

AmeriCorps positions in which individuals have access to a vulnerable population.

□ 1445

The regs also prohibited individuals from serving in these positions if they were registered sex offenders.

Mr. Speaker, I applaud the administration for taking these steps to protect vulnerable populations being served by the national service programs. But I believe that we should go further and provide more protection.

First, this motion to recommit would codify the corporation's regulations, ensuring that these protections are not subject to the whims of future administrations. Despite current efforts, program audits conducted by the Office of the Inspector General have detected a disturbing pattern of noncompliance with criminal background check provision requirements. In some cases, programs have failed to conduct checks.

Just as disturbing, however, other programs have failed to retain the documentation providing this background check information that was conducted for members working with youth and other vulnerable persons.

Second, this motion to recommit would expand on the corporation's efforts by including, and I emphasize that, including all federally funded national service provision positions, not just those within the foster grandparents and senior competitive programs or just those AmeriCorps programs dealing with specific populations.

Finally, Mr. Speaker, in addition to prohibiting registered sex offenders from serving in these positions, this motion to recommit would include those individuals convicted of murder as well.

Mr. Speaker, our message is clear with this motion to recommit: if you are a program receiving assistance under these national service laws and are accepting participants to serve in federally funded programs and positions within your program, we expect you to screen those potential participants to ensure that they are not, and I emphasize again, not registered sex offenders or convicted murderers. And if you wish to serve in federally funded national service positions, some of which include as their reward an education award that exceeds that which is received by low-income students through the form of a Pell Grant, you are not welcome if you have committed these crimes.

Mr. Speaker, some people would ask, Why do we include these crimes? We believe that these crimes are so egregious that they demand Federal action. But also we hope that by requiring criminal history background checks, programs will have increased information with which they can exercise good judgment. It only seems to make sense. To repeat myself, we also hope that by requiring criminal background checks, programs will have the increased infor-

mation from which they can exercise good judgment in deciding who deserves the rewards that come with federally funded national service positions.

Mr. Speaker, I urge my colleagues to support this motion to recommit, which would provide the Education and Labor Committee further time to deliberate on this important topic. This motion expresses a loud and clear message that the House of Representatives believes that those in need who are served by programs supported with assistance under these laws should be assured that they will not be placed in harm's way when approaching these programs for help.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I rise to speak to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. GEORGE MILLER of California. As I understand the motion, Mr. Speaker, it is to codify the regulations that were finalized in November of last year that the Department has proposed for background checks and protection of the programs; is that correct?

Mr. KUHL of New York. If the gentleman will yield, that is one aspect of the motion. It goes farther than that.

Mr. GEORGE MILLER of California. Mr. Speaker, reclaiming my time, I think we agree with you, and I would ask if the gentleman would accept a unanimous consent request to change "promptly" to "forthwith" so we could vote on it now and report the bill out.

Mr. KUHL of New York. Mr. Speaker, I recently sat and listened to the debate on the prior attempt to bring a motion to recommit on a significant issue, that being the Foreign Intelligence Surveillance Act. If the gentleman would amend his unanimous consent request to include that so we might have a vote, I would be happy to.

Mr. GEORGE MILLER of California. Mr. Speaker, I reclaim my time.

I just want to say that this is unfortunate, because this is an amendment that we would agree to. It embodies the regulations supported by the Bush administration. It affects a program that has huge bipartisan support in all of our communities, that the President is in support of and is looking for the opportunity to sign this bill. But the gentleman insists upon making his motion in the form of "promptly," so that the bill has to go back to committee, which makes everything much more complicated in terms of the passage of this bill.

Mr. KUHL of New York. Mr. Speaker, will the gentleman yield?

Mr. GEORGE MILLER of California. I yield to the gentleman from New York.

Mr. KUHL of New York. Mr. Speaker, it is my understanding that the appropriations for these particular programs don't expire for another several months.

Mr. GEORGE MILLER of California. I reclaim my time and would just say that this amendment was never offered in committee, it was never taken to the Rules Committee. This is sort of a "gotcha." But, unfortunately, it dramatically impacts the timetable for this bill.

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

The SPEAKER pro tempore. Pursuant to section 2 of House Resolution 1015, further proceedings on the bill will be postponed.

#### COMMUNICATION FROM THE CHIEF ADMINISTRATIVE OFFICER OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Chief Administrative Officer of the House of Representatives:

OFFICE OF THE CHIEF ADMINISTRATIVE OFFICER, HOUSE OF REPRESENTATIVES,

Washington, March 5, 2008.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR MADAM SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with two administrative subpoenas for documents issued by the Merit Systems Protection Board.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoenas is consistent with the privileges and rights of the House.

Sincerely,

DANIEL P. BEARD,  
Chief Administrative Officer.

#### PERSONAL EXPLANATION

Ms. JACKSON-LEE of Texas. Mr. Speaker, I wish to indicate the positions I would have taken on votes missed because I was unavoidably detained in my district, and, lastly, I was unavoidably detained at a meeting with the Dialogue on Diversity.

On rollcall vote No. 90, H.R. 816, I would have voted "aye"; rollcall vote No. 89, I would have voted "aye"; rollcall vote No. 88, I would have voted "aye"; rollcall vote No. 87, I would have voted "aye"; rollcall vote No. 86, I would have voted "aye"; rollcall vote No. 85, I would have voted "aye"; and to the Inslee-Sarbanes amendment No. 11 to H.R. 2857, I was unavoidably detained with Dialogue on Diversity today and I would have voted "aye."

Mr. Speaker, I ask unanimous consent that my positions on these legislative initiatives be placed in the appropriate place in the RECORD.

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

Mr. PRICE of Georgia. Mr. Speaker, reserving the right to object, I wonder in view of the truncated schedule that we have had this afternoon, if anyone on the majority side knows if we might be bringing up the Foreign Intelligence Surveillance Act, the FISA Act, the bipartisan Senate bill that was passed