

Peterson (MN)	Sweeney	Udall (CO)
Ramstad	Tanner	Udall (NM)
Sanchez, Loretta	Taylor (MS)	Velázquez
Schakowsky	Thompson (CA)	Visclosky
Sherwood	Thompson (MS)	Waters
Slaughter	Tiahrt	Wu
Stupak	Tiberi	

ANSWERED "PRESENT"—1

Tancredo

NOT VOTING—27

Berman	DeLay	Millender-
Blunt	Doolittle	McDonald
Boswell	Edwards	Murtha
Boustany	Fattah	Ortiz
Brady (TX)	Green, Gene	Paul
Brown, Corrine	Hefley	Poe
Camp	Hinojosa	Rush
Cantor	Hostettler	Sabo
Conyers	Jackson-Lee	Weller
Davis (IL)	(TX)	

□ 1159

So the Journal was approved.

The result of the vote was announced as above recorded.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE ATTORNEY GENERAL

Mr. COBLE, from the Committee on the Judiciary, submitted a privileged report (Rept. No. 109-230) on the resolution (H. Res. 420) directing the Attorney General to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents in the possession of the Attorney General relating to the disclosure of the identity and employment of Ms. Valerie Plame which was referred to the House Calendar and ordered to be printed.

SCHOOL READINESS ACT OF 2005

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to House Resolution 455 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 2123.

□ 1202

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. 2123) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, with Mr. LATHAM in the chair.

The Clerk read the title of the bill.

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

Under the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentlewoman from California (Ms. WOOLSEY) each will control 30 minutes.

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

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

Mr. Chairman, I rise today in support of this bill to reform and reauthorize the Head Start early childhood program.

I want to commend the chairman of the Subcommittee on Education Reform, the author of this bill and my good friend, the gentleman from Delaware (Mr. CASTLE). I also want to recognize the gentlewoman from California (Ms. WOOLSEY) and the gentleman from California (Mr. GEORGE MILLER) for their work to strengthen the Head Start program.

The School Readiness Act will introduce greater competition into the Head Start program and use that competition to leverage reforms that will result in a better program for the children Head Start was created to serve.

This bill will strengthen school readiness and increase the role of all 50 States and local communities in Head Start. It will protect children and taxpayers against the abuse and mismanagement of Head Start funds, and it will make Head Start more transparent and more accountable to parents and taxpayers.

I am pleased at the approach that this bill takes to solve the school readiness gap between Head Start children and their peers when they reach kindergarten.

There is no question that most Head Start children are better off in the program than they would have been without it. That is not in dispute here. But there is evidence that some Head Start centers could be doing an even better job of providing preschoolers with the academic foundation they need in order to succeed in school.

This bill will strengthen Head Start's academic standards by emphasizing cognitive development and the results of scientifically based research and topics critical to children's school readiness. It will also 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.

I am particularly pleased about how the bill will improve coordination between Head Start and State and local early childhood education programs. We are going to improve program integration in all 50 States by encouraging cooperation and program coordination from the ground up.

The bill also addresses weaknesses in the Head Start financial oversight structure that have allowed the mismanagement and outright abuse of Federal funds meant for disadvantaged children. Local media outlets across the Nation have documented more than a dozen instances of financial mismanagement involving millions of dollars and thousands of children. This lack of program integrity and financial accountability is unacceptable. The Federal Government is investing nearly \$7 billion per year in Head Start, and every dime should be going to support disadvantaged children.

The GAO, the Government Accountability Office, in a report that we requested, found that the financial management weaknesses in Head Start are

resulting in diminished services for children. Unfortunately, there is currently no system in place to assure parents and taxpayers that these types of abuses will be prevented. This is unfair to parents and children. It is unfair to taxpayers. And it is unfair to the many high-quality, hard-working, law abiding people who operate Head Start centers across the country who should not be associated with the deeds of these bad actors.

Head Start is an important program entrusted with a vitally important mission. The vast majority of those in Head Start are honest individuals dedicated to making sure the poorest of our Nation's children have a chance to succeed.

The School Readiness Act takes critical steps to support quality Head Start programs and the children they serve by encouraging quality through competition, strengthening transparency and disclosure, and improving the financial oversight structure to protect children and taxpayers.

I would like to address one more issue that is the subject of great debate today. In numerous Federal programs across the country, faith-based institutions that want to lend a helping hand and providing critical social services are allowed to do so without changing the fundamental character of their organization. Former President Bill Clinton, for example, signed four bills into law that explicitly protected the hiring rights for faith-based organizations when participating in Federal programs.

The Head Start program unfortunately provides no such protections to these organizations. To the contrary, faith-based organizations are forced to relinquish their protected right to hire individuals who share their beliefs or they are not allowed to participate in the program at all. For many faith-based organizations, it is their very nature to offer help and support the neediest among us. Their efforts in response to Hurricane Katrina serve as just one more example.

Their mission defined by their faith is to serve their community. Yet, when they seek to participate in federally funded programs for this purpose, they must forfeit the identity that drives them to serve.

Today I urge Members to support an amendment that I will be offering on behalf of the gentleman from Louisiana (Mr. BOUSTANY) to restore the hiring protections in the Head Start program so that faith-based institutions can participate fully without giving up their mission and character that make them such an effective partner for programs like Head Start that serve those in need.

Once again, I would like to thank the author of the bill, the gentleman from Delaware (Mr. CASTLE), for his hard work on behalf of the nearly one million children served each year by the Head Start program. We have got a strong bill that will help give disadvantaged children the head start they need

to succeed in school and in life. I urge my colleagues to support the bill.

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

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

Mr. Chairman, this debate reminds me of the old saying, I have got good news and I have got bad news.

The good news is that our committee worked in a bipartisan way to report out a bill by a vote of 48 to zero. And I want to thank our ranking member, the gentleman from California (Mr. GEORGE MILLER); our chairman, the gentleman from Ohio (Mr. BOEHNER); and the subcommittee chair, the gentleman from Delaware (Mr. CASTLE), for making that possible, as well as all the members of the committee.

This bill is a great step forward from where we were last Congress. First and foremost, the bill protects the high quality of Head Start programs by protecting local control of those programs. In other words, there is no State block granting. The bill also increases funding to migrant and seasonal and Indian Head Start programs, strengthens teacher qualification requirements, and limits uses of the administration's ill-conceived national testing system.

But there is also bad news. First, even though fewer than half of eligible children receive Head Start services, and even though the number of children served has been going down under the Bush administration, this bill does nothing to increase the number of children who will receive these critical services.

Second, this bill does not increase resources to help Head Start programs hire the better qualified teachers that the bill requires. It is unusual for me to be the one explaining to my Republican colleagues how market forces work, but in this case it is pretty clear they do not get it. More highly qualified teachers will cost more money, and we are demanding more qualified teachers without providing the necessary financial support. That is the good news and the bad news.

Now, here is the worst news, which is actually a poison pill for this bill. The majority has decided to choose religious discrimination over what could have been a rare bipartisan achievement. That probably sounds hard to believe, but it is true.

Under current law, religious organizations can and do receive Head Start funding. They also can only hire members of their faith when they use their own funds. So I ask you, what is the problem? Apparently, the problem is that religious organizations want to discriminate in hiring when they are using public funds, your tax dollars. Well, actually, religious organizations have never asked any of us to waive their discriminatory rights and privileges that they are asking for over on the other side of the aisle.

Under the Boustany amendment, a prospective Head Start teacher could

face a religious test before being hired. This amendment is unnecessary. It is wrong. I will not support a final bill that includes it.

Head Start kids are enough at risk as it is, without their teachers being chosen because of their religion, rather than because they are actually the best qualified.

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

Mr. BOEHNER. Mr. Chairman, I yield such time as he may consume to the gentleman from Florida (Mr. PUTNAM) for purposes of a colloquy.

Mr. PUTNAM. Mr. Chairman, I appreciate the gentleman for yielding me time.

I thank the chairman for agreeing to this colloquy in order to shine a light on an unfortunate recurring situation in some Head Start agencies.

Stories of corrupt agencies have been surfacing recently all over the Nation, complete with allegations of administrators' misconduct with Federal funds and financial conflicts of interest between board members and vendors.

Accountability is a critical component of this reauthorization, and I thank the chairman for his commitment for addressing it.

On February 10 of this year, I introduced H.R. 778, the Head Start Accountability Act of 2005, to address the misuse and abuse of Federal funds occurring in an agency in my district as well as others. The Polk County Opportunity Council has had a decade-long history in fundamental flaws in both operations and management. PCOC has displayed an obvious lack of internal controls and, worse, a blatant disregard for its fiduciary responsibilities associated with proper stewardship of Federal grant funds.

There is documented evidence that this organization has misused Federal dollars and made several excessive and unnecessary expenditures, including the approval of \$150,000 for repairs to a parking lot, repairs that had a quoted cost of just \$20,000.

□ 1215

They also obtained \$90,000 in Federal funds to repair some Head Start facilities reportedly damaged in last summer's hurricanes that tore through Florida. However, their insurance inspection determined that the facilities had no damage. I could go on and on listing examples of financial mismanagement at this agency.

I introduced the Head Start Accountability Act to immediately address the seemingly unending pattern that was developing in that agency and similar organizations. H.R. 778's major provisions would address the most glaring improprieties. Among the provisions in H.R. 778, the bill calls for automatic recompetition of all Federal Head Start Federal grants every 5 years, establishes new board requirements, adds tighter fiscal control requirements at the local level.

Mr. Chairman, I thank the gentleman for recognizing the importance of these

provisions and including the key principles in this reauthorization. Under his leadership, we are finally moving toward financial accountability. I look forward to working with my colleague in the future toward further refinement of these accountability measures.

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

Mr. PUTNAM. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, I want to thank the gentleman from Florida (Mr. PUTNAM), my friend and colleague, for his efforts. His contributions and commitment to Head Start and the financial accountability that needs to exist within the program are so important.

Many of the accountability principles that were outlined in the gentleman's bill, H.R. 778, have been included in the School Readiness Act, and these reforms I think are critical if we are going to ensure grantees are effectively managing taxpayer dollars and also to ensure that funding is targeted most effectively for purposes that support the program's goal of preparing kids for school.

So, with that, I want to thank the gentleman for his contributions.

Mr. PUTNAM. Mr. Chairman, I thank the chairman for his dedication to improving the Head Start program.

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

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. KILDEE), a member of the Committee on Education and the Workforce.

Mr. KILDEE. Mr. Chairman, I thank the gentlewoman for yielding me time.

I would also like to thank the committee leadership on both sides of the aisle for ensuring that all interested parties had a seat at the table during our second try at reauthorizing the Head Start program.

We also owe our thanks to the staff who have worked tirelessly to help get us to where we are today.

I want to specifically thank Ruth Friedman for her years of work on behalf of the Head Start children.

While this bill is not perfect, it is a remarkable improvement from last Congress and is a good example for the progress that can be made through bipartisan cooperation.

All of us know Head Start is a critically important program that provides much-needed services to some of our most disadvantaged children and their families.

I would like to thank the gentleman from Arizona (Mr. GRIJALVA), the gentleman from Michigan (Mr. EHLERS), and the gentleman from Texas (Mr. HINOJOSA) for their advocacy for migrants and Native Americans.

Currently, Indian Head Start is funded at approximately 2.9 percent of the Head Start budget. H.R. 2123 would establish a 3.5 set-aside for Indian Head Start, allowing programs to benefit from approximately \$45 million in additional resources, and I want to thank

particularly the gentleman from Ohio (Mr. BOEHNER) for putting that in his chairman's mark.

This bill is a significant departure from our efforts last Congress to reauthorize Head Start. All committee members should be proud of the bipartisan work on this legislation. I strongly support the bill as it was passed out of the committee.

However, I would be remiss, Mr. Chairman, if I did not express my concern over the amendment allowing religious discrimination that will be considered today.

This bill represents a genuine bipartisan compromise. Again, I would like to thank all parties that worked together in crafting this bill.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 6 minutes to the gentleman from Delaware (Mr. CASTLE), the author of the bill and the chairman of the Subcommittee on Education Reform.

Mr. CASTLE. Mr. Chairman, I thank the chairman for yielding me time, and I also thank him for his tremendous work in bringing this bill together. It is not always that easy. He has done a superb job working with the other side.

I do rise today to ask everybody here to support the legislation which will reauthorize the Head Start program. I, like I think most of us, if not all of us, believe very strongly in the Head Start program, and I believe that this act emphasizes every child, regardless of his or her 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 nearly 1,600 grantees across the United States. In my home State of Delaware, Head Start programs serve over 1,500 children, with almost 500 additional 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 Head Start can produce even greater results for children. Children who attend Head Start programs start school more prepared than those with similar backgrounds that do not attend Head Start. However, Head Start students continue to enter kindergarten well below national norms in school readiness. By moving to close the school readiness gap, this bill will improve results for almost 1 million Head Start students across the Nation.

Towards the goal of closing the readiness gap, the School Readiness 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; pre-reading knowledge; including an interest in and appreciation of books; reading and writing; pre-math 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 clearly and 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.

I am sure some of my colleagues were pleased to learn that this bill does not include a block grant or a State demonstration project. I believe strongly, however, in the policy goals of coordination and integration that were at the heart of the demonstration project incorporated in the legislation I introduced last Congress. We continue to believe it is essential to remove barriers and prevent collaboration between Head Start and successful State and local early childhood initiatives, and I believe the proposal we are offering will, in fact, go further to foster integration among quality early childhood programs.

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 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. We must ensure that all children are receiving the same quality education. In this new era, Head Start should be working towards integrating services 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-through-12 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 a 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 in the program, particularly because of how the program helps children later in their academic lives. Despite these stories, we have also heard many stories of programs in which funds were being diverted away from this purpose. The GAO recently 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 a couple of recommendations on how we can strengthen the oversight structure to prevent abuses and protect good grantees. It 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, we are increasing the competitive nature of current program. The competition requirements in the School Readiness Act will help to alleviate these programs, but more importantly, will drive program improvement across the board, program improvements that will ultimately help thousands of children nationwide, which should always be our goal.

This is an important and a very popular program. The importance of early childhood education services cannot be overstated, and I believe strongly in the reforms which are here.

I would say finally, although we may have some disagreement about some of the amendments on this legislation, that ultimately getting all these children up to the starting line equal in school, and particularly those who are at 100 percent of poverty or less, is in the best interests of all of us in Congress and all the kids out there in the United States of America.

I hope we can go forward with good legislation to make a very good program even better than it is.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

Mr. TIERNEY. Mr. Chairman, years ago it was enough to have an education from kindergarten through 12 years, and now it is not enough. People know that you have to have a couple or 3 years before kindergarten and 2 to 4 years afterwards. It is now essential. It is a priority to have early childhood education. It is a difference between a child's future development and learning advantages, especially for those students that are disadvantaged like the ones that are served by the Head Start program. It makes them prepared for school.

A national review of 36 studies on the long-term impact of early childhood education programs found that low-income children who participated in such programs were less likely to be held back, less likely to be placed in special education classes, more likely to succeed in school, more likely to graduate, and more likely to be rated as behaving well in class and better adjusted in school.

Researchers have also concluded that there is a greater chance of these positive outcomes when young children are taught by teachers with bachelor's degrees in early childhood education. One of the largest national studies in this early education field was conducted by the National Institute for Child Health and Human Development. It showed that caregiver education and training were among the strongest predictors of quality in programs for preschoolers.

That is why it is a good thing that this bill has in it a provision that half of the Head Start teachers have to hold bachelor's degrees within a few years. That is an admirable goal.

We talked in committee about the fact that it is necessary for us to try to help that population of teachers be able to afford that. In Massachusetts, my State, they make less than half the salaries of kindergarten teachers. The national average is almost as bad.

I congratulate the chairman for working with us on the Higher Education Act to make sure there is a loan forgiveness program, \$5,000 for 5 years commitment to teach early childhood education, that will help with this particular issue.

Significant improvements have been made to this Head Start bill. That is why it was unanimous approval essentially in committee. I am afraid some of the recommendations that are being put forward in the amendments here today are spectacular efforts to drive a wedge between the parties on this, to make it a less-than-unanimous bill. It is unnecessary, it is unfortunate, and I hope there is no discrimination in hiring practices. We can do better than that and pass a bill that is worthy of this Congress and helpful to the United States people.

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

There has been a great deal of effort been put into this bill on a bipartisan basis, and it has been pointed out it came out of committee 48-0.

One of the reasons that there is some concern is that Members on both sides of a question over the role of faith-based organizations, there are meaningful differences on both sides, but we have nothing to fear in allowing the House to work its will.

I respect those views of others who do not believe that if a faith-based organization takes a dollar of Federal money, they should give up their rights protected by the 1964 Civil Rights Act, but there is no reason to fear allowing the House to make that decision.

So, later today, we will have an amendment that I will offer on behalf

of the gentleman from Louisiana (Mr. BOUSTANY) to allow those organizations to have their rights protected under the 1964 Civil Rights Act and still provide these necessary services.

Mr. Chairman, I am pleased to yield 2 minutes to the gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Chairman, I thank the chairman for yielding me the time.

I rise in strong support of H.R. 2123, the School Readiness Act of 2005.

As a former Head Start volunteer, I know firsthand the tremendous benefits this program has delivered for children, but never did I think that summer, the first year of Head Start's existence, that I would one day be a part of the Congress in reauthorizing Head Start.

During the full committee markup for this legislation, I was pleased to join with my colleagues, the gentleman from Pennsylvania (Mr. PLATTS) and the gentleman from Maryland (Mr. VAN HOLLEN), in offering an amendment that will provide some commonsense flexibility for Head Start centers to use the open slots for the early Head Start program.

□ 1230

Mr. Chairman, the Committee on Education and the Workforce learned that more Head Start-eligible children ages 3 to 5 are participating in State prekindergarten programs because there are more of them, leaving some of the Head Start programs with unused slots. But because of the high need for infant child care, Early Head Start programs, the early ones, serving children from birth through age 3, maintain long waiting lists. This amendment will allow those Head Start centers that have vacant slots to use the funding to serve eligible infants and toddlers through the Early Head Start programs.

As a mother and grandmother, I can tell you firsthand that the first years of a child's life are crucial to his or her development. Research has shown time and time again that infants who receive the high-quality child care and early education programs do better in school, have more developed social skills, and display fewer behavior problems. The amendment allows a commonsense way to expand these services to those who certainly can benefit from them.

I would like to thank the chairman of the committee, the gentleman from Ohio (Mr. BOEHNER); the chairman of the subcommittee, the gentleman from Delaware (Mr. CASTLE); and the members of the committee for supporting this amendment in the full committee markup. I am pleased it was incorporated into the bill we are considering today, and I urge my colleagues to support the Head Start bill.

Ms. WOOLSEY. Mr. Chairman, I yield myself such time as I may consume to respond to the chairman of the committee.

The rights for faith-based organizations are already protected when they use their own funds. We are talking about using Federal funds, taxpayers' dollars, or they are talking about it, in order to enhance religious discrimination. That is what we oppose.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. MENENDEZ), the Chair of the Democratic Caucus.

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

Mr. MENENDEZ. Mr. Chairman, I appreciate the gentlewoman yielding me this time.

At a time when our country is grasping with how to deal with ongoing gaps in wealth, poverty, and education, we must recognize that Head Start is a critical component to helping those children at a disadvantage get on a more equal ground. As we know all too well, the achievement gap that continues to plague our country has early roots, and the sooner we can help young people gain valuable skills, get good nutrition, and provide them with a comprehensive early education, the better chance we have of improving their future.

While this bill does strengthen the program for the over-900 children served, there are still far too many children starting kindergarten at great disadvantage. In my State alone, nearly 20,000 students benefit from Head Start; but we know that over half a million children in New Jersey are eligible and never get a chance to get on that equal footing. It is those children we must think of as we seek to improve this bill.

I am relieved we are debating a bill that does not produce devastating effects on this program, but instead keeps it intact and provides a number of improvements. But I hope the end product will reflect those efforts and will not end up poisoning the bill by repealing civil rights and discrimination protections. If for over 30 years religious institutions have not had a problem providing Head Start services, why would the Congress of the United States now sanction and permit discrimination and violate civil liberties? It is simply not in the national interest, and it is the wrong action and the wrong lesson to teach our children.

In this bill we are asking more from our early childhood educators, yet we are not providing them with more. We must be realistic about the challenges this creates. The estimated cost for half of all Head Start teachers to earn a bachelor's degree by 2008, as the bill calls for, is an estimated \$2 billion over 5 years. We need to work to attract talented individuals to continue to enter the field, not make it harder for them to stay in it.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Mr. Chairman, I thank the chairman for yielding me

this time and allowing me to participate in this discussion.

We know that children who begin kindergarten and first grade prepared both socially and mentally to learn have a much greater opportunity of success, not just in school but in life. Improving the quality of Head Start should be a priority for all of us.

One of the greatest challenges of any Federal program is to ensure that hard-earned taxpayer money is used only for the purpose intended, and the current Head Start program does not live up to that principle. The need for safeguards and accountability are needed now more than ever.

The School Readiness Act addresses financial management weaknesses found in the current Head Start system and publicly documented in various news accounts. There is disturbing evidence that a sizable share of Head Start funding never reaches its target: disadvantaged children. Instead, the money is being lost to waste, financial abuse, and mismanagement; and there are collective media accounts that suggest that the problem is not isolated.

The director of a Head Start program in Gardenville, Maryland, was indicted on charges that she stole more than \$350,000 from the organization over a 4-year period. Imagine if this money were spent on students rather than stolen from Head Start.

A former director of a Head Start program in Charleston, West Virginia, was sentenced up to 5 months in Federal prison after admitting he used an agency credit card for a personal trip to the Kentucky Derby and preparing a false invoice for computer repairs. Rather than investing money in student nutrition, this director took this money from school cafeterias and went to the horse races.

The executive director of the Kansas City, Missouri, Head Start operation earned a salary in excess of \$300,000 annually and drove a luxury SUV, leased in part with Federal Head Start funds. The gentleman has since resigned. Head Start was never intended to provide for six-figure salaries and luxury cars.

The Department of Justice gained a guilty plea from an executive director of a Lubbock, Texas, Head Start program after he embezzled more than \$800,000 over 2 years and diverted part of the money to a local restaurant.

Mr. Chairman, it is a priority of this Republican Congress to ensure that the necessary financial controls are in place to safeguard against these abuses and to protect the public's confidence in this important school readiness program. Safeguards against financial abuse in this bill include an independent financial audit annually, an annual report detailing how their money is spent and the sources of their funding, oversight by a local governance board, and a requirement that administrative costs may not exceed more than 15 percent of the total program cost.

Congress must not ignore the evidence that much money invested in the Head Start program currently never reaches the disadvantaged children it is intended to serve. I commend the chairman for his leadership and the leadership of the subcommittee chairman, the gentleman from Delaware (Mr. CASTLE), for this bill; and I urge all Members of the House to support H.R. 2123.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND), a member of our subcommittee.

Mr. KIND. Mr. Chairman, the evidence of financial mismanagement is real, and I believe the committee has taken steps in this bill to try to address that, and this authorization bill goes a long way to do that. But as a member of the Committee on Education and the Workforce, I have had the chance to visit all of my Head Start centers in western Wisconsin. You cannot help but walk away from that with an overwhelming feeling of pride and sense of security that those kids are receiving very professional, caring treatment in those Head Start centers.

Head Start has been one of the most successful anti-poverty programs ever created. It is also the most poked, prodded, picked, analyzed, and surveyed program in the Federal Government; and for the last 40 years it has withstood the test of time. It consistently ranks at the top of participant satisfaction surveys compared to any other Federal program.

I commend the leadership of the committee, the chairman, the gentleman from Ohio (Mr. BOEHNER); and the subcommittee chairman, the gentleman from Delaware (Mr. CASTLE); and the ranking members, the gentleman from California (Mr. GEORGE MILLER) and the gentlewoman from California (Ms. WOOLSEY), for putting together a good bipartisan bill that we were able to report out 48 to zero in committee, because there is a right and a wrong way to reauthorize this important program.

The right way is to enhance integrated services, increase accountability, tighten up the financial oversight, and require highly qualified teachers. A wrong way is to continue to leave behind over 400,000 students who currently qualify, but cannot go to Head Start because of inadequate resources. A wrong way is to allow the legal discrimination against an individual based on religion.

Later this afternoon, I will be offering my own amendment that would allow the National Research Council of the National Academy of Sciences to establish proper standards and assessments so we can properly measure the progress of these kids. The current national reporting system is not working well, and we need to make sure that we get the measurements and the testing of these children done correctly at this very early age so we do not do any harm. I will ask my colleagues to sup-

port my amendment when it comes up later.

Mr. Chairman, I join educators, parents, and Head Start staff from Wisconsin as well as many of my colleagues here today in support of reauthorizing Head Start. This program has helped millions of high-risk children from impoverished families achieve academic success.

Since the creation of Head Start 40 years ago, there has always been bipartisan consensus to continue this program that serves more than 13,000 children in Wisconsin and 2,000 in the Third Congressional District. As a member of the House Education and Workforce Committee, I am pleased to have had the opportunity to work with my colleagues on both sides of the aisle to produce the best possible bill. I would like to thank Chairman BOEHNER, Representative CASTLE, Ranking Member MILLER, and Representative WOOLSEY for their leadership and commitment to our children in crafting this legislation.

I also would like to thank those people in western Wisconsin who have advised me throughout reauthorization. They include: Lori Dilley, director of Southwest Wisconsin Head Start; Dan Stickler, director of Western Dairyland, Paula Wainscott, director of Head Start in Eau Claire Area School District; Tim Hathaway, director of Renewal Unlited, Sue Schultz, and Barbara Wehman at CESA 11; and James Vermeul, director of Child & Family Development Centers.

Since the reauthorization process began in the spring of 2003, we have made tremendous progress to reach consensus on the bill before us. However, I remain concerned with the implementation of the National Reporting System for Head Start children. The NRS is an assessment instrument developed under HHS's guidance in 2003 and used to test half a million children in Head Start twice yearly.

Unfortunately, HHS implemented NRS—at the cost of \$25 million so far—despite protests by early child education experts who question the validity, reliability, and appropriateness of the assessment. While we support ongoing assessments of Head Start children to help ensure their school readiness, these specific tests were developed behind closed doors and with very little input from child development experts, Congress, or Head Start centers.

The GAG validates many of these concerns. In May, they released a report stating: "If the test is to be used as a measure of program performance or to assess changes in child outcomes, it is important to ensure that it is sensitive to the range of development typically demonstrated in Head Start. Based on our analysis and that of the Technical Working Group and independent experts, we continue to believe that further study is necessary to ensure that the NRS results are reliable and valid and the results are appropriate for the intended purposes."

I authored language in H.R. 2123 to commission a study by the National Academy of Sciences to report on appropriate standards and benchmarks for school readiness and valid measures of assessment. Today, I will offer an amendment to suspend the National Reporting System until the National Academy of Sciences completes its review, and I urge all my colleagues to support my amendment.

Reauthorization provides Congress with an opportunity to evaluate appropriate standards and benchmarks for school readiness, as well

as valid measures of assessments for Head Start students. Until child development and early education experts can agree about the appropriateness of the NRS, we should not be spending millions of dollars on its implementation and subjecting 500,000 children to it every year.

In addition to promoting development of the mind, I also believe that we must promote good physical development for all children. I am pleased that an amendment I offered in committee to promote physical development, including outdoor activity to support children's motor development and overall health and nutrition, was accepted.

The requirement for physical activity and nutrition for pre-schoolers is increasingly important as childhood obesity rates have doubled for young children in the past 20 years. Studies show that healthy eating habits help to prevent childhood obesity and other nutrition-related diseases. Given the epidemic rate of child obesity, dramatic changes need to take place in school nutrition environment.

The Society for Nutrition Education, SNE, reports that child nutrition programs present opportunities for positive role modeling of healthy and nutritious meals, from the formative years of early childhood through the teen years. Additionally, implementation of educational programs that guide and motivate parents and children to improve the nutritional quality of their dietary choices and to increase their physical activity levels is extremely important. Physical activity, particularly for youth, help to improve school performance, establish positive health habits, and possibly prevent the onset of adult diseases.

Mr. Chairman, again, I am pleased to have worked on this bipartisan bill to reauthorize the Head Start Act. The consensus we have reached on H.R. 2123 reflects positively on how well Head Start is working. Numerous studies indicate that every dollar spent on Head Start saves taxpayers \$4 to \$7 in the future due to savings in education and welfare expenses. Therefore, it is my belief that the bill before us today will continue to provide the best Head Start program for all of our children.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Pennsylvania (Mr. PLATTS).

Mr. PLATTS. Mr. Chairman, I rise in strong support of the School Readiness Act of 2005. I would like to pay particular attention and highlight a provision of the bill granting greater flexibility to Head Start programs wanting to provide Early Head Start to children ages birth to 3.

A priority goal of the Head Start program is to reach out and assist as many of our Nation's at-risk children as possible in the most effective and responsible manner possible. In continuing with this tradition, I was proud to join with my distinguished colleagues, the gentlewoman from Illinois (Mrs. BIGGERT) and the gentleman from Maryland (Mr. VAN HOLLEN), in offering a bipartisan amendment during committee consideration of this measure meant to reach out and serve at-risk children at an age when brain development is occurring rapidly and is perhaps in its most critical phase.

The Biggert-Van Hollen-Platts amendment, which was adopted unani-

mously in committee, gives grantees providing services under Head Start ages 3 to 5, and Early Head Start, birth to age 3, the flexibility to use existing unfilled Head Start slots for infants and toddlers who are eligible for Early Head Start.

In the earliest years, infants and toddlers are developing a foundation not only with respect to language and cognition, but also with respect to emotion, mental health, and social behavior upon which all subsequent learning is built. As many as 75 percent of children enter the Head Start program with vocabulary skills below the average range, and 82 percent of these children start out with early writing skills below the average range.

These numbers tell us that we need to start reaching out to at-risk children at an even younger age, before they have already fallen behind their peers. Yet early Head Start currently serves less than 5 percent of eligible infants and toddlers.

A major study of the Early Head Start program by Mathematica Policy Research and Columbia University found that 3-year-old Head Start children performed significantly better on a range of measures of cognitive, language, and social and emotional development than a control group. In addition, the parents of these children scored significantly higher than control group parents on many aspects of parenting and the home environment.

Early education programs are clearly important to the future of our Nation and our Nation's children. They have the ability to influence the course of young children's lives in a positive way. I hope my colleagues in this Chamber will join me in supporting final passage of H.R. 2123.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Ohio (Mr. KUCINICH), a member of the Subcommittee on Education Reform.

Mr. KUCINICH. Mr. Chairman, injecting religious discrimination into Head Start is a nonstarter. It is a rollback of established civil rights laws. It is wrong. And I believe it sets the stage for unconstitutional activity. I ask my colleagues to withdraw that amendment and let this bill, which we do agree on, to go forward to serve the children of our Nation who are waiting for opportunities to ensure that no child in America is trapped within poverty's grasp, to enable every child in America to live up to his or her highest potential.

Faith-based organizations, as we all know, are free to use their own money to make employment decisions using religious criteria for programs. There is no discrimination against faith-based organizations that run federally funded social services. If they want to hire people of only a certain faith, they can do that with their own money. But when it comes to the use of taxpayers' dollars, no citizen in this country with the protection of the first amendment should have to pass a religious test to qualify.

Our Founders understood the importance of separation of church and State. I also believe they did not intend to have America exclude the celebration of spiritual values. It is important that we remember the Founders' directives to bring spiritual values of truth, honesty, love of country, but to never break down that wall which separates church and State. Preserve our Constitution.

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

Mr. Chairman, when our forefathers in the 1960s wrote the 1964 Civil Rights Act landmark legislation, they provided a specific exemption in hiring for religious organizations, understanding that religious organizations would probably want to hire someone of their own faith. Now, if you disagree with that, go to the Committee on the Judiciary and rewrite the 1964 Civil Rights Act.

Nowhere in this exemption does it say that, well, you have the exemption if you use your own money, but if you participate in Federal programs, you lose the exemption. It does not say that anywhere in the 1964 Civil Rights Act.

□ 1245

The fact is, that I understand there are deeply held beliefs here, but I do not think a religious organization should have to give up their rights under the 1964 Civil Rights Act just to participate in providing services to poor children who desperately need them.

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

Ms. WOOLSEY. Mr. Chairman, in response to the chairman, we are talking about taxpayers' money to support religious discrimination. That is what we cannot forget.

Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), a member of the committee.

Mr. VAN HOLLEN. Mr. Chairman, I strongly supported this bill as it came out of the committee. I was proud of the product the committee passed out. I was pleased to join with many of my colleagues on the other side in offering amendments that were supported on a bipartisan basis that I think strengthen the Head Start program.

I am very sorry that that bipartisan consensus may be shattered, and it will be shattered if we later adopt the Boustany amendment because, make no mistake about it, the Boustany amendment is, in fact, an attack on religious liberty in this country. It takes us down a very dangerous road of taxpayer-financed religious bigotry.

It is important to understand what the Boustany amendment does and does not do. This is not a debate about whether or not faith-based institutions play a valuable role. Of course they do. We have seen it in response to Hurricane Katrina. We have seen it elsewhere. Nor is it about whether faith-based Head Start programs should receive Federal funds. They are receiving those today.

The issue is very simple. The question is whether we should eliminate the protections in current law against discrimination based upon religion or whether we should preserve those protections. The Boustany amendment would give a green light to religious discrimination.

Just imagine if you are a highly qualified early education teacher, who is applying for a Head Start program that is expanding to take care of children who are victims of Hurricane Katrina. You go down and they say, I am sorry, you are the wrong religion. Only Catholics need apply, only Jews need apply, only Baptists need apply. That is a terrible message to be sending to our children. And does it not violate someone's religious liberty to take someone's tax dollars, give them to an organization and then say to that person, you cannot have a job with this organization?

In all of the hearings that we have held in our committee on this issue, no faith-based organization has ever come up and said, gee, we could do a better job of teaching children if only we were allowed to discriminate in hiring teachers.

I must say, one of the puzzling things, they concede that you cannot proselytize, yet they say you can discriminate.

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

If what is being proposed under the Boustany amendment is so awful, why would President Bill Clinton, during his 8 years in office, have signed the following bills into law: the 1996 welfare reform law; the 1998 Community Services Block Grant reauthorization, the 2000 Community Renewal Tax Relief Act; the 2000 Substance Abuse and Mental Health Services Administration Act.

Why would President Bill Clinton have signed all of these bills into law if, in fact, this was such a bad idea? Because all of these acts, signed into law by President Clinton, have the same identical language that is going to be offered later today.

The second point I would make is that what do we have to fear from allowing the House to work its will and letting the majority rule? Let us have the debate. Let us have the vote. Unfortunately, my colleagues know that we are likely to win, because we have won on this case time and time again as this debate has occurred in this House.

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

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise today in support of the Head Start program and the great opportunities that it provides to children, parents, and families in America.

I am a Head Start kid. I experienced firsthand the valuable and comprehen-

sive education program that Head Start provides for low-income families. Head Start opened up a new world, not only for me, but also for the rest of my family.

As I received an 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 H.R. 2123 preserves the valuable Federal-to-local design that gives parents and local communities the right and the responsibility to be active in their Head Start program. For this is really the key to the Head Start program, the fact that parents and families are also involved with their children.

To maintain the integrity of Head Start, I would urge my colleagues to pay special attention to two key votes. My colleague from Indiana (Mr. SOUDER) will be offering an amendment to restore the joint governance structure of Head Start and to allow policy councils made up of parents and community members to approve or disapprove program plans and operation activities, along with the board of directors. I urge my colleagues to support that important amendment.

On the other hand, I urge the House to oppose the amendment that would allow faith-based Head Start programs to use Federal tax dollars to discriminate against teachers and employees solely on the basis of their religion. We need to keep Head Start strong and to open it up for everyone so that it can remain the great program that it was for me and so that it can continue to be so for so many Americans.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. CUELLAR).

Mr. CUELLAR. Mr. Chairman, I want to focus on the extra provisions dealing with the Migrant and Seasonal Head Start programs. These programs are among the most essential, providing comprehensive education, health care, child care services to the families who often have literally nowhere else to go. I am familiar with this, working with the Texas Migrant Council in my district, Laredo, Texas.

This year we are breaking new ground by mandating at least 5 percent of the Head Start budget to go to migrant and seasonal programs. I want to thank the chairman and the members of the committee for this. This increase even by 1 percent means a lot, going from 4 to 5 percent. It would permit Migrant and Seasonal Head Start to serve as many as 10,000 additional children. This is a case where a small increase in funding can make a big difference to a lot of children, changing the path they are on.

I want to emphasize that this program is extremely important. I know that for the migrant farm worker population facing a unique set of challenges, working on a seasonal basis, migrant families often have to move from State to State during the year,

making it extremely difficult for the children to get in and remain in high-quality educational programs. When they are in the fields, parents often work 12 hours a day or more, making it very difficult for child care. This is why this provision is extremely important.

This program is important, and I know because I am also the son of migrant workers. I want to thank the chairman and the ranking member (Ms. WOOLSEY) for the work, and the committee members for this new additional funding for the seasonal migrant workers.

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

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, today I am a Member of Congress. Prior to ever being elected to office and serving in the State legislature or Congress, I worked 6 years for Head Start. I started as assistant teacher, and I went on to be the supervisor of Parent Involvement and Volunteer Services. I love Head Start, and I have a great appreciation for what my government has done in creating this program to give poor kids and the kids of working families an opportunity to get a head start, to get prepared for kindergarten and to get prepared for success. That is what Head Start has been doing.

Not only does Head Start build self-esteem, it prepares children to read and get ready for the educational experience. It teaches parents to appreciate their children's work. It teaches parents that they can have involvement in their children's educational destiny. This is a wonderful program.

I think the committee did a good job in working through some of the problems. I do not agree with everything, but I would support this bill.

But I am absolutely shocked and surprised that my colleague that I came into this Congress with would lead an effort to kill Head Start. The gentleman knows he is killing Head Start by putting this amendment on the floor to put religious involvement in the program. A faith-based initiative has no place in Head Start. Head Start teaches children to respect each other, to enjoy each other, to respect all cultures.

On Sunday morning in America, religion is the most segregated sector of our society. Whites go to white churches, blacks go to black churches, Greeks go to Greek churches, Muslims are in their mosque, Jews are in their synagogue; and that is all right. We have religious freedom. People go to whatever church they want. But do not bring that to Head Start. Allow Head Start to be what it should be for all Americans. Do not say to people because you are a different faith, you cannot work in this Head Start program.

We do not want to give that kind of example to our children. Do not start

the resegregation of America, it is wrong. And do not do this to Head Start.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. Mr. Chairman, I rise in support of this bill.

What we have to remember is this is about the children, children whose families are trapped in poverty trying to get a head start on education, which is the surest way out of poverty. It is disappointing to me there are some in here, because we provide some level of flexibility, and perhaps in some community it is a faith-based operation that can deliver the services best to a poor child in need of these services, that there are some willing to kill Head Start because of that level of flexibility.

In my hometown, thankfully, it is the public school systems that have taken over the Head Start program because we suffered through the difficulties of financial problems. The previous Head Start organization managed the program so poorly that they could not pay the teachers and continue Head Start. It had to be taken over by the Federal Government through an entity. Fortunately, Omaha Public Schools have taken over Head Start in Omaha, Nebraska, providing over a thousand children an opportunity to have a coordinated Head Start educational program, a better education program, with assurances to the parents that it is going to be there next year. In fact, they have even got a very progressive system for Head Start children based on EduCare, an outstanding private preschool program that involves a holistic approach of the entire family.

I want to end by thanking the gentleman from Ohio (Mr. BOEHNER) because he also recognizes there was a glitch, a glitch that eliminated some of the lower-level rank-and-file service men and women from having their children in Head Start programs because of privatization of military housing. The gentleman from Ohio (Mr. BOEHNER) recognized that problem, corrected that problem, and I want to thank him for standing up for our service men and women with children that would be eligible for Head Start.

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

Mr. Chairman, kill Head Start? Supporting religious discrimination which was added by the majority to this otherwise very good bill is exactly what would kill Head Start. Shame on the gentleman for thinking that it is any other way.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. HOLT), a member of the Committee on Education and the Workforce.

Mr. HOLT. Mr. Chairman, today on the floor we have what is increasingly rare these days, a bipartisan bill, a bill that would help thousands of Head Start children and their families. Head Start has worked well for 40 years. It

has changed lives for the better. It is one of the great successes of our government. That is documented.

□ 1300

Now, this bill is not perfect, but it makes some positive changes. I am pleased that the bill avoids the proposed use of State block grants. It improves the academic content and requirements. It requires coordination between Head Start and State-run kindergarten programs. It improves the prospect for children of migrant and seasonal workers, of service men and women, of Native Americans. The legislation strengthens accountability.

We still have a long way to go to give all eligible children the benefits of Head Start, but basically this is a good bill. It is a good bipartisan bill that is about to be destroyed by an insidious amendment. It is an amendment that would allow American tax dollars, tax dollars of ordinary Americans, all Americans, to be used for religious discrimination. We cannot allow that. The nondiscrimination provision of Head Start has been reauthorized in 1984, 1986, 1990, 1994, and 1998. No changes were proposed or made in the civil rights provision during those reauthorizations, but now the nondiscrimination provision would be thrown out.

Let us remember why we have this nondiscrimination provision. It is to protect freedom of religion, of religious belief and practice. It is to protect religious belief and practice. That is why it is so important not to mix that up in here.

It is a good bill. We would like to keep this as a bipartisan bill. We do not want to go back to the days where one would say Catholics need not apply, Jews need not apply. If Members do not want to go back to those days, vote "no" on the amendment.

Mr. BOEHNER. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I did not run a program in Head Start like the gentlewoman from California (Ms. WATERS), but I visited one, and then I visited another one because when I first came to Congress, and the gentleman from Maryland (Mr. HOYER) was here, I did not support Head Start or WIC. I thought they were a waste of time.

But I will tell the Members that Head Start and WIC and school lunch and those programs are only as good as the local district will let them be and work. They can make a difference. If a program that is working, if Members go down to those districts and see those children, they will tell them, Help us to help other kids that do not have a chance.

Support this bill.

I would say that a friend of mine said that when we are talking about the religious aspect of this, he said, When you come to Congress and somebody will say, You wear the Lord on your shoulder, he said, You tell them that is

wrong; you wear them on your whole body.

I have never seen anybody turned away any religion, whether in an emergency or health or WIC. So vote for Head Start.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. Mr. Chairman, I thank the gentlewoman for yielding me this time.

I am pleased that we have a bipartisan bill here. I want to congratulate the chairman, congratulate the ranking member, and congratulate the gentlewoman from California (Ms. WOOLSEY) for coming out with a bipartisan bill.

Unlike the bill considered by the House in 2003, this legislation does not attempt to block grant Head Start programs, which was controversial. I think that is good for the passage of this bill. Furthermore, it strengthens academic content, improves teacher quality, promotes better coordination between Head Start and other early childhood programs, and it strengthens accountability.

My wife supervised Head Start in our jurisdiction for many years. There are 24 Judy Centers around the State of Maryland right now, many of which include Head Start.

This bill was reported out of committee almost unanimously, if not unanimously. Unanimously. While the underlying bill contains long-standing nondiscriminatory provisions, and I congratulate the committee for that, there is an amendment lurking that will undermine that bipartisanship and, not only that, undermine an extraordinarily fundamental principle in our country: we do not discriminate. We do not countenance discrimination.

The previous gentleman indicated he does not know of any instance where there has been discrimination. I agree with that. I have never had anybody contact me ever, and this is my 37th year in public office. Never, from 1967 to today, have I had somebody come to me and say this is a problem. The committee has seen fit to report out a bill which does not allow discrimination. Why? Because there is no problem here. Frankly, the gentleman from Louisiana is trying to create a problem where there is none. We ought to reject that amendment.

If we do not reject that amendment, the overwhelming majority of us on this side of the aisle are going to vote against this bill. That is unfortunate because we are all for Head Start. It is a program that works. It is a program that is important. It is a program that we ought to reauthorize. And I urge us to support this bill, but reject a crippling amendment to be offered by the gentleman from Louisiana.

Mr. BOEHNER. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I thank the chairman for yielding me this time.

I have an amendment, the second amendment, coming up that I believe is very critical. It goes to the heart and soul of the Head Start program, and that is whether parents have voting rights or whether they are just going to get a pat on the head and told we like their opinions. I believe it is critical to Head Start that we put this back in.

But two points: first off, I thank the chairman and the Committee on Rules for allowing an amendment in order that they do not support, and I appreciate that and I want to thank them for that.

Secondly, I gave my word and I believe it is important that we move this Head Start bill whether my amendment is agreed to or not. I believe the Senate will never allow an amendment that strips parents, and I believe the administration will not sign a bill that strips parents, and I believe it is important that we have that debate, but it is also important we move ahead.

A number of Members have told me that if the amendment is not agreed to, they would vote against the bill. I urge them to move the bill forward regardless of what happens to the parents amendment. We need to address it in conference if we do not today, but it is the number one empowerment program in America. We do not need to go backwards and give more power to the government and boards that are not responsible to parents. We need to keep it at the parents level.

But I want to, again, thank the chairman for his leadership in trying to clean up the financial problems. It was not the parents. This bill does that, and I support this bill.

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS), who is a member of the Education Reform Subcommittee.

Mrs. DAVIS of California. Mr. Chairman, I thank the gentleman from Delaware (Chairman CASTLE), who worked so diligently with the gentlewoman from California (Ms. WOOLSEY), ranking member, and the subcommittee members to create a bipartisan bill. This is the spirit in which I believe Congress ought to work and find compromises and avoid extremes.

But, regrettably, I am going to have to oppose the Boustany amendment to strike the language which prohibits religious discrimination in hiring. This issue was vigorously debated in our subcommittee and committee and was not included in the bill.

When our taxes are used to hire people, should the decision be based on whether that person is a Baptist, a Roman Catholic, a Mormon, a Muslim, a Hindu, or a Jew? Supreme Court decisions have clearly stated that religious institutions have a legitimate interest in choosing employees by their religion. But these cases are about jobs that are privately funded.

Head Start, as we know, is publicly funded. Employers in government-

funded programs should not be able to do what government employers may not do. Religious education programs run by a mosque, a church, or synagogue are pervasively religious, and discrimination in hiring is appropriate to carry out the religious content.

But a program in the same building which is a contract for a Head Start program is not about religion, and discrimination in hiring for jobs paid with Federal tax dollars is wrong.

One of the strengths of Head Start has been encouraging parents to volunteer; and tens of thousands of parents, as we know, have gone on to develop skills to become a paid aide or teacher.

One of my colleagues mentioned that he is very supportive of the bill, which helps and supports military families, and I fully agree with that. But then imagine that a child whose parent is fired from working at her school because their religion is different from the contractor's, perhaps a military family is fired because they are Roman Catholic, not Baptist, Muslim, or a Methodist. What would that teach these children about our country's commitment to freedom, the very freedom that their parents fight for? That religious discrimination is okay. That I cannot support, Mr. Chairman, and I hope Members will oppose that kind of discrimination.

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

Ms. WOOLSEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. SCOTT), a member of the subcommittee.

Mr. SCOTT of Virginia. Mr. Chairman, I just wanted to remind the House that faith-based organizations can and do sponsor federally funded Head Start programs. Any sponsor who will agree not to discriminate in employment, if they can sponsor a program with the discrimination amendment, they can sponsor the program without that amendment if they would agree not to discriminate.

What we are talking about is discrimination. Some people want to discriminate against Catholics, Jews, Muslims, African Americans. We had this discussion in the 1960s, and the consensus back then was that discrimination in employment was so offensive that we made it illegal. The victim needs to be protected and the weight of the Federal Government will fall down on the side of the victim.

The vote was not unanimous. Some people did not like it then; they do not like it now. And we are discussing where should the weight of the government be, with the victim or with somebody trying to discriminate. This is Head Start. We should not give students of Head Start the idea that their parents were denied a federally funded job solely because of their religion.

We have heard of the Supreme Court. All of the Supreme Court decisions have said it is okay for a church to discriminate in employment with church money. None have supported discrimi-

nation with direct Federal funding. We have heard of our forefathers in 1964. We know that since 1965 it has been illegal, at least until this administration, to discriminate with Federal money. Head Start has been reauthorized for over 40 years with the civil rights protections.

President Clinton's name has been invoked. What is left out is his signing statement where he said that his analysis was that they could not discriminate with the Federal money under his analysis. This administration has changed that analysis, but we need to make sure that President Clinton's whole signing statement is included.

Mr. Chairman, I submit for printing in the RECORD letters from numerous organizations including the National Head Start Association which oppose the discrimination amendment and ask us to vote "no" on the underlying bill if they sabotage civil rights protections.

SEPTEMBER 22, 2005.

DEAR MEMBER OF CONGRESS: I have become aware that an amendment has been offered by Rep. Boustany (R-LA) to the Head Start bill on the House floor today that would give faith-based organizations providing Head Start services the right to discriminate with federal funds against employees who are of different faiths. As the State President of the Louisiana Head Start Association, I strongly oppose such an amendment.

It is a sad day when Members of Congress try to manipulate compassion evoked by the national tragedy in my state of Louisiana caused by Katrina to pass a civil rights repeal in Head Start or jeopardize the passage of this law so important to the children of my state and our nation.

I know, firsthand, that Head Start is a model for demonstrating that a strong prohibition on religious employment discrimination with federal funds is fully compatible with federal assistance to faith-based charities. Faith-based organizations, like the ones I oversee, can and do fully participate in federally funded programs without discriminating in hiring with those same federal funds. I see no reason to change the law to allow them to use federal funds to discriminate against our employees. My state's religiously affiliated providers are more than capable and willing to honor the civil rights requirements of the Head Start program.

I am greatly concerned that the provision to remove civil rights protections for employees could have a negative impact on the children and families who participate in these programs. Tens of thousands of at-risk 3- and 4-year-old children currently in Head Start could lose their teachers—who often are the most important adults to whom they have bonded, other than their parents—not because those teachers are doing a bad job, but because they are the "wrong" religion.

As the State President of the Louisiana Head Start Association, I urge you to reject the Boustany amendment to allow discrimination in Head Start. Such a provision is incompatible with the mission of this program.

Sincerely,

BARBARA PICKNEY,
St. Landry Parish
Head Start Program,
State President of
the Louisiana Head
Start Association.

NATIONAL HEAD START ASSOCIATION,
Alexandria, VA, September 19, 2005.
Hon. JOHN A. BOEHNER,
Chairman, Committee on Education and the
Workforce, Washington, DC.
Hon. GEORGE MILLER,
Ranking Minority Member, Committee on Education
and the Workforce, Washington, DC.

DEAR CHAIRMAN BOEHNER AND RANKING MEMBER MILLER: On behalf of the more than 2.5 million children and families, program staff and volunteers that comprise the Head Start and Early Head Start community, we are writing to you today to address certain issues regarding the reauthorization of the Head Start Act.

We appreciate the bi-partisan spirit that has occurred throughout this crafting of the reauthorization bill. H.R. 2123 does not contain the controversial block grant proposal of the 108th Congress and maintains the crucial comprehensive services of the Head Start program performance standards. We applaud a number of measures and improvements incorporated into this bill, such as enhanced homeless outreach; greater set asides for migrant and seasonal workers and Native Americans, as well as Early Head Start programs; and the addition of a "seamless service" provision that allows programs to convert Head Start slots to Early Head Start slots under certain circumstances.

While the recompetition provision is not perfect, we appreciate that its intent is not to recompete all programs, but to recompete only failing programs. We also acknowledge that the teacher requirements are based on national goals and that training and technical assistance is funded at two percent, with 50 percent of that amount going directly to programs.

While we generally are pleased with the overall intent and direction of H.R. 2123, we do have continuing concerns about certain specific provisions that we hope that can be resolved before the bill is enacted into law. These concerns are discussed in greater detail below.

REQUIREMENTS FOR RECOMPETITION

Recompetition procedures, which are laid out in detail in Section 641 (c)(1)-(19) include several areas that are problematic. While we strongly agree that programs that are not providing high quality services should have to recompete for Head Start funds, we are concerned that the language in this section may force more programs—regardless of quality—to undergo recompetition. We believe that there should be a strong message that all programs must be high performing. Yet, we also believe that programs that are providing high quality services should not be put in the position of recompeting every five years, as this instability makes it difficult for them to recruit and retain the best teachers, to invest in facilities, and to create lasting partnerships with other community agencies.

While we appreciate the efforts to make the recompetition process fair, there remains a very long list of tests that must be met to determine the priority status of programs. We continue to have concerns that some of these tests could be evaluated in an arbitrary manner, throwing programs into a recompete status, regardless of their performance.

The Head Start community does not want to see failing programs continue, but we would like reassurances that the recompetition process will be unbiased and consistent in its application by the Bureau. To achieve this, we would prefer that there be more limited parameters to determine the need to recompete a grantee, such as programs that have unresolved areas of noncompliance.

TEACHER CREDENTIALS

The entire Head Start community is committed to raising the bar when it comes to

improving quality and enhancing teacher and staff credentials.

Additionally, educational levels among Head Start teachers have increased appreciably since the 1998 Congressional mandate to increase the proportion of Head Start teachers with an A.A. degree. Fifty-seven percent of Head Start teachers had at least an A.A. degree in 2003, exceeding a Congressional mandate that 50 percent of Head Start teachers in center-based classrooms attain an A.A. degree or higher by September 2003.

Most Head Start teachers without degrees were working toward them. Fifty-eight percent of Head Start teachers without a degree or credential were enrolled in an early childhood education or related degree program, and 18 percent were in Child Development Associate (CDA) or equivalent training.

A key to Head Start's success in meeting the 1998 mandate was that Congress also increased funding, which provided scholarships, release time and qualified substitutes, teacher salary increases, and other quality enhancement supports. The 1998 law required that, when funding for the program increased, a certain percentage of new dollars would be dedicated to quality. In the following years, funding for the Head Start program grew and, as a result, funds available for quality activities increased. However, Head Start funding has not kept pace with inflation in recent years, so programs no longer have a growing source of funds to help teachers attain degrees. Additional funding will be needed to meet a mandate to move from two- to four-year degrees, because costs of attending a four-year public college or university are on average more than twice the cost of a two-year program, and because there are significant additional salary costs in order to retain teachers with four-year degrees.

Programs must have the resources to help teachers gain their credentials and to pay salaries at a high enough level to recruit and retain teachers with the required degree.

Without new money for teacher salaries, increased credentialing for teachers should not be mandatory.

HEAD START PARENT POLICY COUNCILS

While we appreciate the modifications made in Committee markup to the provisions regarding the Head Start Parent Policy Councils, we strongly believe in the integral and shared responsibilities of board members and parents in Head Start governing bodies. The high degree of parental involvement in the Head Start program has provided a role model for early childhood education for 40 years.

The Head Start community is fully committed to restoration of the current level of authority to Parent Policy Councils.

NATIONAL REPORTING SYSTEM

The NRS, a pre- and post-test for Head Start children, is not a valid measurement of program impact and should not be used in this manner. Because Head Start serves children with very high level needs, using this kind of measure to evaluate programs may well penalize those programs serving the children with the greatest needs. Further, as pointed out in a May 2005 General Accountability Office report, the NRS was found to be invalid and unreliable. The GAO also confirmed that the NRS is not an appropriate evaluation vehicle for children who are English Language Learners, especially those who speak neither English nor Spanish.

Additionally, we know that the Head Start Bureau is spending more than \$21 million annually on the NRS, an expenditure that does not even begin to take into consideration the costs of preparing for and administering the test at the program level.

We ask the House of Representatives to suspend further use of and expenditures for

the NRS until the National Academy of Sciences can make the test scientifically valid.

UNSCHEDULED SITE VISITS

H.R. 2123 contains a provision that the Head Start community believes is punitive and unreasonable to all Head Start programs. The process and planning that is required of program administrators for a full PRISM review cannot be performed overnight. The Head Start community has no objection to unannounced site visits when they concern health and safety issues or are following up on prior compliance matters.

NHSA believes that a minimum of 30 days notice should be required of the Head Start Bureau before full PRISM reviews.

TRAINING EXCEPTIONS

High quality training is critically important to improving and sustaining Head Start quality and childhood outcomes. H.R. 2123 limits the ability of parents and staff to travel in order to receive specialized training and career development at national conferences.

This is an unnecessary provision that will cause confusion for program administrators since the existing grant application process requires justification of all training.

COLLABORATION WITH THE STATES

While the Head Start community strives for sound collaboration with their respective state officials, it is critically important that state officials reciprocate in these collaborative efforts. H.R. 2123 does not require input as it should, and as is now required, from state Head Start officials in the process of selecting staff who will have coordination responsibilities.

The Head Start community believes that state Head Start Associations should have sign-off on candidates for state collaboration officers, as well as continuing involvement in the planning and implementation of state plans. Furthermore, there should be clarification regarding states that have existing state advisory councils, namely that they are permitted to modify them to meet the requirements in the bill.

CHARITABLE CHOICE AMENDMENT

The Head Start community, including a number of programs administered by religious organizations, strongly opposes any effort by this Administration to encourage religious discrimination in hiring practices for Head Start or any federally-funded program. Freedom of Religion, a cornerstone of this great nation, should be sacrosanct to all of us. It is incomprehensible that the U.S. Congress would tamper with the ability of its citizens to practice their faith by using the threat of employment discrimination.

In spite of its positive provisions, if H.R. 2123 contains a religious discrimination amendment, we must reluctantly oppose the bill.

In closing, we commend the Education and Workforce Committee for their bi-partisan efforts in this Head Start reauthorization bill and we hope that modifications will be made that will result in improvements to the program.

Sincerely,

SARAH M. GREENE.

AFRICAN AMERICAN
MINISTERS IN ACTION,
Washington, DC, September 16, 2005.

HOUSE OF REPRESENTATIVES,
Washington, DC.

DEAR MEMBER OF CONGRESS: As pastors and leaders of predominantly African American congregations across the country, we urge you to stand up for the civil rights and religious freedom of all Americans, and to maintain the bipartisan direction of the School

Readiness Act (H.R. 2123) by opposing any attempt to repeal longstanding critical civil rights protections on the House floor. This bill maintains provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs. We have continually supported these provisions because this is consistent with our commitment to protecting the religious freedom of all citizens. Further, because we are acutely aware that religious discrimination is often a proxy for racial discrimination, among others, we cannot support the allowance of such an unprincipled initiative by any Member on either side of the aisle.

As religious figures we provide leadership grounded by theological interpretations of scripture, and focus on issues of concern to our parishioners and our community. We agree that religious organizations participating in the Head Start program make an invaluable contribution to the education of thousands of students in minority communities in particular, but do not agree that discriminating against persons based upon their religion is necessary or desirable in order to provide these much needed services.

We are optimistic that this bill can gain broad support among religious, civil rights, labor, education, health, and advocacy organizations, but this broad support will end if there is any threat to remove the longstanding critical civil rights protections in Head Start. In particular, we are seriously concerned about a statement released by the Committee on Education and the Workforce on May 5, 2005, in which Chairman Boehner stated that he foresees an amendment on the House floor to rollback longstanding critical civil rights protections. In light of this statement, we are asking Members to oppose this amendment and not support the Head Start bill if the anti-discrimination provisions are removed.

As leaders of our respective congregations we are committed to providing much needed services in our communities and have done so by respecting the rights of all individuals. Therefore, we find it particularly insulting to suggest that it is necessary to remove civil rights protections from Head Start programs in order for this outreach to continue. Furthermore, we can not compromise our principles by supporting a program that allows organizations, including religiously-affiliated organizations, to discriminate with federal taxpayers' dollars.

We urge you to maintain the bipartisan direction of the School Readiness Act (H.R. 2123) and to not support any agreement that allows for an assault on civil rights protections in federally-funded programs, especially a program as critical as Head Start. This could destroy the mutually supported nature of the Head Start program in which the education of young children—especially minority children—is so dependent upon parental participation and on ongoing, close relationships with Head Start teachers. Uplifting our surrounding community does not require the concurrent advancement of government funded discrimination.

Sincerely,

Reverend TIMOTHY McDONALD,
Chair, African American Ministers In Action.

ANTI-DEFAMATION LEAGUE,
New York, NY, September 16, 2005.

DEAR REPRESENTATIVE: On behalf of the Anti-Defamation League, we write to urge you to maintain the civil rights protections currently included in the House Education and the Workforce-approved version of the School Readiness Act (H.R. 2123)—and to oppose any efforts to repeal these important provisions. Allowing religious-based employ-

ment discrimination in federally-funded programs is wrong—and to do it on the historic Head Start anti-poverty education program is deeply offensive.

Since 1972, agencies that receive government funding for Head Start—including religious organizations and houses of worship that host Head Start programs—have been prohibited from discriminating on the basis of religion when hiring or firing staff within the federally-funded program. These existing non-discrimination requirements have a history of bipartisan support, and were originally signed into law by President Richard Nixon. The current anti-discrimination language was included in the 1981 Head Start reauthorization bill, signed into law by President Ronald Reagan, and has been included in every Head Start reauthorization since then—in 1984, 1986, 1990, 1994, and 1998. For 33 years, these fundamental non-discrimination protections have worked well, allowing thousands of Head Start programs in communities throughout the country to flourish while maintaining constitutional and civil rights safeguards against religious tests for employment in federally-funded programs.

We have great appreciation for the vital role religious institutions have historically played in addressing many of our nation's most pressing social needs, as a critical complement to government-funded programs. For decades, government-funded partnerships with religiously-affiliated organizations—such as Catholic Charities, Jewish Community Federations, and Lutheran Social Services—have helped to combat poverty and provided housing, education, and health care services for those in need. These successful partnerships have provided excellent service to communities, largely unburdened by concerns over bureaucratic entanglements between government and religion. Indeed, at the same time that safeguards have protected beneficiaries from unwanted and unconstitutional proselytizing during the receipt of government-funded services, they have also protected the integrity and sanctity of America's religious institutions—whose traditional independence from government has contributed to the flourishing of religion in our country.

The House has never voted to repeal existing civil rights protections in a floor amendment. To do so on Head Start, an historic anti-poverty program universally acclaimed and present in so many communities across the country, is odious. We urge you to oppose any attempt to remove civil rights protections from Head Start.

Sincerely,

MICHAEL LIEBERMAN,
Washington Counsel.
JESS N. HORDES,
Washington Director.

AMERICAN FEDERATION OF STATE,
COUNTY AND MUNICIPAL EMPLOY-
EES, AFL-CIO,
Washington, DC, September 20, 2005.

DEAR REPRESENTATIVE: On behalf of the 1.4 million members of the American Federation of State, County and Municipal Employees (AFSCME), I am writing with respect to certain provisions of H.R. 2123 which would reauthorize the Head Start program. We want to express our sincere appreciation for the bi-partisan and inclusive process that resulted in unanimous approval of the legislation at the committee level. Significantly, H.R. 2123 does not include the controversial block grant proposal that derailed efforts to reauthorize Head Start in the last Congress. Rather, H.R. 2123 respects and maintains the crucial comprehensive services of the program performance standards that long have marked Head Start as a program of distinction. We believe that H.R. 2123, with some

changes, has the very real potential to build upon the success of Head Start for future generations.

However, we are concerned that this bill does not address the low pay offered to Head Start teachers and staff and the lack of financial assistance in meeting new and more rigorous educational requirements. We support H.R. 2123's focus on raising standards for Head Start teachers, including the provision calling for 50 percent of all current Head Start teachers to have a bachelor's degree within five years and all new Head Start teachers to have an associate's degree. However, the estimated cost of the additional education for half of all Head Start teachers to earn bachelor's degrees by 2008 is approximately \$2 billion over five years. If we want quality education for Head Start children, we must be willing to help teachers achieve this important goal.

AFSCME members have worked in Head Start programs for decades. We know that the qualifications of early childhood educators matter because high quality early education improves outcomes for children and delivers benefits to the community that far outweigh the costs.

We are also deeply concerned that Chairman Boehner intends to offer a controversial amendment on the floor to repeal longstanding civil rights protections from the Head Start program. Allowing federally-funded discrimination in any program is immoral. But it is especially egregious given that the civil rights protections in Head Start are an integral part of its mission to provide families a ladder out of poverty by encouraging parents to become volunteers and then teachers. Denying a parent economic opportunity because of the religion he/she practices violates the principles upon which our country was founded. We strongly urge you to oppose the amendment. If the amendment is adopted, AFSCME urges you to oppose the bill on final passage.

Sincerely,

CHARLES M. LOVELESS,
Director of Legislation.

LEADERSHIP CONFERENCE
ON CIVIL RIGHTS,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: On behalf of the Leadership Conference on Civil Rights (LCCR), the nation's oldest, largest, and most diverse civil and human rights coalition, with more than 190 member organizations, we urge you to oppose the Boehner amendment or any amendment to the School Readiness Act (H.R. 2123) that would repeal longstanding civil rights protections in the Head Start Program that have been in place since President Nixon signed the law in 1972. We strongly oppose any language that would allow federally-funded employment discrimination. If language repealing civil rights protections is added to the bill during consideration on the House floor, we urge you to oppose final passage of H.R. 2123.

LCCR opposes allowing government-funded employment discrimination. Religious organizations have always served as key partners in providing government services through the Head Start program and current law has not been a hindrance to their vigorous participation. There also is no controversy over the exemption under Title VII of the Civil Rights Act of 1964 that allows religious organizations to have a preference of hiring co-religionists when they are using private funds, but federal funds may not be used to discriminate. Such a drastic change to the current Head Start program would be inconsistent with the long held notion that federal dollars must not be used to discriminate.

The Boehner amendment would allow government-funded employment discrimination,

Although the U.S. Supreme Court affirmed the Title VII exemption for privately-funded religious employers, it did not authorize federally-funded employment discrimination. See *Corporation of Presiding Bishop of Church of Jesus Christ of Latter Day Saints v. Amos*, 483 U.S. 327 (1987). We believe, based on analysis of Amos, that if federal funds are used by religious organizations to hire only persons of their own faith, then the federal government is affirmatively acting to advance employment discrimination.

In the 60 years since Franklin D. Roosevelt signed the first executive order prohibiting discrimination in federally funded activity, our nation has made significant progress in the struggle to end employment discrimination and advance equality. Any attempt to allow organizations to discriminate on the basis of religion with federal funds would drastically impede that progress and erode a longstanding principle of our nation's civil rights policy: that federal civil rights obligations follow federal dollars, regardless of who receives them.

The courts have affirmed the principle that federal funds cannot be used to discriminate. The leading case on the question of government-aided discrimination is *Norwood v. Harrison*, 413 U.S. 455 (1973). In a unanimous decision, the U.S. Supreme Court held that "the Constitution does not permit the state to aid discrimination." *Id.* 465-66. The principles set out in Norwood were affirmed in Justice O'Connor's opinion in *City of Richmond v. J.A. Croson Co.* 488 U.S. 469, 492 (1989), which stated, "It is beyond dispute that any public entity, state or federal, has a compelling interest in assuring that public dollars, drawn from the tax contributions of all citizens, do not serve to finance the evil of private prejudice." Her opinion quoted Norwood with approval for the proposition that "[i]t is ... axiomatic that a state may not induce, encourage or promote private persons to accomplish what it is constitutionally forbidden to accomplish." *Id.* at 492-93 (quoting *Norwood*, 413 U.S. at 465).

LCCR urges you to oppose Rep. Boehner's amendment because current law must not be changed to allow recipients of Head Start funds to have an explicit statutory right to engage in employment discrimination. If this amendment passes, or other language is added during floor consideration that repeals current law, LCCR urges you to oppose final passage of H.R. 2123. If you have any questions, please contact Nancy Zirkin, LCCR deputy director, or Andrea Martin, senior counsel and policy analyst regarding this or any issue important to LCCR.

Sincerely,

WADE HENDERSON,
Executive Director.
NANCY ZIRKIN,
Deputy Director.

WASHINGTON BUREAU, NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE,

Washington, DC, September 19, 2005.

Re fundamental civil rights protections in H.R. 2123, the school readiness act must be preserved

MEMBERS,
House of Representatives,
Washington, DC.

DEAR MEMBER: On behalf of the National Association for the Advancement of Colored People (NAACP), our nation's oldest, largest and most widely recognized grassroots civil rights organization, I am writing today to urge you to do all you can to ensure that the longstanding, critical civil rights protections that are contained in the current version of H.R. 2123, the School Readiness Act, are retained during consideration by the

full House of Representatives. Specifically, I urge you to reject and work against the anticipated Boehner Amendment, which will repeal existing, long-standing Head Start provisions that prohibit religious organizations and churches from discriminating on the basis of religion when hiring or firing staff from positions within this federally-funded program.

H.R. 2123, as approved by the Committee on Education and Labor, maintains provisions designed to protect the more than 198,000 Head Start teachers, staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs. The NAACP again urges you to do all you can to maintain these vital protections throughout the legislative process, and that you do not support this legislation if, at any point they are stripped.

The critical longstanding nondiscrimination provisions have been included in Head Start legislation since 1981. This is a fundamental civil rights protection against employment discrimination for Head Start teachers and volunteers. The legislation has always received strong bipartisan support from both the House and Senate since its enactment in the 97th Congress when President Ronald Reagan signed the legislation into law. The twenty-four year old civil rights provision has worked well since the inception of this program, allowing religious organizations to participate in programs while maintaining Constitutional and civil rights standards.

The NAACP both recognizes and celebrates that religious organizations participating in the Head Start program have made and continue to make an invaluable contribution to the education of thousands of students. These religious organizations have complied with Head Start's existing civil rights requirements. However, if the repeal of the existing civil rights protections were to become law, teachers or parent volunteers working in any Head Start program run by a religious organization could immediately lose their jobs because of their religion. Students participating in Head Start therefore could lose not only their teachers, but also the close programmatic connection with their own parents volunteering in the program. The NAACP strongly believes that allowing discrimination based on religion would significantly impede the important goals of Head Start, harm the Head Start students' education by separating them from their own teachers and parent volunteers, and send a damaging message to the students, their parents, guardians and loved ones, as well as people throughout our nation.

Thus, I urge you again, in the strongest terms possible, to support the continued inclusion of these longstanding and critical civil rights protections. The Head Start program is too critical to our children and our nation's future to allow support for it to be divided by this issue. Should you have any questions about the NAACP position or if there is any way in which I can be of help to you as you move this reauthorization through the legislative process, I hope that you will feel free to contact me. Thank you very much for your attention to the views of the NAACP.

Sincerely,

HILARY O. SHELTON,
Director.

THE AMERICAN JEWISH COMMITTEE,
Washington, DC, September 19, 2005.

DEAR REPRESENTATIVE: On behalf of the American Jewish Committee, the Nation's oldest human relations organization, with 33 chapters nationwide representing over 150,000

members and supporters, I urge you to oppose any amendments to the School Readiness Act, H.R. 2123, that roll back crucial civil rights safeguards. Further, if such an amendment is adopted, I urge you to oppose passage of H.R. 2123; repealing this long-standing essential element of Head Start could subject teachers in these federally-funded programs to religious discrimination.

As passed out of the House Education and the Workforce Committee, the bill maintains three-decade-old provisions that prohibit various forms of employment discrimination in Head Start. Both religious and secular organizations have operated effectively under this system since it passed as part of bipartisan legislation passed during the 9th Congress. Ever since President Richard Nixon signed the legislation into law in 1972, religion-based and other forms of discrimination are prohibited in Head Start programs, thereby ensuring that taxpayer dollars do not underwrite positions for which religion is a factor in hiring decisions. At the same time, the existing provisions do not intrude on the autonomy of religious organizations with respect to hiring decisions made in purely private programs.

The efforts of the House Education and the Workforce Committee to produce a bipartisan package are to be commended. The bill that reaches the House floor has the potential to receive broad support among religious, civil rights, labor, education, and health organizations. However, the bill risks losing critical segments of this support if, at any point, this initiative is amended to roll back Head Start's longstanding civil rights protections by exempting religious organizations from the prohibition on religious discrimination in employment decisions.

If so amended, H.R. 2123 would compromise an extremely successful program that provides essential services to nearly one million at-risk children nationwide. While many of the religious organizations that deliver the program would, no doubt, continue to hire employees for Head Start programs without regard to religion, H.R. 2123 could jeopardize the jobs of many thousands of current and potential teachers, staff, and parent volunteers for belonging to the "wrong" religion, as well as jeopardize children for whom a stable and trusting relationship between teacher and child is so important.

For these reasons, we strongly urge you to oppose any attempts to roll back the vital civil rights protections of H.R. 2123, the School Readiness Act. Thank you for considering our views on this important matter.

Respectfully,

RICHARD T. FOLTIN,
Legislative Director and Counsel.

AMERICANS UNITED FOR SEPARATION OF CHURCH AND STATE,
Washington, DC, September 19, 2005.

DEAR REPRESENTATIVE: Americans United for Separation of Church and State urges you to oppose any amendment to repeal longstanding, critical civil rights protections contained in the School Readiness Act (H.R. 2123) and to vote "no" on final passage of the bill if such an amendment is adopted. Americans United represents more than 75,000 individual members throughout the fifty States, 9500 clergy nationwide, as well as cooperating houses of worship and other religious bodies committed to the preservation of religious liberty.

H.R. 2123 unanimously passed out of the Committee on Education and the Workforce on May 18, 2005, maintaining a longstanding civil rights provision designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs. We

are pleased with this bipartisan legislation thus far, but are deeply concerned about stated threats to repeal longstanding civil rights protections against religious discrimination in our Nation's Head Start programs on the House floor. Specifically, Chairman Boehner, after championing the Committee-passed bill, stated that an amendment may be offered on the House floor that would repeal these protections. We urge you to reject attempts to sabotage a bipartisan effort to reauthorize the America's Head Start programs with such a divisive anti-civil rights amendment.

We recognize that religious organizations participating in the Head Start program make an invaluable contribution to the education of thousands of children. These organizations have complied with Head Start's existing civil rights requirements without controversy. However, if the repeal of the existing civil rights protection were to become law, teachers or parent volunteers working in any Head Start program run by a religious organization could immediately lose their jobs simply because of their religion or religious beliefs. This would directly work against the stated goals of Head Start and could change the fundamental character of this tremendously successful program.

According to the latest study from the National Head Start Association, the program currently enjoys a soaring 96 percent parental satisfaction rate. The Administration for Children & Family ("ACF") has repeatedly noted that respect and sensitivity to cultural diversity are paramount to Head Start's success. The ACF and the National Head Start Association both agree that in order to best serve the needs of Head Start children, it is crucial that a Head Start center's staff be comprised of individuals from diverse backgrounds who reflect the diversity of the community it serves. Without the existing religious nondiscrimination provisions, children participating in Head Start could lose their teachers as well as vital interactions with their own parents who, in the past, have been strongly encouraged to volunteer for Head Start. Further, allowing discrimination based on religion would send a damaging message to Head Start children whose families do not subscribe to a particular religious organization's beliefs. It also would harm community members who rely on Head Start for jobs and deprive poor families and underprivileged children of the civil rights protections applicable to public schools.

Parents and communities that rely on Head Start programs should not have to choose between the renewal of the Head Start program and longstanding civil rights protections that are a cornerstone of this invaluable program. We hope that the House will continue the bipartisan goal of reauthorizing our Nation's Head Start programs and reject any attempts to roll back the civil rights protections long afforded to Head Start teachers and staff.

If you have any questions about H.R. 2123 or would like further information on any other issue of importance to Americans United, please contact Aaron D. Schuhman, Legislative Director.

Sincerely,

REV. BARRY W. LYNN,
Executive Director.

BAPTIST JOINT COMMITTEE
FOR RELIGIOUS LIBERTY,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE, The School Readiness Act of 2005 (H.R. 2123) will soon be considered in the House. We write to urge you to oppose any efforts to amend this bipartisan bill in a manner that would repeal current protections against religious discrimination.

The current bill, passed out of committee with unanimous approval, maintains these important protections. Unfortunately, repeated public statements have assured plans for a floor amendment that would allow religious discrimination in federally funded positions. We ask you to oppose any such amendment and to oppose final passage of the bill if the amendment were to pass.

A recent hearing in the Subcommittee on Criminal Justice, Drug Policy and Human Resources examining the faith-based initiative demonstrated once again that employment discrimination with Federal dollars is one of the initiative's most controversial and divisive elements. Testimony indicated that the continued pursuit of such a rule change is often more about politics than good policy. Head Start should not be hijacked to promote such an unnecessary and unwise policy.

Religious organizations and the government have long worked in partnership to perform important social services. Such partnerships are common for Head Start programs. We support these efforts and recognize the importance of government and religious cooperation generally. Such cooperation has occurred for many years without the danger of government sponsored religious discrimination that is present in the proposed amendment.

It would be extremely unwise to allow such a dramatic change in policy to threaten the reauthorization of Head Start.

We appreciate your attention to this issue and urge you to oppose any proposal that would allow religious employment discrimination in government funded programs.

Sincerely,

K. HOLLYN HOLLMAN,
General Counsel.

AMERICAN CIVIL LIBERTIES UNION,
Washington, DC, September 19, 2005.

Re Proposed Amendment to Head Start Re-authorization ("School Readiness Act"—H.R. 2123) Would Create an Unconstitutional Loophole Allowing Federally-Funded Religious Discrimination in Head Start Classrooms

DEAR REPRESENTATIVE: The American Civil Liberties Union strongly urges you to oppose any amendment to repeal longstanding critical civil rights protections contained in the School Readiness Act (H.R. 2123) and vote "NO" on final passage if such an amendment is adopted when the bill comes to the floor later this week. As unanimously passed out of the Committee on Education and the Workforce, H.R. 2123 maintains longstanding provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded positions in Head Start programs. The civil rights protections afforded to Head Start teachers and staff are essential and should not be repealed.

PROPOSED AMENDMENT TO H.R. 2123 WOULD REPEAL LONGSTANDING CIVIL RIGHTS LAW THAT WAS NEVER CONTROVERSIAL

We are pleased that the Committee-passed Head Start legislation maintains longstanding critical civil rights protections. However, we are troubled by the threat of repealing these protections on the House floor. In a statement released by the Committee on Education and the Workforce on May 5, 2005, the day H.R. 2123 was introduced, Chairman Boehner stated that he foresaw an amendment on the House floor to roll back longstanding critical civil rights protections. Current law prohibits participants in Head Start programs from discriminating based on race, creed [religion], color, national origin, sex, political affiliation or beliefs, or dis-

ability. 42 U.S.C. 9849. If amended, H.R. 2123 would allow taxpayer dollars to fund religious organizations that discriminate against Head Start teachers and parent volunteers in federally-funded Head Start classrooms.

The civil rights provision barring federally-funded religious discrimination has never been controversial. In fact, the provision was first included in Head Start legislation that was signed by President Richard Nixon and subsequently by President Ronald Reagan. Throughout its 33-year history, the civil rights provision has not been an obstacle to the participation of religiously-affiliated organizations in Head Start programs. In fact, many religiously-affiliated organizations participate in Head Start and comply with the same civil rights provision that applies to everyone else.

THE PROPOSED AMENDMENT TO H.R. 2123 WOULD REVERSE THE GOVERNMENT'S LONG FIGHT AGAINST FEDERALLY-FUNDED DISCRIMINATION

Repealing critical civil rights protections in Head Start attacks the very core of civil rights protections historically supported by the federal government. More than 60 years ago, the first success of the modern civil rights movement was a decision by President Franklin Roosevelt to bar federal contractors from discriminating based on race, religion, or national origin. From that first presidential decision through the Supreme Court's decision allowing the federal government to deny special tax advantages to Bob Jones University, which claimed a religious right to retain the tax benefits while pursuing racist practices, the federal government has made the eradication of federally-funded discrimination among its highest priorities.

If amended, H.R. 2123 would allow a religious organization, such as Bob Jones University, that discriminates based on religion, to participate in Federal Head Start. In a disturbing result, Bob Jones University could be denied tax benefits because of its racist policies toward its students, but could receive Federal Head Start money under H.R. 2123 to discriminate against teachers and parent volunteers working in Head Start classrooms—simply because the employees do not meet Bob Jones University's religious tests. Moreover, in the many religious organizations in which the adherents are all of a single race, the result of federally-funded religious discrimination will effectively be Federal funds going to the employment of persons of a single race.

The Federal Government clearly has a compelling interest in applying the Head Start Act's civil rights provision to everyone receiving Federal funds—including religious organizations seeking to discriminate on the basis of religion in hiring persons to work in Head Start. Repealing critical civil rights protections prohibiting discrimination in employment would be inconsistent with the leading Supreme Court case on the use of Federal funds by religious organizations that discriminate.

In *Bob Jones Univ. v. United States*, 461 U.S. 574 (1983), the Supreme Court held that Federal Government could deny a religiously-run university tax benefits because the university imposed a racially discriminatory antimiscegenation policy. *Id.* at 605. The Court decided that the Federal Government's compelling interest in eradicating racial discrimination in education superceded any burden on the university's religious exercise of enforcing a religiously-motivated ban on students interracial dating. *Id.* at 604.

There is no meaningful difference between the government prohibiting tax benefits to organizations that discriminate based on race and the Head Start Act's statutory prohibition on discrimination based on religion

in Head Start classrooms. In fact, the United States itself—during the current Administration—squarely rejected the proposition that intentional religious discrimination gets less protection under the Equal Protection Clause than race. In its October 26, 2001 brief defending the religion prong of Title VII from an Eleventh Amendment attack, the United States stated that “[c]ontrary to Defendant’s contention that the Supreme Court has ‘distinguished claims involving differential treatment on the basis of race and speech from those involving religion,’ there can be no doubt that the Equal Protection Clause subjects State governments engaging in intentional discrimination on the basis of religion to strict scrutiny.” Brief of Intervenor United States in *Endres v. Indiana State Police* (N.D. Ind. Oct. 26, 2001) (brief is available on www.usdoj.gov). Congress should not now take the position that it cannot or will not enforce a civil rights ban on Federal funds going to an organization claiming a right to discriminate based on religion when the Supreme Court specifically authorized the United States to enforce a civil rights ban on Federal tax benefits going to an organization making a directly analogous religious exercise claim to discriminate based on race. Thus, the sponsors’ statement that the Congress has no duty to fully enforce the nondiscrimination statute is contrary to law—and abandons one of the seminal decisions in civil rights, namely Bob Jones Univ. **IF CRITICAL CIVIL RIGHTS PROTECTIONS ARE REPEALED, H.R. 2123 WOULD BE UNCONSTITUTIONAL**

H.R. 2123, if amended, would abet unconstitutional employment discrimination based on religion. The proposed amendment’s exemption of religious organizations from the prohibition on religious discrimination in the program is contrary to constitutional law, and will open the door to government-funded discrimination.

Proponents of allowing religious organizations to use Federal funds to discriminate against their employees argue that their position is consistent with a provision in Title VII of the Civil Rights Act of 1964 that generally permits religious organizations to prefer members of their own religion when making employment decisions. However, that provision does not consider whether federally-funded religious groups can discriminate with Federal taxpayer dollars. Moreover, although the Supreme Court upheld the constitutionality of the religious organization exemption in Title VII, *Corporation of Presiding Bishop v. Amos*, 483 U.S. 327, 336-39 (1987), the Court has never considered whether it is unconstitutional for a religious organization to discriminate based on religion when making employment decisions in programs that the government finances to provide governmental services.

Several courts have considered whether a religious organization can retain its Title VII exemption after receipt of indirect Federal funds, e.g., *Siegel v. Trueitt-McConnell College, Inc.*, 13 F. Supp.2d 1335, 1344 (N.D. Ga. 1994) (clarifying that its decision permitting a religious university to invoke the Title VII exemption is because the government aid is directed to the students rather than the employer), but only one Federal court has decided the constitutionality of retaining the Title VII exemption after receipt of direct Federal funds, *Dodge v. Salvation Army*, 1989 WL 53857 (S.D. Miss. 1989). In that decision, the court held that the religious employer’s claim of its Title VII exemption for a position “substantially, if not exclusively” funded with government money was unconstitutional because it had “a primary effect of advancing religion and creating excessive government entanglement.” *Id.* The analysis ap-

plied by the court in Dodge should apply with equal force to the Head Start Act programs that would provide direct Federal funds to religious organizations.

In addition to causing the Establishment Clause violation cited by the court in Dodge, H.R. 2210 would also subject the government and any religious employer invoking the right to discriminate with Federal dollars to liability for violation of constitutional rights under the Free Exercise Clause and the Equal Protection Clause. Although mere receipt of government funds is insufficient to trigger constitutional obligations on private persons, a close nexus between the government and the private person’s activity can result in the courts treating the private person as a state actor. *Rendell-Baker v. Kohn*, 457 U.S. 830 (1982).

It is beyond question that the government itself cannot prefer members of a particular religion to work in a federally-funded program. The Equal Protection Clause subjects governments engaging in intentional discrimination on the basis of religion to strict scrutiny. E.g., *United States v. Batchelder*, 442 U.S. 114, 125 n.9 (1979); *City of New Orleans v. Dukes*, 427 U.S. 297, 303 (1976). No government could itself engage in the religious discrimination in employment accommodated and encouraged by the proposed rule’s employment provision. Thus, the government would be in violation of the Free Exercise Clause and the Equal Protection Clause for knowingly funding religious discrimination.

Of course, a private organization is not subject to the requirements of the Free Exercise Clause and the Equal Protection Clause unless the organization is considered a state actor for a specific purpose. *West v. Atkins*, 487 U.S. 42, 52 (1988). The Supreme Court recently explained when there is a sufficient nexus between the government and the private person to find that the private person is a state actor for purposes of compliance with constitutional requirements on certain decisions made by participants in the government program:

[S]tate action may be found if, though only if, there is such a ‘close nexus between the State and the challenged action’ that seemingly private behavior ‘may be fairly treated as that of the State itself.’ . . . We have, for example, held that a challenged activity may be state action when it results from the State’s exercise of ‘coercive power,’ when the state provides ‘significant encouragement, either overt or covert,’ or when a private actor operates as a ‘willful participant in joint activity with the State or its agents.’ . . .

Brentwood Academy v. Tennessee Secondary School Athletic Association, 121 S. Ct. 924, 2001) (citations omitted).

The extraordinary role that the current Administration—and the amendment sponsors—have taken in accommodating, fostering, and encouraging religious organizations to discriminate based on religion when hiring for federally-funded programs creates the nexus for constitutional duties to be imposed on the provider, in addition to the requirements already placed on government itself. The clear intent of this amendment to repeal the civil rights provision in the Head Start Act is to encourage certain providers receiving Federal funds to discriminate based on religion.

The proposed amendment to H.R. 2123 provision allowing federally-funded religious discrimination is part of a growing pattern of congressional, presidential, and regulatory actions taken specifically for the purpose of accommodating, fostering, and encouraging federally-funded private organizations to discriminate in ways that would unquestionably be unconstitutional if engaged

in by the Federal Government itself. For example, in December of 2002, President Bush signed Executive Order 13279, which amended an earlier executive order, which had provided more than 60 years of protection against discrimination based on religion by Federal contractors. The Bush order provides an exemption for religious organizations contracting with the government to discriminate in employment based on religion. In addition, the Federal Government is simultaneously proposing regulations to allow religious organizations to discriminate based on religion in employment for Federal programs involving substance abuse counseling, welfare reform, housing, and veterans benefits.

Although religious employers have the right under Title VII to apply religious tests to employees, the Constitution requires that direct receipt and administration of Federal funds removes that exemption. In addition, the Federal Government itself has constitutional obligations to refrain from religious discrimination or from establishing a religion. H.R. 2123, if amended, would fail to meet any of those constitutional mandates.

For these reasons, the ACLU strongly urges you to vote “NO” on any proposed amendment to the Head Start Reauthorization (“School Readiness Act”—H.R. 2123) that would create an unconstitutional loophole allowing federally-funded religious discrimination and to vote “NO” on final passage if an amendment is adopted. Thank you for your attention to this matter, and please do not hesitate to call Terri Schroeder at 202-675-2324 if you have any questions regarding this issue.

Very truly yours,

CAROLINE FREDRICKSON,
Director.
TERRI SCHROEDER,
Senior Lobbyist.

NATIONAL LEAGUE OF CITIES,
Washington, DC, September 21, 2005.
EDUCATION AND WORKFORCE COMMITTEE,
Rayburn House Office Building,
Washington, DC.

DEAR COMMITTEE MEMBER: On behalf of the 18,000 cities represented by the National League of Cities (NLC), I want to commend Members of the Education and Workforce Committee on the passage of bipartisan Head Start legislation, H.R. 2123, the “School Readiness Act of 2005.” Head Start is critical to helping to alleviate the plight of children of the working poor. In particular, NLC strongly endorses the Committee’s commitment not to include language that would preempt state and local employment laws thereby permitting discrimination in employment by government-funded faith-based social service providers.

As you know, local governments have a long and rich history of working with faith-based organizations that predates the enactment of the charitable choice provision contained in the Welfare-To-Work Act of 1996. NLC is especially proud of the fact that cities across the nation have carefully helped faith-based groups deliver services to our constituents while respecting the boundaries of our Constitution. Permitting government-funded employment discrimination is the wrong way to encourage faith-based institutions that deliver social services to apply for public funding. Simply put, any language that preempts local governments from protecting its residents from employment discrimination undermines the spirit and letter of Title VII of the Civil Rights Act and unnecessarily encourages litigation against municipalities.

NLC asks Members of the House of Representatives to maintain the Committee’s bipartisan direction and oppose any attempts

to repeal longstanding anti-discrimination protections during deliberation on the House floor. Thank you.

Very truly yours,

DONALD J. BORUT,
Executive Director.

NATIONAL EDUCATION ASSOCIATION,
Washington, DC. September 21, 2005.
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE: On behalf of the National Education Association's (NEA) 2.7 million members, we would like to offer our views on the School Readiness Act of 2005 (H.R. 2123), scheduled for floor debate this week. Overall, we believe the bill contains a number of positive provisions. However, we do have some concerns as outlined below. In particular, we strongly oppose any amendment to repeal civil rights protections for Head Start teachers, staff, and volunteers and will oppose the final bill if it does not contain these protections. Votes associated with these issues may be included in the NEA Legislative Report Card for the 109th Congress.

NEA believes that children's learning begins well before they enter school, and that the transition to school must be founded on strong school readiness. Head Start has a long history of success in this arena, having provided high-quality early childhood education, health, social services, and parental involvement programs to more than 18.5 million low-income children between the ages of 3 and 5 since its creation in 1964.

Given the critical importance of Head Start, we are particularly pleased that H.R. 2123 does not allow for block granting of Head Start funds to states. We are also pleased that the bill would align Head Start curricula with K-12 education while preserving the comprehensive nature of the Head Start program. We believe these provisions will support effective transitions for children's learning and development and ensure that children will enter school ready to learn. At the same time, the proposal will provide continuity for children by retaining the essential parental involvement, nutrition, and other nonacademic features of Head Start.

We do have some concerns with portions of H.R. 2123 as drafted as well as proposed amendments:

Civil rights protections. We are very pleased that H.R. 2123 maintains provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded Head Start programs. We recognize the invaluable contributions of religious organizations participating in Head Start. However, we are deeply concerned that a repeal of civil rights protections could allow religious organizations participating in Head Start to fire teachers or parent volunteers based on their religion. We strongly believe that allowing discrimination based on religion would significantly impede the important goals of Head Start as well as send a damaging message to students. We urge your opposition to any amendment, including one expected to be offered by Representative Boustany, that would repeal civil rights protections for Head Start employees.

Professional development. We are very pleased that H.R. 2123 has a strong focus on early childhood educator professional development. We are concerned, however, that the bill would require teachers to have higher academic degrees, without providing for a substantial increase in funding either for professional development or compensation. We recommend addressing this concern, including by providing grants to help teachers

meet the costs of earning their Bachelor's and Associates degrees and/or increasing the salaries of those teachers who earn degrees in early childhood education.

Assessments. H.R. 2123 allows a study of, and recommendations on, appropriate assessments for young children. We would recommend that the National Academy of Sciences conduct a review of the National Reporting System to ensure that the assessments are comprehensive, reliable, and that the results are used to improve student achievement.

We also hope to work with you toward increasing funding authorization levels to ensure that Head Start can fully serve all eligible low-income children and their families.

We thank you for your consideration of our views on these important issues.

DIANE SHUST,
Director of Government Relations.

RANDALL MOODY,
Manager of Federal Policy and Politics.

AMERICAN HUMANIST ASSOCIATION,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: The American Humanist Association (AHA) stands in opposition to any retrenchment of existing civil rights protections, and therefore opposes any specific attempt to reverse the non-discrimination provisions currently in effect in the Head Start program. Congressman John Boehner (OH) has indicated his intent to roll back vital civil rights protections by introducing, on the House floor, an amendment to H.R. 2123, the School Readiness Act.

On behalf of the oldest and largest Humanist organization in the Nation, I ask you to oppose any such attempt to legalize discrimination with Federal funds as you vote on the bipartisan Head Start reauthorization bill.

There is no compelling reason to undo the civil rights protections in the Head Start program that President Nixon signed into law in 1972. If this 33 year old nondiscrimination policy were discarded, the Head Start reauthorization would permit religious organizations to use Federal funds to discriminate on the basis of religion, even when engaging in purely secular early childhood education activities. Not only would such a removal of employment discrimination safeguards hold significant potential harm for Humanists, Jews, Muslims, Buddhists, and others who hold minority lifestances, it would not address an existing problem. Faith-based organizations have been partnering with the government to provide social services for many years without the need to bypass civil rights laws.

Humanists are particularly concerned about this potential amendment because many dedicated teachers and volunteers in the Head Start program would find themselves disenfranchised just because they do not happen to believe as others do. As a result, this bill will likely lose the existing support of many religious, civil rights, education, health, and advocacy organizations if Congressman Boehner's amendment is adopted.

As Humanists we persistently oppose Federal funding for discrimination, especially discrimination done on the basis of religion or lack thereof. If religious or secular organizations wish to utilize taxpayer dollars to operate on our government's behalf, they must also abide by the standards set for public service. This is why I write to ask you to oppose any amendment to the legislation that would roll back these critical civil rights protections. If such an amendment is added to the bill, we strongly urge you to oppose final passage of the bill.

Should you have any questions about our position, please do not hesitate to contact Roy Speckhardt on our staff.

Sincerely,

MEL LIPMAN,
AHA President.

THE COALITION AGAINST
RELIGIOUS DISCRIMINATION,

September 19, 2005.

DEAR REPRESENTATIVE: We, the undersigned religious, civil rights, labor, education, health, and advocacy organizations are writing to urge you to oppose any amendment to repeal longstanding critical civil rights protections contained in the School Readiness Act (H.R. 2123) and vote "no" on final passage if such an amendment is adopted. As unanimously passed out of the Committee on Education and the Workforce, H.R. 2123 maintains longstanding provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination based on religion in federally-funded positions in Head Start programs.

The critical longstanding nondiscrimination provisions have been included in Head Start legislation since 1972. This is a fundamental civil rights protection against employment discrimination for Head Start teachers and volunteers. The legislation always has received strong bipartisan support from both the House and Senate since its enactment in the 92nd Congress when President Nixon signed the legislation into law. The 33 year old civil rights provision has worked effectively since the inception of this program, allowing religious organizations to participate in programs while maintaining constitutional and civil rights standards.

We are pleased that the Committee-passed Head Start legislation maintains longstanding critical civil rights protections. However, we are troubled by the threat of repealing these protections on the House floor. In a statement released by the Committee on Education and the Workforce on May 5, 2005, the day H.R. 2123 was introduced, Chairman Boehner stated that he foresaw an amendment on the House floor to roll back longstanding critical civil rights protections. The civil rights protections afforded to Head Start teachers and staff are vital and should not be dislodged.

We recognize that religious organizations participating in the Head Start program make an invaluable contribution to the education of thousands of students. These religious organizations have complied with Head Start's existing civil rights requirements. However, if the repeal of the existing civil rights protections becomes law, teachers or parent volunteers working in any Head Start program run by a religious organization could potentially lose their jobs based only on their religion. Students participating in Head Start therefore could lose not only their teachers, but also the close programmatic connection with their own parents volunteering in the program. We strongly believe that allowing discrimination based on religion would significantly impede the important goals of Head Start, send a damaging message to Head Start students, and harm their education by separating students from their own teachers and parent volunteers.

We urge you to maintain current law and reject any assault on civil rights protections in federally-funded programs, especially a program as critical as Head Start. If these longstanding critical civil rights protections are repealed we urge you to vote "no" on final passage of H.R. 2123. The dismantling of civil rights will destroy the nature of a program in which the education of young children is so dependent on parent participation

and on ongoing, close relationships with Head Start teachers.

Sincerely,
AFL-CIO.

African American Ministers in Action.
American Association of University Women.

American Civil Liberties Union.
American Federation of State, County and Municipal Employees.

American Federation of Teachers.
American Humanist Association.
American Jewish Committee.
American Jewish Congress.
American-Arab Anti-Discrimination Committee (ADC).

Americans for Democratic Action.
Americans for Religious Liberty.
Americans United for Separation of Church and State.

Baptist Joint Committee for Religious Liberty.
Central Conference of American Rabbis.
Children's Defense Fund.

Church Women United.
Communications Workers of America.
Disciples Justice Action Network (Disciples of Christ).

Equal Partners in Faith.
Faith Action Network of People For the American Way.

Gay, Lesbian and Straight Education Network.

General Board of Church and Society of The United Methodist Church.
Human Rights Campaign.

International Union, UAW.
Legal Momentum (formerly NOW Legal Defense).

Mexican American Legal Defense and Educational Fund (MALDEF).

NA'AMAT USA.

National Association of Social Workers.
National Center on Domestic and Sexual Violence.

National Council of Jewish Women.
National Council of Women's Organizations.

National Education Association.
National Head Start Association.

National Mental Health Association.
National Organization of Women.

National PTA.
National Women's Law Center.

OMB Watch.
People For the American Way.

Secular Coalition for America.
Service Employees International Union.

Stop Family Violence.
Texas Faith Network.

Texas Freedom Network.
The Interfaith Alliance/Foundation.

The Secular Coalition for America.
Union for Reform Judaism.

Unitarian Universalist Association of Congregations.

United Church of Christ Justice & Witness Ministries.

Women of Reform Judaism.
YWCA USA.

—
THE INTERFAITH ALLIANCE,
Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: I write to you today as the president of The Interfaith Alliance, a nonpartisan, national grassroots organization dedicated to promoting the positive and healing role of religion in public life to oppose any amendment to repeal longstanding critical civil rights protections contained in the School Readiness Act (H.R. 2123) and vote "no" on final passage if such an amendment is adopted. As unanimously passed out of the Committee on Education and the Workforce, H.R. 2123 maintains longstanding provisions designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employ-

ment discrimination based on religion in federally funded Head Start programs.

As an organization whose membership is comprised of 150,000 people of faith and good will spanning 75 faith traditions, I can think of no reason to justify an attempt to roll back these longstanding civil rights and religious liberty protections. Indeed, in a nation as intentionally and increasingly pluralistic as ours, built-in protections prohibiting religious discrimination in federally-funded programs represent a fundamental commitment towards a society that values the contributions and abilities of people of all faith traditions equally.

Religious organizations have had a long and proud history in their active participation in Head Start programs. For years, congregations have made substantial contributions to their communities with the existing workplace protections in place. If those in Congress who seek to repeal these employment safeguards are successful, thousands of teachers and parent volunteers who have dedicated themselves to this program could find themselves no longer welcome at religiously-affiliated Head Start programs because they are of a different faith than the sponsoring organization.

While The Interfaith Alliance is supportive of the right of sectarian organizations to hire based on religious preference for purposes of furthering their institutional ministry, we believe that houses of worship forfeit that right once they accept federal taxpayer dollars to implement social service programs that are intended to serve all.

Further, any attempt to politicize the Head Start program—a federally sponsored preschool program conceived to meet the needs of disadvantaged children since 1965—through a floor amendment to add the highly controversial religious exemption language, is not only unnecessary, but a sad commentary on the state of those political leaders who seek to attach religious exemption language to every social service program that comes before the Congress.

The Interfaith Alliance is pleased with the bipartisan direction of the Head Start legislation however; this bill will no longer be bipartisan if there is any attempt to roll back longstanding critical civil rights protections. The civil rights protections afforded to Head Start teachers and staff are vital and should not be dislodged. This bill has gained broad support among religious, civil rights, labor, education, health, and advocacy organizations, but that broad support will end if there is any threat to remove the longstanding critical civil rights protections in Head Start.

If you need further information on our position on this matter, please do not hesitate to contact Kim Baldwin, Director of Public Policy and Voter Education or Preetmohan Singh, Senior Policy Analyst, at 202-639-6370.

Sincerely,
REV. DR. C. WELTON
GADDY,
President, *The Interfaith Alliance, Pastor of Preaching and Worship, North Minister Baptist Church (Monroe, LA)*.

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UNITARIAN UNIVERSALIST
ASSOCIATION OF CONGREGATIONS,
Washington, DC, June 1, 2005.

DEAR MEMBER OF CONGRESS: I am writing on behalf of the over 1,050 congregations that make up the Unitarian Universalist Association in regard to H.R. 2123, the School Readiness Act of 2005, the legislation to reauthorize the Head Start program. The Unitarian Universalist Association would like to express our continued support of this program,

as we believe that Head Start is a successful and necessary program that helps prepare nearly 20 million low-income children for success in kindergarten and later life.

We remain pleased with the general direction of the House bill as it comes out of the Committee on Education and the Workforce. We are, however, concerned over proposals by committee leadership to offer a floor amendment to repeal civil rights protections in hiring in Head Start programs. The UUA encourages you to pass a reauthorization bill that is truly bi-partisan in recognizing the successes of the Head Start program and maintaining the high quality of comprehensive services it provides without repeal of long-standing civil rights protections. We ask that you vote against any amendment on the floor that would repeal civil rights protections. If such an amendment is included in the final bill, we ask that you vote NO on final passage of H.R. 2123.

We urge you to oppose the repeal of long-standing civil rights protections designed to protect Head Start teachers, staff, and parent volunteers from employment discrimination based on religion in federally funded Head Start programs. This provision has worked for 24 years, encouraging religious organizations to participate in Head Start and make invaluable contributions to children's education and well-being, while maintaining Constitutional and civil rights standards. Allowing discrimination based on religion would significantly impede the important goals of Head Start, send a damaging message to Head Start students, and harm their education by separating students from their own teachers and parent volunteers.

On behalf of the Unitarian Universalist Association of Congregations, I thank you for your consideration of our views on Head Start reauthorization. Head Start is an exemplary program that has a well-deserved reputation for delivering quality services to millions of our country's children. This program is an excellent example of how religious organizations such as houses of worship work in partnership with the government without compromising either protections for religious minorities or the integrity of religious organizations. We urge the House to pass a bipartisan bill that will continue the success of Head Start without eliminating important civil rights provisions by voting NO on any proposed amendment eliminating such provisions and voting NO on final passage of a bill including such provisions.

In Faith,

ROBERT C. KEITHAN,
Director.

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SERVICE EMPLOYEES
INTERNATIONAL UNION, CLC,

Washington, DC, September 20, 2005.

DEAR REPRESENTATIVE: On behalf of 1.8 million members of the Service Employees International Union (SEIU), working in health care, building services, and federal, state, and local governments, including more than 220,000 early education workers throughout the United States, I write to encourage you to take a closer look at several key provisions in the Head Start Reauthorization bill that could impact the quality of Head Start for children. As the School Readiness Act of 2005 (H.R. 2123) moves to the House floor for a vote this week, we hope that you will use this time as an opportunity to improve the quality of Head Start programs that serve low-income children nationwide.

Since its inception in 1965, the Head Start program has enrolled more than 22 million children. Head Start provides an array of comprehensive services to low-income parents and children that they may not otherwise have access to on their own. Head Start

not only prepares children for school by providing a solid foundation in cognitive learning and socialization skills, but also helps make children "ready to learn" by providing comprehensive health, dental, and nutritional services critically needed by our at-risk children. SEIU is committed to ensuring that children who participate in Head Start acquire the skills that prepare them for healthy, successful lives. This goal will not be realized unless certain steps are taken to improve the Head Start program.

The Head Start bill passed by the House Education and Workforce Committee contains several provisions that we support including greater set asides for migrant and seasonal workers and Native Americans, as well as Early Head Start programs. However, SEIU remains concerned about a number of provisions that may erode the quality of Head Start programs if not modified. We have outlined those concerns below.

SEIU supports continuing education for Head Start staff; however, the bill's requirement for additional training and education for Head Start staff may not become reality without the quality improvement funding to make the plan attainable. While SEIU supports additional training and education for staff, we believe more funds also need to be provided for that training and education. Head Start teachers on average make \$23,564 annually. Further, there are no current incentives to retain highly qualified staff in Head Start programs after attaining degrees.

Additionally, Head Start needs sufficient resources to ensure every eligible child can participate and to increase the quality of programs. Two out of five preschool children (about 800,000) and 97 percent of infants and toddlers who qualify for Early Head Start cannot participate in the program simply because there are not enough resources invested in the program. We support full funding for Head Start so all eligible children have access to the Head Start program.

Also, the bill's re-competition provisions need improvement. SEIU is encouraged that the House bill does not require automatic re-competition for every grantee after the end of their grant period. However, the bill does require re-competition for grantees that have a "deficiency" during their grant period—regardless of whether the deficiency has been resolved or not. In addition, the Secretary has broad authority in identifying what a "deficiency" is, the finding of which would require programs to re-compete their grants. Such uncertainty for all programs—even those with stellar records of performance—is counterproductive and would end programs' ability to do any long-range planning. In the event a grantee is unsuccessful in a re-competition, SEIU continues to have concerns for existing Head Start workers who may be displaced by re-competition. Services and care-giving relationships for children should not be disrupted.

Moreover, SEIU supports parental involvement in Head Start programs and encourages Members of Congress to re-think its plan to diminish the role of policy councils. Policy councils offer real parental involvement regarding personnel and budgets. Despite the advantages of parental involvement, the House bill changes governance responsibility to the Board of Directors, with Policy Councils playing only an advisory or consulting role. Instead, Congress should recognize that parents provide valuable insight into Head Start programs and can provide the necessary oversight of Head Start programs when armed with the proper training. SEIU supports parental involvement through policy councils.

Finally, SEIU vigorously opposes attempts to include language that would repeal long-standing civil rights protections that pro-

hibit religious-based employment discrimination by Head Start agencies. The House bill currently maintains a provision designed to protect over 198,000 Head Start teachers and staff and over 1,450,000 parent volunteers from employment discrimination. This decades old civil rights provision has worked effectively since the inception of this program, allowing religious organizations to participate while maintaining constitutional civil and employment protections. The bill has gained broad support among diverse advocacy organizations, but that support will end if there is a successful effort to remove those protections in Head Start when the bill goes to the floor. SEIU asks that you vote against any amendment offered that would roll back critical civil rights protections. If such an amendment is included in the final bill, we urge you vote NO on final passage of H.R. 2123.

SEIU remains troubled by the bill as it is currently constructed as outlined in the letter and we will endeavor to improve the legislation when the Senate takes up reauthorization. Again, should an amendment be offered that allows faith-based organizations to use religious discrimination against teachers, staff and parent volunteers working at Head Start programs, we urge you to vote NO upon final passage of the bill.

Sincerely,

ANNA BURGER,
International Secretary-Treasurer.

CDF ACTION COUNCIL,
September 20, 2005.

DEAR REPRESENTATIVE: As H.R. 2123, the School Readiness Act of 2005, moves towards a full vote in the House of Representatives on Thursday, September 22, the Children's Defense Fund is pleased to support many of the provisions on which the Education and Workforce Committee has worked so thoughtfully and diligently. We are especially pleased that the Committee's bipartisan bill maintains the integrity of the Head Start program and the quality performance standards that have helped Head Start successfully serve over 22 million children since the program began.

We are extremely concerned, however, about a religious discrimination amendment that will be offered when the bill comes to the House floor. This unwarranted amendment would repeal the important civil rights protections that currently exist in Head Start that protect teachers and volunteers working in any Head Start program run by a religious organization. Such an amendment would significantly hinder the goals of the Head Start program and the quality of care children receive.

CDF acknowledges the continuing contribution of faith-based individuals and organizations, which have been the backbone of Head Start since its inception and have historically embraced serving our most vulnerable children when few others would even consider it. The religious discrimination provision, however, strikes at the very core of civil rights issues that so many of these individuals fought to secure. It is imperative that faith-based organizations be subject to the same civil rights laws that ALL programs who receive federal funding must abide by. The following are concerns raised by the amendment:

Teachers and staff could be hired based on their religion rather than their qualifications.

Tens of thousands of already at-risk 3- and 4-year-old children could lose their Head Start teachers, who often are the most important adults, other than their parents, with whom they have established meaningful relationships.

Head Start has been an important source of employment for countless parents, but

this provision could result in numerous parents losing their jobs, preventing families of Head Start children from climbing the ladder out of poverty.

Many Head Start volunteers are also parents. Parent involvement has played a critical role in the success of Head Start. These volunteers could be let go as well if the provision passes.

Head Start is a critical program for our country's most vulnerable young children, providing them with valuable tools for future success in life. We are greatly concerned that removing civil rights protections for employees and volunteers would be detrimental to the children and families who benefit from this program. What message does this send to the Head Start children when their teachers, staff, and parents are denied opportunities in Head Start, simply because they do not share the federally-funded employers' religious beliefs?

While substantial progress has been made creating a bipartisan bill with many positive provisions, the addition of a religious discrimination amendment would require CDF to oppose H.R. 2123.

Thank you for your continuing commitment to improving Head Start and helping it reach more of the vulnerable children and families who benefit from its essential services. Please oppose the religious discrimination amendment.

Sincerely Yours,
MARIAN WRIGHT EDELMAN.

HUMAN RIGHTS CAMPAIGN,
Washington, DC, September 19, 2005.

DEAR REPRESENTATIVE: On behalf of the more than 600,000 members of the Human Rights Campaign, we write to express our grave concerns with certain provisions of the School Readiness Act (H.R. 2123) that we understand may be added as the legislation moves to the floor for a vote. We are particularly concerned with statements made by Chairman John Boehner (R-OH) which indicate that his clear intention is to offer an amendment on the floor adding language to reverse the non-discrimination provisions currently in effect in the Head Start program. We do not believe it should be legal to discriminate with federal funds.

We ask you to oppose any attempt to roll-back these civil rights protections, which would undermine the current bipartisan nature of the bill. If an amendment is added on the floor which would roll back these civil rights protections, we urge you to oppose final passage of the School Readiness Act (H.R. 2123).

As the nation's largest gay, lesbian, bisexual and transgender civil rights organization, we oppose using federal funds to discriminate on any basis, including religion, which unfortunately has been used as a proxy for discrimination on the basis of sexual orientation and gender identity. Two prominent cases illustrate this problem: *Bellmore v. United Methodist Children's Home* and *Department of Human Resources of Georgia v. Pedreira v. Kentucky Baptist Homes for Children*. Further, we are particularly concerned that any provisions that allow federally funded religious discrimination will pre-empt local and state non-discrimination laws that include sexual orientation and gender identity.

While we do not hold a position on the overall legislation, we have serious concerns with a provision that we understand will be offered on the floor that would roll back civil rights protections that have been in place and working effectively since 1972. By abandoning these non-discrimination protections, Head Start providers would be able to discriminate on the basis of religion in federally funded positions, even when engaging in

purely secular early childhood education activities. Faith-based organizations have been partnering successfully with the government for a number of years without the need to bypass civil rights laws in their efforts to provide social services.

We do not object to faith-based organizations providing education-related services or other social services. Indeed, we deeply respect the faith community's vital contribution to care for the most vulnerable among us. Just as it is important these vital programs continue to provide services, it also remains important that federal funds are not used to discriminate on the basis of religion or sexual orientation or gender identity.

For these reasons, we urge you to oppose any amendment to the legislation which would rollback these critical civil rights protections and work to produce a bipartisan bill to reauthorize the Head Start program. A vote on an amendment permitting federally funded discrimination will be considered a key vote for the Human Rights Campaign.

Should you have any questions please do not hesitate to contact Angela Clements on our staff at (202) 216-1520.

Sincerely,

DAVID M. SMITH,
Vice President for Policy and Strategy,
CHRISTOPHER LABONTE,
Legislative Director.

NATIONAL COUNCIL OF JEWISH WOMEN,
September 19, 2005.

DEAR REPRESENTATIVE: On behalf of the 90,000 members and supporters of the National Council of Jewish Women (NCJW), I am writing to ask you to oppose the Boehner amendment to H.R. 2123, the School Readiness Act of 2005, and to oppose final passage of the bill if this amendment is adopted. NCJW has been involved with Head Start since its inception, and we strongly support the program and H.R. 2123 as passed unanimously by the Education and the Workforce Committee. Efforts to amend the bill to open the door to religious discrimination would compromise the success of this program. NCJW believes that taxpayer funds should never be used to subsidize discrimination on any basis.

Since President Nixon signed the Head Start program into law four decades ago, this acclaimed early childhood education program has included civil rights language protecting Head Start teachers from employment discrimination. This provision works well, allowing religious organizations to participate in Head Start while maintaining constitutional and civil rights standards.

NCJW strongly supports the bipartisan effort to reauthorize Head Start. But the Boehner amendment looms as a "poison pill" undermining this bipartisanship. House consideration of H.R. 2123 should focus on meeting the needs of disadvantaged children—improving policy and providing sufficient funds to extend Head Start to all eligible children. The Boehner amendment is totally unnecessary and intersects a controversial, political issue which has the potential to threaten the bill's progress. The House of Representatives must not roll back critical civil rights protections.

For over a century, NCJW has been at the forefront of social change, raising its voice on important issues of public policy. Inspired by our Jewish values, NCJW has been, and continues to be, an advocate for the needs of women, children, and families and a strong supporter of equal rights and protections for everyone.

I urge you to oppose any amendment allowing employment discrimination and to

oppose the underlying bill if such an amendment is included.

Sincerely,

PHYLLIS SNYDER,
NCJW President.

NATIONAL COUNCIL OF LA RAZA,
Washington, DC, September 19, 2005.

DEAR MEMBER OF CONGRESS: On behalf of the National Council of La Raza (NCLR), the largest national Latino civil rights and advocacy organization in the U.S., I write on an issue of great importance to the Hispanic community. On Thursday, the House of Representatives is scheduled to vote on legislation to reauthorize the Head Start program, the "School Readiness Act of 2005" (H.R. 2123). This legislation is the result of bipartisan work of the Committee on Education and the Workforce to address much-needed improvements to the program for Latino children. However, NCLR is concerned that this bipartisan work will be jeopardized by an amendment that would allow for employment discrimination based on religion in the program.

NCLR has long recognized that Head Start is a critically important program for ensuring that Latino children begin their school careers ready to learn. For these reasons, NCLR has pursued a reauthorization agenda focused on ensuring that Head Start continues to show progress in its effort to eliminate disparities in access and enhance the quality of services for Latino and limited-English-proficient (LEP) children and their families. We are pleased that Members from both sides of the aisle supported this agenda and worked to include provisions in H.R. 2123 that significantly improve the program for Latinos. These provisions include, but are not limited to, the following:

Additional resources for Migrant and Seasonal Head Start (MSHS) program expansion, which will allow for thousands of farm-worker children to exit the fields and enter the classroom.

An accountability provision which ensures that Head Start providers serve new populations in their local communities through enhanced monitoring and evaluations of annual community assessments.

A new requirement that the Secretary conduct a study on the status of LEP children and their families in Head Start and Early Head Start programs.

A new requirement that the Secretary utilize training and technical assistance funds for activities aimed at assisting Head Start providers to conduct outreach and improve the quality of services to LEP populations, particularly in states with new and rapidly growing LEP populations.

A new requirement that all Head Start parents receive information and services in their home language, when possible.

A new requirement that, in addition to making progress toward acquisition of the English language, LEPs show progress toward the school readiness indicators outlined in the Head Start education performance standards.

In addition, while NCLR is pleased with the aforementioned provisions in H.R. 2123, we stand in solidarity with the broader civil rights community in our strong opposition to any amendment that could open the door to employment discrimination based on religion in the Head Start program. Foremost, such an amendment is unnecessary for ensuring greater participation from the faith-based sector in the program; faith-based providers have served as an important partner in Head Start since the program's inception. Moreover, such an amendment will only serve to deter critical attention and debate away from provisions in the legislation that have garnered strong bipartisan support,

such as improvements to the program for Latino children. We urge Members of Congress to vote NO on any amendment seeking to allow recipients of Head Start funds to discriminate based on religion. NCLR may recommend that any vote related to such an amendment be included in the National Hispanic Leadership Agenda Legislative Scorecard.

In closing, NCLR affirms its strong support of provisions included in H.R. 2123 which increase access to and improve the quality of Head Start for Latino children. We are certain that these policy changes will go a long way toward ensuring that Latino children fully benefit from the program and that Head Start remains a model for early education into the future.

Sincerely,

JANET MURGUIA,
NCLR President and CEO.

PEOPLE FOR THE AMERICAN WAY,

Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: On behalf of the more than 750,000 members and supporters of People For the American Way, we urge you to maintain the bipartisan direction of H.R. 2123, the "School Readiness Act of 2003," and oppose any attempt to repeal longstanding anti-discrimination protections. We commend you on your bipartisan efforts on Head Start reauthorization legislation. Head Start programs not only offer opportunities to thousands of low-income children, they also enrich their communities by providing job opportunities to over a third of the parents whose children have participated in the program. As it stands, this bill currently upholds key anti-discrimination provisions that have been part of Head Start since its inception.

However, in a statement released by the Committee on Education and the Workforce on May 5, 2005, Chairman Boehner stated that he anticipates and supports an amendment on the House floor to rollback longstanding critical civil rights protections. This type of amendment would be a direct attack on bipartisan, anti-discrimination provisions that have been part of Head Start since its creation in 1981 and cannot be tolerated. People For the American Way cannot support a compromise that does not ensure that the existing civil rights protections in H.R. 2123 are not summarily removed on the House floor.

Proponents of anti-civil rights provisions claim there is a need to exempt religious organizations from anti-discrimination laws in order to protect the religious identity of that organization. This is simply not true. For decades, religious organizations have partnered with the government to provide social services. They have done so by separating their worship and related activities from government-funded social services, and, where necessary, creating a separate non-sectarian 501(c)(3) organization to provide the services. Under this model, religious organizations have provided an invaluable contribution to the education of thousands of Head Start students and to the communities in which they live. Congress should not adopt changes that would alter this beneficial relationship, particularly when there is no evidence that religious organizations are actively seeking the religious exemption in question.

Again, we are pleased with the bipartisan direction of Head Start reauthorization legislation. However, we are concerned with any amendments which would rollback longstanding critical civil rights protections and thereby detrimentally affect Head Start teachers, students and their parents. The current, delicate balance encouraging the participation of religious organizations and

compliance with our Constitution should not be disrupted. For these reasons, we urge you to continue efforts to ensure that this legislation remains bipartisan, as well as oppose any attempts to repeal longstanding anti-discrimination provisions in H.R. 2123.

Sincerely,

RALPH G. NEAS,
President.
TANYA M. CLAY,
Deputy Director of
Public Policy.

UNION FOR REFORM JUDAISM,
September 19, 2005.

DEAR REPRESENTATIVES: On behalf of the Union for Reform Judaism, whose 900 congregations across North America encompass 1.5 million Reform Jews, and the Central Conference of American Rabbis (CCAR), whose membership includes over 1800 Reform rabbis, I strongly urge you to maintain the bipartisan character of the School Readiness Act of 2005 (H.R. 2123) by opposing any attempt to repeal longstanding civil rights protections that prohibit faith-based Head Start centers from discriminating in whom they hire on the basis of religion. Should such language be added to the bill, I urge you to vote against final passage.

We expect government-funded programs to hire the people who are most qualified, not those whose religious beliefs best match those of an employer. This is especially problematic in relation to Head Start. One's faith does not determine how one reads a book to preschoolers or sings the "alphabet song." To deny children living in poverty the most qualified teacher is nothing short of an attack on Head Start's core mission—preparing children to succeed in school.

Since its founding, Head Start has prided itself on the strength of its family involvement component. Head Start has successfully trained many of its low-income parents to work at Head Start centers, helping parents rise out of poverty. In fact, the Family and Child Experiences Survey, prepared in January 2002 for the U.S. Department of Health and Human Services, found that over 40 percent of Head Start staff members had children in their households who were current or former Head Start participants. On the day this bill becomes law, faith-based Head Start programs could fire such staff members because of their religious beliefs. A Head Start center could refuse to consider a qualified parent for a job because of the way the parent chooses to worship. Experience teaches us that a broad exemption for religious organizations would permit religious groups to use government money to discriminate based on race, sexual orientation, and marital status.

We are pleased with the bi-partisan efforts to improve upon previous Head Start reauthorization attempts. However, on the day that H.R. 2123 was introduced, Representative John Boehner (R-OH) stated his intention to offer an amendment to roll-back the current civil rights protections within the Head Start program when the bill is considered by the full House. To plainly state such intentions diminishes the much-heralded bipartisan spirit of the bill and undermines the gains made thus far in the mark-up process.

Our tradition includes a story of a teacher whose prayer for rain was answered promptly. Asked to tell of his special merit, he replied: "I teach children of the poor as well as of the rich; I accept no fee from any who cannot afford it; and I have a fishpond to delight the children and to encourage them to do their lessons." Since 1965, through its comprehensive services and high quality standards, Head Start has striven to give millions of children an equal opportunity to succeed in school, nurturing their love of learning

and delight in life. I urge you to protect such opportunity for our nation's teachers, parents, and children by opposing any attempt to repeal the civil rights protections in H.R. 2123.

Respectfully,

RABBI DAVID SAPERSTEIN.

DEAR REPRESENTATIVE: we, the undersigned religious and religiously affiliated organizations, write to urge you to oppose the planned Boehner religious discrimination amendment to the School Readiness Act (H.R. 2123), the bill reauthorizing the Head Start program. The bill approved 48-0 by the House Committee on Education and the Workforce that reaches the House floor is the product of many months of hard work resulting in a strong bipartisan agreement. It maintains critical civil rights protections in Head Start, preventing religious discrimination in federally funded Head Start positions. Any attempts to amend the bill and repeal these protections threaten not only the bipartisan spirit of the bill, but the integrity of the Head Start program itself. If the promised Boehner amendment passes, we urge you to vote "no" to H.R. 2123. We are disappointed that an otherwise acceptable bill could be jeopardized with such an unwise amendment.

We represent a diverse array of religions, covering the political and ideological spectrum. We stand united to oppose this unwarranted attack on a vital civil rights provision that protects over 1.6 million teachers and parent volunteers from having to choose between their religion and their participation in the local Head Start program.

The bipartisan bill that passed unanimously out of the Committee on Education and the Workforce has the potential to garner support from a broad range of groups, including all of the religious groups on this letter, but not if the proposed language is included. As religious institutions, we support preserving the autonomy of religious organizations with respect to hiring decisions made in privately funded programs. However, we also recognize the importance of ensuring that taxpayer dollars do not fund positions connected with the operation of the program itself where candidates may be disqualified because of the religion they practice. The longstanding nondiscrimination provision included in Head Start legislation since 1972 strikes the appropriate balance between religious autonomy and nondiscrimination. For over three decades, religious organizations have enthusiastically and effectively participated in the program while upholding constitutional and civil rights standards. We are not aware of any call by these religious based Head Start programs for congressional authority to begin to discriminate on the basis of religion in this government-funded program.

As religious and religiously affiliated organizations, we strive to make the world a better place for the next generation and generations to follow. The Head Start program is an extremely successful government funded means of achieving this goal, providing opportunities for nearly one million at-risk children each year. We urge you to oppose any effort, such as Rep. Boehner's planned floor amendment, to change this crucial program by stripping its civil rights protections and allowing providers to discriminate on religious grounds.

Thank you for your consideration of this important matter.

Respectfully,

African American Ministers in Action,
American Baptist Churches, USA,
American Jewish Committee, American
Jewish Congress, Baptist Joint
Committee for Religious Liberty, Cen-

tral Conference of American Rabbis, Christian Justice Action, United Church of Christ, Disciples of Justice Action Network (Disciples of Christ), Equal Partners in Faith, Faith Action Network of People For the American Way.

Na'Amat USA, National Council of Jewish Women, The General Board of Church and Society of The United Methodist Church, The Interfaith Alliance, Texas Faith Network, Sikh American Legal Defense and Education Fund (SALDEF), Union for Reform Judaism, Unitarian Universalist Association of Congregations, Women of Reform Judaism.

— OMB WATCH,

Washington, DC, September 16, 2005.

DEAR REPRESENTATIVE: OMB Watch strongly urges you to oppose the any attempt to include "charitable choice" provisions in the Head Start program, which would allow religious organizations to discriminate on the basis of the religion when hiring for federally funded programs.

Religious organizations play a meaningful role in the delivery of social service programs. We do not question the right of religious organizations to participate in federal programs, nor their ability to avail themselves of an exemption under Title VII of the Civil Rights Act of 1964 that allows religious organizations to hire co-religionists with their own money.

However, we do question whether federal dollars should fund discrimination by the very few religious organizations that refuse to follow the same rules that all other organizations participating in federal programs follow. Although religious employers have the right under Title VII to apply religious tests to employees, the Constitution requires that the direct receipt and administration of federal funds remove that exemption.

In addition, the federal government has constitutional obligations reinforced by Chief Justice Rehnquist's majority opinion in *Bowen v. Kendrick*, 487 U.S. 589 (1988). The Court stated that although the Constitution does not bar religious organizations from participating in federal programs, it requires (1) that no one participating in a federal program can "discriminate on the basis of religion" and (2) that all federal programs must be carried out in a "lawful, secular manner." *Id.* at 609, 612.

Faith-based and secular grantees face high standards and must be treated equally. The acceptance of federal funds—taxpayer money—should require all recipients to practice non-discrimination in hiring as it relates to those funds.

I urge you to maintain the integrity of religious grantees and prevent government-funded religious discrimination by opposing any attempt to include "charitable choice" provisions into the Head Start program.

If you have any questions, please contact Jennifer Lowe at 202-234-8494. Thank you for your attention to this matter.

Sincerely,

GARY BASS,
Executive Director.

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of my time.

The underlying reauthorization bill here is a good one, to help Head Start children to get the head start they need if they are going to have a chance to succeed in school. And we know from all of the studies for low-income children to have a chance in school, going through an early childhood development program like Head Start is

absolutely essential and that those children that are involved in Head Start and other like programs have a much better opportunity and a much better chance to succeed while they are in school.

We are about to get into the amendment process where we will consider a number of amendments to perfect this bill, and I would ask my colleagues to pay attention to these amendments. I think for most of them there is quite a bit of agreement. But, clearly, the one amendment dealing with the rights of faith-based organizations will draw an awful lot of attention.

But I would ask my colleagues, why should we not let the House work its will? If Members agree or disagree, we ought to have that right and we ought to respect the outcome of that vote.

Ms. KILPATRICK of Michigan. Mr. Chairman, I reluctantly rise in opposition to the passage of the H.R. 2123, the School Readiness Act, a bill that reauthorizes the Head Start program through fiscal year 2011. Although the underlying bill enjoys wide, bipartisan support, the adoption of the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY) has the effect of being a poison pill and makes the bill unpalatable.

The Boustany Amendment permits faith-based organizations providing Head Start service to hire and fire on the basis of religious affiliation. The adoption of this amendment allows faith-based organizations to discriminate in hiring. This practice will work against a key object for which Head Start was designed to address: moving children and families out of poverty.

The Boustany Amendment also drives a wedge within the faith-based community. The Head Start program was first established 1964 through the cooperation of African-American churches throughout the segregated South. From its birth, Head Start and the religious community have developed a strong partnership in the delivery of critical education and social services that have been the building blocks to escaping poverty. This relationship has worked well for generations and now it will be jeopardized if this provision is allowed to remain in the bill. Many faith-based organizations who sponsor Head Start programs have experienced no problems in fulfilling their spiritual mission and honoring the non-discrimination in hiring requirements under the Civil Rights Act. Permitting faith-based organizations to use federal dollars to discriminate in hiring is a step backwards in the continuing struggle for civil rights, a step I am not willing to support.

To remove the civil rights protections guaranteed under this program compromises the very purpose of this program. For this reason, I cast my vote in opposition to H.R. 2123.

Mr. BLUMENAUER. Mr. Chairman, Head Start is a program with many success stories, providing more than 900,000 low-income children with comprehensive educational, medical, dental, and nutritional services. It is an investment in our future. I am happy to see some improvement offered in the School Readiness Act of 2005, such as abandoning block-granting, increasing accountability on academic performance and content, and teacher quality. Unfortunately, this bill falls short of the expectations set by my local community and I cannot support it.

It does not go far enough in providing additional funding for teachers so they may acquire bachelor's degrees by 2011. In Oregon, only 58 percent of the eligible children are being served. Instead of focusing on getting more eligible children into the program, the Republican Leadership is once again attempting to repeal civil rights protections by introducing an amendment permitting religious organizations to use federal funds to discriminate in hiring and firing decisions. Faith-based organizations have long participated in the Head Start program and have successfully received federal funding without discriminating.

Head Start is a bright light for families and children who need an extra boost into the future. It is a program that demonstrates that we care about all families within our communities. I cannot support a bill that discriminates and ignores equality protections.

Mr. MORAN of Virginia. Mr. Chairman, I rise in support of the School Readiness Act which will reauthorize the Head Start program, but this measure will not get my vote if the amendment allowing for religious discrimination is adopted by this House.

I think that we can all agree that this is not a perfect bill, though it is certainly an improvement over the Headstart reauthorization bill that the 108th Congress considered.

As a former mayor of the city of Alexandria, Virginia, I know just how important Head Start programs are to communities because they help to provide our low-income preschool-aged children much needed services such as child development, educational, health, nutritional activities which help them receive greater advantages in life. More importantly, these programs help to level the playing field for disadvantaged children and prepare them for school.

In addition to the educational services that are provided by Head Start programs, some of the other services include health screenings, such as dental and eye care. Statistics have shown that children who receive these crucial services, along with a hot breakfast every morning, have increased their readiness for school.

In my congressional district, one of the most successful Head Start programs is the Alexandria Head Start. This is a collaboration that the Campaign Center, the city of Alexandria and the Alexandria City Public Schools system formed about 37 years ago.

AHS serves over 250 Head Start children and because of a wonderful group of dedicated educators and involved parents, these children are truly getting a "head start."

I am pleased that many of my low-income constituents are served by Head Start programs. I am concerned, however, that the School Readiness Act's authorized funding levels, with limitations, will allow less than half-of the eligible preschoolers, to participate in Head Start.

Unfortunately the cost of the Iraq war and massive tax cuts have produced a fiscal crisis which now translates into the under-funding of critical programs like Head Start and others focused on our low-income citizens.

I am saddened that so many children, who truly would benefit from participation in a Head Start program, will not be given a chance of doing so, and as a result, will be far less likely to reach their true potential.

Another area of concern in this bill relates to teacher quality.

The School Readiness Act will require that half of the Head Start teachers nationwide have at least a B.A. in child development or a related field by 2011, and that all new teachers, beginning three years after the enactment of the bill have at least an associate's degree or be enrolled in a program to achieve an associate's degree.

While I certainly agree that our Head Start teachers should be highly educated, however, unless additional funding is provided for increased salaries, it will be extremely difficult for Head Start programs to attract and more importantly, retain the highly educated teachers the bill requires.

Why would someone who is interested in being a teacher and possesses the education and background the bill requires, choose to make \$25,000 a year as a Head Start teacher instead of \$41,000 as a kindergarten teacher for a school system that provides its teachers with cost-of-living adjustments?

The non-profit Trust for Early Education said it best in a recent report, "If we do not provide appropriate compensation for our pre-kindergarten teachers, they will leave the pre-kindergarten classroom."

The School Readiness Act needs to provide Head Start programs with the financial ability to recruit and retain our Nation's brightest teachers to educate our Nation's most disadvantaged.

I am also adamantly opposed to the Boustany amendment.

If a Head Start program is being administered by a faith-based institution and it is receiving federal funding for the program, it must not be permitted to discriminate on religious grounds when making employment decisions.

It is as simple as that.

Head Start teachers and workers not only provide cognitive development services to children; they help in the development of children's character.

Most preschoolers have a strong sense of right from wrong. This will be setting a confusing example if we authorize discrimination of any kind. This amendment is opposed by every credible anti-discrimination an civil rights protection organization, and I ask my colleagues to oppose it.

It was once said that "Education is the great equalizer in a democratic society, and if people are not given access to a quality education, then what we are doing is creating an underclass of people who will ultimately challenge our very way of life."

While I recognize the shortcomings of the School Readiness Act, it is a worthwhile effort that will help our low-income children by working to level a very un-level playing field, so they will be prepared and successful in school.

Mrs. JONES of Ohio. Mr. Chairman, I rise today to address the House about H.R. 2123, the Head Start School Readiness Act of 2005. Once again, we gather here to address the needs of the Nation's youth and debate how we will meet those needs.

For the past 30 years, Head Start has set the foundation for the educational achievement of most young children in this country and has many of today's successful young adults as its proof of effectiveness. Many years ago, we did the necessary research and identified the conditions under which young children are more receptive to learning. We realized that it would take special effort and targeted resources to prepare children for the rigors of the academic day.

From the beginning until today, we have implemented changes to reflect technological advances, changing demographics, professional advancements, etc. We, as a Nation, have risen to the call of our children and provided a caring, nurturing responsive environment for them. We spend millions of dollars every year training teachers to carry out the Head Start function.

Mr. Chairman, we also lose those well-trained individuals one after the other because we professionally abandon them after we have spent hard earned dollars training them. Along with my colleague from Illinois, I sought to provide the authorization for Head Start to implement salary and work incentives to retain trained teachers in the Head Start program. The amendment was not ruled in order and we have not had the opportunity to even have a discussion about the amendment. We proposed up to \$300 million to aid the many Head Start programs nationwide.

Mr. Chairman, rejecting my amendment I believe deprived the American people of an opportunity to hear how their elected representatives viewed something as critical as Head Start. It would have given the voting public an opportunity to compare how we prioritize items. They would have heard us debate how to spend our scarce dollars. They would have had a reference point and a window seat to observe how we determined what is important and measure that with what they think is important. To some the comparison may have been Head Start versus Iraq; for some it may have even been Head Start versus health care; for others it may have been Head Start versus affordable housing.

As one who has fought tirelessly for the victims of natural and manmade disasters, I have supported every effort to rebuild New York after 9/11; I have supported every dime of supplemental funds for the victims of Hurricane Katrina; I have supported appropriations bills for every conceivable assistance package this country has had to provide. I now stand in support of retaining qualified certified and government-trained teachers in a Head Start program free from discrimination, prejudice and intolerance. I submit to you, Mr. Chairman, it is not too much to spend and it is right on time.

In any case, the people will not get that chance. They will never know if we may have carefully studied this issue and decide teacher retention was a worthy, valuable and cost effective expense.

What they will hear is a debate on an amendment designed to re-introduce discrimination and disadvantage to a program created to overcome the vestiges of poverty, racism, and academic neglect. This House will debate an amendment today to permit faith-based recipients of Federal Head Start dollars to discriminate against individual based on their individual, guaranteed right of free religious affiliation. As a former judge and prosecutor and an American—I am offended and insulted.

We as a body cannot effect a simple reauthorization because each time we get to a bipartisan agreement to move Head Start in to the 21st century—this poison pill provision rears its ugly head. Not to mention separation of Church and State.

Mr. Chairman, this is a sad and unfortunate event in the history of this august body: That after over 200 years as a sovereign country—with a checkered past, at best, on discrimina-

tion, we now debate discrimination by statute in the case of our young and budding leaders of tomorrow. I rise in objection to this amendment to permit discrimination based on religious affiliation in the Head Start program.

I raise the highest objection that I can to rolling back over 200 years of progress on justice, harmony and tolerance. I rise in objection to holding the future of Head Start hostage to this provision.

Equally important, I rise to object to the proverbial slap in the face this amendment visits upon true and significant bipartisanship. I commend the chairman and the ranking minority on the Education and Workforce Committee for their commitment to the children of this Nation by presenting a bill free of polarizing provisions. Unlike so many contentious issues brought before the House, bipartisanship was not D.O.A.—“Dead on Arrival.” Instead, a bipartisan, thought provoking legislative initiative was D.U.A.—“Dead Under Attack.”

Mr. Chairman, I urge my colleagues to reject this amendment and let Head Start get on with the business of preparing America’s youth for tomorrow.

Ms. BORDALLO. Mr. Chairman, today, in honor of the reauthorization of the Head Start Program, I would like to recognize the contributions of Head Start to the education of children in Guam and throughout our Nation. Head Start programs across the United States have been an essential part of the academic, physical, emotional, behavioral and cognitive development of 3 and 4 year olds.

Early childhood education for pre-schoolers is extremely important as an essential element of child development. Guam’s Head Start programs have educated thousands of children over the past 30 years to become good upstanding citizens. The program not only caters to the children, but integrates the involvement of parents to nurture an ongoing education in the homes.

I commend all the hard working teachers who have enthusiastically and effectively worked to positively influence the lives of at-risk children and their families. I support Head Start and H.R. 2123, which is critical to provide adequate funding for this wonderful program.

Mr. UDALL of Colorado. Mr. Chairman, I rise in support of this bill, though I have concerns about one specific provision that would go too far to allow discrimination.

The basic tenet of Head Start is as true today as it was a generation ago—quality early education programs can be instrumental in helping children overcome barriers to learning. This program not only plays an important role in providing opportunities for the next generation but also has an important impact on our economy. For every dollar spent on Head Start, we receive seven dollars back. There are few federal programs that can boast that kind of success.

As a nation we must ensure that our children are prepared, academically, emotionally and nutritionally to enter school. Removing the outside forces that result in under-prepared students opens up children’s minds to learn and gain an education. Head Start is one of the most important programs in our government and I am pleased to see this bill come to the floor with bipartisan support.

Unfortunately, I have concerns about an amendment passed by this body that allows faith-based Head Start grantees to discrimi-

nate in hiring based on religion. Federally supported programs should never support discrimination in its programs on any level. Since Head Starts inception in 1972 it has never discriminated in hiring for faith based and other organizations. There is no need to start now.

I was pleased the House did not adopt an amendment offered by Ms. MUSGRAVE that would allow for-profit Head Start providers to collect federal funds as profit. While for-profit Head Start grantees play an important role in school readiness, I do not support allowing them to collect a profit from federal grants provided to serve low-income students. Any savings from funds designated for administrative costs should go towards serving the needs of these low-income students. This amendment provides the wrong type of incentive for Head Start grantees.

While this bill is not perfect, there are many provisions that will provide needed and worthwhile reforms to Head Start. Head Start has proven to be a successful program and this bill will largely make it even more successful and efficient. So Mr. Chairman, I am voting in favor of this bill.

Mr. RUPPERSBERGER. Mr. Chairman, for almost 40 years, Head Start has assisted low-income preschool children and their families. It has been an invaluable resource to many children and families across our country.

I am pleased to rise to join with my colleagues about the future of Head Start. As Congressman and a former County Executive, education is one of my top priorities. In particular, Head Start programs are essential to so many children’s futures, for research shows that early learning is a fundamental piece of a child’s education.

I have long held a firm belief in the importance of education and have often spoke of our nation’s need to ensure that, even at the earliest stages our children have access to programs and services that will enrich their education and lives.

Last year, Head Start helped 912,000 three, four, and five year olds build a solid foundation so they are ready to tackle reading and math in kindergarten. Head Start allows children to be ready to succeed in school and in life. Giving them that extra boost that they need will allow them to be productive citizens.

Head Start also provides the youngsters and their families with a comprehensive list of support services—from health screenings to nutritional advice to parent counseling.

I stand behind this program because I have seen first hand how Head Start helps the entire family grow and succeed together.

Head Start is a good start for America’s future.

Mr. STARK. Mr. Chairman, I rise today in opposition of H.R. 2123, the School Readiness Act of 2005.

Disappointingly, I would have voted for this legislation to reauthorize the Head Start program if it were the same bill that the Education and Workforce Committee passed unanimously with bipartisan support. That bill’s new teacher qualifications and increased accountability would have greatly improved the educational outcomes for children in the Head Start program. I would have preferred that bill provide more funding to ensure all eligible children can receive Head Start services, but on balance, the bipartisan bill was worth voting for.

Instead, the Republican Majority has added an amendment which would, for the first time

in Head Start's 30-year history, allow a faith-based sponsored Head Start Program to use Federal taxpayer dollars to discriminate against highly qualified teachers and other employees solely because of their religious views. Ironically, even the faith-based community Republicans spend so much time pandering to is opposed to this discriminatory amendment. Groups including the Baptist Joint Committee, American Jewish Congress and African American Ministers in Action oppose the notion that Head Start should allow religious discrimination.

This Head Start bill, however, is only the latest example of such prejudice; President Bush and his Congressional Republican counterparts have steadily pushed an agenda latent with religious discrimination. Most recently, the Majority has sought to impart their religious views on historically secular programs such as the Workforce Investment Act and the Community Services Block Grant.

Perhaps what is most abhorrent is that the Republican Party wants to institutionalize discrimination in a program that provides early childhood development and educational services that are intended to prepare low-income children to enter kindergarten and improve their success later in life. These are not the "family values" we should teach our children, whether it's paid for with tax-payer funds or not.

I urge my colleagues to vote against this legislation. It is time to show the American people that this Congress supports tolerance over discrimination. It is time we had a Head Start Reauthorization bill that focuses on improving the educational development of our children, and is not being used as a vehicle to teach our children one of the world's ugliest lessons: discrimination.

Mr. BACA. Mr. Chairman, I rise today in support of H.R. 2123, the School Readiness Act of 2005.

The goal of the Head Start program is to give at-risk children all across our Nation a fair chance at succeeding in the educational system.

Head Start is especially important to Latino children. Latino children make up more than one-third, 34 percent, of all those eligible for the program. In my home State of California, 65.8 percent, which is almost two-thirds, of those enrolled in the Head Start program are Latino. As the Hispanic population experiences rapid growth, Head Start services must be strengthened to reflect the unique needs of Latino families. Head Start's ability to improve the educational skills and opportunities of Latino children will be an important component of America's future success.

Head Start has long lasting effects on those most in need. Head Start graduates are more likely to graduate from high school and less likely to need special education, repeat a grade, or commit crimes in adolescence.

This bill improves the program in several key ways: It increases funding for underserved children; for the children of migrant and seasonal workers, it will allow approximately 10,000 more children to leave the agricultural fields and enter the classroom; it expands the Native America Head Start programs; and it also works towards ensuring that parents can get information in their native language, when possible.

This bill was passed unanimously out of the Committee on Education and the Workforce in

May. It is important that we pass this legislation as a bipartisan effort to help American youth. Unfortunately, the Boustany amendment would jeopardize this important bill by allowing for employment discrimination based on religion. That kind of partisan politics has no place in a bill that is about increasing educational opportunities for our children.

Many of our Latino parents and children already face a number of barriers in accessing the Head Start program. We must not add additional barriers or sacrifice their futures.

It would place tens of thousands of already at-risk children in danger of losing their Head Start teachers. And in doing so, it would block countless low-income and minority parents from climbing the ladder out of poverty.

We should not make it more difficult to participate in a program that enables thousands of parents to make the life-changing transition from being a parent volunteer to being a trained and paid Head Start teacher. This amendment is inconsistent with American values of tolerance and respect for all religions. Instead of trying to tack on a partisan amendment, we should pass a bill that maintains Head Start's high standards and allows Head Start centers to hire the most qualified teachers. That is what's best for our children and for our country.

I urge my colleagues to vote "no" on the Boustany amendment.

Mr. VAN HOLLEN. Mr. Chairman, in solidarity with the National Head Start Association, the Children's Defense Fund and countless other lifelong advocates of the Head Start program, it is with a heavy heart that I must oppose this final, amended version of the Head Start reauthorization on the floor today.

It did not have to be this way.

I sit on the Education and Workforce Committee, which reported a genuinely bipartisan Head Start bill to this House. It wasn't perfect, and it did not reflect in every respect the Head Start reauthorization I would have written. For example, an amendment I offered to fully fund the program so that every eligible child could reap its benefits was defeated on a party line vote. Moreover, a second amendment I proposed to offset the significant costs faced by Head Start grantees working to comply with the Department of Health and Human Services' transportation safety requirements so that program dollars weren't diverted from serving kids was similarly not included.

But, unlike failed initiatives in the recent past, the committee reported bill did not walk down the misguided path of block granting the Head Start program. Additionally, it took very positive steps towards establishing high standards for teacher quality and strengthening accountability for underperforming programs. It even included an amendment I offered on a bipartisan basis with Representatives PLATTS and BIGGERT to provide grantees new flexibility to serve additional needy children when program slots became available.

That is why I am so disappointed to vote against this bill today. With the inclusion of the Boustany amendment, this bill for the first time seeks to legitimize publicly funded religious discrimination in the Head Start program. It takes money from taxpayers and then turns around and tells those same taxpayers they can be excluded from federally funded jobs in a Head Start center solely on the basis of their religious beliefs. In effect, it is a green light for religious bigotry.

It has no place in the Head Start program, and it is precisely the wrong message to be sending to our nation's children. I will continue to support Head Start. But I must forcefully oppose this legislation.

Ms. ROYBAL-ALLARD. Mr. Chairman, after years of hard work on both sides of the aisle to create a Head Start reauthorization bill that treats our Nation's neediest children fairly, it is with a heavy heart that I must oppose the final passage of H.R. 2123.

Head Start is designed to ensure that all children—regardless of their family's income, race, or ethnic background—are able to enter kindergarten ready to learn. The Boustany amendment, which promotes discrimination on the basis of religion for faith-based organizations, destroys the principle of fairness that I believe is central and crucial to the success of Head Start. It is for this reason that I cannot support final passage of the bill.

I have long been a supporter of the Head Start program because each and every year I witness the dramatic positive impact that early intervention services have on children's lives in my congressional district. My district includes many children who are in desperate need of Head Start services, especially those Hispanic children who depend on Head Start services to learn critical early literacy skills. These skills are doubly important now to meet the rigorous requirements of the No Child Left Behind Act. Latino children currently make up more than one-third of all eligible Head Start children, and the Los Angeles County Office of Education is home to the largest Head Start program in the Nation, serving more than 24,000 children. As a member of the Appropriations Subcommittee on Labor, Health and Human Services, and Education, I have continuously supported strong and sustained funding for the Head Start program.

During consideration in the Education and the Workforce Committee this year, Democrats and Republicans worked constructively together to improve the delivery of Head Start services to the target populations. The product of this collaborative process was a bill that contained several forward-looking provisions that would help the overall administration and accountability of the program. In particular, I highlight the reauthorization bill's provisions to ensure that Head Start teachers possess at least an associate's degree in early childhood education within three years of the bill's enactment. In addition, I applaud the provision that would allocate 5 percent of total funds toward programs that support the children of migrant and seasonal workers, an easily-overlooked populace that is disproportionately Latino.

It is important to note that I and my fellow Democrats recognize and appreciate the wonderful work that faith-based organizations do to support the mission of Head Start. Faith-based groups have and should continue to play a critical and respected role in the education of our Nation's youngsters.

While the participation of faith-based groups is respected and valuable, however, the Boustany amendment would seriously damage the mission of Head Start, which is to "level the playing field" when it comes to early childhood education. It is essential that faith-based groups respect the civil rights of the thousands of Head Start teachers and volunteers who are committed to improving the lives of children, regardless of their personal religious beliefs. There are many faith-based groups that

work to prepare preschool-aged children for school without federal funds, and it is entirely permissible for these groups using private funds to hire their teachers based on religious grounds. What the Boustany amendment would allow, however, is for faith-based groups to ignore civil rights precedent and discriminate on the basis of religion when those programs are supported by public funds.

It is important to note that not all faith-based organizations support the discrimination practices supported by the Boustany amendment. In fact, many religious organizations specifically oppose discrimination in hiring based on religion, including: American Jewish Congress, Church Women United, Interfaith Alliance/Foundation, Union for Reform Judaism, Unitarian Universalist Association of Congregations, and United Church of Christ Justice & Witness Ministries.

Although the Boustany discrimination amendment has forced me to oppose H.R. 2123, I remain committed to the Head Start program and the services the program provides to our country's underserved children. I can only hope that the Republican leadership will come to its senses during the conference of this bill with the Senate and move to eliminate this discriminatory provision so that Head Start can once again go forward with the universal support that it has earned and that it deserves.

Mr. McKEON. Mr. Chairman, I rise in strong support of H.R. 2123, the School Readiness Act, which will strengthen the Head Start program by closing the readiness gap that exists between low and upper income children. I want to thank my good friends, Chairman

BOEHNER and Congressman CASTLE, for their hard work on this important piece of legislation.

Created in 1965 and located in every community in the country, Head Start has been a valuable part of our nation in preparing lower-income children for elementary school. However, in spite of the good efforts of the program, there are still shortcomings that need to be addressed. We can do more to ensure that the disadvantaged children in this country are better prepared for school.

A readiness gap still exists between children in Head Start and their more affluent peers. The bill before us today will improve the Head Start program to help close the readiness gap by strengthening academic standards. The bill emphasizes cognitive development and the use of scientifically-based research in topics critical to a child's school readiness.

This bill also seeks to protect parents and taxpayers from financial mismanagement in the Head Start program. The federal government invests nearly \$7 billion in the program, but sadly, dozens of media stories and an independent investigation by the Government Accountability Office revealed problems in the financial management of some Head Start grantees. We should do all that we can to ensure that Head Start dollars are going to meet the needs of the students and are not wasted due to a few bad grantees. The School Readiness Act strengthens safeguards to protect against financial abuse.

Mr. Chairman, this bill received unanimous support in committee, and I hope that it will also receive the full support of the whole House. H.R. 2123 is a good bill that will im-

prove the lives and educational needs of our nation's most vulnerable children. I urge my colleagues to support the bill.

Mr. HONDA. Mr. Chairman, as a former teacher and principal, I rise today to voice my support for H.R. 2123, the bipartisan Head Start bill.

Since 1965, Head Start has helped over 20 million children build the confidence and skills they need to succeed in school and to become the leaders and productive citizens of the future. Children cannot learn when they are hungry, sick, or too worried about their families to concentrate in school. That is precisely why we need Head Start.

Head Start is unique in its comprehensive approach to supporting children and families, offering early education, health care, social services, and nutrition services, while emphasizing parent involvement and support. This approach has represented a formula for success for nearly 40 years.

I am pleased that my colleagues on the other side of the aisle have not pursued their strategy of last year and have worked with Members from this side of the aisle to produce a bill that does not include the block grant proposal that was advanced in the last Congress.

I am also pleased that the bill will align Head Start curricula with K-12 education while preserving the comprehensive nature of the Head Start program. This will support effective transitions for children's learning and development and ensure that children will enter school ready to learn. At the same time, the proposal will provide continuity for children by retaining

the essential parental involvement, nutrition, and other non-academic features of Head Start.

I am glad that H.R. 2123 has a strong focus on early childhood educator professional development. Improving teacher quality in Head Start is critical to increasing overall program quality and helping more children reach kindergarten better prepared to succeed. I am concerned, however, that while the bill requires teachers to have higher academic degrees, it provides no funding to support the implementation of its important teacher quality provisions. Improving teacher quality is very important, but without providing the means to support the provision, the initiative is severely undercut. I hope that this problem is addressed in conference.

Despite my support for the bill, I will vote against it if the divisive amendment being offered by Mr. BOUSTANY passes. I strongly oppose this amendment, which would allow faith based-sponsored Head Start programs to use Federal taxpayer dollars to discriminate against qualified teachers and other employees solely because of their religion or personal religious views.

Head Start began as a civil rights platform—ensuring that all children, regardless of race, ethnicity, or religion—get a head start in life. This amendment would roll back civil rights for Head Start teachers and parent volunteers by allowing religious discrimination. This is an outright assault on religious liberty and civil rights in federally funded programs. To trample on this now will turn back the clock on the progress we have made in protecting the civil rights of the people we entrust to give our children a head start.

Allowing discrimination based on religion would significantly impede the important goals of Head Start as well as sending a damaging message to students. Religious institutions have been providing invaluable Head Start services for years and do not need this misguided amendment to continue their good work.

As chair of the Congressional Asian Pacific American Caucus, I recognize how important Head Start is to APA communities. Nationwide, over 25,000 APA children are served by Head Start. In California alone, over 6,000 APA children are enrolled in Head Start, with over half of them coming from homes where English is not the primary language.

I want to support the improvements in Head Start that this bill will make in order to provide the children in these communities with the opportunities they richly deserve. But these communities, which have had to fight so hard to protect their own civil rights, do not want a Head Start program that discriminates and do not want Congress to act for the first time to specifically repeal civil rights protections against discrimination.

Mr. Chairman, I urge all Members to put the needs of children first, vote against the Boustany amendment which is a poison pill that will kill this bill, and make a real commitment to improve the Head Start program.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today to express my support for the Head Start Reauthorization Bill that was sent to this Chamber by the Committee.

Head Start is one of the best programs we offer our youngest students. A recent report on Head Start released by the Department of Health and Human Services shows that Head

Start helps close the achievement gap between students of differing socio-economic status.

Since Head Start was created in 1965, it has proven to be our most valuable school readiness program in the history of this country.

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

It's important that this body reauthorize this program in a manner that shows bipartisan support for educating our children.

I agree with many of the provisions in this bill, such as safeguarding financial abuse and improving disclosure rules. Fraud and abuse of providers of Head Start Programs is indefensible.

The money allocated to Head Start programs should be used to educate children. Not for any other purpose. This bill cracks down on those programs engaging in fraud.

Also, this legislation keeps current health and nutrition services, which are essential for ensuring children can learn.

Young children have a difficult time learning if their basic needs aren't met. Providing health care is an essential part of this program.

The "best practices" provision of this bill will help improve the curricula of our Head Start Program.

I urge my colleagues to support this bill as it was reported from Committee. 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. BOEHNER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. BASS). All time for general debate has expired.

Pursuant to the rule, the committee 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. 2123

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "School Readiness Act of 2005".

SEC. 2. PURPOSE.

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

SEC. 636. STATEMENT OF PURPOSE.

"It is the purpose of this subchapter to promote school readiness by enhancing the development of low-income children, including development of cognitive abilities, through educational instruction in prereading skills, premathematics skills, language, and social and emotional development linked to school readiness and through the provision to low-income children and their families of health, educational, nutritional, social and other services that are determined, based on family needs assessments, to be necessary."

SEC. 3. DEFINITIONS.

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

(1) in paragraph (17) by striking "but for fiscal years" and all that follows down to the period;

(2) by redesignating paragraphs (16) and (17) as paragraphs (23) and (24), respectively;

(3) by redesignating paragraph (15) as paragraph (21);

(4) by redesignating paragraphs (11) through (14) as paragraphs (16) through (19), respectively;

(5) by redesignating paragraph (10) as paragraph (14);

(6) by redesignating paragraphs (3) through (9) as paragraphs (6) through (12), respectively;

(7) by redesignating paragraph (2) as paragraph (4);

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

"(2) The term 'challenging State developed academic content standards' has the meaning given such term in paragraphs (1) and (5) of section 1111(b) of the Elementary and Secondary Education Act of 1965.

"(3) The term 'deficient' means—

"(A) systemic or significant 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 Federal or State requirement;

"(B) failure of the board of directors of a Head Start agency to fully exercise its legal and fiduciary responsibilities;

"(C) failure of a Head Start agency to meet the administrative requirements of section 644(b); or

"(D) failure of a Head Start agency to meet the integration requirements of section 642B(a).";

(9) by inserting after paragraph (4), as so redesignated, the following:

"(5) The term 'eligible entities' means an institution of higher education or other agency with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the quality of early childhood education programs.'";

(10) by inserting after paragraph (12), as so redesignated, the following:

"(13) The term 'homeless children' has the meaning given such term in subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431-11435).";

(11) by inserting after paragraph (14), as so redesignated, the following:

"(15) LIMITED ENGLISH PROFICIENT; LIMITED ENGLISH PROFICIENCY.—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 deny such individual—

"(i) the ability to successfully achieve in classrooms in which the language of instruction is English; or

“(ii) the opportunity to fully participate in society.”;

(12) by inserting after paragraph (19), as so redesignated, the following:

“(20) PROFESSIONAL DEVELOPMENT.—The term ‘professional development’ means high quality activities that will enhance the school readiness of eligible children and prevent such children from encountering difficulties once they enter school by improving the knowledge and skills of Head Start teachers and staff, as relevant to their roles and functions, including activities that—

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

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

“(C) improve teachers’ classroom management skills, as appropriate;

“(D) for teachers, are sustained, intensive, and classroom-focused in order to have a positive and lasting impact on classroom instruction and teachers’ performance in the classroom;

“(E) are not primarily 1-day or short-term workshops or conferences, and attendance at activities that are 1-day or short-term workshops or conferences must be as part of the professional development plan defined in section 648A(f);

“(F) assist teachers and staff in increasing their knowledge and skills in program administration, program quality, and the provision of services and instruction, as appropriate, in a manner that improves service delivery to eligible children and families;

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

“(H) advance teacher understanding of effective instructional strategies that are—

“(i) based on scientifically based research; and

“(ii) strategies for improving school readiness or substantially increasing the knowledge and teaching skills of teachers;

“(I) are, where applicable, aligned with and directly related to—

“(i) challenging State academic content standards, student academic achievement standards, assessments, and the Head Start Child Outcomes Framework developed by the Secretary;

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

“(iii) the Head Start Child Outcomes Framework developed by the Secretary;

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

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

“(L) are designed to give teachers of limited English proficient children, and other teachers and instructional staff, the knowledge and skills to provide instruction and appropriate language and support services to increase the English language skills of such children;

“(M) as a whole, are regularly evaluated for their impact on increased teacher and staff effectiveness and improved ability of teachers to support learning and increase participating children’s school readiness, with the findings of the evaluations used to improve the quality of professional development;

“(N) provide instruction in methods of teaching children with special needs, as appropriate;

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

“(P) 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.”;

(13) by inserting after paragraph (21), as so redesignated, the following:

“(22) 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

(14) by inserting after paragraph (24), as so redesignated, the following:

“(25) The term ‘State educational agency’ has the meaning given such term in the Elementary and Secondary Education Act of 1965.

“(26) The term ‘unresolved area of noncompliance’ means a failure to correct a noncompliance item within 90 days, or within such additional time (if any) authorized by the Secretary, after receiving from the Secretary notice of such noncompliance item.”.

SEC. 4. FINANCIAL ASSISTANCE FOR HEAD START PROGRAMS.

Section 638 of the Head Start Act (42 U.S.C. 9833) is amended by inserting “for a period of 5 years” after “provide financial assistance to such agency”.

SEC. 5. AUTHORIZATION.

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

“SEC. 639. AUTHORIZATION OF APPROPRIATIONS.

“(a) IN GENERAL.—There are authorized to be appropriated for carrying out the provisions of this subchapter \$6,899,000,000 for the fiscal year 2006 and such sums as may be necessary for the fiscal years 2007 through 2011.

“(b) SPECIFIC PROGRAMS.—From the amount appropriated under subsection (a), the Secretary shall make available not more than \$20,000,000 for fiscal year 2006, and such sums as may be necessary for fiscal years 2007 through 2011 to carry out such other research, demonstration, and evaluation activities, including longitudinal studies, under section 649, of which not more than \$7,000,000 for each of the fiscal years 2006 through 2011 to carry out impact studies under section 649(g).”.

SEC. 6. ALLOTMENT OF FUNDS; LIMITATIONS ON ASSISTANCE.

(a) ALLOTMENTS.—Section 640(a) of the Head Start Act (42 U.S.C. 9835(a)) is amended—

(1) in paragraph (2)—

(A) by amending subparagraph (A) to read as follows:

“(A) 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 2005;

“(ii) migrant and seasonal Head Start programs shall receive at least 5 percent of the amount appropriated for such 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(j), 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 prior to such reduction in funding; and

“(iii) Indian Head Start programs shall receive at least 3.5 percent of the amount appropriated for such 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.”; and

(B) by amending subparagraph (B) to read as follows:

“(B) payments, subject to paragraph (7) to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Virgin Islands of the United States, and subject to the requirements of section 105(f)(1)(B)(ix) of Public Law 108-188 to Palau.”;

(C) by amending (C) to read as follows:

“(C) training and technical assistance activities to foster program quality and management improvement as described in section 648, in an amount for each fiscal year which is equal to 2 percent of the amount appropriated for such fiscal year, of which—

“(i) not less than 50 percent shall be made available to local Head Start agencies to make program improvements identified by such agencies and comply with the standards described in section 641A(a)(1), of which not less than 50 percent shall be used to comply with the standards described in section 641A(a)(1)(B) and for the uses described in clauses (iii), (iv), and (vii) of subsection (a)(3)(B);

“(ii) not less than 20 percent shall be made available to support a State system of early childhood education training and technical assistance, including the State Early Learning Council described in section 642B(b);

“(iii) not less than 30 percent shall be made available to the Secretary to assist local programs in meeting the standards described in section 641A(a)(1) and shall be allocated to address program weaknesses identified by monitoring activities conducted by the Secretary under section 641A(c); and

“(iv) not less than \$3,000,000 of the amount in clause (iii) appropriated for such fiscal year shall be made available to carry out activities described in section 648(d)(4);”;

(D) by striking the last sentence.

(2) in paragraph (3)—

(A) in subparagraph (A)—

(i) in clause (i)(I) by striking “year 1999” and all that follows down to the semicolon and inserting “years 2006 through 2011”; and

(ii) by adding at the end the following:

“(iii) After the reservation of amounts under paragraph (2) and the 60 percent amount referred to in subparagraph (A) of this paragraph, a portion of the remaining funds shall be made available—

“(I) to expand services to underserved populations, such as children receiving services under Early Head Start programs and under migrant and seasonal Head Start programs; and

“(II) to increase funding to grantees with full enrollment and whose aggregate amount of financial assistance provides funding per child that is below the national average.”;

(B) by amending subparagraph (B) to read as follows:

“(B) Funds reserved under this paragraph (in this paragraph referred to as ‘quality improvement funds’) shall be used to accomplish the following goals:

“(i) Ensuring that Head Start programs meet or exceed standards pursuant to section 641A(a)(1).

“(ii) Ensuring that such programs have adequate numbers of qualified staff, and that such staff is furnished adequate training, including developing skills to promote the development of language skills, premathematic skills, and prereading in young children and in working with children with limited English proficiency, children referred by child welfare services, and children with disabilities, when appropriate.

“(iii) Developing and financing the salary scales described under section 644(a)(3) and section 653, in order to ensure that salary levels and benefits are adequate to attract and retain qualified staff for such programs.

“(iv) Using salary increases—

“(I) to assist with the implementation of quality programs and improve staff qualifications;

“(II) to ensure that staff can promote the language skills and literacy growth of children and can provide children with a variety of skills that have been identified, through scientifically based early reading research, as predictive of later reading achievement; and

“(III) to encourage the staff to continually improve their skills and expertise by informing the staff of the availability of Federal and State incentive and loan forgiveness programs for professional development.

“(v) Improving community-wide strategic planning and needs assessments for such programs and collaboration efforts for such programs, including collaborations to increase program participation by underserved populations of eligible children.

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

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

“(viii) Providing assistance to complete post-secondary course work including scholarships or other financial incentives, such as differential and merit pay, to enable Head Start teachers to improve competencies and the resulting child outcomes.

“(ix) Upgrading the qualifications and skills of educational personnel to meet the professional standards established under section 648A(a)(1), including certification and licensure as bilingual education teachers and other educational personnel who serve limited English proficient children.

“(x) Promoting the regular attendance and stability of all children participating in Head Start programs, with particular attention to highly mobile children, including children from migrant and seasonal farm worker families (if appropriate), homeless children, and children in foster care.

“(xi) Making such other improvements in the quality of such programs as the Secretary may designate.”; and

(C) by amending subparagraph (C) to read as follows:

“(C) Quality improvement funds shall be used to carry out the activities in any or all of the following clauses:

“(i)(I) Not less than one-half of the amount reserved under this paragraph, to improve the

compensation (including benefits) of classroom teachers and other staff of Head Start agencies providing instructional services and thereby enhancing recruitment and retention of qualified staff, including recruitment and retention pursuant to achieving the requirements set forth in section 648A(a). The expenditure of funds under this clause shall be subject to section 653. Salary increases, in excess of cost-of-living allowance, provided with such funds shall be subject to the specific standards governing salaries and salary increases established pursuant to section 644(a).

“(II) If a Head Start agency certifies to the Secretary for such fiscal year that part of the funds set aside under subclause (I) to improve wages cannot be expended by such agency to improve wages because of the operation of section 653, then such agency may expend such part for any of the uses specified in this subparagraph (other than wages).

“(III) From the remainder of the amount reserved under this paragraph (after the Secretary carries out subclause (I)), the Secretary may carry out the activities described in clauses (ii) through (vii).

“(ii) To train classroom teachers and other staff to meet the education standards described in section 641A(a)(1)(B), through activities—

“(I) to promote children’s language and prereading growth, through techniques identified through scientifically based reading research;

“(II) to promote the acquisition of the English language for limited English proficient children and families, while ensuring that children are making meaningful progress in attaining the knowledge, skills, abilities, and development described in section 641A(a)(1)(B);

“(III) to foster children’s school readiness through activities described in section 648A(a)(1); and

“(IV) to provide education and training necessary to improve the qualifications of Head Start staff, particularly assistance to enable more instructors to be fully competent and to meet the degree requirements under section 648A(a)(2)(A), and to support staff training, child counseling, and other services necessary to address the challenges of children participating in Head Start programs, including children from immigrant, refugee, and asylee families, children from families in crisis, children who experience chronic violence in their communities, children who experience substance abuse in their families, and children with emotional and behavioral problems.

“(iii) To employ additional Head Start staff, including staff necessary to reduce the child-staff ratio, lead instructors who meet the qualifications of section 648A(a) and staff necessary to coordinate a Head Start program with other services available to children participating in such program and to their families.

“(iv) To pay costs incurred by Head Start agencies to purchase insurance (other than employee benefits) and thereby maintain or expand Head Start services.

“(v) To supplement amounts provided under paragraph (2)(C) to provide training necessary to improve the qualifications of the staff of the Head Start agencies, and to support staff training, child counseling, and other services necessary to address the problems of children participating in Head Start programs, including children from dysfunctional families, children who experience chronic violence in their communities, and children who experience substance abuse in their families.

“(vi) To conduct outreach to homeless families in an effort to increase the program participation of homeless children.

“(vii) To conduct outreach to migrant and seasonal farm-working families and families with children with a limited English proficiency.

“(viii) Such other activities as the Secretary may designate.”;

(3) in paragraph (4) by striking “1998” in subparagraph (A) and inserting “2005”;

(4) in paragraph (5) by amending subparagraphs (A), (B), and (C) to read as follows:

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

“(B) From the reserved sums in paragraph (4), the Secretary shall award a collaboration grant to any State that submits a written request. Such grant shall be equal to the amount the State received under this paragraph for such activity for fiscal year 2005. Such grant shall be used by the State to facilitate collaboration regarding activities carried out in the State under this subchapter, and other activities carried out in and by the State that are designed to benefit low-income children and families and to encourage Head Start agencies to collaborate with entities involved in State and local planning processes (including the State lead agency administering the financial assistance under the Child Care and Development Block Grant Act of 1990 and the entities that provide child care resource and referral services in the State) in order to better meet the needs of low-income children and their families.

“(C) In order to improve results for children, a State that receives a grant under subparagraph (B) shall appoint an individual to serve as the State Director of Head Start Collaboration to be a liaison between the appropriate regional office of the Administration for Children and Families and agencies carrying out Head Start programs in the State. The State shall—

“(i) ensure that such Director 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 local entities, including—

“(I) the State educational agency;

“(II) the State Department of Health and Human Services;

“(III) the State agency that oversees child care;

“(IV) the State agency that assists children with developmental disabilities;

“(V) the State Head Start Association;

“(VI) the State network of child care resource and referral agencies;

“(VII) local educational agencies;

“(VIII) community-based and faith-based organizations;

“(IX) representatives of migrant and seasonal Head Start programs located in the State;

“(X) representatives of Indian Head Start programs located in the State;

“(XI) State and local providers of early childhood education and child care, including providers with experience serving children with limited English proficiency; and

“(XII) other entities carrying out programs serving low-income children and families in the State;

“(ii) involve the entities described in clause (i) to develop a strategic plan for the coordinated outreach to identify eligible children and to implement strategies based on a needs assessment, which shall include an assessment of the availability of high quality prekindergarten services for low-income children in the State. Such assessment shall be completed not later than 1 year after the date of enactment of the School Readiness Act of 2005 and be updated on an annual basis and shall be made available to the general public within the State;

“(iii) ensure that the collaboration described in subparagraph (B) involves coordination of Head Start services with health care, welfare, child care, child protective services, education, and community service activities, family literacy services, activities relating to children with disabilities (including coordination of services with those State officials who are responsible for administering part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.)), and services for homeless children (including coordination of services with the Office of Coordinator for Education of

Homeless Children and Youth designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act of 2001 (42 U.S.C. 11432(g)(1)(J)(ii));

“(iv) require the State Director of Head Start Collaboration to—

“(I) serve on the Early Learning Council pursuant to section 642B(b);

“(II) consult with the Early Learning Council, chief State school officer, local educational agencies, representatives of local Head Start agencies and providers of early childhood education and care in unified planning regarding early care and education services at both the State and local levels, including collaborative efforts to develop school readiness standards;

“(III) consult with the chief State school officer, local educational agencies, State child care administrators, State human services administrators, representatives of local child care resource and referral agencies, local early childhood councils, providers of early childhood education and care, and other relevant State and local agencies, and representatives of the State Head Start Association to plan for the provision of full-working-day, full-calendar-year early care and education services for eligible children with working parents who have a demonstrated need;

“(IV) consult with the chief State school officer, local educational agencies and Head Start agencies to improve alignment between Head Start programs and State-funded prekindergarten activities to meet shared goals of school readiness; and

“(V) establish improved linkages between Head Start agencies and other children and family agencies, including agencies that provide health, mental health or family services or other child and family support services.”;

(C) in subparagraph (D)(i) by inserting “and providers of services supporting early childhood education and child care” after “Associations”; and

(D) by amending paragraph (6)(A) to read as follows:

“(A) From amounts reserved and allotted pursuant to paragraphs (2) and (4), the Secretary shall use, for grants for programs described in section 645A(a) of this subchapter, a portion of the combined total of such amounts equal to at least 10 percent for each of the fiscal years 2006 through 2011, of the amount appropriated pursuant to section 639(a), except as provided in subparagraph (B).”

(b) SERVICE DELIVERY MODELS.—Section 640(f) of the Head Start Act (42 U.S.C. 9835(f)) is amended by inserting before the period at the end the following: “, including models that leverage the existing capacity and capabilities of the delivery system of early childhood education and child care”.

(c) MAINTENANCE OF SERVICE LEVELS.—Section 640(g)(2) of the Head Start Act (42 U.S.C. 9835(g)(2)) is amended—

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

(2) by amending subparagraph (C) to read as follows:

“(C) the extent to which the applicant has undertaken community-wide strategic planning and needs assessments involving other community organizations and Federal, State, and local public agencies serving children and families (including organizations and agencies providing family support services and protective services to children and families and organizations serving families in whose homes English is not the language customarily spoken), and individuals, organizations, and public entities serving children with disabilities and homeless children including the local educational agency liaison designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii));”;

(3) in subparagraph (D) by striking “other local” and inserting “the State and local”;

(4) in subparagraph (E) by inserting “would like to participate but” after “community who”;

(5) in subparagraph (G)—

(A) by inserting “leverage the existing delivery systems of such services and” after “manner that will”; and

(B) by striking “and” at the end;

(6) in subparagraph (H)—

(A) by inserting “, 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))” after “community involved”;

(B) by striking “plans to coordinate” and inserting “successfully coordinated its activities”; and

(C) by striking the period at the end and inserting “; and”;

(7) by adding at the end the following:

“(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 serve each enrolled child.”.

(d) VEHICLE SAFETY REQUIREMENTS.—Section 640(i) of the Head Start Act (42 U.S.C. 9835(i)) is amended—

(1) by striking “(i) The” and inserting the following:

“(i) TRANSPORTATION SAFETY.—

“(ii) REGULATIONS.—The”; and

(2) by adding at the end the following:

“(2) WAIVER AUTHORITY.—

“(A) IN GENERAL.—The Secretary may waive for a period of up to one year 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—

“(i) such requirements pertain to child restraint systems and bus monitors;

“(ii) 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

“(iii) is in the best interest of the child.

“(B) RENEWAL.—The Secretary may renew a waiver under subparagraph (A).”.

(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 American Indian and Alaska Native children and families pertinent to 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 within tribal communities.

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

“(D) A detailed report of each consultation shall be prepared and made available, on a timely basis, to all tribal governments receiving funds under this subchapter.”.

(f) ENROLLMENT OF HOMELESS CHILDREN.—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 by regulation prescribe poli-

cies and procedures to remove barriers to the enrollment and participation of homeless children in Head Start programs. Such regulations 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 centers and 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 prior to participation in such program, except as provided under section 612(a)(3), (consistent with section 614(a)(1)(C)), of the Individuals with Disabilities Education Act.

“(o) MATERIALS.—All curricula and instructional materials funded under this subchapter shall be scientifically based and age appropriate. Parents shall have the ability to inspect, upon request, any curricula or instructional materials.”.

SEC. 7. DESIGNATION OF AGENCIES.

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

“(a) AUTHORITY TO DESIGNATE.—

“(1) IN GENERAL.—The Secretary is authorized to designate as a Head Start agency any local public or private nonprofit or for-profit agency within a State, including a community-based or faith-based organization that—

“(A) has power and authority to carry out the purpose of this subchapter and perform the functions set forth in section 642 within a State; and

“(B) is determined to be capable of planning, conducting, administering, and evaluating, either directly or by other arrangements, a Head Start program.

“(2) DESIGNATION REQUIREMENTS.—To be designated as a Head Start agency and to receive financial assistance under this subparagraph, an entity described in subparagraph (1) shall—

“(A) establish measurable objectives for—

“(i) the school readiness of children participating in the program under this subchapter;

“(ii) meeting the performance standards described in section 641A;

“(iii) educational instruction in prereading, prematematics, and language skills; and

“(iv) the provision of health, educational, nutritional, social and other services related to school readiness; and

“(B) align curricula to challenging State developed academic content standards and the Head Start Child Outcomes Framework developed by the Secretary.

“(3) ELIGIBILITY FOR SUBSEQUENT FINANCIAL ASSISTANCE.—In order to receive financial assistance under this subchapter subsequent to the initial financial assistance provided following the effective date of this subsection, an entity described in paragraph (1) shall demonstrate that the entity has met the measurable objectives described in paragraph (2);

“(4) MEASURING PROGRESS.—Progress in meeting such measurable objectives shall not be measured primarily or solely by the results of assessments.”.

(b) PRIORITY IN DESIGNATION.—Section 641(c) of the Head Start Act (42 U.S.C. 9836(c)) is amended to read as follows:

“(c) CONSULTATION.—In the administration of this section, the Secretary shall, in consultation with the chief executive officer of the State involved, give priority in the designation of Head Start agencies to Head Start agencies that—

“(1) are receiving assistance under this subchapter on the effective date of this subsection;

“(2) meet or exceed program and financial management requirements, standards described in section 641A(a);

“(3) meet or exceed the education standards and requirements described in section 641A(a)(1)(B);

“(4) have no unresolved area of noncompliance;

“(5) have not been deemed deficient since the then most recent designation;

“(6) employ qualified staff (including in center-based programs, a teaching staff of whom at least 50 percent have an associate, baccalaureate, or advanced degree in early child education or a related field), except that the Secretary may waive the application of this paragraph, for a period not to exceed 3 years, for Head Start programs operating in rural areas, for migrant and seasonal Head Start programs, and for Indian Head Start programs, on a case-by-case basis, if the program demonstrates progress in increasing the qualifications of teaching staff and demonstrates adequate instructional supervision by qualified staff;

“(7) were not deemed by the Secretary as chronically under-enrolled since the then most recent designation;

“(8) utilize curricula based on scientifically based research, that are aligned with challenging State developed academic content standards and the Head Start Child Outcomes Framework developed by the Secretary;

“(9) demonstrate active partnerships with local educational agencies serving the same communities to facilitate smooth transitions to kindergarten;

“(10) actively implement a memorandum of understanding described in section 642B(a) and additional collaborative partnerships with organizations that enhance the delivery of services to children;

“(11) demonstrate success in improving child outcomes across all domains of development, including measurable progress in language skills, prereading knowledge, and premathematics knowledge;

“(12) maintain classroom environments constructive to early learning and future school success;

“(13) demonstrate strong parental involvement and activities to develop parent skills to support their children's educational development and ability to participate effectively in decisions relating to the education of their children;

“(14) are overseen by a board described in section 642(b) that provides direction and actively oversees all program activities;

“(15) document strong fiscal controls, including—

“(A) the employment of well-qualified fiscal staff with a history of successful management of a public or private organization;

“(B) having no reportable material weaknesses with applicable laws and regulations on all annual financial audits performed since the most recent designation;

“(C) meeting or exceeding annual requirements for financial support under section 640(b); and

“(D) maintaining total administrative costs at or below 15 percent of total program costs;

“(16) are licensed to operate in accordance with all applicable State child care regulations;

“(17) conduct outreach activities to ensure that services are provided to the most at-risk families in the community;

“(18) have developed strong community partnerships with public and private organizations, such as businesses, health, and social service providers; and

“(19) provide opportunities for ongoing professional development.”.

(c) DESIGNATION WHEN NO ENTITY HAS PRIORITY.—Section 641(d) of the Head Start Act (43 U.S.C. 9836(d)) is amended to read as follows:

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

“(I) IN GENERAL.—If no entity in a community is entitled to the priority 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;

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

“(D) 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;

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

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

“(i) 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) 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;

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

“(vi) reading readiness programs such as those conducted by public and school libraries;

“(G) 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;

“(H) 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 subpart 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, substance abuse counseling (either directly or through referral to local entities), including information 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 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 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 opportunities for direct father-child interactions; and

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

“(I) the ability of such applicant to carry out the plans described in paragraphs (2), (4), and (5);

“(J) 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);

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

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

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

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

“(O) the plan of such applicant to meet the needs of homeless children, including transportation needs, and children in foster care;

“(P) the plan of such applicant to maintain a qualified staff, including a teaching staff qualified to implement research-based educational curricula aligned with challenging State-developed academic content standards, the Head Start Child Outcomes Framework developed by the Secretary, and the State early learning standards in States in which such standards are developed;

“(Q) the plan of such applicant to enter into memoranda of understanding with local educational agencies, child care providers, and other entities within the service area; and

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

(d) SELECTION OF APPLICANTS.—Section 641(g) of the Head Start Act (43 U.S.C. 9836(g)) is amended to read as follows:

“(g) ISSUANCE OF RULES.—Not later than 180 days after the enactment of the School Readiness Act of 2005, the Secretary shall issue rules to carry out this section.”.

SEC. 8. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

(a) QUALITY STANDARDS.—Section 641A(a) of the Head Start Act (42 U.S.C. 9836a(a)) is amended—

(1) by amending paragraph (1)(B)—

(A) in clause (i)—

(i) by inserting “based on sound scientific evidence” after “standards”; and

(ii) by inserting “and sustained academic gains” after “readiness”; and

(B) by amending clause (ii) to read as follows:

“(ii) additional scientifically-based education standards 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) premathematics knowledge and skills, including aspects of classification, seriation, number, spatial relations, and time;

“(IV) cognitive abilities related to academic achievement and child development;

“(V) social and emotional development related to early learning, school success, and sustained academic gains; and

“(VI) 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 sub-clauses (I) through (IV);”;

(2) in paragraph (2)—

(A) by amending subparagraph (B) to read as follows:

“(B) take into consideration—

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

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

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

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

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

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

“(vii) scientifically based research to ensure that children participating in Head Start programs make a successful transition to schools that the children will be attending; and

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

(B) in subparagraph (C)(ii) by striking “the date” and all that follows through “Act of 1998”, and inserting “October 27, 1998”; and

(3) by adding at the end the following:

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

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

“(i) procedures for evaluating delegate agencies;

“(ii) procedures for defunding delegate agencies; and

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

(B) EVALUATIONS.—Each Head Start agency—

“(i) shall evaluate its delegate agencies using the procedures established pursuant to this section, including subparagraph (A); and

“(ii) shall inform the delegate agencies of the deficiencies identified through the evaluation that shall be corrected.

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

(i) initiate procedures to terminate the designation of the agency unless the agency corrects the deficiency;

(ii) conduct monthly monitoring visits to such delegate agency until all deficiencies are corrected or the Head Start agency decides to defund such delegate agency; and

(iii) release funds to such delegate agency only as reimbursements until all deficiencies are corrected or the Head Start agency decides to defund such delegate agency.

(D) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to impact or obviate the responsibilities of the Secretary with respect to Head Start agencies or delegate agencies receiving funding under this subchapter.”;

(b) RESULTS-BASED PERFORMANCE MEASURES.—Section 641A(b) of the Head Start Act (42 U.S.C. 9836a(b)) is amended—

(1) by amending paragraph (2) to read as follows:

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

(A) be used to assess the impact of the various services provided by Head Start programs and, to the extent the Secretary finds appropriate, administrative and financial management practices of such programs;

(B) be adaptable for use in self-assessment, peer review, and program evaluation of individual Head Start agencies and programs;

(C) be developed for other program purposes as determined by the Secretary;

(D) be appropriate for the population served; and

(E) be reviewed no less than every 4 years, based on advances in the science of early childhood development.

The performance measures shall include the performance standards described in subparagraphs (A) and (B) of subsection (a)(1).”;

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

“(3) USE OF MEASURES.—

(A) The Secretary shall use the performance measures pursuant to this subsection to identify—

(i) strengths and weaknesses in the operation of Head Start programs nationally, regionally, and locally; and

(ii) program areas that may require additional training and technical assistance resources.

(B) The Secretary shall provide a detailed justification to the Congress regarding the planned uses of the data collected by the National Reporting System developed by the Secretary and shall demonstrate its scientific validity and reliability for such purposes, including its scientific validity and reliability with children with limited English proficiency for such purposes;

(C) The Secretary shall not use the National Reporting System assessment results either as the primary method for assessing program effectiveness or as the primary method for making grantee funding determinations.

(D) The Secretary shall develop a process to ensure that the National Reporting System shall not be used to exclude children from Head Start programs.”; and

(3) by amending paragraph (4) to read as follows:

“(4) EDUCATIONAL MEASURES.—Results based measures shall be designed for the purpose of promoting the competencies of children participating in Head Start programs specified in subsection (a)(1)(B)(ii), with an emphasis on measuring those competencies that have a strong scientifically-based predictability of a child’s school readiness and later performance in school.”;

(c) MONITORING OF LOCAL AGENCIES AND PROGRAMS.—Section 641A(c) of the Head Start Act (42 U.S.C. 9836a(c)) is amended—

(1) in paragraph (1)—

(A) in the matter preceding subparagraph (A) by inserting “develop and utilize a risk-based assessment system to” after “shall”;

(B) by amending subparagraph (C) to read as follows:

“(C) Followup reviews, including unannounced reviews as appropriate, of programs with 1 or more findings of deficiencies not later than 6 months after the date of such finding.”;

(C) by amending subparagraph (D) to read as follows:

“(D) Unannounced site inspections of Head Start centers and other reviews, as appropriate.”;

(2) by amending paragraph (2) to read as follows:

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

(A) that incorporate a monitoring visit, may be done without prior notice of the visit to the local agency or program;

(B) are conducted by review teams composed of individuals who are knowledgeable about the program areas they are reviewing and, to the maximum extent practicable, the diverse (including linguistic and cultural) needs of eligible children (including children with disabilities) and limited-English proficient children and their families;

(C) include as part of the reviews of the programs, a review and assessment of program effectiveness, including strengths and areas for improvement, as measured in accordance with the results-based performance measures developed by the Secretary pursuant to subsection (b) and with the standards established pursuant to subparagraphs (A) and (B) of subsection (a)(1);

(D) seek information from the communities and the States involved about the performance of the programs and the efforts of the Head Start agencies to collaborate with other entities carrying out early childhood education and child care programs in the community;

(E) seek information from the communities where Head Start programs exist about innovative or effective collaborative efforts, barriers to collaboration, and the efforts of the Head Start agencies and programs to collaborate with the entities carrying out early childhood education and child care programs in the community;

(F) include as part of the reviews of the programs, a review and assessment of whether a program is in conformity with the income eligibility requirements, as defined in section 645 and regulations promulgated thereunder;

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

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

(I) 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.”;

(d) CORRECTIVE ACTION; TERMINATION.—Section 641A(d) of the Head Start Act (42 U.S.C. 9836a(d)) is amended—

(1) in paragraph (1) by amending the matter preceding subparagraph (A) to read as follows:

“(1) DETERMINATION.—If the Secretary determines, on the basis of a review pursuant to subsection (c), that a Head Start agency designated pursuant to section 641 fails to meet the standards described in subsection (a) or results-based

performance measures developed by the Secretary under subsection (b), or fails to adequately address the community needs and strategic plan identified in 640(g)(2)(C), the Secretary shall—”;

(2) by amending paragraph (2) to read as follows:

“(2) QUALITY IMPROVEMENT PLAN.—

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

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

“(I) the deficiencies to be corrected;

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

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

“(ii) eliminate each deficiency identified, not later than the date for elimination of such deficiency specified in such plan (which shall not be later than 1 year after the date the agency or program received notice of the determination and of the specific deficiency to be corrected).

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

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

(3) in paragraph (3) by inserting “and programs” after “agencies”;

(4) by amending subsection (e) to read as follows:

“(e) SUMMARIES OF MONITORING OUTCOMES.—Not later than 120 days after the end of each fiscal year, the Secretary shall publish a summary report on the findings of reviews conducted under subsection (c) and on the outcomes of quality improvement plans implemented under subsection (d), during such fiscal year. Such information shall be made available to all parents with 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.”; and

(5) by adding at the end the following:

“(f) REDUCTION OF GRANTS AND REDISTRIBUTION OF FUNDS IN CASES OF UNDER-ENROLLMENT.—

“(1) DEFINITIONS.—In this subsection:

“(A) ACTUAL ENROLLMENT.—The term ‘actual enrollment’ means, with respect to the program of a Head Start agency, the actual number of children enrolled in such program and reported by the agency (as required in paragraph (2)) in a given month.

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

“(i) from amounts reserved for use in accordance with section 640(a)(2)(A), for a Head Start agency administering an Indian Head Start pro-

gram or migrant and seasonal Head Start program;

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

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

“(C) FUNDED ENROLLMENT.—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 agreement.

“(2) ENROLLMENT REPORTING REQUIREMENT FOR CURRENT FISCAL YEAR.—Each entity carrying out a Head Start program shall report on a monthly basis to the Secretary and the relevant Head Start agency—

“(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.

“(3) SECRETARIAL REVIEW AND PLAN.—The Secretary shall—

“(A) on a semiannual basis, determine which Head Start agencies are operating with an actual enrollment that is less than the funded enrollment based on not less than the average of 4 consecutive months of data;

“(B) for each such Head Start agency operating a program with an actual enrollment that is less than 95 percent of its funded enrollment, as determined under subparagraph (A), develop, in collaboration with such agency, a plan and timetable for reducing or eliminating under-enrollment taking into consideration—

“(i) the quality and extent of the outreach, recruitment, and community needs assessment conducted by such agency;

“(ii) changing demographics, mobility of populations, and the identification of new underserved low-income populations;

“(iii) facilities-related issues that may impact enrollment;

“(iv) the ability to provide full-day programs, where needed, through Head Start funds or through collaboration with entities carrying out other preschool or child care programs, or programs with other funding sources (where available);

“(v) the availability and use by families of other preschool and child care options (including parental care) in the local catchment area; and

“(vi) agency management procedures that may impact enrollment; and

“(C) provide timely and ongoing technical assistance to each agency described in subparagraph (B) for the purpose of implementing the plan described in such subparagraph.

“(4) IMPLEMENTATION.—Upon receipt of the technical assistance described in paragraph (3)(C), a Head Start agency shall immediately implement the plan described in paragraph (3)(B).

“(5) SECRETARIAL ACTION FOR CONVERSION TO SERVE YOUNGER CHILDREN.—If, after implementing the plan described in paragraph (3)(B), the grantee continues to operate a program at less than full enrollment, the grantee may, upon approval by the Secretary, be permitted to use a portion of the base grant equal to the percentage difference between funded enrollment and actual enrollment for the most recent year, to serve persons described in section 645A(c) if such agency currently operates a grant described in section 645A and submits an application containing—

“(A) evidence of community need for such services;

“(B) a description of how the needs of pregnant women, 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—

“(i) the approach to childhood development and health services; and

“(ii) the approach to family and community partnerships; and approach to program design and management;

“(C) assurances that the agency will participate in technical assistance activities for newly funded and existing grantees under section 654A; and

“(D) evidence that the agency meets the eligibility criteria as grantees under section 645A. Any grantee permitted to serve children under this paragraph shall be subject to the rules, regulations, and conditions under section 645A.

“(6) SECRETARIAL ACTION FOR CONTINUED UNDER-ENROLLMENT.—If, 1 year after the date of implementation of the plan described in paragraph (3)(B), the Head Start agency continues to operate a program at less than full enrollment, the Secretary shall, where determined appropriate, continue to provide technical assistance to such agency.

“(7) SECRETARIAL REVIEW AND ADJUSTMENT FOR CHRONIC UNDER-ENROLLMENT.—

“(A) IN GENERAL.—If, after receiving technical assistance and developing and implementing a plan to the extent described in paragraphs (3), (4), and (5) for 6 months, a Head Start agency is still operating a program with an actual enrollment that is less than 95 percent of its funded enrollment, the Secretary may—

“(i) designate such agency as chronically under-enrolled; and

“(ii) recapture, withhold, or reduce the base grant for the program by, a percentage equal to the percentage difference between funded enrollment and actual enrollment for the program for the most recent year in which the agency is determined to be under-enrolled under paragraph (2)(B).

“(B) WAIVER OR LIMITATION OF REDUCTIONS.—If the Secretary, after the implementation of the plan described in paragraph (3)(B), finds that—

“(i) the shortfall can reasonably be expected to be temporary; or

“(ii) the number of slots allotted to the agency is small enough that under-enrollment does not constitute a significant shortfall,

the Secretary may, as appropriate, waive or reduce the percentage recapturing, withholding, or reduction otherwise required by subparagraph (A).

“(C) PROCEDURAL REQUIREMENTS; EFFECTIVE DATE.—The actions taken by the Secretary under this paragraph with respect to a Head Start agency shall take effect 1 day after the date on which—

“(i) the time allowed for appeal under section 646(a) expires without an appeal by the agency; or

“(ii) the action is upheld in an administrative hearing under section 646.

“(8) REDISTRIBUTION OF FUNDS.—

“(A) IN GENERAL.—Funds held by the Secretary as a result of recapturing, withholding, or reducing a base grant in accordance with paragraph (6) in a fiscal year shall be redistributed in such fiscal year as follows:

“(i) If such funds are attributable to the portion of a base grant derived from amounts specified in paragraph (1)(B)(i) payable, but for the operation of this paragraph, to carry out an Indian Head Start program, then such funds shall be redistributed to increase enrollment in 1 or more Indian Head Start programs.

“(ii) If such funds are attributable to the portion of a base grant derived from amounts specified in paragraph (1)(B)(i) payable, but for the operation of this paragraph, to carry out 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.

“(iii) If such funds are attributable to the portion of a base grant derived from amounts specified in clause (ii) or (iii) of paragraph (1)(B) payable, but for the operation of this paragraph, to carry out a Head Start program (excluding Indian Head Start programs, and migrant and seasonal Head Start programs) in a

State, then such funds shall be redistributed to increase enrollment in such fiscal year in 1 or more—

“(I) other Head Start programs (excluding Indian Head Start programs and migrant and seasonal Head Start programs) that are carried out in such State; or

“(II) if the Secretary determines that children eligible under section 641 are being adequately served within such State, 1 or more Early Head Start programs (excluding Indian Head Start programs and migrant and seasonal Head Start programs) or 1 or more Head Start programs for the purpose of becoming a grantee pursuant to section 645A.

“(B) ADJUSTMENT TO FUNDED ENROLLMENT.—The Secretary shall adjust as necessary the requirements relating to funded enrollment indicated in the grant agreement of a Head Start agency receiving funds redistributed under this paragraph.”.

SEC. 9. POWERS AND FUNCTIONS OF HEAD START AGENCIES.

(a) **QUALIFICATIONS FOR DESIGNATION.**—Section 642(b) of the Head Start Act (42 U.S.C. 9837(b)) is amended to read as follows:

“(b) In order to be so designated, a Head Start agency shall do all of the following—

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

“(2) Demonstrate capacity to serve eligible children with scientifically-based curricula and other interventions that help promote the school readiness of children participating in the program.

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

“(4) Establish an independent board of directors selected from among eligible individuals who shall serve on the board (or may designate an existing entity whose members are eligible individuals, that shall be such board) for a period not to exceed 5 years, except that board members who oversee a public entity and who are selected by election (or members of a board of a local educational agency or a local council, appointed by an elected official or an official of a general purpose local government), may serve for such period as may be determined by the electing or appointing authority, as the case may be. An individual who has a conflict of interest is ineligible to serve as a member of the board. Members of the board of all nonpublic entities shall include representatives of the local community (including at least 1 member with significant financial management or accounting experience and the chair of the council described in section 642(b)(4)(B)(ii)). Additional members shall be selected for their expertise in education, business administration, community affairs, government, legal affairs, and such other areas of expertise as may contribute to effective governance of the Head Start agency. All members of the board shall receive training in the management responsibilities and obligations, ethics, and financial literacy and management, and shall adopt practices that assure active, independent and informed governance of the Head Start agency, including independent oversight of the financial and management practices of such agency. The board shall provide direction to the executive director of the Head Start agency and shall operate as an entity independent of staff employed by the Head start agency, entity, or applicant and have the following duties and responsibilities:

“(A) To provide independent 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.

“(B) To establish 2 or more standing committees to facilitate governance of the Head Start agency which shall include both of the following:

“(i) 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 board the selection of independent auditors who shall report all critical accounting policies and practices to the finance and audit committee;

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

“(IV) to review and advise the board of the audit management letter provided pursuant to the chapter 75 of title 31 of the 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.

“(ii) A policy council, a majority of whose representatives shall be parents of children participating in a Head Start program or in an Early Head Start program, or of children who participated in a Head Start program or in an Early Head Start program in the then most recent 5-year period preceding the selection of the particular representative involved, and whose primary responsibility shall be to serve as a link between parents and the board of directors and to make and submit recommendations on the following activities to the Board:

“(I) The strategic direction of the program, including long and short-term planning goals and objectives.

“(II) Program operation policies, including standards of conduct for program staff and volunteers.

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

“(IV) Classroom activities and staffing.

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

“(VI) Other areas the committee identifies as necessary to improve program operations.

“(C) To approve the selection and dismissal of the Head Start director, and to review annually the human resources available to ensure the effective operation of the Head Start agency.

“(D) To consult, on a regular basis, with the policy committee and to take actions on recommendations submitted by such committee.

“(E) To review and approve the major operational policies of the Head Start agency, including 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).

“(F) To ensure that the Head Start agency is operated in compliance with applicable Federal, State, and local laws (including regulations), and to monitor agency implementation of any corrective action necessary to comply with applicable laws (including regulations);

“(G) To oversee the program planning of the Head Start agency, including adoption of the Head Start agency philosophy and mission statement, adoption of policies for determining community needs, setting long- and short-range goals and objectives, establishment of criteria for selecting families in Head Start programs or Early Head Start programs, and to oversee and approve the agency's applications to receive funds made available under this subchapter; and

“(H) To establish, to adopt, and to 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 board members,

officers, employees, consultants, and agents who provide services or furnish goods to the Head Start agency; and

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

“(5) To seek the involvement of parents, area residents, and local business in the design and implementation of the program.

“(6) To 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.

“(7) To establish effective procedures to facilitate 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).

“(8) To 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.

“(9) To 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.

“(10) To offer to parents of participating children substance abuse counseling (either directly or through referral to local entities), including information on drug-exposed infants and fetal alcohol syndrome.

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

“(A) training in basic child development (including cognitive 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.

“(12) To provide, with respect to each participating family, a family needs assessment that includes consultation with such parents about the benefits of parent involvement and about the activities described in 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).

“(13) To consider providing services to assist younger siblings of children participating in its Head Start program to obtain health services from other sources.

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

“(15)(A) To 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.

“(16) 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.”.

(b) COORDINATION AND COLLABORATION.—Section 642(c) of the Head Start Act (42 U.S.C. 9837(c)) is amended to read as follows:

“(c) The head of each Head Start agency shall coordinate and collaborate with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other early childhood education and development programs, including programs under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435), 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.), and programs under Part C and section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1431–1445, 1419), and the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a), serving the children and families served by the Head Start agency to carry out the provisions of this subchapter.”.

(c) OTHER COORDINATION.—Section 642(d) of the Head Start Act (42 U.S.C. 9837(d)) is amended—

(1) by redesignating paragraphs (2) through (4) as paragraph (5) through (7), respectively;

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

“(2) COORDINATION.—

“(A) LOCAL EDUCATIONAL AGENCY.—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.

“(B) ELEMENTARY SCHOOLS.—Head Start 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—

“(i) to share information about such children;

“(ii) to receive advice and support from the teachers in such elementary schools participating in Early Reading First programs funded under subpart 1 of part B of title I of the Elementary and Secondary Education Act of 1965 regarding scientifically based teaching strategies and options; and

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

“(C) OTHER EARLY EDUCATION AND CHILD DEVELOPMENT PROGRAMS.—The head of each Head Start agency shall coordinate activities and collaborate with the State agency responsible for administering the State program carried out under the Child Care and Development Block Grant Act of 1990 (42 U.S.C. 9858 et seq.), and other entities carrying out early childhood education and development programs, programs under subtitle B of title VII of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11431–11435), 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. 6381 et seq.), and programs under section 619 and part C of the Individuals with Disabilities Education Act (20 U.S.C. 1419, 1431 et seq.), serving the children and families served by the Head Start agency.

“(D) OTHER PROGRAMS.—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.

“(3) COLLABORATION.—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.

“(4) PARENTAL INVOLVEMENT.—In order to 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.”;

(3) in paragraph (5), as so redesignated—

(A) by striking “A” and inserting “Each”;

(B) by striking “may” and inserting “shall”;

(C) by striking “and” at the end of subparagraph (A);

(D) by redesignating subparagraph (B) as subparagraph (C); and

(E) by inserting after subparagraph (A) the following:

“(B) collaborating to increase the program participation of underserved populations of eligible children; and”; and

(4) by adding at the end the following:

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

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

“(B) comprehensive, outcomes based, and linked to ongoing assessment with instructional goals and measurable objectives.

“(9) Head Start agencies shall 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 program’s curricula and Section 641A(a)(1).

“(10) For the purpose of meeting the performance standards, Head Start agencies shall 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.”.

(d) ASSESSMENT.—Section 642 of the Head Start Act (42 U.S.C. 9837) is amended by striking subsection (e) and inserting the following:

“(e) ASSESSMENT.—Each Head Start agency shall 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 at-

tained a level of literacy appropriate to implement Head Start curricula.

“(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.”.

SEC. 10. LOCAL AND STATE INTEGRATION OF EARLY CHILDHOOD EDUCATION.

The Head Start Act (42 U.S.C. 9831 et. seq.) 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, State-funded preschool and other early childhood programs. Head Start agencies shall operate in a manner consistent with the goal of creating and expanding an efficient and effective system of early childhood and school readiness services in each State and community, while maintaining compliance with Standards under section 641A(a).

“(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 aligned to challenging State developed educational activities, curricula, and instruction aligned to challenging State developed academic content standards.

“(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 and instructional methods.

“(F) Program technical assistance.

“(G) Provision of additional services to meet the child care 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 (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 deficient and shall be considered by the Secretary in the same manner as other deficiency findings.

“(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) STATEWIDE INTEGRATION.—From the amounts reserved under section 640(a)(2)(C)(ii), the Secretary shall award 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 the State Director of Head Start Collaboration, representatives from the State preschool programs, representatives of local educational agencies, the State official who oversees child care programs, 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.), the State official who oversees the State educational agency, and representatives from Head Start agencies located in the State, including migrant and seasonal Head Start programs and Indian Head Start programs. 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 30 percent of the cost of carrying out this subsection;

“(3) direct the Early Learning Council—

“(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, school districts, 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 a coherent sequence of standards for children age 3 through the early elementary grades to effect a smooth transition to and success in the early elementary grades;

“(D) to 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); and

“(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.).

“(4) Nothing in this subsection shall be construed to provide the Early Learning Council with authority to alter the provisions of this Act.

“(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. HEAD START ALIGNMENT WITH K-12 EDUCATION.

Section 642A of the Head Start Act (42 U.S.C. 9837a) is amended—

(1) by amending the heading to read as follows:

“SEC. 642A. HEAD START ALIGNMENT WITH K-12 EDUCATION.”;

(2) in paragraph (2)—

(A) by inserting “ongoing” after “establishing”; and

(B) by inserting “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))” after “social workers”;

(3) by redesignating paragraphs (3) through (7) as paragraphs (5) through (9), respectively; and

(4) by inserting the following after paragraph (2):

“(3) developing continuity of developmentally appropriate curricula between Head Start and local educational agencies to ensure an effective transition and appropriate shared expectations for children’s learning and development as they make such transition to school;

“(4) organizing and participating in joint training, including transition-related training for school staff and Head Start staff;”;

(5) by amending paragraph (7), as so redesignated, to read as follows:

“(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 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);”;

(6) in paragraph (8), as so redesignated—

(A) by inserting “and continuity in parental involvement activities” after “developmental continuity”; and

(B) by striking “and” at the end;

(7) by amending paragraph (9), as so redesignated, to read as follows:

“(9) linking the services provided in such Head Start program with the education services, including services relating to language, literacy, and numeracy, provided by such local educational agency;”;

(8) by adding at the end the following:

“(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 is aligned with—

“(A) State early learning standards with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate; and

“(B) the Head Start Child Outcomes Framework developed by the Secretary.”.

SEC. 12. ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

Section 644 of the Head Start Act (42 U.S.C. 9839(f)(2)) is amended—

(1) in subsection (a)—

(A) by inserting ““(1) STANDARDS.” after “(a)”; and

(B) by inserting after the 3d sentence the following:

“(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:

“(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 that describes the activities of the agency.

“(3) PROCEDURAL CONDUCT.”; and

(2) in subsection (f)(2)

(A) by redesignating subparagraphs (A) through (E) as subparagraphs (B) through (F), respectively; and

(B) by inserting before subparagraph (B), as so redesignated, the following:

“(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.”.

SEC. 13. ELIGIBILITY.

Section 645(a) of the Head Start Act (42 U.S.C. 9840) is amended—

(1) in paragraph (1)—

(A) in subparagraph (B)(i)—

(i) by striking “to a reasonable extent” and inserting “not to exceed 10 percent of the total enrollment”; and

(ii) by striking “benefit from such programs” and inserting “benefit from such programs, including children referred by child welfare services.”; and

(iii) by inserting “(a homeless child shall be deemed to meet the low-income criteria)” before the semicolon; and

(2) 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.”.

SEC. 14. EARLY HEAD START PROGRAMS.

(a) **IN GENERAL.**—Section 645A(b) of the Head Start Act (42 U.S.C. 9840a(b)) is amended—

(1) by amending paragraphs (4) and (5) to read as follows:

“(4) provide services to parents to support their role as parents (including parenting skills training and training in basic child development) and to help the families move toward self-sufficiency (including educational and employment services as appropriate); and

“(5) coordinate services with services (including home-based services) provided by programs in the State and programs in the community (including programs for infants and toddlers with disabilities 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);”;

(2) by amending paragraph (8) to read as follows:

“(8) ensure formal linkages with the agencies and entities described in section 644(b) of the Individuals with Disabilities Education Act (20 U.S.C. 1444(b)) and providers of early intervention services for infants and toddlers with disabilities under the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.) and the agency responsible for administering section 106 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5106a);”;

(3) by redesignating paragraph (9) as paragraph (11); and

(4) by inserting after paragraph (8) the following:

“(9) develop and implement a systematic procedure for transitioning children and parents from an Early Head Start program into a Head Start program or another local early childhood education program;

“(10) establish channels of communication between staff of Early Head Start programs and staff of Head Start programs or other local early childhood education programs, to facilitate the coordination of programs; and”.

(b) **MIGRANT AND SEASONAL PROGRAMS; COMMUNITY- AND FAITH-BASED ORGANIZATIONS.**—Section 645A(d) of the Head Start Act (42 U.S.C. 9840a(d)) is amended—

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

“(1) entities operating Head Start programs under this subpart, including migrant and seasonal Head Start programs; and”; and

(2) in paragraph (2) by inserting “, including community- and faith-based organizations” after “entities” the 2d place it appears.

(c) **TRAINING AND TECHNICAL ASSISTANCE ACCOUNT.**—Section 645A(g)(2)(B) of the Head Start Act (42 U.S.C. 9640a(g)(2)(B)) is amended—

(1) in clause (iii) by striking “and” at the end;

(2) in clause (iv) by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(v) providing professional development designed to increase program participation for underserved populations of eligible children.”.

(d) **CENTER-BASED STAFF.**—Section 645A of the Head Start Act (42 U.S.C. 9840a) is amended by adding at the end the following:

“(h) **CENTER-BASED STAFF.**—The Secretary shall ensure that, not later than September 30, 2008, 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 or an associate degree, and have been trained (or have equivalent course work) in early childhood development.”.

SEC. 15. PARENTAL CONSENT REQUIREMENT FOR NONEMERGENCY INTRUSIVE PHYSICAL EXAMINATIONS.

The Head Start Act (42 U.S.C. 9831 et seq.) is amended by inserting after section 645A the following:

“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR NONEMERGENCY INTRUSIVE PHYSICAL EXAMINATIONS.

“(a) **DEFINITION.**—The term ‘nonemergency intrusive physical examination’ means, with respect to a child, a physical examination that—

“(1) is not immediately necessary to protect the health or safety of such child, or the health or safety of another individual; and

“(2) includes incision or is otherwise invasive, or includes exposure of private body parts.

“(b) **REQUIREMENT.**—Before administering any health care service (including any non-emergency intrusive physical examination) to a child (or referring such 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.

“(c) **RULE OF CONSTRUCTION.**—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.”.

SEC. 16. RIGHT TO APPEAL.

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 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.”.

SEC. 17. AUDITS.

Section 647 of the Head Start Act (42 U.S.C. 9842) is amended by adding at the end the following:

“(c)(1) Not later than 180 days after the end

of each fiscal year, each Head Start agency, and each entity that receives assistance under section 645A, shall submit to the Secretary an independent financial audit of the Head Start program carried out with financial assistance provided under this subchapter. Such audit shall be carried out by a certified public accountant selected through a competitive process from among qualified certified accountants by the local oversight board established in accordance with section 642(b)(4) by such agency, except that no accountant may perform audits of such program for a period exceeding 5 consecutive fiscal years.

“(2) Not later than 60 days after receiving such audit, the Secretary shall provide to such agency or such entity, and to the chief executive officer of the State in which such program is operated, a notice identifying the actions such agency or such entity is required to take to correct all deficiencies identified in such audit.

“(d) 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); and

“(2) provide such additional documentation as the Secretary may require.”.

SEC. 18. TECHNICAL ASSISTANCE AND TRAINING.

(a) **ALLOCATION OF RESOURCES.**—Section 648(c) of the Head Start Act (42 U.S.C. 9843(c)) is amended—

(1) in paragraph (2) by inserting “and for activities described in section 1221(b)(3) of the Elementary and Secondary Education Act of 1965” after “disabilities”; and

(2) in paragraph (5) by inserting “, including the needs of homeless children and their families” after “assessment”;

(3) in paragraph (10) by striking “and” at the end;

(4) in paragraph (11) by striking the period at the end and inserting a semicolon; and

(5) by adding the following at the end:

“(12) assist Head Start agencies and programs in increasing program participation of homeless children; and

“(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.”.

(b) **TRAINING IN USE OF MEDIA.**—Section 648(d) of the Head Start Act (42 U.S.C. 9843(d)) is amended by inserting “, including community- and faith-based organizations” after “entities” the first place such term appears.

(c) **CHILD DEVELOPMENT AND NATIONAL ASSESSMENT PROGRAM.**—Section 648(e) of the Head Start Act (42 U.S.C. 9843(e)) is amended to read as follows:

“(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, and resource access projects for personnel working with disabled children.”.

(d) **ADDRESSING UNIQUE NEEDS.**—Section 648 of the Head Start Act (42 U.S.C. 9843) is amended by adding at the end the following:

“(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 a limited English proficiency, and homeless families.

“(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.

“(4) Other areas that impact the quality or overall effectiveness of Head Start programs.

“(h) 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.

“(i)(1) The Secretary shall work in collaboration with the Head Start agencies that carry out migrant and seasonal Head Start programs, State Directors of Head Start Collaboration, the migrant and seasonal Head Start collaboration director, and other appropriate entities—

“(A) to accurately determine the number of children nationwide who are eligible to participate in migrant and seasonal Head Start programs each year;

“(B) to document how many of these children are receiving Head Start services each year; and

“(C) to the extent practicable, to ensure that access to migrant and seasonal Head Start programs for eligible children is comparable to access to other Head Start programs for other eligible children;

“(2) In carrying out paragraph (1)(A), the Secretary shall consult with the Secretary of Education about the Department of Education's systems for collecting and reporting data about, and maintaining records on, students from migrant and seasonal farmworker families.

“(3) Not later than 9 months after the effective date of this subsection, the Secretary shall 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, the Secretary shall submit a report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, detailing how the Department of Health and Human Services plans to carry out paragraph (1).

“(5) The Secretary shall submit annually a report to the Congress detailing the number of children of migrant and seasonal farmworkers, who are eligible to participate in Head Start programs and the number of such children who are enrolled in Head Start programs.

“(6) The Secretary shall take appropriate action, consistent with section 444 of the General Education Provisions Act, to 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 State Directors of Head Start Collaboration, by the Migrant and Seasonal Farmworker Collaboration Project Director, and by other appropriate entities pursuant to this subsection.

“(7) 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.

“(j) For purposes of this section, the term 'eligible entities' means an institution of higher education or other entity with expertise in delivering training in early childhood development, family support, and other assistance designed to improve the delivery of Head Start services.”.

SEC. 19. STAFF QUALIFICATIONS AND DEVELOPMENT.

(a) CLASSROOM TEACHERS.—Section 648A(a)(2) of the Head Start Act (42 U.S.C. 9843a(a)(2)) is amended to read as follows:

“(2) DEGREE REQUIREMENTS.—

“(A) IN GENERAL.—The Secretary shall ensure that not later than September 30, 2011, at least 50 percent of all Head Start teachers nationwide in center-based programs have—

“(i) a baccalaureate or advanced degree in early childhood education; or

“(ii) a baccalaureate or advanced degree in a field related to early childhood education, with experience in teaching preschool children.

“(B) PROGRESS.—Each Head Start agency shall provide to the Secretary a report indicating the number and percentage of classroom instructors with child development associate credentials and associate, baccalaureate, or advanced degrees. The Secretary shall compile all program reports and make them available to the Committee on Education and the Workforce of the United States House of Representatives and the Committee on Health, Education, Labor, and Pensions of the United States Senate.

“(C) REQUIREMENT FOR NEW HEAD START TEACHERS.—Within 3 years after the effective date of this subparagraph, the Secretary shall require that all Head Start teachers nationwide in center-based programs hired following the effective date of this subparagraph—

“(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 and agree to complete degree requirements within 3 years from the date of hire.

“(D) SERVICE REQUIREMENTS.—The Secretary shall establish requirements to ensure that individuals who receive financial assistance under this 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.

“(E) LIMITATION.—The Secretary shall require that any Federal funds provided directly or indirectly to comply with subparagraph (A) shall be used toward degrees awarded by an institution of higher education, as defined by sections 101 or 102 of the Higher Education Act (20 U.S.C. 1001–1002).”.

(b) CLASSROOM TEACHERS.—Section 648A of the Head Start Act (42 U.S.C. 9843a) 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 employees who provide direct services to children.”.

SEC. 20. RESEARCH, DEMONSTRATIONS, AND EVALUATION.

(a) NEW IDEAS AND APPROACHES.—Section 649(a)(1)(B) of the Head Start Act (42 U.S.C. 9844(a)(1)(B)) is amended to read as follows:

“(B) use the Head Start programs to develop, test, and disseminate new ideas and approaches based on existing scientifically based research, for addressing the needs of low-income preschool children (including children with disabilities and children determined to be abused or neglected) and their families and communities (including demonstrations of innovative non-center-based program models such as home-based and mobile programs), and otherwise to further the purposes of this subchapter.”.

(b) STUDY.—Section 649(d) of the Head Start Act (42 U.S.C. 9844(d)) is amended—

(1) in paragraph (7) by adding “and” at the end;

(2) in paragraph (8) by striking the semicolon and inserting a period;

(3) by striking paragraph (9); and

(4) by striking the last sentence.

(c) EXPERT PANEL.—Section 649(g) of the Head Start Act (42 U.S.C. 9844(g)) is amended—

(1) in paragraph (1)(A)—

(A) by striking clause (i); and

(B) by redesignating clauses (ii) and (iii) as clauses (i) and (ii), respectively; and

(2) in paragraph (7)(C)(i) is amended to read as follows:

“(i) Not later than September 30, 2007, the Secretary shall transmit to the committees specified in clause (ii) the final report.”.

(d) NAS STUDY.—Section 649(h) of the Head Start Act (42 U.S.C. 9844(h)) is amended to read as follows:

“(h) NAS STUDY.—

“(1) IN GENERAL.—The Secretary shall use funds allocated in section 649(a)(2)(C)(ii) to contract with the National Academy of Sciences for the Board on Children, Youth, and Families of the National Research Council to establish an independent panel of experts to review and synthesize research, theory and applications in the social, behavioral and biological sciences and to make recommendations on early childhood pedagogy with regard to each of the following:

“(A) Age and developmentally appropriate Head Start academic requirements and outcomes, including the domains in 641A(a)(B).

“(B) Differences in the type, length, mix and intensity of services necessary to ensure that children from challenging family and social backgrounds including: low-income children, children of color, children with special needs, and children with limited English proficiency enter kindergarten ready to succeed.

“(C) Appropriate assessments of young children (including systematic observation assessment in a child's natural environment, and parent and provider interviews) for purposes of improving instruction, services, and program quality, and accommodations for children with disabilities and appropriate assessments for children with special needs (including needs related to the acquisition of the English language).

“(D) An evaluation of the current and appropriate uses of the National Reporting System developed by the Secretary.

“(2) COMPOSITION.—The panel shall consist of multiple experts in each of the following areas:

“(A) Child development and education, including cognitive, social, emotional, physical, approaches to learning, and other domains of child development and learning.

“(B) Professional development, including teacher preparation, to individuals who teach young children in programs.

“(C) Assessment of young children, including screening, diagnostic and classroom-based instructional assessment; children with special needs, including children with disabilities and limited English proficient children.

“(3) TIMING.—The National Academy of Sciences and the Board shall establish the panel not later than 90 days after the date of the enactment of the School Readiness Act of 2005. The panel shall complete its recommendations within 18 months of its convening.

“(4) APPLICATION OF PANEL RECOMMENDATIONS.—The recommendations of the panel shall be used as guidelines by the Secretary to develop, inform and revise, where appropriate, the Head Start education performance measures and standards and the assessments utilized in the Head Start program.”.

(e) STUDY OF STATUS OF LIMITED ENGLISH PROFICIENT CHILDREN.—Section 649 of the Head Start Act (42 U.S.C. 9844) is amended by adding at the end the following:

“(i) LIMITED ENGLISH PROFICIENT CHILDREN.—

“(1) STUDY.—Not later than 1 year after the date of enactment of the School Readiness Act of 2005, the Secretary shall conduct a study on the status of limited English proficient children and their families in 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 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

“(F) 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.”.

SEC. 21. REPORTS.

(a) REPORT.—Section 650(a) of the Head Start Act (42 U.S.C. 9845(a)) is amended—

(1) by amending the first sentence to read as follows:

“At least once during every 2-year period, the Secretary shall prepare and submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, a report concerning the status of children (including disabled, homeless, and limited English proficient children) in Head Start programs, including the number of children and the services being provided to such children.”; and

(2) in paragraph (8) by inserting “, homelessness” after “background”.

(b) NATIONAL REPORTING SYSTEM.—Section 650 of the Head Start Act (42 U.S.C. 9845) is amended by adding at the end the following:

“(c) NATIONAL REPORTING SYSTEM.—The Secretary shall submit annually to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, a report on the status of the National Reporting System developed by the Secretary. Such report shall include—

“(1) information on all contracts, grants, and expenses relating to the development and implementation of the National Reporting System;

“(2) information described in section 641A(b)(3)(B); and

“(3) a description of the recommendations made by the Technical Working Group, including issues of the technical adequacy, purpose, and administration of the System, and an explanation of how the Secretary plans to address these recommendations.”.

SEC. 22. LIMITATION ON RATE OF FEDERAL FUNDING FOR COMPENSATION.

Section 653 of the Head Start Act (42 U.S.C. 9848) is amended—

(1) by striking the heading;

(2) by striking “SEC. 653. The” and inserting the following:

SEC. 653. WAGES AND COMPENSATION.

“(a) COMPARABILITY OF WAGES.—The”; and

(3) by adding at the end the following:

“(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 or any proration thereof, at a rate in excess of the rate then payable for level II of the Executive Schedule under section 5316 of title 5, United States Code.”.

SEC. 23. LIMITATION ON USE OF FUNDS.

The Head Start Act (42 U.S.C. 9831 et seq.) is amended by inserting after section 656 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 prepackaged 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.”.

SEC. 24. CONFORMING AMENDMENT.

Section 641A(a)(2)(A) of the Head Start Act (42 U.S.C. 9836a(a)(2)(A)) is amended by striking “non-English language background” and inserting “limited English proficient”.

SEC. 25. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) GENERAL EFFECTIVE DATE.—Except as provided in subsections (b) and (c), this Act and the amendments made by this Act shall take effect on the date of the enactment of this Act.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall not apply with respect to any fiscal year that begins before the date of the enactment of this Act.

(c) PRIORITY IN THE DESIGNATION OF HEAD START AGENCIES.—

(1) EFFECTIVE DATE.—Section 641(c), as amended by section 7(b) of this Act, shall take effect exactly twelve months from the date of the enactment of this Act, except for section 641(c)(5), which shall take effect on the date of the enactment of this Act.

(2) IMPLEMENTATION RULE.—For purposes of carrying out section 641(c) of the Head Start Act, as amended by section 7(b) of this Act, the Secretary may only consider the performance of a Head Start program in meeting the requirements described in section 641(c) of the Head Start Act, as amended by section 7(b) of this Act, from the date of enactment of this Act, except any performance that constitutes a deficiency since the then most recent designation.

The Acting CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109-229. 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, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in House Report 109-229.

AMENDMENT NO. 1 OFFERED BY MR. CASTLE
Mr. CASTLE. 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. 1 offered by Mr. CASTLE:
Page 8, line 23, insert “and”.
Page 9, line 2, strike “and”.
Page 9, strike lines 3 and 4.
Page 9, line 15, before the semicolon insert “, as appropriate”.

Page 12, line 10, strike the closing quotation mark and the period that follows.

Page 12, after line 10, insert the following:
“(27) the term ‘auditor’ means a certified public accountant or a Federal, State, or local government audit organization, which meets the general standards specified in generally accepted government auditing standards.”.

Page 13, line 25, insert “(including under any decision made by the Secretary under clause (ii) or (iv))” before the semicolon.

Page 14, line 10, strike “648(j)” and insert “648(i)”.

Page 15, line 2, after “children” insert “based on the data collected, and in accordance with the requirements of, section 648(i), 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 prior to such reduction in funding”.

Page 26, line 22, strike “and”.

Page 28, line 9, insert “, other State and local agencies administering the State pre-kindergarten program, as applicable.”.

Page 35, line 3, insert “and developmentally” after “age”.

Page 37, line 1, strike “PROGRESS” and insert “PROGRESS”.

Page 38, line 13, strike “research,” and insert “research”.

Page 40, line 10, after “health,” insert “providers of early childhood education.”.

Page 46, line 25, before the semicolon insert “, including private entities and charter schools offering pre-kindergarten”.

Page 49, line 7, strike “and” after the semicolon.

Page 49, after line 7, insert the following:

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

Page 49, line 8, strike “(VI)” and insert “(VII)”.

Page 54, line 12, before the semicolon insert “as appropriate”.

Page 62, beginning in line 11, strike “the program of a Head Start agency,” and insert “a Head Start program.”.

Page 62, beginning in line 13, strike “and reported by the agency (as required in paragraph (2))”.

Page 67, line 9, strike “and (5)” and insert “(5), and (6)”.

Page 67, line 16, strike “by,” and insert “by”.

Page 69, line 1, strike “(6)” and insert “(7)”.

Page 72, line 14, after “chair of” insert “(or the designee of the chair, approved by)”.

Page 74, line 2, insert “except when the auditor is assigned by the State under State law” before the semicolon.

Page 76, line 2, strike “committee” and insert “council”.

Page 76, line 3, strike “committee” and insert “council”.

Page 80, line 13, insert “to” before “refer”.

Page 80, line 15, insert “To” before “provide”.

Page 85, beginning in line 6, strike “as appropriate” and insert “, as appropriate.”.

Page 86, line 6, strike “socio-emotional skills,” and insert “socio-emotional development.”.

Page 87, after line 20, insert the following:

SEC. 10. HEAD START ALIGNMENT WITH K-12 EDUCATION.

Section 642A of the Head Start Act (42 U.S.C. 9837a) is amended—

(1) by amending the heading to read as follows:

“SEC. 642A. HEAD START ALIGNMENT WITH K-12 EDUCATION.”;

(2) in paragraph (2)—

(A) by inserting “ongoing” after “establishing”; and

(B) by inserting “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)),” after “social workers.”;

(3) by redesignating paragraphs (3) through (7) as paragraphs (5) through (9), respectively; and

(4) by inserting the following after paragraph (2):

“(3) developing continuity of developmentally appropriate curricula between Head Start and local educational agencies to ensure an effective transition and appropriate shared expectations for children’s learning and development as they make such transition to school;”

“(4) organizing and participating in joint training, including transition-related training for school staff and Head Start staff;”;

(5) by amending paragraph (7), as so redesignated, to read as follows:

“(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 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);”;

(6) in paragraph (8), as so redesignated—

(A) by inserting “and continuity in parental involvement activities” after “developmental continuity”; and

(B) by striking “and” at the end;

(7) by amending paragraph (9), as so redesignated, to read as follows:

“(9) linking the services provided in such Head Start program with the education services, including services relating to language, literacy, and numeracy, provided by such local educational agency.”; and

(8) by adding at the end the following:

“(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 is aligned with—

“(A) State early learning standards with regard to cognitive, social, emotional, and physical competencies that children entering kindergarten are expected to demonstrate; and

“(B) the Head Start Child Outcomes Framework developed by the Secretary.”.

Page 87, line 21, strike “10” and insert “11”.

Page 88, line 10, strike “Standards” and insert “standards”.

Page 90, line 21, after “into” insert “within 30 days”.

Page 96, strike line 6 and all that follows through page 98, line 21.

Page 105, strike line 6 and all that follows through page 106, line 3, and insert the following:

“SEC. 645B. PARENTAL CONSENT REQUIREMENT FOR HEALTH CARE SERVICES, INCLUDING NONEMERGENCY INTRUSIVE PHYSICAL EXAMINATIONS.

“(a) DEFINITIONS.—For purposes of this section:

“(1) The term ‘health care service’ includes—

“(A) any nonemergency intrusive physical examination; and

“(B) any screening, included 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 or an entity that receives assistance under section 645A shall obtain the informed written consent of a parent of such child indicating consent for each specific health care service to be performed.

“(c) RULES 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 or 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.”.

Page 106, line 20 through page 108 line 2, strike section 17 and insert the following:

SEC. 17. AUDITS.

Section 647 of the Head Start Act (42 U.S.C. 9842) is amended by adding at the end the following:

“(c)(1) Not later than 270 days after the end of each fiscal year, each Head Start agency and each entity that receives assistance under section 645A shall, with financial assistance provided by this subchapter—

“(A) undergo a single audit under the requirements of the Single Audit Act and submit its financial statement audit and compliance audit of Federal assistance to the Secretary and to the Federal Audit Clearinghouse an independent financial audit of the Head Start program if subject to the Single Audit Act Amendments of 1996; or

“(B) undergo a financial statement audit in accordance with the generally accepted government auditing standards issued by the American Institute of Certified Public Accountants and Government Auditing Standards issued by the Comptroller General of

the United States, if not subject to the Single Audit Act.

“(2) Audits described in subparagraph (A) and (B) shall be carried out by an auditor selected through a competitive process by the board described in section 642(b)(4) except when conducted by the State auditor as required by State law.

“(3) No audit partner shall perform audits of such agency for a period exceeding 5 consecutive fiscal years except when such agency notifies the Secretary that rotation is not possible because an alternate audit partner is not available or would present a significant challenge to the agency.

“(4) Not later than 60 days after receiving such audit, the Secretary shall provide to such agency or such entity, and to the chief executive officer of the State in which such program is operated, a notice identifying the actions such agency or such entity is required to take to correct all deficiencies identified in such audit.

“(d) 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); and

“(2) provide such additional documentation as the Secretary may require.”.

Page 111, line 5, insert “and Indian Head Start programs” after “programs”.

Page 111, line 6, insert “the Indian Head Start Collaboration Director,” after “Collaboration.”.

Page 111, line 7, insert “, including tribal governments” after “appropriate entities”.

Page 111, line 10, insert “and Indian” after “seasonal”.

Page 111, line 15, insert “and Indian” after “seasonal”.

Page 111, line 22, insert “and American Indian and Alaska Native students” before the period.

Page 112, line 14, insert “American Indian and Alaska Native children” after “farmworkers”.

Page 112, line 22, insert “and Indian” after “seasonal”.

Page 113, line 1, insert “by the Indian Head Start Collaboration Project Director,” after “Director.”.

Page 116, line 20, strike “(7)” and insert “(8)”.

Page 116, line 22, strike “(8)” and insert “(9)”.

Page 116, line 24, strike “(9)” and insert “(10)”.

Page 122, line 22, strike line 21 through page 123, line 6, and insert the following:

(1) by amending the first sentence to read as follows: “At least once during every 2-year period, the Secretary shall prepare and submit, to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, a report concerning the status of children (including disabled, homeless, and limited English proficient children) in Head Start programs, including the number of children and the services being provided to such children.”; and

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware (Mr. CASTLE).

□ 1315

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

I am pleased to offer this amendment which I indicated was drafted on a bipartisan basis. Specifically, the amendment would revise the financial audit language to ensure that financial audit requirements for Head Start programs are consistent with those required under the Single Audit Act Amendments of 1986; that it builds on parental consent requirements included in H.R. 2123 as reported, to further clarify that any health service available to children in Head Start may not be performed without the prior written consent of the parent; and included a number of technical and conforming amendments.

To the best of our knowledge, there is no dispute about this, and the details of it can be discussed at further length if anybody wants.

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

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

I want to thank the subcommittee chairman, the gentleman from Delaware (Mr. CASTLE), for his hard work on this bill. This language has been negotiated, and we have no objections to the amendment.

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

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

The Acting CHAIRMAN (Mr. BASS). The question is on the amendment offered by the gentleman from Delaware (Mr. CASTLE).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 109-229.

AMENDMENT NO. 2 OFFERED BY MR. SOUDER

Mr. SOUDER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. SOUDER:
Strike page 71, line 22 through page 77, line 13, and insert the following:

“(4) Implement a system of shared governance for oversight of the Head Start program, which includes the following:

“(A) An independent board of directors selected from among eligible individuals who shall serve on the board of directors (or may designate an existing entity whose members are eligible individuals, that shall be such board) for a period not to exceed 5 years, except that board members who oversee a public entity and who are selected by election (or members of a board of a local educational agency or a local council, appointed by an elected official or an official of a general purpose local government), may serve for such period as may be determined by the electing or appointing authority, as the case may be. An individual who has a conflict of interest is ineligible to serve as a member of the board of directors. Members of the board of all nonpublic entities shall include representatives of the local community (including at least 1 member with significant financial management or accounting experience and the chair of the council described in section 642(b)(4)(B)). Additional members shall be selected for their expertise in education, business administration, community affairs,

government, legal affairs, and such other areas of expertise as may contribute to effective governance of the Head Start agency. All members of the board of directors shall adopt practices that assure active, independent and informed governance of the Head Start agency, including independent oversight of the financial and management practices of such agency. The board of directors shall provide direction to the executive director of the Head Start agency and shall operate as an entity independent of staff employed by the head Start agency, entity, or applicant and have the following duties and responsibilities:

“(i) To provide independent 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.

“(ii) To establish 1 or more standing committees to facilitate governance of the Head Start agency which shall include the following: 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 board of directors the selection of independent auditors who shall report all critical accounting policies and practices to the finance and audit committee;

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

“(IV) to review and advise the board of directors of the audit management letter provided pursuant to the chapter 75 of title 31 of the 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.

“(iii) To approve the selection and dismissal of the Head Start director, and to review annually the human resources available to ensure the effective operation of the Head Start agency.

“(iv) To consult on a regular basis, with the policy council and to take actions on recommendations submitted by such council.

“(v) To review and approve the major operational policies of the Head Start agency, including 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)

“(vi) To ensure that the Head Start agency is operated in compliance with applicable Federal, State, and local laws (including regulations), and to monitor agency implementation of any corrective action necessary to comply with applicable laws (including regulations);

“(vii) To oversee the program planning of the Head Start agency, including adoption of the Head Start agency philosophy and mission statement, adoption of policies for determining community needs, setting long- and short-range goals and objectives, establishment of criteria for selecting families in Head Start programs or Early Head Start programs, and to oversee and approve the agency's applications to receive funds made available under this subchapter; and

“(viii) To establish, to adopt, and to periodically update written standards of conduct that establish standards and formal proce-

dures for disclosing, addressing and resolving—

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

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

“(ix) To develop processes, in consultation with the policy council, to resolve internal disputes in the instance when the board of directors and the policy council have reached an impasse on an issue of dispute relative to matters of joint governance.

“(x) In all matters of serious fiscal mismanagement, fraud, or criminal activity, the board of directors will have discretionary authority to act unilaterally without policy council approval.

“(B) A policy council, a majority of whose representatives shall be parents of children participating in a Head Start program or in an Early Head Start program, or of children who participated in an Early Head Start program in the then most recent 5-year period preceding the selection of the particular representative involved, and whose primary responsibilities shall be to serve as a link between parents and the board of directors and to share joint responsibilities with the board of directors in making recommendations and approving or disapproving the following program planning and operation activities:

“(i) Program planning, including—

“(I) program design and management, including long and short-term planning goals, all funding applications and amendments to funding applications and objectives based on the annual community assessment and self-assessment;

“(II) program recruitment, selection, and enrollment priorities;

“(III) budget planning for program expenditures, including policies for reimbursement and participation in policy council activities; and

“(IV) the operating budget of the Head Start agency.

“(ii) Program operation policies, including standards of conduct for program staff and volunteers, and policies governing employment and dismissal of program staff.

“(iii) Selection and dismissal of the Head Start director and program staff.

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

“(v) Classroom activities and staffing.

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

“(vii) Processes to resolve internal disputes in the instance when the board of directors and the policy council have reached an impasse on an issue of dispute relative to matters of joint governance.

“(viii) Other areas the council identifies as necessary to improve program operations.

“(C) Training for all members of the board of directors and policy council in the management responsibilities and obligations, ethics, and financial literacy and management.”.

Page 78, line 6, strike “section 642(b)(4)(B)(ii)” and insert “section 642(b)(4)(B)”.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Indiana (Mr. SOUDER) and the gentleman from Ohio (Mr. BOEHNER) each will control 5 minutes.

The Chair recognizes the gentleman from Indiana (Mr. SOUDER).

Mr. SOUDER. Mr. Chairman, I yield myself 2½ minutes.

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

Mr. SOUDER. Mr. Chairman, first I want to again thank the chairman for making my amendment in order. Let me give a very short history, and then I will elaborate a little further.

After the Great Society was less than sensitive to many urban areas in the United States, empowerment movements developed in America, led actually by a leftist named Sal Olinsky, that said local people, when they are being displaced, ought to have more input into the decisions that are being made in their lives. This happened originally in Chicago and it is something that we are looking at doing in New Orleans in the name of empowerment.

We saw, when the Republicans came to power in the 1980s and to the Presidency, President Reagan put Jack Kemp in charge of HUD, Housing and Urban Development, and we had tenant management and resident management moving to homeownership and we said, let the people make the decisions themselves. Sometimes it was messy. Sometimes we did not really like their decisions, just like sometimes we do not necessarily agree with the people who they elect to Congress; but we let the people make the decisions.

Head Start, when it came in the 1970s as part of Richard Nixon's efforts to block grant, to give more local empowerment to react to the programs of the 1960s, the heart and soul of this program was to say, we are going to let the parents, in these preschool situations, in these low-income situations, we are going to let them make the decisions. It is not going to be like PTAs in schools where often they become fund-raising supplements and they are allowed to give their opinions, but they have no vote. We are going to let them actually vote. When you go into Head Start programs, they get to vote on what they are going to serve for lunch, they get to vote on the textbooks, they get to hire and fire the teachers.

This bill, unfortunately, because of a broader concern about how to address some of the problems in Head Start, removes the voting rights, the actual powers of those parents. Not because of any GAO report. Not because the GAO report says there is a problem with the parents. There is no reference to the parents in the GAO report, other than one. It says the tips of financial mismanagement came from the parents. It is not because of the boards because, in the GAO report, the boards are only mentioned twice, because they had financial problems.

The underlying part of the bill addresses the financial difficulties that we have, and we have added in our amendment to make sure that fraud is actually addressed because there the board has legal liability if there is fraud, but not what is being served for lunch or what textbook or even who is hired and fired. They have legal liability for fraud. That is already granted. But we made it clear that the board has the legal liability on fraud and they have the decision-making power on fraud.

I somehow think that we have drifted into this policy that we think we know better than the people who are making the decisions themselves. How are we going to move ahead in New Orleans with this attitude? We cannot one week strip the number one empowerment program in America, and the next week say we are going to empower in New Orleans.

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

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

Mr. Chairman, I appreciate the amendment offered by my friend, the gentleman from Indiana, a member of our committee. It is over a very sensitive issue of how to deal with the parent councils. Under the current law, the current practice, these parent advisory councils have actually had veto authority over the decisions of the Head Start grantee.

Now, there is no one in this House who believes more in empowering parents to be active participants with their children, active and empowered parents with Head Start programs. But we have seen a number of problems in Head Start programs, from financial abuses to very poor results for children; and the gentleman from California (Mr. GEORGE MILLER) and I have worked closely to develop this bill and to develop this proposal that continues to allow parents to be actively involved.

It still requires the grantees to urge parents to be involved; but we do it, though, in a strictly advisory capacity. They are still going to play a big role. The only difference here is the veto power: whether, in fact, the parent councils can veto the decisions of the board or the management.

Now, this bill came out of committee 48 to nothing with the language that we are trying to preserve. I appreciate my colleague from Indiana coming along at the eleventh hour, wanting to change it, but the fact is that the committee endorsed the underlying language, and I would ask my colleagues to reject this amendment.

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

Mr. SOUDER. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, there was no testimony at any hearings about this subject. The only reference in the hearings, I believe, was actually on the Senate side from the deputy mayor of Memphis who complained that he did not have decision-making powers to make some changes that he wanted to make, but it was not financial abuse or financial waste. I have asked the committee staff, as well as the chairman, to come up with an example. There is not an example.

There are problems in the whole system; but mostly it is the grantees and

the board that have been the problems. The board is not as engaged like the parents. In this case, it is not a question of whether the parents have veto power. The parents have the power, the board has shared power, and the parents have the primary power, the board has the veto power. The parent council is 51 percent parents, 49 percent community leaders who are actively engaged. The board tends to be leading citizens of the community who come in and review that.

We are gutting, for a pat on the head, saying we like your opinion, but not your vote. You are not good enough to vote, but you are good enough to give your opinion.

This is an empowerment program by the people who are running it, it has worked well, and we should not change it.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking Democrat on the committee.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding me this time, and I rise in opposition to this amendment.

What we tried to do in the committee bill is to make sure that there was a clear line of accountability on some of these fiscal matters. We struggled long and hard on this committee with the question of fiscal management and mismanagement of a number of these programs. While the vast majority of Head Start programs are well-run programs that provide excellent services, the services that we have come to expect from those programs on behalf of these children in Head Start, we have had some problems.

This is not about reducing the parents' role. It is about increasing the accountability, increasing the accountability of this board, so they will understand the gravity of the situation, which they have. We have also strengthened the parent policy council to be involved in all aspects of program authorization, and we require that the board act on those priorities. Whether they agree or disagree, they must act on it.

The fact of the matter is, I think many, many people involved in Head Start believe that this is a very substantial improvement that will avoid the kinds of problems that we have seen in the past that have drained resources from this agency, taken away from the services provided to these children.

Parents have been an integral part of this program from the beginning, they continue to be, and, in fact, their position is strengthened in this legislation. But we must deal in a forthright manner with this question of fiscal accountability, and we are making those boards more accountable in this legislation; and I hope that we would reject the Souder amendment.

Mr. SOUDER. Mr. Chairman, I yield 1 minute to the gentleman from Florida

(Mr. KELLER), a member of the Committee on Education and the Workforce and a leader on education issues.

Mr. KELLER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, the Head Start bill before us today is a good bill, I plan on voting for it, but I also believe that the Souder amendment will make it an even better bill by restoring the full authority of the parent policy councils in the Head Start program.

Currently, Head Start programs across the country are jointly governed by a board of directors made up of experts and by a policy council made up of parents. Regrettably, the Head Start reauthorization bill before us fundamentally changes the authority of the parent policy councils. Specifically, it removes their ability to vote on program policy and instead makes them merely an advisory committee to the board. Well, who knows what is best for kids, the parents who are with them every day, or the bureaucrats and politicians who live 1,000 miles away?

Clearly, the parents are in the best position to know what is best for the children, and I do not have to guess about that. On August 8, 2005, I personally met with 120 Head Start parents in Orlando, Florida. They told me they were concerned about the reduced role of the parent policy councils under this bill, and they wanted to restore the voting authority. That is what the Souder amendment does. I urge my colleagues to vote "yes."

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

Mr. SOUDER. Mr. Chairman, I yield myself the balance of the time.

Let us make this absolutely clear. Advice is nice. We just went through this in high-intensity drug trafficking areas where we tried to take the voting power away and we resisted that in Congress.

Power comes from voting, not advise. This strips the parents of their power and lets them give their opinions. This is a tremendous reversal for either side of the aisle to make of the number one parent advisory program in America. There are not financial problems with the parent councils. The financial problems were with the agencies that were granted to and the boards. For fraud, they need to be held accountable. This bill does that. Do not take the power away from the parents.

I have also received these letters which help explain my concerns.

DEAR MR. MARK SOUDER: My name is Chris Wallace Sr. and I am a parent of 3 children. Two of which have been enrolled and ongoing participants in CANI's Headstart program, my third child is going into her 2nd grade year with Adams Elementary, Fort Wayne Community Schools. I am currently the Policy Council President, and the Vice-President of MILC (Males Involved Leading Children), and my wife and I are repeatedly volunteering for CANI (in-kind). I have received the Volunteer of the Year Award from CANI, and I have also received a Certificate of Recognition from the City of Fort Wayne, for

my ongoing commitments with CANI. Currently I am looking forward to another successful year with my involvement with CANI, MILC, and introducing MILC along with All Pro Dads into the Fort Wayne Community school system.

Which brings me to my disappointment with the news that some of these programs, most importantly the parent involvement initiative may be withdrawn from CANI's Headstart programs. I would like for you and those involved with this decision to understand the importance of parent involvement. It has not only allowed for me to be more involved in the decisions that affect my children, it has also allowed me to be involved in some of the decisions that affect my community. These programs allow parents to understand more how important education, family and social development is to their family, and the community around them. I believe that these programs empower parents, and give them leadership skills that they may never learn elsewhere. I can attest to this, for I have learned many leadership, mentoring, and role model skills. I also have learned how important I am to the community and the development of my children, and my peers children.

I believe it would be an injustice to take this away from so many who are currently involved and those in the future that have yet to benefit. Please pass on our plea, meaning the parents, employees, and even more important our children, that you work for keeping the current programs well established within CANI's Headstart program. This will continue to allow us to provide a good start to our future leaders.

On behalf of parents of CANI Headstart.

Sincerely,

CHRIS WALLACE, Sr.,
Parent, Volunteer.

—
SEPTEMBER 18, 2005.

Re Head Start Reauthorization.

Hon. MARK SOUDER,
E. Ross Adair Federal Building,
Fort Wayne, IN.

DEAR CONGRESSMAN SOUDER: I am writing to urge you to support the restoration of full authority to Parent Policy Councils in Head Start reauthorization legislation. It is my observation that parents provided with a meaningful governing role in their children's Head Start education gain valuable skills that will help them to proactively support their children's education in elementary, middle, high school and beyond.

The personal growth of parents involved in the Head Start Program is a natural consequence of their participation in Head Start governance. Weakening or eliminating this role will eliminate a valuable training resource for parents and will make them less effective in supporting their children's future education.

I have been a community representative on the CANI Head Start Policy Council in Fort Wayne for two years. One of the most rewarding benefits of my participation on the Policy Council has been to watch the growth and development of the Male Involvement Committee. This group provides many opportunities for fathers, grandfathers, uncles and other adult males to interact significantly with their children in positive ways. This is particularly significant in low-income communities where children need positive adult male role models.

Thank you for your consideration of these issues. I hope that my views will be addressed in your vote for the reauthorization of Head Start.

Sincerely,

BARBARA L. JONES.

INDIANA PTA,
Hammond, IN, July 11, 2005.

TO WHOM IT MAY CONCERN: I am writing about the Head Start Program and its importance to families.

The Head Start Program is a vital part of the education process. The program offers opportunities early in the lives of children to build skills that will be needed in school and in life. Research shows that the sooner children are in a structured educational environment; the better their performance is throughout their formal education.

I became involved in Head Start in 1995 when my son entered the program and have continued to volunteer/work with Head Start through the years. I have served as a site chairperson, a member of the Policy Committee and currently serve as a Community Representative. It is because of the parent involvement component of the Head Start Program that parent involvement became so important in my life. It is because of these beginnings that I continue to advocate for children on all levels.

For many families, access to Head Start is the only way for their children to have any type of educational experience prior to elementary school. Many of these children continue on to Kindergarten because they have a head start in education and their parents realize how important early intervention is. Since kindergarten is not mandated in Indiana, many children come to school for the first time when entering the 1st grade. These children are not ready to work at their grade level and come to school at all developmental levels.

As president of the Indiana PTA, I know how important the Head Start Program is to children and families. It is critical that services like this continue and be adequately funded for our children. It is important that monies be made available for Early Intervention efforts across the board. If we don't take care of our children today . . . our children won't take care of us tomorrow. Some of the issues that Indiana PTA will be focusing on are: Early Intervention, Literacy; Parent Involvement, Advocacy and Drug Use.

Respectfully,

DEE JONES,
President.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield the balance of my time to the gentleman from Delaware (Mr. CASTLE), the chairman of the subcommittee and the author of the bill.

Mr. CASTLE. Mr. Chairman, I totally oppose this amendment, and I oppose the statements which have been made here that it takes away from the parents, the rights they may have. Basically, what our bill does is reinstate the parents council where it was always supposed to be.

Dr. Edward Zigler, who is opposed, by the way, to some things that I was for in the past, so I do not always quote him, but he is widely credited as the Father of Head Start, and many people follow him here, and he stated with respect to the policy council: "I created and implemented the policy councils in the early 1970s. The time was past due to take a fresh look at the government issue. In fact, I very much like that the House bill keeps in place the policy council with the role I had in mind for it, while putting above it a board of directors with what I see to be some good requirements for membership on this board. I like the synergism that you have built between the board and the policy council," said Zigler's letter.

I think this is the right governance for our Head Start operations in the United States of America. I would encourage everyone here to listen carefully, as it is very easy to say, oh, give the authority to the parents. The bottom line is they will be involved and engaged, but the board will make the decisions. That is the way it should be. I urge the defeat of this amendment.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. SOUDER).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SOUDER. 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 Indiana (Mr. SOUDER) will be postponed.

It is now in order to consider amendment No. 3 printed in House Report 109-229.

AMENDMENT NO. 3 OFFERED BY MS. DELAUBRO

Ms. DELAUBRO. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Ms. DELAUBRO: Page 87, line 4, strike the close quotation marks and the period at the end.

Page 87, after line 4, insert the following:

“(11) Head Start agencies may develop or maintain partnerships with institutions of higher education and non-profit organizations that recruit, train, place, and support college students to serve as mentors and reading coaches to preschool children in Head Start programs.”

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentlewoman from Connecticut (Ms. DELAUBRO) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Connecticut (Ms. DELAUBRO).

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

Mr. Chairman, for four decades, Head Start has provided comprehensive child development, literacy, family services to more than 18 million preschoolers from low-income and working poor families. It is a proven success. Head Start graduates are less likely to need special education services, to be held back a grade, or to get in trouble with the law. They are more likely to go on to college and to have professional careers. It is unquestionably the most effective early childhood development program ever developed.

For all the program's success, we know that even the best teachers struggle with overwhelming class sizes, particularly with young children, and Head Start's 10 to 1 ratio of students to teachers in the classroom presents clear challenges in helping Head Start children gain the cognitive skills other children have.

That is why this amendment, allowing Head Start centers to recruit and

train college students as mentors, reading mentors for preschool children, is so needed.

□ 1330

We all know the benefits of mentoring, whether it is after school, on weekends, or during the school day, mentoring programs change young peoples' lives. There is a proven link between mentoring and reduced substance abuse later in life and improved academic achievement.

And of course the benefits of mentoring are mutual. Some of the college student mentors in this initiative will even become Head Start teachers themselves some day. That is what we have seen in one program which deploys 2,100 college students who devote 15 hours per week during the school year to mentor Head Start students. That program is also a proven success.

I want to be clear, my amendment would not replace the specialized work of Head Start teachers. There is no substitute for the work of a qualified, trained teacher, nor would anything in this amendment require local Head Start centers to offer mentoring programs.

Head Start grantees would have the chance whether or not to start a mentoring program for Head Start children. Mr. Chairman, with this amendment we are simply seeking to supplement the remarkable work of our Head Start teachers in a way that allows for children to learn at their optimum capacity.

It allows Head Start teachers to make the greatest impact possible. And that is why I urge my colleagues to support this amendment.

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

Mr. BOEHNER. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. BASS). Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Mr. Chairman, the gentlewoman from Connecticut (Ms. DELAUBRO) brings a very good amendment to this debate. And I certainly support the good work of Jump Start and think that the amendment that she offers makes a valuable contribution to the bill.

Mr. Chairman, I yield the balance of my time to the gentleman from Ohio (Mr. REGULA), the chairman of the Labor-HHS Subcommittee of the Committee on Appropriations, and the Dean of the Ohio Delegation, for general remarks on the bill.

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

Mr. REGULA. Mr. Chairman, I rise in strong support of the School Readiness Act. Let me first begin by recognizing the tremendous efforts of my colleagues, the gentleman from Ohio (Mr.

BOEHNER) and the gentleman from Delaware (Mr. CASTLE) in crafting a good bill.

As a former teacher and elementary principal, I am aware of the necessity of a first-rate education and need to ensure that children have adequate skills before entering kindergarten.

As chairman of the Labor-HHS-Education Subcommittee of the Committee on Appropriations, funding Head Start in the amount of \$6 billion, this bill will achieve a better use of those moneys. For over four decades the Head Start program has provided comprehensive early childhood development services to low-income children.

By providing educational, health, nutritional, social and other services to the most needy in our society, this program prepares children to enter kindergarten and to improve the conditions necessary for their success in later school and life.

Head Start strongly emphasizes the involvement of families in the local community to ensure that the programs are responsive to the unique needs of each community. As you know, in the aftermath of Hurricane Katrina, the Head Start Bureau has urged all of its grantees to provide Head Start services to any displaced children and families now in their communities. Very important, so they do not fall behind.

As successful as Head Start has been, I believe that the program can be even more successful by maintaining the comprehensive services already provided and enhancing the academic component. Consistent with the goal of strengthening this program, H.R. 2123 will help to eliminate financial mismanagement by increasing the competitive nature of the current program. The competition requirements are intended to help drive program improvement across the board and to ensure that the \$6 billion we spend is spent constructively and wisely.

Mr. Chairman, I would like to emphasize that a good education is the cornerstone for success in life and that it is critical to have the basic skills to build the foundation before entering kindergarten. We have found a large dropout problem in our inner-city schools, in some cases exceeding 50 percent. In fact, the national average is 32 percent. And this is a terrible waste of human resources.

In many cases, the students dropping out cannot read at beyond the elementary school level, and see no reason to stay in school when they cannot keep up with the school work. The problems of dropouts and illiteracy do not begin in high school. They manifest themselves in high school, but they begin in elementary and pre-elementary.

These problems begin in the school when the students fall behind their classmates in the early years, because they did not start with the same skill sets. We need to ensure that these students have an equal start, and H.R. 2123 will help us in the mission.

Ms. DELAUBRO. Mr. Chairman, I yield 1½ minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I thank the gentlewoman from Connecticut (Ms. DELAUBRO) for offering this amendment, and the gentleman from Ohio (Mr. BOEHNER) for supporting it.

Mr. Chairman, helping Head Start centers develop with college students, students who will then help young children when they are learning to read, certainly will help those children. But also it is going to encourage more students at the college level to become and remain Head Start teachers.

Anything that accomplishes both of these goals is worth doing. And I support the amendment.

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

Mr. Chairman, in closing, let me just say that I am excited about the opportunity for this amendment, because I think that we can create a partnership with the Head Start program and with our college students. And the beneficiaries are our youngsters.

And we give an opportunity to college students to be stakeholders in an education process. It keeps them involved in their community. It keeps them involved in public life. And they have so much to offer and to give, and then couple that with the tremendous work of the Head Start teachers.

So with that, I would urge my colleagues to support this amendment.

Mr. LARSON of Connecticut. Mr. Chairman, I rise today in strong support of the amendment offered by my distinguished colleague, the gentlewoman from Connecticut (Ms. DELAUBRO) that would allow Head Start centers to partner with colleges, universities and community-based organizations to recruit and train college students to serve as mentors and reading coaches to preschool children.

Early childhood is a critical time for children to develop reading, language and cognitive skills. For 40 years, Head Start has worked to increase the overall school preparedness for the Nation's young children in low-income communities. As Congress moves forward to reauthorize Head Start and make a number of changes, the reauthorization should include meaningful programming to improve the offerings of Head Start programs. This amendment, that allows Head Start centers to partner with an institution of higher education or a community-based organization in order to recruit and train college students to serve as mentors and reading coaches to preschool children, and would allow children to receive the personal instruction and attention they need to be successfully prepared for school.

One-to-one learning is a proven teaching method that strengthens cognitive skills in young children. Mentors provide children with the additional support they need to boost comprehension and self-confidence. Back home in my district in Connecticut, the Jumpstart Hartford program is an excellent example of this type of comprehensive learning partnership. Jumpstart Hartford, in partnership with the University of Hartford, facilitates one-on-one instruction with students from the University and young children from low-income families

in Hartford. The program places special focus on developing stronger language, literacy, social and initiative skills. The program has made significant gains in narrowing language and literacy gaps with its young children.

Mr. Chairman, I urge my colleagues to support the DeLauro amendment that would allow mentor partnerships in Head Start and make real progress towards preparing all children in Head Start for success in school and throughout life.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Connecticut (Ms. DELAUBRO).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 4 printed in House Report 109-229.

AMENDMENT NO. 4 OFFERED BY MR. STEARNS

Mr. STEARNS. 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 Mr. STEARNS: Page 110, line 7, after "families," insert "families with one or more children with disabilities".

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Florida (Mr. STEARNS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. STEARNS).

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

Mr. Chairman, the Individuals with Disabilities Act and the 1998 Head Start Act simply required Head Start programs to reach out to families who have children with disabilities. Including children with disabilities in Head Start programs can be a rewarding experience for all involved: children, parents, and of course Head Start employees.

But the linchpin for success with inclusion is proper training of employees to care for the children's unique needs. However, the underlying legislation I think perhaps can be strengthened in this area.

My amendment would simply do that. How? Include families who have one or more children with disabilities in the list of training course subjects the Secretary is directed to provide for Head Start training employees so they can cope with that. I know firsthand, personally, both the victories and pitfalls of families who have dealt with children with learning disabilities.

I know the worry and concern parents feel when they entrust the most precious being in their lives to the care of a stranger. Head Start personnel need to be trained, my colleagues, to mitigate these many concerns, and of course to provide meaningful guidance when a family faces a new challenge.

So families with children with disabilities need support. Proper training of Head Start employees will enable

them to anticipate possible challenges, evaluate the current difficulties that they may or may not have, and will educate the employees in current strategies and resources which are available to parents.

For parents' piece of mind, it is imperative that those individuals caring for their children are simply equipped to handle any situation that may arise in that classroom. If not convinced, they will not send their child to the Head Start program, which would deprive the child from needed preparation for school.

Now, for Head Start teachers, training will equip them with the necessary tools, of course, to be successful. Many human resources studies show the most common cause for dissatisfaction with a job is when employees feel ill equipped to meet the goals that are expected of them.

Now this dissatisfaction is compounded for educational professionals, because when they fail to meet their goals, they feel they have failed the child. With proper training, teachers will feel empowered. They will have greater understanding of the underlying issues causing difficulty for that child and will be armed with a strategy to help them so they can ultimately succeed.

Training can make that experience teaching children with disabilities a positive one instead of a negative one. Now, there was a teacher who did not feel properly trained, for example, to teach a child with disabilities. When required to include a student with disabilities in her classroom, she then received the necessary training to do it. As a result, and this is a good clear example, this is what she said. "Ronnie is truly my most favorite student and my greatest accomplishment." Now that is a learning disability student. Bear with me here. "Thanks to him, I cannot wait to get to school every morning to see what he has learned today. Thanks to him I feel proud to be a teacher again. On November 3, 2001, I never thought anything good could come out from having him in my class. Little did I know that he would be a great blessing for which I will always be thankful."

Our children deserve effective teachers. Children with a disability generally do not respond well to change. We all know that. School is an enormous change that needs to be adequately prepared for. When starting school, they enter that simple, unknown world that scares them.

Many of the expectations are new. Directions from the teachers do not make sense. They feel out of control themselves and they feel sort of helpless. Teachers can ease that child's anxiety, see when they are feeling overwhelmed, and simply provide support, and, more importantly, guidance.

They are also able to give children specific strategies to handle these feelings, their feelings on their own, so that they in turn will feel more in control.

By attending Head Start programs staffed with trained professionals, children will experience less stress, be more comfortable with their peers, accustom themselves with the behavioral expectations of classrooms, and learn strategies to deal with the inevitable distractions that are in a school setting.

These are vital skills for them to learn at any time. And by learning them before beginning school, they will be better focused, more and better equipped to learn.

Mr. Chairman, I urge my colleagues to support my amendment. Provide Head Start employees with the training they need to support families and children with disabilities.

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

Mr. CASTLE. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Delaware?

There was no objection.

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

Mr. Chairman, I would like to say how strongly I personally, and I hope all of us would support the Stearns amendment. I think it makes a tremendous amount of sense.

This amendment, the one before it, and a couple of others we have I think actually truly improve the bill. They are not just amendments we are accepting, but they are amendments which indeed make the bill better.

The gentleman from Florida (Mr. STEARNS) has pointed out, in my judgment, a significant problem in education. I think it is greater as you deal with lower-income children, to even a greater extent than perhaps it is with other children, and as a result of that, I think such training is absolutely in order.

So I would like to thank the gentleman for that and I would like to congratulate him for thinking of the idea. Certainly I am in support of 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 Florida (Mr. STEARNS.)

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. STEARNS. 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 (Mr. STEARNS) will be postponed.

□ 1345

The Acting CHAIRMAN (Mr. BASS). It is now in order to consider amendment No. 5 printed in House Report 109-229.

AMENDMENT NO. 5 OFFERED BY MR. DAVIS OF ILLINOIS

Mr. DAVIS of Illinois. 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. DAVIS of Illinois:

Page 110, after line 19, insert the following new subsection (and redesignate subsequent subsections proposed to be added by the relevant provision accordingly):

“(h) The Secretary shall develop and implement an outreach program to train and recruit African-American and Latino-American men to become Head Start teachers in order to increase the provision of quality services and instruction to children with diverse backgrounds.”

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Illinois (Mr. DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I know that there are many people who believe that good teachers are good teachers and wherever good teaching takes place learning will also occur. And I believe that teaching is the most noble of all professions that exists on the face of the Earth, because when you teach, you bind yourself to someone else and they often bond and bind themselves to you and a transference of learning often takes place that way.

My amendment addresses the fact that there are so few African American and Latino males teaching Head Start and we need to do something about that. My amendment instructs the Secretary of HHS to develop a recruitment and training program to help get rid of this absence of male African American and Latino teachers.

I have observed that many African American and Latino boys go through all of elementary school never having access to a male black or Latino teacher. As a result of that, many of them grow up with the idea that education is not for them, that it is a female thing, that it is a woman thing, that it is a girl thing. And they drop out at third and fourth grades because psychologically and emotionally and experientially they have decided that this is not the way to go.

This amendment need not cost a great deal of money at its onset; but it will, in fact, prevent a rise in drop-out rates. It will, in fact, prevent many of the ills and social problems that we encounter today as a result of the high number of boys who drop out of school.

I would urge support for this amendment.

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

Mr. CASTLE. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Delaware?

There was no objection.

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

Mr. Chairman, I do rise in support of the Davis amendment. I believe this is one that improves our legislation.

The amendment supports outreach efforts to train and recruit African American and Latino American men to become Head Start teachers. Any such teachers would still be required to meet teacher qualification requirements, of course, which are in the School Readiness Act.

The amendment would help to ensure African American and Latino American men are encouraged to become teachers, Head Start teachers. I think that is a goal that is very laudable, teachers in general, as a matter of fact.

This amendment supports these men to provide quality services and instruction to the many children with diverse backgrounds and participate in the Head Start program. That is absolutely true. That there are many people with diverse backgrounds in the Head Start program. It is important to understand this amendment does not create a new program. Instead, it directs the Secretary of HHS to support outreach to minorities. That is only correct and right, and for that reason I hope we would all support the Davis amendment.

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

Mr. DAVIS of Illinois. Mr. Chairman, I yield such time as she may consume time to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I thank my friend, the gentleman from Illinois (Mr. DAVIS), for offering this amendment and the gentleman from Delaware (Mr. CASTLE) for his support.

Approximately two-thirds of Head Start children are African American or Hispanic, but not nearly so many of their teachers are. The more diverse our teachers are, the better they will be able to understand the experiences of children in our evermore diverse society, and the better they will be able to help those children learn. And the children will also learn better because they will have models that they are missing in their lives right now.

I want to caution, however, any Member that cares about teacher diversity not to vote for the Boustan amendment because religious discrimination bears a direct relationship to race and ethnicity. It goes hand in hand. Think about that if you want diversity with your teachers.

This is an excellent amendment that is provided by the gentleman from Illinois (Mr. DAVIS) and I support it.

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

Mr. DAVIS of Illinois. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I thank the chairman for supporting this amendment. We

have had a very good process I think in the Committee on Education and the Workforce in moving toward the reauthorization of Head Start. It is a good group of people to work with. It is a committee that I enjoy working with.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois (Mr. DAVIS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Mr. DAVIS of Illinois. 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 Illinois (Mr. DAVIS) will be postponed.

It is now in order to consider amendment No. 6 printed in House Report 109-229.

AMENDMENT NO. 6 OFFERED BY MR. KIND

Mr. KIND. 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. KIND:

Page 122, after line 17, insert the following (and make such technical and conforming changes as may be appropriate):

(e) NATIONAL ASSESSMENT SYSTEM.—Section 649 of the Head Start Act (42 U.S.C. 9834), as amended by subsection (d), is amended by adding at the end the following:

“(j) NATIONAL REPORTING SYSTEM.—The Secretary shall temporarily suspend the implementation of the National Reporting System pending the completion of the recommendations required by subsection (h), and shall integrate such recommendations to develop a national assessment system, as appropriate, that will inform improving Head Start program success.”.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Wisconsin (Mr. KIND) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.

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

Mr. Chairman, my amendment is very simple and straightforward. It would suspend the use and implementation of the National Reporting Service until the National Research Council of the National Academy of Sciences has an opportunity to conduct their study to determine what would be the proper measurements, standards, and assessments to be used with children at this age with different developmental stages in their life.

Mr. Chairman, I believe this is a very important issue because there has been a lot of outside expertise devoted to early childhood learning, and we are going to be taking measurements that they are done appropriately so we do not do any harm to them; and that is why I believe that what is in the bill right now calling for a National Acad-

emy study to be conducted so that the National Reporting System can use those recommendations for measurements and standards as we move forward will improve the quality of Head Start.

It was not so long ago, Mr. Chairman, when the National Research Council of the academy published a book called “Eager to Learn, Educating Our Preschoolers.” And in that publication they indicated why it is important for us to take the time and the energy to make sure that we get the measurements done correctly rather than wrongly.

In that book I quote their summary: “All assessments, and particularly assessments for accountability, must be used carefully and appropriately if they are to resolve and not create educational problems. Assessments of young children pose greater challenges than people generally realize. The first five years of life are a time of incredible growth and learning. But the course of development is uneven and sporadic. The status of a child’s development, as of any given day, can change very rapidly. Consequently, assessment results, in particular, standardized test scores that reflect a given point in time, can easily misrepresent children’s learning.”

Now, when the National Reporting System was created, it was done internally. I do not believe that there was any consultation with us members of the committee, nor were any outside experts brought in for advice or consent or what standards and assessments should be used.

Shortly after the National Reporting System was implemented, the President then appointed his technical working group for the NRS. This was a group of outside experts. Even the technical working group trying to work with the National Reporting System has highlighted a lot of problems and deficiencies with the current system and is recommending changes to it.

That advice from the technical working group was recently backed up and supported by a May GAO report which found, among other things: “If the test is to be used as a measure of program performance or assess changes in child outcomes, it is important to ensure that it is sensitive to the range of development typically demonstrated in Head Start. Based on our analysis and that of the technical working group and independent experts, we continue to believe that further study is necessary to ensure that the NRS results are reliable and valid and the results are appropriate for intended purposes.”

Mr. Chairman, we have had a lot of discussions in this committee. We have had a discussion during the hearings and markup of this bill. I have enjoyed working with the chairman of the committee and the ranking members of the appropriate committees in trying to resolve this issue. I think we can resolve it. I think it is the right direction to go

with the amendment that I am offering. I hope my colleagues will support it.

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

Mr. BOEHNER. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

Mr. Chairman, I rise today in support of the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The amendment would temporarily suspend a large-scale assessment of Head Start children while needed work is done to ensure that the test is suitable for Head Start children and until we have greater assurances that the results are accurate and used for appropriate purposes.

The Head Start National Reporting System developed by the Department of Health and Human Services is a standardized assessment administered at the beginning to all 4- and 5-year-olds enrolled in Head Start.

During the first year’s administration, the National Reporting System was completed by nearly 437,000 preschool children participating in Head Start, including 35,000 children with disabilities and 125,000 children with limited English proficiency.

The NRS was developed with limited congressional authority and input and has been the subject of great concern by many child development and early childhood advocates. There was general agreement by early childhood experts on the value of the assessment, and I tend to agree with that; and children are assessed regularly in nearly every preschool program across the country, including all Head Start classrooms.

I, too, recognize that early childhood assessments play an important role in measuring children’s progress in key areas such as vocabulary, letter recognition, and early math, as well as other aspects of early childhood development.

I also agree with this administration that better data is needed on how well individual Head Start programs are doing in preparing children for kindergarten. However, we have a responsibility to ensure that assessments are conducted appropriately and effectively. And if we are going to do this, we need to make sure we get it right.

I want to commend the Secretary for convening panels to review and take steps to improve the National Reporting System, but I also believe that more time should be taken to make sure we get it right before its data are used to evaluate the progress of children participating in individual Head Start programs.

Mr. Chairman, I yield such time as he may consume to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Chairman, the most important people in a child's life are their parents. The success of Head Start has been that the parents have been involved at the earliest of ages in their child's development.

The amendment by the gentleman from Wisconsin (Mr. KIND), which I rise to support, is an amendment that simply says let us take the evidence based on how we should approach education for children and let us apply what we know is the best way to include measurements of a child in their formative years of life.

What I think all of us saw in the expeditious movement to put in place these tests was the fact that we rushed into it without taking enough time to take a look at it. All of my Head Start teachers have told me that the testing that is currently in place is testing that is not effective and that what would be more effective would be finding out through the National Academy of Sciences what they recommend in terms of the evaluation of those children.

□ 1400

So I want to thank the gentleman from Wisconsin (Mr. KIND) and I want to join him in saying that learning, as we know and as the chairman knows so well, does not begin in first grade. It begins at birth, and the parents need to be involved in their child's life. Head Start is about the emotional and social development of a child which can guide their ability to learn literacy all the way down their educational life.

They will not learn unless they have the best emotional and social development from early on because they will not be able to sit still; they will not be able to focus; they will not be able to do those things that we are going to be testing them for down the line.

With that, I thank the chairman of the Committee on Education and the Workforce for this time.

Mr. BOEHNER. Mr. Chairman, I suggest to my colleagues that the amendment the gentleman from Wisconsin offers, he and I have worked together on this closely over the course of this year. I think it is a good amendment and would urge my colleagues to adopt it.

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

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

Mr. Chairman, I want to thank the chairman of the committee for his support of the amendment and for working with us in order to get this accomplished. I also want to thank the gentleman from Rhode Island (Mr. KENNEDY), my good friend, for helping to elevate this issue and educate other Members in this place about the importance of the measurements and the assessments that are being used, especially for these children at this early age.

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

member of the subcommittee, and thank her for her support.

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

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman from Wisconsin (Mr. KIND) for yielding me this time.

Mr. Chairman, I want to thank my friend, Mr. KIND, for offering this important amendment.

It is one thing to assess children to understand how best to help them learn.

But, this Administration rushed to test hundreds of thousands of children, and in so doing, used tests that are invalid and unreliable.

Moreover, in its rush, the Administration also seems to have virtually no idea how to use this unreliable data. Had the data been reliable, it would still have been virtually useless.

This amendment will bring a critically needed scientific perspective to bear on the Administration and keep them from implementing this program until they do it right. It is an important amendment and I support it.

Mr. KIND. Mr. Chairman, I yield back the remainder of my time.

The Acting CHAIRMAN (Mr. BASS). The question is on the amendment offered by the gentleman from Wisconsin (Mr. KIND).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 7 printed in House Report 109-229.

AMENDMENT NO. 7 OFFERED BY MR. MICA

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. 7 offered by Mr. MICA:

At the end of the bill, insert the following new sections:

SECTION _____. QUALITY STANDARDS; MONITORING OF HEAD START AGENCIES AND PROGRAMS.

Section 641A of the Head Start Act (42 U.S.C. 9836a) is further amended by adding at the end the following new subsection:

“(g) In carrying out the provisions of section 641A, and in addition to the use of whatever other resources the Secretary deems appropriate, the Secretary shall—

“(1) contract with an intermediary organization which, in the determination of the Secretary, meets each of the following criteria—

“(A) focuses on improving the performance management and the use of technology for non-profit, educational, and social service organizations;

“(B) has demonstrated experience in providing a range of assistance, including but not limited to—

“(i) assessing performance metrics;

“(ii) the use of technology;

“(iii) improving financial management;

and

“(iv) developing recommendations to improve performance and the use of technology;

“(C) has a proven methodology for systemic change in the not-for-profit sector, including governmental and nongovernmental entities;

“(D) has demonstrated results in providing performance management support to small-, mid- and large-size not-for-profit organizations annually on a pro bono basis;

“(E) has demonstrated the ability to identify areas for program improvement related to—

“(i) accomplishing the goals and objectives as outlined in Head Start regulations, re-

porting criteria and measurement of program outcomes;

“(ii) meeting reporting requirements

“(iii) using technology in classrooms and enabling its use by administrators;

“(F) has demonstrated the ability to develop an implementation plan for recommended improvements by the organizations it assists;

“(G) has demonstrated the ability to assist with and provide on-site, hands-on guidance with the implementation of the recommendations;

“(H) has demonstrated the ability to tailor the assessment and implementation process to the children and communities served (where appropriate); and

“(I) has demonstrated the ability to create an online community that allows Head Start administrators, teachers, service providers, parents, policy makers, and other stakeholders to communicate and provide support during and following the assessment and subsequent implementation process;

“(2) utilize the intermediary organization selected in paragraph (1) not later than 90 days from the date of enactment of this Act to—

“(A) assess the performance of the Secretary in overseeing the Head Start Bureau and ensuring the effective management of the Head Start program in the areas of finance, operations, human capital, and customer service;

“(B) evaluate the Department's organizational structure, policies, and procedures for managing Head Start grant recipients, make recommendations to improve national program quality and maximize the efficiency in the use of program dollars, and support implementation of the recommendations;

“(C) evaluate the Secretary's administrative resource allocations to determine if investment is properly targeted based on risk assessment to address the program's most significant national and local challenges, and propose adjustments as appropriate;

“(D) evaluate and identify best practice Head Start models and build process models to enable their replication;

“(E) develop early warning systems to identify Head Start programs that need intervention;

“(F) evaluate processes to assist Head Start programs that need intervention in implementing necessary program improvements;

“(G) evaluate the effectiveness of the current process for selecting Head Start organizations and develop and implement improvements to ensure that performance metrics emerge as a key criteria for evaluating successful Head Start applicants, including the creation of evaluation criteria that ensure the selection of quality Head Start applicants;

“(H) evaluate how the Department targets resources to remedy ongoing problems or deficiencies in the program's management or governance, and propose solutions as appropriate; and

“(I) conduct a detailed assessment of the Secretary's ability to monitor grantees.”.

SEC. _____. ALLOTMENT OF FUNDS.

Section 640(a)(2) of the Head Start Act (42 U.S.C. 9835) is further amended by adding at the end the following new clause:

“(v) not less than \$7,500,000 of the amount in clause (iii) appropriated for fiscal years 2006 and 2007 shall be made available to carry out activities described in section 641A(g).”.

The Acting CHAIRMAN. Pursuant to House Resolution 455, 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. MICA. Mr. Chairman, I yield myself such time as I may consume.

First, I want to thank the gentleman from Ohio (Chairman BOEHNER), also the gentleman from Illinois (Mr. DAVIS), the gentleman from Delaware (Mr. CASTLE), the subcommittee chairman, and others who have worked on this legislation. There is probably no piece of legislation in this Congress that is more important to the future of this country and our children and our students than this piece of legislation.

I have educated as an educator and have worked over the years to try to get improvement in the quality of Head Start, and I commend all of those involved and also the President of the United States for emphasizing improving the quality of Head Start.

We spend \$7,222 per student for some 900,000 students involved in Head Start and improving the quality. These young people can learn, and they should have an academic component, and we should have the best personnel in these Head Start programs, and we have gone a long way in that regard.

Unfortunately, over the course of the last years, we have had incidents of waste, fraud, abuse, mismanagement, even financial abuse of taxpayer dollars in the Head Start programs, and again, we have limited taxpayer dollars to expend, and we want them expended in the most efficient and proper manner.

While a large majority of Head Start programs have very responsible management and organization in place, I think Congress has an obligation to improve known problems before they get worse and also insist on correction.

Weak or failing Head Start programs are unfair to taxpayers, but mostly, and most importantly, they are unfair to the children who need assistance in these programs, not to mention they are unfair to the taxpayers.

So this amendment directs the Secretary of HHS to undertake a management reform initiative, and I want to thank the gentleman from Ohio (Mr. BOEHNER) for crafting this amendment, and he has my strong support, and I am pleased to offer it because we want this to be the best program possible.

In conclusion, I just want to give a couple of examples. I have one Head Start program I looked at that has 135 students, 17 teachers, and none of the teachers are certified in the program. That should be corrected by this legislation. But the cost for the program is \$900,000, and we are spending \$72,000 per student on this one Head Start program.

I have other Head Start programs, one in my district, where we have 526 students, and we reviewed what other preschool programs were paying. Right now, it is costing us about \$8,439 per student. The most expensive private prep school in the district costs \$8,400 a

year. The private Catholic school costs \$2,160 a year, and the private Christian academy costs \$4,400 a year.

We need to look at what the management, what the waste and inefficiencies are in the programs that we have with Head Start, make certain that we are expending this money properly, that we eliminate bureaucracy, wasteful mismanagement and, unfortunately, in some instances, fraud and abuse.

This amendment will go a long way towards achieving that goal and making certain that every one of these taxpayer dollars are spent in the best way to benefit these children and give them truly a head start.

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

Mr. BOEHNER. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

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

I rise in support of the amendment offered by the gentleman from Florida (Mr. MICA) which makes further improvements to the management of the Head Start program. This has been a particular concern of mine as we have held hearings and taken a comprehensive look at how we can improve the effectiveness of the program on behalf of children and families. As we have heard here today, there are many great things happening in Head Start, but many of my colleagues on both sides of the aisle share my view that not everything is working as well as it should.

When approaching this reauthorization, I took my job seriously to take a hard look at every aspect of the Head Start program and work toward the reforms that were necessary to make this program the very best that it can be. And to be perfectly frank, I did not like everything that I saw.

Over the course of the last several years, incidents of waste, fraud, program mismanagement, and even financial abuse of taxpayer dollars have been reported in at least two dozen Head Start programs across the country. While a large majority of the Head Start programs have responsible management organizations in place, I think this Congress has an obligation to improve known problems before they get worse. I think it is unfair to taxpayers, but most importantly, it is unfair to children and their parents who count on the Head Start program.

The underlying bill contains meaningful program reforms, focused primarily on improving program oversight and accountability at the local level, but in my assessment, additional reforms are needed to ensure effective program management at the top. In fact, as a recent General Accountability Office report reveals, there are systemic flaws in the program's Federal management, and these systemic

flaws have been there for many, many years.

There is no need no question that we need to fix the problems at the local level. However, addressing issues locally is not enough, and I believe weaknesses in the Federal oversight mechanisms have contributed to the rash of financial mismanagement that we have seen in recent years because Head Start lacks the fundamental management standards and risk-based assessment tools necessary to prevent these types of abuses.

This amendment offers reforms that will lead to more efficient and effective Federal management of the Head Start program. In my view, the best way to accomplish this goal is for the department to contract with an experienced, independent organization to conduct a wholesale review, and support the implementation of reforms to the system of Federal management of Head Start grants. The amendment would task the intermediary organization to evaluate all systems affecting program quality, including grant selection, resource allocation, and processes to ensure the early identification of programs in need of intervention.

This amendment I think is a commonsense opportunity to inject accountability and sound management principles into the upper levels of the Head Start program. This bill seeks excellence from local Head Start programs, and I believe the same standard should be applied to the Federal Head Start structure as well.

Mr. Chairman, passage of the underlying bill will mark an important step toward enactment of the most far-reaching reforms to Head Start since the program first began 40 years ago, and this amendment could greatly improve the national program quality and maximize the use of taxpayer dollars. I want to thank my colleague from Florida, once again, for offering this amendment and ask my colleagues to support it.

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

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

In conclusion, I know we all saw the pictures that were quite shocking in New Orleans, and many people were stunned by the level of poverty that we saw when the dikes and the levees broke. Much more was broken in that community and our communities, and that is, the education of our poorest children. No piece of legislation will do more, I think, in advancing the interests and the educational opportunities for our children than this legislation.

So I thank the gentlewoman from California (Ms. WOOLSEY), I thank the gentleman from Ohio (Chairman BOEHNER), the gentleman from Delaware (Mr. CASTLE), and others involved in moving this important piece of legislation forward, improving the quality and also improving the management, making certain with this amendment

that every dollar goes towards the betterment of those disadvantaged in our society.

Mr. Chairman, I 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 amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 8 printed in House Report 109-229.

AMENDMENT NO. 8 OFFERED BY MR. FILNER

Mr. FILNER. 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. FILNER:

At the end of the bill, add the following new section:

SEC. _____. TEACHER RETENTION REPORT.

Not later than one year after implementation of the Head Start teacher qualifications and development under amendments made by this Act, the Secretary of Health and Human Services shall submit to Congress a report on Head Start teacher retention levels.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from California (Mr. FILNER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California (Mr. FILNER).

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

I just would read the amendment: "Not later than one year after implementation of the Head Start teacher qualifications and development under amendments made by this Act, the Secretary of Health and Human Services shall submit to Congress a report on Head Start teacher retention levels."

I rise to support this amendment, and I want to thank the gentlewoman from California (Ms. WOOLSEY), my good friend, who for the 13 years she has been here has been a tireless advocate for Head Start and all other education programs that provide access of all our country's children to the quality education that they deserve. I know she looks forward to the day, as I do, that we do get full funding for the Head Start program for all children who are eligible in this Nation, and we will work with the gentlewoman toward that end.

We all know and we have heard today from both sides of the aisle about the importance and quality of Head Start. It has played, for four decades now, a vital role in the lives of thousands of children and parents across the country, and certainly in my home area of San Diego and Imperial Counties of California.

The government gets it right on Head Start. We are providing opportunities for children in underserved areas where parents may not be able to afford preschool so they can begin their schooling with a running or Head Start.

I have witnessed Head Start's benefits firsthand at different levels. Before entering Congress, I taught for 20 years as a history professor at San Diego State University, and I will tell my colleagues that, even at that level, the students who had been through Head Start as children owe that program a great deal for their getting through college, and they may not even have been able to get through high school without it.

I was on the San Diego school board for 4 years, where I watched children successfully matriculate into elementary schools from Head Start programs from all around our city. It was clear then, and remains equally clear today, that the work of Head Start plays an enormously significant role within our education community.

□ 1415

Now, as we know, in this year's reauthorization, Congress is implementing the strongest requirements for teacher qualifications and development in Head Start's history. Teachers will have to have more incoming experience and face more on-the-job professional development than ever before.

I commend the committee and I commend this Congress for taking that action, but we have to remember that, as we add these more stringent requirements and more accountability and more professional development, we are going to have to fund the resources necessary to achieve that.

In fact, we have to answer the question: Might we be pricing Head Start right out of the teaching market? Right now, teaching is a profession that has more openings than can be filled. When we drastically increase the work requirements without increasing the salary levels, there is a risk of running many successful and experienced teachers right out of the program. If we narrow Head Start's hiring pool, it may be forced to compete with institutions that have greater funding and resources to hire. So without providing far more funding than this bill offers, hiring may become difficult as prospective teachers may go elsewhere.

We have seen that, in another unfunded mandate, the so-called No Child Left Behind Act, which created tougher standards, and we all support that, but Congress did not provide the money to attract and hire the best teachers. So since there is a real possibility of increased teacher requirements leading to a dropoff in the number of experienced Head Start teachers, I hope the House will accept my amendment, which calls for the Secretary of Health and Human Services to submit to Congress a study reporting on Head Start's teacher retention levels. This study will be completed within 1 year of the enactment of the new regulations.

With this study, we will have an early look at the impact of these regulations. It will paint a picture of whether Head Start teachers are staying and meeting the new requirements

or whether these new requirements are inadvertently driving experienced teachers from such an important program as Head Start. These early results will tell us if we are on the correct path or if we need to modify some of the rules before there is more damage.

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

Mr. CASTLE. Mr. Chairman, I do not oppose the amendment, but I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. BASS). Is there objection to the request of the gentleman from Delaware?

There was no objection.

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

First, let me just say that I strongly support the Filner amendment. Actually, it is interesting to hear some of these amendments, because they would apply to education in general and not just to Head Start, and I think this is one that falls into that category.

It is very important to understand qualifications, retention, and what is happening in that particular area. I think, as I know the gentleman from California (Mr. FILNER) is aware, but I think everybody needs to be aware of the fact that the underlying bill requires that at least 50 percent of all Head Start teachers nationwide have a baccalaureate or advanced degree in early childhood education or related field by September 30, 2011. And it also requires that within 3 years all Head Start teachers hired after the date of enactment of this act must have at least an associate degree in early childhood education or related field, or be enrolled in a program of study leading to an associate degree in early childhood education or related field within 3 years.

These are significant steps. They will enhance the educational progress as far as Head Start is concerned. We also need to worry about the retention. It is going to raise economic issues in terms of being able to pay for this. We are clearly going to have to look at that in terms of our future appropriations. So I think all this melds together in what in my mind would be a dramatic improvement in Head Start.

Again, we retain all of the services presently provided. It is just that there is an added emphasis on the educational side of it, which I think we all agree is needed. So I am strongly in support of the amendment.

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

Mr. FILNER. Mr. Chairman, I thank the chairman both for his support and for his commitment to Head Start. I also have fond remembrance of being a graduate student at the University of Delaware, which the gentleman knows very well, and appreciate the education in his State of Delaware.

Mr. Chairman, I yield such time as she may consume to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I want to thank the gentleman from California (Mr. FILNER) for offering this amendment and the chairman, the gentleman from Delaware (Mr. CASTLE) for supporting it.

We know the base bill increases teacher quality requirements, and we also know that we are not doing nearly enough to help Head Start programs hire and keep these more qualified teachers. So I support my colleague's interests and understanding on making this happen.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. FILNER).

The amendment was agreed to.

The Acting CHAIRMAN. The Committee will rise informally.

The SPEAKER pro tempore (Mr. TERRY) assumed the Chair.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3761. An act to provide special rules for disaster relief employment under the Workforce Investment Act of 1998 for individuals displaced by Hurricane Katrina.

H.R. 3768. An act to provide emergency tax relief for persons affected by Hurricane Katrina.

The SPEAKER pro tempore. The Committee will resume its sitting.

SCHOOL READINESS ACT OF 2005

The Committee resumed its sitting.

The Acting CHAIRMAN. It is now in order to consider amendment No. 9 printed in House Report 109-229.

AMENDMENT NO. 9 OFFERED BY MS. MILLENDER-MCDONALD

Ms. MILLENDER-MCDONALD. 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 Ms. MILLENDER-MCDONALD:

At the end of the bill, add the following new section:

SEC. _____. IMPROVING HEAD START ACCESS FOR HOMELESS AND FOSTER CHILDREN.

(a) DEFINITIONS.—Section 637 of the Head Start Act (42 U.S.C. 9832) is amended by adding at the end the following:

“(18) The term ‘family’ means all persons living in the same household who are—

“(A) supported by the income of at least 1 parent or guardian (including any relative acting in place of a parent, such as a grandparent) of a child enrolling or participating in the Head Start program; and

“(B) related to the parent or guardian by blood, marriage, or adoption.

“(19) The term ‘homeless child’ means a child described in section 725(2) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11434a(2)).

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

(b) ALLOTMENT OF FUNDS; LIMITATIONS ON ASSISTANCE.—

(1) QUALITY IMPROVEMENT.—Section 640(a)(3) of the Head Start Act (42 U.S.C. 9835(a)(3)) is amended—

(A) in subparagraph (B)—

(i) in clause (ii), by inserting “children in foster care, children referred to Head Start programs by child welfare agencies,” after “background”; and

(ii) in clause (v), by inserting “, including collaboration to increase program participation by underserved populations, including homeless children, eligible children in foster care, and children referred to Head Start programs by child welfare agencies” before the period; and

(B) in subparagraph (C)—

(i) in clause (ii)(IV)—

(I) by inserting “homeless children, children in foster care, children referred to Head Start programs by child welfare agencies,” after “dysfunctional families”; and

(II) by inserting “and families” after “communities”;

(ii) in clause (v)—

(I) by inserting “homeless children, children in foster care, children referred to Head Start programs by child welfare agencies,” after “dysfunctional families”; and

(II) by inserting “and families” after “communities”;

(iii) by redesignating clause (vi) as clause (viii); and

(iv) by inserting after clause (v) the following:

“(vi) To conduct outreach to homeless families and to increase Head Start program participation by homeless children.”.

(2) COLLABORATION GRANTS.—Section 640(a)(5)(C)(iv) of the Head Start Act (42 U.S.C. 9835(a)(5)(C)(iv)) is amended—

(A) by inserting “child welfare (including child protective services),” after “child care”;

(B) by inserting “home-based services (including home visiting services),” after “family literacy services”; and

(3) ALLOCATION OF FUNDS.—Section 640(g)(2) of the Head Start Act (42 U.S.C. 9835(g)(2)) is amended—

(A) in subparagraph (C)—

(i) by inserting “organizations and agencies providing family support services, child abuse prevention services, protective services, and foster care, and” after “(including”); and

(ii) by striking “and public entities serving children with disabilities” and inserting “, public entities, and individuals serving children with disabilities and homeless children (including local educational agency liaisons designated under section 722(g)(1)(J)(ii) of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11432(g)(1)(J)(ii)))”;

(B) in subparagraph (H), by inserting “(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)))” after “community involved”.

(C) RESEARCH, DEMONSTRATIONS, AND EVALUATION.—Section 649 of the Head Start Act (42 U.S.C. 9844) is amended in subsection (a)(1)(B), by striking “disabilities” and inserting “disabilities, homeless children, children who have been abused or neglected, and children in foster care”.

(d) REPORTS.—Section 650(a) of the Head Start Act (42 U.S.C. 9846(a)) is amended—

(1) in the matter preceding paragraph (1), by striking “disabled and” and inserting “disabled children, homeless children, children in foster care, and”;

(2) in paragraph (8), by inserting “homelessness, whether the child is in foster care or was referred by a child welfare agency,” after “background”.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentlewoman from California (Ms. MILLENDER-MCDONALD) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. MILLENDER-MCDONALD).

Ms. MILLENDER-MCDONALD. Mr. Chairman, I yield myself such time as I may consume, and I first want to thank my colleague and friend, the gentlewoman from California (Ms. WOOLSEY), as well as the chairman of the subcommittee, for allowing me to come before the body today for this very important amendment.

Today, I am offering an amendment that addresses one of our Nation's greatest needs: providing a sound educational foundation for children who are homeless or in foster care. There are many obstacles these children must overcome, but access to early education should not be one of them.

Quite simply, my amendment does the following: it encourages Head Start grantees to reduce barriers by directing them to increase their outreach to homeless and foster children. It encourages coordination between Head Start grantees and community service providers and homeless and foster children. It increases the coordination of these populations as they transition out of Head Start to elementary school and increases reporting requirements. It allows homeless children and foster children to be automatically eligible for Head Start.

Mr. Chairman, the early years of a child's life are critical to their development. Homeless and foster youth face monumental hurdles, starting with their need for stability, emotional reassurance, and access to educational resources. Because of these inherent challenges, homeless children and foster youth are twice as likely to have a learning disability and are three times as likely to have emotional and behavioral problems that can contribute to long-term learning disabilities. We can help these kids by identifying them early and making sure that they are enrolled in Head Start. The work we do now for these kids will help them throughout their life.

This, Mr. Chairman, is an investment worth making, but we must make this investment now. The numbers are staggering. Tragically, an estimated 1.4 million children experience homelessness each year. More than 40 percent of the children in homeless shelters are under the age of 5. Currently, only 2 percent of the more than 900,000 students served by Head Start are children identified as homeless.

In my home State of California, there are more homeless children today than ever before. The California Department of Housing and Community Development estimates that there are 80,000 to 95,000 homeless children statewide. The vast majority of these children come from homeless families that consist of a single mother and her children.