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Clay
Cleaver
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Courtney
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Fattah
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Frank (MA)
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall (NY)
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Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchey
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Hirono
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Holden
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Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)

Jefferson
Johnson (GA)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kagen
Kanjorski
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Kennedy
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Klein (FL)
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Larsen (WA)
Larson (CT)
Lee
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Lewis (GA)
Lipinski
Loeback
Lofgren, Zoe
Lowe
Lynch
Mahoney (FL)
Maloney (NY)
Markey
Matsui
McCarthy (NY)
McCollum (MN)
McDermott
McGovern
McIntyre
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Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
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Pallone
Pascrell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)

Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shea-Porter
Sherman
Shuler
Sires
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Smith (WA)
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Wilson (OH)
Woolsey
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Johnson, Sam
Jordan
Keller
King (IA)
King (NY)
Kingston
Kirk
Kline (MN)
Knollenberg
Kuhl (NY)
LaHood
Lamborn
Latham
LaTourette
Lewis (CA)
Lewis (KY)
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Lungren, Daniel
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Marchant
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McCarthy (CA)
McCaul (TX)
McCotter
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McHenry
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McKeon
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Miller (FL)
Miller (MI)

Miller, Gary
Moran (KS)
Murphy, Tim
Musgrave
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Neugebauer
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Paul
Pearce
Pence
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Ros-Lehtinen
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Ryan (WI)
Sali
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Schmidt
Sensenbrenner
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Smith (NE)
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Tancredo
Taylor
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walden (OR)
Walsh (NY)
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

□ 1439

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1429) to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes, with Mr. SCHIFF in the chair.

The Clerk read the title of the bill.

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

The gentleman from California (Mr. GEORGE MILLER) and the gentleman from California (Mr. MCKEON) each will control 30 minutes.

The Chair recognizes the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman and Members of the House, today we take up the Head Start Improvement Act of 2007. This is a bipartisan piece of legislation, as it was last year when it was brought to the House floor. And in that vein, I certainly want to begin by thanking the staff on both sides of the aisle that have worked very hard to bring this legislation in this form with the co-

operation of the members of both sides of the committee, the majority and the minority. I begin by thanking Mr. Lloyd Horwich, who is working for Mr. KILDEE; Stephanie Milburn, with Mr. MCKEON; Sarah Rittling, working with Mr. CASTLE; and Molly Carter and Ruth Friedman of the majority staff. This staff knows this program backwards and forwards. They have worked long and hard with the Head Start community, with the States, with Governors, with local communities, to make sure that, in fact, we have a program that we can be proud of, that we can continue to place our faith in, and does what we want, which is to give children from impoverished families and communities the opportunity to have a head start and to come to kindergarten school ready, if you will, with the skills necessary to take advantage of the opportunity that will be presented to them when they start school.

Head Start has been the premiere early education program in this country for more than 40 years. It has served more than 20 million children and families in that time. It is a highly successful research-based, comprehensive childhood development and early education program for low-income children from birth to 5 and for their families.

Both Head Start and Early Head Start help our country's most disadvantaged children become better prepared to succeed in school and in life by addressing the needs of the whole child and providing services such as

ANSWERED "PRESENT"—1

Kucinich

NOT VOTING—7

Davis, Jo Ann
Engel
Gillibrand

Lampson
McMorris
Rodgers

Ortiz
Westmoreland

□ 1437

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

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

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

The result of the vote was announced as above recorded.

Stated against:

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

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

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

GENERAL LEAVE

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

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

There was no objection.

IMPROVING HEAD START ACT OF 2007

The SPEAKER pro tempore. Pursuant to House Resolution 348 and rule

NAYS—203

Aderholt
Akin
Alexander
Bachmann
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Biggert
Billray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boustany
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)

Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis (KY)
Davis, David
Davis, Lincoln
Davis, Tom
Deal (GA)
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Fallin
Feeney
Ferguson

Flake
Forbes
Fortenberry
Fossella
Foxo
Franks (AZ)
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Gallegly
Garrett (NJ)
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Goode
Goodlatte
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Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
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Hoekstra
Hulshof
Hunter
Inglis (SC)
Issa
Jindal
Johnson (IL)

health and nutrition in addition to the educational curriculum. Its design has always been based in science, and the bill before us builds on the strong foundation again by turning to the best science to renew and improve the Head Start program.

Head Start remains a cornerstone of this country's effort to close the achievement gap, to combat poverty, and to provide all its citizens with the opportunity to thrive.

Today more than 12 million children in America live in poverty, 20 percent of them under the age of 6. Children who grow up in poverty are more likely to struggle in school, face physical and mental health problems, and see fewer economic opportunities throughout their life.

The bill before us is central to achieving the goals of No Child Left behind because the achievement gap that appears later on in elementary school begins before these children reach kindergarten. Head Start is one of the most evaluated Federal programs, and research concludes that Head Start works. Recent findings from the congressionally-mandated Impact Study found that after less than one school year, Head Start narrowed the achievement gap by 45 percent in prereading and 28 percent in prewriting. The study also found that Head Start helped to improve some of the important parenting practices, including helping to increase the frequency with which parents read to and with their children.

Another large-scale study on Head Start found that children made significant gains during the Head Start year, and made even greater gains over the kindergarten year.

□ 1445

By the end of kindergarten, Head Start graduates were essentially in the national norms in early reading and writing, narrowed by the achievement gap in vocabulary and general knowledge and early math.

I am encouraged that the research concludes that Head Start is doing what we expect and demand that it should do to help prepare children to succeed in school. However, this research shows that there are many new ways to improve Head Start, and I believe we accomplish that in the bill before us. The bill before us will help more children arrive at kindergarten ready to succeed by improving the program quality and expanding access to more children.

This bill includes many improvements to build on the latest research in brain and child development. The bill also recognizes that key to the first-class Head Start programs is teachers. This is absolutely imperative, and this bill works hard to make sure that we continue to provide for improvement and professional development of the teachers in the Head Start program.

We increase the teacher qualifications by directing the majority of new funds for program improvement activi-

ties, including significant new funds to increase teacher salaries; requiring that all programs use research-based practices to support children's preliteracy and vocabulary skills; requiring a full time staff to develop career ladders and professional development plans; directing the Health and Human Services agency to implement an observational assessment tool that will evaluate classroom quality and provide immediate feedback for programs on their strengths and weaknesses; improving the professional development and training and technical assistance systems so that they are better grounded in science and more responsive to local training needs; and requiring the Secretary to reevaluate and update current early learning standards and assessments using the best science available.

The point is this: This is a major re-vamping of the Head Start program, with an emphasis on quality, with an emphasis on the assessments and how these programs are doing so that we can provide the continuous improvement of these programs, and we can provide continuous high-quality programs to the children who are in need of these programs. It's only then that we can be assured that Head Start will continue to earn its reputation as the premier early childhood education and development program in this Nation. It is only then that we can say to the taxpayers that this continues to be a very wise investment of the dollars in the children of this Nation in providing them access to the kinds of programs that are necessary if they are going to be able to take advantage of the educational opportunities in K-12, if they are going to be able to close the gap between themselves and middle-income kids, if they are going to be able to go to school with those skills.

I believe that this legislation does that. This legislation builds on what was tried and worked on in the last session of Congress under the leadership of Mr. CASTLE, Mr. McKEON, Mr. BOEHNER, myself and Mr. KILDEE. This is a continuation of that process, and that's why it received the overwhelming bipartisan support when it was reported from the committee. I hope that my colleagues will lend it the same kind of support at the end of this debate and the amendment process.

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

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

Mr. Chairman, let me start by commending my friends, Chairman MILLER, Chairman KILDEE and Mr. CASTLE, for their hard work on this good bill, which I am so pleased we were able to pass with an overwhelming bipartisan majority in committee 2 months ago.

While the resources to fund Head Start are significant, more work is needed to achieve the ultimate program goal on closing the readiness gap

between Head Start children and their more advantaged peers as they enter kindergarten.

Some studies indicate that children enrolled in Head Start do make some progress, but at the same time we need to understand that we still have some work ahead of us in closing the readiness gap. With this in mind, the bill before us today will strengthen Head Start's academic standards by emphasizing cognitive development and the results of scientifically based research in topics critical to children's school readiness.

The measure also aims to improve teacher quality by ensuring a greater number of Head Start teachers have degrees and are adequately trained in early childhood development, particularly in teaching the fundamentals. That's great news for those children who will be participating in the Head Start program years down the road.

I have also been disappointed that in recent years we have heard many stories that have marred Head Start's good name. In various communities we found that financial abuse within Head Start centers is far too commonplace. In fact, a March 2005 report from the Government Accountability Office warned that the financial control system in the Head Start program is flawed in failing to prevent multi-million-dollar financial abuses that cheat poor children, taxpayers and law-abiding Head Start operators.

In the 109th Congress, Republicans led the House in passing a Head Start reauthorization bill that addressed these weaknesses in the Head Start financial control system. I believe the bill before us moves in that direction as well. It will require Head Start operators to meet a range of financial disclosure requirements as a condition of receiving and keeping their Federal Head Start grants. Furthermore, under this bill, grantees would have to be overseen by a local governance board that provides direction and actively oversees program activities. These are positive steps to ensure abuses are minimized, and that taxpayers' funds and the children those funds are meant to serve are protected.

Mr. Chairman, while this bill does represent overall progress for Head Start, I would be remiss if I did not note that there are some significant flaws in it, flaws that I hope we can correct before this measure is sent to the President. For example, under this measure the majority has decided to expand Head Start eligibility to those who the program was not designed to serve. Ultimately I believe this policy change may have the impact of leaving many children who live in poverty underserved by Head Start programs. This runs contrary to what we all believe to be the mission of this program and will do nothing to strengthen Head Start services; if anything, it will weaken them.

I am also disappointed that the House will not have an opportunity

today to vote on an amendment offered yesterday at the Rules Committee by Mr. FORTUÑO, to protect the civil liberties of faith-based providers by clarifying that these institutions are not required to relinquish their Civil Rights Act hiring protections when they participate in the Federal Head Start program. These protections are already the law of the land with regard to various Federal programs, including those impacting welfare reform and Community Service Block Grants. In fact, President Clinton himself signed such language into the law.

The Fortuño amendment also would have ensured religious organizations would not be forced to remove art, icons, Scripture or other symbols in order to receive Federal Head Start grants. Barring these providers from fully participating in Head Start is not only a disservice to the faith-based providers, but also to the children who depend on the Head Start program and the taxpayers who should know that Federal dollars are granted to the best available service providers, faith-based or otherwise. Instead, the majority thrust upon us an amendment that praises the work of faith-based organizations, but does not protect their civil rights. It's literally all talk and no action. Indeed, the only people protected by this amendment are certain members of the majority party seeking political cover. Faith-based providers are left to fend for themselves.

Mr. Chairman, in spite of these flaws, which I hope we can correct in time, the Improving Head Start Act remains a solid reauthorization measure. Head Start is a good program that is capable of achieving even greater results, and the bill before us will help us get there.

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

Mr. GEORGE MILLER of California. I yield 4 minutes now to the gentleman from Michigan (Mr. KILDEE), subcommittee chair and responsible for bringing this bill to the floor.

Mr. KILDEE. I thank the gentleman for yielding.

Mr. Chairman, in March, the Education and Labor Committee overwhelming passed by a vote of 42-1 H.R. 1429, which was my privilege to introduce with both Democrats and Republicans as cosponsors. I hope at the close of today's debate the full House will do similarly.

Head Start has served our most vulnerable children and families well for 42 years; and more recently, early Head Start has done the same for infants and toddlers.

Head Start works, and this bill will make it work even better. This bill increases Head Start's authorization by \$461 million to benefit as many as 10,000 more children, and increases funding for Indian and migrant and seasonal Head Start programs. It sets aside 60 percent of new funds for activities such as teacher salaries, professional development and extended program hours. It suspends the flawed na-

tional reporting system. It improves teacher qualifications. It increases access to Early Head Start. It improves training and technical assistance to help programs identify their strengths and weaknesses. And it strengthens the quality of Head Start boards and maintains strong parental involvement through shared governance of Head Start programs.

I would note that we are expecting a motion to recommit that would allow faith-based programs to discriminate in hiring based on religion using Federal funds. Before supporting this bill by 42-1, the committee considered and rejected such a policy. Faith-based programs can and do participate in Head Start and have done so for many years, and I support that strongly. However, this motion is wrong, and I encourage my colleagues to oppose it.

In closing, I want to thank Chairman MILLER for his outstanding work through the years on this program and for his specific work this year. This is a very good bill. I want to thank Ranking Members MCKEON and CASTLE, it was really a pleasure to work with them, and all the members of the committee for their hard work on this bill.

I would like to thank the staff, especially Ruth Friedman, Chairman MILLER's senior policy adviser; Susan Ross and James Bergeron with Ranking Member MCKEON; and Jessica Gross with Ranking Member CASTLE; and Lloyd Horwich of my staff.

Mr. Chairman, I look forward to passage of this bill today and to working through the conference committee to see that this bill becomes law.

Mr. MCKEON. Mr. Chairman, I yield 5 minutes at this time to the senior Republican on the subcommittee. I am proud of all the work that he has done to bring this bill to the floor last Congress and this Congress, the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, I thank the distinguished ranking member of the subcommittee for his kind words and for yielding. I also obviously thank Mr. MILLER and Mr. KILDEE for their work on this, and Ms. WOOLSEY, who has worked on it before with me. And I am pleased to be able to be here.

I support the legislation before us today which will reauthorize the Head Start program. And like almost every other Member of this body, I believe strongly in the benefits of this program. I trust that H.R. 1429, the Improving Head Start Act, will improve Head Start by emphasizing that every child, regardless of their economic status, should have the best chance possible to succeed.

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

As the centerpiece of the Federal Government's efforts to support quality early childhood education for our Nation's most disadvantaged youth, Head Start has served nearly 20 million low-income children and their families. Currently Head Start serves over 900,000 children every day and has over 1,600 grantees across the United States. In my home State of Delaware, Head Start programs serve over 2,000 children, with over 800 additional 3- and 4-year-olds receiving assistance through State government funding.

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

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

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

□ 1500

As I am sure some of my colleagues know, this bill does not include a proposed State demonstration project, which was incorporated into the legislation the House passed in 2003. I believe strongly, however, in the policy goals of increased coordination and integration that were and continue to be at the heart of efforts to remove barriers and prevent collaboration between Head Start and successful State and local early childhood initiatives. I believe the proposal to be offered by TOM PRICE of Georgia would foster integration among quality early childhood programs, and plan on supporting Mr. PRICE's amendment.

About 40 States, including Delaware, have established some form of early

childhood education, because States recognize that these services can make a real difference in preparing children for a successful future. Various local initiatives have also been launched, and today, disadvantaged children and families have access to programs and services from a wide range of sources.

Some of these programs rival or exceed the quality of Head Start, while others fall short. Head Start is no longer the only option for early childhood education, and we must ensure that all children are receiving the same quality education. In this new era, Head Start should be working toward integrating service with other school readiness programs not competing against them. Where we previously would have allowed no more than eight States to improve Head Start coordination with State and local efforts, this bill will ensure programs in all 50 States are able to increase collaboration.

We are encouraging Head Start grantees to align their academics with State-developed K-12 academic content standards, as well as to have a more active partnership with local school districts that serve the same communities. This will help to facilitate a smooth transition to kindergarten for their students.

Finally, we are asking early childhood providers in the State, including Head Start, preschool and child care, to come together to identify ways to integrate school readiness initiatives across the State.

As I have said, I believe strongly in the Head Start program, particularly because of how the program helps children later in their lives. Despite these stories, we have also heard many stories of programs in which funds were being diverted away from this purpose.

In 2005, the GAO released a report that warned the financial control system in the Federal Head Start early childhood program is flawed and failing to prevent multimillion-dollar financial abuses that cheat poor children, taxpayers and law-abiding Head Start operators. The GAO made some helpful recommendations on how we can strengthen the oversight structure to prevent abuses and protect good grantees. They recommended that increased competition in the program could help weed out poorly performing grantees and ensure high-quality services are available to children and families.

In response to the GAO's recommendations of how to eliminate financial mismanagement, we are increasing the competitive nature of the current program. The competition requirements in the Improving Head Start Act will help to alleviate these problems, but, more importantly, will drive program improvement across the board. Program improvements will ultimately help thousands of children nationwide, which should always be our goal.

As I said at the outset, Head Start is an important and very popular pro-

gram. The importance of early childhood education services cannot be overstated. I believe strongly that the reforms sought in H.R. 1429 will go a long way to institute needed reforms in an already successful program.

I urge my colleagues to support the legislation, and I thank all those who worked on this, including the staff, and I look forward to the passage of the legislation today.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Texas (Mr. GENE GREEN).

(Mr. GENE GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GENE GREEN of Texas. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise today to express my support for the Head Start Reauthorization Bill that was sent to this Chamber.

Head Start is one of the best programs we offer our youngest students.

Since its creation in 1965, it has proven to be our most valuable school readiness program in the history of this country.

Especially, now that we know more about the importance of early-childhood education.

Time after time, we have seen reports that prove students who attend Head Start perform better than those who don't.

It has also proven to help close the achievement gap between students of differing socioeconomic status.

The Republican amendment to this bill would repeal existing civil rights protections that ensure programs cannot use federal funds to discriminate in their hiring practices.

Head Start teachers should be chosen because they are qualified and effective teachers who will help children succeed and thrive.

Discrimination should not be supported with public funds.

National religious organizations, civil rights groups, national labor organizations, and the education groups all oppose any roll back of civil rights protections.

This is such a critical program, and it's important that this body reauthorize this program in a manner that shows bipartisan support for educating our children.

I urge my colleagues to support this bill.

Thousands of children in my district benefit from Head Start and it's essential that we reauthorize this program with a bipartisan plan that will help this program serve more children effectively.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I want to begin by thanking Chairman MILLER, Ranking Member MCKEON, Chairman KILDEE and Ranking Member CASTLE, as well as both the majority and minority staff for their hard work and for including so many issues near and dear to my heart in this bill. Some of those are recruiting minority male teachers; emphasizing children's social, emotional well-being; recognizing the expanding role of grandparents and kinship caregivers in children's lives;

keep parent councils as equals to the governing boards; incorporating the best practices from the field of home visitation into the Early Head Start programs; and encouraging the development of on-line graduate training. All of these are key issues to me and to the people of Chicago. I know that you have toiled long and hard to integrate Member concerns, and you have my appreciation.

In addition, I am very pleased that this bipartisan bill preserves the anti-discrimination history of Head Start advocated so ardently by the Head Start and religious communities. Federal funds are not meant to support discrimination of any type, and I applaud the Members of both sides for maintaining this fundamental commitment to justice and fairness in this bill.

Finally, I must mention a concern from Chicago Head Start programs. I know that the Chairs and ranking members have worked hard to address the problems surrounding low-income families in high cost of living areas such as Chicago from losing access to this critical child development program. I ask that the issue of income eligibility continue to be discussed so that the children of working poor families can be included.

Mr. CASTLE. Mr. Chairman, I yield such time as he may consume to the wonderful Representative from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I rise to briefly address a topic which I have not heard discussed here, although I have heard it discussed numerous times within the committee itself. I am very unhappy with the resulting bill that came out this year. The issue I wish to discuss is Head Start programs operated by faith-based institutions.

What has happened in this bill is that we basically have reversed the Civil Rights Act, which provides that faith-based institutions may discriminate in hiring by hiring people of the same faith as the institution. If it is a church, for example, they can hire people who are members of their church or denomination without violating civil rights laws. That is specifically legal under the Civil Rights Act. This bill prevents an institution from doing that; if they wish to operate a Head Start program, then they are not allowed to hire on that basis. So this bill is actually a reversal of the Civil Rights Act.

Now, why is this important? Why do churches need to do that? A perfect example was given last year during the debate on this bill in committee, when Representative Tom Osborne, better known as Coach Osborne, related an example in his district where a small church which had a small staff decided to operate a program similar to the Head Start program. They wanted to hire someone who could serve on their staff half-time and also operate the

educational program during the other half of their time. But they needed someone of their faith to do the church work. But this bill would prohibit that person to also teach in the school, but they were hired on a religious basis.

There is so much misunderstanding on this issue, and it really puzzles me, because I have very good friends over on the other side of the aisle whom I know have a deep religious faith. But why they are so anti-religious on this subject, I do not understand. They seem to believe that they have to prevent anyone with a religious belief from operating within a program of this sort.

I have to keep reminding everyone, this is not a case of churches trying to proselytize by having someone of their own faith running the program and teaching the kids that faith. That is not it.

The point is simply that faith-based institutions, by virtue of their faith, are determined to help people in the community who need help. It doesn't matter whether it is a Head Start program, whether it is a food program, as we operate in my church back home, or many other programs. They are doing it as an expression of their faith.

Now, is this wrong? Do we have to say, I am sorry, you can't run this program because you are a member of this church and you might express your faith? That is not what they are trying to do. So why do we have to go to great lengths in this particular bill to stop people from doing that, to prevent churches and other faith-based institutions from operating a Head Start program, unless they hire people from outside their church? That, to me, is grossly unfair. Frankly, I think it violates the Constitution, and I am strongly opposed to that practice.

Other than that, I think it is a wonderful bill and I would like to support this bill, but I am terribly disturbed by this anti-religious altitude that I have seen manifested here. I hope we can change this in this bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Texas (Mr. HINOJOSA).

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

Mr. HINOJOSA. I thank Chairman MILLER for extending time to me.

Mr. Chairman, I rise in strong support of H.R. 1429, the Improving Head Start Act. This legislation is long overdue. I would like to commend Chairman MILLER and Ranking Member MCKEON and Subcommittee Chairman KILDEE and Ranking Member CASTLE for working together to craft bipartisan legislation that will significantly improve the Head Start Program, especially for Hispanic and migrant farm worker families.

It is my hope that this spirit of bipartisanship will carry the legislation all the way to the President's desk for his signature. I strongly urge a "yes" vote on H.R. 1429.

Mr. Chairman, I rise in strong support of H.R. 1429, the Improving Head Start Act.

This legislation is long overdue. I would like to commend Chairman MILLER and Ranking Member MCKEON and Subcommittee Chairman KILDEE and Ranking Member CASTLE for working together to craft bipartisan legislation that will significantly improve the Head Start program—especially for Hispanic and migrant farm worker families.

It is my hope that this spirit of bipartisanship will carry the legislation all the way to the President's desk for his signature.

It is also my hope that this body will reject any attempts to allow discrimination to infect the Head Start program—whether the discrimination is based on religion or on the language that is spoken at home.

The bill before us today strengthens "Head Start" for Hispanics and families whose primary language is not English.

Here are just a few of the highlights: The bill increases the base funding for Migrant and Seasonal Head Start to a minimum of 5 percent of the overall Head Start funding, which means that more farm worker children will be in preschool instead of in the fields; the bill sets standards for communications with limited English proficient (LEP) parents so that language is not a barrier to Head Start access.

It instructs the Secretary of Health and Human Services to conduct a study of how Head Start programs serve LEP populations. It enhances Head Start transitions for LEP children to kindergarten.

It provides technical assistance resources for improving the quality of Head Start services for LEP populations, particularly in communities that have experienced a rapid and large increase in Head Start eligible LEP children.

It improves ensures that LEP children have access to linguistically and culturally appropriate instructional services that support proficiency in the English language and gains in other domains important for school readiness, including pre-literacy and numeracy skills.

It addresses the shortage of qualified teachers with expertise in serving LEP children by establishing a teacher career ladder demonstration program at Hispanic-serving Institutions and tribally-controlled Colleges and Universities.

These are significant improvements to the Head Start Program. Again, I would like to thank the chair and ranking member for working with us to include them in the bill before us today.

I strongly urge a "yes" vote on H.R. 1429.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY), a member of the committee.

Ms. WOOLSEY. Mr. Chairman, we must ensure that no matter where a child comes from or what his or her background is, that child has an equal opportunity to succeed in school and in life. That begins with quality early childhood education, and that is why we need to and must reauthorize Head Start.

This bill will allow 10,000 more children to benefit from the Head Start program. But many, many more children are eligible for Head Start, and

those children will continue to be left behind. A real investment in our children would ensure that every single child who is eligible has access to this very successful program. Without full funding, some children continue to start elementary school far behind their peers.

Some Members, as my friend on the other side of the aisle talked about, would like to allow Head Start programs to discriminate by using taxpayer dollars to hire staff based upon their religion, which is against everything I believe that the Head Start program stands for. When we already have a shortage of qualified Head Start teachers, we must not allow qualified teachers to be turned away simply because of their religion.

Mr. Chairman, children are 25 percent of our population. They are 100 percent of our future. We must support and expand Head Start for the best possible beginning of their lives.

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

Mr. GEORGE MILLER of California. I yield 1½ minutes to the gentleman from Illinois (Mr. HARE), a member of the committee.

Mr. HARE. Mr. Chairman, I rise today in strong support of H.R. 1429, the Improving Head Start Act. As a member of the Education and Labor Committee, I had the privilege of working on this bipartisan bill, which I believe will help more children arrive at kindergarten ready to succeed. Not only does this bill improve teacher quality, expand access and strengthen school readiness, it also addresses the unique challenges faced by rural Head Start programs.

Much of my district is rural. Therefore, I worked with several of my colleagues to ensure Head Start providers receive the support and flexibility required to serve America's rural communities. Specifically, we provided the assistance needed to improve transportation services in rural areas, the recruitment and retention of qualified instructors for rural programs and outreach to rural families. Later today, I will offer an amendment with my colleagues, Congressmen SPACE, WELCH and ALTMIRE that will further expand this assistance to rural Head Start.

Head Start is the country's premier early education childhood development and education program, serving more than 900,000 of our Nation's most needy families annually. Children who attend Head Start make gains in vocabulary, early writing and social behavior and enter school better prepared than lower income children who do not attend Head Start.

It is critical that all eligible families know about Head Start and that Congress allocates the necessary resources Head Start providers need in order to continue and expand these successful programs.

I urge all my colleagues to stand up for rural and low income children by voting "yes" on H.R. 1429.

□ 1515

Mr. CASTLE. Mr. Chairman, I yield 4 minutes to the gentleman from Utah (Mr. BISHOP).

Mr. BISHOP of Utah. Mr. Chairman, I thank the gentleman from Delaware for giving me this opportunity to discuss the concept of Head Start, which is a significant program that does a great deal of good for kids who are in dire need of this kind of service.

If indeed the decisions that we made in life were always of a vast contrast, differences were black versus white, night versus day, even the simple ones of right versus wrong, our life would be easy and our choices would be easy.

But, unfortunately, life is not like that. The decisions and choices we get to make are always going to be a shade of gray. We are given oftentimes two goods, and we have to decide which is the better choice. How we make those decisions identifies us as individuals; but it also defines what we are as a society.

This particular debate today is dealing with one of those basic choices between two goods. We have one of the big differences with this particular reauthorization of Head Start versus the reauthorization of Head Start that we passed last year, both of them good bills, is the concept of faith-based institutions within these two bodies.

One of the things that bothered me also as a speech teacher is as we are talking about this issue, sometimes we are talking different angles, kind of like ships passing in the night, without discussing the same definition of terms.

One side will say that faith-based institutions should not be used because of the hiring practices. If this institution decides to hire within their own religious group, a program that is legal both legislatively as well as judicially, then they should not be used in the concept of Head Start, or used as a program for Head Start. It has nothing to do with proselytizing, it has to do with whether they should be used at all. The other side simply says value is what is best for kids. Those are two goods. Neither one is necessarily bad. The issue is: Which is more important to us?

I am going to make the argument to you that if we really want to define our society, what we have to do is to say our highest value for this education program is what is best for kids. If, indeed, a faith-based institution is the best program to help kids break the cycle of poverty, understand the importance of education to try to lead a better life and improve their lives and their family's at the same time, then that has to be our highest value. That must be our highest value.

What we have to do is avoid the biases that we have on any other issue. The question is what best helps kids. Once again, if a faith-based institution is the best way of helping a kid, do it. For heaven's sake, do it. Do not hold kids hostage to our own social dogma. It may not be a bad social dogma, but

the question is, where is our priority? What are our values?

With these kids who desperately need this help, this assistance, the most important thing is to give them that help so they can move forward and they can break the poverty cycle, and they can move on with their lives and help themselves and their families at the same time.

If that is not our goal, if that is not our purpose, if we are really not talking about how to help kids best, then we are fooling ourselves and making poor choices and kind of demeaning the entire debate and discussion of what the Federal Government will do in the area of education.

Once again, Mr. Chairman, we will have a chance to discuss these issues again in some other format, but I would urge my colleagues to remember we have to make a choice somehow, and our choice should be in the best interest of kids, and everything else, everything else, has to be secondary to that goal.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, we have just heard the suggestion that some programs might be better if only the program sponsors could discriminate in employment. We hadn't heard those arguments for over 40 years before this administration came in.

Let's talk about when you say "protect civil liberties," what liberties you are protecting? If you are protecting somebody's right to tell somebody they can't get a job because of their religion, if you can discriminate against someone because of their religion, racial discrimination laws essentially cannot be enforced. So who are you protecting? You are protecting the one trying to discriminate; the victim of discrimination loses all protection.

The children of families of unpopular religions will ask their parents why they couldn't get a job in the Head Start program, and they will have to be told they are not hiring people of our religion. Just what kind of Head Start is that?

Proponents are saying we lose opportunities. We have plenty of opportunities in Head Start. All we have to do is fund it more, and there will be plenty of opportunities for Head Start programs.

There has also been a suggestion you may have to take icons off the wall. If icons have to be taken down, it is because of a violation of the establishment clause of the Constitution. Let me tell you, passing a motion to recommit will not solve a violation of the establishment clause.

Forty years ago race and religious discrimination was found to be so reprehensible that we made it illegal even with your private funds. Now we have a plea to protect the people trying to discriminate and not the victims of discrimination. We need to leave the law

the way it has been for the last 40 years. We can keep the antidiscrimination laws and those programs. Any program that can get funded with this faith-based initiative amendment could be funded anyway if you just comply with the antidiscrimination laws that have been in effect for the last 40 years.

We ought not to have to tell our children why certain parents can't get a job in a program because we are failing to protect the civil rights of the victim of discrimination because all of a sudden we are interested in the civil rights of the person trying to discriminate.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Kentucky (Mr. YARMUTH).

Mr. YARMUTH. Mr. Chairman, as we pass the reins of our Nation to future generations, we must acknowledge that America's continued prosperity in the global economy will not be ensured unless we equip our children, the leaders of tomorrow, with the tools they need to succeed down the road.

To achieve this, we must cultivate not just the most privileged students, not only our brightest students, but also the students who grew up with disadvantages. Indeed, we must nurture the potential of all our children because it is in the best interest of our country to maximize the contributions and success of every American.

I recently visited a Head Start program at Indian Trail Elementary in my district in Louisville. The veritable beehive of activity there spoke louder than 40 years of studies on Head Start progress, but they said the same thing: The thoroughly engaged children were actively building a solid foundation for their futures, and they were loving the pursuit.

Like their predecessors, the 1,800 Head Start students in Louisville and the 1 million nationwide are making tremendous gains in family literacy, vocabulary, early writing, letter recognition, and social behavior, skills that will pay huge dividends in their future pursuits.

We have an opportunity today to extend and improve this program which is so vital to the preparation of today's youth, who in turn are critical to America's future. It is our moral responsibility and I believe our honor and privilege to reauthorize Head Start, and I urge my colleagues to join me in doing so.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, I thank the gentleman from California for yielding me this time.

We are told over and over again in committee hearings from experts and scholars of all natures that we could close 50 percent of the achievement gap

that we see in our country if we have effective preschool, prekindergarten programs. Head Start is just that kind of a program.

We see over and over again the evidence showing us it has a positive economic and social impact across this Nation, particularly in its comprehensive nature, the fact that it deals with education, deals with health issues and social implications.

The Commonwealth of Massachusetts, my State, 80 percent of 3-year-olds are still not enrolled in prekindergarten or Head Start programs. We need to be expanding this program for all of the good things it does because we need to take advantage of that opportunity to close that gap.

One of the ways that we are going to do that is to attract quality teachers. I am glad to see in this bill that Mr. SESTAK has filed an amendment to provide up to \$10,000 in loan forgiveness for college graduates who commit to teach in the Head Start field. We have raised the standard of the teachers that we want, requiring them to meet a certain grade. That means we are going to have to pay people in order to go into this profession because it is still going to cost them considerably to get that degree. If we are going to do that, we have to step forward. I think Mr. SESTAK's idea, which we have been talking about in the higher education reauthorization bill for some time, is one way of doing that. Loan forgiveness for early education teachers over a period of years will allow us to have that program meet the pinnacle that we need it to reach.

For this and many other reasons, I think this bill is a good bill and deserves our attention and our support. I ask my colleagues to join me in voting for it.

Mr. CASTLE. Mr. Chairman, I yield 4 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Chairman, I thank the gentleman from Delaware for allowing me to come and chat on a little different topic, a topic that we tried to bring to the floor today on this bill, and a topic that I think would truly expand and protect children in the Head Start program, but a topic that wasn't allowed to be brought to the floor because an amendment wasn't allowed. I think this issue truly demonstrates where the priorities of the majority party are.

This issue that I attempted to bring to the floor would have resulted in significantly greater safety for the children who are transported in Head Start programs.

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

Last week, buried deep in H.R. 1591, the emergency supplemental for Iraq,

was language that delays these transportation safety requirements for Head Start programs once again. The fine print reveals that the rear emergency exit requirements are delayed for another year, and a seat belt safety requirement is delayed until another study is done.

Well, Congress required these regulations to ensure the safe operation of vehicles by Head Start agencies; and currently, the leading cause of death for children ages 3 to 7 is motor vehicle, traffic crashes. The reason why these transportation requirements were put forth is that the National Highway Traffic Safety Administration does not approve of the use of vans or cars or vehicles of other types for the purpose of providing planned transportation services. School buses are the safest form of transportation because they include many special features. Further delaying these requirements means authorizing that Head Start grantees can transport children using vehicles that are not designed specifically for the purpose of the safe transportation of children.

My amendment, which wasn't allowed, would have ended this delay and make the regulations for emergency rear-door exits and seat belts on vehicles used to transport children effective immediately.

Mr. Chairman, as you know, on the first day of this Congress, children were paraded in front of the American people, and the new majority claimed that the House would come to order for the children. Well, today, if it is truly about the children, then the majority would have allowed this amendment to be entertained. Any further delays endangers lives of children.

So I suggest, Mr. Chairman, that the hypocrisy of this process is telling, and that if we truly are interested in making certain that our greatest resource, our children, the future of our Nation, are protected, then we would have allowed this amendment, and I am distressed it wasn't allowed. I encourage through the process the majority party make certain that we address this as this bill moves forward.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Chairman, I thank the chairman for yielding me this time.

I rise today in strong support of H.R. 1429, the Improving Head Start Act. I represent the majority of Suffolk County where 20 Head Start and three Early Head Start centers have been serving the community since 1966. In fact, my wife's first job out of college was as a Head Start teacher in one of those centers.

Parents, teachers and many of our colleagues can all agree that Head Start is one of our Nation's most prominent and successful early education programs. This bill continues to build on Head Start's successes by en-

suring that kids are prepared for school, by improving teacher and classroom quality, strengthening the focus on school readiness, increasing accountability and boosting coordination.

Research finds that children who attend Head Start enter school better prepared than low-income children who do not attend the program, and that children who attend Head Start make significant gains.

If we are serious about achieving the goals set forth by No Child Left Behind, then passing Head Start reauthorization is a down payment on achieving those goals.

□ 1530

During the markup of this bill, I was proud to offer an amendment that would allow Head Start programs to use up to 10 percent of their quality improvement funds for transportation costs. This amendment was in response to concerns brought to me by my constituents that many have thought programs were being forced to choose between providing transportation to children or sacrificing the quality of their program.

With my amendment and so many other worthwhile improvements to Head Start, I strongly encourage my colleagues to support this balanced reauthorization for the benefit of our children and future generations of America.

Mr. MCKEON. Mr. Chairman, we have no further speakers, and we reserve the balance of our time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

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

Ms. JACKSON-LEE of Texas. Mr. Chairman, I thank the chairman of the full committee for his leadership and all the members of the committee and Mr. KILDEE for his leadership as well on some of these very important issues. We have worked together. I thank the ranking member for their long-standing understanding that we must collaborate when it comes to teaching our children.

I rise to support H.R. 1429 and had the pleasure of visiting a Head Start facility in my community. What was the greatest joy was to be able to see the parents and children working together on this very special day, and I want to thank the committee for persevering against all odds, particularly the opposition of those who would say it is time to change drastically, to do a surgical reform on Head Start.

It has worked for some 30-plus years, and what has been done in this legislation is the right direction: enhanced professional development, providing more degreed teachers teaching, providing opportunity for the associate degrees, working with caretakers or assistants in the classroom, and really

teaching our children the “yes, I can” method.

I rise also to support the amendment of Congresswoman EDDIE BERNICE JOHNSON that will be offered that provides the opportunity for collaboration with historically black colleges.

What we need to be doing is investing more in Head Start by proving that it has been a success, improving classroom and teacher quality, raising the quality of teachers, and increasing funding for teacher and staff salaries.

But most importantly, anyone who has taken the opportunity to see the youngsters, the babies that are in this program, see their eyes open wide, see them understand the world and the colors and what is real and that they can be the greatness that they are, we know that H.R. 1429 is on the right path, and I encourage my colleagues to enthusiastically support the Improving Head Start Act of 2007. These are the babies not of yesterday, but today.

Mr. Chairman, I rise in strong support of H.R. 1429, the Improving the Head Start Act of 2007. This bipartisan legislation would allow up to 10,000 more children from low-income families to have access to the world of opportunities offered by early developmental education. It also appropriates the funding required for a range of necessary improvements, ensuring we are offering our children comprehensive and regulated programs. I urge my colleagues to join me in expressing that a child’s educational and developmental opportunities should not be limited by his or her family’s income.

Head Start creates opportunities for children who are born without any. This program provides comprehensive early education programs and support services for well over a million children across our Nation; children whose families would otherwise be unable to offer them these opportunities. The program’s holistic approach to education provides a wide range of services in addition to basic education, including medical and dental screenings, nutritional services, parental involvement activities, and mental health services. Poverty has proven devastating to child development and success, but Head Start has proven capable of providing the broad range of support that all children need to succeed in school, and indeed in life.

This program is particularly crucial to minority communities. Of the over 1 million children enrolled in Head Start programs, 65 percent belong to minority groups. In a world and a country where minority children may continue to face discrimination and limited opportunities, Head Start ensures that they are prepared to begin school when they reach the proper age. This program has proven successful in minimizing the “readiness gap” between program participants and their more affluent peers.

In Harris County, TX, where my district is located, Head Start has been active since 1999. In this county alone, the program currently operates in 17 locations, and has served over 5,000 children since its inception. There are, at present, over 1,170 children enrolled in its wide array of programs. In Harris County, and across our Nation, Head Start programs help children grow mentally, socially, emotionally, and physically.

This bill contains many vital provisions. It authorizes an additional \$450 million dollars for 2008, funds that would allow up to 10,000 more children access to Head Start programs. It increases funding for teacher and staff salaries, ensuring a quality workforce and providing for the hiring of additional qualified staff. H.R. 1429 re-evaluates and updates the current standards and assessments, suspending the badly flawed National Reporting System. The bill also boosts cooperation between Head Start and state and local child care programs, as well as improving coordination with state health, mental health, and family services.

This bill also contains important provisions to improve accountability for these government-funded programs. It includes a new system of application review that assesses program quality, allowing the Secretary of Health and Human Services to more quickly strip funding from low-quality programs. These review systems ensure both that our Nation’s children are receiving the best services we can offer them, and that taxpayer dollars are spent to maximum effect.

Mr. Chairman, as Chair of the Congressional Children’s Caucus, I am dedicated to providing the best possible opportunities and support to our Nation’s children. Head Start is an important aspect of ensuring our children’s future. I strongly support H.R. 1429, and I encourage my colleagues to do the same.

Mr. McKEON. Mr. Chairman, I yield such time as he may consume to the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. Mr. Chairman, just very briefly, we are about to pursue I think a dozen amendments here. All of us had a chance to work on this, had a chance to look at it. I think some of them are very good amendments. I think some are relatively neutral. I think some are maybe a little detrimental to the bill.

I just hope that everybody will listen carefully to the amendments and will not end up being a party vote necessarily and we do what is in the best interests of these children that we have talked about so frequently in the last hour or so.

There is real significance to some of these amendments. I think it is very, very important that we understand the context of them.

I would just like to also finally say at the end that, in my judgment, if you look at any aspect of Head Start that this underlying legislation basically improves the opportunity for young children who are within the parameters of the Head Start program, and I hope that all of us will be supportive of that.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, as we discuss this faith-based amendment, I think we need to seriously consider the long-term societal implications of that amendment, allowing discrimination in the Head Start program.

Our Nation just went through quite a conversation when Don Imus made his remarks, and I would hope that that

was just talking. We are actually going to do something in considering whether or not a program can deny an employment opportunity solely because of religion, and if you happen to go to an all-black or all-white church, the decision made on religion will deny you based on race as well.

We should have this conversation here on the floor, considering what we are doing long-term, similar to the conversation we had when Don Imus embarrassed himself. We should not embarrass ourselves here on the floor of the House of Representatives. We need to maintain the civil rights protections for prospective employees that we have had for the last 40 years.

Mr. McKEON. Mr. Chairman, I thank my colleagues for a productive debate on the Improving Head Start Act. As many of us have noted throughout the day, Head Start is a good program that can be made even better, and that is why we are here. I hope everybody listened carefully to Mr. CASTLE as he talked about the importance of the upcoming amendments we are going to discuss because they can make the bill better.

This program serves nearly 1 million underprivileged children and eases the divide between the haves and the have-nots when it comes to preparing them for kindergarten, which will give them a good start for their life. The bipartisan support we have seen for the bill today should lend all of us confidence that the program will remain on a solid foundation for generations to come.

By reauthorizing Head Start, we are voting to build upon improvements that were made by the House Republicans in past Congresses by strengthening academic standards by emphasizing cognitive development using scientifically-based research; improving teacher quality by ensuring more Head Start teachers have bachelor degrees and are adequately trained in early childhood development; increasing financial disclosure requirements by Head Start operators as custodians of Federal Head Start grants; and requiring local governance boards to actively oversee grantees.

These are common-sense reforms that I wholeheartedly support. That said, this bill remains flawed, and soon, we will turn to a number of amendments that highlight those flaws. One such amendment that we will not be able to discuss unfortunately is one offered to the Rules Committee by Mr. FORTUÑO yesterday. The Fortuño amendment is a principled one. It clearly protects the hiring privileges of faith-based providers and protects their civil rights to display religious symbols, rights that are sheltered under the 1964 Civil Rights Act. Yet, we will not be able to debate and vote on it today, a major statement about the real priorities of this purportedly fair, open and honest Congress.

Nonetheless, Mr. Chairman, I still believe the Improving Head Start Act is a worthy piece of legislation, deserving

of the same bipartisan support it received from the Education and Labor Committee just 2 months ago.

Before I conclude, I would like to thank a number of current and former members of my staff who have made this bill possible. First, to Kate Houston, who no longer works on Capitol Hill, let alone on our committee staff. Years ago, Kate helped craft legislation that closely tracks the bill we are poised to pass today.

Stephanie Milburn, who left our staff earlier this year to join Mr. BOEHNER's team, played an integral role in bringing this bill to where it is today, and I thank her as well.

Finally, I thank Susan Ross and James Bergeron for their work in helping to bring this bill across the finish line.

I have already mentioned thanks to Mr. MILLER, Mr. KILDEE, Mr. CASTLE, and I would like to thank their staff also for working with us so closely on this bill.

The team effort that we have demonstrated on this issue, and our ability to work closely with our Democratic counterparts, yielded the product we are poised to vote on this afternoon.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume and just to thank my colleagues who joined in the general debate and for their support for this legislation and, again, to thank the staffs on both sides of the aisle of both the subcommittee and the full committee without whose work and effort and knowledge this legislation would not be in the kind of shape it is today, with the support that it has from both Republicans and Democrats for the Head Start bill.

Mr. McDERMOTT. Mr. Chairman, I represent a community that honors the memory and civil rights legacy of Dr. Martin Luther King, Jr. every day, because King County has adopted Dr. King's portrait as our symbol, and Dr. King's commitment to civil rights as our commitment to all the people in King County, Washington.

So, it is with a unique responsibility that I rise to strongly oppose this Republican attempt to turn back the lock on civil rights in this Nation, beginning with the Head Start program. The Minority Leader, the leader and spokesman for the Republican Party in the House, wants us to legislate employment discrimination within Head Start based on religion. The Minority Leader wants to turn his back on civil rights, and turn back the clock on the struggle for freedom that Dr. King and so many others fought and died for.

The Republican House leader apparently finds the First Amendment inconvenient for his taste. The First Amendment protects Americans from exactly the kind of foolish proposal before us today. Separation of Church and State is one of the fundamental principles within the First Amendment: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof . . ."

We must not roll back civil rights in this Nation, not today, not tomorrow, and not ever,

but that's what the I leader of the Republican party proposes. There is no reason to justify this attempt to roll back longstanding civil rights and religious liberty protections in a program that has benefited countless children over the years. In a nation like ours with so many religious traditions, built-in protections prohibiting religious discrimination in federally funded programs represents a fundamental commitment towards a society that values the contributions of people of all faiths.

Religious organizations have had a long and proud history in Head Start programs, including in my own district of Seattle, where the YWCA is a Head Start provider. Civil rights protections have never been a bar to participation by these organizations. If these safeguards are repealed, thousands of dedicated Head Start teachers and parent volunteers could find themselves no longer welcome at some Head Start programs run by followers of other faiths.

Religious organizations are free to engage in faith-based hiring when they use their own funds to promote their institutional ministry, but not when they use Federal money to educate our Nation's children. It would be wrong to permit religious organizations to use Federal dollars to discriminate on the basis of religion in running Head Start programs that are intended to benefit disadvantaged children of all faiths.

On behalf of the people of Dr. Martin Luther King, Jr., County, in Washington State, I strongly oppose this amendment and urge my colleagues to vote "No."

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of H.R. 1429, the Improving Head Start Act of 2007.

Mr. Chairman, for the last two Congresses we have successfully fought back the attempts by the then Republican leadership to cut funding, and to drastically change Head Start in ways that would prevent them from providing the services that our communities have come to depend on them for.

Every week I meet with outstanding high school and college students who began their educational journey in Head Start. This bill provides additional funding so that more children would have the opportunities provided by this important program.

H.R. 1429 also provides greater monitoring and accountability and increases funds for salaries and professional development.

As amended it also provides loan forgiveness for Head Start teachers as a means to attract and retain some of the best teachers for this very vulnerable group of children.

One thing this bill does not do is allow centers run by religious organizations to discriminate in their hiring.

Mr. Chairman, this bill, together with H.R. 1867 is an important step forward in realizing the "competitiveness agenda" that you have laid out for us in the 110th Congress.

I urge the passage of both bills.

Ms. SOLIS. Mr. Chairman, I rise in support of H.R. 1429, the Improving Head Start Act of 2007. Head Start is a program that has been crucial on the development and academic success of our children for more than 40 years.

Since 1965, more than 24 million children have benefited from Head Start's comprehensive services and school readiness. Last year alone Head Start served about 900,000 children nationwide—over 98,000 children in my home State of California and nearly 6,500 chil-

dren, more than 60 percent Latino, in the 32nd Congressional District of California, which I represent.

In addition to providing these comprehensive services, Head Start programs engage parents as partners in their children's education. Parents volunteer at their child's school site and many become Head Start teachers. Head Start has a proven track record of improving the lives of low-income children and families. It narrows the gap between disadvantaged children and all children in vocabulary and writing skills. It also leads to continued improvements in word knowledge, letter recognition, and math and writing skills relative to other children during their kindergarten year. 83 percent of Head Start children are at the national norm by the time they reach kindergarten.

Studies also demonstrate that Head Start programs improve the well-being of the children and families they serve, providing health and dental services to children and families who might otherwise not have them. Head Start programs benefit parents as well. Head Start parents report increases in education attainment and employment during their time affiliation with Head Start. In California, 24 percent of Head Start employees are or were Head Start parents. In addition, 86 percent of Head Start volunteers in California are current or former parents of the local Head Start program.

The Improving Head Start Act of 2007, H.R. 1429, not updates this program so all children could be put in the road for academic success. It makes significant improvements that will help strengthen educational outcomes for students, ensure better coordination with local school districts, improve teacher quality, and increase program eligibility. It would help improve Head Start's workforce quality by increasing funding for teacher and staff salaries and professional development. This includes providing funds for training personnel in addressing the unique needs of migrant and seasonal working families, families of children with disabilities, limited english proficient families and homeless families. It will also expand access to up to 10,000 more children and will strengthen school readiness by re-evaluating and updating current standards and assessments based on best science.

H.R. 1429 also reserves 5 percent of the total Head Start appropriation for the Migrant and Seasonal Head Start program. This is important because the Migrant and Seasonal Head Start program serves some of the country's neediest working families and is designed to meet the unique challenges and opportunities faced by the children of farmworkers.

At a time when America needs to be at the forefront of innovation and education, programs like Head Start are an investment in our future workforce and their success. I applaud the members of the Committee on Education and Labor for their work on the reauthorization of this important program. I urge my colleagues to vote in favor of H.R. 1429 and to oppose any proposal that would block this grant program or would allow government-funded religious discrimination in Head Start programs. Supporting this bill is supporting our Nation's future.

Mr. TERRY. Mr. Chairman, I rise in support of H.R. 1429, the Improving Head Start Act of 2007.

This bipartisan legislation will benefit nearly one million disadvantaged children nationwide

by expanding Head Start's focus on school readiness. Low-income children will be taught key early learning skills such as alphabet, number, color and shape recognition to help them succeed in their school years.

This bill also opens poor-performing Head Start programs to greater public scrutiny and needful competition. Triennial program reviews by the Federal government and independent investigation by the Government Accountability Office have revealed that some Head Start programs operate with Federal tax dollars despite chronic financial mismanagement, health and safety concerns, and poor community involvement.

H.R. 1429 would help remedy this situation by requiring Head Start programs to demonstrate active partnerships with local school districts to ensure smooth transitions for children into kindergarten. Poor-performing programs would be opened to competition every 5 years. Annual disclosures of financial information and greater participation of parents in the decisions of Head Start governing boards will also make a difference.

I have personally seen the benefits of partnering local school districts with Head Start. Several years ago, a long-standing Head Start program serving 1,000 children in Douglas County, Nebraska was transferred to the control of the Omaha Public School District to end long-standing financial mismanagement and safety concerns for children.

Omaha Public Schools went the extra mile by partnering with EduCare, an outstanding private preschool program that involves the entire family, emphasizes best practices, and focuses on early learning skills to help disadvantaged children succeed in school and life.

EduCare was created by Susie Buffett and currently serves 239 children from Omaha families living below the poverty level. Families must either work, be in job training, or attending school to qualify. Enrollment is free, with costs covered by the Nebraska Department of Education, Omaha Public Schools, the Department of Health and Human Services and private sources.

EduCare has a low child-to-adult ratio: three infants per adult, and six preschoolers per adult. Bachelor level staff members are trained in early childhood education, and the program contains strong academic components to help children succeed in school, including limited english proficiency children.

Buffett has said: "We look at the whole entire family, not just the child." Parents are directed to community resources to improve home life, such as food shelters and Christmas toy drives. Single mothers are helped with transportation and job searches.

Preliminary evaluation data indicates that the EduCare program is making a significant difference in the lives of children. Upon entering the program, children's language, literacy and social emotional areas of development are assessed. Most children initially score in the borderline range of development. Annual assessment results have shown the majority of participating children gained more vocabulary words in the course of the school year than one would expect based on maturity.

By the time they transitioned to kindergarten, EduCare's children were scoring very close to the national average. Standardized assessments of children's literacy and kindergarten readiness skills show similar results.

Because research has shown children's vocabulary and pre-literacy skills to predict later school success, every Head Start program should help children reach such strong learning potential while addressing the short and long-term needs of the child's family. EduCare is an incredible success story in the lives of low-income children.

I also want to draw the attention of my colleagues to a provision of this bill to protect Head Start for children of military families. The privatization of military housing created an artificial raise in a military family's income, making their children ineligible for Head Start. H.R. 1429 would disregard the Basic Housing Allowance from a family's income when determining Head Start eligibility. Servicemembers protecting our freedom need not worry about their children's continued access to Head Start.

Mr. Chairman, I hope we can go even further in the future to strengthen the academic emphasis in Head Start and give states and excellent programs such as EduCare a greater ability to improve the lives of low-income children and their families. H.R. 1429 makes good progress in this direction.

Mr. STARK. Mr. Chairman, I rise today in strong support of the Improving Head Start Act of 2007 (H.R. 1429).

Since 1965, Head Start has served millions of low-income families and helped children prepare for school. It is an essential program and one whose success has a major impact on children, their families, their community, and ultimately the future of our country. We owe it to our children to pass this bill and make improvements that strengthen and grow the Head Start program.

Scientific research shows us that 80 percent of brain development occurs by age 3 and 90 percent by age 5. Studies also show that education achievement gaps between poor and minority students and affluent and non-minority students are already in place when children begin elementary school. These achievement gaps, once in place, tend to persist and are exceedingly difficult to remedy. Head Start and Early Head Start are effective in closing achievement gaps and foster both short and long-term success in participating children.

In addition to preparing children for success in school, recent research clearly demonstrates that children enrolled in Early Head Start and their parents realize other very significant gains. Early Head Start children show better approaches to learning, demonstrate more appropriate language acquisition, and exhibit less aggressive behavior. Early Head Start parents create a stronger home environment with more parent-child reading and a greater repertoire of discipline strategies. Early Head Start parents also show significant progress toward economic self-sufficiency. These impacts are significant and result in children with increased linguistic, cognitive, social and emotional competence. What better investment could we be making for our children?

Unlike programs dreamed up by ideologues in the Bush Administration like "abstinence only education" and "marriage promotion," we know that Head Start works. Unfortunately, less than half of eligible children are enrolled in Head Start. Even worse, less than 5 percent of eligible infants and toddlers are enrolled in Early Head Start.

If we are serious about providing all children with an opportunity to succeed in school and

in life, we must expand Head Start and particularly Early Head Start. This bill is a step in that direction. It will more than double the amount of money available to Early Head Start programs. The bill will also expand services to infants and toddlers that are so crucial to child development, but often difficult for parents to access. In addition, the Improving Head Start Act will increase eligibility levels so that children from families making up to 130 percent of the Federal poverty level can participate. This change is especially important in areas of the country with high costs of living, including my district where the poverty threshold is well below what it actually costs a family to live.

This bill's expansion of Early Head Start and Head Start should be applauded. We cannot lose sight, however, that these programs only address the tip of the iceberg. This Congress must focus more of our attention on all children birth to age 5 and guarantee that all families have access to high quality comprehensive early care and education programs. This is an investment that our country must make if we are serious about giving all of our children a chance at the American dream.

Despite the strong bipartisan support for this legislation, the White House has indicated that the President does not support this legislation as written unless we insert a special interest provision for the religious right. The President and many Republicans want to allow religious organizations to discriminate in their hiring practices. Religious organizations have been Head Start providers since the program was established and have done quite well playing by the same rules that prohibit all employers from discriminating. Pandering rhetoric and veiled threats from the White House will not improve the life of a single family.

In closing, I hope that all of my colleagues will see the importance of investing in our children and supporting families. I urge a "yes" vote on this legislation and a "no" vote on Republican attempts to turn this into a vehicle for religious discrimination.

Mr. WU. Mr. Chairman, I rise in strong support of this legislation.

Head Start has proven its ability to improve the lives of disadvantaged children. Numerous studies have demonstrated that children who attend Head Start come to school more prepared than children who do not participate, and that these effects last over a period of years.

I have personal experience with the program—my wife, Michelle, was a Head Start teacher for 7 years in Oregon. In her classes, I saw the children of janitors and security guards.

Their parents worked in the sparkling towers of downtown Portland, but they themselves never got to visit downtown, except in their Head Start field trips.

The Improving Head Start Act makes several needed changes to current law. It ends the use of the National Reporting System—a flawed testing system that has tested over 500,000 4-year-olds, despite strong opposition by child development experts.

The bill also improves current law by making clear that Head Start agencies must establish and maintain a formal structure of shared governance with parent policy councils. This will codify in law that parents have the ability to shape and share a role in the success of their local Head Start program.

Finally, the bill authorizes \$7.35 billion in funding for the program in FY08—an increase of over \$400 million from this year's level.

Oregon's Department of Education reports that, as of January 2007, 43.2 percent of eligible children cannot participate in the program due to lack of funding. Head Start is a highly successful program, and it ultimately costs all of us when those eligible cannot participate.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in strong support of the Head Start Program and I am encouraged by H.R. 1429, the Head Start Improvement Act of 2007.

I am a Head Start kid. I have firsthand experience of the comprehensive education programs and opportunities that Head Start provides to low-income families.

Head Start programs promote school readiness by assisting with the social and cognitive development of young children. Research consistently identifies the early years of a child's development as ever more crucial to the child's lifetime success.

Many Head Start programs already try to incorporate new research into their strategies through education, health, nutrition, and social services. This bill ensures that local Head Start programs have the resources to undertake the best practices for furthering a child's development.

Head Start is about the family. As I received education and health services, my mother learned valuable lessons on how to become a more active and involved parent in America's public school system.

I am glad to see that this bill maintains the existing shared governance structure to help empower parents and allow programs to be responsive to local needs.

What's more, this bill is good for Head Start teachers. This bill takes the necessary steps to ensure that Head Start teachers' salaries and professional development are in line with the responsibility that we assign to them.

The Head Start Improvement Act of 2007 is a good bill that will keep Head Start strong so it can remain the great program that it was for me, and continues to be for so many Americans.

Mr. VAN HOLLEN. Mr. Chairman, I rise today to support the Improving Head Start Act, a bill that will strengthen our nation's premiere early childhood education program and expand its services to thousands more children across the country.

Head Start has been improving lives and increasing opportunities for children and families for more than 40 years. With this important program, we teach our children that they can succeed, regardless of background or family income. We open doors to millions and prepare them for future success in school and careers.

This bill provides much-needed amendments to Head Start that will improve workforce quality by increasing funding for staff salaries and professional development, and enhance coordination between early education and primary schools. It also strengthens standards and accountability to ensure that our children are getting the best quality care and education.

I am also pleased that this House defeated a divisive and misguided motion that would, for the first time, legitimize publicly funded religious discrimination in the Head Start program. It would have given taxpayer money to

Head Start centers and allow those centers to exclude taxpayers from jobs solely on the basis of their religious beliefs. It would be a green light for religious bigotry. Its passage would have been bad for education and bad for religion and I joined the National Head Start Association, the Interfaith Alliance, and countless other secular and religious advocates of the Head Start Program in opposing it. I am glad that we have a clean bill to pass today.

I also urge my colleagues to not only vote for this bill, but to continue to advocate for Head Start by supporting full funding for the program. It is not enough to pass the legislation—we need to give our communities the resources they need to carry out our mandates.

I thank Chairman MILLER, Chairman KILDEE and the Committee on Education and Labor for their work on this important legislation, and urge its final passage today.

Ms. HIRONO. Mr. Chairman, I rise today in support of the Improving Head Start Act of 2007. Over and over again, rigorous evaluations have shown that Head Start and Early Head Start works. It improves the lives of our neediest children and families.

I am proud to be an original cosponsor of the bill at hand, as it makes several positive changes to the Head Start program. It authorizes \$450 million new dollars to the program, which is enough to provide up to 10,000 new spots for children. It prioritizes program improvement by increasing funding for teacher and staff salaries and professional development. It suspends the National Reporting System, which is a flawed testing system that does not adequately assess this comprehensive system.

Science has shown that providing a quality early education experience leads to healthy brain development that prepares children for success in school, as well as later in life. Access to high quality early education, as well as to wrap around, comprehensive services, really sets the foundation for children and their parents.

I urge my colleagues to support this strong, bipartisan bill. It will directly improve the lives of many, many children and families.

Mrs. MALONEY of New York. Mr. Chairman, I rise in strong support of H.R. 1429, the Improving Head Start Act of 2007. Since 1965, the Head Start early childhood education program has provided low-income children with comprehensive child development, educational, health, nutritional, and social activities to ensure that they are ready to enter kindergarten on an equal playing field with other children. H.R. 1429 will expand and improve the successful Head Start program, which research has shown works in raising children's achievement.

I want to thank Representatives KILDEE, CASTLE and Chairman MILLER for their outstanding leadership on this bipartisan bill, which would allow as many as 10,000 more children to access the benefits Head Start. It improves classroom and teacher quality, raising the qualifications of teachers and increasing funding for teacher and staff salaries and professional development. The bill also includes strong accountability measures to better ensure that Head Start funds are used appropriately and efficiently and that underperforming programs are either replaced or quickly improved.

As a former educator, I understand the importance of closing the school-readiness gap

and ensuring that all children can start their education on an equal playing field. Today, we have the opportunity to pass a bill that will make great strides toward just that.

Ms. LEE. Mr. Chairman, I rise in strong support of the amendment offered to the Head Start reauthorization bill by my friend and colleague from Texas, Congresswoman EDDIE BERNICE JOHNSON.

This amendment would encourage partnerships with Historically Black Colleges and Universities and Head Start.

This amendment builds on the important step that the underlying bill takes. That is, H.R. 1429 will require that fifty percent of Head Start teachers have a Bachelor's degree in early childhood education by 2013.

This amendment would create a partnership between the Secretary of HHS and HBCU's to meet the new degree requirements. It would require those who benefit from this partnership to teach at a Head Start program for a period of time equivalent to the time they received assistance.

This is a significant amendment not only because it will provide students with qualified teachers in their classrooms, it will also set a good example for these students. In fact, evidence suggests that students who attend early childhood programs have a better chance of success later in life. In an article published in the *Developmental Psychology* journal of the American Psychological Association in 2005 showed that children in Early Head Start had better test scores, had better cognitive and language development. These children also showed less aggressive behavior than non-early Head Start children, which goes towards improving the overall environment of our elementary and secondary schools.

I urge my colleagues to support this amendment and the underlying bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 1429

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Improving Head Start Act of 2007".

SEC. 2. STATEMENT OF PURPOSE.

Section 636 of the Head Start Act (42 U.S.C. 9831) is amended to read as follows:

"SEC. 636. STATEMENT OF PURPOSE.

"It is the purpose of this subchapter to promote the school readiness of low-income children—

"(1) by enhancing their cognitive, social, and emotional development in a learning environment that supports children's growth in language, literacy, mathematics, science, social and emotional functioning, physical skills, and approaches to learning; and

"(2) through the provision to low-income children and their families of health, educational, nutritional, social, and other services that are

determined, based on family needs assessments, to be necessary.”.

SEC. 3. DEFINITIONS.

Section 637 of the Head Start Act (42 U.S.C. 9832) is amended—

(1) by redesignating paragraphs (16) and (17) as paragraphs (22) and (23), respectively,

(2) by redesignating paragraph (15) as paragraph (20), respectively,

(3) by redesignating paragraphs (11) through (14) as paragraphs (15) through (18), respectively,

(4) by redesignating paragraph (10) as paragraph (13),

(5) by redesignating paragraphs (2) through (9) as paragraphs (3) through (10), respectively,

(6) by inserting after paragraph (1) the following:

“(2) The term ‘deficiency’ means—

“(A) systemic or significant material failure of a Head Start agency in an area of performance that the Secretary determines involves—

“(i) a threat to the health, safety, or civil rights of children or staff;

“(ii) a denial to parents of the exercise of their full roles and responsibilities related to program governance;

“(iii) a failure to perform the requirements of section 641A(a), as determined by the Secretary;

“(iv) the misuse of funds received under this subchapter;

“(v) loss of legal status (as determined by the Secretary) or financial viability, loss of permits, debarment from receiving Federal grants or contracts, or the improper use of Federal funds; or

“(vi) failure to meet any other of Federal or State requirement; or

“(B) material failure of the board of directors of a Head Start agency to meet its legal and fiduciary responsibilities.”,

(7) by inserting after paragraph (10), as so redesignated the following:

“(11) The term ‘homeless children’ has the meaning given such term in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)).

“(12) The term ‘homeless family’ means the family of a homeless child.”,

(8) by inserting after paragraph (13), as so redesignated the following:

“(14) The terms ‘limited English proficient’ and ‘limited English proficiency’ mean with respect to an individual, that such individual—

“(A)(i) was not born in the United States or has a native language that is not English;

“(ii)(I) is a Native American, an Alaska Native, or a native resident of a territory or possession of the United States; and

“(II) comes from an environment in which a language that is not English has had a significant impact on such individual’s level of English language proficiency; or

“(iii) is migratory, has a native language that is not English, and comes from an environment in which a language that is not English is dominant; and

“(B) has difficulty in speaking or understanding the English language to an extent that may be sufficient to prevent such individual from—

“(i) successful achievement in classrooms in which the language of instruction is English; or

“(ii) fully participating in society.”,

(9) by inserting after paragraph (18), as so redesignated the following:

“(19) The term ‘professional development’ means high quality activities that will improve the knowledge and skills of Head Start teachers and staff, as relevant to their roles and functions, in program administration and the provision of services and instruction, as appropriate, in a manner that improves service delivery to eligible children and families, including activities that—

“(A) are part of a sustained effort to improve overall program quality and outcomes for eligible children and families;

“(B) are developed or selected with extensive participation of administrators and teachers from Head Start programs;

“(C) are developmentally appropriate for the children being served;

“(D) include instruction in ways that Head Start personnel may work more effectively with parents, as appropriate;

“(E) are designed to give teachers and staff the knowledge and skills to provide instruction and appropriate support services to children of diverse backgrounds, as appropriate;

“(F) if a 1-day or short-term workshop or conference, must be as part of the professional development plan defined in section 648A(f) and be delivered by an institution of higher education or other entity with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the delivery of Head Start services;

“(G) assist teachers with—

“(i) the acquisition of the content knowledge and teaching strategies needed to provide effective instruction and other school readiness services in early language and literacy, early mathematics, early science, cognitive skills, approaches to learning, creative arts, science, physical health and development, and social and emotional development linked to school readiness;

“(ii) meeting the requirements in paragraphs (1) and (2) of section 648A(a), as appropriate;

“(iii) improving classroom management skills, as appropriate;

“(iv) advancing understanding of effective instructional strategies that are—

“(I) based on scientifically based research; and

“(II) aligned with—

“(aa) the Head Start Child Outcomes Framework developed by the Secretary and State early learning standards, as appropriate; and

“(bb) the curricula, ongoing assessments, and other instruction and services designed to help meet the standards described in section 641A(a)(1);

“(v) acquiring the knowledge and skills to provide instruction and appropriate language and support services to increase the English language skills of limited English proficient children, as appropriate; or

“(vi) methods of teaching children with disabilities, as appropriate.”,

(10) by inserting after paragraph (20), as so redesignated, the following:

“(21) The term ‘scientifically based research’—

“(A) means research that involves the application of rigorous, systematic and objective procedures to obtain reliable and valid knowledge relevant to education activities and programs; and

“(B) includes research that—

“(i) employs systematic, empirical methods that draw on observation or experiment;

“(ii) involves rigorous data analyses that are adequate to test the stated hypotheses and justify the general conclusions drawn;

“(iii) relies on measurements or observational methods that provide reliable and valid data across evaluators and observers, across multiple measurements and observations, and across studies by the same or different investigators;

“(iv) is evaluated using experimental or quasi-experimental designs in which individuals, entities, programs or activities are assigned to different conditions and with appropriate controls to evaluate the effects of the condition of interest, with a preference for random assignment experiments, or other designs to the extent that those designs contain within-condition or across-condition controls;

“(v) ensures that experimental studies are presented in sufficient detail and clarity to allow for replication or, at a minimum, offer the opportunity to build systematically on their findings; and

“(vi) has been accepted by a peer-reviewed journal or approved by a panel of independent

experts through a comparably rigorous, objective, and scientific review.”, and

(11) by amending paragraph (23), as so redesignated, to read as follows:

“(23) The term ‘State’ means a State, the Commonwealth of Puerto Rico, the District of Columbia, Guam, American Samoa, the Virgin Islands of the United States, the Commonwealth of the Northern Mariana Islands, and the Republic of Palau.”.

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

Section 639 of the Head Start Act (42 U.S.C. 9834) is amended to read as follows:

“SEC. 639. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated to carry out this subchapter \$7,350,000,000 for fiscal year 2008 and such sums as may be necessary for fiscal years 2009 through 2012.

“(b) SPECIFIC PROGRAMS.—From the amount appropriated under subsection (a), the Secretary shall make available to carry out research, demonstration, and evaluation activities (including longitudinal studies under section 649) not more than \$20,000,000 for fiscal year 2008 and such sums as may be necessary for each of fiscal years 2009 through 2012, of which not more than \$7,000,000 for each of the fiscal years 2008 through 2012 shall be available to carry out impact studies under section 649(g).”.

SEC. 5. ALLOTMENT OF FUNDS; LIMITATION ON ASSISTANCE.

(a) ALLOTMENT OF FUNDS.—Section 640(a) of the Head Start Act (42 U.S.C. 9835(a)) is amended to read as follows:

“(a) ALLOTMENT OF FUNDS.—

“(1) IN GENERAL.—Of the funds appropriated under section 639, the Secretary shall allot such amounts in accordance with paragraphs (2) through (4), and subject to paragraphs (5) and (6).

“(2) THIRTEEN PERCENT SET-ASIDE.—The Secretary shall reserve 13 percent of the amount appropriated for each fiscal year for use in accordance with the following order of priorities:

“(A) SPECIAL POPULATIONS.—For Indian Head Start programs, services for children with disabilities, and migrant and seasonal Head Start programs, except that—

“(i) there shall be made available for each fiscal year for use by Indian Head Start programs and by migrant and seasonal Head Start programs, on a nationwide basis, not less than the amount that was obligated for use by Indian Head Start programs and by migrant and seasonal Head Start programs for fiscal year 2007;

“(ii) migrant and seasonal Head Start programs shall receive not less than 5 percent of the amount appropriated for each fiscal year until such time as the Secretary can make funding decisions to ensure access to funding for eligible children of migrant and seasonal farmworkers is comparable to access to funding for other eligible children based on the data collected and reported pursuant to section 648(l), except that no future reduction in funding shall result in the termination of Head Start services provided to any eligible child 3 years of age or older who is participating in any such program on the date a reduction in funding occurs, and shall, to the extent possible, continue participation for children less than 3 years of age receiving services before such reduction in funding; and

“(iii) Indian Head Start programs shall receive not less than 3.5 percent of the amount appropriated for each fiscal year until such time as the Secretary can make funding decisions to ensure access to funding for eligible Indian children is comparable to access to funding for other eligible children based on the data collected in accordance with the requirements of section 648(k), except that no future reduction in funding shall result in the termination of Head Start services provided to any eligible child 3 years of age or older who is participating in any such program on the date a reduction in funding occurs, and shall, to the extent possible,

continue participation for children less than 3 years of age receiving services before such reduction in funding.

“(B) PAYMENTS TO TERRITORIES AND FREELY ASSOCIATED STATES.—Subject to paragraph (7), for payments to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, the Virgin Islands of the United States, and the Republic of Palau, except that payments to the Republic of Palau shall not be made after fiscal year 2009.

“(C) TRAINING AND TECHNICAL ASSISTANCE.—Not less than 2 percent of the amount appropriated for such fiscal year for training and technical assistance activities to foster program quality and management improvement as described in section 648, of which—

“(i) not less than 50 percent shall be available to local Head Start agencies to make program improvements identified by such agencies to use for the training and technical assistance activities described in section 648(j);

“(ii) not less than 30 percent shall be available to the Secretary to support a State-based system or a national system, in the case of migrant and seasonal Head Start and Indian Head Start programs, of early childhood education training and technical assistance to local Head Start agencies as described in section 648(n); and

“(iii) the remainder of such amount shall be available to the Secretary to assist local Head Start agencies in meeting and exceeding the standards described in section 641A(a)(1), including financial assistance to help Head Start programs address weaknesses identified by monitoring activities conducted by the Secretary under section 641A(c), except that—

“(I) not less than \$3,000,000 shall be available to carry out the activities described in section 648(c)(4); and

“(II) no more than \$5,000,000 shall be reserved to carry out the activities described in section 642B(b).

“(D) MONITORING AND TERMINATIONS.—For discretionary payments made by the Secretary, including payments for all costs (other than compensation of Federal employees) of reviews of Head Start agencies, programs under section 641A(c), and of activities carried out under paragraph (1), (2), or (3) of section 641A(d) related to correcting deficiencies and conducting proceedings to terminate the designation of Head Start agencies.

“(E) RESEARCH.—For payments for research, demonstration, and evaluation activities under section 649.

No funds reserved under this paragraph or paragraph (3) may be combined with funds appropriated under any other Act if the purpose of combining funds is to make a single discretionary grant or a single discretionary payment, unless such funds appropriated under this subchapter are separately identified in such grant or payment and are used for the purposes of this subchapter.

“(3) QUALITY IMPROVEMENT FUNDS.—

“(A) DETERMINATION OF FUNDS.—

“(i) For each of the fiscal years 2008 through 2012, to provide assistance for activities specified in subparagraph (B), the Secretary shall reserve, from the amount (if any) by which the funds appropriated under section 639(a) for a fiscal year exceed the adjusted prior year appropriation, a share equal to the sum of—

“(I) 60 percent of such excess amount; and

“(II) any additional part of such excess amount the Secretary may find necessary to address a demonstrated need for such activities.

“(ii) As used in clause (i), the term ‘adjusted prior year appropriation’ means, with respect to a fiscal year, the amount appropriated under section 639(a) for the preceding fiscal year, adjusted to reflect the percentage change in the Consumer Price Index for All Urban Consumers (issued by the Bureau of Labor Statistics) during such preceding fiscal year.

“(B) QUALITY IMPROVEMENT ACTIVITIES.—Funds reserved under this paragraph shall be used to carry out the following activities:

“(i) Not less than one-fourth of the amount reserved under this paragraph, to improve the compensation, salary scales, and benefit standards of educational staff, family service workers, and child counselors, as described in sections 644(a) and 653, to ensure that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

“(ii) Providing on-going professional development to teachers that improves their understanding of child development, content knowledge, and appropriate teaching strategies needed to provide effective instruction and other school readiness services in the areas of early language and literacy, early mathematics, cognitive skills, approaches to learning, creative arts, science, physical health and development, and social and emotional development.

“(iii) Improving the qualifications and skills of educational personnel to meet the professional standards established under section 648A(a)(1), including providing assistance to complete postsecondary course work, subject to section 648A(a)(2)(D).

“(iv) Ensuring that the physical environments of Head Start programs are conducive to providing effective program services to children and families, and are accessible to children with disabilities and other individuals with disabilities.

“(v) Employing additional qualified classroom staff necessary to reduce the child to teacher ratio in the classroom and family to staff ratio for family services workers.

“(vi) Ensuring that such programs have qualified staff that can promote language skills and literacy growth of children and that can provide children with a variety of skills that have been identified, through scientifically based reading research, as predictive of later reading achievement.

“(vii) Increasing hours of program operation, including—

“(I) conversion of part-day to full-day; and

“(II) number of weeks operated in a calendar year.

“(viii) Improving the compensation and benefits of staff of Head Start agencies in order to improve the quality of Head Start programs.

“(ix) Transportation costs associated with transporting Head Start children safely, except that—

“(I) no more than ten percent of funds under this paragraph may be used for such purposes;

“(II) a Head Start agency shall demonstrate efforts to leverage the costs of transportation through collaboration with other entities; and

“(III) a Head Start agency shall submit information to the Secretary describing how such use of funds is necessary to prevent reduction or termination of transportation services or, in the case of a Head Start agency serving a rural community, how such use of funds is necessary to improve services to such community.

“(C) ALLOCATION.—

“(i) Funds reserved under subparagraph (A) shall be allotted by the Secretary as follows:

“(I) 80 percent of such funds shall be allotted among the States in the same proportion as the Secretary allots funds among the States under paragraph (4) for the respective fiscal year.

“(II) 20 percent of such funds shall be allotted among the States, geographical areas specified in subsection (a)(2)(B) and Indian Head Start programs and migrant and seasonal Head Start programs, and used to make grants to Head Start agencies, at the discretion of the Secretary.

“(ii) Funds allotted under clause (i) shall be used by the Secretary to make grants to Head Start agencies that receive grants from funds allotted under paragraph (4) for such fiscal year, in such amounts as the Secretary considers to be appropriate, for expenditure for activities specified in subparagraph (B).

“(iii) Funds received under this subparagraph shall be used to supplement, not to supplant, funds received under paragraph (2) or (4).

“(4) GRANT DISTRIBUTION.—Subject to section 639(b), the Secretary shall allot the remaining

amounts appropriated in each fiscal year among the States, in accordance with latest satisfactory data so that—

“(A) each State receives an amount which is equal to the amount the State received for fiscal year 2007; and

“(B) any amount available after all allotments are made under subparagraph (A) for such fiscal year shall be distributed proportionately on the basis of the number of children less than 5 years of age from families whose income is below the poverty line.

For purposes of this paragraph, for each fiscal year the Secretary shall use the most recent data available on the number of children less than 5 years of age from families whose income is below the poverty line, as published by the Department of Commerce, unless the Secretary and the Secretary of Commerce determine that use of the most recent data available would be inappropriate or unreliable. If the Secretary and the Secretary of Commerce determine that some or all of the data referred to in this paragraph are inappropriate or unreliable, the Secretaries shall issue a report setting forth their reasons in detail.

“(5) COLLABORATION GRANTS.—

“(A) From amounts reserved and allotted under paragraph (4), the Secretary shall award the collaboration grants described in subparagraphs (B), (C), and (D).

“(B)(i) From the reserved sums, the Secretary shall award upon submission of a written request, a collaboration grant to each State and to each national administrative office serving Indian Head Start programs and migrant and seasonal Head Start programs to facilitate collaboration between Head Start agencies and entities (including the State or national administrative office) that carry out other activities designed to benefit low-income families and children from birth to school entry. The national administrative offices shall use the funds made available through the grants to carry out the authorities and responsibilities described in subparagraphs (B) and (C).

“(ii) Grants described in clause (i) shall be used to—

“(I) assist Head Start agencies to collaborate with entities involved in State and local planning processes to better meet the needs of low-income families and children from birth to school entry;

“(II) assist Head Start agencies to coordinate activities with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.) and entities providing resource and referral services in the State, to make full-working-day and full calendar year services available to children;

“(III) promote alignment of services with the Head Start Child Outcomes Framework and State early learning standards, as appropriate;

“(IV) promote better linkages between Head Start agencies and other child and family agencies, including agencies that provide health, mental health, or family services, or other child or family supportive services, such as services provided under section 619 or part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.); and

“(V) carry out the activities of the State Director of Head Start Collaboration authorized in subparagraph (D).

“(C) In order to improve coordination and delivery of early education services to children in the State, a State that receives a collaboration grant under subparagraph (B) shall—

“(i) appoint or designate an individual to serve as, or carry out the responsibilities of, the State Director of Head Start Collaboration;

“(ii) ensure that the State Director of Head Start Collaboration holds a position with sufficient authority and access to ensure that the collaboration described in subparagraph (B) is

effective and involves a range of State agencies; and

“(iii) involve the State Head Start Association in the selection of the Director and involve the Association in determinations relating to the ongoing direction of the collaboration office.

“(D) The State Director of Head Start Collaboration shall—

“(i) not later than 1 year after the State receives a collaboration grant under subparagraph (B), conduct an assessment that—

“(I) addresses the needs of Head Start agencies in the State with respect to collaboration, coordination, and alignment of services, and alignment of curricula and assessments with the Head Start Child Outcomes Framework, and with State early learning standards, as appropriate;

“(II) shall be updated on an annual basis; and

“(III) shall be made available to the general public within the State;

“(ii) develop a strategic plan that is based on the assessment described in clause (i) that will—

“(I) enhance collaboration and coordination of Head Start services with other entities providing early childhood programs and services (such as child care or services offered by museums), health care, mental health care, welfare, child protective services, education and community service activities, family literacy services, reading readiness programs (including such programs offered by public and school libraries), services relating to children with disabilities, other early childhood programs and services for limited English proficient children and homeless children, and services provided for children in foster care and children referred to Head Start programs by child welfare agencies, including agencies and State officials responsible for such services;

“(II) assist Head Start agencies to develop a plan for the provision of full-working-day, full calendar year services for children enrolled in Head Start programs who need such care;

“(III) assist Head Start agencies to align curricula and assessments with the Head Start Child Outcomes Framework and to the State early learning standards, as appropriate; and

“(IV) enable Head Start agencies in the State to better access professional development opportunities for Head Start staff, such as by—

“(aa) working with local Head Start agencies to meet the degree requirements described in section 648A(a)(2)(A), including providing distance learning opportunities for Head Start staff, where needed to make higher education more accessible to Head Start staff; and

“(bb) enabling the State Head Start agencies to better conduct outreach to eligible families;

“(iii) promote partnerships between Head Start agencies, State and local governments, and the private sector to help ensure that children, who are in Head Start programs, are receiving comprehensive services to prepare the children to enter school ready to succeed;

“(iv) consult with the chief State school officer, local educational agencies, and providers of early childhood education and care, regarding early care and education services at both the State and local levels;

“(v) promote partnerships between Head Start agencies, schools, law enforcement, relevant community-based organizations, and substance abuse and mental health treatment agencies to strengthen family and community environments and to reduce the impact on child development of substance abuse, child abuse, domestic violence, and other high risk behaviors that compromise healthy development;

“(vi) promote partnerships between Head Start agencies and other organizations in order to enhance Head Start program quality, including partnerships to promote inclusion of more books in Head Start classrooms;

“(vii) identify other resources and organizations (both public and private) for the provision of in-kind services to Head Start agencies in the State; and

“(viii) work with the State Early Learning Council in order to assist the efforts of Head Start agencies to engage in effective coordination and collaboration.

“(6) EARLY HEAD START.—

“(A) AMOUNTS RESERVED.—From amounts reserved and allotted pursuant to paragraphs (2) and (4), the Secretary shall use, for grants for programs described in section 645A(a), a portion of the combined total of such amounts that is not less than 12 percent for fiscal year 2008, not less than 14 percent for fiscal year 2009, not less than 16 percent for fiscal year 2010, not less than 18 percent for fiscal year 2011, and not less than 20 percent for fiscal year 2012 of the amount appropriated pursuant to section 639(a).

“(B) LIMITATIONS.—

“(i) For any fiscal year for which the Secretary determines that the amount appropriated under section 639(a) is not sufficient to permit the Secretary to reserve the portion described in subparagraph (A) without reducing the number of children served by Head Start programs or adversely affecting the quality of Head Start services, relative to the number of children served and the quality of the services during the preceding fiscal year, the Secretary may reduce the percentage of funds required to be reserved for the portion described in subparagraph (A) for the fiscal year for which the determination is made, but not below the percentage required to be so reserved for the preceding fiscal year.

“(ii) For any fiscal year for which the amount appropriated under section 639(a) is reduced to a level that requires a lower amount to be made available under this subchapter to Head Start agencies and entities described in section 645A, relative to the amount made available to such agencies and entities for the preceding fiscal year, adjusted as described in paragraph (3)(A)(ii), the Secretary shall proportionately reduce—

“(I) the amounts made available to such entities for programs carried out under section 645A; and

“(II) the amounts made available to such Head Start agencies for Head Start programs.

“(7) For purposes of this subsection, the term ‘State’ does not include Guam, American Samoa, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau.”.

(b) SERVICE DELIVERY MODELS.—Section 640(f) of the Head Start Act (42 U.S.C. 9835(f)) is amended to read as follows:

“(f) SERVICE DELIVERY MODELS.—

“(1) Not later than 1 year after the date of the enactment of the Improving Head Start Act of 2007, the Secretary shall establish procedures to enable Head Start agencies to develop locally designed or specialized service delivery models to address local community needs, including models that leverage the existing capacity and capabilities of the delivery system of early childhood education and child care.

“(2) In establishing the procedures, the Secretary shall establish procedures to provide for—

“(A) the conversion of part-day programs to full-day programs or part-day slots to full-day slots; and

“(B) serving additional infants and toddlers pursuant to section 645(a)(4).”.

(c) EXPANSION OF HEAD START PROGRAMS.—Section 640(g) of the Head Start Act (42 U.S.C. 9835(g)) is amended in paragraph (2)—

(1) by striking “For the purpose of expanding Head Start programs, in” and inserting “In”, and

(2) by amending subparagraphs (C) through (H) to read as follows:

“(C) the extent to which the applicant has undertaken community-wide strategic planning and needs assessments involving other community organizations and local public agencies serving children and families with Federal, State, or local funds (including organizations and agencies providing family support services,

child abuse prevention services, protective services, and foster care, and organizations serving families in whose homes English is not the language customarily spoken), and individuals, organizations, and public entities serving children with disabilities or homeless children, including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii));

“(D) the extent to which the family and community needs assessment of the applicant reflects a need to provide full working-day or full calendar year services and the extent to which, and manner in which, the applicant demonstrates the ability to collaborate and participate with the State and local community providers of child care or preschool services to provide full working-day full calendar year services;

“(E) the number of eligible children in each community who are not participating in a Head Start program or any other early childhood program;

“(F) the concentration of low-income families in each community;

“(G) the extent to which the applicant proposes to foster partnerships with other service providers in a manner that will leverage the existing delivery systems of such services and enhance the resource capacity of the applicant;

“(H) the extent to which the applicant, in providing services, successfully coordinated its activities with the local educational agency serving the community involved, (including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)) and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, regarding such services and the education services provided by such local educational agency; and

“(I) the amount of funds used by such agency to pay administrative expenses and the amount of available funds received by such agency under this section to service each enrolled child.”.

(d) TRANSPORTATION SAFETY.—

(1) REGULATIONS.—The Secretary shall issue regulations establishing requirements for the safety features, and the safe operation, of vehicles used by Head Start agencies to transport children participating in Head Start programs.

(2) GOOD CAUSE WAIVER AUTHORITY.—The Secretary shall allow Head Start agencies to annually request a good cause exception to the requirements of regulations promulgated under paragraph (1) for one or more vehicles used by the agency or its designee in transporting children enrolled in a Head Start program or an Early Head Start program if—

(A) such requirements would create a safety hazard in the circumstances faced by such agency; or

(B) such requirements pertain to child restraint systems (45 C.F.R. 1310.11, 1310.15(a)) or bus monitors (45 C.F.R. 1310.15(c));

(C) the agency demonstrates that compliance with such requirements will result in a significant disruption to the Head Start program or the Early Head Start program; and

(D) the waiver is in the best interest of the children involved.

(e) MIGRANT AND SEASONAL HEAD START PROGRAMS.—Section 640(l) of the Head Start Act (42 U.S.C. 9835(l)) is amended—

(1) by amending paragraph (3) to read as follows:

“(3) In carrying out this subchapter, the Secretary shall continue the administrative arrangement at the national level for meeting the needs of Indian children and children of migrant and seasonal farmworkers and shall ensure that appropriate funding is provided to

meet such needs, including training and technical assistance and the appointment of a national migrant and seasonal Head Start collaboration director and a national Indian Head Start collaboration director.”, and

(2) by adding at the end the following:

“(4)(A) For the purposes of paragraph (3), the Secretary shall conduct an annual consultation in each affected Head Start region, with tribal governments operating Head Start programs and Early Head Start programs.

“(B) The consultations shall be for the purpose of better meeting the needs of Indian children and children of Alaskan Natives, and their families, in accordance with subsections (a), (b), and (c) of section 641, taking into consideration funding allocations, distribution formulas, and other issues affecting the delivery of Head Start services in their geographic locations.

“(C) The Secretary shall publish a notification of the consultations in the Federal Register before conducting the consultations.

“(D) A detailed report of each consultation shall be prepared and made available within 90 days of the annual consultation to all Indian tribes that receive assistance under this subchapter.”.

(f) ENROLLMENT OF HOMELESS CHILDREN; RULE OF CONSTRUCTION; MATERIALS.—Section 640 of the Head Start Act (42 U.S.C. 9835) is amended by adding at the end the following:

“(m) ENROLLMENT OF HOMELESS CHILDREN.—The Secretary shall issue rules to establish policies and procedures to remove barriers to the enrollment and participation of homeless children in Head Start programs. Such rules shall require Head Start agencies—

“(1) to implement policies and procedures to ensure that homeless children are identified and prioritized for enrollment;

“(2) to allow homeless families to apply to, enroll in and attend Head Start programs while required documents, such as proof of residency, immunization and other medical records, birth certificates and other documents, are obtained within a reasonable time frame; and

“(3) coordinate individual Head Start programs with efforts to implement subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435).

“(n) RULE OF CONSTRUCTION.—Nothing in this subchapter shall be construed to require a State to establish a program of early education for children in the State, to require any child to participate in a program of early education, to attend school, or to participate in any initial screening before participating in such program, except as provided under sections 612(a)(3) and 635(a)(5) of the Individuals with Disabilities Education Act.

“(o) MATERIALS.—All curricula and instructional materials funded under this subchapter shall be based on scientifically based research, age and developmentally appropriate, and focused on all areas of development (cognitive, social, emotional, and physical), learning (language and literacy, mathematics, science, and creative arts) and approaches to learning. Parents shall be permitted to inspect, upon request, any curricula or instructional materials used to carry out this subchapter.”.

SEC. 6. DESIGNATION OF HEAD START AGENCIES.

Section 641 of the Head Start Act (42 U.S.C. 9836) is amended to read as follows:

“SEC. 641. DESIGNATION OF HEAD START AGENCIES.

“(a) AUTHORITY TO DESIGNATE.—The Secretary is authorized to designate as a Head Start agency any local public or private nonprofit agency, including community-based and faith-based organizations, or for-profit agency, within a community, pursuant to the requirements of this section, except that until such time that the Secretary develops and implements the system of application review under this section, the Secretary is authorized to designate as a Head Start agency, any local public or private

nonprofit agency, including community-based and faith-based organizations, or for-profit agency, within a community, in the manner and process utilized by the Secretary prior to the enactment of the Improving Head Start Act of 2007.

“(b) APPLICATION FOR GRANTS.—Each entity shall submit a plan to the Secretary, at such time and in such manner as the Secretary may require.

“(c) DEVELOPMENT OF APPLICATION REVIEW SYSTEM.—

“(1) IN GENERAL.—The Secretary shall develop a system that integrates the recommendations of the expert panel convened under paragraph (3) to determine if a Head Start agency is providing a quality comprehensive early learning program that meets the educational, health, and nutritional needs of the children and families it serves, and meets program and financial management requirements and performance standards described in section 641A(a)(1), based on—

“(A) annual budget data;

“(B) program reviews conducted under section 641A(c);

“(C) annual audits required under section 647;

“(D) classroom quality as measured under section 641A(c)(2)(H); and

“(E) Program Information Report.

“(2) EXPERT PANEL.—No later than six months after the enactment of the Improving Head Start Act of 2007, the Secretary shall convene an expert panel of 7 members to make recommendations to the Secretary on the development of a transparent, reliable, and valid system for evaluating grant renewal applications.

“(3) COMPOSITION OF EXPERT PANEL.—The Secretary, in convening such panel, shall appoint the following:

“(A) 5 members, who are competent, by virtue of their training, expertise, and experience, in each of at least one of the following areas:

“(i) Early childhood program accreditation or quality assessment.

“(ii) Research on early childhood development.

“(iii) Governance and finance of non-profit organizations.

“(iv) Delivery of services to children and families with limited English proficiency.

“(v) Delivery of services to children with disabilities.

“(B) An employee from the Office of Head Start.

“(C) An executive director of a Head Start agency.

“(4) EXPERT PANEL REPORT.—Within 12 months of being convened by the Secretary, the expert panel shall issue a report to the Secretary that provides recommendations on a proposed system of application review that takes into account the criteria in paragraph (1) to evaluate whether a Head Start grantee is meeting mission to provide a high quality comprehensive early education program, including adequately meeting its governance and financial management requirements.

“(5) PUBLIC COMMENT; REPORT TO CONGRESS.—No later than 6 months after receiving the report described in paragraph (4), the Secretary shall publish a proposed system of application review in the Federal Register, providing at least 90 days for public comment and shall provide a report to the Education and Labor Committee of the U.S. House of Representatives and the Health, Education, Labor, and Pensions Committee of the U.S. Senate that provides a detailed description of such proposed system, including clear rationale for any differences between the proposed system and the recommendations of the expert panel, if any such differences exist.

“(6) IMPLEMENTATION OF APPLICATION REVIEW SYSTEM.—After the Secretary has reviewed all public comments and finalized the system of application review, the Secretary will use this system to determine which grantees are successfully delivering a high quality comprehensive early

education program. Grantees who are determined under such system to be—

“(A) successfully delivering a high quality comprehensive early education program shall be designated a Head Start agency for a period of 5 years;

“(B) under-performing and may enter into an open competition as described in subsection (e); and

“(C) notwithstanding paragraph (B), if an Indian Head Start agency is determined to be underperforming, the Secretary shall engage in government-to-government consultation with the appropriate tribal government or governments for the purpose of establishing a performance enhancement plan for that agency. Such plan is to be developed and implemented within 6 months of the Secretary’s determination. Not more than 6 months after implementation of that plan, the Secretary shall re-evaluate the performance of the Indian Head Start agency. If the Indian Head Start agency remains underperforming, the Secretary shall conduct an open competition as described in subsection (e), subject to the following limitations:

“(i) Except as provided in paragraph (ii), a non-Indian Head Start agency may not receive a grant to carry out an Indian Head Start program.

“(ii) In a community in which there is no Indian Head Start agency available for designation to carry out an Indian Head Start program, a non-Indian Head Start agency, on an interim basis, may receive a grant to carry out an Indian Head Start program, but only until such time as an Indian Head Start agency in such community becomes available.

“(d) TRANSPARENCY, RELIABILITY, AND VALIDITY.—The Secretary shall ensure the system of application evaluation is fair, consistent, and transparent and applied in a manner that designates, in a timely manner grantees as Head Start agencies for a period of 5 years if such grantees are providing a high quality comprehensive early education program. The Secretary shall periodically evaluate whether the criteria are being applied in a manner that is transparent, reliable, and valid.

“(e) DESIGNATION WHEN NO ENTITY HAS PRIORITY.—

“(1) IN GENERAL.—If no entity in a community is determined to be successfully delivering a high quality comprehensive early education program, as specified in subsection (c), the Secretary shall, after conducting an open competition, designate for a 5-year period a Head Start agency from among qualified applicants in such community.

“(2) CONSIDERATIONS IN DESIGNATION.—In selecting from among qualified applicants for designation as a Head Start agency, the Secretary shall consider the effectiveness of each such applicant to provide Head Start services, based on—

“(A) any past performance of such applicant in providing services comparable to Head Start services, including how effectively such applicant provided such comparable services;

“(B) the plan of such applicant to provide comprehensive health (including mental and behavioral health), educational, nutritional, social, and other services needed to prepare children to succeed in school and in life;

“(C) the plan of such applicant to attract and retain qualified staff capable of delivering a high quality comprehensive early education program, including demonstrating the ability to provide adequate salary and benefits to maintain a high quality staff;

“(D) the ability of such applicant to maintain child-teacher ratios and family service worker caseloads that reflect best practices and are tied to high quality service delivery;

“(E) the capacity of such applicant to serve eligible children with curriculum and teaching practices that are based on scientifically based research, are developmentally appropriate, and that promote the school readiness of children participating in the program;

“(F) the plan of such applicant to meet standards set forth in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section;

“(G) the proposed budget and plan of such applicant to maintain strong fiscal controls and cost effective fiscal management;

“(H) the plan of such applicant to coordinate the Head Start program the applicant proposes to carry out, with other local early learning programs for young children, including—

“(i) programs implementing grants under the Early Reading First and Even Start programs under subparts 2 and 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6371 et seq., 6381 et seq.);

“(ii) and programs under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.);

“(iii) State prekindergarten programs;

“(iv) child care programs; and

“(v) the educational programs that the children participating in the Head Start program will enter at the age of compulsory school attendance;

“(I) the plan of such applicant to coordinate the Head Start program that the applicant proposes to carry out, with public and private entities that are willing to commit resources to assist the Head Start program in meeting its program needs;

“(J) the plan of such applicant—

“(i) to seek the involvement of parents (including grandparents and kinship caregivers, as appropriate) of children participating in the proposed Head Start program, in activities (at home and, if practicable, at the location of the Head Start program) designed to help such parents become full partners in the education of their children;

“(ii) to afford such parents the opportunity to participate in the development and overall conduct of the program at the local level;

“(iii) to offer (directly or through referral to local entities, such as entities carrying out Even Start programs under subchapter 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6381 et seq.), public and school libraries, and entities carrying out family support programs) to such parents—

“(I) family literacy services; and

“(II) parenting skills training;

“(iv) to offer to parents of participating children, mental health services (either directly or through referral to local entities), including substance abuse counseling and information on maternal depression and on the effect of drug-exposure on infants and fetal alcohol syndrome;

“(v) at the option of such applicant, to offer (directly or through referral to local entities) to such parents—

“(I) training in basic child development (including cognitive, social, and emotional development);

“(II) assistance in developing literacy and communication skills;

“(III) opportunities to share experiences with other parents (including parent mentor relationships);

“(IV) regular in-home visitation;

“(V) mental and behavioral health services; or

“(VI) any other activity designed to help such parents become full partners in the education of their children;

“(vi) to provide, with respect to each participating family, a family needs assessment that includes consultation with such parents, in a manner and language that such parents can understand, about the benefits of parent involvement and about the activities described in subparagraph (H) in which such parents may choose to become involved (taking into consideration their specific family needs, work schedules, and other responsibilities); and

“(vii) to extend outreach to fathers, in appropriate cases, in order to strengthen the role of fathers in families, in the education of their young children, and in the Head Start program,

by working directly with fathers and father figures through activities such as—

“(I) in appropriate cases, including fathers in home visits and providing culturally appropriate opportunities for direct father-child interactions; and

“(II) targeting increased male participation in the conduct of the program;

“(K) the plan of such applicant to meet the needs of limited English proficient children and their families, including procedures to identify such children, plans to provide trained personnel, and plans to provide services to assist the children in making progress toward the acquisition of the English language, while making meaningful progress in attaining the knowledge, skills, abilities, and development described in section 641A(a)(1)(B);

“(L) the plan of such applicant to meet the diverse cultural needs of the population served;

“(M) the plan of such applicant to meet the needs of children with disabilities;

“(N) the plan of such applicant who chooses to assist younger siblings of children who will participate in the Head Start program to obtain health, including mental health, services from other sources;

“(O) the plan of such applicant to collaborate with other entities carrying out public or private early childhood education and child care programs in the community;

“(P) the plan of such applicant to meet the needs of homeless children, including transportation needs, and children in foster care and children and families experiencing toxic stress;

“(Q) the plan of such applicant to maintain a qualified staff, including a teaching staff qualified to implement research-based curricula aligned with the Head Start Child Outcomes Framework developed by the Secretary and to the early learning standards in State in which such program would operate;

“(R) the plan of such applicant to enter into memoranda of understanding with local educational agencies within the service area, as described in section 642B(a); and

“(S) other factors related to the requirements of this subchapter.

“(f) INTERIM PROVIDER.—If no agency in the community receives priority designation under subsection (c), and there is no qualified applicant in the community, the Secretary shall designate a qualified agency to carry out the Head Start program in the community on an interim basis until a qualified applicant from the community is so designated.

“(g) PARENT AND COMMUNITY PARTICIPATION.—The Secretary shall require that the practice of significantly involving parents and area residents affected by the program in the selection of Head Start agencies be continued.

“(h) COMMUNITY.—For purposes of this subchapter, a community may be a city, county, or multicounty or multicounty unit within a State, an Indian reservation (including Indians in any off-reservation area designated by an appropriate tribal government in consultation with the Secretary) or a neighborhood or other area (irrespective of boundaries or political subdivisions) which provides a suitable organizational base and possesses the commonality of interest needed to operate a Head Start program.”.

SEC. 7. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

Section 641A of the Head Start Act (42 U.S.C. 9836a) is amended to read as follows:

“SEC. 641A. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

“(a) QUALITY STANDARDS.—

“(1) ESTABLISHMENT OF STANDARDS.—The Secretary shall modify, as necessary, program performance standards by regulation applicable to Head Start agencies, programs, and projects under this subchapter, including—

“(A) performance standards with respect to services required to be provided, including

health, parental involvement, nutritional, social, transition activities described in section 642(d), and other services;

“(B) scientifically based and developmentally appropriate early learning standards related to school readiness that are based on the Head Start Child Outcomes Framework to ensure that the children participating in the program, at a minimum develop and demonstrate—

“(i) language knowledge and skills, including oral language and listening comprehension;

“(ii) prereading knowledge and skills that prepare children for early literacy in schools including phonological awareness, print awareness and print skills, and alphabetic knowledge;

“(iii) mathematics knowledge and skills, including aspects of classification, seriation, number, spatial relations, and time;

“(iv) science knowledge and skills, including measurement;

“(v) cognitive abilities related to academic achievement and general knowledge;

“(vi) social and emotional development related to early learning, school success, social problem-solving, and overall well-being;

“(vii) approaches to learning related to child development and early learning;

“(viii) creative arts; and

“(ix) in the case of limited-English proficient children, progress toward acquisition of the English language while making meaningful progress in attaining the knowledge, skills, abilities, and development described in clauses (i) through (viii), including progress made through the use of culturally and linguistically appropriate instructional services;

“(C) administrative and financial management standards;

“(D) standards relating to the condition and location of facilities for such agencies, programs, and projects; and

“(E) such other standards as the Secretary finds to be appropriate.

“(2) CONSIDERATIONS IN DEVELOPING STANDARDS.—In developing the standards required under paragraph (1), the Secretary shall—

“(A) consult with experts in the fields of child development, early childhood education, child health care, family services (including linguistically and culturally appropriate services to limited English proficient children and their families), administration, and financial management, and with persons with experience in the operation of Head Start programs;

“(B) take into consideration—

“(i) past experience with use of the standards in effect under this subchapter on October 27, 1998;

“(ii) changes over the period since October 27, 1998, in the circumstances and problems typically facing children and families served by Head Start agencies;

“(iii) recommendations from the report on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences, when it becomes available;

“(iv) developments concerning research-based practices with respect to early childhood education and development, children with disabilities, family services, program administration, and financial management;

“(v) projected needs of an expanding Head Start program;

“(vi) guidelines and standards currently in effect or under consideration that promote child health services and physical development, including outdoor activity that supports children's motor development and overall health and nutrition;

“(vii) changes in the population of children who are eligible to participate in Head Start programs, including the language and cultural background and family structure of such children;

“(viii) mechanisms to ensure that children participating in Head Start programs make a successful transition to the schools that the children will be attending; and

“(ix) the unique challenges faced by individual programs, including those that are seasonal or short term, and those that serve rural populations; and

“(C)(i) review and revise as necessary the performance standards in effect under this subsection; and

“(ii) ensure that any such revisions in the performance standards will not result in the elimination of or any reduction in quality, scope or types of health, education, parental involvement, nutritional, social, or other services required to be provided under such standards as in effect on October 27, 1998.

“(3) STANDARDS RELATING TO OBLIGATIONS TO DELEGATE AGENCIES.—In developing standards under this subsection, the Secretary shall describe the obligations of a Head Start agency to a delegate agency to which the Head Start agency has delegated responsibility for providing services under this subchapter and determine whether the Head Start agency complies with the standards. The Secretary shall consider such compliance during the review described in subsection (c)(1)(A) and in determining whether to renew financial assistance to the Head Start agency under this subchapter.

“(b) MEASURES.—

“(1) IN GENERAL.—The Secretary, in consultation with representatives of Head Start agencies and with experts in the fields of early childhood education and development, shall use the study on Developmental Outcomes and Assessments for Young Children by the National Academy of Sciences to provide guidance to Head Start agencies for utilizing scientifically-based measures that support, as appropriate—

“(A) classroom instructional practices;

“(B) identification of special needs; and

“(C) program evaluation.

“(2) CHARACTERISTICS OF MEASURES.—The measures under this subsection shall

“(A) be developmentally, linguistically, and culturally appropriate for the population served;

“(B) be reviewed not less than every 4 years, based on advances in the science of early childhood development;

“(C) be consistent with relevant, nationally recognized professional and technical standards related to the assessment of young children;

“(D) be valid and reliable (in English, Spanish, and any other language, as appropriate);

“(E) be administered by staff with appropriate training for such administration;

“(F) provide appropriate accommodations for children with disabilities and children who are limited English proficient; and

“(G) be high-quality research-based measures that have been demonstrated to assist with the purposes for which they were devised.

“(3) USE OF MEASURES; LIMITATIONS ON USE.—

“(A) Measures shall be designed for the purpose of—

“(i) promoting the skills, knowledge, and competencies of children participating in Head Start programs specified in subsection (a)(1)(B)(ii), with an emphasis on measuring skills that scientifically-based research has demonstrated are related to children’s school readiness and later success in school;

“(ii) improving classroom practices, including reviewing children’s strengths and weaknesses;

“(iii) identifying special needs; and

“(iv) improving overall program performance in order to help programs identify problem areas that may require additional training and technical assistance resources.

“(B) Such measures shall not be used to exclude children from Head Start programs.

“(4) SUSPENDED IMPLEMENTATION OF NATIONAL REPORTING SYSTEM.—The Secretary shall—

“(A) suspend implementation and terminate further development and use of the National Reporting System; and

“(B) incorporate, as appropriate, recommendations from the study on Developmental

Outcomes and Assessments for Young Children by the National Academy of Sciences into any assessment used in the Head Start programs, in accordance with paragraphs (2) and (3).

“(5) SPECIAL RULE.—The use of assessment items and data on any assessment authorized under this subchapter by an agent or agents of the Federal Government to provide rewards or sanctions for individual children or teachers is prohibited. The Secretary shall not use the results of a single assessment as the sole or primary method for assessing program effectiveness or making grantee funding determinations at the national, regional, or local level.

“(6) CONFIDENTIALITY.—

“(A) The Secretary, through regulation, shall ensure the confidentiality of any personally identifiable data, information and records collected or maintained by the Secretary and any Head Start agency. Such regulations shall provide the policies, protections, and rights equivalent to those provided a parent, student, or educational agency or institution under section 444 of the General Education Provisions Act.

“(B) Nothing in this subsection shall be construed to authorize the development of a nationwide database of personally identifiable information on children participating in measures under this subsection.

“(c) MONITORING OF LOCAL AGENCIES AND PROGRAMS.—

“(1) IN GENERAL.—To determine whether Head Start agencies meet standards established under this subchapter with respect to program, administrative, financial management, and other requirements and in order to help programs identify areas for improvement and areas of strengths as part of an on-going self-assessment process, the Secretary shall develop and use a risk-based assessment system to conduct the following reviews of Head Start agencies, and of the Head Start programs operated by such agencies:

“(A) A full review of each such agency at least once during each 3-year period.

“(B) A review of each newly designated Head Start agency immediately after the completion of the first year such agency carries out a Head Start program.

“(C) Followup reviews, including unannounced reviews as appropriate, of programs with 1 or more findings of deficiencies not later than 12 months after the date of such finding.

“(D) other reviews, including unannounced site inspections of Head Start centers, as appropriate.

“(2) CONDUCT OF REVIEWS.—The Secretary shall ensure that reviews described in subparagraphs (A) through (C) of paragraph (1)—

“(A) are conducted by review teams that—

“(i) include individuals who are knowledgeable about Head Start programs and, to the maximum extent practicable, the diverse (including linguistic and cultural) needs of eligible children (including children with disabilities) and limited-English proficient children and their families; and

“(ii) include, to the maximum extent practicable, current or former employees of the Department of Health and Human Services who are knowledgeable about Head Start programs;

“(B) include as part of the reviews of the programs, a review and assessment of program strengths and areas in need of improvement;

“(C) include as part of the reviews of the programs, a review and assessment of whether programs have adequately addressed the population and community needs (including populations of children with limited English proficiency and children of migrant and seasonal farm-working families);

“(D) include as part of the review the extent to which the program addresses the community needs and strategic plan identified in section 640(g)(2)(C);

“(E) include as part of the review the implementation by qualified individuals with demonstrated reliability, of a valid and reliable re-

search-based observational instrument that assesses classroom quality, including multiple dimensions of teacher-child interactions that are linked to positive child development and later achievement;

“(F) are conducted in a manner that evaluates program performance, quality, and overall operations with consistency and objectivity, and based on a transparent and reliable system of review;

“(G) in the case of Early Head Start programs, are conducted by a review team that includes individuals who are knowledgeable about the development of infants and toddlers; and

“(H) include as part of the review a protocol for fiscal management that shall be used to assess the compliance with program requirements for—

“(i) using federal funds appropriately;

“(ii) using federal funds specifically to purchase property and to compensate personnel;

“(iii) securing and using qualified fiscal officer support; and

“(iv) reporting financial information and implementing appropriate internal controls to safeguard federal funds.

“(3) USE OF REVIEW FINDINGS.—The findings of the review shall, at a minimum—

“(A) be presented to an agency in a timely, transparent, and uniform manner that conveys information of program strengths and weaknesses and assists with program improvement; and

“(B) be used by the Head Start agencies to inform the development and implementation of their plan for training and technical assistance.

“(d) EVALUATIONS AND CORRECTIVE ACTIONS FOR DELEGATE AGENCIES.—

“(1) PROCEDURES.—The Head Start agency shall establish procedures relating to its delegate agencies, including—

“(A) procedures for evaluating delegate agencies;

“(B) procedures for defunding delegate agencies; and

“(C) procedures for appealing a defunding decision relating to a delegate agency.

“(2) EVALUATIONS.—Each Head Start agency—

“(A) shall evaluate its delegate agencies using the procedures established under this section; and

“(B) shall inform the delegate agencies of the deficiencies identified through the evaluation that are required to be corrected.

“(3) REMEDIES TO ENSURE CORRECTIVE ACTIONS.—If the Head Start agency identifies a deficiency of a delegate agency through the evaluation, the Head Start agency may—

“(A) initiate procedures to terminate the designation of the delegate agency unless such agency corrects the deficiency; and

“(B) conduct monthly monitoring visits to such delegate agency until all deficiencies are corrected or the Head Start agency decides to defund such delegate agency.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to modify, supersede, or affect the powers, duties, or functions of the Secretary with respect to Head Start agencies or delegate agencies that receive financial assistance under this subchapter.

“(e) CORRECTIVE ACTION; TERMINATION.—

“(1) DETERMINATION.—If the Secretary determines, on the basis of a review pursuant to subsection (c), that a Head Start agency designated pursuant to section 641 fails to meet the standards described in subsection (a) or fails to adequately address the community needs and strategic plan identified in section 640(g)(2)(C), the Secretary shall—

“(A) inform the agency of the deficiencies that shall be corrected;

“(B) with respect to each identified deficiency, require the agency—

“(i) to correct the deficiency immediately, if the Secretary finds that the deficiency threatens the health or safety of staff or program participants or poses a threat to the integrity of Federal funds;

“(ii) to correct the deficiency not later than 90 days after the identification of the deficiency if the Secretary finds, in the discretion of the Secretary, that such a 90-day period is reasonable, in light of the nature and magnitude of the deficiency; or

“(iii) in the discretion of the Secretary (taking into consideration the seriousness of the deficiency and the time reasonably required to correct the deficiency), to comply with the requirements of paragraph (2) concerning a quality improvement plan; and

“(C) initiate proceedings to terminate the designation of the agency unless the agency corrects the deficiency.

“(2) QUALITY IMPROVEMENT PLAN.—

“(A) AGENCY AND PROGRAM RESPONSIBILITIES.—To retain a designation as a Head Start agency under this subchapter, or in the case of a Head Start program to continue to receive funds from such agency, a Head Start agency, or Head Start program that is the subject of a determination described in paragraph (1) (excluding an agency or program required to correct a deficiency immediately or during a 90-day period under clause (i) or (ii) of paragraph (1)(B)) shall—

“(i) develop in a timely manner, a quality improvement plan that shall be subject to the approval of the secretary, or in the case of a program, the sponsoring agency, and which shall specify—

“(I) the deficiencies to be corrected;

“(II) the actions to be taken to correct such deficiencies; and

“(III) the timetable for accomplishment of the corrective actions specified; and

“(i) eliminate each deficiency identified, not later than the date for elimination of such deficiency specified in such plan (which shall not be later than 10 months after the date the agency or program obtains approval of its quality improvement plan).

“(B) SECRETARIAL RESPONSIBILITY.—Not later than 30 days after receiving from a Head Start agency a proposed quality improvement plan pursuant to subparagraph (A), the Secretary shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.

“(C) AGENCY RESPONSIBILITY FOR PROGRAM IMPROVEMENT.—Not later than 30 days after receiving from a Head Start program, a proposed quality improvement plan pursuant to subparagraph (A), the Head Start agency shall either approve such proposed plan or specify the reasons why the proposed plan cannot be approved.

“(3) TRAINING AND TECHNICAL ASSISTANCE.—The Secretary shall provide training and technical assistance to Head Start agencies and programs with respect to the development or implementation of such quality improvement plans to the extent the Secretary finds such provision to be feasible and appropriate given available funding and other statutory responsibilities.

“(f) SUMMARIES OF MONITORING OUTCOMES.—Not later than 120 days after the end of each fiscal year, the Secretary shall publish a summary report on the findings of reviews conducted under subsection (c) and on the outcomes of quality improvement plans implemented under subsection (e), during such fiscal year. Such report shall be made available to all parents with children receiving assistance under this subchapter in an understandable and uniform format, and to the extent practicable, provided in a language that the parents can understand, and in addition, make the information widely available through public means such as distribution through public agencies, and at a minimum posting such information on the Internet immediately upon publication. Such reports shall contain detailed data on compliance with specific performance standards and measures sufficient to allow individual Head Start agencies to use such data to improve the quality of their program.

“(g) SELF-ASSESSMENTS.—

“(1) IN GENERAL.—Not less frequently than once each program year, with the consultation and participation of policy councils, and as applicable, policy committees, and as appropriate, other community members, each Head Start agency and each delegate agency that receives financial assistance under this subchapter shall conduct a comprehensive self-assessment of its effectiveness and progress in meeting program goals and objectives (including professional development plans) and in implementing and complying with Head Start program performance standards.

“(2) REPORT AND IMPROVEMENT PLANS.—

“(A) REPORT.—An agency conducting a self-assessment shall report the findings of the self-assessment to the relevant policy council, policy committee, governing body, and Secretary. Each self-assessment shall identify areas of strength and weakness.

“(B) IMPROVEMENT PLAN.—The agency shall develop and report to the Secretary an improvement plan approved by the governing body of the agency to strengthen any areas identified in the self-assessment as weaknesses or in need of improvement.

“(3) ONGOING MONITORING.—Each Head Start agency, delegate Head Start agency, and entity that carries out an Early Head Start program shall establish and implement procedures for the ongoing monitoring of their respective programs, to ensure that the operations of the programs work toward meeting program goals and objectives and Head Start performance standards.

“(h) ENROLLMENT REPORTING REQUIREMENT.—

“(1) Head Start agencies shall report on a regular basis to the Secretary—

“(A) the actual enrollment in such program; and

“(B) if such actual enrollment is less than the funded enrollment, any apparent reason for such enrollment shortfall.

“(2) The Secretary shall determine on a regular basis which Head Start agencies are operating with an actual enrollment that is less than the funded enrollment and shall provide appropriate and timely training and technical assistance to increase actual enrollment, as appropriate.

“(3) In this subsection:

“(A) The term ‘actual enrollment’ means, with respect to a Head Start program, the actual number of children enrolled in such program in a given month.

“(B) The term ‘base grant’ means, with respect to Head Start agency for a fiscal year, that portion of the grant derived from—

“(i) amounts reserved for use in accordance with section 640(a)(2)(A), for a Head Start agency administering an Indian Head Start program or migrant and seasonal Head Start program;

“(ii) amounts reserved for payments under section 640(a)(2)(B); or

“(iii) amounts available under section 640(a)(2)(D) or allotted among States under section 640(a)(4).

“(C) The term ‘funded enrollment’ means, with respect to the program of a Head Start agency in a fiscal year, the number of children that the agency is funded to serve through a grant for the program during such fiscal year, as indicated in the grant award.

“(i) REDISTRIBUTION OF FUNDS.—Funds held by the Secretary as a result of recapturing, withholding, or reducing a base grant, except when such action is the result of an open competition 641(d)) or termination 646(d) shall be redistributed in such fiscal year as follows:

“(1) If such funds are derived from an Indian Head Start program, then such funds shall be redistributed to increase enrollment in such fiscal year in 1 or more Indian Head Start programs.

“(2) If such funds are derived from the operation of a migrant and seasonal Head Start program, then such funds shall be redistributed to

increase enrollment in such fiscal year in 1 or more migrant and seasonal Head Start programs.

“(3) If such funds are derived from the operation of a Head Start program in a State (excluding Indian Head Start program and migrant and seasonal Head Start programs), then such funds shall be redistributed to increase enrollment in such fiscal year in 1 or more Head Start programs (excluding Indian Head Start programs and migrant and seasonal Head Start programs) that are carried out in such State, except that—

“(A) not less than 50 percent of the funds shall be prioritized to increase the program participation of children and families served under Early Head Start; and

“(B) not less than 25 percent of the funds shall be prioritized to increase program participation of underserved populations of eligible children.”.

SEC. 8. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

Section 642 of the Head Start Act (42 U.S.C. 9837) is amended to read as follows:

“SEC. 642. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

“(a) LEGAL AUTHORITY.—To be designated as a Head Start agency under this subchapter, an agency must have authority under its charter or applicable law to receive and administer funds under this subchapter, funds and contributions from private or local public sources which may be used in support of a Head Start program, and funds under any Federal or State assistance program pursuant to which a public or private nonprofit or for-profit agency (as the case may be) organized in accordance with this subchapter, could act as grantee, contractor, or sponsor of projects appropriate for inclusion in a Head Start program. Such an agency must also be empowered to transfer funds so received, and to delegate powers to other agencies, subject to the powers of its governing board and its overall program responsibilities. The power to transfer funds and delegate powers must include the power to make transfers and delegations covering component projects in all cases where this will contribute to efficiency and effectiveness or otherwise further program objectives.

“(b) FAMILY AND COMMUNITY INVOLVEMENT; FAMILY SERVICES.—To be so designated, a Head Start agency shall, at a minimum, do all the following to involve and serve families and communities:

“(1) Establish effective procedures by which parents and area residents concerned will be enabled to directly participate in decisions that influence the character of programs affecting their interests.

“(2) Seek the involvement of parents, area residents, and local business in the design and implementation of the program.

“(3) Establish effective procedures to facilitate and seek the involvement of parents of participating children in activities designed to help such parents become full partners in the education of their children, and to afford such parents the opportunity to participate in the development and overall conduct of the program at the local level, including a process through which parents of children currently participating in a Head Start program or an Early Head Start program select the parent representatives to serve on the council under section 642(b)(4)(B)(ii).

“(4) Offer (directly or through referral to local entities, such as entities carrying out Even Start programs under subpart 3 of part B of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 2741 et seq.)), to parents of participating children, family literacy services and parenting skills training.

“(5) Offer to parents of participating children mental health services (either directly or through referral to local entities), including substance abuse counseling, and including information on maternal depression and on drug-exposed infants and fetal alcohol syndrome.

“(6) At the option of such agency, offer (directly or through referral to local entities) to such parents—

“(A) training in basic child development (including cognitive, social, and emotional development);

“(B) assistance in developing literacy and communication skills;

“(C) opportunities to share experiences with other parents (including parent-mentor relationships);

“(D) mental and behavioral health services;

“(E) regular in-home visitation; or

“(F) any other activity designed to help such parents become full partners in the education of their children.

“(7) Provide, with respect to each participating family, a family needs assessment that includes consultation with such parents, in a manner and language that such parents can understand, about the benefits of parent involvement and about the activities described in paragraphs (5) through (8) in which such parents may choose to be involved (taking into consideration their specific family needs, work schedules, and other responsibilities).

“(8) Consider providing services to assist younger siblings of children participating in its Head Start program to obtain health, including mental health, services from other sources.

“(9) Perform community outreach to encourage individuals previously unaffiliated with Head Start programs to participate in its Head Start program as volunteers.

“(10)(A) Inform custodial parents in single-parent families that participate in programs, activities, or services carried out or provided under this subchapter about the availability of child support services for purposes of establishing paternity and acquiring child support; and

“(B) Refer eligible parents to the child support offices of State and local governments.

“(11) Provide parents of limited English proficient children outreach and services under this subchapter, in an understandable and uniform format and, to the extent practicable, in a language that such parents can understand.

“(12) Provide technical and other support needed to enable parents and area residents to secure on their own behalf available assistance from public and private sources.

“(13) Promote the continued involvement of the parents (including grandparents and kinship caregivers, as appropriate) of children that participate in Head Start programs in the education of their children upon transition to school, the Head Start agency shall work with the local educational agency—

“(A) to provide training to the parents;

“(i) to inform the parents about their rights and responsibilities concerning the education of their children; and

“(ii) to enable the parents—

“(I) to understand and work with schools in order to communicate with teachers and other school personnel;

“(II) to support the schoolwork of their children; and

“(III) to participate as appropriate in decisions relating to the education of their children; and

“(B) to take other actions, as appropriate and feasible, to support the active involvement of the parents with schools, school personnel, and school-related organizations.

“(14) Provide parents of a child suspected of having a disability information about services available under section 619 or part C of the Individuals With Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.) and refer such child to the appropriate agency for an evaluation of eligibility under such Act.

“(c) PROGRAM GOVERNANCE.—Head Start agencies must establish and maintain a formal structure of shared governance through which an independent governing body with legal and fiscal responsibility for administering and overseeing programs under this subchapter and a

parent policy council and parent policy committee, as appropriate, shall ensure that such agency operates a high quality Head Start program in compliance with all applicable Federal, State, and local laws.

“(1) GOVERNING BODY.—

“(A) COMPOSITION.—The governing body shall be composed as follows:

“(i) Not less than 1 member with significant financial management or accounting experience.

“(ii) Not less than 1 member shall have a background and expertise in early childhood development.

“(iii) Not less than 1 member shall be a licensed attorney familiar with issues that come before the governing body.

“(iv) Additional members shall be selected for their expertise in education, business administration, and community affairs and shall reflect the community served.

“(v) Exceptions shall be made when members of the governing body oversee a public entity and are selected by public election or are political appointments.

“(B) CONFLICT OF INTEREST.—Members of the governing body shall—

“(i) not have a conflict of interest with the Head Start agency or delegate agencies, exceptions shall be made when a board member of a public entity is selected by election or politically appointed;

“(ii) not receive compensation for the purposes of serving on the governing body or for providing services to the Head Start agency, exceptions shall be made when a board member of a public entity is selected by election or politically appointed;

“(iii) not be employed nor shall members of their immediate family be employed by the Head Start agency or one of its delegate agencies, exceptions shall be made when a board member of a public entity is selected by election or politically appointed; and

“(iv) operate as an entity independent of staff employed by the Head Start agency entity or applicant, exceptions shall be made when a board member of a public entity is selected by election or politically appointed.

“(C) CONSULTANTS.—In the case that persons described in subparagraph (A) are not available to serve as members, the governing body shall make use of consultants in the areas described in subparagraph (A) to work directly with the governing body.

“(D) TRAINING.—All members of the governing body shall receive training in management responsibilities and obligations, ethics, and financial literacy management.

“(E) RESPONSIBILITIES OF GOVERNING BODY.—The governing body shall be responsible for—

“(i) adoption of practices that assure active, independent and informed governance of the Head Start agency;

“(ii) oversight to ensure that the Head Start agency under the direction of the executive director is delivering high quality services to children and families in compliance with all applicable standards in effect under this subchapter and with the applicable performance measures established by the Secretary under section 644;

“(iii) establish an audit and finance committee whose primary responsibility shall be—

“(I) to approve annually the operating budget of the Head Start agency;

“(II) to review and recommend to the governing body the selection of independent auditors who shall report all critical accounting policies and practices to the finance and audit committee, except when the auditor is assigned by the State under State law;

“(III) to review and recommend to the governing body the termination or extension of the existing audit firm at least once every 5 years;

“(IV) to review and advise the governing body of the audit management letter provided pursuant to the chapter 75 of title 31, United States Code, and of any audit findings; and

“(V) to monitor agency actions to correct any such audit findings or other actions necessary

to comply with applicable laws (including regulations) governing financial statements and accounting practices;

“(iv) approve all major policies of the agency, including the mission of the agency and policies addressing accounting, financial management, procurement, record confidentiality, and personnel (including specific standards governing salaries, salary adjustments, travel and per diem allowances, and other employee benefits);

“(v) approve all major financial expenditures of the agency;

“(vi) approve the selection or dismissal of the Head Start Director or the equivalent position within the Head Start agency;

“(vii) approve or disapprove all policies, applications, and decisions of the Policy Council made under the authority of paragraph (2);

“(viii) to oversee the program planning of the Head Start agency, including adoption of policies for setting long- and short-range goals and objectives;

“(ix) oversee and approve the agency's applications to receive funds made available under this subchapter; and

“(x) to establish, adopt and periodically update written standards of conduct that establish standards and formal procedures for disclosing, addressing, and resolving—

“(I) any conflict of interest, and any appearance of a conflict of interest, by members of the governing body, officers, employees, consultants and agents who provide services or furnish goods to the Head Start agency; and

“(II) complaints, including investigations, when appropriate.

“(2) POLICY COUNCIL.—

“(A) COMPOSITION.—The Policy Council or Policy Committee, as appropriate, shall be composed as follows:

“(i) Members of the Policy Council shall be either parents of children currently enrolled in the Head Start agency's (or delegate's) Head Start or Early Head Start program or that are parents of children who were enrolled in the program in the previous year (Parent Members) or shall be members of the community served by the Head Start agency or delegate (Community Members).

“(ii) Parent members of the Policy Council shall constitute a majority of the members of the Policy Council and shall be elected by parents of currently enrolled children.

“(iii) Parent members shall represent, proportionately, all program options and settings operated by the Head Start agency or delegate.

“(iv) The term of a Policy Council member shall be no more than 2 years and no Policy Council member shall serve longer than 6 years.

“(B) RESPONSIBILITIES OF POLICY COUNCIL.—In order to be designated as a Head Start agency, an entity or delegate of such an entity shall have a Policy Council which shall approve and submit to the governing body decisions about the following activities:

“(i) The strategic direction of the program, including long and short-term planning goals and objectives (such planning and goals shall take into account the annual community assessment and self-assessment).

“(ii) Selection of delegate agencies and their service areas.

“(iii) Recruitment, selection and enrollment priorities.

“(iv) Funding applications and amendments to funding applications for Head Start or Early Head Start prior to submission of such applications.

“(v) Budget planning for program expenditures.

“(vi) Bylaws for the operation of the Policy Council including procedures by which Policy Council members are chosen.

“(vii) Program personnel policies, including standards of conduct for program staff, contractors and volunteers.

“(viii) Decisions regarding employment of Head Start staff other than the director and executive director.

“(ix) Activities to support the active involvement of parents in supporting program operations.

“(x) Program responsiveness to community and parent needs.

“(C) TRAINING.—Appropriate training and technical assistance shall be provided to the members of the Policy Council to ensure that the members understand the information the members receive and effectively oversee and participate in the programs of the Head Start agency or delegate.

“(3) IMPASSE POLICY.—The Secretary shall develop policies and procedures describing how Head Start agencies will implement shared decision-making, including a process for resolving any impasse between the Governing Body and the Policy Council.

“(d) COLLABORATION AND COORDINATION.—To be so designated, a Head Start agency must collaborate and coordinate with public and private entities to improve the available services to Head Start children and families, including the following activities:

“(1) Conduct outreach to schools in which children participating in Head Start programs enroll, local educational agencies, the local business community, community-based organizations, faith-based organizations, museums, and libraries to generate support and leverage the resources of the entire local community in order to improve school readiness.

“(2) In communities where both public prekindergarten programs and Head Start programs operate, a Head Start agency shall collaborate and coordinate activities with the local educational agency or other public agency responsible for the operation of the prekindergarten program and providers of prekindergarten, including outreach activities to identify eligible children, as possible.

“(3) Head Start agency staff shall, with the permission of the parents of children enrolled in Head Start programs, regularly communicate with the elementary schools such children will be attending—

“(A) to share information about such children; and

“(B) to ensure a smooth transition to elementary school for such children.

“(4) Each Head Start agency shall collaborate, as appropriate, with providers of social and community services available to children and families participating in Head Start programs, and may support such partnerships with financial agreements, when applicable, for the provision of such services.

“(5) A Head Start agency shall take steps to coordinate activities with the local educational agency serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program, including—

“(A) collaborating on the shared use of transportation and facilities;

“(B) collaborating to enhance the efficiency of services while increasing the program participation of underserved populations of eligible children; and

“(C) exchanging information on the provision of noneducational services to such children.

“(6) The Secretary, in consultation with the Secretary of Education, shall—

“(A) evaluate the effectiveness of the projects and activities funded under section 642A;

“(B) disseminate to Head Start agencies information (including information from the evaluation required by subparagraph (A)) on effective policies and activities relating to the transition of children from Head Start programs to public schools; and

“(C) provide technical assistance to such agencies to promote and assist such agencies to adopt and implement such effective policies and activities.

“(e) QUALITY STANDARDS, CURRICULA AND ASSESSMENT.—To be so designated, each Head Start agency shall—

“(1) take steps to ensure, to the maximum extent possible, that children maintain the developmental and educational gains achieved in Head Start programs and build upon such gains in further schooling;

“(2) establish a program with standards set forth in section 641A(a)(1), with particular attention to the standards set forth in subparagraphs (A) and (B) of such section;

“(3) implement a research-based early childhood curriculum that promotes young children's school readiness in the areas of language and cognitive development, early reading and premathematics skills, socio-emotional development, physical development, and approaches to learning. Such curricula shall be—

“(A) based on scientifically based research and have standardized training procedures and curriculum materials to support implementation;

“(B) comprehensive, linked to ongoing assessment, with developmental and learning goals and measurable objectives; and focused on improving the learning environment, teaching practices, family involvement, and child outcomes across all areas of development; and

“(C) aligned to the Head Start Child Outcomes Framework developed by the Secretary and to State early learning standards, as appropriate;

“(4) use ongoing, research-based assessment methods that are developmentally appropriate, culturally and linguistically responsive, and tied to children's daily activities in order to support the educational instruction of children in the program, including language skills, prereading knowledge and premathematics knowledge. Assessment instruments shall be those designed and validated for making decisions about teaching and learning and aligned with the programs curricula and section 641A(a)(1);

“(5) use high-quality research-based developmental screening tools that have been demonstrated to be standardized, reliable, valid, and accurate for children from a range of racial, ethnic, linguistic, and cultural backgrounds, for the purpose of meeting the relevant performance standards;

“(6) adopt, in consultation with experts in child development and with classroom teachers, an assessment to be used when hiring or evaluating any classroom teacher in a center-based Head Start program. Such assessment shall measure whether such teacher has mastered the functions described in section 648A(a)(1) and attained a level of literacy appropriate to implement Head Start curricula;

“(7) use the information provided from the assessment conducted under section 640A(C)(2)(H) to adopt a professional development plan that leads to improved teacher effectiveness;

“(8) establish measurable objectives for the provision of health, educational, nutritional, and social services related to the program mission and to school readiness and provided under this subchapter; and

“(9) develop procedures for identifying children as limited English proficient, and inform the parents of such children as to the instructional services used to help children make progress towards acquiring the knowledge and skills described in section 641A(a)(1)(B) and acquisition of the English language.

“(f) FUNDED ENROLLMENT; WAITING LIST.—Each Head Start agency shall enroll 100 percent of its funded enrollment and maintain an active waiting list at all times with ongoing outreach to the community and activities to identify underserved populations.

“(g) TECHNICAL ASSISTANCE AND TRAINING PLAN.—In order to receive funds under this subchapter, a Head Start agency shall develop an annual technical assistance and training plan. Such plan shall be based on the agency's self-assessment, the community-wide needs assessment, the needs of parents and children to be serviced by such agency, and the results of the reviews conducted under section 641A(c).

“(h) FINANCIAL MANAGEMENT.—In order to receive funds under this subchapter, a Head Start agency shall document strong fiscal controls, including the employment of well-qualified fiscal staff with a history of successful management of a public or private organization.”.

SEC. 9. HEAD START TRANSITION AND ALIGNMENT WITH K-12 EDUCATION.

Section 642A of the Head Start Act (42 U.S.C. 9837a) is amended to read as follows:

“SEC. 642A. HEAD START TRANSITION AND ALIGNMENT WITH K-12 EDUCATION.

“Each Head Start agency shall take steps to coordinate with the local educational agency serving the community involved and with schools in which children participating in a Head Start program operated by such agency will enroll following such program to promote continuity of services and effective transitions, including—

“(1) developing and implementing a systematic procedure for transferring, with parental consent, Head Start program records for each participating child to the school in which such child will enroll;

“(2) establishing ongoing channels of communication between Head Start staff and their counterparts in the schools (including teachers, social workers, McKinney-Vento liaisons as established under section 722 (g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)), and health staff) to facilitate coordination of programs;

“(3) establish on-going communication for developing continuity of developmentally appropriate curricula between Head Start and local educational agencies to ensure an effective transition and appropriate shared expectations for children's learning and development as they make such transition to school;

“(4) organizing and participating in joint training, including transition-related training for school staff and Head Start staff;

“(5) conducting meetings involving parents, kindergarten or elementary school teachers, and Head Start program teachers to discuss the educational, developmental, and other needs of individual children;

“(6) helping parents of limited English Proficient children understand the method of instruction and other services provided by the school in which such child will enroll after participation in Head Start and as appropriate, information provided to parents of limited English proficient children under section 3302 of title III of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7012);

“(7) developing and implementing a family outreach and support program in cooperation with entities carrying out parental involvement efforts under title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and family outreach and support efforts under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435);

“(8) assisting families, administrators, and teachers in enhancing educational and developmental continuity and continuity in parental involvement activities between Head Start services and elementary school classes;

“(9) linking the services provided in such Head Start program with the education services, including services related to language, literacy, and numeracy, provided by such local educational agency;

“(10) helping parents (including grandparents and kinship caregivers, as appropriate) to understand the importance of parental involvement in a child's academic success while teaching them strategies for maintaining parental involvement as their child moves from Head Start to elementary school;

“(11) developing and implementing a system to increase program participation of underserved populations of eligible children; and

“(12) coordinating activities and collaborating to ensure that curricula used in the Head Start program are aligned with—

“(A) the Head Start Child Outcomes Framework as developed by the Secretary; and

“(B) State early learning standards, as appropriate, with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate.”.

SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY CHILDHOOD EDUCATION.

The Head Start Act (42 U.S.C. 9831) is amended by inserting after section 642A the following:

“SEC. 642B. LOCAL AND STATE INTEGRATION OF EARLY CHILDHOOD EDUCATION.

“(a) LOCAL INTEGRATION.—In general, Head Start agencies shall enter into ongoing partnerships with local educational agencies and with State-funded preschool and other early childhood programs.

“(1) MEMORANDA OF UNDERSTANDING.—Each Head Start agency shall enter into a memorandum of understanding with any local educational agencies or local councils, responsible for managing publicly funded prekindergarten programs in the service area of the Head Start agency (or if such agencies and such councils are not applicable in the service area, with the largest provider of publicly funded prekindergarten in the service area), that shall include plans to coordinate the following activities:

“(A) Educational activities, curricula, and instruction.

“(B) Public information dissemination and access to programs for families contacting any of the early childhood programs.

“(C) Selection priorities for eligible children to be served by programs.

“(D) Service delivery areas.

“(E) Staff training, including opportunities for joint staff training on topics such as academic content standards, instructional methods, and social and emotional development.

“(F) Program technical assistance.

“(G) Provision of additional services to meet the needs of working parents.

“(H) Planning and parent education for smooth transitions to kindergarten as required in section 642A(3) and 642A(6).

“(I) Provision and use of facilities, transportation, and other program elements.

“(J) Other elements mutually agreed to by the parties to such memorandum.

“(2) TIMING OF MEMORANDA.—Each Head Start agency shall enter into a memorandum of understanding under paragraph (1) not later than 1 year after the effective date of this section.

“(3) SECRETARIAL REVIEW.—Each memorandum of understanding entered into under paragraph (1) shall be submitted to the Secretary not later than 30 days after entering into such memorandum.

“(A) If a Head Start agency is unable to comply with the requirement in paragraph (1) the Head Start agency shall notify the Secretary and the chief executive officer of the State not later than 30 days after determining that they are unable to enter into such memorandum. The Secretary, in cooperation with the State Early Learning Council and the State Director of Head Start Collaboration, shall evaluate the causes of failure to enter into a memorandum of understanding under paragraph (1). With the assistance of the State Early Learning Council and the State Director of Head Start Collaboration, all parties shall again attempt to enter into a memorandum of understanding under paragraph (1). Then if no such memorandum of understanding is entered into, the Secretary shall make 1 of the following determinations:

“(i) The local educational agency, local council, or other appropriate entity is unable or unwilling to enter into such a memorandum despite reasonable efforts on the part of the Head Start agency.

“(ii) The Head Start agency has not engaged in reasonable efforts to successfully negotiate and enter into a memorandum of understanding pursuant to paragraph (1).

“(iii) There is an absence of publicly funded prekindergarten in the service area of the Head Start agency.

“(B) If the Secretary determines the Head Start agency is not making reasonable efforts to enter into a memorandum of understanding pursuant to paragraph (1), the Head Start agency shall be found to be noncompliant with program performance standards.

“(C) If the Secretary concludes that the local educational agency, local council, or other appropriate entity is not making reasonable efforts to reach such a memorandum of understanding, the Head Start agency shall not be found out of compliance with paragraph (1).

“(4) REVISION OF MEMORANDA.—Each memorandum of understanding shall be revised and renewed annually by the parties to such memorandum, in alignment with the beginning of the school year.

“(5) ABSENCE OF PREKINDERGARTEN.—In the absence of publicly funded prekindergarten in the service area of a Head Start agency, the Head Start agency shall submit notice to the Secretary and the chief executive officer of the State and shall work with the State Early Learning Council and the State Director of Head Start Collaboration to improve coordination in their service area.

“(b) STATE EARLY LEARNING COUNCILS.—From the amounts reserved under section 640(a)(2)(C)(iii), the Secretary shall award, upon submission of a written request and pursuant to the requirements of paragraph (2), an early learning collaboration grant to each State for the purposes of supporting a State Early Learning Council responsible for advancing the development of a coordinated early childhood services delivery system in the State. A State that receives a grant under this subparagraph shall—

“(1) establish a State Early Learning Council, which shall include—

“(A) the State Director of Head Start Collaboration;

“(B) representatives from the State preschool programs;

“(C) representatives of local educational agencies;

“(D) the State official who oversees child care programs;

“(E) the State official who oversees section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.);

“(F) the State official who oversees the State educational agency;

“(G) representatives from Head Start agencies located in the State, including migrant and seasonal Head Start programs and Indian Head Start programs;

“(H) representatives of local child care programs or organizations; and

“(I) a representative of the State agency responsible for health and mental health care;

except that the chief executive officer of the State may designate an existing entity to serve as the Early Learning Council if such entity includes representatives described in this paragraph;

“(2) ensure that allotted funds distributed to a State for a fiscal year to carry out this subsection may be used by the State to pay not more than 50 percent of the cost of carrying out this subsection;

“(3) direct the early learning council to improve the coordination and quality of early childhood services within the State, including—

“(A) to increase coordination and collaboration among State preschool, Head Start programs, child care programs, early childhood special education, and other early childhood programs, including in the areas of outcomes and standards, technical assistance, coordination of services, cross-sector professional development and training, community outreach, communication, and better serving the needs of working families through provision of full-day and full-year early education services;

“(B) to work with State agencies responsible for education, child care, and early intervention to provide leadership and assistance to local Head Start programs, local education agencies, and State and locally funded preschool and child care programs to increase integration among early childhood programs through adoption of local memoranda of understanding described in subparagraph (A) and other means;

“(C) to work with State agencies responsible for education, child care, and early intervention to provide leadership and assistance to develop developmentally appropriate standards for children birth through the early elementary grades to effect a smooth transition to and success in the early elementary grades;

“(D) to develop or conduct periodic Statewide needs assessments concerning early care and education programs for children from birth to school entry;

“(E) to work to identify and address barriers to and opportunities for integration between entities carrying out Federal and State child development, child care, and early childhood education programs;

“(F) to develop recommendations regarding means of establishing a unified data collection system for early care and education programs operating throughout the State;

“(G) to address coordination of early learning programs with health care (including mental and behavioral health care), welfare, family literacy and services for homeless children;

“(H) to support a State system of early childhood education, and training and technical assistance that improves the quality of early learning programs and the capacity of such programs to deliver services pursuant to section 648(b);

“(I) to develop a plan for increasing the participation of children underrepresented in State early childhood education and child care programs, including Head Start, State preschool programs, and programs carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.);

“(J) developing a Statewide professional development and career ladder plan for early care and education in the State; and

“(K) assisting 2- and 4-year public and private institutions of higher education to develop articulation agreements concerning degrees in early childhood and related fields.

“(4) Nothing in this subsection shall be construed to provide the Early Learning Council with authority to modify, supersede, or affect the operation of this subchapter.

“(5) Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out the purposes of this section.”.

SEC. 11. ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

Section 644 of the Head Start Act (42 U.S.C. 9839) is amended—

(1) by amending subsection (a) to read as follows:

“(a) IN GENERAL.—

“(1) STANDARDS.—Each Head Start agency shall observe standards of organization, management, and administration which will ensure, so far as reasonably possible, that all program activities are conducted in a manner consistent with the purposes of this subchapter and the objective of providing assistance effectively, efficiently, and free of any taint of partisan political bias or personal or family favoritism. Each such agency shall establish or adopt rules to carry out this section, which shall include rules to assure full staff accountability in matters governed by law, regulations, or agency policy. Each agency shall also provide for reasonable public access to information, including public hearings at the request of appropriate community groups and reasonable public access to books and records of the agency or other agencies engaged in program activities or operations

involving the use of authority or funds for which it is responsible.

“(2) ANNUAL REPORT.—Each Head Start agency shall make available to the public a report published at least once in each fiscal year that discloses the following information from the then most recently concluded fiscal year, except that reporting such information shall not reveal personally identifiable information about an individual child or parent:

“(A) The total amount of public and private funds received and the amount from each source.

“(B) An explanation of budgetary expenditures and proposed budget for the following fiscal year.

“(C) The total number of children and families served and percent of average monthly enrollment, including the percent of eligible children served.

“(D) The results of the most recent review by the Secretary and the financial audit.

“(E) The percentage of enrolled children that received medical and dental exams.

“(F) Information about parent involvement activities.

“(G) The agency’s efforts to prepare children for kindergarten.

“(H) Any other information required by the Secretary.

“(3) PROCEDURAL CONDUCT.—Each such agency shall adopt for itself and other agencies using funds or exercising authority for which it is responsible, rules designed to—

“(A) establish specific standards governing salaries, salary increases, travel and per diem allowances, and other employee benefits;

“(B) assure that only persons capable of discharging their duties with competence and integrity are employed and that employees are promoted or advanced under impartial procedures calculated to improve agency performance and effectiveness;

“(C) guard against personal or financial conflicts of interest; and

“(D) define employee duties in an appropriate manner which will in any case preclude employees from participating, in connection with the performance of their duties, in any form of picketing, protest, or other direct action which is in violation of law.”, and

(2) by amending subsection (f) to read as follows:

“(f) FACILITIES.—

“(1) The Secretary shall establish uniform procedures for Head Start agencies to request approval to purchase facilities, or to request approval of the purchase (after December 31, 1986) of facilities, to be used to carry out Head Start programs. The Secretary shall suspend any proceedings pending against any Head Start agency to claim costs incurred in purchasing such facilities until the agency has been afforded an opportunity to apply for approval of the purchase and the Secretary has determined whether the purchase will be approved. The Secretary shall not be required to repay claims previously satisfied by Head Start agencies for costs incurred in the purchase of such facilities.

“(2) Financial assistance provided under this subchapter may not be used by a Head Start agency to purchase a facility (including paying the cost of amortizing the principal and paying interest on loans) to be used to carry out a Head Start program unless the Secretary approves a request that is submitted by such agency and contains—

“(A) a description of the consultation conducted by the Head Start agency with the providers in the community demonstrating capacity and capability to provide services under this subchapter, and of the potential for collaboration with such providers and the cost effectiveness of such collaboration as opposed to the cost effectiveness of the purchase of a facility;

“(B) a description of the site of the facility proposed to be purchased or that was previously purchased;

“(C) the plans and specifications of such facility;

“(D) information demonstrating that—

“(i) the proposed purchase will result, or the previous purchase has resulted, in savings when compared to the costs that would be incurred to acquire the use of an alternative facility to carry out such program; or

“(ii) the lack of alternative facilities will prevent, or would have prevented, the operation of such program;

“(E) in the case of a request regarding a previously purchased facility, information demonstrating that the facility will be used principally as a Head Start center, or a direct support facility for a Head Start program; and

“(F) such other information and assurances as the Secretary may require.

“(3) Upon a determination by the Secretary that suitable facilities are not otherwise available to Indian tribes to carry out Head Start programs, and that the lack of suitable facilities will inhibit the operation of such programs, the Secretary may authorize the use of financial assistance, from the amount reserved under section 640(a)(2)(A), to make payments for the purchase of facilities owned by such tribes. The amount of such a payment for such a facility shall not exceed the fair market value of the facility.”.

SEC. 12. PARTICIPATION IN HEAD START PROGRAMS.

Section 645 of the Head Start Act (42 U.S.C. 9840) is amended—

(1) in subsection (a)—

(A) by amending paragraph (1)(B)(i) to read as follows:

“(i) programs assisted under this subchapter may include, to a reasonable extent, participation of children in the area served who would benefit from such programs, including children referred by child welfare services, but whose families do not meet the low-income criteria prescribed pursuant to subparagraph (A) (A homeless child shall be deemed to meet the low-income criteria.); and”, and

(B) by adding at the end the following:

“(3) The amount of a basic allowance provided under section 403 of title 37, United States Code, on behalf of an individual who is a member of the uniformed services for housing that is acquired or constructed under the authority of subchapter IV of chapter 169 of title 10, United States Code, or any other related provision of law, shall not be considered to be income for purposes of determining the eligibility of a child of the individual for programs assisted under this subchapter.

“(4)(A) Upon written request and pursuant to the requirements of this paragraph, a Head Start agency may use funds under section 640(a) to serve infants and toddlers if the agency submits an application to the Secretary containing the following information, as specified in rules issued by the Secretary—

“(i) the amount of funds under section 640(a) that are proposed to be used in accordance with section 645A(b);

“(ii) a community-wide needs assessment demonstrating how the use of such funds would best meet the needs of the community;

“(iii) a description of how the needs of pregnant women, and of infants and toddlers, will be addressed in accordance with section 645A(b), and with regulations prescribed by the Secretary pursuant to section 641A in areas including the agency’s approach to child development and provision of health services, approach to family and community partnerships, and approach to program design and management;

“(iv) a description of how the needs of eligible Head Start children will be met in the community;

“(v) assurances that the agency will participate in technical assistance activities (including a planning period, start-up site visits, and national training activities) in the same manner as recipients of grants under section 645A; and

“(vi) evidence that the agency meets the same eligibility criteria as recipients of grants under section 645A.

“(B) An application that satisfies the requirements specified in subparagraph (A) shall be approved by the Secretary unless the Secretary finds that—

“(i) the agency lacks adequate capacity and capability to carry out an effective Early Head Start program; or

“(ii) the information provided under subparagraph (A) is inadequate.

“(C) Any Head Start agency approved under subparagraph (B) shall be considered to be an entity that receives assistance under section 645A, and such funds under (i) shall be subject to the same rules, regulations, and conditions as apply to recipients of grants under section 645A.

“(5)(A) Upon written request and pursuant to the requirements of this paragraph, a Head Start agency may consider children from low-income families to be eligible for participation in programs assisted under this subchapter if their family income is at or above the poverty line but below 130 percent of the poverty line, if the agency submits an application to the Secretary containing the following information, as specified in rules issued by the Secretary—

“(i) a description of how the needs of eligible Head Start children, as described in paragraph (1)(A) are being adequately met in the agency’s service area;

“(ii) a description of outreach efforts to the community to reach full enrollment under the eligibility guidelines under paragraph (1), including using outreach efforts that are linguistically and culturally appropriate;

“(iii) assurance that the agency will prioritize serving children currently eligible under the guidelines under paragraph (1); and

“(iv) a description of why increasing the number of infants and toddlers being served, as described in paragraph (4), is not appropriate based upon the communitywide needs assessment or the agency’s capability.

“(B) In approving such applications, the Secretary shall take into account the—

“(i) cost of living for families living the area served by the Head Start agency;

“(ii) the efforts the Head Start agency has undertaken to be fully enrolled under the eligibility criteria in paragraph (1); and

“(iii) the policies and procedures the Head Start agency will implement to ensure that children currently eligible under the criteria described under paragraph (1) will be prioritized.

“(C) No more than 20 percent of children served by such Head Start agency may be from families above the poverty line.”,

(2) in subsection (c) by striking “(age 3 to compulsory school attendance)”, and

(3) in subsection (d) by adding at the end the following:

“(4) Notwithstanding any other provision of this Act, an Indian tribe that operates both a Head Start program and an Early Head Start program under section 645A may, at its discretion, at any time during the grant period involved, reallocate funds between the Head Start program and the Early Head Start program in order to address fluctuations in client population, including pregnant women and children birth to compulsory school age. The reallocation of such funds between programs by an Indian tribe shall not serve as the basis for the Secretary to reduce a base grant (as defined in section 641A(g)(1)) for either program in succeeding years.”.

SEC. 13. EARLY HEAD START PROGRAMS.

Section 645A of the Head Start Act (42 U.S.C. 9840a) is amended to read as follows:

“SEC. 645A. EARLY HEAD START PROGRAMS FOR FAMILIES WITH CHILDREN UNDER 3 YEARS OF AGE.

“(a) IN GENERAL.—The Secretary shall make grants, in accordance with this section for programs (to be known as ‘Early Head Start programs’) that provide family-centered services for

low-income families with very young children designed to promote the development of the children, and to enable their parents to fulfill their roles as parents and to move toward self-sufficiency.

“(b) SCOPE AND DESIGN OF PROGRAMS.—In carrying out a program described in subsection (a), an entity receiving assistance under this section shall—

“(1) provide, either directly or through referral, early, continuous, intensive, and comprehensive child development and family support services that will enhance the physical, social, emotional, and intellectual development of participating children;

“(2) ensure that the level of services provided to families responds to their needs and circumstances;

“(3) promote positive parent-child interactions;

“(4) provide services to parents to support their role as parents (including parenting skills training and training in basic child development) and to help the families move toward self-sufficiency (including educational and employment services as appropriate);

“(5) coordinate services with services provided by programs in the State (including home-based services) and programs in the community (including programs for infants and toddlers with disabilities and programs for homeless infants and toddlers) to ensure a comprehensive array of services (such as health and mental health services and family support services);

“(6) ensure formal linkages with local Head Start programs in order to provide for continuity of services for children and families;

“(7) in the case of a Head Start agency that operates a program and that also provides Head Start services through the age of mandatory school attendance, ensure that children and families participating in the program receive such services through such age;

“(8) ensure formal linkages with the agencies and entities described in section 644(b) of the Individuals with Disabilities Education Act (20 U.S.C. 1444(b)) and providers of early intervention services for infants and toddlers with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and the agency responsible for administering section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a);

“(9) develop and implement a systematic procedure for transitioning children and parents from an Early Head Start program under this section into a Head Start program or other local early childhood education program;

“(10) establish channels of communication between staff of Early Head Start programs under this section and staff of Head Start programs or other local early childhood education programs, to facilitate the coordination of programs; and

“(11) meet such other requirements concerning design and operation of the program described in subsection (a) as the Secretary may establish.

“(c) PERSONS ELIGIBLE TO PARTICIPATE.—Persons who may participate in programs described in subsection (a) include—

“(1) pregnant women; and

“(2) families with children under age 3;

who meet the income criteria specified for families in section 645(a)(1).

“(d) ELIGIBLE SERVICE PROVIDERS.—To be eligible to receive assistance under this section, an entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. Entities that may apply to carry out activities under this section include—

“(1) entities operating Head Start programs under this subpart;

“(2) Indian Head Start programs; and

“(3) other public entities, and nonprofit or for-profit private entities, including community-based and faith-based organizations, capable of providing child and family services that meet

the standards for participation in programs under this subchapter and meet such other appropriate requirements relating to the activities under this section as the Secretary may establish.

“(e) SELECTION OF GRANT RECIPIENTS.—From the portion specified in section 640(a)(6), the Secretary shall award grants under this subsection on a competitive basis to applicants meeting the criteria specified in subsection (d) (giving priority to entities with a record of providing early, continuous, and comprehensive childhood development and family services).

“(f) DISTRIBUTION.—In awarding grants to eligible applicants under this section, the Secretary shall—

“(1) ensure an equitable national geographic distribution of the grants; and

“(2) award grants to applicants proposing to serve communities in rural areas and to applicants proposing to serve communities in urban areas.

“(g) MONITORING, TRAINING, TECHNICAL ASSISTANCE, AND EVALUATION.—

“(1) REQUIREMENT.—To ensure the successful operation of programs assisted under this section, the Secretary shall use funds from the portion specified in section 640(a)(6) to monitor the operation of such programs, evaluate their effectiveness, and provide training and technical assistance tailored to the particular needs of such programs.

“(2) TRAINING AND TECHNICAL ASSISTANCE ACCOUNT.—

“(A) IN GENERAL.—Of the amount made available to carry out this section for any fiscal year, not less than 5 percent and not more than 10 percent shall be reserved to fund a training and technical assistance account.

“(B) ACTIVITIES.—Funds in the account may be used by the Secretary for purposes including—

“(i) making grants to, and entering into contracts with, organizations with specialized expertise relating to infants, toddlers, and families and the capacity needed to provide direction and support to a national training and technical assistance system, in order to provide such direction and support;

“(ii) providing ongoing training and technical assistance for regional and program staff charged with monitoring and overseeing the administration of the program carried out under this section;

“(iii) providing ongoing training and technical assistance for existing recipients (as of the date of such training or assistance) of grants under subsection (a) and support and program planning and implementation assistance for new recipients of such grants;

“(iv) providing professional development and personnel enhancement activities, including the provision of funds to recipients of grants under subsection (a) for the recruitment and retention of qualified staff with an appropriate level of education and experience; and

“(v) providing professional development designed to increase program participation for underserved populations of eligible children.

“(h) CENTER-BASED STAFF.—The Secretary shall ensure that, not later than September 30, 2009, all teachers providing direct services to children and families participating in early Head Start programs located in early Head Start centers have a minimum of a child development associate credential, and have been trained (or have equivalent course work) in early childhood development.

“(i) STAFF QUALIFICATIONS AND DEVELOPMENT.—

“(1) HOME VISITOR STAFF STANDARDS.—In order to further enhance the quality of home visiting services provided to families of children participating in home-based, center-based, or combination program options under this subchapter, the Secretary shall establish standards for training, qualifications, and the conduct of home visits for home visitor staff in Early Head Start programs.

“(2) CONTENTS OF STANDARDS.—The standards for training, qualifications, and the conduct of home visits shall include content related to—

“(A) structured child-focused home visiting that promotes parents' ability to support the child's cognitive, social, emotional, and physical development;

“(B) effective strengths-based parent education, including methods to encourage parents as their child's first teachers;

“(C) early childhood development with respect to children from birth through age 3;

“(D) methods to help parents promote emergent literacy in their children from birth through age 3;

“(E) ascertaining what health and developmental services the family receives and working with these providers to eliminate gaps in service by offering annual health, vision, hearing, and developmental screening for children from birth to entry into kindergarten, when needed;

“(F) strategies for helping families coping with crisis; and

“(G) the relationship of health and well-being of pregnant women to prenatal and early child development.”

SEC. 14. PARENTAL CONSENT REQUIREMENT FOR HEALTH CARE SERVICES.

The Head Start Act (42 U.S.C. 9831) is amended by inserting after section 645A the following:

“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR HEALTH CARE SERVICES.

“(a) DEFINITIONS.—For purposes of this section:

“(1) The term ‘health care service’ includes—

“(A) any nonemergency intrusive physical examination; and

“(B) any screening, including but not limited to, a medical, dental, developmental, mental health, social, or behavioral screening.

“(2) The term ‘nonemergency intrusive physical examination’ means, with respect to a child,

a physical examination that—

“(A) is not immediately necessary to protect the health or safety of such child, or the health or safety of another individual; and

“(B) includes incision or is otherwise invasive, or includes exposure of private body parts.

“(b) REQUIREMENT.—Before administering any health care service to a child (or referring a child to obtain such service) in connection with participation in a program under this subchapter, a Head Start agency and an entity that receives assistance under section 645A shall obtain the written consent of a parent of such child indicating consent for each specific health care service to be performed.

“(c) RULE OF CONSTRUCTION.—

“(1) Nothing in this section shall be construed to prohibit a Head Start agency or an entity that receives assistance under section 645A from using established methods for handling cases of suspected or known child abuse and neglect, that are in compliance with applicable Federal, State, or tribal law.

“(2) Nothing in this subchapter shall be construed to permit a Head Start agency, an entity that receives assistance under section 645A, or the personnel of such agency or entity to administer any health care service to a child (or to refer a child to obtain such service) without the informed written consent of a parent of such child indicating consent for each specific health care service to be performed.

“(3) Nothing in this section shall be construed to require a Head Start agency or an entity that receives assistance under section 645A to provide separate consent forms for each specific health care service.”

SEC. 15. APPEALS, NOTICE, AND HEARING.

Section 646(a)(3) of the Head Start Act (42 U.S.C. 9841(a)(3)) is amended to read as follows:

“(3) if financial assistance under this subchapter is terminated or reduced, an application for a noncompeting continuation award is denied based on a previous failure to comply with terms applicable to financial assistance previously provided under this subchapter, or suspension of financial assistance is continued for

more than 30 days, the recipient with respect to whom such action is taken shall have the opportunity to appeal such action in accordance with such procedures, except that no funds made available under this subchapter may be used to reimburse any such recipient for legal fees and other costs incurred in pursuing such an appeal; and”.

SEC. 16. RECORDS AND AUDITS.

Section 647 of the Head Start Act (42 U.S.C. 9842) is amended by adding at the end the following:

“(c) Each recipient of financial assistance under this subchapter shall—

“(1) maintain, and annually submit to the Secretary, a complete accounting of its administrative expenses (including a detailed statement identifying the amount of financial assistance provided under this subchapter used to pay expenses for salaries and compensation and the amount (if any) of other funds used to pay such expenses);

“(2) within 30 days after the completion of an audit conducted in the manner and to the extent provided in chapter 75 of title 31, United States Code (commonly known as the ‘Single Audit Act Amendments of 1996’), submit to the Secretary a copy of the audit management letter and of any audit findings as it relates to the Head Start program; and

“(3) provide such additional documentation as the Secretary may require.”.

SEC. 17. TECHNICAL ASSISTANCE AND TRAINING.

Section 648 of the Head Start Act (42 U.S.C. 9843) is amended to read as follows:

“SEC. 648. TECHNICAL ASSISTANCE AND TRAINING.

“(a) The Secretary shall provide, directly or through grants or other arrangements—

“(1) technical assistance to communities in developing, conducting, and administering programs under this subchapter; and

“(2) training for specialized or other personnel needed in connection with Head Start programs, in accordance with the process, and the provisions for allocating resources, set forth in subsections (b) and (c).

“(b) The process for determining the technical assistance and training activities to be carried out under this section shall—

“(1) ensure that the needs of local Head Start agencies and programs relating to improving program quality and to program expansion are addressed to the maximum extent feasible;

“(2) incorporate mechanisms to ensure responsiveness to local needs, including an ongoing procedure for obtaining input from the individuals and agencies carrying out Head Start programs; and

“(3) ensure the provision of technical assistance to assist Head Start agencies, entities carrying out other child care and early childhood programs, communities, and States in collaborative efforts to provide quality full-working-day, full calendar year services, including technical assistance related to identifying and assisting in resolving barriers to collaboration.

“(c) In allocating resources for technical assistance and training under this section, the Secretary shall—

“(1) give priority consideration to—

“(A) activities to correct program and management deficiencies identified through reviews carried out pursuant to section 641A(c) (including the provision of assistance to local programs in the development of quality improvement plans under section 641A(d)(2)); and

“(B) assisting Head Start agencies in—

“(i) ensuring the school readiness of children; and

“(ii) meeting the educational performance measures described in section 641A(b)(4);

“(2) supplement amounts provided under section 640(a)(3)(C)(ii) in order to address the training and career development needs of classroom staff (including instruction for providing services to children with disabilities), and non-

classroom staff, including home visitors and other staff working directly with families, including training relating to increasing parent involvement and services designed to increase family literacy and improve parenting skills;

“(3) assist Head Start agencies in the development of collaborative initiatives with States and other entities within the States, to foster effective early childhood professional development systems;

“(4) provide technical assistance and training, either directly or through a grant, contract, or cooperative agreement with an entity that has experience in the development and operation of successful family literacy services programs, for the purpose of—

“(A) assisting Head Start agencies providing family literacy services, in order to improve the quality of such family literacy services; and

“(B) enabling those Head Start agencies that demonstrate effective provision of family literacy services, based on improved outcomes for children and their parents, to provide technical assistance and training to other Head Start agencies and to service providers that work in collaboration with such agencies to provide family literacy services;

“(5) assist Head Start agencies and programs in conducting and participating in community-wide strategic planning and needs assessment, including the needs of homeless children and their families;

“(6) assist Head Start agencies and programs in developing and implementing full-working-day and full-calendar-year programs where community need is clearly identified and making the transition to such programs, with particular attention to involving parents and programming for children throughout the day, and assist the agencies and programs in expediting the sharing of information about innovative models for providing full-working-day, full calendar year services for children;

“(7) assist Head Start agencies in better serving the needs of families with very young children;

“(8) assist Head Start agencies and programs in the development of sound management practices, including financial management procedures;

“(9) assist in efforts to secure and maintain adequate facilities for Head Start programs;

“(10) assist Head Start agencies in developing innovative program models, including mobile and home-based programs;

“(11) provide support for Head Start agencies (including policy councils and policy committees) that meet the standards described in section 641A(a) but that have, as documented by the Secretary through reviews conducted pursuant to section 641A(c), significant programmatic, quality, and fiscal issues to address;

“(12) assist Head Start agencies and programs in increasing program participation of homeless children;

“(13) assist Head Start agencies and Head Start programs in improving outreach to, and the quality of services available to, limited English proficient children and their families, particularly in communities that have experienced a large percentage increase in the population of limited English proficient individuals, as measured by the Bureau of the Census;

“(14) assist Head Start agencies in developing appropriate methods and approaches for identifying and working with children and families experiencing toxic stress;

“(15) assist programs in improving outreach to serve additional children with disabilities, if such program’s enrollment opportunities or funded enrollment for children with disabilities is less than 10 percent; and

“(16) provide assistance to address and remove barriers related to recruitment and retention of Head Start teachers for rural communities, and remove barriers related to outreach efforts to eligible families in rural communities.

“(d) The Secretary may provide, either directly or through grants to public or private

nonprofit entities, training for Head Start personnel in the use of the performing and visual arts and interactive programs using electronic media to enhance the learning experience of Head Start children. Special consideration shall be given to entities that have demonstrated effectiveness in educational programming for preschool children that includes components for parental involvement, care provider training, and developmentally appropriate related activities.

“(e) The Secretary shall provide, either directly or through grants or other arrangements, funds from programs authorized under this subchapter to support an organization to administer a centralized child development and national assessment program leading to recognized credentials for personnel working in early childhood development and child care programs, training for personnel providing services to limited English proficient children (including services to promote the acquisition of the English language), training for personnel providing services to children determined to be abused or neglected, training for personnel providing services to children referred by or receiving child welfare services, training for personnel in helping children cope with community violence, resource access projects for personnel working with disabled children, and training for appropriate personnel to recognize common health, including mental health, problems in children for appropriate referral.

“(f) The Secretary shall provide, either directly or through grants, or other arrangements, funds for training of Head Start personnel in addressing the unique needs of migrant and seasonal working families, families with 1 or more children with disabilities, families with a limited English proficiency, homeless families, and children and families experiencing toxic stress.

“(g) More than 50 percent of funds expended under this section shall be used to provide high quality, sustained, intensive, and classroom-focused training and technical assistance in order to have a positive and lasting impact on classroom instruction. Funds shall be used to carry out activities related to any or all of the following:

“(1) Education and early childhood development.

“(2) Child health, nutrition, and safety.

“(3) Family and community partnerships and services.

“(4) Other areas that impact the quality or overall effectiveness of Head Start programs.

“(h) The Secretary shall develop and implement a program of outreach to recruit and train minority men to become Head Start teachers in order to reflect the communities in which Head Start children live and to increase the provision of quality services and instruction to children with diverse backgrounds.

“(i) Funds under this subchapter used for training shall be used for needs identified annually by a grant applicant or delegate agency in their program improvement plan, except that funds shall not be used for long-distance travel expenses for training activities available locally or regionally or for training activities substantially similar to locally or regionally available training activities.

“(j) Funds made available under section 640(a)(2)(C)(i) shall be used by a Head Start agency for any of the following:

“(1) Activities that ensure that Head Start programs meet or exceed the program performance standards described in section 641A(a)(1).

“(2) Activities that ensure that Head Start programs have adequate numbers of trained, qualified staff who have skills in working with children and families, including children and families who are limited English proficient and children with disabilities.

“(3) Activities to pay expenses, including direct training for expert consultants working with any staff, to improve the management and implementation of Head Start services and systems.

“(4) Activities that help ensure that Head Start programs have qualified staff who can promote language skills and literacy growth of children and who can provide children with a variety of skills that have been identified as predictive of later reading achievement, school success, and the skills, knowledge, abilities, development, and progress described in section 641A(a)(1)(B)(ii).

“(5) Activities to improve staff qualifications and to assist with the implementation of career development programs and to encourage the staff to continually improve their skills and expertise, including developing partnerships with programs that recruit, train, place, and support college students in Head Start centers to deliver an innovative early learning program to preschool children.

“(6) Activities that help local programs ensure that the arrangement, condition, and implementation of the learning environments in Head Start programs are conducive to providing effective program services to children and families.

“(7) Activities to provide training necessary to improve the qualifications of Head Start staff and to support staff training, child counseling, health services, and other services necessary to address the needs of children enrolled in Head Start programs, including children from families in crises, children who experience chronic violence or homelessness, children who experience substance abuse in their families, and children under 3 years of age, where applicable.

“(8) Activities to provide classes or in-service-type programs to improve or enhance parenting skills, job skills, adult and family literacy, including financial literacy, or training to become a classroom aide or bus driver in a Head Start program.

“(9) Additional activities deemed appropriate to the improvement of Head Start agencies' programs, as determined by the agencies' technical assistance and training plans.

“(10) Any other activities regarding the use of funds as determined by the Secretary.

“(k) The Secretary shall—

“(1) work in collaboration with the Head Start agencies that carry out Indian Head Start programs, the Indian Head Start collaboration director, and other appropriate entities, including tribal governments and the National Indian Head Start Directors Association—

“(A) to undertake a study or set of studies designed to focus on the American Indian and Alaska Native Head Start-eligible population, with a focus on issues such as curriculum development, availability and need for services, appropriate research methodologies and measures for these populations, and best practices for teaching and educating American Indian and Alaska Native Head Start children;

“(B) to accurately determine the number of children nationwide who are eligible to participate in Indian Head Start programs each year;

“(C) to document how many of these children are receiving Head Start services each year;

“(D) to the extent practicable, to ensure that access to Indian Head Start programs for eligible children is comparable to access to other Head Start programs for other eligible children; and

“(E) to make the funding decisions required in section 640(a)(2)(A)(iii), after completion of the studies required in that section, taking into account:

“(i) the Federal government's unique trust responsibility to American Indians and Alaska Natives;

“(ii) limitations faced by tribal communities in accessing non-Federal sources of funding to supplement Federal funding for early childhood programs; and

“(iii) other factors that uniquely and adversely impact children in American Indian and Alaska Native communities such as highly elevated poverty, unemployment and violent crime rates, as well as depressed levels of educational achievement and limited access to non-Federal health, social and educational resources;

“(2) in carrying out paragraph (1), consult with the Secretary of Education about the Department of Education's systems for collecting and reporting data about, and maintaining records on, American Indian and Alaska Native students;

“(3) not later than 9 months after the effective date of this subsection, publish in the Federal Register a notice of how the Secretary plans to carry out paragraph (1) and shall provide a period for public comment. To the extent practicable, the Secretary shall consider comments received before submitting a report to the Congress;

“(4) not later than 1 year after the effective date of this subsection, submit a report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, detailing how the Department of Health and Human Services plans to carry out paragraph (1);

“(5) through regulation, ensure the confidentiality of any personally identifiable data, information, and records collected or maintained by the Secretary, by Head Start agencies that carry out Indian Head Start programs, and by State Directors of Head Start Collaboration, by the Indian Head Start Collaboration Project Director and by other appropriate entities pursuant to this subsection (Such regulations shall provide the policies, protections, and rights equivalent to those provided a parent, student, or educational agency or institution under section 444 of the General Education Provisions Act.); and

“(6) ensure that nothing in this subsection shall be construed to authorize the development of a nationwide database of personally identifiable information on individuals involved in studies or other collections of data under this subsection.

“(l) The Secretary shall—

“(1) in order to increase access to Head Start services for eligible migrant and seasonal children, work in collaboration with migrant and seasonal Head Start providers, the Department of Agriculture (land grant universities), the Department of Labor, the Bureau of Migrant Health, and the Department of Education to—

“(A) establish a system for collecting and reporting data on farm workers and their families in order to adequately account for the number of seasonal and migrant children that are eligible for Head Start and determine how many of these eligible children receive services;

“(B) identify barriers that prevent eligible migrant and seasonal children from accessing Head Start services and develop a plan for eliminating barriers and increasing enrollment; and

“(C) develop a system through which migrant and seasonal Head Start programs can effectively track health records and educational documents as a child moves from state to state;

“(2) not later than 6 months after the effective date of this subsection, publish in the Federal Register a notice on how the Secretary plans to carry out the activities identified in paragraph (1) and shall provide a period for public comment. To the extent practicable, the Secretary shall consider comments received before implementing any of the activities identified in paragraph (1);

“(3) not later than 1 year after the effective date of this subsection, submit a report to the Committee on Education and Labor of the House of Representatives and the Health, Education, Labor and Pensions Committee of the Senate detailing how the Secretary plans to carry out the activities identified in (1);

“(4) submit a report to Congress annually on the migrant and seasonal Head Start program including a report on the progress made in carrying out the activities identified in paragraph (1), the progress made in reaching out to and serving eligible migrant and seasonal children, and information on states where migrant and seasonal children are still underserved;

“(5) through regulation, ensure the protection of the confidentiality of any personally identifiable

data, information, and records collected or maintained by the Secretary, by Head Start agencies that carry out migrant and seasonal Head Start programs, by the State director of Head Start Collaboration, by the Migrant and Seasonal Farmworker Collaboration project Director (Such regulations shall provide the policies, protections, and rights equivalent to those provided a parent, student, or educational agency or institution under section 444 of the General Education Provisions Act.); and

“(6) ensure that nothing in this subsection shall be construed to authorize the development of a nationwide database of personally identifiable information on individuals involved in studies or other collections of data under this subsection.

“(m) For purposes of this section, the term 'eligible entities' means an institution of higher education or other entity with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the delivery of Head Start services.

“(n) For the purposes of delivering a State-based training and technical assistance system, as described in section 640(a)(C)(ii), that will meet the needs of local grantees and provide high quality, sustained, and intensive training and technical assistance to Head Start programs in order to help them meet or exceed the program performance standards described in section 641A(a)(1), the Secretary shall—

“(1) enter into contracts in each State with 1 or more entities who have a demonstrated expertise in supporting the delivery of high quality early education programs, except that bi-State contracts may be entered in to if the demographics of proximal States make such a system more appropriate;

“(2) ensure that the entities described in subparagraph (1) determine the types of services to be provided through consultation with—

“(A) local Head Start agencies;

“(B) the State Head Start collaboration office; and

“(C) the State Head Start Association;

“(3) provide a report, to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, no later than 90 days after the end of the fiscal year, summarizing the funding for such contracts and the activities carried out thereunder; and

“(4) periodically evaluate the usefulness of the delivery of services in each State and their effectiveness in promoting program quality.

“(o) To support enhanced early language and preliteracy development of children in Head Start programs, and to provide the children with high-quality oral language skills, and environments that are rich in literature, in which to acquire language and preliteracy skills, each Head Start agency shall ensure that—

“(1) all of the agency's Head Start teachers receive ongoing training in language and emergent literacy (referred to in this subsection as 'literacy training'), and including appropriate curricula and assessment to improve instruction and learning;

“(2) such literacy training shall include training in methods to promote vocabulary development and phonological awareness (including phonemic awareness) in a developmentally, culturally, and linguistically appropriate manner and support children's development in their home language;

“(3) the literacy training shall include training in how to work with parents to enhance positive language and early literacy development at home;

“(4) the literacy training shall include specific methods to best address the needs of children who are limited English proficient; and

“(5) the literacy training shall include training on how to best address the language and literacy needs of children with disabilities, including training on how to work with specialists in language development.

“(p) The Secretary is encouraged to contract, on a competitive basis, with an institution of higher education (as defined in section 102 of the Higher Education Act of 1965) to develop an on-line graduate-level professional development program with the goal of improving the leadership of those working in Head Start programs and improving teacher quality and the capacity of effective Head Start teachers.

“(q) INDOOR AIR QUALITY.—The Secretary shall consult with experts on issues of air quality related to children’s health and inform Head Start agencies of existing programs or combination of programs that provide methods for improving indoor air quality.

“(r) DEMONSTRATION FOR CAREER LADDER PARTNERSHIPS WITH TRIBAL COLLEGES AND HISPANIC-SERVING INSTITUTIONS.—

“(1) TRIBAL COLLEGE CAREER LADDER DEMONSTRATION PROGRAM.—The Secretary is authorized to award demonstration grants, for periods of not less than 5 years, to tribal colleges and universities to—

“(A) implement education programs that include education concerning tribal culture and language and increase the number of associate, baccalaureate, and graduate degrees in early childhood and related fields that are earned by Indian Head Start agency staff members, parents of children served by such an agency, and members of the tribal community involved;

“(B) develop and implement the programs under subparagraph (A) in technology-mediated formats, including providing the programs through such means as distance learning and use of advanced technology, as appropriate; and

“(C) provide technology literacy programs for Indian Head Start agency staff members and children and families of children served by such an agency.

“(2) HISPANIC-SERVING INSTITUTIONS CAREER LADDER DEMONSTRATION PROGRAM.—The Secretary is authorized to award demonstration grants, for periods of not less than 5 years, to Hispanic-serving institutions to—

“(A) provide assistance for stipends and costs related to tuition, fees, and books for enrolling Head Start agency staff members and parents of children served by such an agency in courses required to complete the degree and certification requirements to become bilingual teachers in early childhood education and related fields;

“(B) develop career ladder program curricula to increase the number of associate’s, bachelor’s, and graduate degrees earned by Head Start agency staff who have the linguistic skills and expertise to teach in programs serving a large number of limited English proficient children and parents of children served by such an agency; and

“(C) other activities to upgrade the skills and qualifications of noncertified educational personnel to meet the professional standards in section 648A(a)(1), including certification and licensure as bilingual education teachers and other educational personnel who serve limited English proficient children.

“(3) REQUIREMENT.—Individuals who receive assistance under paragraphs (1) and (2) shall subsequently teach in a Head Start center for a period of time equivalent to the period for which they received assistance or repay the amount of funds.”

SEC. 18. STAFF QUALIFICATIONS AND DEVELOPMENT.

Section 648A of the Head Start Act (42 U.S.C. 9843a) is amended—

(1) in subsection (a)—

(A) by striking “(a)” and all that follows through paragraph (2), and inserting the following:

“(a) CLASSROOM TEACHERS.—

“(1) PROFESSIONAL REQUIREMENTS.—The Secretary shall ensure that each Head Start classroom in a center-based program is assigned 1 teacher who has demonstrated competency to perform functions that include—

“(A) planning and implementing learning experiences that advance the intellectual and

physical development of children, including improving the readiness of children for school by developing their literacy, phonemic, and print awareness, their understanding and use of language, their understanding and use of increasingly complex and varied vocabulary, their appreciation of books, their understanding of early math and early science, their problem solving abilities, and their approaches to learning;

“(B) establishing and maintaining a safe, healthy learning environment;

“(C) supporting the social and emotional development of children; and

“(D) encouraging the involvement of the families of the children in a Head Start program and supporting the development of relationships between children and their families.

“(2) DEGREE REQUIREMENTS.—

“(A) IN GENERAL.—The Secretary shall ensure that not later than September 30, 2013, at least 50 percent of all Head Start teachers nationwide in center-based programs have—

“(i) a baccalaureate, or advanced degree in early childhood education;

“(ii) a baccalaureate or advanced degree in a field related to early childhood education, with experience in teaching preschool children; or

“(iii) except that teachers providing services in migrant and seasonal Head Start classrooms that serve children under age 3 shall be required to meet the teacher requirements described in section 645A(h).

“(B) PROGRESS REPORT.—

“(i) On an annual basis, each Head Start agency shall provide to the Secretary a report indicating the number and percentage of classroom instructors with child development/early childhood education associate credentials and associate, baccalaureate, or advanced degrees, and number of classroom instructors who successfully transferred associate credit and completed a baccalaureate degree disaggregated by race, ethnicity, and proficiency in a language other than English, with a description of those languages.

“(ii) Not later than September 30, 2008 the Secretary shall compile and transmit reports received under (i) to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

“(C) PROGRESS.—Each Head Start agency shall provide to the Secretary a report indicating the number and percentage of teachers and teacher’s aides with child development associate credentials and associate, baccalaureate, or advanced degrees. The Secretary shall compile all program reports and make them available to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

“(D) REQUIREMENT FOR NEW HEAD START TEACHERS.—In accordance with rules issued by the Secretary and made effective 2 years after the effective date of this subparagraph, all Head Start agencies shall require that all Head Start teachers hired after such rules take effect to provide Head Start services in center-based programs—

“(i) have an associate, baccalaureate, or advanced degree in early childhood education or a related field; or

“(ii) be currently enrolled in a program of study leading to an associate degree in early childhood education or a related field, and agree to complete degree requirements not later than 3 years after the date of hire.

“(E) SERVICE REQUIREMENTS.—The Secretary shall establish requirements to ensure that individuals who receive financial assistance under this subchapter in order to comply with the requirements under section 648A(a)(2) shall subsequently teach in a Head Start center for a period of time equivalent to the period for which they received assistance or repay the amount of the funds.

“(F) LIMITATION.—The Secretary shall require that any Federal funds provided directly or in-

directly to comply with subparagraph (A) shall be used toward degrees awarded by an institution of higher education, as defined by sections 101 or 102 of the Higher Education Act (20 U.S.C. 1001, 1002).”

(B) in paragraph (3)—

(i) in subparagraph (B) by striking “or” at the end,

(ii) in subparagraph (C) by striking the period at the end and inserting “; or”, and

(iii) by adding at the end, the following:

“(D) a baccalaureate and has been admitted into the Teach For America program, passed a rigorous early childhood content exam, such as the Praxis II, participated in a Teach For America summer training institute that includes teaching preschool children, and is receiving ongoing professional development and support from Teach For America’s professional staff.”

(2) by amending subsection (c) to read as follows:

“(c) FAMILY SERVICE WORKERS.—To improve the quality and effectiveness of staff providing in-home and other services (including needs assessment, development of service plans, family advocacy, and coordination of service delivery) to families of children participating in Head Start programs, the Secretary, in coordination with concerned public and private agencies and organizations examining the issues of standards and training for family service workers, shall—

“(1) review and, as necessary, revise or develop new qualification standards for Head Start staff providing such services;

“(2) review, and as necessary, revise or develop maximum caseload requirements, as suggested by best practices;

“(3) promote the development of model curricula (on subjects including parenting training and family literacy) designed to ensure the attainment of appropriate competencies by individuals working or planning to work in the field of early childhood and family services; and

“(4) promote the establishment of a credential that indicates attainment of the competencies and that is accepted nationwide.”

(3) is amended by adding at the end the following:

“(f) PROFESSIONAL DEVELOPMENT PLANS.—Each Head Start agency and program shall create, in consultation with an employee, a professional development plan for all full-time Head Start employees who provide direct services to children and shall ensure that such plans are regularly evaluated for their impact on teacher and staff effectiveness.”

SEC. 19. RESEARCH, DEMONSTRATIONS, AND EVALUATION.

Section 649 of the Head Start Act (42 U.S.C. 9844) is amended—

(1) by amending subsection (a)(1)(B) to read as follows:

“(B) use the Head Start programs to develop, test, and disseminate new ideas and based on existing scientifically based research, for addressing the needs of low-income preschool children (including children with disabilities, homeless children, children who have been abused or neglected, and children in foster care) and their families and communities (including demonstrations of innovative non-center-based program models such as home-based and mobile programs), and otherwise to further the purposes of this subchapter.”

(2) in subsection (d)—

(A) in paragraph (7) by adding “and” at the end,

(B) in paragraph (8) by striking the semicolon at the end and inserting a period,

(C) by striking paragraphs (9) and (10), and

(D) by striking the last sentence,

(3) in subsection (g)—

(A) in paragraph(1)(A)—

(i) by striking clause (i), and

(ii) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively, and

(B) by amending paragraph (7)(C) to read as follows:

“(C) TRANSMITTAL OF REPORT TO CONGRESS.—Not later than September 30, 2009, the Secretary shall transmit the final report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.”, and

(4) by amending subsection (h) to read as follows:

“(h) LIMITED ENGLISH PROFICIENT CHILDREN.—

“(1) STUDY.—Not later than 1 year after the date of enactment of the Improving Head Start Act of 2007, the Secretary shall conduct a study on the status of limited English proficient children and their families in participating Head Start programs and Early Head Start programs.

“(2) REPORT.—The Secretary shall prepare and submit to Congress, not later than September 2008, a report containing the results of such study, including information on—

“(A)(i) the demographics of limited English proficient children less than 5 years of age and the geographical distribution of such children; and

“(ii) the number of such children receiving Head Start services and the number of such children receiving Early Head Start services, and the geographical distribution of such children receiving such services;

“(B) the nature of the Head Start services and of the Early Head Start services provided to limited English proficient children and their families, including the types, content, duration, intensity, and costs of family services, language assistance, and educational services;

“(C) procedures in Head Start programs for assessing language needs and for making the transition of limited English proficient children to kindergarten, including the extent to which Head Start programs meet the requirements of section 642A for limited English proficient children;

“(D) the qualifications and training provided to Head Start teachers and Early Head Start teachers who serve limited English proficient children and their families;

“(E) the home languages of Head Start and Early Head Start teachers;

“(F) the rate of progress made by limited English proficient children and their families in Head Start programs and in Early Head Start programs, including—

“(i) the rate of progress made by limited English proficient children toward meeting the additional educational standards described in section 641A(a)(1)(B)(ii) while enrolled in Head Start programs;

“(ii) the correlation between such progress and the type and quality of instruction and educational programs provided to limited English proficient children; and

“(iii) the correlation between such progress and the health and family services provided by Head Start programs to limited English proficient children and their families; and

“(G) the extent to which Head Start programs make use of funds under section 640(a)(3) to improve the quality of Head Start services provided to limited English proficient children and their families.

“(i) CHILDREN, FAMILIES, AND PROGRAMS AFFECTED BY HURRICANES KATRINA AND RITA.—

“(1) PURPOSE.—The purpose of this subsection is to evaluate the status of Head Start and Early Head Start programs affected by Hurricanes Katrina and Rita as well as the challenges those programs have faced in reestablishing themselves and reenrolling eligible children and families, with the ultimate goal of providing all Head Start and Early Head Start programs with recommendations for developing and implementing disaster plans.

“(2) DEFINITION.—The term ‘areas affected by Hurricanes Katrina and Rita’ means any parish or county for which it was determined that assistance was warranted from the Federal Government under the Robert T. Stafford Disaster

Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of Hurricanes Katrina and Rita.

“(3) STUDY.—The Secretary shall conduct a study on the status of children and families participating in Head Start and Early Head Start programs in areas affected by Hurricanes Katrina and Rita.

“(4) REPORT.—Not later than 1 year after the date of the enactment of the Improving Head Start Act of 2007, the Secretary shall prepare and submit to Congress a report containing the results of such study, including

“(A) information on the population served, including—

“(i) the number of children and families participating in Head Start and Early Head Start programs in areas affected by Hurricanes Katrina and Rita before and after Hurricanes Katrina and Rita;

“(ii) the demographics of such children and families; and

“(iii) the geographical distribution of such children and families;

“(B) information on staff and programs, including—

“(i) the number and geographic distribution of staff serving Head Start and Early Head Start children and families from areas affected by Hurricanes Katrina and Rita;

“(ii) the current status, including employment status and geographic location, of Head Start and Early Head Start staff serving in areas affected by Hurricanes Katrina and Rita; and

“(iii) the response and recovery efforts of Head Start and Early Head Start staff serving in areas affected by Hurricanes Katrina and Rita

“(C) information on facilities, including—

“(i) the number of Head Start and Early Head Start facilities operating prior to Hurricanes Katrina and Rita in areas affected by Hurricanes Katrina and Rita;

“(ii) the current status of each such facility; and

“(iii) information on any new Head Start or Early Head Start facility that has opened in areas affected by Hurricanes Katrina and Rita or that serves children and families who lived in areas affected by Hurricanes Katrina and Rita at the time of Hurricanes Katrina and Rita;

“(D) information on coordination with the Federal Emergency Management Agency (FEMA) in areas affected by Hurricanes Katrina and Rita, including—

“(i) areas of success that Head Start agencies and programs had in working with FEMA;

“(ii) challenges that Head Start agencies and programs had in working with FEMA; and

“(iii) the number of Head Start families that received individualized assistance (as defined under the Robert T. Stafford Disaster Relief and Emergency Act) and the types of assistance received by such families.

“(E) challenges that were faced by Head Start and Early Head Start programs and families in areas affected by Hurricanes Katrina and Rita including—

“(i) the availability of Head Start services for families displaced during the period of transition;

“(ii) identification of and outreach to families displaced by the Hurricanes Katrina and Rita; and

“(iii) the extent to which non-Federal disaster assistance was available to Head Start agencies and programs, and coordination of such services with non-Federal disaster assistance resources.

“(5) DISASTER PLAN PREPAREDNESS.—Not later than 1 year after the date of the enactment of Improving Head Start Act of 2007, the Secretary shall prepare and submit to Congress, Head Start disaster plan recommendations based upon the report initiated in paragraph (4), including recommendations for prevention, preparedness, response, and recovery, that can be used to advise Head Start and Early Head Start programs

in the development and implementation of disaster plans.”.

SEC. 20. REPORTS.

Section 650 of the Head Start Act (42 U.S.C. 9846) is amended—

(1) in subsection (a)—

(A) by striking “Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate” each place it appears and inserting “Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate”;

(B) by striking “and non-English language background children” and inserting “children, homeless children, children in foster care, and limited English proficient children”;

(C) in paragraph (8) by inserting “homelessness, whether the child is in foster care or was referred by a child welfare agency,” after “background.”;

(2) by adding at the end the following:

“(c) SET-ASIDE ACTIVITIES.—Not later than 60 days after the end of each fiscal year, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report detailing the different amounts of expenditures under section 640(a)(2) and the activities carried out thereunder.

“(d) FISCAL PROTOCOL.—The Secretary shall conduct an annual review to assess whether the design and implementation of the triennial reviews described in section 641A(c) include compliance procedures that provide reasonable assurance that Head Start agencies are complying with applicable fiscal laws and regulations. The Secretary shall report the findings and conclusions of the annual review to the House Committee on Education and Labor, and the Senate Committee on Health, Education, Labor and Pensions within 30 days of completing the review.

“(e) USE OF INDIVIDUALIZED EDUCATION PLANS.—The Secretary shall track the use of Head Start Individualized Education Plans by Head Start agencies in order to evaluate the reasons why Head Start agencies are opting not to use Individualized Education Plans for children with disabilities (as specified in the Individuals With Disabilities Education Act (20 U.S.C. 1414(d)), whether Head Start Individualized Education Plans are used to provide services prior to the development of an Individualized Education Plan, as required under the Individuals With Disabilities Education Act, and the length of time programs use Head Start Individualized Education Plans before an Individualized Education Plan as required under Individuals With Disabilities Education Act is developed. The Secretary shall provide a report to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, not later than 1 year after the date of the enactment of the Improving Head Start Act of 2007.

“(f) EVALUATION AND RECOMMENDATIONS REGARDING OBESITY PREVENTION.—The Secretary shall evaluate and publish regulations on the issue of and concerns related to preventing and reducing obesity in children who participate in Head Start programs and shall consult, at a minimum, with experts in child and maternal health, child development, child and family nutrition and physical education, to determine the effective methods by which Head Start agencies can help address childhood obesity. The regulations should include guidance on how Head Start agencies can incorporate, at a minimum, more physical activity and nutrition education into such programs related to preventing and reducing obesity. Not later than 1 year after the effective date of this subsection, the Secretary shall submit to the House Committee on Education and Labor and the Senate Committee on

Health, Education, Labor and Pensions, a report containing such recommendations and the results of such evaluation.”

SEC. 21. WAGES AND COMPENSATION.

Section 653 of the Head Start Act (42 U.S.C. 9848) is amended to read as follows:

“SEC. 653. WAGES AND COMPENSATION.

“(a) **COMPARABILITY OF WAGES.**—The Secretary shall take such action as may be necessary to assure that persons employed in carrying out programs financed under this subchapter shall not receive compensation at a rate which is (1) in excess of the average rate of compensation paid in the area where the program is carried out to a substantial number of the persons providing substantially comparable services, or in excess of the average rate of compensation paid to a substantial number of the persons providing substantially comparable services in the area of the person’s immediately preceding employment, whichever is higher; or (2) less than the minimum wage rate prescribed in section 6(a)(1) of the Fair Labor Standards Act of 1938. The Secretary shall encourage Head Start agencies to provide compensation according to salary scales that are based on training and experience.

“(b) **FEDERAL RATE LIMITATION.**—Notwithstanding any other provision of law, no Federal funds shall be used to pay all or any part of the compensation of an individual employed by a Head Start agency in carrying out programs under this subchapter, either as direct or indirect costs of any proration thereof, at a rate in excess of the rate then payable for level II of the Executive Schedule under section 5313 of title 5, United States Code.”

SEC. 22. LIMITATION ON CERTAIN USES OF FUNDS.

The Head Start Act (42 U.S.C. 9858 et seq.) is amended by adding at the end the following:

“SEC. 656A. LIMITATION ON CERTAIN USES OF FUNDS.

“No funds made available to carry out this subchapter may be used—

“(1) for publicity or propaganda purposes not heretofore authorized by the Congress; or

“(2) unless authorized by law in effect on the effective date of this section, to produce any pre-packaged news story intended for broadcast or distribution unless such story includes a clear notification contained within the text or audio of such story stating that the prepackaged news story was prepared or funded by the Department of Health and Human Services.”

The CHAIRMAN. No amendment to the committee amendment is in order except the amendments printed in House Report 110-116. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. EDDIE BERNICE JOHNSON OF TEXAS

The CHAIRMAN. It is now in order to consider amendment No. 1 printed in House Report 110-116.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Ms. EDDIE BERNICE JOHNSON of Texas:

Page 152, line 23, strike the close quotation and the period at the end.

Page 152, after line 23, insert the following (and make such technical and conforming changes as may be appropriate):

“(s) **HISTORICALLY BLACK COLLEGES AND UNIVERSITIES HEAD START PARTNERSHIPS.**—In order to promote quality services and instruction to children with diverse backgrounds, the Secretary shall work in collaboration with Historically Black Colleges and Universities to—

“(1) implement education programs that include education to increase the number of associate, baccalaureate, and advanced degrees in early childhood education and related fields that are earned by Head Start agency staff members, and parents of children served by such an agency; and

“(2) carry out other activities to upgrade the skills and qualifications of noncertified educational personnel to meet the professional standards in section 648A(a).

Individuals who receive assistance under this paragraph shall subsequently teach in a center-based Head Start program for a period of time equivalent to the period for which they received assistance or shall repay such assistance.”

The CHAIRMAN. Pursuant to House Resolution 348, the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I rise to offer an amendment that will increase the number of highly qualified African American Head Start teachers. Let me hasten to thank the chairman of the committee and the ranking member.

This program has been successful. I am fortunate enough to have what has been labeled as the number one Head Start program in the country in my district, and what I am attempting to do in this amendment is to create partnerships between our Nation’s historically black colleges and universities and Head Start.

It does not eliminate anyone else’s participation, but we know that by 2013 every Head Start teacher has to have a degree, and it could be parents because one of the secrets to success in these programs is to have lots of involvement of the parents and volunteers in the community.

The partnerships will provide an opportunity for Head Start staff and parents of Head Start students to obtain degrees in early childhood education.

Now, why must it be in a historically black college? Mr. Chairman, that is important because 30 percent of the total number of children in Head Start are African American.

Only 6 percent of our Nation’s 3 million teachers are African American and this is far too few, but also the historically black colleges and universities educate more African American teachers than all the other universities put together.

So we would like to make this collaboration so that it can reflect the diversity and the need and encouragement of both the parents and the teachers to work together. They can

serve as role models, the teachers who know and understand the students that come from their own communities, and this will not only increase the number of qualified African American Head Start teachers, but it will increase the number of role models for millions of children who are at risk of educational failure.

So, today, only 6 percent of our Nation’s 3 million teachers are African American. It is far too small, but this would offer a unique resource and support for those that are seeking a degree which is going to be necessary to maintain these jobs, and it also will offer I think a very positive role model situation in our Head Start program where appropriate.

I would like to move adoption of my amendment.

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

Mr. MCKEON. Mr. Chairman, I rise in support of the gentlewoman’s amendment.

The CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. Mr. Chairman, I believe that the amendment will improve the underlying bill. Let me just give one example that can come from her amendment.

Delaware State University is an example of a Head Start HBCU partnership that nurtures a continual goal of providing high quality educational experiences to Head Start participants by enhancing the competence of teachers and teachers’ aids; improving parental confidence and life management skills to ensure that the work of Head Start is continued in the home; and improving the administrative, managerial and leadership skills of centers directly so the Head Start resources, including personnel, are used as efficiently as possible.

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We think that her amendment will further this help, and we think it improves the bill. We would be happy to support the amendment.

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

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 1 minute to the gentleman from North Carolina (Mr. BUTTERFIELD).

Mr. BUTTERFIELD. I come to the floor this afternoon to thank, first, the chairman of the committee, Mr. GEORGE MILLER of California, for his tireless work in this area, and also the gentlelady from Texas.

Mr. Chairman, I rise in support of H.R. 1429. There is no question, Mr. Chairman, that America needs more minority teachers in Head Start classrooms. I represent the First Congressional District of North Carolina, which is the 15th poorest district in the Nation. I can tell you that Head Start is making a difference in my congressional district.

I encourage the continuation of the program. I urge the adoption of this resolution.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield 30 seconds to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I rise in strong support of this amendment and urge its adoption. I thank the gentlewoman for offering it.

Mrs. JONES of Ohio. Mr. Chairman, I rise today in support of the Eddie Bernice Johnson Amendment to H.R. 1429, the Improving Head Start Act of 2007. This amendment will encourage partnerships between Head Start and Historically Black Colleges and Universities. The Johnson Amendment will encourage African American students to focus on early childhood education and participate in Head Start. My home is Cleveland, Ohio, and it is one of the poorest cities in the nation, with half of the children living below the poverty line. Head Start provides a vital service to my community, it allows the youngest and most helpless children to have a chance at the developing basic skills so they are not behind when they start attending school. I am so pleased that my colleague from Texas, EDDIE BERNICE JOHNSON has offered this amendment. It will encourage more African American teachers to return to some of the most impoverished communities across this country. They will not only serve as teachers but also as role models and mentors to inspire young children to succeed as they have. I would like to once again Congresswoman JOHNSON for offering this amendment and encourage all of my colleagues to support it.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from Texas (Ms. EDDIE BERNICE JOHNSON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. PRICE OF GEORGIA

The CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 110-116.

Mr. PRICE of Georgia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. PRICE of Georgia:

At the end, add the following (and make such technical and conforming changes as may be appropriate):

TITLE II—STATE DEMONSTRATION PROGRAM

SEC. 201. STATE DEMONSTRATION PROGRAM.

The Head Start Act is amended by inserting after section 643 the following new section:

“SEC. 643A. STATE DEMONSTRATION PROGRAM.

“(a) GRANTS.—

“(1) IN GENERAL.—

“(A) ELIGIBLE STATES.—In the case of each eligible State that submits to the Secretary an application that fulfills the requirements of this section, the Secretary, from amounts appropriated under section 639(a), shall make

a grant to the State to carry out a State demonstration program under this section, except that the Secretary shall not make such grants to more than 8 eligible States.

“(B) DETERMINATION.—The Secretary shall make awards to those States that demonstrate—

“(i) that the State standards generally meet or exceed the standards that ensure the quality and effectiveness of programs operated by Head Start agencies;

“(ii) the capacity to deliver high quality early childhood education services to prepare children, including low-income children, for school; and

“(iii) success in improving the school readiness of children.

“(2) STATE ELIGIBILITY.—A State shall be eligible to participate in the program under this section if it meets each of the following criteria:

“(A) The State has an existing State supported system providing public prekindergarten to children prior to entry into kindergarten.

“(B) The State has implemented standards as of fiscal year 2007 for school readiness that include standards for language, prereading and premathematics development for prekindergarten that are aligned with State kindergarten through twelfth grade academic content standards and which shall apply to all programs receiving funds under this part or provides an assurance that such standards will be aligned by the end of the second fiscal year of participation.

“(C) State and locally appropriated funds for prekindergarten services and Head Start services in the base year under this section shall not be less than 50 percent of the Federal funds that the grantees in the State received under this Act in the base year for services to Head Start eligible children, excluding amounts for services provided under section 645A.

“(D) The State has established a means for inter-agency coordination and collaboration in the development of the plan under subsection (h).

“(b) LEAD AGENCY.—A program under this section shall be administered by a State governmental entity designated by the Chief Executive Officer of the State as the lead State agency.

“(c) STATE OPERATION OF PROGRAM.—The State may conduct all or any part of the program under this section (including the activities specified in subsection (g)) directly or by grant, contract, or cooperative agreement.

“(d) TRANSITION.—

“(1) IN GENERAL.—For 60 months after the effective date of this section, the State shall continue to provide funds to each local grantee who—

“(A) was receiving funds under this subchapter, as in effect prior to the date of enactment of this section, and

“(B) is serving the geographic area covered by the plan in section 643A(h).”

Such continuing grants shall be made in accordance with the terms of the grant made to the local grantee immediately prior to such date of enactment. This paragraph shall not apply to a grant applicant who has experienced substantial uncorrected deficiencies on Department of Health and Human Services monitoring reports during any year of the most recent 5-year period, or to a grantee that, as determined by the State, does not comply with the State plan described in subsection 643A(h) submitted to the Secretary.

“(e) FEDERAL FINANCIAL ASSISTANCE.—

“(1) ALLOCATION OF FEDERAL ALLOTMENTS TO STATE PROGRAMS.—From each total amount described in paragraph (2) allotted to a State for a fiscal year, the Secretary shall pay to a State with a program approved

under this section for such fiscal year an amount equal to—

“(A) if the State program is statewide, 100 percent of such total amount; and

“(B) if the State program is limited to a geographic area or areas, the sum of—

“(i) an amount equal to the amount received by grantees in such geographic area or areas for the Federal fiscal year preceding the first fiscal year of the State program under this section; plus

“(ii) an amount bearing the same ratio to the excess (if any) above the total amount for such preceding fiscal year as the number of children less than 5 years of age from families whose income is below the poverty line in the geographic area or areas included in the program bears to the total number of such children in the State (as determined using the same data used pursuant to section 640(a)(4)(B)).

“(2) FUNDS ALLOCATED.—For purposes of paragraph (1), amounts described in this paragraph are:

“(A) BASIC STATE ALLOTMENTS.—Amounts allotted to States pursuant to section 640(a)(4), including amounts reserved pursuant to section 640(a)(5), excluding amounts for services provided under section 645A.

“(B) STATE ALLOTMENTS OF EXPANSION FUNDS.—Amounts allotted to States pursuant to section 640(a)(3)(D)(i)(I) for program expansion.

“(C) QUALITY IMPROVEMENT FUNDS.—Quality improvement funds (if any) reserved pursuant to section 640(a)(3).

“(D) TRAINING AND TECHNICAL ASSISTANCE FUNDS.—An amount bearing the same ratio to the amount set aside for training and technical assistance activities pursuant to section 640(a)(2)(C)(i) and (ii) as the State's share of amounts allotted under section 640(a)(4)(B) bears to the total amount so allotted (and for purposes of subparagraph (A), such amount shall be considered an amount allotted to the State for the fiscal year).

“(3) NON-FEDERAL MATCH.—(A) In determining the amount of Federal and non-Federal contributions for purposes of this section, the amounts required to be expended by the State under subsection (h)(14)(B) (relating to maintenance of effort) shall be excluded.

“(B) Financial assistance made available to a State under this subchapter shall be in an amount equal to 95 percent of the total amount expended for such programs. The Secretary shall require non-Federal contributions in an amount equal to 5 percent of the total amount expended under this subchapter for such programs.

“(C) Non-Federal contributions may be made in cash or in kind, fairly evaluated, including plant, equipment, or services.

“(4) COMBINED OPERATIONS WITH OTHER EARLY CHILDHOOD EDUCATION PROGRAMS.—A State may combine funds for a program under this section with funds for other early childhood programs serving children in the same age group, as long as all applicable requirements of this subchapter are met with respect to either—

“(A) the entire combined program; or

“(B) each child served in such combined program for whom the services provided are funded from appropriations under this subchapter or non-Federal matching contributions under this subchapter.

“(5) USE OF FUNDS WITHOUT REGARD TO ALLOTMENT PURPOSES.—A State may use funds received pursuant to this section for any program purpose set forth in section 636, without regard to the purposes for such funds specified in section 640.

“(6) OTHER FUNDS.—Funds received under this section shall not supplant any non-Federal, State or local funds that would otherwise be used for activities authorized under

this section or similar activities carried out in the State.

“(f) COORDINATION AND CHOICE.—

“(1) IN GENERAL.—A State demonstration Program shall be coordinated with the education programs of local educational agencies in the State to ensure that the program is effectively designed to develop in children in the program the knowledge and behaviors necessary to transition successfully to kindergarten and to succeed in school.

“(2) PROGRAMS CONCERNED.—

“(A) REQUIRED PROGRAMS.—Such coordination shall occur regarding the implementation of the following:

“(i) The Early Reading First and Even Start programs under title I, part B, subparts 2 and 3 of the Elementary and Secondary Education Act of 1965, and other preschool programs carried out under title I of that Act.

“(ii) State prekindergarten programs.

“(iii) The Ready-to-Learn Television Program under subpart 3 of part D of title II of the Elementary and Secondary Education Act.

“(B) OPTIONAL PROGRAMS.—Such coordination may occur regarding the implementation of the following:

“(i) Programs under the Child Care and Development Block Grant Act.

“(ii) Other publicly funded early childhood education programs.

“(3) PARENTAL CHOICE.—The program shall allow parents to choose the preschool program for their child.

“(g) REQUIRED SERVICES.—With funds under this section, the State shall provide services described in section 641A at least as extensive as were provided, and to at least as many low-income children and families in each fiscal year as were provided such services, with such funds in the base year in the State (or, if applicable, in the geographic area included in the State program). A program under this section shall include the following comprehensive activities designed to promote school readiness and success in school:

“(1) CHILD DEVELOPMENT AND EDUCATION.—Activities with enrolled children that promote—

“(A) cognitive development, language development, prereading, and premathematics knowledge and skills;

“(B) physical development, health, and nutrition (including through coordination with, and referral of children and families to local health service entities; and

“(C) social development important for environments constructive for child development, early learning, and school success.

“(2) PARENT EDUCATION AND INVOLVEMENT.—Activities with the parents of enrolled children directed at enhancing and encouraging—

“(A) involvement in, and ability to support, their children’s educational development;

“(B) parenting skills and understanding of child development; and

“(C) ability to participate effectively in decisions relating to the education of their children.

“(3) SOCIAL AND FAMILY SUPPORT SERVICES.—Activities directed at securing appropriate social and family support services for enrolled children and their families, primarily through referral and coordination with local, State, and Federal entities that provide such services.

“(4) HEAD START SERVICES.—For purposes of paragraph (1) Head Start services furnished in a State program under this section shall include all Head Start services, other than—

“(A) Indian Head Start programs and migrant and seasonal Head Start programs sup-

ported 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.

“(1) STATE PLAN SUBMISSION.—An application shall be submitted by a State pursuant to this section to the Secretary, in consultation with the Secretary of Education, and shall be deemed to be approved by the Secretary unless the Secretary makes a written determination, prior to the expiration of a reasonable time beginning on the date on which the Secretary received the application, that the application is not in compliance with this section.

“(m) TREATMENT OF FUNDS.—If a State or local government contributes its own funds to supplement activities carried out under the applicable programs, the State or local government has the option to separate out the Federal funds or commingle them. If the funds are commingled, the provisions of this subchapter shall apply to all of the commingled funds in the same manner, and to the same extent, as the provisions apply to the Federal funds.

“(n) FEDERAL OVERSIGHT AUTHORITY; CORRECTIVE ACTION; WITHDRAWAL OF APPROVAL.—

“(1) FEDERAL OVERSIGHT.—The Secretary shall retain the authority to oversee the operation of the State program under this section, including through review of records and reports, audits, and onsite inspection of records and facilities and monitoring of program activities and operations.

“(2) CORRECTION OF DEFICIENCIES.—If the Secretary determines that a State program under this section substantially fails to meet the requirements of this section, the Secretary shall notify the State of the deficiencies identified and require corrective action as follows:

“(A) DEFICIENCIES CAUSING IMMEDIATE JEOPARDY.—The Secretary shall require immediate corrective action to eliminate a deficiency that the Secretary finds threatens the health or safety of staff or program participants or poses a threat to the integrity of Federal funds.

“(B) OTHER DEFICIENCIES.—The Secretary, taking into consideration the nature and magnitude of a deficiency not described in subparagraph (A), and the time reasonably required for correction, may—

“(i) require the State to correct the deficiency within 90 days after notification under this paragraph; or

“(ii) require the State to implement a quality improvement plan designed to correct the deficiency within one year from identification of the deficiency.

“(3) WITHDRAWAL OF APPROVAL.—If the deficiencies identified under paragraph (2) are not corrected by the deadlines established by the Secretary, the Secretary shall initiate proceedings to withdraw approval of the State program under this section.

“(4) PROCEDURAL RIGHTS.—A State subject to adverse action under this subsection shall have the same procedural rights as a Head Start agency subject to adverse action under section 641A.

“(o) INDEPENDENT EVALUATION.—

“(1) IN GENERAL.—The Secretary shall contract with an independent organization outside of the Department to design and conduct a multi-year, rigorous, scientifically valid, quantitative evaluation of the State demonstration program.

“(2) PROCESS.—The Secretary shall award a contract within 180 days of the date of enactment of the Improving Head Start Act of 2007, to an organization that is capable of designing and carrying out an independent evaluation described in this subsection.

“(3) ANALYSIS.—The evaluation shall include an analysis of each State participating in the State demonstration program, including—

“(A) A quantitative description of the State prekindergarten program and Head Start programs within such State, as such programs existed prior to participation in the State demonstration program, including:

“(i) data on the characteristics of the children served, including the overall number and percentages of children served disaggregated by socioeconomic status, race and ethnicity of those served;

“(ii) the quality and characteristics of the services provided to such children; and

“(iii) the education attainment of instructional staff.

“(B) A quantitative and qualitative description of the State program after each year of participation in the State demonstration, which shall include each of the following:

“(i) A description of changes in the administration of the State program, including the Head Start program, within such State.

“(ii) The rate of progress of the State in improving the school readiness of disadvantaged children in the key domains of development.

“(iii) Data as described in subparagraph (A), as updated annually.

“(iv) The extent to which each State has met the goals established by such State with respect to annual goals as described under section 643(h)(10).

“(4) REPORT.—(A) The Secretary shall provide an interim report on the progress of such evaluation and of the progress of States participating in the State demonstration in increasing the availability of high quality prekindergarten services for low-income children not later than October 1, 2010 to the Committee on Education and the Workforce in the House of Representatives and the Committee on Health, Education, Labor, and Pensions in the Senate.

“(B) The Secretary shall provide a final report to the Committee on Education and the Workforce in the House of Representatives and the Committee on Health, Education, Labor, and Pensions in the Senate, not later than October 1, 2011, which shall include an overall evaluation of the State demonstration program, including an assessment of its success in increasing the overall availability of high quality prekindergarten services for

low income children in each of the participating States as compared to a representative sample of non-participating States.

“(p) STATE PARTICIPATION AGREEMENT.—Following the submission of an application fulfilling all requirements of this section, a State that meets all eligibility requirements set forth in section 643A(a)(2) and is selected by the Secretary to participate in the demonstration program under this section shall:

“(1) maintain or increase fiscal year 2007 State funding levels for early childhood education;

“(2) provide an additional contribution of non-federal funds equal to 5 percent of the State’s Federal Head Start allotment;

“(3) use Head Start funding only for the purposes of Head Start as described in section 636;

“(4) provide all comprehensive social services currently available to Head Start children, including health and nutrition;

“(5) develop a strategy to maximize parental involvement to enable parents to become full partners in the education of their children;

“(6) demonstrate that the qualifications and credentials for early childhood teachers meet or exceed the standards in section 648A(a)(2)(A), (B), and (C);

“(7) enforce quality standards for school readiness that are aligned with K–12 educational standards and generally meet or exceed the Federal Head Start performance standards;

“(8) continue funding, for a period of 60 months, all current Head Start grantees as described in section 643A(d);

“(9) provide services described in section 641A that are at least as extensive as were provided, and to at least as many low-income children and families in the State, in each fiscal year as were provided such services in the base year;

“(10) establish a comprehensive collaboration effort to integrate Head Start, state-funded pre-kindergarten programs, Even Start, Title I preschool, and Early Reading First;

“(11) participate in independent evaluations of the demonstration program authorized under this subchapter; and

“(12) submit to Federal oversight by the Secretary.

“(q) DEFINITION.—For purposes of this section, the term ‘base year’ means the fiscal year 2007.”

The CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Georgia (Mr. PRICE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the opportunity to offer this amendment. I would urge my colleagues to support it. This is an amendment of expansion and educational opportunities for our young children.

In 1965, when Head Start was implemented, State-run early childhood development programs didn’t exist. Since then, and most recently, and in the past 15 years, States have invested considerable resources into early childhood initiatives. This amendment seeks to provide an incredible opportunity for eight States to participate in a 5-year demonstration program and leverage their resources and experience to improve school readiness.

It would allow eight States to coordinate Head Start and early childhood State-run programs, thus improving

coordination, preventing duplication and expanding the number of children that can be served by the early childhood services. To carry it out, safeguards would be put in place. States would have to ensure that participants receive services that are as good or better than those in the Head Start program, including health, nutrition, mental health services on top of the educational services.

Enacting a demonstration program will result in expanding the number of children that can be served, which is not possible in Head Start or just a State-run program alone. This is an innovative program that would help more children in our Nation, and I urge my colleagues to adopt this amendment.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in opposition to this amendment.

The CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Chairman, Members of the House, we are here today to authorize the Head Start program. What this amendment would do would simply end Head Start in those eight States as we know it. There would be no requirement that those States would take the money that we have set aside, that we have worked hard to provide within the budget for the Head Start program and use it to implement a program that is anything like Head Start, because there would simply be no requirements on that money to provide the kind of comprehensive programs that are now required under the Head Start program that have demonstrated the success that we just spent an hour with speakers from both sides of the aisle attesting to in their own districts or on a national basis as members of the committee have talked about what we are doing in this reauthorization. These States would be eligible for these funds without demonstrating any expertise or commitment to the high quality of this proven preschool program.

Essentially that’s the end of it in those eight States. Now, maybe one of those States will have a strong commitment to Head Start and all the rest of it. That’s what Head Start is. That’s what Head Start is. Why are we running this money through another filter system to recreate the Head Start program? We already require, and we went through a series of hearings about coordination with the States to make sure that Head Start coordinates with other State programs and State agencies.

But we also know that because of what we have done with Head Start over the years, where we have provided reauthorization after reauthorization, the continuous improvement of the programs that are integral to the success of Head Start and to the success of the children, where we have used sci-

entific-based educational and performance standards, where we have provided for accountability and oversight and evaluation of the program, where we have provided for the parent policy councils, all of these things that have been integral to this program over this time to bring it to a point now where we can see that it demonstrates a marked impact on these young children in closing the achievement gap for these children and getting them ready and the skills that they will need for early reading, for early math, for early writing, that is what this program does.

There are not many States that do any of that. They have a lot of early childhood programs. They have a lot of child care programs, they have a lot of it. But they don’t have this comprehensive program. That’s why this is considered the premier program in the Nation for the education and the development of these young children. That is why we should not support this block grant amendment.

I daresay that we have watched over the last decades effort after effort be made to block grant programs. Generally, where they have been successful, they have been the first step to the budget cuts, to the loss of quality. That’s what’s involved here.

Again, when we structured this legislation, and in consideration of the budget and the increases in the money, we are putting 60 percent of the money into quality, into teacher and professional development, into salaries, because we recognize that we have to have that continuous update and that improvement of the Head Start program.

Voting for this amendment is not to vote for Head Start; it’s to vote for something, but it’s not to vote for Head Start. It’s, in fact, detrimental because that money, then, is out of the Head Start system to be used for whatever purposes. In fact, you can take this Federal money and then withdraw the local money. There is no requirement in this amendment that there be a maintenance of effort by a State to do this.

What have you really done? You have taken money for the Federal taxpayers that paid into this program that we have decided on a bipartisan basis should go for the Head Start program. You said, oh, you can give it to a State, and they can draw their money out the bottom. So we put the taxpayers’ money in at the top, and the State takes the money out of the bottom.

That is not going to improve quality. That is not going to improve access. Now, you can argue that maybe you can add a lot of children to a program, a program, not the Head Start program, because the Head Start program is expensive because we do it the way we should be doing, the way it has been scientifically analyzed and supported by the data.

You can put a lot of kids in low-quality programs, but that is not what we

are trying to achieve. We are trying to achieve high quality so we get the results that Head Start gets and most other States don't get.

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

Mr. PRICE of Georgia. Mr. Chairman, may I inquire as to how much time remains.

The CHAIRMAN. The gentleman from Georgia has 3½ minutes remaining.

Mr. PRICE of Georgia. The gentleman from California?

The CHAIRMAN. The gentleman from California has 30 seconds remaining.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the chairman's passion on this, but his testimony bears little resemblance to reality. I would urge him to read the amendment which states clearly on page 11, "Head Start services furnished in a State program under this section shall include all Head Start services."

Mr. Chairman, I yield 1½ minutes to my good friend from Delaware (Mr. CASTLE).

Mr. CASTLE. I thank the gentleman for yielding.

Mr. Chairman, I strongly support this amendment. I have a tremendous amount of respect for the chairman of the committee, Mr. MILLER, but I disagree with him on his basic premise here.

I do believe that the Governors of this country, which I had the chance to be one, seems eons ago now, but a few years ago, have a tremendous and strong interest in the children of their States and in the education of those children.

I also believe that in the time since Head Start was created, that many of these Governors have put together pre-kindergarten, kindergarten, early childhood programs. I think they are ready to move forward with this. I think in many instances they have been competitive with, if not even ahead of, Head Start. We basically backed off from what the White House proposed originally, which is to give all 50 States the option to do this, to a pilot program of eight States.

There are requirements that those eight States match these funds, in fact, put in extra money in order to be able to enter into this program of dealing with the Head Start-type programs. The State demo would be limited to States with a demonstrated investment in early childhood education and established existing preschool system.

You can't just jump into this and take the money or whatever. You have to show you are ready for it, and that you are ready to do it, and you are ready to put the money into it. I believe strongly that those States should be afforded the opportunity. I actually think the competition with some of the Head Start providers would be positive in terms of developing the opportunity for young children.

I would hope that everybody would stop for a moment and take time for a

moment to listen to this amendment and the arguments pro and con before votes are cast on it. I believe Mr. PRICE has demonstrated through Georgia, as well as other States, that this is something which could be beneficial to the children, which is really what this is all about, hopefully helping those children in poverty so that they could move ahead.

I hope everybody will support the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 15 seconds to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I would just say in reading the amendment that States should generally follow the standards. I served in a State legislature for 12 years in appropriations, and I know what license that word "generally" gives to a State legislature in a State government. Generally it does not keep these really good high standards that we have worked on for 42 years on in this bill.

Mr. GEORGE MILLER of California. Mr. Chairman, I would just say that is exactly the point. Yes, it offers all services, but it doesn't require the same high-quality service we have now. You can do all of these things, but you end up doing these things on the cheap because the demand is for slots. We have seen that tension here all the time.

There are no requirements here that you have anything comparable to the quality and the requirements in the Head Start program, and yet you are you are taking money out of the program to give it for these other purposes.

I urge a "no" vote on this amendment.

Mr. PRICE of Georgia. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Chairman, before I came to Washington, I served in local government on the school board, on the city council. I have great respect for local leadership. I don't know what we're afraid of.

Sometimes I get the feeling that people here in Washington feel that all wisdom resides within the Beltway. I just think that to give the opportunity to a maximum of eight States to try to expand and bring creativity to a program that's good, to make it better, I think is nothing but a good thing, and it's on the upside.

I commend the gentleman from Georgia (Mr. PRICE) for this amendment. I encourage all to support it.

Mr. PRICE of Georgia. Mr. Chairman, how much time remains?

The CHAIRMAN. The gentleman from Georgia has 45 seconds remaining.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the perspective of the other side, but I would suggest, respectfully, that that's an old argument. It's an old argument about a block grant. This is not a block grant. This is a demonstration program that

would allow States to serve more children, not fewer children, more, more than is currently possible than just with Head Start or with State-run early childhood development programs.

Economies of scale, it works. Funding levels for Head Start and early childhood services would be protected. Demonstration program States will be able to eliminate overlap, eliminate duplication of services, and participants must have access to services that are as extensive or greater than those found in Head Start. That's what the amendment states.

I urge my colleagues to read the amendment. I appreciate the fact that they have had previous amendments in legislation before them, but I urge them to read this amendment. I think they will find the common-sense aspect of it.

I appreciate the opportunity to offer it, and I urge my colleagues to adopt the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia (Mr. PRICE).

The question was taken; and the Chairman announced that the noes appeared to have it.

Mr. PRICE of Georgia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

□ 1600

AMENDMENT NO. 3 OFFERED BY MR. SESTAK

The CHAIRMAN. It is now in order to consider amendment No. 3 printed in House Report 110-116.

Mr. SESTAK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SESTAK:

Page 159, after line 12, insert the following (and make such technical and conforming changes as may be appropriate):

"(g) INCENTIVES FOR HEAD START TEACHERS AND EARLY HEAD START TEACHERS.—

"(1) STATEMENT OF PURPOSE.—It is the purpose of this subsection to encourage individuals to begin and continue teaching in Head Start programs and Early Head Start programs.

"(2) PROGRAM AUTHORIZED.—

"(A) IN GENERAL.—From the sums appropriated pursuant to paragraph (9), the Secretary of Education, in consultation with the Secretary of Health and Human Services, is authorized carry out a program to forgive, in accordance with this subsection, the student loan debt of any borrower who has one or more loans described under subparagraph (B) made on or after October 1, 1998, and who—

"(i) commits to working as a Head Start teacher or an Early Head Start teacher for at least 3 consecutive complete program years;

"(ii) has a bachelor's degree in a field related to early childhood education; and

"(iii) is not in default on a loan for which the borrower seeks forgiveness.

"(B) METHOD OF LOAN FORGIVENESS.—To provide the loan forgiveness authorized in subparagraph (A), the Secretary of Education, in consultation with the Secretary of

Health and Human Services, shall, subject to subparagraph (C), carry out a program—

“(i) through the holder of the loan, to assume the obligation to repay a qualified loan amount for a loan made under section 428 or 428H of the Higher Education Act of 1965 (20 U.S.C. 1078, 1078-8); and

“(ii) to cancel a qualified loan amount for a Federal Direct Stafford Loan or a Federal Direct Unsubsidized Stafford Loan made under part D of title IV of such Act (20 U.S.C. 1087a et seq.).

“(C) TREATMENT OF CONSOLIDATION LOANS.—A loan amount for a loan made under section 428C or section 455(g) of such Act (20 U.S.C. 1078-3, 1087e(g)) may be a qualified loan amount for the purposes of subparagraph (B) only to the extent that such loan amount was used to repay a loan made under section 428 or 428H, a Federal Direct Stafford Loan, or a Federal Direct Unsubsidized Stafford Loan for a borrower who meets the requirements of subparagraph (A), as determined in accordance with regulations prescribed by the Secretary of Education, in consultation with the Secretary of Health and Human Services.

“(3) QUALIFIED LOAN AMOUNT.—After the beginning of the qualifying employment described in paragraph (2)(A)(I) and upon approval of a borrower's application under paragraph (5), the Secretary of Education, in consultation with the Secretary of Health and Human Services, shall forgive under this subsection not more than \$10,000 of the student loan obligation of a borrower that is outstanding at the beginning of such employment.

“(4) AWARD BASIS.—Loan forgiveness under this subsection shall be on a first-come, first-served basis and subject to the availability of appropriations.

“(5) APPLICATION FOR FORGIVENESS.—

“(A) IN GENERAL.—Each borrower desiring loan forgiveness under this subsection shall submit a complete and accurate application to the Secretary of Education at such time, in such manner, and containing such information as the Secretary of Education, in consultation with the Secretary of Health and Human Services, may require.

“(B) SERVICE AGREEMENT.—Each such application shall contain an agreement by the borrower—

“(i) to complete the commitment described in paragraph (2)(A)(I) within 6 years after receiving loan forgiveness under this subsection; or

“(ii) to repay the portion required by the regulations under paragraph (6)(A) if the borrower does not complete such commitment.

“(6) REPAYMENT FOR FAILURE TO COMPLETE SERVICE.—

“(A) IN GENERAL.—In the event that any recipient of loan forgiveness under this subsection fails or refuses to complete a portion of the recipient's service obligation under the agreement required by paragraph (5)(B), the same portion of the amounts of loans forgiven under this subsection for such recipient shall be subject to repayment in accordance with terms and conditions, and in the amounts, specified by the Secretary of Education, in consultation with the Secretary of Health and Human Services, in regulations under this subsection.

“(B) FORGIVENESS IF DECEASED OR DISABLED.—Such regulations shall provide that, subject to the availability of appropriations, an individual shall be excused from repayment of any amount required under paragraph (1) if the individual dies or becomes permanently and totally disabled (as determined in accordance with such regulations).

“(7) REGULATIONS.—The Secretary of Education, in consultation with the Secretary of Health and Human Services, is authorized to issue such regulations as may be necessary

to carry out the provisions of this subsection.

“(8) CONSTRUCTION.—Nothing in this subsection shall be construed to authorize any refunding of any repayment of a loan.

“(9) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as may be necessary for fiscal year 2008 and each of the 4 succeeding fiscal years.

“(10) DEFINITIONS.—In this subsection:

“(A) HEAD START TEACHER.—The term ‘Head Start teacher’ means an individual who—

“(i) is employed by a Head Start agency or an entity that carries out an Early Head Start program, to provide for the education and care of children who have not reached the age of compulsory school attendance who are enrolled in a Head Start program or an Early Head Start program receiving funds under the Head Start Act (42 U.S.C. 9831 et. seq.); and

“(ii) who has, at a minimum, an associate's degree in early childhood education or a related field.

“(B) PROGRAM YEAR.—The term ‘program year’, where applied to service as a Head Start teacher or an Early Head Start teacher, means a program year as defined by the Secretary of Health and Human Services.”

The CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Pennsylvania (Mr. SESTAK) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

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

Mr. SESTAK. Mr. Chairman, I rise to speak in support of this amendment, to encourage more individuals to become Head Start and Early Head Start teachers, and to provide a way for existing Head Start teachers to improve their skills and education.

This amendment is just building upon the efforts of someone that I have grown to very much respect, Congressman TIERNEY, who has been working on this issue for years.

Specifically, this amendment proposes loan forgiveness of up to \$10,000 for Head Start and Early Head Start teachers upon completion of a bachelor's degree, who will commit to working in a Head Start or Early Head Start program for at least 3 consecutive years.

Earlier this spring, I held my district's first education summit, bringing together over 300 educators, experts, and citizens. We discussed the need to provide and retain high quality Head Start teachers, who serve our country's most disadvantaged, low-income children.

Head Start teachers are so critical at the time of a child's cognitive reasoning development, and this amendment recognizes this by ensuring that more than 55,000 Head Start teachers have the means of getting their bachelor's degree by forgiving their student loan burden.

As we call for increased qualifications in the Head Start workforce in

H.R. 1429, with 50 percent Head Start teachers nationwide now to hold a bachelor's degree by 2013, we should also provide the means to help them reach this goal. This amendment offers one way of helping current Head Start teachers upgrade their qualifications, as well as to encourage future and current students to enter this important field of teaching.

The rising cost of higher education is a concern for many, and repaying student loans is often too burdensome for these teachers, particularly when one realizes that Head Start teachers' average annual salary is only approximately \$24,000 a year, forcing teachers not to go on to receive advanced degrees, or else to leave the profession in order to repay their student loans.

This amendment will help to ensure that we are able to recruit and retain a high quality workforce for our Nation's Head Start programs.

I urge all my colleagues to support this critical amendment to help our children's future.

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

Mr. MCKEON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN (Mr. KIND). The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, while I support the intent of the amendment, which I think is good and which we included in last year's bill that we passed, the higher ed reauthorization bill, that I think is a better vehicle for this particular amendment.

I would encourage the Member to withdraw it and put this in the higher ed bill when we move later this year to reauthorize that. It fits better there.

We did a study, and we found that most of the education programs don't come under the Department of Education, they come under 39 other bureaucracies throughout this town. And it would be, I think, moving to try to have things more organized. It fits better under the Higher Ed Act, and I would encourage that the gentleman put it under that. Otherwise, I would oppose this amendment.

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

Mr. SESTAK. Mr. Chairman, I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise in support of Congressman SESTAK's amendment which flushes out, I think, the direction that this bill is taking, which is to try and improve the quality of teachers by mandating bachelor's degrees and associate's degrees over a very short period of time.

For a lot of the teachers in the Head Start program, though, this still begs the question, which is, how do you pay for it?

Higher education costs have gone up 40 percent over the last 6 years, and unfortunately the prior Congresses took no action to raise the size of Pell Grants. And we have obviously taken

some steps towards reducing the cost of interest rates under the Stafford Student Loan program, but for many teachers, the challenge of paying for higher education costs, in Connecticut the average salary for Head Start teachers is \$24,000, and the Sestak amendment goes right to the heart of trying to make this new requirement affordable. I believe it is totally germane and central to the intent of this Head Start reauthorization bill. This amendment belongs there, and I strongly urge the Members to support passage of the Sestak amendment.

I want to thank Congressman SESTAK for offering this important amendment today. It would provide concrete assistance for early childhood educators in Connecticut and around the country to attain their bachelors degree. As you know, the Head Start bill before us increases teacher qualifications—half of teachers nationwide have a BA by 2013 and all new teachers have at least an associate's degree beginning in 2009.

This amendment also provides a strong incentive for students to enter the field and for established early childhood educators to remain in the field. Loan forgiveness of up to \$10,000 is contingent upon at least 3 years service in a Head Start facility. Too often, our best and brightest educators are forced out of the profession because the salaries cannot keep up with individual and family economic demands.

In Connecticut, where the median Head Start salary is approximately \$24,000, going back to school to attain a higher degree to satisfy the new teacher qualification requirements would be an economic hardship.

While I am pleased to say that Connecticut met the national goal of having at least 50 percent or more of its teachers having an associate's degree in early childhood education by the year 2003, the financial burden to now attain a bachelor's degree will be high.

We all know that college costs are rising and the last thing we want to do is encourage more debt. That is why I am so supportive of this amendment.

The need for committed, enthusiastic, and qualified Head Start teachers is on the rise. In Connecticut, there are more than 25 Centers serving more than 8,000 children. Poverty levels in many parts of the state are rising. Children receive valuable educational enrichment in Head Start programs, ensuring that they are on the path to educational success in elementary school and beyond. We cannot afford to leave children unprepared and we cannot afford to lose our best and talented teachers either.

This amendment provides the incentive to enter or remain in the early childhood education field and I urge my colleagues to support this amendment.

Mr. SESTAK. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, we must ensure that every child who could benefit from Head Start is able to enroll in a Head Start center. One way to do that is to provide full funding; another is to provide that we have the facilities we need; and, one of the most important ways is to ensure that we have qualified teachers.

The base bill increases the requests and requirements for teacher qualification, and it supports higher salaries and requires more college degrees. Therefore, including this amendment in the Head Start bill is absolutely appropriate, because this amendment helps Head Start teachers get the degrees that we are demanding that they have. And we do this by offering loan forgiveness to those teachers, teachers who teach in the Head Start programs. Loan forgiveness will help balance out low salaries, and it will assist with teacher retention.

Head Start is about the best thing we can do for our children, because this successful program gives children from all backgrounds a level playing field when they enter elementary school.

Mr. SESTAK. Mr. Chairman, I yield 30 seconds to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, I thank the gentleman for yielding.

It has been suggested that we put this in the Higher Education bill, but the Higher Education bill has been kind of stalled. And I always believe you put your cargo on the train that is moving, and this train is moving.

The Senate reported its version out of committee. I think we have a much better chance to get this done if we put it on this bill. This train is moving.

Mr. SESTAK. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania (Mr. SESTAK).

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

Mr. GARRETT of New Jersey. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Pennsylvania will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. HIRONO

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 110-116.

Ms. HIRONO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 offered by Ms. HIRONO:

Beginning on page 124, strike line 8 and all that follows through line 9 on page 126, and insert the following:

“(g) MONITORING, TRAINING, TECHNICAL ASSISTANCE, AND EVALUATION.—

“(1) REQUIREMENT.—To ensure the successful operation of programs assisted under this section, the Secretary shall use funds from the portion specified in section 640(a)(6) to monitor the operation of such programs, evaluate their effectiveness, and provide training and technical assistance tailored to the particular needs of such programs.

“(2) TRAINING AND TECHNICAL ASSISTANCE ACCOUNT.—

“(A) IN GENERAL.—Of the amount made available to carry out this section for any fiscal year, not less than 5 percent, and not

more than 10 percent, shall be reserved to fund a training and technical assistance account. In determining the amount so reserved, the Secretary shall consider the number of new programs serving pregnant women, infants, toddlers, and their families, recognizing their need for more intensive training and technical assistance services during program expansion.

“(B) ACTIVITIES.—Of the funds in the account described in subparagraph (A)

“(I) not less than 50 percent shall be available to local entities that carry out Early Head Start programs for training and technical assistance activities in order to make program improvements identified by such entities;

“(ii) not less than 30 percent shall be available to the Secretary to support a State-based system of early childhood education training and technical assistance to local entities that carry out Early Head Start programs that shall meet the requirements of subparagraph (C), including the creation, management, and support of a national network of the State-based infant-toddler specialists specified in such subparagraph; and

“(iii) the remainder of such amount shall be available to the Secretary to assist local entities that carry out Early Head Start programs in meeting and exceeding the standards described in section 641A(a)(1), including—

“(I) making grants to, and entering into contracts with, organizations with specialized expertise relating to infants, toddlers, and families and the capacity needed to provide direction and support to a national training and technical assistance system, in order to provide such direction and support;

“(II) providing ongoing training and technical assistance on Early Head Start program development and improvement for regional staff charged with monitoring and overseeing the administration of the program carried out under this section;

“(III) developing training and technical assistance materials and resources to support program development and improvement and best practices in providing services to children and families served by Early Head Start programs;

“(IV) creating special training and technical assistance initiatives targeted to serving high risk populations, such as children in the child welfare system and homeless children;

“(V) providing ongoing training and technical assistance to Early Head Start grantees, and support and program planning and implementation assistance for new recipients of such grants, including the conversion of Head Start grants to Early Head Start grants; and

“(VI) providing professional development designed to increase program participation for underserved populations of eligible children.

“(C) CONTRACTS.—For the purposes of delivering a State-based training and technical assistance system, as described in subparagraph (B)(ii), that will meet the needs of local grantees and provide high quality, sustained, and intensive training and technical assistance on programming for infants and toddlers to Early Head Start programs and in order to help such programs meet or exceed the program performance standards described in section 641A(a)(1), the Secretary shall—

“(i) enter into contracts in each State with 1 or more entities that have a demonstrated expertise in supporting the delivery of high quality programs for pregnant women and children less than 3 years of age, except that bi-State or multi-State contracts may be entered into if the demographics of proximal

States make such a system more appropriate;

“(ii) ensure that contracts awarded under clause (I) are in an amount sufficient to provide for each state a minimum of one full-time specialist with expertise in the development of children under age three and programming for pregnant women and such children;

“(iii) to the maximum extent practicable, ensure that the contracts awarded Under clause (I) and the services provided therein are integrated with and augment the contract or contracts awarded and services provided under section 648 (n); and

“(iv) ensure that the entities described in clause (I) determine the types of services to be provided through consultation with—

“(I) local entities that carry out Early Head Start programs;

“(II) the State Head Start collaboration office; and

“(III) the State Head Start Association.”.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentlewoman from Hawaii (Ms. HIRONO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HIRONO. Mr. Chairman, I rise today to ask for my colleagues' support for this amendment, to improve Early Head Start.

The amendment revises the training and technical assistance system by ensuring that these services are provided by entities with specific expertise in infant and toddler development. It also directs at least 50 percent of training and technical assistance funds directly to the grantees. These are the people on the ground working with children who are best able to prioritize their training needs for the purpose of program improvement.

In our hearing on the bill in the Committee on Education and Labor, we heard that Head Start providers are not getting the assistance they need under the current system. One program director said that it had been 10 months since she saw her technical assistance specialist.

The current system centralized control often results in the assistance specialist spending more time filling out forms for their supervisors than directly helping the program directors in the field. The bill we are debating today solves this problem for the Head Start program serving preschoolers by directing the responsibility for training and technical assistance responsibility into the State-based system that can better meet the needs of the local providers.

Early Head Start directors experience similar problems, and, therefore, should get a similar solution. This amendment provides that solution and, furthermore, requires that these State-based technical assistance providers include individuals with infant and toddler expertise available to work with Early Head Start providers.

Rigorous evaluations show that the Early Head Start program has made a positive difference in the lives of participating children and their families.

This bill expands the Early Head Start program, which currently serves only 3 percent of eligible infants and toddlers. And as Early Head Start expands, we must ensure that individual programs have the knowledge and skills to provide positive outcomes for participants. This amendment will do that, and I urge all of my colleagues to support it.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentlewoman yield?

Ms. HIRONO. Mr. Chairman, I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I thank her very much for introducing this amendment, and we rise in support of this amendment. We think it improves the legislation, and thank her for her consideration.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition to the amendment, even though I support the gentlewoman's amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. I yield myself such time as I may consume.

Mr. Chairman, I rise in support of the gentlewoman's amendment, which revises the training and technical assistance program for Early Head Start by ensuring that training and technical assistance are provided by entities with specific expertise in infant and toddler development. I believe that that makes a stronger bill, and I thank her for her amendment.

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

Ms. HIRONO. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO).

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

Mr. GARRETT of New Jersey. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Hawaii will be postponed.

AMENDMENT NO. 5 OFFERED BY MR. MICA

The Acting CHAIRMAN. It is now in order to consider amendment No. 5 printed in House Report 110-116.

Mr. MICA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. MICA:

Page 154, line 9, strike “2013” and insert “2011”.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Florida (Mr. MICA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. MICA. Mr. Chairman, first of all, I want to take a minute to compliment Mr. MILLER and also Mr. MCKEON. This is one of the most important bills that this Congress will take up in this session because it deals with, as Mr. MILLER said, as I listened to his opening statement, with our disadvantaged youth. And, unfortunately, we have many in this country. But it gives those youth the opportunity for the future and the opportunity that we have all shared that are here on this floor and many of us listening Members.

I think the bill is a step in the right direction in requiring that at least 50 percent of all Head Start teachers nationwide have a bachelor's or advanced degree in childhood education or related field by September 30, 2013. My amendment is a simple amendment. It would move up that date 2 years, to 2011.

I am not a newcomer to this debate. I could go back to 1993, when I came here, and give statements from the floor and back over the years. My degree is in education. I am usually here on transportation and enjoy my service on that committee. But as someone educated as an educator, nothing is more important than the quality of education and those professionals that we have.

The Mica amendment moves up the date to have professionals in place to 2011. We can do that. We have done it before. We have actually required qualifications, and now we have more than a majority having an associate degree. So we have done this in the past. Currently, 38 percent of all of our Head Start teachers already meet this goal, so we are only talking about 12 percent in 4 years as opposed to 6 years.

□ 1615

Does it really take 6 years to get an additional 12 percent of the teachers to be in our most important educational program with these qualifications?

Now, we've moved this program from what I called it 14 years ago, from a glorified babysitting program, to a program that is giving our students the opportunity for quality educational opportunity. And these young people, at this age, deserve the very best. They are coming from the very worst, the worst as far as disadvantage in our society, the worst as far as opportunity, as far as family setting, as far as their readiness for school.

Mr. MILLER talked about making them ready for school. Well, do you want them ready with someone who is unqualified or someone with the best qualifications?

Better prepared, Mr. MILLER talked about. We need the most skilled professionals to give them the preparation. And these are our toughest students, the very toughest students. Do you want someone with or without qualifications?

I posed a question, and probably the reason I got this amendment out here to the Rules Committee, which is mostly composed of Democrat Members listening, there are more Head Start programs in Democrat districts than there are in Republican districts, just by the sheer economics of it, the demographics. I said, what if I came with a proposal that said, in kindergarten I'm going to recommend that we only have 50 percent of the teachers having a bachelor's degree in Democrat districts; how would you like that?

Well, this is what's happening here as you're mandating that we have a poorer quality of teachers with quality for another additional 2 years. So I think we can do better.

You heard the \$24,000 average pay. That's right. We're going to increase on average a half a billion dollars, from \$6.9 billion to \$7.4 billion.

In my schools, in closing, there are choices. I won't name the counties, but I have seven teachers in one program with \$23,000 average salary. I have nine administrators with salaries from \$32,000 to \$41,600; another county, 21 teachers, \$20,100 average salary, eight administrators with salaries from 31- to \$42,000. So it's not always how much we spend, it's how we spend it. And we need to spend it on quality education for these, our most disadvantaged students. So I urge you to consider and pass my amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman and Members of the House, I rise in opposition to this amendment, simply for the simple fact that we are trying to balance, in this legislation, the best we can do to increase the number of teachers with a B.A. degree in child education, child development and at the same time meet the other needs of the program. And to accelerate that effort on behalf of more teachers with an M.A. upsets that balance.

It's not like, with all due respect to my friend on the other side, and he shares my concern for teacher quality, it's what I've spent my public life trying to do. The fact of the matter is this is a program that essentially has received less than the COLA, last year got a 1 percent cut. And the fact of the matter is we're trying to patch it back up, trying to bring it back to the level where it was around 2002, and recognizing that we want to increase the access to a number of children, so money has to go for slots, money has to go for professional development, money has to go for quality, and money has to go for the salaries, and that's the balance that we have put in this program.

The date that you have was the date that you had at the beginning of 2005

when we started considering this legislation. That legislation didn't get through. We're now 2 years later, so we moved it back 2 years so that the programs can balance, can rebuild the quality, can add additional slots for the million children who are now waiting, and that's the balance that we arrived at on both sides of the aisle.

You could offer an amendment and say, well, there's a million children waiting. Let's put all the money into slots. Then you just reduce the quality and the availability to pay teachers to have them to stay.

So this isn't a game where you can just pick out one part of the program and say, let's put the money there, and that's the reason why we did what we did. And I don't think that this amendment is helpful in terms of our ability to hold on to current staff that have B.A.'s, and that's the staff we're trying to build, and then to attract additional ones to be able to put some money into that pay quality, and the additional slots. And I would hope that we would oppose this amendment.

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

Mr. KILDEE. Mr. Chairman, I don't question the motives of Mr. MICA, but his amendment would jeopardize program quality by speeding up the deadline for the 50 percent of the Head Start teachers having their bachelor's degrees.

Budgets have really forced Head Start centers to make very difficult, sometime impossible decisions to reduce services or to serve fewer children. And I fear that the Mica amendment would exacerbate the hard choices which Head Start programs have faced over recent years because this Congress has not appropriated the kind of money we need.

The bill that came out of committee, by 42-1, establishes, I think, a rather reasonable and ambitious time line for 50 percent of our Head Start teachers to attain their bachelor's degrees. Under this time line, the bill ensures that Congress can provide the necessary funding to achieve this goal. We have to, as I think we have done in this bill which came out of committee, we have to balance the improvements in the program with the real resources. If we had unlimited resources, we could do all these things. But I think the bill balances the improvements with the resources.

Mr. GEORGE MILLER of California. Mr. Chairman, I urge a "no" vote on this amendment and yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. MICA).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. MICA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further pro-

ceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. KENNEDY

The Acting CHAIRMAN. It is now in order to consider amendment No. 6 printed in House Report 110-116.

Mr. KENNEDY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 offered by Mr. KENNEDY: Page 3, line 2, strike "(22) and (23)" and insert "(23) and (24)".

Page 3, line 4, strike "(20)" and insert "(21)".

Page 3, line 6, strike "(15) through (18)" and insert "(16) through (19)".

Page 3, line 8, strike "(13)" and insert "(14)".

Page 4, line 20, strike the close quotation and the comma at the end.

Page 4, after line 20, insert the following:

"(13) The term 'inclusive classroom' means a Head Start classroom that contains both children with disabilities and children without disabilities."

Page 136, line 20, strike "and" at the end

Page 136, line 25, strike the period at the end and insert "; and".

Page 136 after line 25, insert the following:

"(17) assist Head Start agencies and programs to increase the capacity of classroom staff to meet the needs of eligible children in inclusive classrooms."

Page 160, strike lines 6 through 12, and insert the following:

(A) in paragraph (8) by adding "and" at the end,

(B) by striking paragraphs (9) and (10) and insert the following:

"(9) contribute to understanding the impact of Head Start services delivered in inclusive classrooms on both children with disabilities and children without disabilities, and develop practices for increasing the availability and quality of inclusive classrooms."

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Rhode Island (Mr. KENNEDY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Rhode Island.

Mr. KENNEDY. Mr. Chairman, I'd first like to thank my colleague, JOHN HALL, for his work on this amendment. He was president of his local board of education and knows this issue inside and out from the local perspective. And his work on this has been absolutely instrumental in its preparation.

I also want to thank Chairman MILLER and Chairman KILDEE, without whom the work of those for whom this amendment is designed to help, the disability community, those children with disabilities, this amendment is designed to supplement.

Frankly, Mr. Chairman, this amendment is really an attempt to just support what is already in this bill in the way of support of inclusive education. What this amendment seeks to do is use those dollars in this bill for teacher education and research, to support the notion that we ought to include children in the classrooms with disabilities

so that we can both better educate those teachers teaching those children with disabilities in how to teach both children with disabilities in integrated classrooms, in inclusive classrooms, as well as learn from their experiences in doing so, both to the benefit of both children in those inclusive classrooms; and use evidence-based research that we know is constantly coming towards us in terms of how to identify children with autism, how to identify children with learning disabilities and use those new findings and be able to employ them to the benefit of these children's growth and their development.

Mr. Chairman, that is why we've introduced this amendment.

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

Mr. MCKEON. Mr. Chairman, I rise to claim the time in opposition, even though I support the gentleman's amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

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

I believe that this is an improvement to the bill and will assist Head Start programs which are required to spend 10 percent of their funds on services to disabled students in improving the quality of their programs to serve young children.

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

Mr. KENNEDY. Mr. Chairman, I'd yield 2 minutes to my good friend and colleague from New York, JOHN HALL.

Mr. HALL of New York. Mr. Chairman, I won't need that much time.

Thank you to my colleague from Rhode Island and from the other side of the floor, who just spoke in favor of this amendment. I would like to take a moment to commend all who support this issue.

There are 27 Head Start facilities in my district, and they provide critical services to families that want their children to have every opportunity to grow and succeed. I'm glad that the bill we are considering today will expand access to Head Start and help make sure that America's less well-off children can have a great chance of long-term success when they arrive in our schools.

The amendment will help to meet these goals by providing more support for inclusive education. This is the practice of teaching children with disabilities in the same classrooms as those without disabilities, and it has largely been shown to have a positive effect on the development of those children with disabilities.

The Head Start Act already requires that 10 percent of enrollment slots go to students with disabilities, and the actual number of enrollees is even higher, at about 13 or 14 percent.

Although these classrooms can provide increased educational benefits, they also present teachers and staff

with increased demands. Teachers and staff have often been forced to try to handle greater responsibilities without the necessary resources. This amendment would help to bridge that gap by allowing training and technical assistance funds to be spent to enhance the ability of classroom staff to meet the needs of eligible children in inclusive classrooms.

Providing more resources for teacher training and support, this amendment would make great strides in improving the quality of the educational experience for all children in a class.

Another fundamental goal of the Head Start program is to make sure that all children have the best chance of success in school and in life. The second provision of this amendment will help to further serve those goals by working to make sure that the inclusive classroom environment benefits every student, including typically developing children. It would do so by allowing research and evaluation funding to be used in further studying the impact of inclusive classrooms on the educational experience of children with or without disabilities.

I urge my colleagues to support it.

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

Mr. KENNEDY. Mr. Speaker, let me just say, I offer this amendment in honor of my aunt, Eunice Kennedy Shriver, who started the Special Olympics, who has inspired me in this work; and my uncle, Sarge Shriver, who was the first and founding director of Head Start, both individuals who are inspirations to me and to millions in this country.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Rhode Island (Mr. KENNEDY).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. PUTNAM

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 110-116.

Mr. PUTNAM. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 offered by Mr. PUTNAM:
Page 37, beginning on line 10, strike "subsections (a), (b), and (c) of".

Beginning on page 39, line 21, strike ", except" and all that follows through line 3 on page 40, and insert as period.

Beginning on page 40, strike line 7 and all that follows through line 10 on page 45, insert the following:

"(c) DESIGNATION ON COMPETITIVE BASIS.—

"(1) SELECTION.—From among entities that submit plans under subsection (b), the Secretary shall, after"

Beginning on page 52, strike line 20 and all that follows through line 2 on page 53.

Page 53, line 3, strike "(g)" and insert "(d)".

Page 53, line 7, strike "(h)" and insert "(e)".

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman

from Florida (Mr. PUTNAM) and a Member opposed will each control 5 minutes.

The Chair recognizes the gentleman from Florida.

□ 1630

Mr. PUTNAM. Mr. Chairman, I yield myself 3½ minutes.

Mr. Chairman, I rise today to urge my colleagues to support a very important amendment to H.R. 1429, and I want to commend Mr. KILDEE, Mr. MILLER, Mr. MCKEON, and the others who have worked so hard on this important bill.

Head Start is a tremendously important program in the early childhood education continuum, but it is also desperately in need of reforms.

As we all know, the purpose of Head Start is to help disadvantaged children be better prepared to enter school. But we are doing those children an enormous disservice and squandering taxpayer dollars if we do not hold the providers of Head Start services to a higher level of accountability. The existing language in 1429 allows for automatic 5-year renewal of applications, automatic renewal, if they simply meet minimum standards to the satisfaction of the review panel. Providers that don't meet the standards must enter into open competition for acceptance of their applications. I would respectfully submit this does not go far enough.

For the sake of ensuring the programs are performing better than minimal or better than good enough and as a safeguard for the taxpayers who foot the bill, I believe we should require that all Head Start providers face open competition. Such competition will encourage a higher level of performance and serve as a check on unscrupulous practices.

Mr. Chairman, I am very familiar, unfortunately, with what can happen when a provider is allowed to skate through without the discipline that comes from competition. In my own district, the Polk County Opportunity Council became a poster child for mismanagement and abuse since its dealings first became public in 2003, which actually had followed a probationary status just several years before. Years of investigation have revealed breathtaking examples of malfeasance and mendacity.

There has been everything from sweetheart deals involving the purchase of office equipment to claims for nonexistent hurricane damages, essentially amounting to insurance fraud. At one point the PCOC even fabricated a false "certificate of compliance" from the U.S. Department of Health and Human Services, which it tried to use to short-circuit other investigations of its misdealings. It took 3 years, 3 years, to defund that agency, and the entire appeals process along the way, and this only applies to the Head Start program, the entire appeals process was paid for not by the agency,

not by the grantee, but by the taxpayers. The taxpayers paid the bill for them to appeal mismanaging the taxpayers' dollars. Competition, I believe, an open competition, would go a long way towards solving that problem.

The effect of these abuses not only squandered taxpayer dollars, but it diverted resources from some of the neediest and most deserving members of our community. That is an outrage. We must expect better and we must do better. We cannot allow these types of abuses to become the norm. We should not maintain a system that simply continues the status quo. Let's expect providers of Head Start programs to compete with other potential providers, which, unlike during the creation of Head Start, today there are a number of State and local governments and private entities that can provide that service. Then we will truly be giving these needy children the head start they deserve.

I urge my colleagues to support the amendment.

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

Mr. KILDEE. Mr. Chairman, I rise to oppose the amendment.

The Acting CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. Mr. Chairman, the Putnam amendment would jeopardize the seamless services that many high-quality Head Start programs with very deep roots in their communities provide to disadvantaged children. Because the quality of our Head Start programs is critical to ensuring that disadvantaged children receive the benefits of Head Start, this bill, which passed out with only one dissenting vote from committee, implements a new process to recompetete underperforming programs. The amendment by Mr. PUTNAM guts the bill's provision to ensure that high-quality Head Start programs do not have to recompetete for their grants.

They are reviewed by a panel of experts we put in place to look at them. They are reviewed and have to satisfy that review, but they do not then have to recompetete.

The Putnam amendment also eliminates the bill's provisions to ensure a fair and equitable process for recompetete underperforming Head Start programs. And we worked hard to get a fair and equitable process for that.

By striking those provisions, which he does in his amendment, the Department of Health and Human Services is authorized to create its own system for recompetete.

We worked hard with the Head Start community to try to ensure that we would have a panel of experts that would assure that the underperforming programs were really improved or put out of the system but not have the high performing have to go through the recompetete process every 5 years, but be reviewed by the panel of experts.

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

Mr. PUTNAM. Mr. Chairman, I yield 30 seconds to the distinguished ranking member from California.

Mr. MCKEON. I thank the gentleman for yielding.

Mr. Chairman, I think this is a good amendment that Mr. PUTNAM has put forth. I don't think we should fear competition. I think the idea that once a program is granted, it should have lifelong tenure, I think, is something we should avoid. I think competition and accountability is good. Once every 5 years, programs that are good should not fear competing to keep the program for another 5 years. I think it is always good to have somebody coming up behind you that is going to make you do a little bit better.

Mr. KILDEE. Mr. Chairman, I yield back the balance of my time.

Mr. PUTNAM. Mr. Chairman, the amendment provides for competition among agencies that are given millions of dollars to manage programs for our neediest children. And unlike during the creation of the Head Start program, today across America there are thousands of potential providers. School boards are now in the early childhood business. United Way is now in the early childhood business. Local communities are now in the early childhood business, providing tremendous educational opportunities for our neediest young people before they enter kindergarten.

We want them to enter kindergarten ready to learn, and we want to guarantee that the grantees that are managing these precious Head Start dollars are running an adequate, professional, thoughtful program and being good stewards of the people's money. By providing for recompetete every 5 years, we are guaranteeing, as my ranking member friend from California said, that they understand that it is not their birthright to continue that.

I urge my friends to support this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. PUTNAM).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. MCKEON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. PORTER

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 110-116.

Mr. PORTER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 offered by Mr. PORTER:

Page 159, line 12, strike the close quotation and the period at the end.

Page 159, after line 12, insert the following:

“(g) STAFF RECRUITMENT AND SELECTION PROCEDURES.—Before a Head Start agency employs an individual, such agency shall—

“(1) conduct an interview of such individual;

“(2) verify the personal and employment references provided by such individual; and

“(3) obtain—

“(A) a State, tribal, or Federal criminal record check covering all jurisdictions where the grantee provides Head Start services to children;

“(B) a State, tribal, or Federal criminal record check as required by the law of the jurisdiction where the grantee provides Head Start services; or

“(C) a criminal record check as otherwise required by Federal law.”.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Nevada (Mr. PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

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

It is an honor to be here to talk about something very critical, I think, to our families and communities across the country.

If you recall, last year this body passed historic legislation providing for protection of our children in light of the abuse of our kids throughout schools across the country. We passed legislation to provide for 24 additional States to do background checks on teachers via FBI background and other means through law enforcement. Unfortunately, 24 States were not allowed to, for many different reasons, and that legislation provided for these background checks. Through my amendment that is being proposed today, close to a million kids that are in the Head Start program will have the same tools available to them that we passed just last year to help kids in K-12.

There is one tragic example. There is one grantee in this country that between 2001 and 2005 did not perform background checks on their employees. They finally did background checks. Out of 660 employees, close to 106 had criminal charges against them, including first degree murder, involuntary manslaughter, domestic abuse, assault, child abuse, DUI, and violent crimes.

Mr. Chairman, my language ensures that Head Start programs will have all the databases containing criminal records available to them to make sure that our parents can feel that their most precious resource, their children, will be safe in the Head Start program.

Mr. Chairman, I yield such time as he may consume to Ranking Member MCKEON.

Mr. MCKEON. Mr. Chairman, I thank the gentleman for yielding.

And I have seen the work that he has done over the years in protecting children. I think that children are our most vital asset. And because of the risk out there of the kind of lawbreakers that he mentioned that we could eliminate by having a good, solid

background check, I think this is a tremendous amendment. I think it really strengthens the bill.

I thank the gentleman for his work on behalf of children, and I urge support of the amendment.

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

Mr. KILDEE. Mr. Chairman, I rise to speak in support of the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from Michigan is recognized for 5 minutes.

There was no objection.

Mr. KILDEE. Mr. Chairman, we support the amendment.

Many of these are included in the regulations, but you would put it in the statute now and expand them, and I think you have done a very good job in your expansion of that.

I commend you for your work on this. I commend you for your concern for children. It is very important. We certainly want to protect our children, and I think this is a very good amendment and we support it.

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

Mr. PORTER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada (Mr. PORTER).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. CARNAHAN

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 110-116.

Mr. CARNAHAN. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 offered by Mr. CARNAHAN:

Page 35, after line 10, insert the following (and make such technical and conforming changes as may be appropriate):

(d) ENROLLMENT.—Section 640(g) of the Head Start Act (42 U.S.C. 9835(g)) is amended by adding at the end the following:

“(5) In the event that the amounts appropriated to carry out the program under this subchapter do not exceed the amount appropriated in the prior fiscal year, or exceed the amount appropriated in the prior fiscal year by an amount equal to less than the percentage change in the Consumer Price Index For All Urban Consumers, as published by the Bureau of Labor Statistics, Head Start grantees may negotiate with the Secretary a reduced funded enrollment level without a reduction in the grant amount if such grantee can demonstrate that such reduction is necessary to maintain the quality of services.

“(A) In accordance with this paragraph, the Secretary shall set up a process for grantees to negotiate the above-mentioned reduced funded enrollment level.

“(B) Under the conditions detailed in this paragraph, the Secretary shall be required to notify grantees of their right to negotiate a reduced funded enrollment level if such grantee can demonstrate that such reduction is necessary to maintain the quality of services.”.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman

from Missouri (Mr. CARNAHAN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Missouri.

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

I want to really thank Chairman MILLER and Ranking Member MCKEON for their leadership on this bill under consideration today. The Improving Head Start Act of 2007 is a very good bill, and I am pleased to be able to support it and be here today and speak on this amendment.

I want to inquire first, before I got into the text of this, if there are any others that wanted to speak on our side, having just gotten into the Chamber. If not, I will proceed.

I am presenting this amendment to H.R. 1429 based on recommendations I received from my district Head Start leaders to address the goal of maintaining quality in the Head Start program. My amendment would allow for Head Start grantees to negotiate a funded enrollment level with the HHS Secretary if funding for the program does not keep pace with inflation.

Over the past 3 years, Head Start and Early Head Start have experienced an estimated 8 percent real decline, adjusted for inflation, in Federal funding from fiscal year 2002 through fiscal year 2007. If this trend were to continue, the decline in funding would climb to 10 percent for Head Start programs. If President Bush's budget were to become law, the Head Start programs would suffer an 11 percent cut.

This decline in funding has required already efficient Head Start agencies across the country to tighten their belts even more. Sadly, local agencies are now forced to pass these cuts on to quality staff.

□ 1645

By default, agencies are unable to compete for the best and brightest of early childhood educators, thus risking the quality of Head Start programs. Our local agencies are forced to make the worst in managerial choices. As Chairman MILLER and others have pointed out, we must maintain and enhance both funding and quality.

In my congressional district, I am proud to say that the four primary organizations responsible for administering Head Start services have successfully revitalized the program in the city of St. Louis. From 2001 to 2003, the enrolled number of children grew from about 1,000 to a full enrollment of 3,000 children.

Unfortunately, the compensation of St. Louis area Head Start staff has lagged behind the salaries of those in comparable positions. After consulting with some of the brightest business leaders in our area, our local agencies have taken extraordinary steps to conserve costs and maximize efficiencies. Even with these steps, agencies are unable to keep staff compensation in line

with inflation increases both in wages and insurance costs.

Programs in St. Louis and across the country are at a serious risk of losing quality staff due to this critical situation. In fact, many of you may have agencies within your districts that have experienced worse cuts across their service lines. They have turned to cutting key staff, reducing the number of weeks they operate in a year, and reducing the number of hours they operate in a day just in order to adjust for financial constraints. We must ensure that the historic quality and strength of Head Start is not placed in jeopardy.

Many of us know the vast evidence demonstrating the profound difference Head Start makes both in the lives of children served and in our local communities. I know that has been talked about at great length here in presenting this bill.

I just want to close and say, I think all of us would agree that Head Start programs should not have the right to request reduced enrollment levels unless they have taken all appropriate steps to achieve efficiency first. I want to clarify that my amendment gives HHS the discretion to determine whether or not individual agencies have explored all possible solutions prior to requesting reduced funded enrollment. The grantee must demonstrate that any reduction in enrollment is necessary to maintain the quality of services.

I appreciate, again, all the efforts on this bill that have brought this forth in a bipartisan way, and appreciate the amendment being considered.

Mr. GEORGE MILLER of California. Will the gentleman yield?

Mr. CARNAHAN. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. I thank the gentleman.

Mr. Chairman, I rise in support of the amendment. This is what agencies have to do when the funding isn't sufficient and they are trying to hold on to the number of children, the hours of availability of the program and the quality of the teachers that are there. In the past when we had the cut, I believe the agency, HHS, allowed some local programs to do this. I would hope that this will not be a necessity. We are adding an additional \$400 million to this program. I hope that the Appropriations Committee will be able to follow through.

The amendment is a good amendment. I hope we don't have to use it, but it's a good amendment.

Mr. MCKEON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

Mr. MCKEON. Mr. Chairman, this amendment allows grantees to negotiate a reduced enrollment level with the Secretary of HHS if the amounts appropriated for Head Start do not exceed the prior year's appropriation or include an increase commensurate with

the cost-of-living allowance. In effect, this amendment allows grantees to cut services for children and kick children out of the Head Start program if Congress does not appropriate ever-higher funding amounts for Head Start.

I think all of us want to service as many children as we can, and we want to have as high an appropriation level as we can, but if we fail to appropriate higher numbers, I don't think we should take it out on the children. I ask my colleagues, is Head Start an early education program or a jobs program?

We believe the purpose of Head Start is to help our Nation's most vulnerable youngsters lay the foundation for a very successful academic future. This misguided amendment has the potential for denying these children Head Start services, and I therefore urge my colleagues to oppose the amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Missouri (Mr. CARNAHAN).

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

Mr. McKEON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. CUELLAR

The Acting CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 110-116.

Mr. CUELLAR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mr. CUELLAR: Page 163, after line 3, insert the following (and make such technical and conforming changes as may be appropriate):

"(ii) a description of the type of assessment or assessments used to determine the rate of progress made by limited English proficient children;"

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

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

Mr. Chairman, I rise today to encourage my colleagues to support my amendment to the Improving Head Start Act of 2007.

First of all, I would like to thank Chairman MILLER, Ranking Member McKEON, Chairman KILDEE and Ranking Member CASTLE for bringing this legislation to the floor.

Ensuring that Head Start continues to serve our communities is important to all of us. This straightforward

amendment builds upon the strong foundation of this year's reauthorization. The reauthorization requires the Secretary of Health and Human Services to conduct a study of Head Start students with limited English proficiency.

Studies have proven that the easiest time to learn a new language is when a child is young. With this in mind, early childhood is an important time for students with limited English proficiency to improve their grasp of the English language. Students who are fluent in multiple languages are better positioned to perform well in school.

The legislation requires studies of the progress limited English proficiency students make towards proficiency. The amendment that I offer simply asks that the assessment used to determine progress in the English language skill development be described.

The explanation of what is used is important for a couple of reasons. First, Head Start service providers will become more uniform in their instruction. If a description of assessment is not required, however, there may be a higher likelihood that it will become arbitrary.

Second, educators learn from the practices of their colleagues. By having all Head Start providers describe the assessments they use, meaningful information will be gathered to help educators get ideas and make better informed decisions about their own practices. Enhancing consistency and sharing methods are meaningful ways we can help students with limited English proficiency make the progress that they need to make.

My amendment is supported by the National Council of La Raza, the National Education Association, the Texas Migrant Council and the Texas Head Start Association. I urge my colleagues to support my amendment.

Mr. Chairman, I yield 1 minute to Chairman MILLER, the gentleman from California.

Mr. GEORGE MILLER of California. I thank the gentleman, and I rise in support of his amendment. I think his explanation is correct, that this will provide not only perhaps more uniformity in terms of the assessments, but also communications between programs as to which assessments are really working and which assessments are appropriate for this purpose. I think it is a good amendment, and I would hope that we would accept it. I thank the gentleman for offering it.

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

Mr. McKEON. Mr. Chairman, I rise to claim the time in opposition, even though I support the gentleman's amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. McKEON. Mr. Chairman, I rise in support of the amendment. I think it

makes the bill stronger. Examining the number of children who are limited in English proficiency and monitoring the progress of these children is important to their mastery of the English language and will help determine future successes for these students in meeting the same challenging State academic content and student academic achievement standards that all children are expected to meet.

I support the amendment, and I encourage our colleagues to support the amendment.

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

Mr. CUELLAR. Mr. Chairman, again, I want to thank Chairman MILLER, Ranking Member McKEON, Chairman KILDEE and Ranking Member CASTLE for their support. And again, I ask for their support on this amendment and on the reauthorization of the Head Start Act of 2007.

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

Mr. McKEON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MR. SHULER

The Acting CHAIRMAN. It is now in order to consider amendment No. 11 printed in House Report 110-116.

Mr. SHULER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Mr. SHULER: Page 2, line 4, insert "(a) SHORT TITLE. _". Page 2, after line 5, insert the following:

(b) SENSE OF THE CONGRESS.—The Congress—

(1) finds that—

(A) while the steady economic growth and low inflation in the United States has yielded unprecedented prosperity, many children and families in this country have not benefited from this prosperity and continue to be socioeconomically disadvantaged,

(B) many community- and faith-based organizations have expertise in moving individuals and families from dependency to self-sufficiency by providing families with the tools and skills they need to participate in the community and contribute to our economy,

(C) the Head Start Act was established to help prepare low-income young children to succeed in school and in life by addressing the needs of the whole child and providing comprehensive services such as health and nutrition,

(D) research confirms that children who attend Head Start programs enter school better prepared than low-income children who do not attend the program, are less likely to need special education services, to repeat a grade, or commit crimes in adolescence, and are more likely to graduate from high school,

(E) community- and faith-based organizations have participated in Head Start programs since the enactment of the Head Start Act in 1965 and continue to serve more than 90,000 children and their families,

(F) parents have an integral role in the development and implementation of Head

Start programs, community- and faith-based providers of Head Start services employ parents and encourage parents to volunteer in the programs because parents are children's most important and influential teachers.

(G) community- and faith-based providers of Head Start services not only serve the needs of low-income children and their families but enrich, strengthen and reflect the diversity of the communities wherein they reside, and

(H) the Head Start Act is a critical component of America's civil rights platform, and community and faith-based organizations have been leaders in the civil rights movement in the United States.

(2) supports the continued role of community and faith-based organizations in Head Start programs as providers of comprehensive services to children, families, and communities, and

(3) extends its gratitude to community- and faith-based organizations that provide Head Start services, and to the employees and volunteers for their commitment to the education, health, and economic well-being of low-income children and families.

Page 52, after line 19, insert the following: "(3) CONTINUED ELIGIBILITY.—Faith-based and community-based organizations continue to be eligible, on the same basis as other organizations, to participate in any program under this subchapter for which they are otherwise eligible."

Page 120, at the end of line 15, add the following:

Faith-based and community-based organizations continue to be eligible, on the same basis as other organizations, to participate in any program under this section for which they are otherwise eligible.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from North Carolina (Mr. SHULER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from North Carolina.

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

Mr. Chairman, I am proud to be a product of Head Start. As a young boy, I attended a Head Start program, and that helped make me the man that I am today.

It's time for Congress to recognize that faith communities contribute to Head Start. That's why I am proud to introduce this amendment today, along with Congressman ELLSWORTH, Congressman DONNELLY, Congressman CARNEY and Congressman LOEBSACK.

This amendment thanks the community and faith-based organizations for the good work that they have done running the Head Start programs. It also confirms its right to continue running these programs.

I urge my colleagues to support this amendment.

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

Mr. MCKEON. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIRMAN. The gentleman from California is recognized for 5 minutes.

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

Mr. Chairman, let's be very clear at the outset about why this amendment is being considered today: It's all about

political cover. It has nothing to do with protecting the civil rights of faith-based providers. If that is what we are out to do today, we would be considering Mr. FORTUÑO's amendment right now. Instead, the majority has brought up a hollow, politically motivated attempt to have it both ways. On one hand, this amendment cheers the work of faith-based providers and recognizes their contributions to our Nation; but on the other hand, it leaves them completely unprotected when it comes to their right to preserve their identity while serving children in Head Start. Frankly, this is insulting to faith-based organizations as it is transparent. Let me elaborate.

With respect to hiring authority, section 702(a) of title VII of the Civil Rights Act of 1964, as amended in 1972, states, "This subchapter shall not apply to a religious corporation, association, educational institution or society with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution or society of its activities."

Mr. Chairman, does this amendment reaffirm the language from this statute? No, it does not.

Consistent with this language from the Civil Rights Act, former President Clinton signed four laws that explicitly allow religious organizations to retain their right to staff on a religious basis when they receive Federal funds. The 1996 welfare reform law, the Children's Health Act of 2000, the Community Services Block Grant Act of 1998, and the Community Renewal Tax Relief Act of 2000 each contain language that reflects the language offered to the Rules Committee yesterday by Mr. FORTUÑO.

Mr. Chairman, does this amendment reaffirm the language signed into law on four separate occasions by former President Clinton? No, it does not. The FORTUÑO amendment would codify a 2002 executive order protecting the right of a participating faith-based organization to display a cross or other religious symbols on its grounds. Mr. Chairman, does this amendment do the same? No, it does not.

This amendment may have been written in such a way that may run counter to that executive order, potentially endangering rights faith-based providers already enjoy.

In short, Mr. Chairman, in an attempt to play politics, this amendment is, at best, an attempt to provide political cover for Members who do not want to take a real vote on the issue; and at worst, a poorly drafted measure that may end up turning back the clock on the rights of faith-based providers to display religious symbols. Because of that, I urge my colleagues to oppose it.

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

□ 1700

Mr. SHULER. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. DONNELLY).

Mr. DONNELLY. Mr. Chairman, we don't need any political cover. We are proud to stand for this amendment. The only political games are those being played by others.

I rise in support of this amendment, recognizing the important role that faith and community-based organizations play in Head Start's continued success. Head Start has been instrumental in advancing the development of comprehensive skills in disadvantaged children during the crucial years before they enter elementary school. Since 1965, Head Start has been a resounding success; in no small part because of faith-based organizations, organizations I support fully.

Since the beginning, community and faith-based organizations have been a part of this program and currently serve more than 90,000 children and their families. Faith-based organizations play a critical role because they are intimately familiar with the community in which they serve and are driven by a moral commitment to our youth.

This amendment reaffirms Congress' strong support for their current and future involvement in Head Start, making clear that regardless of rumors to the contrary, they will remain eligible on the same basis as other organizations to participate in Head Start.

Mr. Chairman, I urge all my colleagues to support this amendment and the passage of H.R. 1429. I am proud to support it and the faith-based organizations that will serve it.

Mr. SHULER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding and for offering this amendment.

It is interesting that the other side would now oppose this amendment, but all day long they have been citing us the executive order with the exact same language in it as the basis for the right of faith-based organizations to participate in this program, a right that they have exercised now for more than 40 years. What your amendment does is to take it from the regulations and put it into the statute to guarantee them that right in the law, not just in the executive order and in the regulations.

In my own district, the First Baptist organization runs the Head Start program. They do a marvelous job. The reason they are kicking up the smoke-screen around Mr. SHULER's amendment is that they want to protect themselves, because they are going to come here with an amendment that is going to try to give people the right to discriminate against people based upon their religion, the right to discriminate with Federal dollars on religion.

What Mr. SHULER's amendment does is to make sure that we do not weaken

the ability of faith-based organizations to participate, as they have over their proud history. That is why the broad-based array of religious organizations will oppose what is going to be offered in the motion to recommit, but strongly support, strongly support, the Shuler amendment to add this language to the statute to provide this protection and to provide this recognition of the historical service and the ongoing service that these faith communities have provided to the children that are eligible for Head Start to provide that quality education year after year after year after year.

That is what this amendment does. We should welcome it. We should adopt it overwhelmingly in this House and get on with the debate.

Mr. Chairman, I thank the gentleman and his cosponsors for offering this amendment.

Mr. SHULER. Mr. Chairman, I yield the balance of my time to the gentleman from Indiana (Mr. ELLSWORTH).

The Acting CHAIRMAN. The gentleman from Indiana is recognized for 45 seconds.

Mr. ELLSWORTH. Mr. Chairman, I am proud to be a sponsor of this amendment, and I urge my colleagues to support it.

This amendment honors faith-based and community-based organizations that provide essential health services and education to thousands of low-income children each and every day. This program is a perfect example of government and faith-based organizations partnering to provide every child an equal playing field in school and in life, and we must ensure these churches and schools receive the support they need.

This amendment demonstrates our support to the thousands of families across Indiana who depend on Head Start programs run by faith-based and community organizations. These programs are dedicated to ensuring equal opportunities for Hoosier children, and I am proud to support them today on the House floor.

I urge my colleagues to support this amendment and to pass this important bill.

Mr. McKEON. Mr. Chairman, I would like to read an excerpt from the Family Research Council. "This bill should help ensure that faith-based organizations with proven records of serving the neediest among us will be allowed the freedom to hire the best staff they see fit, free of burdensome regulation."

Unfortunately, it does not. If we had been able to discuss the Fortuño amendment today, we would have been able to vote on ensuring what they are asking for here. Later on in the discussion, I will add these letters, along with several others I have in support of the Fortuño amendment and in opposition to this amendment.

Mr. Chairman, with that, I urge my colleagues to defeat this amendment.

Mr. McKEON. Mr. Chairman, I submit the following letters for the RECORD:

THE CENTER FOR PUBLIC JUSTICE.

April 30, 2007,

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.
Hon. JOHN BOEHNER,
House Minority Leader,
Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER BOEHNER: The Coalition to Preserve Religious Freedom, a multi-faith alliance of education, social-service, and religious freedom organizations, asks for your support to make federal social programs fully open to the participation of qualified faith-based organizations. We are concerned that some federal legislation does not adequately invite faith-based participation, while ensuring the religious liberty of beneficiaries. We are also concerned that other federal legislation, such as the Workforce Investment Act and the Head Start Act, has language excluding faith-based organizations that desire to retain their freedom when hiring to take account of the religious convictions of potential employees.

We ask in particular for your support to make the Head Start program hospitable to faith-based organizations when H.R. 1429, the Improving Head Start Act, comes up for floor action.

In the Education and Labor Committee's recent markup of the bill, Resident Commissioner Fortuno's amendment to clarify the eligibility of faith-based organizations to participate in Head Start unfortunately was defeated. The amendment would have added language making it explicit that faith-based organizations are eligible to take part on the same basis as secular organizations, without being required to minimize their religious character. Such language reflects the U.S. Supreme Court's turn in First Amendment interpretation to the equal treatment or neutrality standard.

As part of the confirmation of the equal eligibility of faith-based providers, the amendment provided that religious organizations participating in Head Start would no longer be required to waive their freedom under the 1964 Civil Rights Act to take account of religion when making employment decisions. We understand that some members regard such an affirmation of the Civil Rights Act's standard as introducing pernicious religious job discrimination into the federal early childhood education program. Yet the Civil Rights Act expressly provides that it is not to be regarded as discrimination when a religious organization considers religion when evaluating potential employees.

We believe that the Civil Rights Act got it right on this, just as we believe that political and environmental organizations must be free to assess job candidates on the basis of ideological conviction. We see no reason why religion (or political views or environmental convictions) would suddenly become irrelevant to an organization's internal life and commitments when it agrees to serve its community in a partnership with government. Nor is it unconstitutional for a religious organization that receives government funds to continue to staff on a religious basis. The federal judge in the major 2005 religious staffing case, *Lown v. Salvation Army*, resoundingly affirmed the contrary.

We respectfully request that you disavow the characterization made by some members of Congress that religious staffing by faith-based organizations is invidious "Job discrimination." "We request that you support the continuing effort in Congress to remove from federal programs language contradicting the Civil Rights Act's affirmation of the religious staffing freedom. We believe that programs such as Head Start and the

Workforce Investment Act should be brought into line with the large majority of federal programs that do not restrict religious staffing by faith-based organizations that desire to collaborate with the government to provide assistance.

Thank you.
Sincerely,

STANLEY W. CARLSON-THIES,
The Center for Public Justice.

On behalf of the Coalition to Preserve Religious Freedom and the undersigned organizations:

Organizations are listed for identification purposes only.

Dr. Robert C. Andringa, President Emeritus, Council for Christian Colleges and Universities.

Anne R. Apodaca, Executive Director, New Mexico Community FaithLinks.

Dr. Art Ayris, President, The Florida Bridge.

Greg Baylor, Director, Center for Law and Religious Freedom, Christian Legal Society.

Richard Azizik, Vice President for Governmental Affairs, National Association of Evangelicals.

Rabbi Abba Cohen, Director and Counsel, Washington Office, Agudath Israel of America.

Paul Corts, President, Council for Christian Colleges and Universities.

Lisa Cummins, Center for New Communities.

Rimmer DeVries, Camano Island, Washington.

Nathan Diamant, Union of Orthodox Jewish Congregations of America.

Barrett Duke, Ph.D., Vice President for Public Policy and Research, Southern Baptist Ethics & Religious Liberty Commission.

Mark L. Earley, President, Prison Fellowship Ministries.

Rev. Bill Emery, Director, Virginia Roundtable.

Dr. Bernard Fryshman, President, Association of Advanced Rabbinical and Talmudic Schools, New York, New York.

Mr. Israel Gaither, National Commander, The Salvation Army, United States.

Walter Gilbert, CEO, Open Door Adoption Agency, Inc., Thomasville, GA.

Dennis Griffith, Executive Director, Teen Challenge of Southern California.

Rev. John Hughes, Metro United Methodist Urban Ministries, San Diego, CA.

Andrea Lafferty, Executive Director, Traditional Values Coalition.

Donna Long, President, The National Bridge Alliance.

John Long, President, The Georgia Bridge.

Rev. Paul Lundberg, Atwater Baptist Church, Atwater, CA.

Dr. Larry Martin, President, Kentucky Compassion Bridge.

Freddie John Martin, Teltech Development Consulting Corporation, Silver Spring, Maryland.

Tom McClusky, Vice-President for Governmental Affairs, Family Research Council.

Ellen McKinley, Child Development Education Alliance, Orange Park, FL.

Stephen Monsma, The Henry Institute for the Study of Christianity and Politics, Calvin College, Grand Rapids, MI.

Rev. James Ortiz, Senior Pastor, President, My Friend's House, Assembly of God, Inc., Metro Impact Ministries, Inc., Whittier Area Evangelical Ministerial Alliance, Whittier, California.

Rev. Carl Rehling, Diocesan Liaison for Justice and Peace, Episcopal Diocese of Maryland.

Shari Rendall, Director of Legislation and Policy, Concerned Women for America.

Amy L. Sherman, Director, Sagamore Institute Center on Faith in Communities, Charlottesville, VA.

Dr. Ronald J. Sider, Evangelicals for Social Action, Wynnewood, PA.

Dr. James W. Skillen, Center for Public Justice.

Taylor Smith, Jr., Vice President of Executive Support, Association of Christian Schools International.

Dr. Robert Vickers, President, Artful Askers, The Missouri Bridge.

David Winter, Chancellor, Westmont College, Santa Barbara, CA.

Karen M. Woods, Executive Director, Empowerment Resource Network.

Terrence Woodnorth, Endicott, NY.

Robert L. Woodson, Sr., Center for Neighborhood Enterprise.

Dr. Carl Zylstra, President, Dordt College, Sioux Center, Iowa.

ASSOCIATION OF CHRISTIAN SCHOOLS
INTERNATIONAL, OFFICE OF GOVERNMENT AFFAIRS,

Silver Springs, MD, April 23, 2007.

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

Hon. JOHN BOEHNER,
House Minority Leader, Washington, DC.

DEAR SPEAKER PELOSI AND MINORITY LEADER BOEHNER:

The Association of Christian Schools International (ACSI), which has member schools and preschools in every state, applauds the strong bipartisan vote by the U.S. House Education and Labor Committee that recently advanced the Improving Head Start Act (H.R. 1429). We know that this measure aims to strengthen the Head Start early childhood education program's teacher and classroom quality, boost coordination between Head Start and state and local early childhood programs, and increase Head Start's financial accountability. H.R. 1429 was introduced by a bipartisan group of Members, led by the Subcommittee on Early Childhood, Elementary, and Secondary Education's Chairman and Ranking Republican Member, Rep. Dale Kildee and Rep. Mike Castle. The undersigned commend these efforts.

We do have a major concern which we hope will be corrected before H.R. 1429 is voted upon and sent over to the U. S. Senate. During consideration of the Improving Head Start Act, the panel's majority chose to turn back an amendment offered by Committee Member Luis Fortuño (PR) to protect the civil liberties of faith-based providers by clarifying that these institutions are not required to relinquish their Title VII Civil Rights Act-hiring protections when they participate in the federal Head Start program. The existing and historic civil rights law explicitly protects the rights of religious organizations to take religion into account in their hiring practices, and former President Bill Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive federal funds. The Fortuño amendment also ensures that religious organizations would not be forced to remove art, icons, scripture, or other symbols in order to receive federal Head Start funds—which paralleled President Clinton's efforts [See 42 USC section 604a(d)(2)].

Faith-based groups should not be forced to give up their religious uniqueness because they want to assist the poor and hurting of their community. The faith and values that motivate these Americans to serve others should not be held against them. ACSI, with its many early education members, would like to cooperate with Head Start at the local level, but cannot because of this inappropriate Federal religious discrimination. We are hopeful that the House will have an opportunity to consider this important issue

again when the Head Start bill comes to the House floor. The working-poor families who depend on Head Start services are counting on Congress to protect the Constitutional rights of both the secular and religious organizations that provide an "educational jump-start" for their children.

We commend HE&L Committee Member Luis Fortuño of Puerto Rico for his forthright stand that defends religious entities and their Constitutional right to be faithful to their religious beliefs, including the people they choose to hire. We are contacting many Members of both parties, asking them to protect and defend religious hiring rights of faith-based entities. And finally, ACSI and the two dozen groups or individuals who have signed this letter will do all that we can to protect potential Head Start programs that could be led by multi-faith-based groups in needy areas, but cannot because of the chilling effect of the draconian structure of current law. This is not a right to be given to Christian schools only, but to people of other faiths who represent a diverse, multi-faith society. Note additional cosigners listed on page 2.

Respectfully yours,

REVEREND JOHN C. HOLMES, Ed.D.

Organizations may be listed for purposes of identification only.

Carl H. Esbeck, Legal Counsel to the Office of Governmental Affairs, National Association of Evangelicals.

Stephen Lazarus, M. Phil., Senior Policy Associate, Center for Public Justice.

Tim McGhee, President, Mountaintop Group.

William Murray, Chairman, Religious Freedom Coalition.

Rev. Paul Weyrich, Chairman and CEO, Free Congress Foundation.

Jim Backlin, Vice President for Legislative Affairs, Christian Coalition of America.

Star Parker, Founder and President, Coalition on Urban Renewal & Education.

Robert Heckman, Central City Partners.
Maurine Proctor, President, Family Leadership Network.

Gary Bauer, President, American Values.
Tom McClusky, Vice President of Government Affairs, Family Research Council.

Donald E. Wildmon, Founder and Chairman, American Family Association.

Ron Shuping, Executive Vice President, The Inspiration Networks.

Pam Pryor, Vice President of Government Affairs, We Care America.

Kevin "Seamus" Hasson, President, The Becket Fund for Religious Liberty.

Joseph Cella, President, Fidelis.
Dr. Carl Herberster, President, AdvanceUSA.

Stephen V. Monsma, Ph.D., Research Fellow, The Henry Institute for the Study of Christianity and Politics, Calvin College.

Robin Stephenson, M.A., Director, Early Education Services, Association of Christian Schools International.

Ron Sider, President, Evangelicals for Social Action.

Rev. Richard Cizik, M. Div., M.A., Vice President of Governmental Affairs, National Association of Evangelicals.

James Standish, J.D., M.B.A., Director of Legislative Affairs, Seventh-day Adventist Church.

Gregory S. Baylor, J.D., Director, Center for Law & Religious Freedom, Christian Legal Society.

The Salvation Army, USA Commander
Israel Gaither, National Commander.

Hon. NANCY PELOSI,
Speaker of the House of Representatives.

DEAR MADAM SPEAKER PELOSI: The Association of Christian Schools International (ACSI) wishes it were able to commend Representatives Shuler (NC), Ellsworth (IN) and

Loebsack (IA) for their amendment to H.R. 1429 regarding Head Start and the religious rights of faith-based groups. However, we cannot.

The Shuler amendment does not actually do anything. It merely lauds the history of Head Start and its relationship with faith-based groups. Should the amendment be accepted by the Rules Committee, it will only function as a "fig leaf" to those who do not want to vote for the legitimate Religious Freedom amendment, like the Fortuño amendment. Any worthwhile amendment must protect religious freedom for faith-based groups' right to hire co-religionists; and protect their rights to show that they are religious by what they have on their walls—such a Scripture. The Fortuño wording actually reinforces the rights religious groups obtained in Section VII of the Civil Rights Act of 1964. Such staffing freedom was held to be constitutional by the United States Supreme Court (9-0) in *Presiding Bishop v. Amos* in 1987. We recently sent the House Leadership a letter (see attached) that explained ACSI's position on H.R. 1429 and its need for the Fortuño amendment. This letter was cosigned by two dozen individuals and groups, including the Salvation Army, USA, which recently won a religious staffing decision in *Lown v. Salvation Army* in 2005.

We urge the Rules Committee to allow the Fortuño amendment to be voted upon on the House floor in an up-or-down vote. This stand-alone amendment gives Congress the opportunity to vote for or against religious freedom. Faith-based organizations that exist to impact the lives of at-risk children—especially in the inner cities—need a truly religious freedom amendment to bring hope to otherwise hopeless families.

Regrettably, the Shuler amendment would only be a way of continuing to deny truly faith-based groups from participating in Head Start with a clear conscience.

Respectfully yours,

REV. JOHN C. HOLMES, EDD,
ACSI Director, Government Affairs.

Mr. McKEON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina (Mr. SHULER).

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

Mr. McKEON. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from North Carolina will be postponed.

AMENDMENT NO. 12 OFFERED BY MR. SPACE

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 110-116.

Mr. SPACE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. SPACE:
Page 136, strike lines 21 through 25, and insert the following (and make such technical and conforming changes as may be appropriate):

"(16) provide assistance to address the unique needs of programs located in rural communities, including—

"(A) removing barriers related to the recruitment and retention of Head Start teachers in rural communities;

“(B) developing innovative and effective models of professional development for improving staff qualifications and skills for staff living in rural communities;

“(C) removing barriers related to outreach efforts to eligible families in rural communities;

“(D) removing barriers to parent involvement in Head Start programs in rural communities;

“(E) removing barriers to providing home visiting services in rural communities; and

“(F) removing barriers to obtaining health screenings for Head Start participants in rural communities.”.

Page 148, after line 25, insert the following (and make such technical and conforming changes as may be appropriate):

“(5) ensure that in entering into such contracts as described in paragraph (1), such entities will address the needs of grantees in both urban and rural communities.”.

The Acting CHAIRMAN. Pursuant to House Resolution 348, the gentleman from Ohio (Mr. SPACE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Ohio.

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

Mr. Chairman, I rise today in support of the Space-Hare-Welch-Altmiere amendment to H.R. 1429.

Mr. Chairman, I believe that Head Start is critical for our Nation's working families. We are a Nation founded on equality and opportunity for all. All of our Nation's children deserve the opportunity to participate in early childhood development programs regardless as to the financial standing of their families.

Head Start programs in rural areas face many unique challenges in delivering services. The January 2007 report from the National Advisory Committee on Rural Health and Human Services confirms the unfortunate reality that rural Head Start programs are, in many ways, disadvantaged.

Simply put, in rural and geographically isolated areas the distance between Head Start providers and participants is a significant mountain to climb. Especially as gas prices continue to stretch both program and household budgets, the cost of transportation can be prohibitive. These distances can also impede Head Start programs from reaching out to families eligible to participate. It is certainly a tragedy when families can't enjoy the opportunities offered by Head Start programs because they didn't know about them, not because they weren't there.

I am particularly concerned about barriers to parental involvement. I believe that parental involvement fostered by Head Start programs is incredibly important. There is no responsibility of our society more sacred or profound than raising our children. Bringing parents together to share in this experience strengthens our communities, creating bonds that can bring them closer together.

In rural areas, parental involvement is again a challenge. The realities of less advantaged areas can keep parents

away from these programs. This is simply a missed opportunity to build our communities.

I believe that H.R. 1429 offers significant improvements to rural Head Start programs, and I applaud the work of my colleagues on the Committee on Education and Labor for making assistance to these areas a priority.

In particular, I wish to thank my colleague from Illinois (Mr. HARE) for his amendment in committee that draws attention to the challenges of teacher retention and the recruitment of new participants in our Nation's rural areas.

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

Mr. McKEON. Mr. Chairman, I rise to claim the time in opposition, though I am not opposed to the gentleman's amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. McKEON. Mr. Chairman, I think that this amendment makes it a stronger bill. Rural grantees are more likely to rely on home visits due to problems associated with staffing and transportation. Head Start in-home programs are required to make a minimum of 32 visits per year, or one per week. In addition, there must be a minimum of 16 group socialization activities per year.

For this reason, I rise in support of this amendment to provide additional training and support to rural Head Start programs facing these challenges to ensure that all children can access the skills necessary to succeed in school.

I urge my colleagues to support the amendment.

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

Mr. SPACE. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. HARE).

Mr. HARE. I thank the gentleman for yielding.

Mr. Chairman, I am honored to join Congressmen SPACE, WELCH and ALTMIRE in introducing this amendment to improve Head Start programs for rural communities.

Much of my congressional district is rural. Therefore, I am very sensitive to the unique challenges that Head Start centers and rural families face in providing or accessing Head Start programs. Some of these challenges include instructor shortages, access to Head Start programs and outreach to eligible families.

As a member of the Education and Labor Committee, I had the privilege of addressing these concerns during the markup of this bill. The amendment we present today expands those efforts by directing the Education Secretary to provide the technical assistance and training to remove barriers to professional development, parental involvement, home visits and health screening in rural areas.

It is my hope that with this commitment from the Secretary and with the addition of services geared towards the needs of rural families, more eligible children will enroll in and experience the benefits of the Head Start program. Rural communities consist of the low-income populations that Head Start was created to serve. Therefore, it is critical that we address the challenges these communities face in administering Head Start to ensure that those families have the access to the opportunities they need and they so much deserve.

Again, I thank my colleagues for helping me on this issue, and I urge all Members to vote "yes" to improve the rural Head Start program by passing the Space-Hare-Welch-Altmiere amendment.

Mr. SPACE. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania (Mr. ALTMIRE).

Mr. ALTMIRE. Mr. Chairman, I thank the gentleman from Ohio for his leadership on this issue, and I rise in strong support of this amendment. I am happy to lend my name to it, because this amendment simply says that rural communities which have distinct needs in Head Start programs will now have a level playing field with the changes that have been made under H.R. 1429, which I strongly support.

This bill builds on Head Start's proven success in a way that is going to benefit parents and teachers who are involved in the program. We want to ensure through this amendment that those successes carry forward into rural communities, specifically as it relates to professional development, parental involvement, home visits and health screenings.

So I am pleased to lend my name to this. It is a great amendment, and I thank the gentleman from Ohio for his leadership.

Mr. SPACE. Mr. Chairman, I yield the balance of my time to the gentleman from California, Chairman MILLER.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman from Ohio for offering this amendment and for bringing this perspective to this legislation, along with Mr. HARE and Mr. ALTMIRE and Mr. WELCH, and for representing the rural communities and raising these issues during this debate and during the consideration of this legislation.

Sometimes issues get overlooked in the rush to reauthorize the bill and to reauthorize it from a single perspective, so I appreciate this information that they have brought to us. I think the direction to the Secretary to review and to look at these barriers and to see what we can do to remove them so that we can assure both the participation of the children in the program and of their families and their parents as is designed by the law is important.

Mr. Chairman, I urge the adoption of the amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio (Mr. SPACE).

The amendment was agreed to.

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. PRICE of Georgia.

Amendment No. 3 by Mr. SESTAK of Pennsylvania.

Amendment No. 4 by Ms. HIRONO of Hawaii.

Amendment No. 5 by Mr. MICA of Florida.

Amendment No. 7 by Mr. PUTNAM of Florida.

Amendment No. 9 by Mr. CARNAHAN of Missouri.

Amendment No. 11 by Mr. SHULER of North Carolina.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. PRICE OF GEORGIA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Georgia (Mr. PRICE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 165, noes 254, not voting 18, as follows:

[Roll No. 277]

AYES—165

Aderholt	Coble	Hastings (WA)
Akin	Cole (OK)	Hayes
Alexander	Conaway	Heller
Bachmann	Crenshaw	Hensarling
Bachus	Culberson	Herger
Baker	Davis, David	Hobson
Barrett (SC)	Davis, Tom	Hoekstra
Bartlett (MD)	Deal (GA)	Hulshof
Barton (TX)	Diaz-Balart, L.	Inglis (SC)
Biggert	Diaz-Balart, M.	Issa
Bilbray	Doolittle	Johnson, Sam
Billirakis	Drake	Jones (NC)
Bishop (UT)	Dreier	Jordan
Blackburn	Duncan	Keller
Blunt	Ehlers	King (IA)
Bonner	Emerson	King (NY)
Bono	Everett	Kingston
Boozman	Fallin	Kirk
Boustany	Forbes	Kline (MN)
Brady (TX)	Fortenberry	Knollenberg
Brown (SC)	Fortuño	LaHood
Brown-Waite,	Fossella	Lamborn
Ginny	Fox	LaTourette
Buchanan	Franks (AZ)	Lewis (CA)
Burgess	Gallely	Linder
Burton (IN)	Garrett (NJ)	Lungren, Daniel
Buyer	Gilchrest	E.
Calvert	Gillmor	Mack
Camp (MI)	Gingrey	Manzullo
Campbell (CA)	Gohmert	Marchant
Cannon	Gohmert	McCarthy (CA)
Cantor	Goodlatte	McCaul (TX)
Carter	Granger	McCotter
Castle	Hall (TX)	McCreery
Chabot	Hastert	McHenry

McKeon	Regula
Mica	Rehberg
Miller (FL)	Reichert
Miller (MI)	Renzi
Miller, Gary	Reynolds
Musgrave	Rogers (AL)
Myrick	Rogers (MI)
Neugebauer	Rohrabacher
Nunes	Ros-Lehtinen
Pearce	Roskam
Pence	Royce
Peterson (PA)	Ryan (WI)
Petri	Sali
Pickering	Schmidt
Pitts	Sensenbrenner
Poe	Sessions
Porter	Shadegg
Price (GA)	Shimkus
Pryce (OH)	Shuster
Putnam	Smith (NE)
Radanovich	Smith (TX)

NOES—254

Abercrombie	Flake
Ackerman	Frank (MA)
Allen	Frelinghuysen
Altmire	Gerlach
Andrews	Giffords
Arcuri	Gonzalez
Baca	Gordon
Baird	Graves
Baldwin	Green, Al
Barrow	Green, Gene
Bean	Grijalva
Becerra	Gutierrez
Berkley	Hall (NY)
Berman	Hare
Berry	Harman
Bishop (GA)	Hastings (FL)
Bishop (NY)	Herseth Sandlin
Blumenauer	Higgins
Bordallo	Hill
Boren	Hinchey
Boswell	Hinojosa
Boucher	Hirono
Boyd (FL)	Hodes
Boyd (KS)	Holden
Bralley (IA)	Holt
Brown, Corrine	Honda
Butterfield	Hooley
Capito	Hoyer
Capps	Inslee
Capuano	Israel
Cardoza	Jackson (IL)
Carnahan	Jackson-Lee
Carney	(TX)
Carson	Jefferson
Castor	Jindal
Chandler	Johnson (GA)
Christensen	Johnson (IL)
Clarke	Jones (OH)
Clay	Kagen
Cleaver	Kanjorski
Clyburn	Kaptur
Cohen	Kennedy
Conyers	Kildee
Cooper	Kilpatrick
Costa	Kind
Costello	Klein (FL)
Courtney	Kucinich
Cramer	Kuhl (NY)
Crowley	Langevin
Cuellar	Lantos
Cummings	Larsen (WA)
Davis (AL)	Larson (CT)
Davis (CA)	Latham
Davis (IL)	Lee
Davis (KY)	Levin
Davis, Lincoln	Lewis (GA)
DeFazio	Lewis (KY)
DeGette	Lipinski
Delahunt	LoBiondo
DeLauro	Loeb
Dent	Loeb
Dicks	Lofgren, Zoe
Dingell	Lowe
Doggett	Lucas
Donnelly	Lynch
Doyle	Mahoney (FL)
Edwards	Maloney (NY)
Ellison	Markey
Ellsworth	Marshall
Emanuel	Matsui
English (PA)	McCarthy (NY)
Eshoo	McCollum (MN)
Etheridge	McDermott
Farr	McGovern
Ferguson	McHugh
Filner	McIntyre

Stearns	Tanner
Sullivan	Tauscher
Terry	Taylor
Thornberry	Thompson (CA)
Tiaht	Thompson (MS)
Tiberi	Tierney
Turner	Towns
Upton	Udall (CO)
Walberg	Udall (NM)
Walden (OR)	Van Hollen
Wamp	
Weldon (FL)	
Weller	
Westmoreland	
Wicker	
Wilson (NM)	
Wilson (SC)	
Wolf	
Young (AK)	
Young (FL)	

Velázquez	Weiner
Visclosky	Welch (VT)
Walsh (NY)	Wexler
Walz (MN)	Whitfield
Wasserman	Wilson (OH)
Schultz	Woolsey
Waters	Wu
Watson	Wynn
Watt	Yarmuth
Waxman	

NOT VOTING—18

Boehner	Feeney	Ortiz
Brady (PA)	Gillibrand	Paul
Cubin	Hunter	Rogers (KY)
Davis, Jo Ann	Johnson, E. B.	Simpson
Engel	Lampson	Tancredo
Faleomavaega	McMorris	
Fattah	Rodgers	

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1740

Messrs. COHEN, RODRIGUEZ and HILL and Ms. WOOLSEY changed their vote from “aye” to “no.”

Mrs. BACHMANN and Mr. SAM JOHNSON of Texas changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. SESTAK

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Pennsylvania (Mr. SESTAK) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 312, noes 107, not voting 18, as follows:

[Roll No. 278]

AYES—312

Abercrombie	Boyda (KS)	Cummings
Ackerman	Braley (IA)	Davis (AL)
Aderholt	Brown, Corrine	Davis (CA)
Alexander	Buchanan	Davis (IL)
Allen	Burgess	Davis (KY)
Altmire	Butterfield	Davis, Lincoln
Andrews	Capito	Davis, Tom
Arcuri	Capps	DeFazio
Baca	Capuano	DeGette
Baird	Cardoza	Delahunt
Baldwin	Carnahan	DeLauro
Barrow	Carney	Dent
Bartlett (MD)	Carson	Diaz-Balart, L.
Bean	Castor	Diaz-Balart, M.
Becerra	Chabot	Dicks
Berman	Chandler	Dingell
Berry	Christensen	Doggett
Bilbray	Clarke	Donnelly
Billirakis	Clay	Doyle
Bishop (GA)	Cleaver	Drake
Bishop (NY)	Marky	Edwards
Bishop (UT)	Cohen	Ellison
Blumenauer	Conyers	Ellsworth
Boozman	Cooper	Emanuel
Bordallo	Costa	Emerson
Boren	Costello	English (PA)
Boswell	Courtney	Eshoo
Boucher	Cramer	Etheridge
Boustany	Crowley	Farr
Boyd (FL)	Cuellar	Ferguson

Filner	Lowey	Ross	Lungren, Daniel	Pence	Souder	Chandler	Israel	Pastor
Fortenberry	Lucas	Rothman	E.	Petri	Stearns	Christensen	Issa	Payne
Fortuño	Lynch	Royal-Allard	Mack	Poe	Sullivan	Clarke	Jackson (IL)	Pearce
Fossella	Mahoney (FL)	Ruppersberger	Manzullo	Price (GA)	Terry	Clay	Jackson-Lee	Perlmutter
Frank (MA)	Maloney (NY)	Rush	Marchant	Putnam	Thornberry	Cleaver	(TX)	Peterson (MN)
Frelinghuysen	Markey	Ryan (OH)	McCarthy (CA)	Rohrabacher	Tiahrt	Clyburn	Jefferson	Peterson (PA)
Gerlach	Marshall	Salazar	McHenry	Roskam	Upton	Cohen	Jindal	Petri
Giffords	Matheson	Sánchez, Linda	McKeon	Royce	Walberg	Cole (OK)	Johnson (GA)	Pickering
Gilchrest	Matsui	T.	Miller (FL)	Ryan (WI)	Wamp	Conaway	Johnson (IL)	Pitts
Gillmor	McCarthy (NY)	Sanchez, Loretta	Miller (MI)	Sali	Weldon (FL)	Conyers	Jones (NC)	Platts
Gingrey	McCaul (TX)	Sarbanes	Miller, Gary	Sensenbrenner	Westmoreland	Cooper	Jones (OH)	Pomeroy
Gohmert	McCollum (MN)	Saxton	Musgrave	Sessions	Wicker	Costa	Jordan	Porter
Gonzalez	McCotter	Schakowsky	Myrick	Shadegg	Wilson (SC)	Costello	Kagen	Price (NC)
Gordon	McCrery	Schiff	Neugebauer	Smith (NE)		Courtney	Kanjorski	Pryce (OH)
Green, Al	McDermott	Schmidt	Nunes	Smith (TX)		Cramer	Kaptur	Putnam
Green, Gene	McGovern	Schwartz				Crenshaw	Keller	Rahall
Grijalva	McHugh	Scott (GA)				Crowley	Kennedy	Ramstad
Gutierrez	McIntyre	Scott (VA)	Berkley	Faleomavaega	McMorris	Cuellar	Kildee	Rangel
Hall (NY)	McNerney	Sestak	Brady (PA)	Fattah	Rodgers	Culberson	Kilpatrick	Regula
Hare	McNulty	Shays	Cannon	Gillibrand	Ortiz	Cummings	Kind	Rehberg
Harman	Meehan	Shea-Porter	Cole (OK)	Hunter	Paul	Davis (AL)	King (NY)	Reichert
Hastings (FL)	Meek (FL)	Sherman	Cubin	Johnson, E. B.	Serrano	Davis (CA)	Kirk	Renzi
Hersth Sandlin	Meeks (NY)	Shimkus	Davis, Jo Ann	Lampson	Tancredo	Davis (IL)	Klein (FL)	Reyes
Higgins	Melancon	Shuler	Engel			Davis, Lincoln	Kline (MN)	Reynolds
Hill	Mica	Shuster				Davis, Tom	Knollenberg	Rodriguez
Hinchev	Michaud	Simpson				Deal (GA)	Kucinich	Rogers (AL)
Hinojosa	Miller (NC)	Sires				DeFazio	Kuhl (NY)	Rogers (KY)
Hirono	Miller, George	Skelton				DeGette	LaHood	Rogers (MI)
Hobson	Mitchell	Slaughter				Delahunt	Lamborn	Rohrabacher
Hodes	Mollohan	Smith (NJ)				DeLauro	Langevin	Ros-Lehtinen
Holden	Moore (KS)	Smith (WA)				Dent	Lantos	Roskam
Holt	Moore (WI)	Snyder				Diaz-Balart, L.	Larsen (WA)	Ross
Honda	Moran (KS)	Solis				Diaz-Balart, M.	Larson (CT)	Rothman
Hooley	Moran (VA)	Space				Dicks	Latham	Royal-Allard
Hoyer	Murphy (CT)	Spratt				Dingell	LaTourette	Royce
Hulshof	Murphy, Patrick	Stark				Doggett	Lee	Ruppersberger
Inslee	Murphy, Tim	Stupak				Donnelly	Levin	Rush
Israel	Murtha	Sutton				Doolittle	Lewis (CA)	Ryan (OH)
Jackson (IL)	Nadler	Tanner				Doyle	Lewis (GA)	Ryan (WI)
Jackson-Lee	Napolitano	Tauscher				Drake	Lewis (KY)	Salazar
(TX)	Neal (MA)	Taylor				Dreier	Lipinski	Sánchez, Linda
Jefferson	Norton	Thompson (CA)				Duncan	LoBiondo	T.
Jindal	Oberstar	Thompson (MS)				Edwards	Loeback	Sanchez, Loretta
Johnson (GA)	Obey	Tiberi				Ehlers	Lofgren, Zoe	Sarbanes
Johnson (IL)	Oliver	Tierney				Ellison	Lowey	Saxton
Jones (NC)	Pallone	Towns				Ellsworth	Lucas	Schakowsky
Jones (OH)	Pascrell	Turner				Emanuel	Lungren, Daniel	Schiff
Kagen	Payne	Udall (CO)				Emerson	E.	Schmidt
Kanjorski	Pearce	Udall (NM)				English (PA)	Lynch	Scott (GA)
Kaptur	Pearce	Udall (NM)				Eshoo	Mack	Scott (VA)
Keller	Perlmutter	Van Hollen				Etheridge	Mahoney (FL)	Scott (VA)
Kennedy	Peterson (MN)	Velázquez				Everett	Maloney (NY)	Sensenbrenner
Kildee	Peterson (PA)	Visclosky				Fallin	Markey	Serrano
Kilpatrick	Pickering	Walsh (NY)				Farr	Marshall	Sestak
Kind	Pitts	Walz (MN)				Ferguson	Matheson	Shays
King (NY)	Platts	Wasserman				Filner	Matsui	Shea-Porter
Kirk	Pomeroy	Schultz				Forbes	McCarthy (CA)	Sherman
Klein (FL)	Porter	Waters				Fortenberry	McCarthy (NY)	Shimkus
Knollenberg	Price (NC)	Watson				Fortuño	McCaul (TX)	Shuler
Kucinich	Pryce (OH)	Watt				Fossella	McCollum (MN)	Shuster
Kuhl (NY)	Radanovich	Waxman				Frank (MA)	McCotter	Simpson
LaHood	Rahall	Weiner				Frelinghuysen	McDermott	Sires
Langevin	Ramstad	Welch (VT)				Gallegly	McGovern	Skelton
Lantos	Rangel	Weller				Gerlach	McHenry	Slaughter
Larsen (WA)	Regula	Wexler				Giffords	McHugh	Smith (NJ)
Larson (CT)	Rehberg	Whitfield				Gilchrest	McIntyre	Smith (WA)
LaTourette	Reichert	Wilson (NM)				Gillmor	McKeon	Snyder
Lee	Renzi	Wilson (OH)				Gohmert	McNerney	Solis
Levin	Reyes	Wolf				Gonzalez	McNulty	Space
Lewis (GA)	Reynolds	Woolsey				Gordon	Meehan	Spratt
Lewis (KY)	Rodriguez	Wu				Granger	Meek (FL)	Stark
Lipinski	Rogers (AL)	Wynn				Graves	Meeks (NY)	Stupak
LoBiondo	Rogers (KY)	Yarmuth				Green, Al	Melancon	Sutton
Loeback	Rogers (MI)	Young (AK)				Green, Gene	Mica	Tanner
Lofgren, Zoe	Ros-Lehtinen	Young (FL)				Grijalva	Michaud	Tauscher

NOT VOTING—18

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1747

Mr. EVERETT changed his vote from “aye” to “no.”

So the amendment was agreed to.
The result of the vote was announced as above recorded.

Stated for:
Ms. BERKLEY. Mr. Chairman, on rollcall No. 278, had I been present, I would have voted “aye.”

Mr. SERRANO. Mr. Chairman, on rollcall No. 278, had I been present, I would have voted “aye.”

AMENDMENT NO. 4 OFFERED BY MS. HIRONO
The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Hawaii (Ms. HIRONO) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 372, noes 50, not voting 15, as follows:

[Roll No. 279]

AYES—372

Akin	Carter	Goodlatte	Abercrombie	Biggert	Brown, Corrine	Harman	Miller (FL)	Taylor
Bachmann	Castle	Granger	Ackerman	Bilbray	Brown-Waite,	Hastert	Miller (MI)	Thompson (CA)
Bachus	Coble	Graves	Aderholt	Bilirakis	Ginny	Hastings (FL)	Miller (NC)	Thompson (MS)
Baker	Conaway	Hall (TX)	Akin	Bishop (GA)	Buchanan	Hastings (WA)	Miller, George	Tiahrt
Barrett (SC)	Crenshaw	Hastert	Alexander	Bishop (NY)	Burgess	Hayes	Mitchell	Tiberi
Barton (TX)	Culberson	Hastings (WA)	Allen	Blumenauer	Butterfield	Heller	Mollohan	Tierney
Biggert	Davis, David	Hayes	Altmiere	Blunt	Buyer	Herseth Sandlin	Moore (KS)	Towns
Blackburn	Deal (GA)	Heller	Andrews	Boehner	Calvert	Higgins	Moore (WI)	Turner
Blunt	Doolittle	Hensarling	Arcuri	Bonner	Camp (MI)	Hill	Moran (KS)	Udall (CO)
Boehner	Dreier	Herger	Baca	Bono	Campbell (CA)	Hinchev	Moran (VA)	Udall (NM)
Bonner	Duncan	Hoekstra	Bachus	Bordallo	Cannon	Hinojosa	Moran (WA)	Upton
Bono	Ehlers	Inglis (SC)	Bachus	Boren	Capito	Hirono	Murphy (CT)	Van Hollen
Brady (TX)	Everett	Issa	Baird	Boswell	Capps	Hobson	Murphy, Patrick	Velázquez
Brown (SC)	Fallin	Johnson, Sam	Baldwin	Boucher	Cardoza	Hodes	Murphy, Tim	Visclosky
Brown-Waite,	Ginny	King (IA)	Barrow	Boutastny	Carnahan	Holden	Nadler	Walberg
Ginny	Flake	Kingston	Bartlett (MD)	Boyd (FL)	Carney	Holt	Napolitano	Walden (OR)
Burton (IN)	Forbes	Kline (MN)	Barton (TX)	Boyda (KS)	Carson	Honda	Neal (MA)	Walsh (NY)
Buyer	Fox	Lamborn	Bean	Brady (TX)	Castle	Hooley	Norton	Walz (MN)
Calvert	Franks (AZ)	Latham	Becerra	Brady (TX)	Castor	Hoyer	Nunes	Wamp
Camp (MI)	Gallegly	Lewis (CA)	Berkley	Brayley (IA)	Chabot	Hulshof	Oberstar	Wasserman
Campbell (CA)	Garrett (NJ)	Linder	Berman	Brown (SC)		Inslee	Obey	Schultz
Cantor	Goode		Berry				Oliver	Waters
							Pallone	Watson
							Pascrell	Watt

NOES—107

Waxman Wicker Wu
Weiner Wilson (NM) Wynn
Welch (VT) Wilson (OH) Yarmuth
Weller Wilson (SC) Young (AK)
Wexler Wolf Young (FL)
Whitfield Woolsey

NOES—50

Bachmann Goode Pence
Baker Goodlatte Poe
Barrett (SC) Hensarling Price (GA)
Bishop (UT) Herger Radanovich
Blackburn Hoekstra Sali
Burton (IN) Inglis (SC) Sessions
Cantor Johnson, Sam Shadegg
Carter King (IA) Smith (NE)
Coble Kingston Smith (TX)
Davis (KY) Linder Souder
Davis, David Manzullo Stearns
Feeney Marchant Sullivan
Flake McCrery Terry
Foxy Miller, Gary Thornberry
Franks (AZ) Musgrave Weldon (FL)
Garrett (NJ) Myrick Westmoreland
Gingrey Neugebauer

NOT VOTING—15

Brady (PA) Gillibrand McMorris
Cubin Gutierrez Rodgers
Davis, Jo Ann Hunter Ortiz
Engel Johnson, E. B. Paul
Faleomavaega Lampson Tancredo
Fattah

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining on this vote.

□ 1756

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. MICA

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. MICA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 137, noes 286, not voting 14, as follows:

[Roll No. 280]

AYES—137

Aderholt Campbell (CA) Foxx
Bachus Cantor Franks (AZ)
Baker Capito Frelinghuysen
Barrett (SC) Carter Gallegly
Barton (TX) Chabot Garrett (NJ)
Billray Coble Gillmor
Billirakis Cole (OK) Gingrey
Blackburn Conaway Gohmert
Blunt Crenshaw Granger
Boehner Culberson Graves
Bonner Davis (KY) Hastings (WA)
Bono Davis, David Hayes
Boozman Deal (GA) Heller
Brady (TX) Diaz-Balart, L. Hensarling
Brown (SC) Diaz-Balart, M. Herger
Brown-Waite, Dreier Hobson
Ginny Duncan Hulshof
Buchanan Everett Inglis (SC)
Burgess Fallin Issa
Burton (IN) Feeney Johnson, Sam
Buyer Forbes Jones (NC)
Calvert Fortuño Jordan
Camp (MI) Fossella Keller

King (IA) Myrick
Kirk Neugebauer
Kline (MN) Nuges
Knollenberg Pearce
Lamborn Pence
Latham Peterson (PA)
LaTourette Pickering
Lewis (CA) Poe
Linder Price (GA)
Lowe Pryce (OH)
Lungren, Daniel Putnam
E. Radanovich
Mack Regula
Marchant Rehberg
McCarthy (CA) Reichert
McCaul (TX) Rogers (KY)
McCrery Rogers (MI)
McHenry Ros-Lehtinen
McKeon Roskam
Mica Royce
Miller (FL) Ryan (WI)
Miller (MI) Schmidt
Miller, Gary Sensenbrenner
Musgrave Sessions

NOES—286

Abercrombie Doolittle
Ackerman Doyle
Akin Drake
Alexander Edwards
Allen Ehlers
Altmire Ellison
Andrews Ellsworth
Arcuri Emanuel
Baca Emerson
Bachmann English (PA)
Baird Eshoo
Baldwin Etheridge
Barrow Farr
Bartlett (MD) Ferguson
Bean Filner
Becerra Flake
Berkley Fortenberry
Berman Frank (MA)
Berry Gerlach
Biggart Giffords
Bishop (GA) Gilchrest
Bishop (NY) Gonzalez
Bishop (UT) Goode
Blumenauer Goodlatte
Bordallo Gordon
Boren Green, Al
Boswell Green, Gene
Boucher Grijalva
Boustany Gutierrez
Boyd (FL) Hall (NY)
Boyda (KS) Hall (TX)
Braley (IA) Hare
Brown, Corrine Harman
Butterfield Hastert
Cannon Hastings (FL)
Capps Hereth Sandlin
Capuano Higgins
Cardoza Hill
Carnahan Hinchey
Carney Hinojosa
Carson Hirono
Castle Hodes
Castor Hoekstra
Chandler Holden
Christensen Holt
Clarke Honda
Clay Hooley
Cleaver Hoyer
Clyburn Inslee
Cohen Israel
Conyers Jackson (IL)
Cooper Jackson-Lee
Costa (TX)
Costello Jefferson
Courtney Jindal
Cramer Johnson (GA)
Crowley Johnson (IL)
Cuellar Jones (OH)
Cummings Kagen
Davis (AL) Kanjorski
Davis (CA) Kaptur
Davis (IL) Kennedy
Davis, Lincoln Kildee
Davis, Tom Kilpatrick
DeFazio Kind
DeGette King (NY)
Delahunt Kingston
DeLauro Klein (FL)
Dent Kucinich
Dicks Kuhl (NY)
Dingell LaHood
Doggett Langevin
Donnelly Lantos

Shuster Simpson
Simpson Smith (NE)
Smith (TX) Smith (TX)
Stearns
Sullivan
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Young (AK)
Young (FL)

Ross Shimkus
Rothman Shuler
Roybal-Allard Sires
Ruppersberger Skelton
Rush Slaughter
Ryan (OH) Smith (NJ)
Salazar Smith (WA)
Sali Snyder
Sánchez, Linda Solis
T. Souder
Sanchez, Loretta Space
Sarbanes Spratt
Saxton Stark
Schakowsky Stupak
Schiff Sutton
Schwartz Tanner
Scott (GA) Tauscher
Scott (VA) Taylor
Serrano Terry
Sestak Thompson (CA)
Shadegg Thompson (MS)
Shays Tierney
Shea-Porter Towns
Sherman Udall (CO)

NOT VOTING—14

Brady (PA) Fattah McMorris
Cubin Gillibrand Rodgers
Davis, Jo Ann Hunter Ortiz
Engel Johnson, E. B. Paul
Faleomavaega Lampson Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised there are 2 minutes remaining in this vote.

□ 1803

Mr. CAPUANO changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mrs. LOWEY. Mr. Chairman, during rollcall vote No. 280 on H.R. 1429, I mistakenly recorded my vote as “aye” when I should have voted “no.” I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 280.

AMENDMENT NO. 7 OFFERED BY MR. PUTNAM

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. PUTNAM) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 161, noes 262, not voting 14, as follows:

[Roll No. 281]

AYES—161

Aderholt Bonner Campbell (CA)
Akin Bono Cannon
Alexander Boozman Cantor
Bachmann Boustany Capito
Bachus Brady (TX) Carter
Baker Brown (SC) Chabot
Barrett (SC) Brown-Waite, Coble
Bartlett (MD) Ginny Cole (OK)
Barton (TX) Buchanan Conaway
Billray Burgess Crenshaw
Bishop (UT) Burton (IN) Culberson
Blackburn Buyer Davis (KY)
Blunt Calvert Davis, David
Boehner Camp (MI) Deal (GA)

Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxy
Franks (AZ)
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Granger
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson, Sam
Jordan
Keller
King (IA)
Kingston
Kirk

NOES—262

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chandler
Christensen
Clarke
Clay
Cleaver
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln

Kline (MN)
Knollenberg
Lamborn
Latham
Lewis (CA)
Lewis (KY)
Linder
Lungren, Daniel
E.
Mack
Mahoney (FL)
Manzullo
Marchant
McCarthy (CA)
McCaul (TX)
McCotter
McCrery
McHenry
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Musgrave
Myrick
Neugebauer
Nunes
Pearce
Pence
Peterson (PA)
Pickering
Pitts
Poe
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi

Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Roskam
Royce
Ryan (WI)
Sali
Schmidt
Sensenbrenner
Sessions
Shadegg
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Souder
Stearns
Sullivan
Terry
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walberg
Walsh (NY)
Wamp
Weldon (FL)
Weller
Westmoreland
Whitfield
Wilson (SC)
Wolf
Young (AK)
Young (FL)

Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Oliver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Petri
Platts
Pomeroy
Porter
Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross

Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak

NOT VOTING—14

Bilirakis
Brady (PA)
Cubin
Davis, Jo Ann
Engel

Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wicker
Wilson (NM)
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis, Lincoln
DeFazio
DeGette
Delahunt
DeLauro
Dent
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Emerson
Eshoo
Etheridge
Faleomavaega
Farr
Ferguson
Filner
Frank (MA)
Gerlach
Giffords
Gilchrest
Gonzalez
Gordon
Green, Al
Grijalva
Gutierrez
Hall (NY)
Hare
Harman
Hastings (FL)
Herseth Sandlin
Higgins
Hill
Hinchev
Hinojosa
Hirono
Hodes
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)

Kagen
Kanjorski
Kaptur
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kirk
Klein (FL)
Kucinich
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Matheson
Sires
McCarthy (NY)
McCullum (MN)
McDermott
McGovern
McHugh
McIntyre
McNerney
McNulty
Meehan
Meek (FL)
Meeke (NY)
Melancon
Michaud
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Nadler
Napolitano
Neal (MA)
Norton
Oberstar
Obey
Oliver
Pallone
Pascrell
Pastor
Payne
Perlmutter
Peterson (MN)
Pickering
Pomero y
Porter

Price (NC)
Rahall
Ramstad
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Shuler
Sires
Skelton
Slaughter
Smith (NJ)
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weller
Wexler
Wilson (OH)
Wolf
Woolsey
Wu
Wynn
Yarmuth

ANNOUNCEMENT BY THE ACTING CHAIRMAN.
The Acting CHAIRMAN (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1811

Mrs. JONES of Ohio and Mr. HILL changed their vote from “aye” to “no.” So the amendment was rejected.
The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. CARNAHAN
The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. CARNAHAN) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 253, noes 171, not voting 13, as follows:

[Roll No. 282]

AYES—253

Abercrombie
Ackerman
Akin
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra

Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Bordallo
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Braley (IA)
Brown, Corrine

Butterfield
Capito
Capps
Capuano
McNerney
Carnahan
Carney
Carson
Castor
Chandler
Christensen
Clarke
Clay
Cleaver

Aderholt
Bachmann
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Biggert
Bilbray
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonner
Bono
Boozman
Boustany
Brady (TX)
Brown (SC)
Brown-Waite,
Ginny
Buchanan
Burgess
Burton (IN)

NOES—171

Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Carter
Castle
Chabot
Coble
Cole (OK)
Conaway
Crenshaw
Culberson
Davis (KY)
Davis, David
Davis, Tom
Deal (GA)
Diaz-Balart, L.
Diaz-Balart, M.
Doollittle
Drake
Dreier
Duncan
Ehlers

English (PA)
Everett
Fallin
Feeney
Flake
Forbes
Fortenberry
Fortuño
Fossella
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green, Gene
Hall (TX)
Hastert
Hastings (WA)

Hayes	McHenry	Ryan (WI)	Cuellar	Kind	Rodriguez	LaTourette	Peterson (PA)	Shimkus
Heller	McKeon	Sali	Cummings	Kirk	Ross	Lewis (CA)	Petri	Shuster
Hensarling	Mica	Schmidt	Davis (AL)	Klein (FL)	Rothman	Lewis (KY)	Pickering	Simpson
Herger	Miller (FL)	Sensenbrenner	Davis (CA)	Kucinich	Roybal-Allard	Linder	Pitts	Skelton
Hobson	Miller (MI)	Sessions	Davis (IL)	LaHood	Ruppersberger	LoBiondo	Platts	Smith (NE)
Hoekstra	Miller, Gary	Shadegg	Davis, Lincoln	Langevin	Rush	Lucas	Poe	Smith (NJ)
Hulshof	Moran (KS)	Shimkus	DeFazio	Lantos	Ryan (OH)	Lungren, Daniel	Porter	Smith (TX)
Inglis (SC)	Musgrave	Shuster	DeGette	Larsen (WA)	Salazar	E.	Price (GA)	Souder
Issa	Myrick	Simpson	DeLahunt	Larson (CT)	Sánchez, Linda	Mack	Pryce (OH)	Stearns
Johnson, Sam	Neugebauer	Smith (NE)	DeLauro	Lee	T.	Manzullo	Putnam	Sullivan
Jordan	Nunes	Smith (TX)	Dicks	Levin	Sanchez, Loretta	Marchant	Radanovich	Terry
Keller	Pearce	Souder	Dingell	Lewis (GA)	Sarbanes	McCarthy (CA)	Ramstad	Thornberry
King (IA)	Pence	Stearns	Doggett	Lipinski	Schakowsky	McCaul (TX)	Regula	Tiahrt
Kingston	Peterson (PA)	Sullivan	Donnelly	Loebsack	Schiff	McCotter	Rehberg	Tiberi
Kline (MN)	Petri	Terry	Doyle	Lofgren, Zoe	Schwartz	McCrery	Reichert	Turner
Knollenberg	Pitts	Thornberry	Edwards	Lowey	Scott (GA)	McHenry	Renzi	Upton
Kuhl (NY)	Poe	Tiahrt	Ellison	Lynch	Scott (VA)	McHugh	Reynolds	Walberg
Lamborn	Price (GA)	Tiberi	Elsworth	Mahoney (FL)	Serrano	McIntyre	Rogers (AL)	Walden (OR)
Latham	Pryce (OH)	Turner	Emanuel	Maloney (NY)	Sestak	McKeon	Rogers (KY)	Walsh (NY)
LaTourette	Putnam	Upton	Eshoo	Markey	Shays	Mica	Rogers (MI)	Wamp
Lewis (CA)	Radanovich	Walberg	Etheridge	Marshall	Shea-Porter	Miller (FL)	Rohrabacher	Weldon (FL)
Lewis (KY)	Regula	Walden (OR)	Faleomavaega	Matheson	Sherman	Miller (MI)	Ros-Lehtinen	Weller
Linder	Rehberg	Walsh (NY)	Farr	Matsui	Shuler	Miller, Gary	Roskam	Westmoreland
Lucas	Reichert	Wamp	Filner	McCarthy (NY)	Sires	Moran (KS)	Royce	Whitfield
Lungren, Daniel	Renzi	Weldon (FL)	Frank (MA)	McCollum (MN)	Slaughter	Murphy, Tim	Ryan (WI)	Wicker
E.	Reynolds	Westmoreland	Giffords	McDermott	Smith (WA)	Musgrave	Sali	Wilson (NM)
Mack	Rogers (AL)	Whitfield	Gonzalez	McGovern	Snyder	Myrick	Saxton	Wilson (SC)
Manzullo	Rogers (KY)	Wicker	Gordon	McNerney	Solis	Neugebauer	Schmidt	Wolf
Marchant	Rogers (MI)	Wilson (NM)	Green, Al	McNulty	Space	Nunes	Sensenbrenner	Young (AK)
McCarthy (CA)	Rohrabacher	Wilson (SC)	Green, Gene	Meehan	Spratt	Pearce	Sessions	Young (FL)
McCaul (TX)	Ros-Lehtinen	Young (AK)	Grijalva	MEEK (FL)	Stark	Pence	Shadegg	
McCotter	Roskam	Young (FL)	Gutierrez	MEEKS (NY)	Stupak			
McCrery	Royce		Hall (NY)	Melancon	Sutton			

NOT VOTING—13

Brady (PA)	Gillibrand	McMorris
Cubin	Hunter	Rodgers
Davis, Jo Ann	Johnson, E. B.	Ortiz
Engel	Lampson	Paul
Fattah		Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1820

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. SHULER

The Acting CHAIRMAN. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from North Carolina (Mr. SHULER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 229, noes 195, not voting 13, as follows:

[Roll No. 283]

AYES—229

Abercrombie	Bishop (NY)	Carson
Ackerman	Blumenauer	Castor
Allen	Bordallo	Chandler
Altmire	Boren	Christensen
Andrews	Boswell	Clarke
Arcuri	Boucher	Clay
Baca	Boyd (FL)	Cleaver
Baird	Boyda (KS)	Clyburn
Baldwin	Braley (IA)	Cohen
Barrow	Brown, Corrine	Conyers
Bean	Butterfield	Cooper
Becerra	Capps	Costa
Berkley	Capuano	Costello
Berman	Cardoza	Courtney
Berry	Carnahan	Cramer
Bishop (GA)	Carney	Crowley

Aderholt	Castle
Akin	Chabot
Alexander	Coble
Bachmann	Cole (OK)
Bachus	Conaway
Baker	Crenshaw
Barrett (SC)	Culberson
Bartlett (MD)	Davis (KY)
Barton (TX)	Davis, David
Biggart	Davis, Tom
Bilbray	Deal (GA)
Bilirakis	Dent
Bishop (UT)	Diaz-Balart, L.
Blackburn	Diaz-Balart, M.
Blunt	Doolittle
Boehner	Drake
Bonner	Dreier
Bono	Duncan
Boozman	Ehlers
Boustany	Emerson
Brady (TX)	English (PA)
Brown (SC)	Everett
Brown-Waite,	Fallin
Ginny	Feeney
Buchanan	Ferguson
Burgess	Flake
Burton (IN)	Forbes
Buyer	Fortenberry
Calvert	Fortuño
Camp (MI)	Fossella
Campbell (CA)	Fox
Cannon	Franks (AZ)
Cantor	Frelinghuysen
Capito	Gallely
Carter	Garrett (NJ)

NOES—195

Gerlach
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Hall (TX)
Hastert
Hastings (WA)
Hayes
Heller
Hensarling
Herger
Hobson
Hoekstra
Hulshof
Inglis (SC)
Issa
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Jordan
Keller
King (IA)
King (NY)
Kingston
Kline (MN)
Knollenberg
Kuhl (NY)
Lamborn
Latham

NOT VOTING—13

Brady (PA)	Gillibrand	McMorris
Cubin	Hunter	Rodgers
Davis, Jo Ann	Johnson, E. B.	Ortiz
Engel	Lampson	Paul
Fattah		Tancredo

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised that there are 2 minutes remaining on this vote.

□ 1828

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. WEINER) having assumed the chair, Mr. KIND, Acting Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1429) to reauthorize the Head Start Act, to improve program quality, to expand access, and for other purposes, pursuant to House Resolution 348, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

PARLIAMENTARY INQUIRY

Mr. PRICE of Georgia. Mr. Speaker, I have a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his parliamentary inquiry.

Mr. PRICE of Georgia. Mr. Speaker, isn't it true that under the rules adopted by this House, the number of votes

allowed in the Committee of the Whole is different than the number of votes allowed when the House sits?

The SPEAKER pro tempore. The gentleman is correct.

Mr. PRICE of Georgia. Mr. Speaker, further parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state his inquiry.

Mr. PRICE of Georgia. Isn't it further true, Mr. Speaker, that because of the rules, any re-vote in the House on an amendment that passed in the Committee of the Whole with full participation, the total votes cast would be different?

The SPEAKER pro tempore. That is correct.

Mr. PRICE of Georgia. I thank the Speaker.

The SPEAKER pro tempore. If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1830

MOTION TO RECOMMIT OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. MCKEON. I am in its present form.

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

The Clerk read as follows:

Mr. McKeon moves to recommit the bill (H.R. 1429) to the Committee on Education and Labor with instructions to report the bill back to the House forthwith with the following amendment:

Page 172, after line 8, insert the following (and make such technical and conforming changes as may be appropriate):

SEC. 22. OPERATIONAL RULE.

The Head Start Act (42 U.S.C. 9831 et seq.) is amended by inserting after section 654 the following:

“SEC. 654A. OPERATIONAL RULE.

“(a) RELIGIOUS ORGANIZATIONS INCLUDED AS NONGOVERNMENTAL PROVIDERS.—For any program carried out under this subchapter, the Federal Government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. The Federal Government shall not discriminate in the administration of this subchapter against an organization that provides assistance under, or applies to provide assistance under, this subchapter, on the basis that the organization has a religious character.

“(b) RELIGIOUS CHARACTER AND INDEPENDENCE.—

“(1) IN GENERAL.—A religious organization that provides assistance under a program described in subsection (a) shall retain its religious character and control over the definition, development, practice, and expression of its religious beliefs.

“(2) ADDITIONAL SAFEGUARDS.—The Federal Government shall not require a religious organization—

“(A) to alter its form of internal governance; or

“(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to provide assistance under a program described in subsection (a).

“(3) EMPLOYMENT PRACTICES.—Section 654 shall not apply to a recipient of financial assistance under this subchapter that is a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. Such recipients shall comply with the other requirements contained in section 654.

“(c) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided directly to a religious organization to provide assistance under any program described in subsection (a) shall be expended for sectarian worship, instruction, or proselytization.

“(d) FISCAL ACCOUNTABILITY.—

“(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing assistance under any program described in subsection (a) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

“(2) LIMITED AUDIT.—Such organization shall segregate government funds provided under such program into a separate account. Only the government funds shall be subject to audit by the government.”.

Mr. MCKEON (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 5 minutes in support of his motion.

Mr. MCKEON. Mr. Speaker, because of a flaw in the Federal Head Start law, faith-based institutions have been forced to relinquish their civil liberties if they choose to participate in the Federal early childhood program we are poised to reauthorize today.

A sham of an amendment adopted earlier today applauded these organizations but did nothing to protect faith-based providers' civil rights. This motion to recommit does.

We have had this debate many times before here on the House floor, and each time we have had this debate, opponents of faith-based groups' federally protected right to maintain their religious nature and character through those they hire have equated these civil liberties as “discrimination.”

The 1964 Civil Rights Act makes clear that faith-based groups may serve their communities without being forced to give up the right to employ individuals who share the tenets and practices of their faith. Mr. Speaker, were the authors of the Civil Rights Act pro-discrimination? No.

The United States Supreme Court in 1987 unanimously reaffirmed the hiring rights for faith-based organizations. Was the Supreme Court pro-discrimination? No.

Former President Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive Federal funds. Was he pro-discrimination? No.

The motion to recommit we are considering today is offered in the same spirit as the 1964 Civil Rights Act, the 1987 Supreme Court decision, and President Clinton's signature on those four bills.

I commend the gentleman from Puerto Rico (Mr. FORTUÑO) for offering this as an amendment before the Rules Committee yesterday.

Mr. Speaker, I now yield the balance of my time to Mr. FORTUÑO.

Mr. FORTUÑO. Mr. Speaker, thank you for allowing me to speak today on the motion to recommit H.R. 1429, the Improving Head Start Act of 2007. I must commend Chairmen MILLER and KILDEE and Ranking Members MCKEON and CASTLE for completing work on this important reauthorization.

This motion to recommit would ensure that, one, religious organizations that are participating in the Head Start program are allowed to take religion into account in their hiring practices; and, two, religious organizations that are participating in the Head Start program are not discriminated against on the basis of their religious character and are not required to alter their form of governance or remove religious art, icons, or scripture or other symbols if they decide to participate in the Federal Head Start program.

Faith-based organizations, such as churches, synagogues and other faith-based charities, are a central part of the fabric of communities across America. Many of these organizations provide assistance and services to the neediest members of society, offering a helping hand to the least fortunate among us. Faith-based organizations can make a vital contribution to Federal assistance programs and are critical to the survival of many communities and to the improvement of the lives of countless individuals.

When faith-based groups hire employees on a religious basis, they are exercising their civil rights and liberties. The Civil Rights Act made clear when faith-based groups hire employees on a religious basis, it is an exercise of the group's civil liberties and does not constitute “discrimination” under Federal law. Faith-based providers who are willing to help provide early childhood education and other critical social services should not be denied this opportunity.

Faith-based organizations cannot be expected to sustain their religious mission without the ability to employ individuals who share the tenets and practices of their faith because it is that faith that motivates them to serve their neighbors in trouble. Without the right to continue to hire on a religious basis, religious organizations, in order to avoid such dangers, are likely to simply withdraw from the

Federal social service efforts altogether, to the loss of people in need everywhere.

Constitutional protections are included. The motion to recommit prohibits funds from being used for worship, instruction, or proselytization in keeping with constitutional requirements.

This motion to recommit does not permit religious organizations to refuse to assist individuals on the basis of religion, a religious belief, or refusal to participate in a religious practice. The nondiscrimination language of the current Head Start statute prevents discrimination in the provision of service on the basis of race, creed, color, national origin, sex, political affiliation, or beliefs.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I claim time in opposition to the motion to recommit.

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

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, this motion should be called the "religious job discrimination act."

As a person of faith who believes strongly in the good work of faith-based groups, I rise to passionately oppose this ill-advised motion, a motion also opposed by the Baptist Joint Committee, the American Jewish Committee, the Episcopal Church, and the NAACP.

Our principle is simple but deeply profound. No American, not one, should ever have to pass another American's private religious test to qualify for a tax-funded Federal job. Not one American. Mr. Speaker, I shouldn't have to pass Mr. MCKEON's test if I am applying for a Head Start job program, and he should not have to pass my religious test.

The fact is that no group in America, which would be possible under this motion, should be able to accept a \$1 million Head Start tax-funded grant and then literally, with your tax dollars in mind, put up a sign that says no Jews nor Catholics need apply here for a federally funded job. To do so is morally wrong. To do so is constitutionally wrong. No American, no American, not one, should ever have to choose between being true to his or her private religious faith and having a federally funded, tax-funded job.

This motion will harm the Head Start program. It will harm the work of faith-based groups. Vote "yes" for Head Start and "no" for this motion to recommit.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Missouri (Mr. CLEAVER).

Mr. CLEAVER. Mr. Speaker, I have been the pastor of the St. James United Methodist Church for 33 years. The bishop gives me the authority to bring pastors onto our staff, and I dis-

criminate. I have five pastors. All of them are Methodists, and they are paid with Methodist dollars. Each one of them. They are paid out of the stewardship of the church, and I have the right to do that. But I don't have the right to accept Federal dollars and discriminate.

Minorities have come to Washington over the years because this was the seat of power and it was believed that if you could get close to the seat of power, freedom would be more available. The same thing holds true with dollars. People go to work for the Federal Government, and if they see dollars going to a Head Start program, they believe automatically that there will be no discrimination. And we should not, we should not, turn it around now.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Speaker, a few weeks ago, Don Imus provoked a national discussion about race, but that was just talk. If we pass this motion, we will take action and turn the clock back before 1965.

This amendment doesn't allow faith-based programs to get funded. The Shuler amendment that we passed reminds us that faith-based organizations can and do sponsor Head Start programs.

The fact is that any program that can be funded under this amendment could be funded anyway if they would agree not to discriminate in employment. It has nothing to do with symbols. It is absurd to suggest that this has anything to do with symbols. Whatever problem there is with symbols is a constitutional problem that cannot be solved with a motion to recommit.

This is all about discrimination. And if you can discriminate based on religion, it has racial implications. So since the 1960s, for 40 years, when you talk about civil liberties, you are talking about the victims of discrimination. We decided 40 years ago that it was so reprehensible to discriminate in employment that we made it illegal, even with your own private money. And today, as we talk about discrimination, we ought to think about the victims, not the right of the person to discriminate against the victim.

The present law allows the church to use its own church money, as the gentleman from Missouri said, to hire whom they want. But with Federal money, just with the Federal money, you have not been able to discriminate. So for 40 years, all children in Head Start programs have learned that their parents are eligible to be hired by the Head Start program regardless of the race or religion of the program. They have known that for over 40 years. This amendment will determine what the next generation of Head Start students will learn.

We need to defeat this amendment.

Mr. GEORGE MILLER of California. Mr. Speaker, I urge my colleagues to

vote against this motion to recommit and not adopt a policy of employment discrimination based upon religion.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

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

RECORDED VOTE

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

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minutes votes on passing H.R. 1429, if ordered, and suspending the rules and adopting House Resolution 243.

The vote was taken by electronic device, and there were—ayes 195, noes 222, not voting 16, as follows:

[Roll No. 284]

AYES—195

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

Wamp
Weldon (FL)
Weller
Westmoreland

Whitfield
Wicker
Wilson (NM)
Wilson (SC)

Wolf
Young (AK)
Young (FL)

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. UDALL of Colorado. Mr. Speaker, I was unavoidably detained and unable to be present at the time of the vote on the motion to recommit H.R. 1429. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

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

Mr. GEORGE MILLER of California. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

The vote was taken by electronic device, and there were—ayes 365, noes 48, not voting 19, as follows:

[Roll No. 285]

AYES—365

Abercrombie
Ackerman
Allen
Altmire
Andrews
Arcuri
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd (FL)
Boyd (KS)
Braley (IA)
Brown, Corrine
Butterfield
Capps
Cardoza
Carnahan
Carney
Carson
Castor
Chandler
Clarke
Clay
Clever
Clyburn
Cohen
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Donnelly
Doyle
Edwards
Ellison
Ellsworth
Emanuel
Eshoo
Etheridge
Farr
Filner
Frank (MA)
Giffords
Gillibrand
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva

NOT VOTING—16

Brady (PA)
Capuano
Cubin
Davis, Jo Ann
Engel
Fattah

Graves
Hunter
Johnson, E. B.
Lampson
McMorris
Rodgers
Ortiz
Paul
Simpson
Tancredo
Udall (CO)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining.

□ 1859

Mr. BACHUS changed his vote from "no" to "aye."

Neal (MA)
Oberstar
Obey
Olver
Pallone
Pascarell
Pastor
Payne
Pelosi
Perlmutter
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta

Sarbanes
Schakowsky
Schiff
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sestak
Shays
Shea-Porter
Sherman
Sires
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Space
Spratt
Stark
Stupak
Sutton
Tanner
Tauscher
Taylor
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Wexler
Wilson (OH)
Woolsey
Wu
Wynn
Yarmuth

NOT VOTING—16

Brady (PA)
Capuano
Cubin
Davis, Jo Ann
Engel
Fattah

Graves
Hunter
Johnson, E. B.
Lampson
McMorris
Rodgers
Ortiz
Paul
Simpson
Tancredo
Udall (CO)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised that there are 2 minutes remaining.

□ 1859

Mr. BACHUS changed his vote from "no" to "aye."

Abercrombie
Ackerman
Aderholt
Alexander
Allen
Altmire
Andrews
Arcuri
Baca
Bachus
Baird
Baldwin
Barrow
Bartlett (MD)
Barton (TX)
Bean
Becerra
Berkley
Berman
Berry
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehner
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd (FL)
Boyd (KS)
Brady (TX)
Braley (IA)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Buchanan
Burgess
Butterfield
Buyer
Calvert
Camp (MI)
Cannon
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson
Castle
Castor
Chabot
Chandler
Clarke
Clay
Clever
Clyburn
Cohen
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Courtney
Cramer
Crenshaw
Crawford
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Israel
Issa
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jindal
Johnson (GA)
Johnson (IL)
Jones (NC)
Jones (OH)
Kagen
Kanjorski
Kaptur
Keller
Kennedy
Kildee
Kilpatrick
Kind
King (NY)
Kingston
Kirk
Klein (FL)
Knollenberg
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Lee
Levin
Lewis (CA)

Lewis (GA)
Lewis (KY)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Lucas
Lynch
Mahoney (FL)
Maloney (NY)
Marchant
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul (TX)
McCollum (MN)
McCotter
McDermott
McGovern
McHugh
McIntyre
McKeon
McNerney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy, Patrick
Murphy, Tim
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Nunes
Oberstar
Obey
Olver
Pallone
Pascarell
Pastor

Payne
Pearce
Perlmutter
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pomeroy
Porter
Price (NC)
Pryce (OH)
Putnam
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rodriguez
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Roskam
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Saxton
Schakowsky
Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Serrano
Sessions
Sestak
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Sires
Skelton

NOES—48

Akin
Bachmann
Baker
Barrett (SC)
Burton (IN)
Campbell (CA)
Cantor
Carter
Coble
Culberson
Deal (GA)
Doolittle
Duncan
Feeney
Flake
Foxy
Franks (AZ)
Garrett (NJ)
Gingrey
Hensarling
Hoekstra
Inglis (SC)
Johnson, Sam
Jordan
King (IA)
Kline (MN)
Lamborn
Linder
Lungren, Daniel
E.
Mack
Manzullo
McHenry
Miller (FL)
Miller, Gary
Neugebauer
Pence
Pitts
Poe
Radanovich
Rohrabacher
Royce
Sali
Sensenbrenner
Shadegg
Stearns
Walberg
Weldon (FL)
Westmoreland

NOT VOTING—19

Brady (PA)
Cubin
Davis, Jo Ann
Delahunt
Engel
Everett
Fattah
Graves
Hunter
Johnson, E. B.
Lampson
Marshall
McCrery
McMorris
Rodgers
Ortiz
Paul
Price (GA)
Simpson
Tancredo

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). Members are advised 2 minutes remain in this vote.

□ 1906

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. SIMPSON. Mr. Speaker, on rollcall No. 285 I was unavoidably detained. Had I been present, I would have voted "aye."

CALLING ON VIETNAM TO IMMEDIATELY AND UNCONDITIONALLY RELEASE POLITICAL PRISONERS AND PRISONERS OF CONSCIENCE

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and agree to the resolution, H. Res. 243, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SIREN) that the House suspend the rules and agree to the resolution, H. Res. 243, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 404, nays 0, answered "present" 3, not voting 25, as follows:

[Roll No. 286]
YEAS—404

Abercrombie Cannon
Ackerman Cantor
Aderholt Capito
Akin Capps
Alexander Capuano
Allen Cardoza
Altmire Carnahan
Andrews Carney
Arcuri Carson
Baca Carter
Bachmann Castle
Bachus Castor
Baird Chabot
Baker Chandler
Baldwin Clarke
Barrett (SC) Clay
Barrow Cleaver
Bartlett (MD) Clyburn
Barton (TX) Coble
Bean Cohen
Becerra Cole (OK)
Berkley Conyers
Berman Cooper
Berry Costa
Biggert Costello
Bilbray Courtney
Bilirakis Cramer
Bishop (GA) Crenshaw
Bishop (NY) Crowley
Bishop (UT) Cuellar
Blackburn Culberson
Blumenauer Cummings
Blunt Davis (AL)
Boehner Davis (CA)
Bonner Davis (IL)
Bono Davis (KY)
Boozman Davis, David
Boren Davis, Lincoln
Boswell Davis, Tom
Boucher Deal (GA)
Boustany DeFazio
Boyd (FL) DeGette
Boyd (KS) Delahunt
Brady (TX) DeLauro
Bralley (IA) Dent
Brown (SC) Diaz-Balart, L.
Brown, Corrine Diaz-Balart, M.
Brown-Waite, Dicks
Ginny Dingell
Buchanan Doggett
Burgess Donnelly
Burton (IN) Doolittle
Butterfield Doyle
Buyer Drake
Calvert Dreier
Camp (MI) Duncan
Campbell (CA) Edwards

Hoekstra Meehan
Holden Meehan (FL)
Holt Meeks (NY)
Honda Melancon
Hoolley Mica
Hoyer Michaud
Hulshof Miller (FL)
Inglis (SC) Miller (MI)
Inslee Miller (NC)
Israel Miller, Gary
Issa Miller, George
Jackson (IL) Mitchell
Jackson-Lee Mollohan
(TX) Moore (KS)
Jefferson Moore (WI)
Jindal Moran (KS)
Johnson (GA) Moran (VA)
Johnson (IL) Murphy (CT)
Johnson, Sam Murphy, Patrick
Jones (NC) Murphy, Tim
Jones (OH) Musgrave
Jordan Myrick
Kagen Nadler
Kanjorski Neal (MA)
Kaptur Neugebauer
Keller Nunes
Kennedy Oberstar
Kildee Obey
Kilpatrick Olyer
Kind Pallone
King (IA) Pascrell
King (NY) Pastor
Kingston Payne
Kirk Pearce
Klein (FL) Pence
Kline (MN) Perlmutter
Knollenberg Peterson (MN)
Kucinich Peterson (PA)
Kuhl (NY) Petri
LaHood Pickering
Lamborn Pitts
Langevin Platts
Larsen (WA) Pomeroy
Larson (CT) Porter
Latham Price (GA)
LaTourette Price (NC)
Lee Pryce (OH)
Levin Putnam
Lewis (CA) Radanovich
Lewis (GA) Rahall
Lewis (KY) Ramstad
Lipinski Rangel
LoBiondo Regula
Loebach Rehberg
Lofgren, Zoe Reichert
Lowey Renzi
Lucas Reyes
Lungren, Daniel E.
Lynch Reynolds
Mack Rodriguez
Mahoney (FL) Rogers (AL)
Maloney (NY) Rogers (KY)
Manzullo Rogers (MI)
Marchant Rohrabacher
Markey Ros-Lehtinen
Marshall Ross
Matheson Rothman
Roybal-Allard
Matsui Royce
McCarthy (CA) Ruppersberger
McCarthy (NY) Ryan (OH)
McCaul (TX) Ryan (WI)
McCollum (MN) Salazar
McCotter Sali
McGovern Sanchez, Linda
McHenry T.
McHugh Sanchez, Loretta
McIntyre Sarbanes
McKeon Saxton
McNerney Schakowsky

ANSWERED "PRESENT"—3

Conaway Gohmert Poe
Brady (PA) Lampion
Cubin Lantos
Davis, Jo Ann Linder
Engel McCrery
Everett McDermott
Fattah McMorris
Graves Rodgers
Hunter Murtha
Johnson, E. B. Napolitano

NOT VOTING—25

Schiff
Schmidt
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shays
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Solis
Souder
Space
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Tauscher
Taylor
Terry
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden (OR)
Walsh (NY)
Walz (MN)
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch (VT)
Weldon (FL)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (OH)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Yarmuth
Young (FL)

□ 1916

So (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

The result of the vote was announced as above recorded.

The title of the resolution was amended so as to read: "Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan, Le Quoc Quan, and other political prisoners and prisoners of conscience, and for other purposes".

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGRESSMENT OF H.R. 1429, IMPROVING HEAD START ACT OF 2007

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent that, in the engrossment of the bill, H.R. 1429, the Clerk be authorized to correct section numbers, punctuation, citations, and cross-references and to make such other technical and conforming changes as may be appropriate to reflect the actions of the House.

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

There was no objection.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1592, LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2007

Mr. HASTINGS of Florida, from the Committee on Rules, submitted a privileged report (Rept. No. 110-120) on the resolution (H. Res. 364) providing for consideration of the bill (H.R. 1592) to provide Federal assistance to States, local jurisdictions, and Indian tribes to prosecute hate crimes, and for other purposes, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Mr. BAIRD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill, H.R. 1867, as amended.

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

There was no objection.

PERMISSION TO REDUCE TIME FOR ELECTRONIC VOTING DURING CONSIDERATION OF H.R. 1867, NATIONAL SCIENCE FOUNDATION AUTHORIZATION ACT OF 2007

Mr. HOYER. Mr. Speaker, I ask unanimous consent that, during consideration of H.R. 1867 pursuant to

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised they have 2 minutes remaining in this vote.