical treatment they require. They just cannot afford to pay for the drugs they need for their health. This bill takes a commonsense approach to address this problem; it provides Americans ready access to these same lower cost drugs from other countries.

The opponents of this bill—most notably the administration, Republican House leaders and the powerful drug lobby—contend that the passage of this legislation would compromise the safety of prescription drugs in this country. Let's examine the validity of this contention:

There is no validity to opponents' claims that this legislation would open our markets to counterfeit drugs. The legislation not only requires that these imported drugs meet current Federal drug regulations, but it strengthens these standards by requiring all prescription drugs sold in the country to use high security, counterfeit-resistant packaging. (A technology already being used throughout the European Union). Furthermore, the legislation only allows the importation of FDA-approved drugs manufactured in FDA-approved facilities.

Opponents falsely claim that state this legislation would allow individuals to access drugs

without prescriptions. The regulations currently in effect controlling the accessibility of prescription drugs are not changed at all by this legislation.

Despite protests from those who oppose this bill, the fact is that drug manufacturers safely import an estimated $14.7 billion worth of FDA-approved drugs into this country today. It is also estimated that more than a million Americans already purchase their medications from outside the American market—for example, by taking trips into Canada or by making an Internet purchase—without any evidence of adverse effects.

Thus, it appears that the safety argument is just a red herring. A bogus argument to defeat this legislation and continue the practice of providing Americans with ready access solely to drugs offered at inflated prices that feed the insatiable profit-hungry appetite of the pharmaceutical industry and corporate investors. It is time to put an end to this practice.

The goal of this bill is simple. It will allow American consumers the right to purchase needed medication at a lower price. I urge my colleagues to support the passage of the Pharmaceutical Market Access Act.

Mr. BLUMENAUER. Mr. Speaker, I am glad that the House has finally decided to confront what can only be described as a national embarrassment. Today we must take steps to prevent our low-income seniors from paying the highest prescription drug prices in the world.

Reimportation is a valid approach. While it may slice drug profits, it costs taxpayers nothing.

If we do not act to protect seniors from skyrocketing drug prices, I worry that it is because we are choosing to protect drug companies from competition on the world market. This competition with willing sellers of FDA approved drugs from abroad will ensure that our seniors get the lower prices that citizens in other countries enjoy.

Opponents of this common sense solution warn of grave risks, which the evidence suggests are wildly exaggerated. There are certainly fewer risks than continuing the mass underground reimportation that takes place today.

Tonight's vote is an important step in this struggle to stop the exploitation of seniors. It is, however, just a beginning. I look forward to building on this momentum for the hard task ahead.

Mr. SMITH of Texas. Mr. Speaker, I rise in opposition to H.R. 2427. Like many of my colleagues, I am greatly alarmed by the negative ramifications of this legislation. This bill threatens continued patient access to safe and regulated prescription drug products, fails to address affordability issues for senior citizens, and violates U.S. drug patent and trade agreements.

This bill directly undermines the current regulatory system to prevent unapproved or otherwise unsafe prescription drugs from entering the U.S. consumer market. It prevents regulating authorities from enforcing drug labeling standards, inspecting the quality and components of imported drugs, verifying that strict safety standards are met, and maintaining market-related drug prices.

In addition, H.R. 2427 fails to provide lower prescription drug costs to patients and senior citizens. According to the congressional Budget Office, the importation program does not result in savings to the federal government or consumers as previously predicted. In fact, CBO reports that if ''manufacturers were unable to limit the supply of drugs entering the U.S. market from Canada, the likely result would be that brand-name prices in Canada would rise much more than the price in the U.S. would decline.''

Finally, this legislation allows the wholesale and individual importation of drugs into the U.S. from Canada even where a U.S. patent exists. This will nullify a patent owner's exclusive right to prevent importation and thereby undermine U.S. patent rights. Further, these provisions breach various U.S. international treaty obligations. By allowing drugs with a U.S. patent to be imported, the provisions violate several free trade agreements to which the U.S. is a party because most require that the owner of a patent be able to prevent third parties from importing the product without their consent.

This legislation would dangerously decrease the overall quality of drug products that consumers purchase, sabotage the regulatory system, and conflict directly with U.S. patent and trade agreements. All without lowering prescription drug prices.

I urge my colleagues to vote ''no'' on H.R. 2427.

Mr. FRANKS of Arizona. Mr. Speaker, a wise man once said, ''markets are more powerful than governments.'' Ronald Reagan believed in the power of a free market system. He believed that the market is a model for growth throughout the world. That is why I rise today in support of H.R. 2427, the Pharmaceutical Market Access Act. As a co-sponsor of this legislation, I believe this bill breaks open a market that currently does not exist. We live in a terrible anomaly where Americans continue to pay drug prices that are 30 to 300 percent more than in European and other industrialized nations. Over the next 10 years, seniors will spend $1.8 trillion on prescription drugs. That is a shocking statistic—one that will cause prescriptions to go unfilled because prices are too high in the United States. But, if seniors had access to world market drugs, they would save 35 percent, or $630 billion. We, as American consumers, have the power to knock down this unfair barrier to growth and freer access to pharmaceuticals.

The Opponents of this legislation will tell you that this legislation will bring dangerous drugs into this country. They will tell you that it allows for faulty packaging and poor shipping conditions. They will tell you that this legislation forces American consumers to risk their own health. None of these claims are true. The Pharmaceutical Market Access Act contains language written by people at the FDA that requires that each pharmaceutical shipment be tested, unless the package already uses counterfeit-resistant technology. This kind of technology is the same technology that the U.S. Department of the Treasury uses to secure U.S. currency. And, more importantly, market access would be limited to 25 industrialized nations, such as Canada, Australia, Japan, Norway, Switzerland and New Zealand. The FDA will implement a system to allow Americans access to FDA-approved drugs from FDA-approved facilities.

Today, we prohibit Americans access to other markets, but other products in the consumer chain—like, fruit or meat—are allowed. This is or opportunity to codify our fundamental right to open pharmaceutical markets and allow seniors to keep more of their hard-earned dollars in their pockets. This is our opportunity to give pharmaceutical companies the leverage that they need to knock down barriers, and more importantly, to knock down price controls. In the long run, this will be better for pharmaceutical companies and better for American consumers. I commend Mr. GUTKNECHT for being a champion of this important issue and I urge my colleague to support this effort.

Mr. KNOLLENBERG. Mr. Speaker, I rise today to urge my colleagues to protect the well-being of the American people by voting against H.R. 2427, the Pharmaceutical Market Access Act, which would allow the re-importation of drugs.

It is estimated that more than 10 percent of drugs worldwide are counterfeit, and in some countries, more than half the drug supply is fake. We have seen in this country the tragic consequences of counterfeit drugs.

For example, many American AIDS and cancer patients were victims of a counterfeit version of the injectible medication, Procrit. Hawked as the life-prolonging Procrit, the counterfeit drug proved to be lethal, non-sterile tap water. How many more cases like this will we experience with re-importation?

In fact, multiple FDA commissioners have declared, ''Consumers are exposed to a number of potential risks when they purchase drugs from foreign sources.''

I sincerely appreciate my colleagues' efforts to make prescription drugs more accessible. However, this pursuit of accessibility compromises the health and safety of American citizens. I encourage all my colleagues to ensure the safety of our citizens by voting against H.R. 2427.

The SPEAKER pro tempore (Mr. LAHOOD). All time for debate has expired.

Pursuant to House Resolution 335, the bill is considered read for amendment, and the previous question is ordered.

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.

MOTION TO RECOMMIT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. DINGELL. Most vigorously so, Mr. Speaker.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Dingell of Michigan moves to recommit the bill, H.R. 2427, to the Committee on Energy and Commerce.

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 motion to recommit was rejected.

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. TAUZIN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, this 15-minute vote on passage will be followed by a 5-minute vote on the motion to instruct on H.R. 1308, if ordered.

The vote was taken by electronic device, and there were—ayes 243, noes 186, not voting 6, as follows:

[Roll No. 445]

AYES—243

Abercrombie
Ackerman
Aderholt
Allen
Baca
Baird
Baldwin
Ballance
Bartlett (MD)
Bass
Becerra
Bell
Bereuter
Berkley
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bono
Boozman
Boswell
Boucher
Boyd
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burton (IN)
Capito
Capps
Capuano
Cardoza
Carson (IN)
Case
Castle
Clay
Conyers
Cooper
Costello
Cramer
Crowley
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
Davis, Jo Ann
DeFazio
Delahunt
DeLauro
DeMint
Deutsch
Dicks
Doggett
Doyle
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
Evans
Everett
Fattah
Filner
Flake
Forbes
Frank (MA)
Franks (AZ)
Frost
Garrett (NJ)
Gilchrest
Gonzalez
Goode
Goodlatte
Gordon
Green (TX)
Grijalva
Gutknecht
Harman
Hastings (FL)
Hastings (WA)
Hayworth
Hensarling
Hinchey
Hinojosa
Hoeffel
Hoekstra
Holden
Hooley (OR)
Hoyer
Hunter
Hyde
Inslee
Israel
Istook
Jackson (IL)
Jackson-Lee (TX)
Janklow
Jenkins
Johnson (CT)
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (IA)
Kingston
Kleczka
Kolbe
Kucinich
LaHood
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Manzullo
Markey
Marshall
McCarthy (NY)
McCollum
McDermott
McGovern
McHugh
McInnis
McKeon
McNulty
Meehan
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore
Moran (KS)
Moran (VA)
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Northup
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Pallone
Paul
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Platts
Pomeroy
Rahall
Ramstad
Rangel
Rehberg
Renzi
Reyes
Rodriguez
Rohrabacher
Ross
Roybal-Allard
Royce
Ruppersberger
Ryan (OH)
Ryan (WI)
Sabo
Sanchez, Linda T.
Sanders
Sandlin
Schakowsky
Schiff
Schrock
Scott (VA)
Sensenbrenner
Serrano
Shadegg
Shaw
Shays
Sherwood
Shuster
Simpson
Skelton
Slaughter
Smith (MI)
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tancredo
Taylor (MS)
Taylor (NC)
Thornberry
Tierney
Toomey
Turner (TX)
Udall (NM)
Van Hollen
Velazquez
Vitter
Wamp
Waters
Watson
Watt
Weiner
Wexler
Wicker
Wilson (NM)
Wolf
Woolsey
Wu
Wynn
Young (FL)

NOES—186

Akin
Alexander
Andrews
Bachus
Baker
Ballenger
Barrett (SC)
Barton (TX)
Beauprez
Berman
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bradley (NH)
Burgess
Burns
Burr
Buyer
Calvert
Camp
Cannon
Cantor
Cardin
Carson (OK)
Carter
Chabot
Chocola
Clyburn
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Cunningham
Davis (FL)
Davis, Tom
Deal (GA)
DeGette
DeLay
Diaz-Balart, L.
Diaz-Balart, M.
Dingell
Dooley (CA)
Doolittle
Dreier
Dunn
English
Eshoo
Etheridge
Farr
Feeney
Ferguson
Fletcher
Foley
Fossella
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gillmor
Gingrey
Goss
Granger
Graves
Green (WI)
Greenwood
Hall
Harris
Hart
Hastert
Hayes
Hefley
Herger
Hill
Hobson
Holt
Honda
Hostettler
Houghton
Hulshof
Isakson
Issa
John
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (NY)
Kirk
Kline
Knollenberg
Latham
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lofgren
Lucas (OK)
Matheson
Matsui
McCarthy (MO)
McCotter
McCrery
McIntyre
Meek (FL)
Meeks (NY)
Menendez
Millender-McDonald
Miller (FL)
Miller, Gary
Murphy
Nethercutt
Ney
Norwood
Nunes
Nussle
Ose
Oxley
Pascrell
Payne
Pearce
Pence
Pickering
Pitts
Pombo
Porter
Portman
Price (NC)
Pryce (OH)
Putnam
Quinn
Radanovich
Regula
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Rothman
Rush
Ryun (KS)
Sanchez, Loretta
Saxton
Scott (GA)
Sessions
Sherman
Shimkus
Simmons
Smith (TX)
Smith (WA)
Souder
Stearns
Sullivan
Sweeney
Tanner
Tauscher
Tauzin
Terry
Thomas
Thompson (CA)
Thompson (MS)
Tiahrt
Tiberi
Towns
Turner (OH)
Udall (CO)
Upton
Visclosky
Walden (OR)
Walsh
Waxman
Weldon (FL)
Weller
Whitfield
Wilson (SC)
Young (AK)

NOT VOTING—6

Ford
Gephardt
Gutierrez
Jefferson
Pastor
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Two minutes are left to vote.

□ 0251

Mr. SMITH of Texas changed his vote from ''aye'' to ''no.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2861, DEPARTMENTS OF VETERANS AFFAIRS AND HOUSING AND URBAN DEVELOPMENT, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2004

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108–236) on the resolution (H. Res. 338) providing for consideration of the bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2859, EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR DISASTER RELIEF ACT, 2003

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108–237) on the resolution (H. Res. 339) providing for consideration of the bill (H.R. 2859) making emergency supplemental appropriations for the fiscal year ending September 30, 2003, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO SAME DAY CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. HASTINGS of Washington, from the Committee on Rules, submitted a privileged report (Rept. No. 108–238) on the resolution (H. Res. 340) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

MOTION TO INSTRUCT CONFEREES ON H.R. 1308, TAX RELIEF, SIMPLIFICATION, AND EQUITY ACT OF 2003

The SPEAKER pro tempore. The unfinished business is the question of agreeing to the motion to instruct on the bill, H.R. 1308.

The Clerk will designate the motion.

The Clerk designated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from Arkansas (Mr. ROSS) on which the yeas and nays are ordered.

Without objection, this will be a 5-minute vote.

There was no objection.

The vote was taken by electronic device, and there were—yeas 202, nays 214, not voting 19, as follows:

[Roll No. 446]

YEAS—202

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Castle
Clay
Clyburn
Conyers
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Deutsch
Dicks
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Ehlers
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Gordon
Green (TX)
Grijalva
Hall
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Kucinich
Lampson
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sanchez, Linda T.
Sanchez, Loretta
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Snyder
Solis
Spratt
Stenholm
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velazquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NAYS—214

Aderholt
Akin
Bachus
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Culberson
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Emerson
English
Everett
Feeney
Ferguson
Flake
Fletcher
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Harris
Hart
Hastert
Hastings (WA)
Hayes
Hayworth
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Isakson
Issa
Istook
Janklow
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas (OK)
Manzullo
McCotter
McCrery
McHugh
McInnis
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Nethercutt
Neugebauer
Ney
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sweeney
Tancredo
Tauzin
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Baker
Ballenger
Boehner
Gephardt
Gutierrez
Hefley
Hyde
Lipinski
Murtha
Myrick
Northup
Oxley
Pastor
Paul
Sanders
Smith (WA)
Stark
Sullivan
Weldon (PA)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1458

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON SCIENCE TO HAVE UNTIL 4 P.M. ON FRIDAY, AUGUST 29, 2003, TO FILE CERTAIN REPORTS

Mr. BOEHLERT. Mr. Speaker, I ask unanimous consent that the Committee on Science may have until 4 p.m. Friday, August 29, 2003 to file the following late reports: H.R. 1085, NASA Flexibility Act of 2003, as amended; H.R. 2608, National Earthquake Hazards Reduction Program Reauthorization Act of 2003, as amended; H.R. 2692, the United States Fire Administration Authorization Act of 2003, as amended; H.R. 2734, Federal Aviation Administration Research and Development Reauthorization Act, as amended; and finally, H.R. 2801, Minority Serving Institution Digital and Wireless Technology Opportunity Act of 2003, as amended.

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

There was no objection.

EXPRESSING CONGRATULATIONS AND APPRECIATION TO EVE BUTLER-GEE, CHIEF JOURNAL CLERK, ON HER RETIREMENT

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

Mr. DREIER. Mr. Speaker, I would like to ask my colleagues who are still in the Chamber if they could give their attention to the remarks that I am about to make.

Mr. Speaker, I would like to draw the attention of my colleagues to Eve Butler-Gee, who is sitting right here, who is our Chief Journal Clerk. Eve will be retiring at the end of next month after 20 years of stellar service to the United States House of Representatives. She was appointed to her position by the former minority leader, Bob Michel, and she has had a very, very, very great career, spending many, many late nights, tonight is just another example of that, working very, very hard in behalf of this institution.

Mr. Speaker, let me say, too rarely do we recognize the diligent efforts that are put into the work offered by so many of our wonderful staff members. I have had the opportunity to sit up there in the chair late at night with Eve sitting right there, and she is going to be with her husband, Tom, retiring, and I know that they are going have many, many wonderful years together.

I would like all of my colleagues to join me in a round of applause for the great service that Eve has provided to us.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentleman yield?

Mr. DREIER. I yield to the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, it is my pleasure to join with the distinguished gentleman from California. Eve deserves our applause for just a moment.

I would like to simply add our appreciation for such an attractive lady. It makes the evening late hours that much more pleasant to be able to see your smiling face. You have been here with many of us who believe it is important to communicate to our colleagues on the important issues of America. We thank you for being an outstanding public servant.

I said that I would be able to stay here to be with you this evening. Thank you for being a great American. Congratulations to you, and many, many best wishes for many, many good years to come on behalf of all of us.

Mr. DREIER. Mr. Speaker, I thank the gentlewoman for her contribution.

I yield briefly to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Speaker, I want to congratulate Eve on a wonderful career. I have always thought that the most beautiful women in America are from Kansas, as Eve is. I want to wish her the best in her retirement and tell you, Eve, through the Speaker, of course, that we are going to miss you very, very much. God bless.

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO TERRORISTS WHO THREATEN TO DISRUPT THE MIDDLE EAST PEACE PROCESS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 108–108)

The SPEAKER pro tempore (Mr. LAHOOD) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Consistent with section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), I transmit herewith a 6-month periodic report, prepared by my Administration, on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995.

GEORGE W. BUSH.

THE WHITE HOUSE, *July 24, 2003.*

APPOINTMENT OF MEMBER TO CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 6913, and the order of the House of January 8, 2003, the Chair announces the Speaker's appointment of the following Member of the House to the Congressional-Executive Commission on the People's Republic of China:

Mr. WU, Oregon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BISHOP of Utah (at the request of Mr. DELAY) for today until 10:00 p.m. on account of participating in activities relating to the official State holiday of Utah.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 285. An act to authorize the integration and consolidation of alcohol and substance abuse programs and services provided by Indian tribal governments, and for other purposes to the Committee on Resources and the Committee on Energy and Commerce.

S. 650. An act to amend the Federal Food, Drug, and Cosmetic Act to authorize the Food and Drug Administration to require certain research into drugs used in pediatric patients; to the Committee on Energy and Commerce.

BILLS PRESENTED TO THE PRESIDENT

Jeff Trandahl, Clerk of the House reports that on July 24, 2003 he presented to the President of the United states, for his approval, the following bills.

H.R. 74. To direct the Secretary of Agriculture to convey certain land in the lake Tahoe Basin Management Unit, Nevada, to the Secretary of the Interior, in trust for the Washoe Indian Tribe of Nevada and California.

H.R. 255. To authorize the Secretary of the Interior to grant an easement to facilitate access to the Lewis and Clark Interpretative Center in Nebraska City, Nebraska.

H.R. 1577. To designate the visitor center in Organ Pipe National Monument in Arizona as the ''Kris Eggle Visitor Center'', and for other purposes.

ADJOURNMENT

Mr. KING of New York. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 5 minutes a.m.), the House adjourned until today, Friday, July 25, 2003, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3454. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Bacillus subtilis var. amyloliquefaciens strain FZB24; Exemption from the Requirement of a Tolerance [OPP-2003-0059; FRL-7309-8] received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

3455. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; New Jersey; Revised Motor Vehicle Emissions Inventories for 1996, 2005, and 2007 and Motor Vehicle Emission Budgets for 2005 and 2007 using MOBILE6 [Region II Docket No. NJ62-262, FRL-7535-4] received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3456. A letter from the Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule — Protection of Stratospheric Ozone: Ban on Trade of Methyl Bromide with Non-Parties to the Montreal Protocol [FRL 7529-6] (RIN: 2060-AK67) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3457. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: NAC-MPC Revision (RIN: 3150-AH20) received July 22, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

3458. A letter from the Director, Office of Government Ethics, transmitting the Office's final rule — Updating Amendments to Office of Government Ethics Organization and Functions Regulation (RIN: 3209-AA21) received July 22, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

3459. A letter from the Deputy Assistant Administrator, Office of Diversion Control, DEA, Department of Justice, transmitting the Department's final rule — Definition and Registration of Reverse Distributors [Docket No. DEA-108I] (RIN: 1117-AA19) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

3460. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety and Security Zones; Chesapeake Bay, Maryland and Tributaries [CGD05-03-008] (RIN: 1625-AA00) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3461. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Selfridge ANGB Air Show, Harrison Twp, MI [CGD09-03-245] (RIN: 1625-AA00) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3462. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Territorial Seas, Navigable Waters, and Jurisdiction [USCG-2001-9044] (RIN: 1625-AA30) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3463. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [CGD01-03-039] (RIN: 1625-AA09 (Formerly 2115-AE47)) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3464. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; Shrewsbury River, NJ [CGD01-03-002] (RIN: 1625-AA09) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3465. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Eureka, KS [Docket No. FAA-2003-14847; Airspace Docket No. 03-ACE-32] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3466. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; New Madrid, MO [Docket No. FAA-2003-14844; Airspace Docket No. 03-ACE-29] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3467. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E airspace; Fort Leonard Wood, MO [Docket No. FAA-2003-14658; Airspace Docket No. 03-ACE-27] received

July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3468. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Davenport, IA [Docket No. FAA-2003-14461; Airspace Docket No. 03-ACE-14] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3469. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Milford, IA [Docket No. FAA-2003-14934; Airspace Docket No. 03-ACE-37] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3470. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; and Modification of Class E Airspace; Kansas City Downtown Airport, MO [Docket No. FAA-2003-14931; Airspace Docket No. 03-ACE-34] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3471. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Pratt, KS [Docket No. FAA-2003-14933; Airspace Docket No. 03-ACE-36] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3472. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Hays, KS [Docket No. FAA-2003-14932; Airspace Docket No. 03-ACE-35] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3473. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Monticello, IA [Docket No. FAA-2003-14935; Airspace Docket No. 03-ACE-38] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3474. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; and Modification of Class E Airspace; Sioux City, IA [Docket No. FAA-2003-14937; Airspace Docket No. 03-ACE-40] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3475. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Establishment of Area Navigation Routes (RNAV) [Docket No. FAA-2003-14611; Airspace Docket No. 03-AWA-4] (RIN: 2120-AA66) received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3476. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class E Airspace; Valentine, NE [Docket No. FAA-2003-15075; Airspace Docket No. 03-ACE-43] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3477. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule — Modification of Class D Airspace; and Modification of Class E Airspace; Kansas City Downtown Airport, MO [Docket No. FAA-2003-14931; Airspace Docket No. 03-ACE-34] received July 16, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3478. A letter from the Director, Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Presumption of Service Connection for Cirrhosis of the Liver in Former Prisoners of War (RIN: 2900-AL36) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3479. A letter from the Director, Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Increase in Rates Payable Under the Montgomery GI Bill--Selected Reserve (RIN: 2900-AL41) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3480. A letter from the Director, Regulations Management, Department of Veterans Affairs, transmitting the Department's final rule — Medication Prescribed by Non-VA Physicians (RIN: 2900-AL68) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

3481. A letter from the Chief, Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Civil Fines for Importation of Merchandise Bearing a Counterfeit Mark [CBP Decision 03-12] (RIN: 1515-AC98) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3482. A letter from the Chief, Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Technical Corrections: Rules of Origin of Imported Goods (Other than Textile and Apparel Products) for Purposes of the NAFTA [CBP Dec. 03-11] received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3483. A letter from the Chief, Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — Refund of Duties Paid on Imports of Certain Wool Products [CBP Dec. 03-10] (RIN: 1515-AD27) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3484. A letter from the Chief, Regulations Branch, Bureau of Customs and Border Protection, Department of Homeland Security, transmitting the Department's final rule — User Fees [CBP Decision 03-13] (RIN: 1515-AC81) received July 21, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3485. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Limitations on Assessment and Collection (Rev. Rul. 2003-88) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3486. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Reallocation of income and deductions among unrelated parties to a lease strip (Rev. Rul. 2003-96) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3487. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Accounting for Lease Strips and Other Stripping Transactions (Notice 2003-55) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3488. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Gross Income Defined (Rev. Rul. 2003-91) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3489. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Gross Income Defined (Rev. Rul. 2003-92) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3490. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — New Markets Tax Credit (Notice 2003-56) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3491. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Treatment of foreign stapled entity under section 269B as domestic for purposes of sections 904(i) and 864(e) (Notice 2003-50) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3492. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Prohibited Allocations of Securities in an S Corporation [TD 9081] (RIN: 1545-BC33) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3493. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule — Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2003-94) received July 23, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

3494. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule — Elimination of Sanctions for Refusal of Vocational Rehabilitation Services Without Good Cause [Regulations Nos. 4 and 16] (RIN: 0960-AF81) received July 17, 2003, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

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. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 2443. A bill to authorize appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, and for other purposes: with an amendment (Rept. 108–233). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 49. A bill to permanently extend the moratorium enacted by the Internet Tax Freedom Act, and for other purposes: with an amendment (Rept. 108–234). Referred to the Committee of the Whole House on the State of the Union.

Mr. WALSH: Committee on Appropriations. H.R. 2861. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108–235). Referred to the Committee of the Whole House on the State of the Union.

[Filed on July 25 (legislative day of July 24), 2003]

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 338. Resolution providing for consideration of the bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes (Rept. 108–236). Referred to the House Calendar.

Mr. HASTINGS of Washington: Committee on Rules. House Resolution 339. Resolution for consideration of the bill (H.R. 2859) making emergency supplemental appropriations for the fiscal year ending September 30, 2003 (Rept. 108–237). Referred to the House Calendar.

Ms. PRYCE of Ohio: Committee on Rules. House Resolution 340. Resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (Rept. 108–238). 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. LINCOLN DIAZ-BALART of Florida (for himself, Ms. ROS-LEHTINEN, Mr. MARIO DIAZ-BALART of Florida, Mr. NUNES, Mr. TOM DAVIS of Virginia, Mr. CROWLEY, Mr. BONILLA, Mr. WEXLER, Ms. CORRINE BROWN of Florida, Mr. SERRANO, Mr. MARKEY, Ms. WOOLSEY, Mr. TOWNS, Mr. FRANK of Massachusetts, Mr. DELAHUNT, Mr. DEUTSCH, Mr. RODRIGUEZ, Mr. MORAN of Virginia, Mr. MCGOVERN, Mr. FARR, and Ms. JACKSON-LEE of Texas):

H.R. 2843. A bill to adjust the immigration status of certain Colombian and Peruvian nationals who are in the United States; to the Committee on the Judiciary.

By Mr. SENSENBRENNER (for himself, Mr. DREIER, Mrs. MILLER of Michigan, Mr. COLE, Mr. CHABOT, and Mr. PAUL):

H.R. 2844. A bill to require States to hold special elections to fill vacancies in the House of Representatives not later than 21 days after the vacancy is announced by the Speaker of the House of Representatives in extraordinary circumstances, and for other purposes; to the Committee on House Administration.

By Mr. CASE:

H.R. 2845. A bill to amend the Merchant Marine Act, 1920, to allow transportation of merchandise in noncontiguous trade on foreign-flag vessels, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, 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. CASE:

H.R. 2846. A bill to amend the Merchant Marine Act, 1920, to allow transportation of merchandise in Hawaiian noncontiguous trade on foreign-flag vessels, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, 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. CASE:

H.R. 2847. A bill to amend the Merchant Marine Act, 1920, to allow transportation of certain agricultural goods and livestock in Hawaiian noncontiguous trade on foreign-flag vessels, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Armed Services, 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. FILNER:

H.R. 2848. A bill to provide for Federal custody and Federal payment of costs of emergency ambulance and medical services for aliens illegally attempting to enter the United States; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. JOHNSON of Connecticut (for herself, Mr. SIMMONS, Mr. MICA, Mr. GREENWOOD, and Mr. MANZULLO):

H.R. 2849. A bill to amend the Immigration and Nationality Act with respect to the H-1B and L-1 visa programs to prevent unintended United States job losses, to increase the monitoring and enforcement authority of the Secretary of Labor over such programs, and for other purposes; to the Committee on the Judiciary.

By Mr. KIND (for himself, Mr. ANDREWS, Mr. HINCHEY, Mr. FROST, Mr. KILDEE, Mr. ABERCROMBIE, Mr. PAYNE, Ms. WOOLSEY, Mr. VAN HOLLEN, Mr. HOLT, Ms. MCCOLLUM, Mr. SERRANO, Mr. OBERSTAR, Mr. EMANUEL, Mr. FORD, Mr. PASTOR, Mr. GEORGE MILLER of California, and Mr. HINOJOSA):

H.R. 2850. A bill to amend title I of the Employee Retirement Income Security Act of 1974 to provide for the establishment in the Department of Labor of a Small Employer Health Benefits Program; to the Committee on Education and the Workforce.

By Mr. PENCE (for himself, Mr. SESSIONS, Mrs. MUSGRAVE, Mr. PAUL, Mr. RYUN of Kansas, Mr. TERRY, Mr. DOOLITTLE, Mrs. NORTHUP, Mr. FLAKE, Mr. CRANE, Mr. GARRETT of New Jersey, Mr. JONES of North Carolina, Mr. OTTER, Mr. BURTON of Indiana, and Mr. SENSENBRENNER):

H.R. 2851. A bill to amend title XXVII of the Public Health Service Act to improve the affordability of health insurance coverage for small employers; to the Committee on Energy and Commerce.

By Mr. SMITH of New Jersey (for himself, Mr. BURR, Mr. DAVIS of Alabama, Mr. TOWNS, Mr. DOOLITTLE, Mr. TOOMEY, Mr. FALEOMAVAEGA, Mr. WELDON of Florida, and Mrs. MYRICK):

H.R. 2852. A bill to amend the Public Health Service Act to establish a National Cord Blood Stem Cell Bank Network to prepare, store, and distribute human umbilical cord blood stem cells for the treatment of patients and to support peer-reviewed research using such cells; to the Committee on Energy and Commerce.

By Mr. MCGOVERN:

H.R. 2853. A bill to designate Colombia under section 244 of the Immigration and Nationality Act in order to make nationals of Colombia eligible for temporary protected status under such section; to the Committee on the Judiciary.

By Mr. TAUZIN (for himself, Mr. DINGELL, Mr. BILIRAKIS, and Mr. BROWN of Ohio):

H.R. 2854. A bill to amend title XXI of the Social Security Act to extend the availability of allotments for fiscal years 1998 through 2001 under the State Children's Health Insurance Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. WELLER (for himself, Mr. UPTON, Mr. ENGLISH, Mr. KOLBE, Mr. BURR, and Mr. GARY G. MILLER of California):

H.R. 2855. A bill to amend the Internal Revenue Code of 1986 to permanently extend the 50-percent bonus depreciation added by the Jobs and Growth Tax Relief Reconciliation Act of 2003; to the Committee on Ways and Means.

By Mr. GREENWOOD (for himself, Mr. FROST, and Mrs. CHRISTENSEN):

H.R. 2856. A bill to authorize the Secretary of Health and Human Services to carry out demonstration projects to increase the supply of organs donated for human transplantation; to the Committee on Energy and Commerce.

By Mr. GREENWOOD (for himself, Ms. ESHOO, and Ms. PRYCE of Ohio):

H.R. 2857. A bill to amend the Federal Food, Drug, and Cosmetic Act to authorize the Food and Drug Administration to require certain research into drugs used in pediatric patients; to the Committee on Energy and Commerce.

By Mr. GREEN of Wisconsin:

H.R. 2858. A bill to prohibit material support for terrorism, and for other purposes; to the Committee on the Judiciary.

By Mr. YOUNG of Florida:

H.R. 2859. A bill making emergency supplemental appropriations for the fiscal year ending September 30, 2003; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KIND (for himself and Mr. HOUGHTON):

H.R. 2860. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for qualified national service educational awards; to the Committee on Ways and Means.

By Mr. WALSH:

H.R. 2861. A bill making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, and for other purposes.

By Mr. BRADLEY of New Hampshire (for himself and Mr. BASS):

H.R. 2862. A bill to amend the Satellite Home Viewer Improvement Act of 1999 to provide residents of States with single network affiliate stations to receive the signals of such stations via satellite, and for other purposes; to the Committee on the Judiciary.

By Mr. BROWN of South Carolina (for himself and Mr. BAKER):

H.R. 2863. A bill to amend title 49, United States Code, relating to responsibility for intermodal equipment compliance with commercial motor vehicle safety requirements, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. BURGESS:

H.R. 2864. A bill to amend title 23, United States Code, to provide increased flexibility to donor States, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CARDOZA (for himself, Mr. DOOLEY of California, and Mr. RADANOVICH):

H.R. 2865. A bill to amend the Internal Revenue Code of 1986 to provide a credit for qualified clean-fuel vehicles which are used

in certain ozone nonattainment areas; to the Committee on Ways and Means.

By Mr. COLLINS:

H.R. 2866. A bill to amend title 36, United States Code, to grant a Federal charter to the Sons and Daughters of Pearl Harbor Survivors, and for other purposes; to the Committee on the Judiciary.

By Mr. CONYERS (for himself, Mr. BERMAN, Ms. JACKSON-LEE of Texas, Mr. DELAHUNT, Mr. BLUMENAUER, Mr. FARR, Ms. CARSON of Indiana, and Mr. WAXMAN):

H.R. 2867. A bill to reform the Federal Bureau of Investigation; to the Committee on the Judiciary, and in addition to the Committee on Government Reform, 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. CULBERSON (for himself, Mr. BELL, Mr. GREEN of Texas, Mr. RODRIGUEZ, Mr. STENHOLM, Mr. LAMPSON, Mr. ORTIZ, Mr. EDWARDS, Ms. JACKSON-LEE of Texas, Mr. GONZALEZ, Mr. SANDLIN, Mr. TURNER of Texas, Mr. HINOJOSA, Mr. REYES, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. FROST, Mr. DOGGETT, Mr. HALL, Mr. BURGESS, Mr. BARTON of Texas, Mr. NEUGEBAUER, Mr. HENSARLING, Mr. SESSIONS, Ms. GRANGER, Mr. THORNBERRY, Mr. CARTER, Mr. SAM JOHNSON of Texas, Mr. SMITH of Texas, Mr. BRADY of Texas, and Mr. BONILLA):

H.R. 2868. A bill to award a congressional gold medal to Michael Ellis DeBakey, M.D.; to the Committee on Financial Services.

By Mr. GIBBONS:

H.R. 2869. A bill to direct the Secretary of the Interior to sell certain public lands subject to mining operations in Eureka, Lander, White Pine, Elko, and Humboldt Counties, Nevada, for the reclamation of abandoned mines in Nevada, to promote and enhance economic development, education, and local government revenues, and for other purposes; to the Committee on Resources.

By Mr. GUTIERREZ:

H.R. 2870. A bill to protect day laborers from unfair labor practices; to the Committee on Education and the Workforce.

By Mr. HASTINGS of Florida (for himself, Mr. REHBERG, Mr. STENHOLM, Mr. BEREUTER, Mr. UDALL of New Mexico, Mr. EDWARDS, Mr. OTTER, Mr. UDALL of Colorado, Mr. KOLBE, Ms. CARSON of Indiana, Mrs. CUBIN, Mr. CASE, Mr. ORTIZ, Mr. HAYWORTH, Mr. ETHERIDGE, Ms. JACKSON-LEE of Texas, Mr. SIMPSON, Mr. DEUTSCH, Mr. CONYERS, Ms. ROS-LEHTINEN, Mr. WEXLER, Mr. DELAHUNT, Ms. CORRINE BROWN of Florida, Mr. DAVIS of Florida, Ms. BORDALLO, Mr. SCOTT of Georgia, Mr. SPRATT, and Mr. FOLEY):

H.R. 2871. A bill to establish a National Drought Council within the Department of Agriculture, to improve national drought preparedness, mitigation, and response efforts, and for other purposes; to the Committee on Agriculture, and in addition to the Committees on Resources, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HOEFFEL:

H.R. 2872. A bill to make Federal law apply to antique firearms in the same way it applies to other firearms; to the Committee on the Judiciary.

By Ms. HOOLEY of Oregon (for herself, Mr. WALDEN of Oregon, Mr. HINCHEY, Mr. WELDON of Pennsylvania, Mr. WOLF, and Mrs. MALONEY):

H.R. 2873. A bill to amend the Safe and Drug-Free Schools and Communities Act of 1994 to prevent the abuse of inhalants through programs under that Act, and for other purposes; to the Committee on Education and the Workforce.

By Ms. HOOLEY of Oregon:

H.R. 2874. A bill to amend title 38, United States Code, to provide improved prescription drug benefits for veterans; to the Committee on Veterans' Affairs.

By Mr. JONES of North Carolina:

H.R. 2875. A bill to establish procedures for consideration of applications for award of the Purple Heart medal to veterans who were held as prisoners of war before April 25, 1962; to the Committee on Armed Services.

By Mr. LATOURETTE (for himself, Mr. PLATTS, Mr. MEEHAN, and Mrs. JONES of Ohio):

H.R. 2876. A bill to amend the Internal Revenue Code of 1986 to allow individuals a refundable credit for amounts paid for products and counseling designed to assist individuals to cease using tobacco products; to the Committee on Ways and Means.

By Mr. LIPINSKI (for himself, Mr. NADLER, Mr. COSTELLO, Mr. CRAMER, Mr. MOLLOHAN, Mr. VISCLOSKY, Mr. EVANS, Ms. SCHAKOWSKY, Mr. SHIMKUS, Mr. CRANE, Mr. JOHNSON of Illinois, Mr. DUNCAN, Mr. DAVIS of Illinois, Mr. SANDERS, Mr. LAHOOD, Mr. DEFAZIO, Mr. GUTIERREZ, Mr. JACKSON of Illinois, Mr. EMANUEL, and Mr. RUSH):

H.R. 2877. A bill to provide for the revocation of certain exclusions from the safeguard measures imposed by the President on imports of certain steel products; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Mr. SERRANO, Mr. TOWNS, and Mr. MCNULTY):

H.R. 2878. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to improve Federal response efforts after a terrorist strike or other major disaster affecting homeland security, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD (for himself, Mr. BROWN of Ohio, Mr. DEFAZIO, Mr. GRIJALVA, Mr. HINCHEY, Ms. LEE, Mr. LYNCH, Mr. PASCRELL, Mr. PETERSON of Minnesota, Mr. RYAN of Ohio, Ms. LINDA T. SANCHEZ of California, Mr. SANDERS, Mr. STRICKLAND, Mr. STUPAK, and Mrs. JONES of Ohio):

H.R. 2879. A bill to repeal the Bipartisan Trade Promotion Authority Act of 2002; to the Committee on Ways and Means.

By Ms. MILLENDER-MCDONALD:

H.R. 2880. A bill to support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring for children in foster care; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MOLLOHAN (for himself, Mr. MURTHA, Mr. VISCLOSKY, Mr. STUPAK, Mrs. JONES of Ohio, Mr. KUCINICH, Mr. QUINN, Mr. LATOURETTE, and Mr. STRICKLAND):

H.R. 2881. A bill to reauthorize the Emergency Steel Loan Guarantee Act of 1999, and for other purposes; to the Committee on Financial Services.

By Mr. MORAN of Virginia:

H.R. 2882. A bill to reduce traffic congestion, promote economic development, and improve the quality of life in the metropolitan Washington region; to the Committee on Transportation and Infrastructure.

By Mr. OBERSTAR (for himself and Mr. RAMSTAD):

H.R. 2883. A bill to amend the Internal Revenue Code of 1986 to provide a refundable long-term care tax credit, and to provide for programs within the Department of Health and Human Services and Department of Veterans Affairs for patients with fatal chronic illness; to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, 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.

By Mr. PITTS:

H.R. 2884. A bill to provide dollars to the classroom; to the Committee on Education and the Workforce.

By Mr. PITTS (for himself, Mr. JOHN, Mr. SULLIVAN, Mr. PENCE, and Mr. DEMINT):

H.R. 2885. A bill to prohibit the distribution of peer-to-peer file trading software in interstate commerce; to the Committee on Energy and Commerce.

By Mr. PLATTS (for himself, Mr. TOM DAVIS of Virginia, Mr. WAXMAN, Mrs. BLACKBURN, and Mr. TOWNS):

H.R. 2886. A bill to amend title 31, United States Code, to improve the financial accountability requirements applicable to the Department of Homeland Security, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Homeland Security (Select), 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. RANGEL:

H.R. 2887. A bill to provide for naturalization through service in a combat zone designated in connection with Operation Iraqi Freedom, and for other purposes; to the Committee on the Judiciary.

By Mr. SABO (for himself, Mr. KUCINICH, Mr. DEFAZIO, Ms. NORTON, Mr. SANDERS, Mr. DELAHUNT, Ms. LEE, Mr. LIPINSKI, and Ms. MCCOLLUM):

H.R. 2888. A bill to amend the Internal Revenue Code of 1986 to deny employers a deduction for payments of excessive compensation; to the Committee on Ways and Means.

By Mr. SAXTON:

H.R. 2889. A bill to direct the Secretary of Commerce to conduct a study of existing and new fishery observer data to effectively map migratory patterns, delineate wintering areas and feeding grounds of Atlantic Striped Bass in the Mid-Atlantic exclusive economic zone, and for other purposes; to the Committee on Resources.

By Mr. SAXTON:

H.R. 2890. A bill to protect the public's ability to fish for sport, and for other purposes; to the Committee on Resources.

By Mr. SCHIFF (for himself, Mr. ANDREWS, Mr. HINCHEY, Mr. GEORGE MILLER of California, Ms. JACKSON-LEE of Texas, Mr. WEINER, Mr. KILDEE, Mr. MCNULTY, Ms. CARSON of Indiana, Mr. BRADY of Pennsylvania, Mr. FROST, Mr. WEXLER, Mr. OWENS, Mr. ACKERMAN, Ms. WOOLSEY, Mr. ABERCROMBIE, Mr. FRANK of Massachusetts, Mr. PAYNE, Mr. GRIJALVA, Mrs. JONES of Ohio, and Mr. VAN HOLLEN):

H.R. 2891. A bill to make COBRA continuing coverage more affordable for laid-off

American workers; to the Committee on Ways and Means.

By Mr. STUPAK:

H.R. 2892. A bill to amend the Higher Education Act of 1965 to provide for student loan forgiveness to encourage individuals to become and remain school administrators in low income areas; to the Committee on Education and the Workforce.

By Mr. STUPAK:

H.R. 2893. A bill to direct the Secretary of Transportation to permit Federal participation in construction projects for the Mackinac Bridge Authority, Michigan; to the Committee on Transportation and Infrastructure.

By Mr. THOMPSON of Mississippi:

H.R. 2894. A bill to establish the Theodore Roosevelt National Wildlife Refuge and the Holt Collier Wildlife Interpretation and Education Center; to the Committee on Resources.

By Mr. WILSON of South Carolina:

H.R. 2895. A bill to amend the Internal Revenue Code of 1986 to extend bonus depreciation for 2 years; to the Committee on Ways and Means.

By Mr. STENHOLM (for himself, Mr. BARTLETT of Maryland, Mr. ROGERS of Alabama, and Mr. HILL):

H.J. Res. 66. A joint resolution proposing an amendment to the Constitution of the United States to provide for terms of office for Members of the House of Representatives; to the Committee on the Judiciary.

By Mr. HOLT (for himself, Mr. BROWN of South Carolina, Mr. MICHAUD, Mr. SIMPSON, Mr. FILNER, Mr. EVANS, Mr. LYNCH, Mr. SERRANO, Mrs. CHRISTENSEN, Mr. RODRIGUEZ, Ms. LEE, Mr. GREEN of Wisconsin, Mr. FROST, Mr. WILSON of South Carolina, Mr. GRIJALVA, Mr. HOLDEN, Mr. ROSS, Mrs. JONES of Ohio, Mr. ENGLISH, Mr. BAKER, Mrs. MALONEY, Mr. MCDERMOTT, Mr. WYNN, Mr. ACEVEDO-VILA, Mr. KILDEE, Ms. NORTON, Mr. KIND, Ms. BORDALLO, Mr. BELL, Mr. LANTOS, Mr. SANDLIN, Ms. MAJETTE, and Mr. STRICKLAND):

H. Con. Res. 252. Concurrent resolution expressing support for the designation and goals of ''Hire a Veteran Week''; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, 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. KENNEDY of Minnesota:

H. Con. Res. 253. Concurrent resolution expressing the sense of the Congress that there should be established a ''Free Enterprise Education Week'' to encourage schools and businesses to educate students about the free enterprise system; to the Committee on Government Reform.

By Mr. LEVIN (for himself, Ms. KAPTUR, and Mr. WELDON of Pennsylvania):

H. Con. Res. 254. Concurrent resolution expressing the sense of Congress that the 70th anniversary of the 1932-1933 man-made famine in Ukraine (''Holodomor'') should serve as a reminder of the incredible suffering and loss sustained by the Ukrainian people as a result of intentional policies implemented by the government of the former Soviet Union; to the Committee on International Relations.

By Mr. PAUL (for himself, Mr. DUNCAN, Mr. GOODE, and Mr. TANCREDO):

H. Con. Res. 255. Concurrent resolution expressing the sense of the Congress that the United States military should not become involved in the Liberian civil war, either alone or as part of a United Nations peacekeeping force; to the Committee on International Relations.

By Mr. RUSH (for himself, Mr. THOMPSON of Mississippi, Mr. TOWNS, Mr. DAVIS of Illinois, Ms. LEE, Mr. PAYNE, Mr. OWENS, Ms. JACKSON-LEE of Texas, Mrs. CHRISTENSEN, Ms. CARSON of Indiana, Mr. LEWIS of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLYBURN, Ms. KILPATRICK, and Mr. JEFFERSON):

H. Con. Res. 256. Concurrent resolution recognizing the Honorable Nelson Rolihlahla Mandela on his 85th birthday; to the Committee on International Relations.

By Mr. RYUN of Kansas (for himself, Mr. TIAHRT, Mr. MORAN of Kansas, Mr. EVANS, and Mr. SMITH of New Jersey):

H. Con. Res. 257. Concurrent resolution expressing the sense of Congress that the President should posthumously award the Presidential Medal of Freedom to Harry W. Colmery; to the Committee on Government Reform.

By Mr. SAXTON (for himself, Mr. SHAW, Mr. WILSON of South Carolina, Mr. ROYCE, Mr. ISSA, Mr. DAVIS of Alabama, and Mr. WALSH):

H. Con. Res. 258. Concurrent resolution expressing the sense of the Congress that the Social Security promise should be kept; to the Committee on Ways and Means.

By Mr. RYAN of Ohio:

H. Res. 337. A resolution congratulating Ben Curtis on his outstanding accomplishment in winning the 2003 British Open golf tournament; to the Committee on Government Reform.

By Mr. SAXTON (for himself and Mr. ENGEL):

H. Res. 341. A resolution urging the President of the European Union to add Hezbollah to the European Union's wide-ranging list of terrorist organizations; to the Committee on International Relations.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

151. The SPEAKER presented a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 67 memorializing the United States Congress to enact H.R. 369 to waive time limitations for the consideration of the Congressional Medal of Honor for Sergeant Gary Lee McKiddy; to the Committee on Armed Services.

152. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 62 memorializing the United States Congress and the Federal Trade Commission to address the issue of unsolicited commercial email, otherwise known as spam, on a national basis; to the Committee on Energy and Commerce.

153. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 68 memorializing the United States Congress to vote to ban partial birth abortions; to the Committee on the Judiciary.

154. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 37 memorializing the United States Congress to enact legislation that would remove the unfair advantages that Federal Prison Industries has in competition for business; to the Committee on the Judiciary.

155. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Resolution No. 80 memorializing the United States Congress to adopt and submit to the states for ratification an amendment to the United States Constitution to prohibit the desecration of the American flag; to the Committee on the Judiciary.

156. Also, a memorial of the Senate of the State of Michigan, relative to Senate Resolution No. 103 memorializing the United States Congress to enact legislation that would remove the unfair advantages that Federal Prison Industries has in competition for business; to the Committee on the Judiciary.

157. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Resolution No. 90 memorializing the United States Congress to provide adequate and immediate protection, stabilization, and maintenance of the Gulf Intracoastal Waterway canal banks in southwest Louisiana; to the Committee on Transportation and Infrastructure.

158. Also, a memorial of the Legislature of the State of Michigan, relative to Senate Concurrent Resolution No. 4 memorializing the United States Congress to repeal the federal excise tax on telephone and other communications services; to the Committee on Ways and Means.

159. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Concurrent Resolution No. 145 memorializing the United States Congress to support any proposed federal laws, rules or regulations that would grant federal motor fuels tax credits for diesel and gasoline refined from wood bio-mass materials; to the Committee on Ways and Means.

160. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 178 memorializing the United States Congress to review the GPO and WEB social security benefit reductions and to consider eliminating them; to the Committee on Ways and Means.

161. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 182 memorializing the United States Congress to amend the provisions of Section 418(d)(6)(C) of Title 42 of the United States Code allowing the state of Louisiana the right to amend it's retirement system; to the Committee on Ways and Means.

162. Also, a memorial of the General Assembly of the State of Nebraska, relative to Assembly Joint Resolution No. 3, memorializing that the Nevada General Assembly urge Congress to amend the Social Security Act by repealing the provisions, commonly known as the Government Pension Offset and the Windfall Elimination Provision; to the Committee on Ways and Means.

163. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 107 memorializing the United States Congress to consider the PACE and PACENET programs for inclusion in the President's proposed program to provide prescription drug benefits to recipients of Medicare; jointly to the Committees on Ways and Means and Energy and Commerce.

164. Also, a memorial of the Legislature of the State of Louisiana, relative to House Concurrent Resolution No. 106 memorializing the United States Congress to pass legislation giving relief from high prescription drug prices to seniors on Medicare; jointly to the Committees on Ways and Means and Energy and Commerce.

165. Also, a memorial of the Legislature of the State of Louisiana, relative to Senate Concurrent Resolution No. 133 memorializing the United States Congress to enact legislation to correct the flawed Medicare hospital outpatient prospective payment system methodology in order to ensure that all hospitals are appropriately reimbursed for drugs and biologics and to ensure beneficiary access to innovative biotechnology medicines; jointly to the Committees on Ways and Means and Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 36: Mr. STRICKLAND.
H.R. 41: Mr. DOYLE and Mr. KIND.
H.R. 120: Mr. WAMP.
H.R. 167: Mr. SHADEGG.
H.R. 173: Mr. TIERNEY.
H.R. 208: Mr. NAPOLITANO.
H.R. 236: Mr. OBERSTAR.
H.R. 284: Ms. LORETTA SANCHEZ of California, Mr. LIPINSKI, and Mr. HALL.
H.R. 290: Ms. LOFGREN and Mr. FLETCHER.
H.R. 339: Mr. GREEN of Wisconsin.
H.R. 364: Mr. TOWNS and Mr. MCNULTY.
H.R. 401: Mrs. NORTHUP.
H.R. 466: Mr. FORD and Mrs. BLACKBURN.
H.R. 528: Mr. CONYERS, Mr. BRADLEY of New Hampshire, Mr. ROGERS of Michigan, and Mr. SABO.
H.R. 548: Mr. HOLT, Mr. NEUGEBAUER, Mr. DAVIS of Illinois, and Mr. STENHOLM.
H.R. 584: Mr. KENNEDY of Rhode Island.
H.R. 631: Mr. FOLEY.
H.R. 632: Mr. FOLEY.
H.R. 668: Mr. DAVIS of Illinois.
H.R. 673: Mr. SESSIONS.
H.R. 742: Mr. DAVIS of Illinois, Mr. STUPAK, Mrs. KELLY, and Mr. WALSH.
H.R. 770: Mr. DAVIS of Illinois.
H.R. 775: Mr. JONES of North Carolina, Mr. SCHROCK, Mr. GILCHREST, Mr. HERGER, Mr. TAUZIN, Mr. DUNCAN, and Mr. WHITFIELD.
H.R. 785: Mr. BAKER and Mr. CALVERT.
H.R. 791: Mr. SESSIONS, Mr. RADANOVICH, Mrs. NORTHUP, Mr. GONZALEZ, Mr. CRAMER, and Mr. MORAN of Kansas.
H.R. 806: Mr. LATHAM.
H.R. 832: Mr. SMITH of Washington.
H.R. 852: Mr. NADLER and Ms. SOLIS.
H.R. 876: Mr. PETRI.
H.R. 898: Mr. OBERSTAR.
H.R. 919: Mr. SAXTON.
H.R. 934: Mr. GRIJALVA.
H.R. 965: Mr. MCNULTY and Mr. PRICE of North Carolina.
H.R. 970: Mr. NADLER.
H.R. 973: Mr. KING of New York.
H.R. 997: Mr. CAMP, Mrs. MILLER of Michigan, and Mr. MCCRERY.
H.R. 1078: Mr. RADANOVICH.
H.R. 1080: Ms. ROYBAL-ALLARD and Mr. OWENS.
H.R. 1093: Mr. COLE.
H.R. 1120: Mr. CHABOT.
H.R. 1130: Mr. JACKSON of Illinois.
H.R. 1245: Mr. NADLER.
H.R. 1250: Mr. POMEROY, Mr. TERRY, and Mr. PETERSON of Minnesota.
H.R. 1288: Mr. SESSIONS and Mr. TIERNEY.
H.R. 1336: Mr. GINGREY and Mr. UDALL of Colorado.
H.R. 1372: Mr. CRAMER, Mr. MILLER of North Carolina, Mr. REYNOLDS, and Mr. PUTNAM.
H.R. 1381: Mr. DELAHUNT, Mr. VAN HOLLEN, and Mr. KIND.
H.R. 1385: Mr. TIERNEY and Mr. REYES.
H.R. 1513: Mr. SAM JOHNSON of Texas, Mr. SIMMONS, and Mr. SMITH of Michigan.
H.R. 1523: Mr. WELLER.
H.R. 1563: Mr. SABO and Mr. DAVIS of Illinois.
H.R. 1605: Mr. GEORGE MILLER of California.
H.R. 1622: Ms. BALDWIN and Mr. PLATTS.
H.R. 1633: Mr. CLYBURN and Mr. MCNULTY.
H.R. 1676: Mr. DEUTSCH.
H.R. 1688: Ms. MAJETTE and Mr. FILNER.
H.R. 1717: Mr. DAVIS of Illinois.
H.R. 1734: Mr. CALVERT, Mr. TOWNS, Mr. GORDON, Mr. CARDOZA, and Mr. VAN HOLLEN.
H.R. 1751: Ms. LINDA T. SANCHEZ of California.
H.R. 1767: Mr. SAM JOHNSON of Texas and Mr. ISAKSON.
H.R. 1784: Mr. VAN HOLLEN, Mr. CUMMINGS, and Ms. LOFGREN.
H.R. 1812: Mrs. TAUSCHER, Mr. MCDERMOTT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. INSLEE, and Mr. HOUGHTON.
H.R. 1822: Ms. LOFGREN, Ms. WOOLSEY, Mr. HONDA, Mr. POMBO, Mr. SCHIFF, and Mr. CAPUANO.
H.R. 1828: Mr. SCOTT of Virginia, Mr. RUPPERSBERGER, Mr. CASE, Mr. THOMPSON of California, Mr. NUNES, Mr. HASTINGS of Washington, and Mr. SHUSTER.
H.R. 1856: Mrs. JONES of Ohio.
H.R. 1882: Mr. MILLER of Florida, Mr. BOYD, Mr. CRENSHAW, Ms. GINNY BROWN-WAITE of Florida, Mr. STEARNS, Mr. MICA, Mr. KELLER, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. DAVIS of Florida, Mr. PUTNAM Ms. HARRIS, Mr. GOSS, Mr. WELDON of Florida, Mr. FOLEY, Mr. MEEK of Florida, Ms. ROS-LEHTINEN, Mr. WEXLER, Mr. DEUTSCH, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SHAW, Mr. HASTINGS of Florida, Mr. FEENEY, and Mr. MARIO DIAZ-BALART of Florida.
H.R. 1883: Mr. MILLER of Florida, Mr. BOYD, Mr. CRENSHAW, Ms. GINNY BROWN-WAITE of Florida, Mr. STEARNS, Mr. MICA, Mr. KELLER, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. DAVIS of Florida, Mr. PUTNAM, Ms. HARRIS, Mr. GOSS, Mr. WELDON of Florida, Mr. FOLEY, Mr. MEEK of Florida, Ms. ROS-LEHTINEN, Mr. WEXLER, Mr. DEUTSCH, Mr. LINCOLN DIAZ-BALART of Florida, Mr. SHAW, Mr. HASTINGS of Florida, Mr. FEENEY, and Mr. MARIO DIAZ-BALART of Florida.
H.R. 1890: Mr. JEFFERSON, Mr. NUSSLE, and Mr. RYAN of Wisconsin.
H.R. 1914: Mr. WICKER, Mr. SAXTON, Ms. HART, Mr. COX, Mr. JANKLOW, Mrs. CAPITO, Mr. JOHNSON of Illinois, Mr. WILSON of South Carolina, Mr. BALLENGER, and Mr. CRAMER.
H.R. 1916: Mr. LARSEN of Washington, Mr. ABERCROMBIE, Mr. WEINER, Mr. FOSSELLA, Mr. PICKERING, and Ms. LOFGREN.
H.R. 1958: Ms. MAJETTE and Mr. SHERMAN.
H.R. 1992: Ms. LEE and Mr. NADLER.
H.R. 2009: Ms. WATERS.
H.R. 2020: Ms. LOFGREN.
H.R. 2021: Mr. TIERNEY.
H.R. 2023: Mr. KILDEE.
H.R. 2038: Mr. CLAY, Mr. BERMAN, Mr. BECERRA, and Mrs. JONES of Ohio.
H.R. 2052: Ms. MCCARTHY of Missouri and Ms. ROYBAL-ALLARD.
H.R. 2068: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2069: Mr. SERRANO and Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 2123: Mr. TIERNEY.
H.R. 2154: Mrs. JO ANN DAVIS of Virginia.
H.R. 2205: Mr. ALEXANDER, Mr. WAXMAN, Mr. WEXLER, Mr. BISHOP of New York, Mr. GONZALEZ, Mr. PRICE of North Carolina, Mr. JOHNSON of Illinois, Mr. CARDIN, and Mr. ACKERMAN.
H.R. 2220: Mr. SESSIONS.
H.R. 2223: Mr. PLATTS.
H.R. 2238: Mr. CALVERT, Mr. DAVIS of Florda, Ms. PELOSI, Ms. ESHOO, Mr. TURNER of Texas, and Mr. MILLER of North Carolina.
H.R. 2292: Mrs. CHRISTENSEN.
H.R. 2347: Ms. ROS-LEHTINEN.
H.R. 2379: Mr. HEFLEY, Mr. PICKERING, Mr. CHOCOLA, Mr. HASTINGS of Washington, Mr. STENHOLM, and Mr. WICKER.
H.R. 2394: Mr. ALEXANDER, Mr. HOEFFEL, and Mr. LANGEVIN.
H.R. 2399: Mr. SOUDER.
H.R. 2456: Mr. MCNULTY.
H.R. 2511: Mr. STRICKLAND and Mr. TIERNEY.
H.R. 2519: Mr. GREENWOOD and Ms. ESHOO.
H.R. 2521: Mr. CASE and Mr. PICKERING.
H.R. 2524: Mr. STARK.
H.R. 2527: Mr. BAIRD.
H.R. 2532: Mr. DAVIS of Illinois.
H.R. 2569: Mr. ORTIZ and Mr. VAN HOLLEN.
H.R. 2572: Mr. ETHERDIGE.
H.R. 2579: Mr. KINGSTON and Mr. TERRY.
H.R. 2582: Mr. THOMPSON of Mississippi, Mr. LIPINSKI, Ms. WOOLSEY, Ms. NORTON, Ms. DELAURO, and Mr. MOORE.
H.R. 2608: Ms. LOFGREN.
H.R. 2621: Mrs. ESHOO.
H.R. 2625: Ms. MCCARTHY of Missouri, Mr. CASE, Mr. SERRANO, Mr. BACA, Ms. DELAURO, Ms. LORETTA SANCHEZ of California, Mr. GEORGE MILLER of California, Mr. PALLONE, Mr. TIERNEY, Mr. BELL, Ms. DEGETTE, Mr. CAPUANO, and Mr. UDALL of New Mexico.
H.R. 2659: Mr. BOYD and Ms. CORRINE BROWN of Florida.
H.R. 2665: Mr. SABO.
H.R. 2668: Mr. ENGLISH and Mr. OBERSTAR.
H.R. 2670: Mrs. JONES of Ohio.
H.R. 2671: Mr. SHADEGG.
H.R. 2674: Mr. FILNER.
H.R. 2700: Mr. LANTOS, Mrs. CHRISTENSEN, and Mrs. BONO.
H.R. 2702: Mr. LARSON of Connecticut.
H.R. 2706: Mr. BAKER, Mr. LEWIS of Kentucky, Mr. FOLEY, Mr. TAYLOR of Mississippi, Mr. EMANUEL, Mr. KIND, Mr. RYAN of Wisconsin, and Mr. BARTON of Texas.
H.R. 2718: Ms. SLAUGHTER.
H.R. 2719: Mr. ISAKSON.
H.R. 2722: Mr. MEEHAN.
H.R. 2732: Mr. PENCE, Mr. BARTON of Texas, and Mr. OTTER.
H.R. 2797: Mr. BARTLETT of Maryland.
H.R. 2801: Mr. CARTER and Mr. LARSON of Connecticut.
H.R. 2806: Mr. DUNCAN, Mr. RODRIGUEZ, Mr. EVANS, Mr. PAUL, Mr. GIBBONS, Mr. JENKINS, Ms. LOFGREN, Mr. HUNTER, and Mr. BILIRAKIS.
H.R. 2808: Mr. ALLEN, Mr. BERMAN, Mr. BARTLETT of Maryland, Mr. BISHOP of Georgia, Mr. BRADY of Pennsylvania, Mr. CARDIN, Mr. COSTELLO, Mr. TOM DAVIS of Virginia, Ms. DELAURO, Mr. DICKS, Mr. FRANK of Massachusetts, Mr. GOODE, Mr. GORDON, Ms. HARMAN, Mr. HINCHEY, Mr. HYDE, Mr. JOHNSON of Illinois, Mrs. JONES of Ohio, Mr. KILDEE, Ms. KILPATRICK, Mr. LANGEVIN, Ms. LEE, Mr. LEWIS of Georgia, Mr. MCGOVERN, Mr. NETHERCUTT, Mr. OBERSTAR, Mr. OXLEY, Mr. PALLONE, Mr. RUPPERSBERGER, Ms. SCHAKOWSKY, Mr. STARK, Mr. UPTON, Ms. WATSON, Mr. WAXMAN, and Mr. WELDON of Pennsylvania.
H.R. 2828: Mrs. NAPOLITANO, Mr. REYES, and Mr. RODRIGUEZ.
H.J. Res. 38: Mr. MARSHALL.
H.J. Res. 56: Mr. CARTER, Mrs. EMERSON, Mr. CHOCOLA, Mr. ROHRABACHER, Mr. CRANE, Mr. SHUSTER, Mr. SESSIONS, and Mr. BEAUPREZ.
H. Con. Res. 99: Mr. TIERNEY.
H. Con. Res. 176: Mr. CASE.
H. Res. 38: Mr. BAIRD.
H. Res. 42: Mr. SHIMKUS, Mr. FROST, and Mr. ACEVEDO-VILA.
H. Res. 103: Mr. PUTNAM and Mr. PLATTS.
H. Res. 234: Mr. MATHESON, Mr. ISRAEL, Mr. PASTOR, and Mr. EHLERS.
H. Res. 285: Mr. SOUDER, Mr. VAN HOLLEN, and Mrs. KELLY.
H. Res. 307: Mr. WEXLER, Mr. KLECZKA, Ms. WOOLSEY, and Mr. MORAN of Virginia.
H. Res. 323: Mr. UPTON.

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.R. 1793: Mr. DAVIS of Florida.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

TRANSPORTATION AND TREASURY APPROPRIATIONS, 2004

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC.___. None of the funds made available in this Act may be used—

(1) to acquire manufactured articles, materials, or supplies unless section 2 of the Buy American Act (41 U.S.C. 10a) is applied to the contract for such acquisition by substituting ''at least 65 percent'' for ''substantially all''; or

(2) to enter into a contract for the construction, alteration, or repair of any public building or public work unless section 3 of the Buy American Act (41 U.S.C. 10b) is applied to such contract by substituting ''at least 65 percent'' for ''substantially all''.

H.R. 2859

OFFERED BY: MR. STUPAK

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds appropriated by this Act shall be available for the Emergency Preparedness and Response Directorate's congressional and intergovernmental affairs office within the Department of Homeland Security.

H.R. 2861

OFFERED BY: MR. MANZULLO

AMENDMENT NO. 1: At the end of the bill (before the short title), insert the following:

SEC.___. None of the funds made available in this Act may be used—

(1) to acquire manufactured articles, materials, or supplies unless section 2 of the Buy American Act (41 U.S.C. 10a) is applied to the contract for such acquisition by substituting ''at least 65 percent'' for ''substantially all''; or

(2) to enter into a contract for the construction, alteration, or repair of any public building or public work unless section 3 of the Buy American Act (41 U.S.C. 10b) is applied to such contract by substituting ''at least 65 percent'' for ''substantially all''.

H.R. 2861

OFFERED BY: MR. DINGELL

AMENDMENT NO. 2: In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT'', after the aggregate dollar amount, insert the following: ''(reduced by $1,000,000) (increased by $1,000,000)''.

H.R. 2861

OFFERED BY: MR. MARKEY

AMENDMENT NO. 3: In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY; HAZARDOUS SUBSTANCE SUPERFUND'' after the first and third dollar amounts insert ''(increased by $114,716,000)''.

In title III, in the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; SCIENCE, AERONAUTICS AND EXPLORATION'' after the second dollar amount insert ''(reduced by $114,716,000)''.

H.R. 2861

OFFERED BY: MR. NADLER

AMENDMENT NO. 4: In title II, in the item relating to ''COMMUNITY PLANNING AND DEVELOPMENT; HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS'', after the first dollar amount insert ''(increased by $13,000,000)''.

In title III, in the item relating to ''NATIONAL SCIENCE FOUNDATION; RESEARCH AND RELATED ACTIVITIES'', after the first and second dollar amounts insert ''(reduced by $13,000,000)''.

H.R. 2861

OFFERED BY: MR. HASTINGS OF FLORIDA

AMENDMENT NO. 5: In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—ENVIRONMENTAL PROGRAMS AND MANAGEMENT'', after the aggregate dollar amount, insert the following: ''(increased by $550,000)''.

In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY—BUILDINGS AND FACILITIES'', after the aggregate dollar amount, insert the following: ''(reduced by $550,000)''.

H.R. 2861

OFFERED BY: MR. NADLER

AMENDMENT NO. 6: In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—PUBLIC AND INDIAN HOUSING—HOUSING CERTIFICATE FUND'', after each of the first, second, and fourth dollar amounts, insert the following: ''(increased by $150,000,000)''.

In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MANAGEMENT AND ADMINISTRATION—WORKING CAPITAL FUND'', after the first dollar amount, insert the following: ''(reduced by $150,000,000)''.

H.R. 2861

OFFERED BY: MRS. CAPPS

AMENDMENT NO. 7: In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY; SCIENCE AND TECHNOLOGY'', after the last dollar amount, insert the following: ''(reduced by $7,300,000)''.

In title III, in the item relating to ''ENVIRONMENTAL PROTECTION AGENCY; LEAKING UNDERGROUND STORAGE TANK TRUST FUND'', after the last dollar amount, insert the following: ''(increased by $7,300,000)''.

H.R. 2861

OFFERED BY: MR. LYNCH

AMENDMENT NO. 8: To insert after final bill section:

SEC. ___. SENSE OF CONGRESS REGARDING WAIT TIMES FOR VETERANS.

An amendment expressing the sense of Congress that no veteran should wait more than thirty days for an initial doctor's appointment.

H.R. 2861

OFFERED BY: MR. FATTAH

AMENDMENT NO. 9: In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—PUBLIC AND INDIAN HOUSING—REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)'', after the first dollar amount, insert the following: ''(increased by $100,000,000)''.

In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—PUBLIC AND INDIAN HOUSING—REVITALIZATION OF SEVERELY DISTRESSED PUBLIC HOUSING (HOPE VI)'', after the second dollar amount, insert the following: ''(increased by $4,500,000)''.

In the item relating to ''DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—MANAGEMENT AND ADMINISTRATION—WORKING CAPITAL FUND'', after the first dollar amount, insert the following: ''(reduced by $100,000,000)''.

H.R. 2861

OFFERED BY: MR. STEARNS

AMENDMENT NO. 10: In title I, in the item relating to ''VETERANS HEALTH ADMINISTRATION—MEDICAL AND PROSTHETIC RESEARCH'', after the aggregate dollar amount, insert the following: ''(increased by $5,000,000)''.

In title III, in the item relating to ''CORPORATION FOR NATIONAL AND COMMUNITY SERVICE—NATIONAL AND COMMUNITY SERVICE PROGRAMS OPERATING EXPENSES'', after the first (aggregate) and fourth (AmeriCorps grants) dollar amounts, insert the following: ''(reduced by $12,217,000)''.

H.R. 2861

OFFERED BY: MR. HALL

AMENDMENT NO. 11: In title III, in the item relating to ''NATIONAL AERONAUTICS AND SPACE ADMINISTRATION; SPACE FLIGHT CAPABILITIES'', insert ''of which $15,000,000 of amounts for the Space Shuttle Life Extension Program shall be for the development and independent assessment of concepts to increase Space Shuttle crew survivability for crew sizes of 4 to 7 astronauts by at least a factor of 20 relative to the demonstrated crew survival rate of the Space Shuttle to date, and'' after ''September 30, 2005,''.

H.R. 2861

OFFERED BY: MR. SMITH OF NEW JERSEY

AMENDMENT NO. 12: Strike section 114.

H.R. 2861

OFFERED BY: STEVEN KIRK

AMENDMENT NO. 13: Under Title I, Department of Veterans Affairs, Administrative Provisions, add the following new section:

SEC. ___. The Secretary of Veterans Affairs shall maximize, to the greatest extent possible, sharing agreements for services, programs, and facilities with the Department of Defense, particularly in areas where facilities and/or targeted populations are in close proximity: *Provided*, That the Secretary of Veterans Affairs shall submit a report to the Committees on Appropriations no later than December 1, 2003, detailing restrictive regulations, policies, and regulatory redundancies that inhibit resource sharing, and provide milestone dates to address each identified issue.

H.R. 2861

OFFERED BY: MR. ALLEN

AMENDMENT NO. 14: At the end of the bill, before the short title, insert the following:

SEC. 421. When an numerical estimate of the costs and benefits of an agency action is prepared in accordance with Executive Order 12866 or section 812 of the Clean Air Act, none of the funds provided in this Act may be expended to apply monetary values for adult premature mortality that differ based on the age of the adult.

H.R. 2861

OFFERED BY: MR. SANDERS

AMENDMENT NO. 15: At the end of the bill (before the short title), insert the following:

SEC. ___. None of the funds made available in this Act may be used to implement any policy prohibiting the Directors of the Veterans Integrated Service Networks from conducting outreach or marketing to enroll new veterans within their respective Networks.

H.R. 2861

OFFERED BY: MR. MORAN OF KANSAS

AMENDMENT NO. 16: At the end of the bill (before the short title), insert the following new section:

SEC. ___. None of the funds in this Act may be used by the Secretary of Veterans Affairs to provide reimbursement for beneficiary travel under section 111 of title 38, United States Code, based upon a mileage allowance rate that is less than the rate in effect under title 5, United States Code, for Federal employee travel.

H.R. 2861

OFFERED BY: MR. SMITH OF NEW JERSEY

AMENDMENT NO. 17: In title I, strike the heading ''VETERANS HEALTH ADMINISTRATION'' and all of the paragraphs under that heading and insert the following:

VETERANS HEALTH ADMINISTRATION

MEDICAL CARE

For necessary expenses for the maintenance and operation of hospitals, nursing homes, and domiciliary facilities; for furnishing, as authorized by law, inpatient and outpatient care and treatment to beneficiaries of the Department of Veterans Affairs, including care and treatment in facilities not under the jurisdiction of the department; administrative expenses in support of

planning, design, project management, real property acquisition and disposition, construction and renovation of any facility under the jurisdiction or for the use of the department; oversight, engineering and architectural activities not charged to project cost; repairing, altering, improving or providing facilities in the several hospitals and homes under the jurisdiction of the department, not otherwise provided for, either by contract or by the hire of temporary employees and purchase of materials; uniforms or allowances therefor, as authorized by sections 5901–5902 of title 5, United States Code; aid to State homes as authorized by section 1741 of title 38, United States Code; administrative and legal expenses of the department for collecting and recovering amounts owed the department as authorized under chapter 17 of title 38, United States Code, and the Federal Medical Care Recovery Act (42 U.S.C. 2651 et seq.), $27,068,220, plus reimbursements: *Provided*, That of the funds made available under this heading, not to exceed $900,000,000 shall be available until September 30, 2005.

MEDICAL CARE COLLECTIONS FUND

(INCLUDING TRANSFER OF FUNDS)

Amounts deposited during the current fiscal year in the Department of Veterans Affairs Medical Care Collections Fund under section 1729A of title 38, United States Code, may be transferred to ''Medical care'', to remain available until expended.

MEDICAL AND PROSTHETIC RESEARCH

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses in carrying out programs of medical and prosthetic research and development as authorized by chapter 73 of title 38, United States Code, to remain available until September 30, 2005, $408,000,000, plus reimbursements.

MEDICAL ADMINISTRATION AND MISCELLANEOUS OPERATING EXPENSES

For necessary expenses in the administration of the medical, hospital, nursing home, domiciliary, construction, supply, and research activities, as authorized by law; administrative expenses in support of capital policy activities, $79,000,000, of which $3,000,000 shall be available until September 30, 2005, plus reimbursements: *Provided*, That technical and consulting services offered by the Facilities Management Field Support Service, including project management and real property administration (including leases, site acquisition and disposal activities directly supporting projects), shall be provided to Department of Veterans Affairs components only on a reimbursable basis, and such amounts will remain available until September 30, 2004.

In section 116(a), strike ''under 'Medical services for priority 7–8 veterans' and'' and insert ''under 'Medical care' and''.

In section 117, strike ''Medical Services'' both places it appears and insert ''Medical care''.

In section 118, strike ''transferred to'' and all that follows through ''for the'' and insert ''transferred to 'Medical care' for the''.

Strike section 119.

H.R. 2861

OFFERED BY: MR. SMITH of New Jersey

AMENDMENT NO. 18: In the paragraph in title I under the heading ''MEDICAL SERVICES FOR PRIORITY 1–6 VETERANS'', insert after the first dollar amount the following: ''(increased by $1,800,000,000)''.

Daily Digest

HIGHLIGHTS

Senate passed H.R. 2555, Homeland Security Appropriations.

House Committee ordered reported the Transportation, Treasury, and Independent Agencies appropriations for fiscal year 2004.

House passed H.R. 2738, to implement the United States-Chile Free Trade Agreement.

House passed H.R. 2739, to implement the United States-Singapore Free Trade Agreement.

House passed H.R. 2210, reauthorizing the Head Start Act to improve the school readiness of disadvantaged children.

House passed H.R. 2427, authorizing the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs.

Senate

Chamber Action

Routine Proceedings, pages S9827–S9924

Measures Introduced: Five bills and three resolutions were introduced, as follows: S. 1450–1454, and S. Con. Res. 58–60. **Pages S9904–05**

Measures Reported:

S. 1260, to promote the development of the commercial space transportation industry, to authorize appropriations for the Office of the Associate Administrator for Commercial Space Transportation. (S. Rept. No. 108–111)

S. Res. 124, designating September 28, 2003, as "National Good Neighbor Day".

S. Res. 167, recognizing the 100th anniversary of the founding of the Harley-Davidson Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations and a leading force for product and manufacturing innovation throughout the 20th century.

S. 1301, to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, with an amendment in the nature of a substitute.

S. Con. Res. 40, designating August 7, 2003, as "National Purple Heart Recognition Day". **Page S9904**

Measures Passed:

Homeland Security Appropriations: By 93 yeas to 1 nay (Vote No. 306), Senate passed H.R. 2555, making appropriations for the Department of Homeland Security for the fiscal year ending September 30, 2004, after taking action on the following amendments proposed thereto: **Pages S9830–87**

Adopted:

Dorgan Amendment No. 1362, to require a report on access by State and local law enforcement agencies to the Tipoff database on potential terrorists. **Pages S9831–32**

Byrd (for Durbin) Amendment No. 1374, to provide for a report to Congress on information systems interoperability. **Page S9866**

Byrd (for Feingold) Amendment No. 1375, to require a report on the activities of the Department of Homeland Security with respect to the development of best practices for emergency responders. **Page S9866**

Levin Amendment No. 1376, to clarify the prohibition on contracting with corporate expatriates. **Pages S9868–69**

Hutchison Amendment No. 1364, to provide for advanced funding to authorized entities performing duties under the Robert T. Stafford Disaster Relief and Emergency Assistance Act who respond to disasters declared by the President. **Page S9870**

Cochran (for Landrieu) Amendment No. 1378, to express the sense of the Senate that the Department of Homeland Security's Under Secretary for Science and Technology should take all appropriate steps to ensure the active participation of historically black colleges and universities, tribal colleges, Hispanic-serving institutions, and Alaskan Native serving institutions in Department sponsored university research. **Page S9870**

Cochran (for Bayh) Amendment No. 1379, to require a plan for the enhancement of the operations of the Information Analysis and Infrastructure Protection Directorate. **Pages S9870–71**

Byrd (for Feingold) Amendment No. 1380, to require the Comptroller General to conduct a review and to report to Congress on all of the data-mining programs relating to law enforcement and terrorism currently under development and in use in the Department of Homeland Security. **Page S9871**

Byrd (for Akaka) Amendment No. 1381, to allow the Secretary of Homeland Security flexibility in determining priorities for firefighting vehicles in the Firefighter Assistance Grants program. **Pages S9871–72**

Byrd (for Landrieu) Amendment No. 1382, to require the Secretary of Homeland Security to submit a report on the air traffic control communications void over the Gulf of Mexico. **Page S9872**

Rejected:

Byrd Amendment No. 1367, to fulfill homeland security promises. (By 51 yeas to 45 nays (Vote No. 300), Senate tabled the amendment.) **Pages S9848–51**

By 48 yeas to 48 nays (Vote No. 302), Specter (for Schumer/Specter) Amendment No. 1370, to increase the funding for discretionary grants for use in high-threat urban areas and decrease funding for information analysis and infrastructure protection, science and technology, and research and development. **Pages S9856–61**

By 46 yeas to 50 nays (Vote No. 303), Byrd Amendment No. 1373, to prohibit funds appropriated under this Act from being used by any advisory committee that has been exempted from the Federal Advisory Committee Act. **Pages S9864–66, S9866–67**

By 46 yeas to 46 nays (Vote No. 305), Byrd Amendment No. 1383, to provide post-employment lobbying restrictions on employees of the Department of Homeland Security and the Office of Homeland Security within the Executive Office of the President. **Pages S9872–74**

Withdrawn:

Reid Amendment No. 1318, to appropriate $20,000,000 to the Office for Domestic Preparedness to be used for grants to urban areas with large tourist populations. **Pages S9830–31, S9850**

During consideration of this measure today, Senate also took the following actions:

By 41 yeas to 54 nays (Vote No. 299), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974, with respect to Dodd Amendment No. 1363, to fund urgent priorities for our Nation's firefighters, law enforcement personnel, and emergency medical personnel, and all Americans by reducing the 2003 tax breaks for individuals with annual income in excess of $1,000,000. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since the amendment would provide spending in excess of the 302(b) allocation, was sustained, and the amendment thus falls. **Pages S9832–47**

The Chair sustained a point of order against Feinstein/Kyl Amendment No. 1365, to prevent and respond to terrorism and crime at or through ports, as being in violation of Rule XVI of the Standing Rules of the Senate which prohibits general legislation on appropriations matters, and the amendment was ruled out of order. **Pages S9847–48**

By 50 yeas to 46 nays (Vote No. 301), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974, with respect to Specter Amendment No. 1368, to increase the funding for discretionary grants for use in high-threat urban areas. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since the amendment would provide spending in excess of the 302(b) allocation, was sustained, and the amendment thus falls. **Pages S9851–56**

By 44 yeas to 50 nays (Vote No. 304), three-fifths of those Senators duly chosen and sworn, not having voted in the affirmative, Senate rejected the motion to waive the Congressional Budget Act of 1974, with respect to Reed/Sarbanes Amendment No. 1372, to appropriate $100,000,000 for grants to public transit agencies to enhance public transportation security against terrorist threats. Subsequently, the point of order that the amendment was in violation of section 302(f) of the Congressional Budget Act of 1974, since the amendment would provide spending in excess of the 302(b) allocation, was sustained, and the amendment thus falls. **Pages S9861–64, S9867**

Senate insisted on its amendment, requested a conference with the House thereon, and the Chair was authorized to appoint the following conferees on the part of the Senate: Senators Cochran, Stevens, Specter, Domenici, McConnell, Shelby, Gregg,

Campbell, Craig, Byrd, Inouye, Hollings, Leahy, Harkin, Mikulski, Kohl, and Murray. **Pages S9886–87**

Energy Policy Act: Senate resumed consideration of S. 14, to enhance the energy security of the United States, taking action on the following amendments proposed thereto: **Pages S9888–95**

Pending:

Campbell Amendment No. 886, to replace ''tribal consortia'' with ''tribal energy resource development organizations''. **Page S9888**

Durbin Amendment No. 1384, to amend title 49, United States Code, to improve the system for enhancing automobile fuel efficiency. **Page S9889**

Durbin Modified Amendment No. 1385, to amend the Internal Revenue Code of 1986 to provide additional tax incentives for enhancing motor vehicle fuel efficiency. **Pages S9889, S9893–95**

Bond Amendment No. 1386, to impose additional requirements for improving automobile fuel economy and reducing vehicle emissions. **Pages S8990–95**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, July 25, 2003. **Page S9924**

Nomination—Agreement: A unanimous-consent agreement was reached providing that at 4:50 p.m., on Monday, July 28, 2003, Senate proceed to the nomination of Earl Leroy Yeakel III, to be United States District Judge for the Western District of Texas; that there be 5 minutes of debate equally divided between Senators Hutchison and Cornyn; that there be 5 minutes under the control of Senator Leahy; and that the Senate vote on the confirmation of the nomination at 5 p.m. **Page S9888**

Appointments:

United States Senate Caucus on International Narcotics Control: The Chair, on behalf of the Majority Leader, pursuant to the provisions of Public Law 99–93, as amended by Public Law 99–151, appointed Senator Coleman of Minnesota as a member of the United States Senate Caucus on International Narcotics Control. **Page S9924**

Messages From the President: Senate received the following message from the President of the United States:

Transmitting, pursuant to law, a report relative to the national emergency with respect to terrorists who threaten to disrupt the Middle East Peace process; to the Committee on Banking, Housing, and Urban Affairs. (PM–47) **Pages S9901–02**

Messages From the House: **Page S9902**

Measures Placed on Calendar: **Page S9902**

Executive Communications: **Page S9902**

Petitions and Memorials: **Pages S9902–04**

Executive Reports of Committees: **Page S9904**

Additional Cosponsors: **Pages S9905–06**

Statements on Introduced Bills/Resolutions: **Pages S9906–12**

Additional Statements: **Page S9901**

Amendments Submitted: **Pages S9912–23**

Authority for Committees to Meet: **Pages S9923–24**

Record Votes: Eight record votes were taken today. (Total—306)

Pages S9846–47, S9851, S9856, S9861, S9866–67, S9867, S9874, S9886

Recess: Senate met at 9:30 a.m., and recessed at 9:52 p.m., until 9:30 a.m., on Friday, July 25, 2003. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9924.)

Committee Meetings

(Committees not listed did not meet)

BUSINESS MEETING

Committee on Agriculture, Nutrition, and Forestry: Committee ordered favorably reported H.R. 1904, to improve the capacity of the Secretary of Agriculture and the Secretary of the Interior to plan and conduct hazardous fuels reduction projects on National Forest System lands and Bureau of Land Management lands aimed at protecting communities, watersheds, and certain other at-risk lands from catastrophic wildfire, to enhance efforts to protect watersheds and address threats to forest and rangeland health, including catastrophic wildfire, across the landscape, with an amendment in the nature of a substitute.

NOMINATIONS

Committee on Armed Services: Committee concluded hearings to examine the nominations of General Richard B. Meyers, USAF, for reappointment as Chairman of the Joint Chiefs of Staff and reappointment to the grade of general, and General Peter Pace, USMC, for reappointment as Vice Chairman of the Joint Chiefs of Staff and reappointment to the grade of general, after the nominees testified and answered questions in their own behalf.

NATIONAL PARK SERVICE: COMPETITIVE SOURCING

Committee on Energy and Natural Resources: Subcommittee on National Parks concluded oversight hearings on competitive sourcing effort within the National Park Service, focusing on the process for determining inherently governmental positions, the

number of positions being evaluated, the time schedule and cost for evaluation, the process for keeping personnel informed during the evaluation, the progress made to date, and the effect on National Park Service management responsibilities, after receiving testimony from Fran P. Mainella, Director, National Park Service, Department of the Interior; Angela B. Styles, Administrator for Federal Procurement Policy, Office of Management and Budget; Sam Kleinman, Center for Naval Analysis Corporation, Alexandria, Virginia; Geoffrey F. Segal, Reason Foundation, Arlington, Virginia; J.W. Wade, Tuscon, Arizona, on behalf of the Campaign to Protect America's Lands, and a coalition of concerned NPS retirees; and Scot McElveen, Harpers Ferry National Historical Park, Harpers Ferry, West Virginia, on behalf of the Association of National Park Rangers, and the Association of National Park Maintenance Employees.

NOMINATION

Committee on Foreign Relations: Committee concluded hearings to examine the nomination of Donald K. Steinberg, of California, to be Ambassador to the Federal Republic of Nigeria, after the nominee testified and answered questions in his own behalf.

CONGO BASIN FOREST

Committee on Foreign Relations: Subcommittee on African Affairs concluded hearings on the Congo Basin Forest Partnership (a partnership of countries, nongovernmental organizations, and private businesses dedicated to the conservation and sustainable use and management of the forest), focusing on the logging policy, enhancing protected areas, encouraging better environmental governance, strengthening local resources management, fundamental benefits of the Partnership, and the Yaounde Summit, after receiving testimony from Walter H. Kansteiner III, Assistant Secretary for African Affairs, and John F. Turner, Assistant Secretary for Oceans, International Environmental and Scientific Affairs, both of the Department of State; Keith Brown, Senior Deputy Assistant Administrator, Bureau for Africa, U.S. Agency for International Development; J. Michael Fay, Wilderness Conservation Society, Bronx, New York; and Tony Mokombo, World Wildlife Fund, Washington, D.C.

COMPETITIVE SOURCING INITIATIVE

Committee on Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia concluded hearings to examine the Administration's competitive sourcing initiative, focusing on the Office of Management and Budget's revisions of the A–76 circular outlining the guidance on public/private competitions, after receiving testimony from Angela Styles, Administrator, Office of Federal Procurement Policy, Office of Management and Budget; David M. Walker, Comptroller General of the United States, General Accounting Office; Jacques S. Gansler, University of Maryland, College Park; Paul C. Light, New York University, New York, New York; Charles Tiefer, University of Baltimore School of Law, Chevy Chase, Maryland; and Frank Camm, RAND Corporation, Santa Monica, California.

FEDERAL BIODEFENSE READINESS

Committee on Health, Education, Labor, and Pensions: Committee concluded hearings to examine federal biodefense readiness, focusing on the public health workforce, the status of Centers for Disease Control terrorism preparedness and emergency response activities, the Emergency Communication System, smallpox preparedness, the Food and Drug Administration's role in counterterrorism activities, vulnerability and threat assessments, laboratory enhancements, research, Operation Liberty Shield, and developing the research infrastructure, after receiving testimony from Julie L. Gerberding, Director, Centers for Disease Control and Prevention, Mark B. McClellan, Commissioner of Food and Drugs, and Elias A. Zerhouni, Director, National Institutes of Health, all of the Department of Health and Human Services.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1301, to amend title 18, United States Code, to prohibit video voyeurism in the special maritime and territorial jurisdiction of the United States, with an amendment in the nature of a substitute;

S. Con. Res. 40, designating August 7, 2003, as "National Purple Heart Recognition Day";

S. Res. 124, designating September 28, 2003, as "National Good Neighbor Day";

S. Res. 167, recognizing the 100th anniversary of the founding of the Harley-Davidson Motor Company, which has been a significant part of the social, economic, and cultural heritage of the United States and many other nations and a leading force for product and manufacturing innovation throughout the 20th century; and

The nominations of James O. Browning, to be United States District Judge for the District of New Mexico, and H. Brent McKnight, to be United States District Judge for the Western District of North Carolina.

Also, committee began consideration of S.J. Res. 1, proposing an amendment to the Constitution of the United States to protect the rights of crime victims, but did not complete action thereon and will meet again on Tuesday, July 29.

INTELLIGENCE

Select Committee on Intelligence: Committee held closed hearings on intelligence matters, receiving testimony from officials of the intelligence community.

Committee recessed subject to call.

House of Representatives

Chamber Action

Measures Introduced: 53 public bills, H.R. 2843–2895; and 10 resolutions, H.J. Res. 66; H. Con. Res. 252–258, and H. Res. 337, 341, were introduced. **Pages H7615–17**

Additional Cosponsors: **Page H7618**

Reports Filed: Reports were filed as follows:

H.R. 2443, authorizing appropriations for the Coast Guard for fiscal year 2004, to amend various laws administered by the Coast Guard, and for other purposes, amended (H. Rept. 108–233);

H.R. 49, to permanently extend the moratorium enacted by the Internet Tax Freedom Act, and for other purposes, amended (H. Rept. 108–234);

H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004 (H. Rept. 108–235);

H. Res. 338, providing for consideration of the bill (H.R. 2861) making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004, (H. Rept. 108–236);

H. Res. 339, providing for consideration of the bill (H.R. 2859) making emergency supplemental appropriations for the fiscal year ending September 30, 2003 (H. Rept. 108–237); and

H. Res. 340. A resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules (H. Rept. 108–238). **Pages H7614–15**

Moment in Silence in Memory of Officer Jacob J. Chestnut and Detective John M. Gibson: The Chair announced that on July 24, 1998, at 3:40 p.m., Officer Jacob J. Chestnut and Detective John M. Gibson of the United States Capitol Police were killed in the line of duty defending the Capitol against an intruder armed with a gun. At 3:40 p.m. today, the Chair recognized the anniversary of this tragedy by observing a moment of silence in their memory. **Pages H7489, H7515–16**

United States-Chile Free Trade Agreement: The House passed H.R. 2738, to implement the United States-Chile Free Trade Agreement by a recorded vote of 270 ayes to 156 noes, Roll No. 436. **Pages H7459–89, H7514–16**

Agreed to engrossment and third reading by a yea-and-nay vote of 299 yeas and 129 nays, Roll No. 434. Agreed to table a motion to reconsider the vote by a recorded vote of 276 ayes to 152 noes, Roll No. 435. **Pages H7514–16**

House agreed to H. Res. 329, the rule that provided for consideration of the bill on July 23.

United States-Singapore Free Trade Agreement: The House passed H.R. 2739, to implement the United States-Singapore Free Trade Agreement by a recorded vote of 272 ayes to 155 noes, Roll No. 432. **Pages H7489–13**

Agreed to engrossment and third reading by a yea-and-nay vote of 309 yeas and 114 nays, Roll No. 430. Agreed to table a motion to reconsider the vote by a recorded vote of 269 ayes to 153 noes, Roll No. 431. **Pages H9511–13**

On July 23, the House agreed to H. Res. 329, the rule that provided for consideration of the bill.

School Readiness Act: The House passed H.R. 2210, reauthorizing the Head Start Act to improve the school readiness of disadvantaged children by a recorded vote of 217 ayes to 216 noes, Roll No. 444. **Pages H7542–95**

Rejected the Grijalva motion that sought to recommit the bill to the Committee on Education & the Workforce with instructions to report it back forthwith with amendments that increase funding for the migrational and seasonal education program by a recorded vote of 203 ayes to 227 noes, Roll No. 443. **Pages H7592–94**

Pursuant to the rule, the amendment in the nature of a substitute printed in Part A of H. Res 336 was considered as an original bill for the purpose of amendment by a voice vote. **Pages H7562–71**

Rejected:

Woolsey Part B amendment No. 1 printed in H. Rept. 108–232 that sought to strike language dealing with non-discrimination provisions of religious corporations, association, education institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such organizations (rejected by a recorded vote of 199 ayes to 231 noes, Roll No. 441); **Pages H7571–75, H7591**

George Miller of California Part B amendment in the nature of a substitute No. 2 printed in H. Rept 108–232 that sought to remove the block grant provisions (rejected by a recorded vote of 200 ayes to 229 noes, Roll No 442.). **Pages H7575–91**

H. Res. 336, the rule that provided for consideration of the bill was agreed to by voice vote.

Pages H7518–31, H7542

Pharmaceutical Market Access Act: The House passed H.R. 2427, authorizing the Secretary of Health and Human Services to promulgate regulations for the reimportation of prescription drugs, by a recorded vote of 243 ayes to 186 noes, Roll No. 445. **Pages H7595–H7611**

Rejected the Dingell motion that sought to recommit the bill to the Committee on Energy and Commerce by voice vote. **Page H7610**

H. Res. 335, the rule providing for consideration of the bill by a voice vote after agreeing to a motion on ordering the previous question by a recorded vote of 417 ayes to 10 noes, Roll No. 439.

Pages H7531–39, H7540–41

Presidential Message—National Emergency re Middle East Peace Process: Read a message from the President wherein he transmitted a 6-month periodic report on the national emergency with respect to terrorists who threaten to disrupt the Middle East peace process that was declared in Executive Order 12947 of January 23, 1995—referred to the Committee on International Relations and ordered printed (H. Doc. 108–108). **Page H7613**

Congressional-Executive Commission on the People's Republic of China: The Chair announced the Speaker's appointment of Representative Wu to the Congressional-Executive Commission on the People's Republic of China. **Page H7613**

Tax Relief, Simplification, and Equity Act Motions to Instruct Conferees: The House rejected the Ross motion to instruct conferees on H.R. 1308, Tax Relief, Simplification, and Equity Act, that was debated on July 22, by a yea-and-nay vote of 202 yeas to 214 nays, Roll No. 446. Earlier, Representative Solis announced her intention to offer a motion to instruct conferees on the bill.

Pages H7595, H7611–12

Motions to Adjourn: The House rejected the McDermott motion to adjourn by a recorded vote of 33 ayes to 383 noes, Roll No. 433 and rejected a second motion by a recorded vote of 23 ayes to 392 noes and one "present", Roll No. 437. Later rejected the Slaughter motion by a yea-and-nay vote of 41 yeas to 370 nays, with one voting "present", Roll No. 438, and rejected a second motion by a recorded vote of 35 ayes to 393 noes, Roll No. 440.

Pages H7513–14, H7517–17, H7539–40, H7541–42

Late Reports: The Committee on Science received permission to file late reports. **Page H7612**

Recess: The House recessed at 5:34 p.m. and reconvened at 6:07 p.m. **Page H7531**

Senate Messages: Message received from the Senate today appears on page H7457.

Referral: S. 285 was referred to the Committees on Resources and Energy and Commerce; S. 650 was referred to the Committee on Energy and Commerce.

Page H7613

Amendments: Amendments ordered printed pursuant to the rule appear on pages H7618–20.

Quorum Calls—Votes: Four yea-and-nay votes and 13 recorded votes developed during the proceedings of the House today and appear on pages H7511–12, H7512–13, H7513, H7513–14, H7514–15, H7515, H7516, H7517–18, H7539–40, H7541, H7542, H7591, H7592, H7594, H7594–95, H7611, and H7612. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 3:05 a.m. on Friday, July 25.

Committee Meetings

TOBACCO QUOTA BUYOUT

Committee on Agriculture: Held a hearing to review Tobacco Quota Buyout. Testimony was heard from Representatives Fletcher and Kingston; and public witnesses.

FOOD STAMP PROGRAM—REVIEW OPERATIONS

Committee on Agriculture: Subcommittee on Department Operations, Oversight, Nutrition, and Forestry held a hearing to review operations of the Food Stamp Program. Testimony was heard Eric M. Bost, Under Secretary, Food, Nutrition, and Consumer Services, USDA.

TRANSPORTATION, TREASURY, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Ordered reported the Transportation, Treasury and Independent Agencies appropriations for fiscal year 2004.

CYBER TERRORISM

Committee on Armed Services; Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on hearing on Cyber Terrorism: The New Asymmetric Threat. Testimony was heard from Robert Lentz, Director, Information Assurance, Department of Defense; Robert F. Dacey, Director, Information Technology Team, GAO; and public witnesses.

LONG-TERM FEDERAL OBLIGATIONS—ECONOMIC EFFECTS

Committee on the Budget: Held a hearing on Economic Effects of Long-Term Federal Obligations. Testimony was heard from Douglas J. Holtz-Eakin, Director, CBO; and a public witness.

OCCUPATIONAL SAFETY AND HEALTH LEGISLATION

Committee on Education and the Workforce: Subcommittee on Workforce Protections approved for full Committee action the following bills: H.R. 2728, Occupational Safety and Health Small Business Day in Court Act of 2003; H.R. 2729, Occupational Safety and Health Review Commission Efficiency Act of 2003; and H.R. 2730, to amend the Occupational Safety and Health Act to provide for an independent review of citations issued by the Occupational Safety and Health Administration.

"ISSUES RELATING TO EPHEDRA-CONTAINING DIETARY SUPPLEMENTS"

Committee on Energy and Commerce: Subcommittee on Commerce, Trade and Consumer Protection and the Subcommittee on Oversight and Investigations held a hearing entitled "Issues Relating to Ephedra-containing Dietary Supplements." Testimony was heard from Mark B. McClellan, M.D., Commissioner, FDA, Department of Health and Human Services; and J. Howard Beales III, Director, Bureau of Consumer Protection, FTC.

FAIR AND ACCURATE CREDIT TRANSACTIONS ACT

Committee on Financial Services: Ordered reported, as amended, H.R. 2622, Fair and Accurate Credit Transactions Act of 2003.

The Committee also approved and forwarded to the Committee on the Budget the following: "Changes in Law to Eliminate Waste, Fraud, and Abuse."

MISCELLANEOUS MEASURES

Committee on Government Reform: Ordered reported the following measures: H.R. 2309, to designate the facility of the United States Postal Service located at 2300 Redondo Avenue in Signal California, as the "J. Stephen Horn Post Office Building;" H. Con. Res. 235, celebrating the life and achievements of Lawrence Eugene "Larry" Doby; and H. Res. 315, congratulating Rafael Palmeiro of the Texas Rangers for hitting 500 major league home runs and thanking him for being a role model for the Cuban American community, as well as for all Americans.

OVERSIGHT—THRIFT SAVINGS PLAN—PUTTING CUSTOMERS FIRST

Committee on Government Reform: Held an oversight hearing entitled "The Thrift Savings Plan: Putting Customers First?" Testimony was heard from Andrew Saul, Chairman, Federal Retirement Thrift Investment Board; Edward P. McPherson, Chief Financial Officer, USDA; Alan Lebowitz, Deputy Assistant Secretary, Program Operations, Employee Benefits Security Administration, Department of Labor; and public witnesses.

ANTITRUST ENFORCEMENT AGENCIES

Committee on the Judiciary: Task Force on Antitrust held an oversight hearing on "The Antitrust Enforcement Agencies: The Antitrust Division of the Department of Justice and the Bureau of Competition of the Federal Trade Commission." Testimony was heard from R. Hewitt Pate, Assistant Attorney General, Antitrust Division, Department of Justice; and Timothy J. Muris, Chairman, FTC.

OVERSIGHT—PATENT QUALITY IMPROVEMENT

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on "Patent Quality Improvement." Testimony was heard from public witnesses.

ABANDONED MINE LANDS PROGRAM

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing on the Abandoned Mine Lands Program. Testimony was heard from Representatives Kanjorski and Holden; Jeffrey Jarrett, Director, Office of Surface Mining Reclamation and Enforcement, Department of the Interior; and public witnesses.

MARINE MAMMAL PROTECTION ACT

Committee on Resources: Subcommittee on Fisheries Conservation, Wildlife and Oceans held a hearing on H.R. 2693, Marine Mammal Protection Act of 2003. Testimony was heard from Rebecca Lent, Deputy Assistant Administrator, Fisheries, National Marine Fisheries Service, Department of Commerce; Marshall Jones, Deputy Director, U.S. Fish and Wildlife Service, Department of the Interior; David Cottingham, Executive Director, Marine Mammal Commission; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on the following measures: H.R. 1005, PILT and Refuge Revenue Sharing Permanent Funding Act; H.R. 1723, Caribbean National Forest Act of 2003; H.R. 2707, Salt Cedar and Russian Olive Control Demonstration Act; and

to direct the Secretary of Agriculture to exchange certain lands within the Arapaho and Roosevelt National Forest in the State of Colorado. Testimony was heard from Representative Beauprez, Pearce and Stenholm; Elizabeth Estill, Deputy Chief, Programs, Legislation and Communications, U.S. Forest Service, USDA; the following officials of the Department of the Interior: Chris Kearney, Deputy Assistant Secretary, Policy/International Affairs; and James Tate, Science Advisor to the Secretary; and public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Subcommittee on Water and Power held a hearing on the following measures: H.R. 2828, Water Supply, Reliability and Environmental Improvement Act; and H.R. 2641, Calfed Bay-Delta Authorization Act. Testimony was heard from Senator Feinstein; and public witnesses.

MAKING EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR FY 2003

Committee on Rules: Granted, by voice vote a modified closed rule providing one hour of debate in the House on H.R. 2859, making emergency supplemental appropriations for the fiscal year ending September 30, 2003, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all point of order against consideration of the bill. The rule provides for consideration of the amendment printed in the Congressional Record, if offered by Representative Toomey or his designee, which shall be considered as read and shall separately debatable for twenty minutes equally divided and controlled by the proponent and an opponent. The rule waives all points of order against that amendment. Finally, the rule provides one motion to recommit with or without instructions.

VA/HUD AND INDEPENDENT AGENCIES APPROPRIATIONS, 2004

Committee on Rules: Granted, by a vote of 8 to 4, an open rule providing one hour of general debate on H.R. 2861, Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations, 2004, equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions. Representatives Smith of New Jersey, Simmons, Obey, Mollohan, Edwards, Evans, Hastings of Florida, and Rodriguez.

SAME-DAY CONSIDERATION OF CERTAIN RESOLUTIONS REPORTED BY THE RULES COMMITTEE

Committee on Rules: Granted, by voice vote, a resolution waiving clause 6(a) of rule XIII (requiring a two-thirds vote to consider a rule on the same day it is reported from the Rules Committee) against certain resolutions reported from the Rules Committee. The resolution applies the waiver to any special rule reported on the legislative day of July 25, 2003, providing for consideration or disposition of H.R. 2861, making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2004.

SMALL BUSINESS REAUTHORIZATION AND MANUFACTURING REVITALIZATION ACT

Committee on Small Business: Ordered reported, as amended, H.R. 2802, Small Business Reauthorization and Manufacturing Revitalization Act of 2003.

OVERSIGHT

Committee on Veterans' Affairs: Subcommittee on Benefits held a hearing on oversight of the Department of Labor's administration of the Uniformed Services Employment and Reemployment Rights Act (USERRA) under chapter 43 of title 38, United States Code. Testimony was heard from Susan LaChance, Manager, Selection, Evaluation, and Recognition, U.S. Postal Service; Frederico Juarbe, Jr., Assistant Secretary, Veterans' Employment and Training Service, Department of Labor; and representatives of veterans' organizations; and public witnesses.

SSA'S SERVICE DELIVERY PLAN

Committee on Ways and Means: Subcommittee on Social Security held a hearing on SSA's Service Delivery Plan. Testimony was heard from Jo Anne B. Barnhart, Commissioner, SSA; the following officials of the GAO: Robert E. Robertson, Director, Education, Workforce, and Income Security Issues; and Linda D. Koontz, Director, Information Technology; and a public witness.

IRAQ—SUFFICIENCY OF INTELLIGENCE

Permanent Select Committee on Intelligence: Held a hearing on Sufficiency of Intelligence on Iraq. Testimony was heard from the following former Directors of the CIA: John M. Deutch; and R. James Woolsey; John J. Hamre, former Deputy Secretary of Defense; and Anthony H. Cordesman, Arleigh A. Burke Chair in Strategy, Center for Strategic and International Studies.

HOMELAND SECURITY DEPARTMENT INFORMATION SHARING CAPABILITIES—IMPROVEMENTS

Select Committee on Homeland Security: Subcommittee on Intelligence and Counterterrorism held a hearing entitled ''Improvements to Department of Homeland Security Information Sharing Capabilities—Vertical and Horizontal Intelligence Communications''. Testimony was heard from Bill Parrish, Acting Assistant, Information Analysis, Department of Homeland Security; V. Phillip Lago, Deputy Executive Secretary, CIA; Steven McCraw, Assistant Director, Office of Intelligence, FBI, Department of Justice; James Kallstrom, Senior Advisor to the Governor on Counter Terrorism, State of New York; George Foresman, Deputy Assistant to the Governor for Commonwealth Preparedness, State of Virginia; and a public witness.

Joint Meetings

COMMERCIAL HUMAN SPACEFLIGHT

Joint Hearings: Committee on Commerce, Science, and Transportation Subcommittee on Science, Technology, and Space concluded joint hearings with the House Committee on Science Subcommittee on Space and Aeronautics to examine space commercialization, including orbital and suborbital flights, understanding the current demand for public space travel, and the future of space tourism, after receiving testimony from Jeff Greason, XCOR Aerospace, Mojave, California; Jon B. Kutler, Quarterdeck Investment Partners, Los Angeles, California; Philip McAlister, Futron Corporation, Bethesda, Maryland; Elon Musk, SpaceX, El Segundo, California; and Dennis A. Tito, Wilshire Associates, Incorporated, Santa Monica, California.

AVIATION ADMINISTRATION AUTHORIZATION ACT

Conferees met on the differences between the Senate and House passed versions of H.R. 2115, to amend title 49, United States Code, to reauthorize programs for the Federal Aviation Administration, but did not complete action thereon, and recessed subject to call.

COMMITTEE MEETINGS FOR FRIDAY, JULY 25, 2003

(Committee meetings are open unless otherwise indicated)

Senate

Committee on the Judiciary: Subcommittee on Crime, Corrections and Victims' Rights, to hold hearings to examine deterrence of alien smuggling and human trafficking, 10 a.m., SD–226.

House

Committee on the Judiciary, to mark up the following bills: H.R. 1829, Federal Prison Industries Competition in Contracting Act of 2003; H.R. 292, Korean War Veterans Recognition Act of 2003; H. Res. 234, condemning bigotry and violence against Arab-Americans, Muslim-Americans, South Asian-Americans, and Sikh Americans; H.R. 2655, to amend and extend the Irish Peace Process Cultural and Training Programs Act of 1998; and H.R. 1837, Services Acquisition Reform Act of 2003, 9:30 a.m., 2141 Rayburn.

Permanent Select Committee on Intelligence, executive, briefing on Counterterrorism Update, 9 a.m., H–405 Capitol.

Next Meeting of the **SENATE**

9:30 a.m., Friday, July 25, 2003

Senate Chamber

Program for Friday: Senate will continue consideration of S. 14, Energy Policy Act.

Next Meeting of the **HOUSE OF REPRESENTATIVES**

9 a.m., Friday, July 25, 2003

House Chamber

Program for Friday:

Consideration of Solis motion to instruct conferees on H.R. 1308, All American Tax Relief Act;

Consideration of H.R. 2859, making emergency supplemental appropriations for the FY 2003 (open rule, one hour of general debate); and

Consideration of H.R.2861, VA/HUD Appropriations (modified closed rule, one hour of debate).

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