

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”;

(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.

The numbers of children in foster care are equally astonishing. There are approximately 532,000 children in foster care in the United States. In California, there are approximately 85,226 children in foster care.

With the devastation of Hurricane Katrina in the gulf States, and the displacement of families, these numbers will only increase. Now, more than ever, our children need a head start just to keep up.

Providing opportunities for foster children has long been a priority of mine. I have introduced legislation in this Congress that creates a foster care mentoring program that seeks to team college students with foster kids who age out of the system. The purpose of this is to provide structure for these children and to open new doors and opportunities through education and community partnerships.

But all of these partnerships, Mr. Chairman, start at an early age and must begin with Head Start.

Mr. Chairman, my amendment is good policy. This is an excellent investment in our most vulnerable population. No child should be alone in the world, and in these United States of America no child should be left behind. My amendment will prevent these children from the beginning in becoming victims of bureaucratic loopholes and keep them transitioning into and through life with the support and commitment that they deserve. I ask all of my colleagues to support this critical 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 (Mr. TERRY). 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, and I rise in very strong support of this amendment, which goes along with a number of other amendments which we have had, which is recognizing the fact that when you are dealing with Head Start you are dealing with a population that comes from 100 percent of poverty or less, and you are dealing with people who are going to have barriers in terms of their education. They may be barriers in terms of where they live or the ability of the parents to care for them. They may be homeless or foster children, as the sponsor has pointed out; and I think it is only right and just and absolutely the correct thing to do to increase that access.

In fact, perhaps that is more important than anything else we can do in terms of the kinds of children we are reaching out to, in terms of their background issues. So for that reason, I am extremely supportive of this amendment, and I think it is a great deal of help to what I believe is already a good piece of legislation, and I encourage each and every one of us to support it.

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

Ms. MILLENDER-McDONALD. Mr. Chairman, I yield 1 minute to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, I want to thank my friend and colleague from California (Ms. MILLENDER-McDONALD) for offering this amendment and our chairman for accepting it.

Head Start is a program to give a helping hand to vulnerable children, and no child is more vulnerable than a homeless or foster child. This amendment will improve outreach and coordination of services for these very children, and this will help ensure that they receive the services they need to succeed in school and in life.

Mr. Chairman, this is a worthy amendment and I support it.

Ms. MILLENDER-McDONALD. Mr. Chairman, I thank the chairman of the subcommittee, the chairman of the full committee, and the gentlewoman from California (Ms. WOOLSEY) for their support. I ask all of my colleagues to support this very worthy 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. The question is on the amendment offered by the gentlewoman from California (Ms. MILLENDER-McDONALD).

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 10 printed in House Report 109-229.

AMENDMENT NO. 10 OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 offered by Mrs. MUSGRAVE:

At the end of the bill, insert the following new section:

SEC. ____ ADMINISTRATIVE REQUIREMENTS AND STANDARDS.

Section 644 of the Head Start Act (42 U.S.C. 9839) is amended—

(1) in subsection (b), by inserting immediately before “exceed 15 percent” the following: “, and any reasonable amounts, in excess of allowable direct and indirect costs, normally incurred or recognized by an entity eligible under section 641(a)(1) by virtue of its organization.”; and

(2) in subsection (c), by inserting after the second sentence the following: “For purposes of this section, the Secretary shall prescribe no rules or regulations that prohibit an entity eligible under section 641(a)(1) from effectively competing for or administering a grant by virtue of its organization.”.

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentlewoman from Colorado (Mrs. MUSGRAVE) and the gentlewoman from California (Ms. WOOLSEY) each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado (Mrs. MUSGRAVE).

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

First of all, I want to commend the chairman on the good work that he did. This bill really increases competition and accountability in the Head Start Early Childhood Program.

□ 1430

While the vast majority of Head Start programs are of very high quality, I have been concerned about recent reports of mismanagement in some of the Head Start programs. That is why I am pleased that H.R. 2123 infuses the Head Start program with increased competition.

This amendment I am offering would ensure competition and access to high-quality services for these needy children. It would allow a for-profit agency that can demonstrate that it can provide a higher level of services for the same number of Head Start children at a lower cost, to keep a small portion of the administration's savings as profit.

I firmly believe Congress should be doing everything possible to encourage the highest-quality providers to become involved in Head Start. I believe my amendment will provide an incentive for high-quality for-profit providers to apply for Head Start grants and serve our Nation's neediest students.

I would also like to point out that for-profit entities are already an allowable grantee under current law, as well as H.R. 2123, so we would not be setting a new precedent in terms of for-profit participation in the program.

My amendment is bipartisan. It is supported by the National Child Care Association and the Early Care and Education Consortium. I urge my colleagues to support this amendment.

Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Chairman BOEHNER), and commend the gentleman for his good work.

Mr. BOEHNER. Mr. Chairman, I thank the gentlewoman for her amendment. I think it is a very good amendment.

Under current law, a for-profit entity can apply to be a local grantee to a Head Start program, but you are not allowed to make a profit. This has been in the law for some time. Given what we are trying to accomplish in terms of helping children be ready for school, we ought to have all of the providers possible. If there is an entity out there who thinks they can provide Head Start with a very high-quality program and make a profit, we ought to allow them the opportunity to apply and be in the program. That is all this amendment does. It does not guarantee that they are ever going to get a grant.

I am a big believer in competition, a big believer in the private sector and innovative solutions. Given the challenge we have with low-income children in very low-income neighborhoods, anything we can do to bring more high-quality innovative services to those children, we ought to take that chance, and so I support the gentlewoman's amendment.

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

Mr. Chairman, I rise in strong opposition to the Musgrave amendment. The underlying bill requires that Head Start grantees keep their administrative expenses to 15 percent or less of the grant. The grantee that keeps expenses lower than 15 percent would have the remaining funds available for teacher salaries or more books or other improvements that benefit the children. That is, unless this amendment passes and the grantee is a for-profit organization, in which case under my colleague's amendment, the difference between the 15 percent and lower expenses simply would be in the pocket of the for-profit organization.

So my colleague's amendment comes down to this, very simply: whether we want the benefits of more efficient administration of grantees to go to the children or whether we want to give the businesses an incentive to cut corners for profits. I hope Members all remember HMOs; those profits do not go directly back into the program to benefit the children.

I think the answer is obvious, particularly when we are serving fewer than half the eligible children. I only hope that the majority will be as willing to spend Federal dollars on serving the children as they would be in giving those dollars to for-profit companies.

Mr. Chairman, I yield the balance of my time to the gentleman from California (Mr. GEORGE MILLER), our ranking member.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentlewoman for yielding me this time, and I rise in opposition to this amendment. I think it is a bad amendment.

The fact of the matter is, if there are these kinds of savings to be had, either the grant is not right or the money should be put back into the services. When we have a program here that is failing to meet the demand for Head Start, it would seem to me if this is a high-quality program and it has the difference between 13 percent and 13.5 percent and 15 percent, which could be a couple hundred thousand dollars on a \$10 million grant, which is not that unusual, that ought to be plowed into the program to extend the opportunity of this high-quality program to these children.

This program does not exist to create a profit. That does not mean that people cannot bring profit-making ideals and principles to these programs for efficiencies, but we ought to plow it into the unserved population or to improve quality programs.

When we look at the low pay and the profit-making in the nonprofit sector of Head Start, you would think that we would put that into quality to try to raise the pay so we can attract teachers with more education and child development experience and all of the rest of those issues. This is what we have been arguing and discussing and trying to improve. To now suggest, be-

cause somebody has put in some efficiencies, that money should now go to the for-profits, instead of services and extension of the benefits of Head Start to this population that is in so much need of these services, just does not make sense.

One could argue if we were meeting the need and the demand all across the country, maybe there is some argument for this. But when we know how programs struggle, and we see programs with utilities and gas going up, that is going to cause even more difficulties. And to suggest that you can somehow eke out a profit that is not returned to the benefit of the program, that just does not make any sense.

I appreciate vendors are dealing with a government grant and very low-income children and it is very difficult to make a profit, but I do not think that we should eke out the means by which that profit can be taken out of the services rendered to those children. I know these are called administrative costs, and we have been debating administrative costs for a long time. Administrative costs also go with other concerns, the question of accountability and auditing and structuring of these facilities, all of which are part of that, too. I think this is an ill-considered amendment, and I would hope that we would reject the Musgrave amendment.

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

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

Mr. BOEHNER. Mr. Chairman, I think the point we are trying to make here is there is a lot of innovation that is underway in terms of bringing technology and other innovation to the whole idea of learning. When it comes to early childhood programs, the chance at a profit, I believe, could bring innovation technology to this entire sector. Nobody has asked me for it, I am not suggesting there is going to be a rush to come in with innovation, but without some opportunity at getting a return on your investment, will the innovation ever come?

That is where I am willing to take the chance that new ideas, new innovations in terms of developing these children, could be very beneficial to the program.

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

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentlewoman from Colorado (Ms. Musgrave).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. WOOLSEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Colorado (Ms. Musgrave) will be postponed.

It is now in order to consider amendment No. 11 printed in House Report 109-229.

AMENDMENT NO. 11 OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 offered by Ms. WOOLSEY:

At the end of the bill, add the following new section:

SEC. ____ . CHILDREN AFFECTED BY HURRICANE KATRINA.

(a) DEFINITIONS.—For the purposes of this section, the following definitions apply:

(1) CHILDREN AFFECTED BY HURRICANE KATRINA.—The term “children affected by Hurricane Katrina” means a child who is not older than 5 and who resides or who resided on August 22, 2005, in an area in which the President has declared that a major disaster exists.

(2) IMPACTED HEAD START AGENCIES.—The term “impacted Head Start Agencies” means a Head Start agency receiving a significant number of children from an area in which a major disaster has been declared.

(3) MAJOR DISASTER.—The term “major disaster” means a major disaster declared by the President in accordance with section 401 of the Robert T. Stafford Disaster Relief Emergency Assistance Act (42 U.S.C. 4170), related to Hurricane Katrina.

(b) TECHNICAL ASSISTANCE, GUIDANCE, AND RESOURCES.—The Secretary shall provide technical assistance, guidance, and resources through the Region 4 and Region 6 offices of the Administration for Children and Families (and may provide technical assistance, guidance, and resources, through other regional offices of the Administration, at the request of such offices, that administer affected Head Start agencies) to Head Start agencies in areas in which a major disaster has been declared, and to affected Head Start agencies, to assist the agencies involved in providing Head Start services to children affected by Hurricane Katrina.

(c) WAIVER.—For such period up to March 31, 2006, and to such extent as the Secretary considers appropriate, the Secretary of Health and Human Services—

(1) may waive section 640(b) of the Head Start Act.

(2) shall waive requirements of documentation for children affected by Hurricane Katrina who participate in Head Start programs and Early Head Start programs funded under the Head Start Act.

The ACTING CHAIRMAN. Pursuant to House Resolution 455, the gentlewoman from California (Ms. WOOLSEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California (Ms. WOOLSEY).

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

Mr. Chairman, I am offering this amendment on behalf of the gentleman from Mississippi (Mr. THOMPSON) who is unable to be here this afternoon.

Mr. Chairman, this amendment will help some of the most vulnerable victims of Hurricane Katrina, the children. As a result of Hurricane Katrina, many families have been displaced from their homes and their schools. This amendment allows displaced families to enroll their children under the age of 5 in Head Start.

In Mississippi, 44 Head Start centers were impacted by Hurricane Katrina,

18 centers will be closed indefinitely, and 26 more are in need of repair. Approximately 26,743 children within the State of the gentleman from Mississippi (Mr. THOMPSON) are eligible for Head Start services prior to Hurricane Katrina. In the aftermath, the number is expected to double.

In the neighboring State of Louisiana, 117 centers were impacted, 83 remain closed, and 34 centers are providing partial services.

In Alabama, 9 centers were impacted, 3 centers will be closed indefinitely, and 6 are in need of repair.

This amendment provides a waiver for 6 months for those families that do not have proof of immunizations and income levels to participate in the Head Start program. This 6-month waiver authority also permits the Secretary of Health and Human Services to waive the 20 percent local Head Start match requirement.

This amendment directs the Secretary to provide technical assistance, guidance, and resources which permits agencies to provide Head Start services to children who have been affected by the hurricane. The total number of Head Start children affected by Hurricane Katrina is approximately 18,000. Since the devastation of Hurricane Katrina, more families are now Head Start eligible. If you want families to come back and restore their communities, their children need to be safe and healthy in environments where they can learn and play.

I understand and appreciate that the majority will accept this amendment and I think that is wonderful. I hope that the majority will also join us in the coming days to appropriate supplemental funds for these same children.

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

Mr. BOEHNER. Mr. Chairman, I ask unanimous consent to claim the time in opposition to the amendment, although I do not oppose the amendment.

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 thank the gentlewoman from California (Ms. WOOLSEY) for offering this amendment on behalf of the gentleman from California (Mr. THOMPSON).

The gentleman from California (Mr. THOMPSON) and I have worked together and have known each other since the gentleman's arrival here in Congress. This amendment will direct the Department of Health and Human Services to assist those displaced children, to try to get them into Head Start locations around the country. We have already allocated some \$15 million to help enroll children in those places where they have moved to temporarily.

We believe that the amendment offered by the gentleman from California (Mr. THOMPSON) would help on a longer-term basis. Given the fact we

have another hurricane going to hit somewhere in the gulf in the next couple of days, unfortunately, there could be more children displaced, and helping them stay in a Head Start program, regardless of where they go, is something for their good and their family's good and our country's good, and is something we should do. I urge my colleagues to accept the amendment.

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

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from California.

The amendment was agreed to.

The Acting CHAIRMAN. It is now in order to consider amendment No. 12 printed in House Report 109-229.

AMENDMENT NO. 12 OFFERED BY MR. BOEHNER

Mr. BOEHNER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 offered by Mr. BOEHNER:
At the end of the bill, insert the following new section:

SEC. ____ . DISCRIMINATION PROVISIONS.

Section 654 of the Head Start Act is amended to read as follows:

"SEC. 654 NONDISCRIMINATION PROVISIONS.

"(a)(1) The Secretary shall not provide financial assistance for any program, project, or activity under this subchapter unless the grant or contract with respect thereto specifically provides that no person with responsibilities in the operation thereof will discriminate with respect to any such program, project, or activity because of race, creed, color, national origin, sex, political affiliation, or beliefs.

"(2) Paragraph (1) shall not apply to a recipient of financial assistance under this subchapter that is a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. Such recipients shall comply with the other requirements contained in this subsection.

"(b) No person in the United States shall on the ground of sex be excluded from participation in, be denied the benefits of, be subjected to discrimination under, or be denied employment in connection with any program or activity receiving assistance under this subchapter. The Secretary shall enforce the provisions of the preceding sentence in accordance with section 602 of the Civil Rights Act of 1964. Section 603 of such Act shall apply with respect to any action taken by the Secretary to enforce such sentence. This section shall not be construed as affecting any other legal remedy that a person may have if such person is excluded from participation in, denied the benefit of, subjected to discrimination under, or denied employment (except as provided in subsection (a)(2)), in the administration of any program, project, or activity receiving assistance under this subchapter.

"(c) The Secretary shall not provide financial assistance for any program, project, or activity under this subchapter unless the grant or contract relating to the financial assistance specifically provides that no person with responsibilities in the operation of

the program, project, or activity will discriminate against any individual because of a handicapping condition in violation of section 504 of the Rehabilitation Act of 1973, except as provided in subsection (a)(2)."

The Acting CHAIRMAN. Pursuant to House Resolution 455, the gentleman from Ohio (Mr. BOEHNER) and the gentlewoman from California (Ms. WOOLSEY) each will control 15 minutes.

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

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

I thank the gentleman from Louisiana (Mr. BOUSTANY) for offering this important amendment. Unfortunately, with the hurricane moving now somewhat east of where it was, he decided to return to his district in central and southwestern Louisiana. So he is not here today, and I offer the amendment in his place.

Faith-based organizations such as churches, synagogues, and charities are an essential fabric of local communities across America. This amendment will correct a flaw in the Federal Head Start law that has stripped these organizations of their hiring rights, forcing them to relinquish their civil liberties if they choose to participate in Federal early childhood programs that are poised to be reauthorized today.

□ 1445

We have had this debate many times before here on the House floor. In fact, earlier this year we rejected, in a bipartisan fashion, an amendment that would have barred faith-based organizations from providing job training services in their own communities. Unfortunately, each time we have had this debate, opponents of faith-based groups' federally protected right to maintain their religious nature and character through those they hire have equated these civil liberties with discrimination.

The 1964 Civil Rights Act makes clear that faith-based groups may serve their communities without being forced to give up their right to employ individuals who share the tenets and practices of their faith. Were the authors of the Civil Rights Act pro-discrimination? No.

The United States Supreme Court in 1987 unanimously reaffirmed the hiring rights for faith-based organizations. Was the Supreme Court pro-discrimination? No.

Former President Bill Clinton signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive Federal funds: the 1996 Welfare Reform law, the 1998 Community Services Block Grant Act, the 2000 Community Renewal Tax Relief Act, and the 2000 Substance Abuse and Mental Health Services Administration Act. Was President Clinton pro-discrimination? No.

The amendment we are considering today is offered in the same spirit as the 1964 Civil Rights Act, the 1987 Supreme Court decision, and each of the

four laws signed into law by President Bill Clinton.

Our Nation's Head Start students deserve to be served by the very best organizations willing to lend a helping hand, and if those organizations are not faith based, so be it. But if they are, the faith and values that motivate them to serve their neighbors should not be held against them.

Considering the proven track record of faith-based providers in meeting the needs of our Nation, efforts we are seeing in action right now in the gulf coast region, why would we want to deny them the opportunity to make a difference in the lives of Head Start students?

President Bush has worked tirelessly to remove barriers that needlessly discourage faith-based groups from bringing their talents and compassion to Federal initiatives that help Americans in need. Countless times he has called on Congress to send him "the same language protecting religious hiring that President Clinton signed on four other occasions." This amendment answers the President's call once again.

We should not be denying compassionate, professional faith-based providers the opportunity to serve our children, and I want to urge my colleagues to vote "yes" on this amendment.

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

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

Mr. Chairman, I think it is very sad that we are debating this amendment. I think it is sad because we are squandering a rare opportunity for a real bipartisan achievement with the Head Start bill today. It is sad because we are debating whether to amend a program that came out of our country's struggle for civil rights by restricting those very civil rights. And it is sad because we are debating whether to make religious discrimination a higher priority than finding the best qualified Head Start teacher for at-risk children.

We are discussing supporting religious discrimination paid for with Federal dollars. Under current law, religious organizations can and do participate in Head Start, and they always have from the very beginning. They do a very good job. Under current law, religious organizations can hire members of their own faith using only their own funds, and they have always been able to do that. And under current law, job applicants have the right to apply for a federally funded Head Start position without submitting to a religious test.

We are not talking about forcing Catholic churches to hire Jewish priests. We are talking about whether if a religious organization chooses to accept Federal funds for Head Start, it should be allowed to discriminate using those funds, which, by the way, is exactly what President Bush called on Congress to do earlier this year. The President said, "We ought to judge

faith-based groups by results, not by their religion."

But, sadly, the Boustany amendment is asking us to allow some Head Start programs to judge job applicants by their religion, not by their results.

So I ask my colleagues to oppose this amendment and to oppose final passage if the bill includes this amendment.

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

Mr. BOEHNER. Mr. Chairman, I yield 3 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Chairman, I thank the gentleman for yielding me this time.

This is a debate we have had before, particularly in the committee as we discussed this bill last year. And I have difficulty understanding the rationale for opposing this amendment because it has been established in law for some time that churches have the right to hire on the basis of religion and the activities they pursue.

I understand some of the arguments offered, but I would point out the difficulties that one can discover immediately. As an example, the gentleman from Nebraska (Mr. OSBORNE) pointed out in the debate last year that one of his local churches operates a Head Start program, but they do not hire full-time people for that. They hire part-time people who also work for the church the rest of the day. Obviously, they should be allowed to hire on the basis of religion for the operations of the church. Why then prohibit that person from also teaching in the Head Start program?

I come from a city that is often called the City of Churches, Grand Rapids, Michigan, a great many churches often working together. And when the call came in after Hurricane Katrina, the Red Cross was asked to organize a relief effort, asked to provide emergency shelter and housing for 500 people. Their first call was to GRACE, the Grand Rapids area ecumenical group, which, through the churches, put together a shelter in a matter of 2 or 3 days. They could not have done that without that, but virtually every church in the city worked on it. Again, all of these workers were affiliated with churches and were hired partly on the basis of their religious faith. Why exclude such a potent social force from working with the government in cases of emergency or at any other time?

I think there is a basic misunderstanding here, something along the lines that we cannot have this because these people might try to proselytize some people and try to get them to join the church. That is not the motivation of the churches in Grand Rapids or across this country. They understand, based on their spiritual commitment, that they have a responsibility to their fellow human beings and that, in the name of God, they are to minister to others who are in need. And that is why they are an effective social force in meeting the needs of the poor, meet-

ing the needs of those who are hurting, and that is the reason that they are an effective agency of the Federal Government to work with in terms of crisis, emergency, or simple pain and need on the part of certain people.

This amendment that is being offered will allow the continuation of that effort in the Head Start program; and, frankly, we should allow it in every program. Why should we rule out one of the most effective and one of the most potent social organizations in the Nation, that is, religious organizations, who are dedicated to doing good, who are seeking to do good, who are trying to honor their Lord by doing good, and they can be a very effective force? We should not exclude them in any way from their work and from their participation with the government as partners.

Ms. WOOLSEY. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. NADLER).

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

Mr. NADLER. Mr. Chairman, I rise in strong opposition to the amendment offered by the gentleman from Louisiana. This amendment betrays our core values by permitting, for the first time in the history of the Head Start program, religious discrimination in hiring. It allows taxpayer funds to be used in Head Start programs that discriminate against teachers and parent volunteers solely because of their religious beliefs. The bill does so by eliminating existing law that has, since Head Start's beginning, protected the people who teach our children against this most reprehensible form of discrimination.

Religious discrimination in employment or the imposition of religious tests for federally funded employment in violation of the Constitution is reprehensible and an affront to our first freedom. Nobody should be able to hang out a sign that says no Catholics or Jews, no Protestants, no Lutherans, no whoever may apply for this federally funded job.

Every religious denomination in this country can run a Head Start program and has. Every religious denomination can run programs and has. No one says they cannot discriminate in who the minister is or they do not want women as ministers or, for that matter, as janitors, but not with those positions funded by the Federal Government.

That is what this amendment would breach. That is what is obnoxious. That is why it should be defeated.

We have heard terrible allegations from the other side of the aisle, and from the administration alleging, during the recent confirmation hearings for Judge Roberts, that certain members of the Other Body have hung a sign on the Federal courts saying "No Catholics Need Apply." While I continue to believe that this slur against conscientious Catholic members of the Other Body is blatantly false and slanderous, those making the charge, including the President and our colleagues on the other

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

I only wish they would apply that same principle to the people who teach our children.

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

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

I urge my colleagues to reject this amendment, to stand up for our values of religious equality.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. GREEN).

Mr. GREEN of Wisconsin. Mr. Chairman, I thank the gentleman for yielding me this time.

We just heard some explosive rhetoric. Let me boil this down. This amendment really stands for two simple basic principles: Number one, that those who are in need should have the right to receive vital services from the most effective source in the most effective way possible. That should be their right as Americans. Now, in the vast majority of cases that is going to be a public entity, but in some cases and in some places it might just be a faith-based organization. It might be a faith-based organization, it might be a religious organization, that is the most effective choice for those in need, that family in need, those children in need. Should they not have the right to those services in the most effective way?

Secondly, the second basic principle is if it is a faith-based organization that is providing those services and participating in the program, they should not have to surrender their religious character merely because they choose to try to help out. That is what this is really all about. These organizations that are trying to reach out, that are taking a chance to help provide these services because they see people in need, the government should not say to them if they are going to help out, I am sorry, they have to surrender much of their religious character. I think that is wrong.

Let me be very clear. If we fail to adopt this amendment and fail to protect the rights of these faith-based or-

ganizations to retain their religious character in such things as hiring, it is not these groups that will suffer. They are not making money. They are not profiting by serving as Head Start providers. It will be our neediest children; it will be our families who participate in Head Start. Those will be the ones who suffer.

Let us adopt this amendment and stand for the principle that kids need help and they should be able to get it in the most effective way possible.

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

Mr. FRANK of Massachusetts. Mr. Chairman, first, the first half of the gentleman's remarks previously are irrelevant. We are not disputing the importance of including faith-based groups as providers. When this question came up years ago, I was ardently for it. No one is trying to prevent faith-based groups from providing the service. No one is saying that a faith-based using its own money, using private money, using private donations has to pay any attention to the question of hiring if they choose to have only their religious co-workers.

The question is if a faith-based group wants to take Federal money paid for by every taxpayer in this country, is it a violation of their religious character to say, with that Federal money, they must not discriminate in hiring?

The religious character being imputed to these groups makes me think that we are talking about the constitution of the Iraq. What is this? The Sunnis should not have to hire the Shias? The Shias should not have to deal with the Kurds? What is the principle here? Are we not trying to promote the notion of people living together? What religious group taking Federal money says, "You know what, I want to help these poor people, but not with a Jew," "I cannot have a Baptist working for me," "no Mormon need apply"?

We are not talking about administering religious services. We are not talking about performing religious rites. We are talking about taking Federal money to perform what has to be, remember, a secular service. We all agree to that. If it were not a wholly secular service, no one would expect us to be funding it with Federal money. And this is the question I have to ask my friends. Of course we want religious groups there. Why is it so terrible to tell Jews that they must associate with Baptists if Federal money is being spent to provide child care services?

□ 1500

What violation of the religious right of a Catholic is to say you have to hire a Methodist? How are Episcopalians being deprived of their religious integrity if they are told that, you know what, when you have Federal money in this program, if you hire a Presbyterian, that is okay. I mean, this is fundamental, we thought, in America.

Again, we are talking about Federal money, and we are talking about not imputing to religious groups an insistence on bigotry and discrimination in the spending of Federal funds.

Mr. BOEHNER. Mr. Chairman, I yield 2 minutes to the gentlewoman from North Carolina (Ms. FOXX), a member of our committee.

Ms. FOXX. Mr. Chairman, I rise in support of the Boustany amendment which seeks to include important protections for religious organizations in this bill.

As I stated in my remarks during consideration of the rule, this Nation is second to none in charitable giving and in helping others in need. This is not just a religious tenet, but an American principle, and we as Americans must continue to encourage and foster that spirit of giving and serving others. Not allowing those organizations, who have proven they are some of the best at feeding the hungry, healing the sick, and housing the homeless, to provide early childhood education for our children is just wrong.

A secular group, such as Planned Parenthood or the Sierra Club, that receives government money is currently free to hire based on its ideology and mission, but still use Federal funds for certain programs and activities they provide. Yet, groups that are religious in nature are not allowed to hire according to their ideology and mission? Because an organization has among its purposes and basic tenets to serve others is not a reason to discriminate against them.

Ms. WOOLSEY. Mr. Chairman, I yield 1 minute to the gentlewoman from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM of Minnesota. Mr. Chairman, today I rise to oppose the Boustany amendment and all the explicit discrimination it represents by removing Head Start hiring protections provided by the Equal Opportunity Act. Currently, Head Start law embraces the Equal Opportunity Act. This amendment cuts the heart out of it.

This is a blatant attack on civil rights and this sanctions discrimination. This would allow organizations to discriminate based on religion, as well as fundamentally changing disability laws, discrimination paid for by U.S. tax dollars. This amendment is offensive to Americans who value civil rights, equal justice, and to many, many of us who are strong people of faith.

Let us be clear. Faith-based organizations currently are providing Head Start services, and their mission, their work is valued by all of us. This amendment provides no additional opportunities to faith-based organizations, because they can currently apply for Head Start dollars.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from South Carolina (Mr. INGELIS), a member of our committee.

Mr. INGLIS of South Carolina. Mr. Chairman, I thank the gentleman for yielding me this time.

I rise in support of the Boustany amendment. There has been a lot of talk about how it would appear these faith-based organizations are bigoted and maybe even arrogant for wanting to express their views. I think it is the opposite. The government here, absent the Boustany amendment, is being arrogant and bigoted.

It could be, if the government wants to take advantage of the location, let us say, of a Hebrew school in downtown New York, that it is the best possible route of caring for people in need in that area. Why would the government think that it is our position, our prerogative, to insist that the Hebrew school hire somebody outside their faith tradition? It is the ultimate of arrogance on the part of the Federal Government.

And to those who are concerned about the constitutional issues, may I remind my colleagues the Supreme Court actually ruled on this matter. In a 1987 case, *Corporation of the Presiding Bishop v. Amos*, the Court supported this kind of approach.

Ms. WOOLSEY. Mr. Chairman, I yield 15 seconds to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I just want to make clear the Supreme Court cases made it clear that you could discriminate with your personal church money, but not with Federal money. All of the cases are consistent. In fact, if my colleagues read the cases, they point out that if you are using Federal money, you cannot discriminate.

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

I want to read two paragraphs from a letter from Barbara Pickney, who is head of the St. Landry Parish Head Start program and is State president of the Louisiana Head Start Association.

Paragraph number 1: "I have become aware that an amendment has been offered by Representative Boustany, a Republican from Louisiana, 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."

Then she goes on to say, "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."

That was Barbara Pickney, St. Landry Parish Head Start program,

State president of the Louisiana Head Start Association.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, you can use whatever rhetoric you want, but at the end of the day, this amendment not only legalizes religious discrimination in America, it pays for that discrimination using American taxpayer dollars.

It is disappointing to me, and I think to the vast majority of Americans, that on the same day we are pleading with Iraqis to provide religious freedom to their citizens, the Republican leadership and this House, with this amendment, is saying it is okay to force an American citizen to choose between his or her faith and his or her job. They are saying it is okay for American citizens to have to pass someone else's private religious test to qualify for a publicly funded job.

I do not think most Americans are going to think that is okay. I think they are going to be offended by it. I think people of faith are going to be offended by the fact that some in this House think that groups have got to be able to discriminate based on religion in order to make their programs work.

The fact is, this amendment supports and allows and subsidizes racial discrimination in job hiring, and no amount of rhetoric can deny that.

I do not know how the majority can stand up and say it is okay to put up a sign, paid for by tax dollars, saying no Jews nor Catholics need apply here for a federally funded job, even though they might have a Ph.D. in education and 20 years of experience helping children get a head start in life; they can still put up that sign. I wonder what the majority is going to say and people think they are going to say the first time a Christian is denied a job by a Muslim group that has received \$1 million in Federal funding to run a Head Start program and say, no Christians need apply here for a job.

Mr. Chairman, our country has more religious tolerance than any other Nation in the world and more religious freedom than any other Nation in the world because we have not allowed this kind of discrimination in America.

This is taking America down the wrong path. Defeat this amendment.

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

Mr. EMANUEL. Mr. Chairman, since 1965, Head Start has provided 22 million children, American children, with the education and health and social services to lead productive lives. It is the most successful school readiness program in the Nation. It has always received bipartisan support. I want to commend the chairman and the committee for producing a very good bill that reauthorizes Head Start so America's children get the same type of investment that we have been providing Iraqi children.

I find myself puzzled why you would take such good legislation and play politics with it when we can make progress. The rest of the country is looking at us and asking us to please put politics aside and put progress first. Do not divide Americans along religious lines. That is not the America they want; they want an America that comes together, recognizes our differences, and makes progress rather than politics.

Mr. Chairman, it is amendments like this that remind me why 29 percent of the American people think the Congress is doing a good job, but well over 75 percent of the American people think this Congress is failing to meet the obligations and the challenges that America has. You today can get a bill passed in a bipartisan vote, unanimously, with everybody understanding because we are investing in America's children, and you chose to take that progress and play politics in the most ugly way, by pinning American against American based on their religion. This does not represent America's values, it does not represent your values, and you chose to put politics over progress. It reminds me when I look at today's data why the American people hold this Congress in the lowest esteem it has in over 15 years.

Invest in America's future. Choose these children. Give them the best start they can for productive lives where they can come and be contributors to this country. No, we do not take the progress. The chairman of the committee did a good job in the committee, producing a good bill that builds on the progress of the last 40 years and continues to invest in America's children, and you chose to put an amendment on this floor, unprecedented, that chose to divide America, not unite it, to choose politics over progress, and to continue the same policies that has taken this Congress to the lowest esteem ever in the American people's history.

Mr. BOEHNER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, the previous speaker talked about how we brought this bill out of our committee and brought it to the House, with a unanimous vote out of the committee, 48 to nothing. One of the reasons that this language was not included in the original bill was to try to create a spirit of bipartisanship in moving the process along.

But the American people elected us to come here and make decisions on their behalf. We are having a free and open debate about this issue. No one should denigrate the majority because we want to have a debate and want to have a vote. We have had this debate many times in this House. It has passed every time on a bipartisan basis, and I expect it will pass on a bipartisan basis again today.

The issue here is a simple one. In the 1964 Civil Rights Act, and amendments to it in 1974, religious organizations were granted an exception in their hiring practices so they could hire people

of their own faith. I think most people would understand that. Over the years, religious organizations have been involved in doing all types of good works, including providing programs in their communities. But, for far too long, these organizations have been denied the use of Federal dollars in order to preserve their religious heritage.

Over the years, a number of programs passed by this Congress have been signed into law that have allowed religious organizations to maintain the rights given to them under the 1964 Civil Rights Act and provide services with Federal funds. As a matter of fact, Bill Clinton, Bill Clinton, during 8 years in office, signed 4 laws into law that had the same identical language as being offered to this bill today.

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

Mr. BOEHNER. I yield to the gentleman from Illinois.

Mr. EMANUEL. Mr. Chairman, as somebody who worked for President Clinton as his senior advisor, President Clinton did not support, nor did he introduce in his welfare bill, anything that you are saying, and I will say he never promulgated those rules or enforced that. Mr. Chairman, as the gentleman knows, that is not correct.

Mr. BOEHNER. Mr. Chairman, reclaiming my time, the point is, President Bill Clinton signed these laws into law, knowing that the language that we are offering today was included.

What we have been trying to do in the Work Force Investment Act, the Community Services Block Grant Act, today in the Head Start Act, is bring some consistency to the Federal rules and regulations in terms of allowing faith-based providers to offer services without having to give up their protections under the Civil Rights Act.

□ 1515

Now, if you want to change the 1964 Civil Rights Act and say to religious organizations, you can have your exemption on hiring, unless you take a Federal dollar, fine. Go have that debate in the Judiciary Committee, bring it out here, and we will vote on it. But this is not the forum to deny those organizations their own rights.

Ms. WOOLSEY. Mr. Chairman, I yield 10 seconds to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, in the original welfare reform bill by President Clinton, this provision was never in it. Second, it was unconstitutional, and it was never promulgated by President Clinton in the rulemaking. He does not support that provision. If you want to support something that President Clinton believed in, then try fiscal responsibility and start balancing the budget. This is not what he believes, and the gentleman from Ohio knows that, Mr. Chairman.

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

Mr. SCOTT. I thank the gentleman for yielding me this time.

Mr. Chairman, again, no group is barred from participation. If this amendment is adopted or not adopted, any organization that could sponsor a program with this amendment could sponsor it without the amendment if you would agree not to discriminate. Now what we are doing, you can try to dress it up a little bit, but we are talking about a policy where someone wants to refuse to hire Catholics, Jews, and Muslims just because they are prejudiced. If that offends you, then I do not have to explain to you what is wrong with this amendment.

If it does not offend you, then I am going to have trouble explaining to you what is wrong with this amendment. The 1964 Civil Rights Act has been cited. Let us remember the vote on that amendment was not unanimous. Obviously a lot of people back then, virtually every Representative from my home State of Virginia, voted against the Civil Rights Act. But let us remember what it said in the religious exemption. It said you could discriminate if your work is connected with carrying on the church activities.

Now, obviously it is okay with church money, but a contract to administer a Head Start program is a contract for government services. It is not a gift to the church to advance religious missions. It is a contract to administer a federally funded program.

Now, since 1965, it has been illegal to discriminate in Head Start for all sponsors. It is okay to discriminate with the church money, just not with the Federal money. Let us remember also that when you talk about discrimination based on religion, you are talking about discrimination based on race, because some religious groups are, to the nearest percentage, 100 percent black; others, to the nearest percentage, 100 percent white. So your Head Start staff can start looking like your church.

This is a bad amendment. It is ugly. We should not turn the clock back on civil rights. If there is a problem in employment, where the employer does not like to hire people of different races or religion, traditionally it has been a problem of that employer. We need to support the victim, as we have for the last 40 years. This is a bad amendment, and it needs to be defeated.

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

This is an amendment that allows Federal funding to support discrimination. It is paid for by Federal tax dollars. It will strip civil rights protections by allowing religious organizations to discriminate in hiring on the basis of religion for Head Start positions, and I repeat, using Federal taxpayers' money.

Under the amendment, a religious organization could tell a potential Head Start teacher, of all of the applicants we have seen, you would be the best one to teach our kids, but we are not going to hire you, because you are not the right religion.

As I said earlier, Head Start kids are at risk as it is, without their teachers being chosen because of their religion instead of whether they are the best qualified.

Mr. Chairman, I ask the members of this body, think before you vote yes on this. Think before you set a precedent that has Federal funding paying for discrimination based on religion.

Mr. BOEHNER. Mr. Chairman, I yield myself 30 seconds.

What we are trying to do here is preserve the rights given to religious organizations under the 1964 Civil Rights Act. And for the Members who have been paying some attention to this, we know that Members on different sides of the aisle, and frankly it is on a bipartisan basis, have deeply held convictions about this. Clearly, we are not in real agreement.

But this is an issue that the House really should decide and the House should vote on. I am glad that we are having this debate once again, because the longer we have the debate, clearly, the evidence is coming down that the winning side continues to prevail.

Mr. Chairman, I yield the balance of my time to the gentleman from Nebraska (Mr. OSBORNE).

Mr. OSBORNE. Mr. Chairman, I do not know how much clearer this can be made. We keep having this circular debate on so many issues. I will just go back to the law one more time. We have mentioned over and over, title VII, Civil Rights Act, 1964, states specifically, and this is the verbiage, "This subchapter shall not apply to an employer with respect to the employment of aliens outside any State, or to a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities."

There is no way we can change this. This is the verbiage. This is the language.

What we are saying here is that a faith-based organization cannot be expected to sustain their religious mission if we do not uphold this statute. It is very plain.

If a choir director or a youth director also serves as a Head Start employee, you certainly should not have to hire somebody that does not sustain the mission of the church.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today to show my opposition to the Boustany Amendment.

Head Start has been one of the most successful education programs in our Nation's history.

It is successful because it brings public, private and faith based organizations together to provide a common good.

Head Start helps disadvantaged youth get a firm foundation on which they can build a strong education.

Mr. BOUSTANY's amendment would allow faith based organizations to circumvent civil

rights laws governing hiring practices by entities receiving federal funding.

I strongly believe in the case of Head Start, that this is inappropriate. Head Start programs are not allowed to decide what religion or race the children they serve are.

Nor should they be able to eliminate qualified candidates for employment based on their religious beliefs.

In my district, thousands of children are served by Head Start and almost every major religion is represented by a Head Start program in Houston.

This amendment could lead to divisions in partnerships between Head Start providers and communities.

Currently, many of these relationships are harmonious because our community, religious leaders, and educators keep the diverse interests of our community a priority.

I believe this amendment could lead to a shift in those priorities and therefore urge my colleagues to vote against this amendment.

Mr. CUMMINGS. Mr. Chairman, I rise today to oppose the Boustany amendment to the School Readiness Act of 2005 (H.R. 2123). This amendment would abolish long standing civil rights protections that ensure federally funded jobs in the Head Start program are not subject to discrimination.

At a time when 37 million Americans endure the plight of poverty, Congress is tragically debating an amendment that would undermine a successful anti-poverty program. Head Start provides disadvantaged children with a genuine head start in life to outrun the clutches of limited opportunities. While H.R. 2123 is not a perfect bill, it positively maintains the successful federal-to-local structure of Head Start and wisely promotes "smart accountability."

Mr. Chairman, the Boustany amendment needlessly dismantles the bipartisan spirit of the underlying bill in an attempt to rectify a nonexistent problem. For decades, faith-based organizations that provide Head Start services have ably met the needs of children, while adhering to the law protecting their 198,000 teachers and 1.4 million volunteers from employment discrimination. The Boustany amendment would repeal those protections, allowing faith-based Head Start providers to establish a "religious test" to dictate personnel decisions for positions funded with federal tax dollars.

In fact, the Boustany amendment could allow discrimination on practically any basis. Those whose race, gender, or lifestyle are not aligned with a particular interpretation of faith could be prohibited from federally funded employment under the guise of preserving religious expression. For instance, in deciding who gets hired and fired from Head Start, do we really want an individual's position on contraception or creationism to be equally as relevant as their professional qualifications? Head Start teachers should be judged not by faith, but by teaching ability.

That is why hundreds of faith-based and civil rights organizations are leading the fight against this discriminatory amendment. The Boustany amendment is a poison pill that represents the worst of partisan politics. At a hearing held by the Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources, of which I am the Ranking Member, David Kuo, former Deputy Director of the White House Office of Faith-Based and Community Initiatives, testified that:

"At the same time, many members of the president's own party expressed equal parts apathy and antipathy towards this agenda. Money for the poor? Why it will just get wasted, they said . . . all we really need to do is make sure that we have a huge political fight over religious charities right to hire and fire based on their own faith. That way Republicans will be seen as fighting for religion and Democrats will be seen as fighting against it. 'It is a good fight to have,' I heard time and again. A good fight for partisanship perhaps, but less good for the poor."

His words are telling of how some in this body are using religion to divide the nation and to enact federally subsidized discrimination. That is most unfortunate.

As many of my colleagues have pointed out and I will repeat for emphasis—current law already supports the notion that faith-based organizations can use its own private funds to decide who it wants to hire on the basis of religion, they simply cannot discriminate in hiring with American taxpayers' dollars. Discrimination with federal dollars is the real issue, not faith-based organizations providing Head Start services. Faith-based organizations are and will continue to be critical partners in providing these services.

Mr. Chairman, in this new century so rich with opportunities to right the wrongs of our past, let us embrace our democratic values and put the needs of our children ahead of partisan political interests. I encourage my colleagues to vote "no" on the Boustany amendment, and if passed, to vote "no" on final passage.

Mr. RUSH. Mr. Chairman, today we are debating whether or not we should repeal civil rights provisions in Head Start reauthorization, and allow religious organizations that use federal funding to discriminate in hiring and firing based on an individual's religious beliefs. In a time when we are forcefully trying to persuade other countries to include protections against religious discrimination in their constitutions, it is astounding that we are here, in the United States Congress, trying to repeal these same protections for our own citizens.

As a practicing ordained minister, I find the Boustany amendment to be unnecessary, unwise, and unproductive. The Boustany amendment would allow religious organizations to waive civil rights protections that nonreligious organizations must abide by. The provisions that currently govern Head Start have been in place and have been working effectively for decades. Religious organizations operate over 5 percent of all Head Start programs, abiding by the civil rights provisions, and there is no need for Congress to take this unprecedented step that Mr. BOUSTANY is proposing. Never before has Congress ever repealed existing civil rights protections by adopting an amendment on the House Floor, without the benefit of committee hearings, debate, or expert testimony.

In fact, H.R. 2123, the School Readiness Act, passed through the Education and the Workforce Committee by a bipartisan, unanimous 48-0 vote. Now, some Members of Congress are attempting to sabotage this bill by attaching this unconstitutional, divisive amendment to it. Maybe this is a way for Members who are against Head Start anyway, to try and derail the program. Mr. BOUSTANY knows that Democrats will not vote for an amendment that allows federally funded orga-

nizations to discriminate against any Americans on any grounds.

Republicans are trying to make us choose between early childcare for our neediest students and civil rights protections for the rest of our citizens. I wonder what the real motivation is behind bringing up this amendment.

It is truly a shame that Members of this House are playing politics with a bill that affects millions of our young children, and which millions of Americans have come to trust and rely on. No, Mr. Speaker, I will not vote for a bill that repeals civil rights protections. I will not vote for federally funded discrimination. It is unconscionable that Members of Congress would try to reverse the progress that we have made on civil rights in this country. What message are we sending to the rest of the world, including the newly-established democracies struggling to find a balance between religious freedom and civil liberties in their own laws and constitutions?

Adopting the Boustany amendment will send our country in the wrong direction. This is just another example of where the Republican Leadership wants to take our country, and I hope all our citizens are watching carefully. I urge a "no" vote on the Boustany amendment.

Mr. BOUSTANY. Mr. Chairman, on September 22, 2005, I returned to my district to prepare for Hurricane Rita, which was projected to hit southwest Louisiana, and I was unable to be present during House consideration of H.R. 2123, "School Readiness Act of 2005." Had I been present, I planned to offer an amendment that would allow faith-based Head Start providers to participate in the program and maintain the character of their organization through their employment practices. I would like to thank my colleague, Representative JOHN BOEHNER, for introducing this amendment in my absence.

It is critical that faith-based organizations that are willing to serve their communities by participating in federal programs are not forced to give up who they are to participate. They cannot be expected to sustain their religious mission without the ability to employ individuals who share the tenets and practices of their faith or who are dedicated to upholding the values of the organization. These groups should not be forced to abandon who they are because they want to assist the community; we lose too many good people who want to help when we put that barrier in their way.

Now, more than ever before, we are seeing first hand the good work these groups are doing in my region of the country. In the aftermath of Hurricane Katrina, faith-based organizations were among the first to reach out a hand in service to those impacted by the disaster.

The 1964 Civil Rights Act makes it clear that faith-based groups have a federally protected right to maintain their religious nature and character through those they hire. If we do not include the provision to allow them to exercise their right we are continuing to discourage potential providers, who could provide needed learning experiences, from participating in the program.

Let me be clear, we are not talking about discrimination—nothing in the amendment will allow a faith-based provider to discriminate. The Boehner amendment merely allows faith-based providers to exercise their rights under the Civil Rights Act and help their neighbors by participating in this federal program.

We have a long history of making social service legislation more inclusive by extending these rights in various federal programs. Despite the attacks launched by opponents of this amendment that we will hear today, former President Clinton actually signed four separate pieces of legislation that explicitly allow religious organizations providing social services to make employment decisions based on religion, including the Welfare Reform Act of 1996 and the Community Services Block Grant Act of 1998.

We have also passed these protections in other legislation in the House, most recently on the Job Training Improvement Act, H.R. 27.

The Boehner amendment to the School Readiness Act would simply make Head Start consistent with the legislation governing other major social service programs amendment, and I urge support of this amendment.

The Acting CHAIRMAN (Mr. TERRY). The question is on the amendment offered by the gentleman from Ohio (Mr. BOEHNER).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. WOOLSEY. 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 Ohio (Mr. BOEHNER) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 2 by the gentleman from Indiana (Mr. SOUDER), amendment No. 4 by the gentleman from Florida (Mr. STEARNS), amendment No. 5 by the gentleman from Illinois (Mr. DAVIS), amendment No. 10 by the gentlewoman from Colorado (Mrs. MUSGRAVE), amendment No. 12 by the gentleman from Ohio (Mr. BOEHNER).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. SOUDER

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. SOUDER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 153, noes 266, not voting 14, as follows:

[Roll No. 488]

AYES—153

Akin	Bartlett (MD)	Bilirakis
Baca	Becerra	Bishop (GA)
Baird	Biggert	Bishop (UT)

Blumenauer	Hostettler	Paul
Boozman	Hulshof	Payne
Brown, Corrine	Inlee	Pence
Burton (IN)	Israel	Peterson (MN)
Cannon	Jackson-Lee	Platts
Capito	(TX)	Radanovich
Capuano	Jefferson	Ramstad
Cardin	Johnson (CT)	Rogers (KY)
Case	Johnson (IL)	Rohrabacher
Chabot	Johnson, E. B.	Rothman
Chandler	Jones (NC)	Roybal-Allard
Costello	Jones (OH)	Royce
Cramer	Keller	Ryun (KS)
Crowley	Kennedy (MN)	Sabo
Cubin	Kennedy (RI)	Sánchez, Linda
Cuellar	Langevin	T.
Culberson	Larson (CT)	Sanchez, Loretta
Cummings	Lee	Sanders
Davis (IL)	Lewis (GA)	Schakowsky
Davis, Jo Ann	Lewis (KY)	Schiff
DeFazio	Lipinski	Scott (GA)
DeLauro	Loftgren, Zoe	Scott (VA)
Dent	Lowey	Serrano
Doolittle	Lungren, Daniel	Shadegg
Duncan	E.	Shaw
Emanuel	Lynch	Simmons
English (PA)	Maloney	Smith (NJ)
Etheridge	Manzullo	Sodrel
Evans	Marshall	Souder
Farr	Matheson	Stearns
Filner	Matsui	Strickland
Fitzpatrick (PA)	McHenry	Tancredo
Flake	McKinney	Tanner
Forbes	McNulty	Taylor (NC)
Fox	Meeks (NY)	Tiahrt
Franks (AZ)	Melancon	Towns
Frelinghuysen	Menendez	Udall (CO)
Garrett (NJ)	Millender-Gibbons	Udall (NM)
Gibbons	McDonald	Van Hollen
Gillmor	Miller (FL)	Velázquez
Gonzalez	Moore (KS)	Visclosky
Goode	Moore (WI)	Wamp
Green, Al	Moran (KS)	Waters
Gutierrez	Musgrave	Watt
Gutknecht	Nadler	Weldon (FL)
Hayworth	Napolitano	Whitfield
Hensarling	Nunes	Wu
Hoekstra	Oberstar	Wynn
Holden	Otter	
Holt	Pallone	

NOES—266

Abercrombie	Cleaver	Gordon
Ackerman	Clyburn	Grylone
Aderholt	Coble	Graves
Alexander	Cole (OK)	Green (WI)
Allen	Conaway	Grijalva
Andrews	Conyers	Hall
Bachus	Cooper	Harman
Baker	Costa	Harris
Baldwin	Crenshaw	Hart
Barrett (SC)	Cunningham	Hastings (FL)
Barrow	Davis (AL)	Hayes
Barton (TX)	Davis (CA)	Heger
Bass	Davis (FL)	Herseth
Bean	Davis (KY)	Higgins
Beauprez	Davis (TN)	Hinohy
Berkley	Davis, Tom	Hobson
Berman	Deal (GA)	Honda
Berry	DeGette	Hooley
Bishop (NY)	Delahunt	Hoyer
Blackburn	Diaz-Balart, L.	Hunter
Blunt	Diaz-Balart, M.	Hyde
Boehlert	Dicks	Inglis (SC)
Boehner	Dingell	Issa
Bonilla	Doggett	Istook
Bonner	Doyle	Jackson (IL)
Bono	Drake	Jenkins
Boren	Dreier	Jindal
Boucher	Edwards	Johnson, Sam
Boyd	Ehlers	Kanjorski
Bradley (NH)	Emerson	Kaptur
Brady (PA)	Engel	Kelly
Brown (OH)	Eshoo	Kildee
Brown (SC)	Everett	Kilpatrick (MI)
Brown-Waite,	Fattah	King (IA)
Ginny	Feeney	King (NY)
Burgess	Ferguson	Kingston
Butterfield	Foley	Kirk
Calvert	Ford	Kline
Cantor	Fortenberry	Knollenberg
Capps	Fossella	Kolbe
Cardoza	Frank (MA)	Kucinich
Carnahan	Gallegly	Kuhl (NY)
Carson	Gerlach	LaHood
Carter	Gilchrest	Lantos
Castle	Gingrey	Larsen (WA)
Choccola	Gohmert	Latham
Clay	Goodlatte	LaTourette

Leach	Oxley	Shuster
Levin	Pascarell	Simpson
Lewis (CA)	Pastor	Skelton
Linder	Pearce	Slaughter
LoBiondo	Pelosi	Smith (TX)
Lucas	Peterson (PA)	Smith (WA)
Mack	Petri	Snyder
Marchant	Pickering	Solis
Markey	Pitts	Spratt
McCarthy	Pombo	Stark
McCaul (TX)	Pomeroy	Stupak
McCollum (MN)	Porter	Sullivan
McCotter	Price (GA)	Sweeney
McCrery	Price (NC)	Tauscher
McDermott	Pryce (OH)	Taylor (MS)
McGovern	Putnam	Terry
McHugh	Rahall	Thomas
McIntyre	Rangel	Thompson (CA)
McKeon	Regula	Thompson (MS)
McMorris	Rehberg	Thornberry
Meehan	Reichert	Tiberi
Meek (FL)	Renzi	Tierney
Mica	Reyes	Turner
Michaud	Reynolds	Upton
Miller (MI)	Rogers (AL)	Walden (OR)
Miller (NC)	Rogers (MI)	Walsh
Miller, Gary	Ros-Lehtinen	Wasserman
Miller, George	Ross	Schultz
Mollohan	Ruppersberger	Watson
Moran (VA)	Rush	Waxman
Murphy	Ryan (OH)	Weiner
Murtha	Ryan (WI)	Weldon (PA)
Myrick	Salazar	Westmoreland
Neal (MA)	Saxton	Wexler
Neugebauer	Schmidt	Wicker
Ney	Schwartz (PA)	Wilson (NM)
Northup	Schwarz (MI)	Wilson (SC)
Norwood	Sensenbrenner	Wolf
Nussle	Sessions	Woolsey
Obey	Shays	Young (AK)
Olver	Sherman	Young (FL)
Osborne	Sherwood	
Owens	Shimkus	

NOT VOTING—14

Boswell	DeLay	Kind
Boustany	Green, Gene	Ortiz
Brady (TX)	Hastings (WA)	Poe
Buyer	Hefley	Weller
Camp	Hinojosa	

ANNOUNCEMENT BY THE ACTING CHAIRMAN
The Acting CHAIRMAN (Mr. TERRY) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1558

Messrs. King of Iowa, REYNOLDS, ROSS, PEARCE, CARNAHAN, BERRY, Ms. HARRIS and Mr. REYES changed their vote from ‘aye’ to ‘no’.

Ms. WATERS, Messrs. WELDON of Florida, FLAKE, FARR, HOEKSTRA, MORAN of Kansas, LEWIS of Kentucky, RAMSTAD, ROGERS of Kentucky, SIMMONS, Ms. JACKSON-LEE of Texas, Mr. GARRETT of New Jersey, Mr. LANGEVIN, Mrs. JONES of Ohio, Messrs. WAMP, DUNCAN, CUELLAR, SCOTT of Georgia, JEFFERSON, Ms. VELÁZQUEZ, Messrs. BISHOP of Georgia, TOWNS, FORBES, MILLER of Florida, LEWIS of Georgia, Al GREEN of Texas, Mrs. NAPOLITANO, Messrs. SANDERS, MEEKS of New York, WYNN, SCOTT of Virginia, FITZPATRICK of Pennsylvania, TANNER, WATT, INSLEE, Ms. LEE, Mr. GILLMOR, Ms. CORRINE BROWN of Florida, Mr. PAYNE, Mr. CROWLEY, Ms. EDDIE BERNICE JOHNSON of Texas, Messrs. EVANS, DOOLITTLE, MOORE of Kansas, HENSARLING, OTTER, MENENDEZ, GONZALEZ, Ms. ROYBAL-ALLARD, Messrs. FILNER, BACA, SERRANO, BECERRA, CARDIN, PALLONE, NADLER, Ms. SCHAKOWSKY, Messrs. CHABOT, SHAW, MARSHALL, ISRAEL, Ms. DELAURO,

Messrs. EMANUEL, LARSON of Connecticut, CRAMER, MCNULTY and HOLDEN changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. STEARNS

The Acting CHAIRMAN (Mr. TERRY). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. STEARNS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 411, noes 0, not voting 22, as follows:

[Roll No. 489]

AYES—411

Abercrombie	Carson	Fattah
Ackerman	Carter	Feeney
Aderholt	Case	Ferguson
Akin	Castle	Filner
Alexander	Chabot	Fitzpatrick (PA)
Allen	Chandler	Flake
Andrews	Chocola	Foley
Baca	Clay	Forbes
Bachus	Cleaver	Ford
Baird	Clyburn	Fortenberry
Baker	Coble	Fossella
Baldwin	Cole (OK)	Fox
Barrett (SC)	Conaway	Frank (MA)
Barrow	Conyers	Franks (AZ)
Bartlett (MD)	Cooper	Frelinghuysen
Barton (TX)	Costa	Gallely
Bass	Costello	Garrett (NJ)
Bean	Cramer	Gerlach
Beauprez	Crenshaw	Gibbons
Becerra	Crowley	Gilchrest
Berkley	Cubin	Gillmor
Berman	Cuellar	Gingrey
Berry	Culberson	Gohmert
Biggert	Cummings	Gonzalez
Bilirakis	Cunningham	Goode
Bishop (GA)	Davis (AL)	Goodlatte
Bishop (NY)	Davis (CA)	Gordon
Bishop (UT)	Davis (FL)	Granger
Blackburn	Davis (IL)	Graves
Blumenauer	Davis (KY)	Green (WI)
Blunt	Davis (TN)	Green, Al
Boehlert	Davis, Jo Ann	Grijalva
Boehner	Davis, Tom	Gutierrez
Bonilla	Deal (GA)	Gutknecht
Bonner	DeFazio	Hall
Bono	DeGette	Harman
Boozman	Delahunt	Harris
Boren	DeLauro	Hart
Boucher	Dent	Hastings (FL)
Boyd	Diaz-Balart, L.	Hayes
Bradley (NH)	Diaz-Balart, M.	Hayworth
Brady (PA)	Dicks	Hensarling
Brown (OH)	Dingell	Herger
Brown (SC)	Doggett	Herseth
Brown, Corrine	Doolittle	Higgins
Brown-Waite,	Doyle	Hinchee
Ginny	Drake	Hobson
Burgess	Dreier	Hoekstra
Burton (IN)	Duncan	Holden
Butterfield	Ehlers	Holt
Calvert	Emanuel	Honda
Cannon	Emerson	Hooley
Cantor	Engel	Hostettler
Capito	English (PA)	Hoyer
Capps	Eshoo	Hulshof
Capuano	Etheridge	Hunter
Cardin	Evans	Hyde
Cardoza	Everett	Inglis (SC)
Carnahan	Farr	Inslee

Israel	Millender-	Sanders
Issa	McDonald	Saxton
Istook	Miller (FL)	Schiff
Jackson (IL)	Miller (MI)	Schmidt
Jackson-Lee	Miller (NC)	Schwartz (PA)
(TX)	Miller, Gary	Schwarz (MI)
Jefferson	Miller, George	Scott (GA)
Jenkins	Mollohan	Scott (VA)
Jindal	Moore (KS)	Sensenbrenner
Johnson (IL)	Moore (WI)	Serrano
Johnson, E. B.	Moran (KS)	Sessions
Johnson, Sam	Moran (VA)	Shadegg
Jones (NC)	Murphy	Shaw
Jones (OH)	Murtha	Shays
Kanjorski	Musgrave	Sherman
Kaptur	Nadler	Sherwood
Keller	Napolitano	Shimkus
Kelly	Neal (MA)	Shuster
Kennedy (MN)	Neugebauer	Simmons
Kennedy (RI)	Ney	Simpson
Kildee	Northup	Skelton
Kipatrik (MI)	Norwood	Slaughter
King (IA)	Nunes	Smith (NJ)
King (NY)	Nussle	Smith (TX)
Kingston	Oberstar	Smith (WA)
Kirk	Obey	Snyder
Kline	Olver	Sodrel
Knollenberg	Osborne	Solis
Kolbe	Otter	Souder
Kucinich	Owens	Spratt
Kuhl (NY)	Oxley	Stark
LaHood	Pallone	Stearns
Langevin	Pascrell	Strockland
Lantos	Pastor	Stupak
Larsen (WA)	Paul	Sullivan
Larson (CT)	Payne	Sweeney
Latham	Pearce	Tancredo
LaTourette	Pelosi	Tanner
Leach	Pence	Tauscher
Lee	Peterson (MN)	Taylor (MS)
Levin	Peterson (PA)	Taylor (NC)
Lewis (CA)	Petri	Terry
Lewis (GA)	Pickering	Thomas
Lewis (KY)	Pitts	Thompson (CA)
Linder	Platts	Thompson (MS)
Lipinski	Pombo	Thornberry
LoBiondo	Pomeroy	Tiahrt
Lofgren, Zoe	Porter	Tiberi
Lowe	Price (GA)	Tierney
Lucas	Price (NC)	Towns
Lungren, Daniel	Pryce (OH)	Turner
E.	Putnam	Udall (CO)
Lynch	Radanovich	Udall (NM)
Mack	Rahall	Upton
Maloney	Ramstad	Van Hollen
Manzullo	Rangel	Velázquez
Marchant	Regula	Visclosky
Markey	Rehberg	Walden (OR)
Marshall	Reichert	Wamp
Matheson	Renzi	Wasserman
Matsui	Reyes	Schultz
McCarthy	Reynolds	Waters
McCaul (TX)	Rogers (AL)	Watson
McCollum (MN)	Rogers (KY)	Waxman
McCotter	Rogers (MI)	Weiner
McCoy	Rohrabacher	Weldon (FL)
McDermott	Ros-Lehtinen	Weldon (PA)
McGovern	Ross	Westmoreland
McHenry	Rothman	Wexler
McHugh	Royal-Ballard	Whitfield
McIntyre	Royce	Wicker
McKeon	Ruppersberger	Wilson (NM)
McKinney	Rush	Wilson (SC)
McMorris	Ryan (OH)	Wolf
McNulty	Ryan (WI)	Woolsey
Meehan	Ryun (KS)	Wu
Meek (FL)	Sabo	Wynn
Meeks (NY)	Salazar	Young (AK)
Menendez	Sanchez, Linda	
Mica	T.	
Michaud	Sanchez, Loretta	

NOT VOTING—22

Boswell	Hastings (WA)	Poe
Boustany	Hefley	Schakowsky
Brady (TX)	Hinojosa	Walsh
Buyer	Johnson (CT)	Watt
Camp	Kind	Weller
DeLay	Melancon	Young (FL)
Edwards	Myrick	
Green, Gene	Ortiz	

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. TERRY) (during the vote). There are 2 minutes remaining in this vote.

□ 1605

So the amendment was agreed to. The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. DAVIS OF ILLINOIS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Illinois (Mr. DAVIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 401, noes 14, not voting 18, as follows:

[Roll No. 490]

AYES—401

Abercrombie	Chocola	Fossella
Ackerman	Clay	Fox
Aderholt	Cleaver	Frank (MA)
Akin	Clyburn	Frelinghuysen
Alexander	Coble	Gallegly
Allen	Cole (OK)	Garrett (NJ)
Andrews	Conaway	Gerlach
Baca	Conyers	Gibbons
Bachus	Cooper	Gilchrest
Baird	Costa	Gillmor
Baldwin	Costello	Gingrey
Barrett (SC)	Cramer	Gohmert
Barrow	Crenshaw	Gonzalez
Bartlett (MD)	Crowley	Goodlatte
Barton (TX)	Cubin	Gordon
Bass	Cuellar	Granger
Bean	Culberson	Graves
Beauprez	Cummings	Green (WI)
Becerra	Cunningham	Green, Al
Berkley	Davis (AL)	Grijalva
Berman	Davis (CA)	Gutierrez
Berry	Davis (FL)	Gutknecht
Biggert	Davis (IL)	Harman
Bilirakis	Davis (KY)	Harris
Bishop (GA)	Davis (TN)	Hart
Bishop (NY)	Davis, Jo Ann	Hastings (FL)
Bishop (UT)	Davis, Tom	Hayes
Blackburn	Deal (GA)	Hayworth
Blumenauer	DeFazio	Hensarling
Bono	DeGette	Herseth
Boozman	Delahunt	Higgins
Boren	Delahunt	Hinchee
Boucher	Dent	Hobson
Boyd	Diaz-Balart, M.	Hoekstra
Bradley (NH)	Dicks	Holden
Brady (PA)	Dingell	Holt
Brown (OH)	Doggett	Honda
Brown (SC)	Doolittle	Hooley
Brown, Corrine	Doyle	Hostettler
Brown-Waite,	Drake	Hoyer
Ginny	Dreier	Hulshof
Burgess	Duncan	Hunter
Burton (IN)	Ehlers	Hyde
Butterfield	Emanuel	Inglis (SC)
Calvert	Emerson	Inslee
Cannon	Engel	
Cantor	English (PA)	
Capito	Eshoo	
Capps	Etheridge	
Capuano	Evans	
Cardin	Everett	
Cardoza	Farr	
Carnahan	Fattah	
Carson	Ferguson	
Case	Filner	
Castle	Fitzpatrick (PA)	
Chabot	Foley	
Chandler	Forbes	
	Ford	
	Fortenberry	

Kelly
 Kennedy (MN)
 Kennedy (RI)
 Kildee
 Kilpatrick (MI)
 King (NY)
 Kingston
 Kirk
 Kline
 Knollenberg
 Kolbe
 Kucinich
 Kuhl (NY)
 LaHood
 Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Leach
 Lee
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Linder
 Lipinski
 LoBiondo
 Lofgren, Zoe
 Lowey
 Lucas
 Lungren, Daniel
 E.
 Mack
 Maloney
 Manzullo
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy
 McCaul (TX)
 McCollum (MN)
 McCotter
 McCrery
 McDermott
 McGovern
 McHugh
 McIntyre
 McKeon
 McKinney
 McMorris
 McNulty
 Meehan
 Meek (FL)
 Meeks (NY)
 Melancon
 Menendez
 Mica
 Michaud
 Millender-
 McDonald
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy

Murtha
 Musgrave
 Nadler
 Napolitano
 Neal (MA)
 Neugebauer
 Ney
 Northup
 Norwood
 Nunes
 Nussle
 Oberstar
 Obey
 Oliver
 Osborne
 Otter
 Owens
 Oxley
 Pallone
 Pascrell
 Pastor
 Paul
 Payne
 Pearce
 Pelosi
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pickering
 Pitts
 Platts
 Pomo
 Pomeroy
 Porter
 Price (NC)
 Pryce (OH)
 Putnam
 Radanovich
 Rahall
 Ramstad
 Rangel
 Regula
 Rehberg
 Reichert
 Renzi
 Reyes
 Reynolds
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Ross
 Rothman
 Roybal-Allard
 Royce
 Ruppberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Weldon (PA)
 Ryun (KS)
 Sabo
 Salazar
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sanders
 Saxton
 Schakowsky
 Schiff
 Schmidt
 Schwartz (PA)
 Schwarz (MI)

Scott (GA)
 Scott (VA)
 Sensenbrenner
 Serrano
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Slaughter
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Sodrel
 Solis
 Souder
 Spratt
 Stark
 Stearns
 Strickland
 Stupak
 Sullivan
 Sweeney
 Tancredo
 Tanner
 Tauscher
 Taylor (MS)
 Taylor (NC)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tiahrt
 Tiberi
 Bachus
 Barrett (SC)
 Bartlett (MD)
 Barton (TX)
 Beauprez
 Bishop (UT)
 Blackburn
 Blunt
 Boehner
 Bonilla
 Bonner
 Bono
 Boozman
 Brown (SC)
 Brown-Waite,
 Ginny
 Burgess
 Burton (IN)
 Calvert
 Cannon
 Cantor
 Capito
 Carter
 Chabot
 Chocola
 Coble
 Cole (OK)
 Conaway
 Crenshaw
 Cubin
 Culberson
 Cunningham
 Davis (KY)
 Davis, Jo Ann
 Davis, Tom
 Deal (GA)
 Diaz-Balart, L.
 Diaz-Balart, M.
 Doolittle
 Drake
 Dreier
 Duncan
 Ehlers
 English (PA)
 Everett
 Feeney
 Ferguson
 Flake
 Foley
 Forbes
 Fortenberry
 Fossella
 Foxx
 Franks (AZ)
 Gallegly
 Garrett (NJ)

So the amendment was agreed to.
 The result of the vote was announced
 as above recorded.

AMENDMENT NO. 10 OFFERED BY MRS.
 MUSGRAVE

The Acting CHAIRMAN. The pending
 business is the demand for a recorded
 vote on the amendment offered by the
 gentlewoman from Colorado (Mrs.
 MUSGRAVE) on which further pro-
 ceedings were postponed and on which
 the ayes prevailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded
 vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be
 a 5-minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 175, noes 241,
 not voting 17, as follows:

[Roll No. 491]

AYES—175

Aderholt
 Akin
 Alexander
 Tiahrt
 Tiberi
 Bachus
 Barrett (SC)
 Bartlett (MD)
 Barton (TX)
 Beauprez
 Bishop (UT)
 Blackburn
 Blunt
 Boehner
 Bonilla
 Bonner
 Bono
 Boozman
 Brown (SC)
 Brown-Waite,
 Ginny
 Burgess
 Burton (IN)
 Calvert
 Cannon
 Cantor
 Capito
 Carter
 Chabot
 Chocola
 Coble
 Cole (OK)
 Conaway
 Crenshaw
 Cubin
 Culberson
 Cunningham
 Davis (KY)
 Davis, Jo Ann
 Davis, Tom
 Deal (GA)
 Diaz-Balart, L.
 Diaz-Balart, M.
 Doolittle
 Drake
 Dreier
 Duncan
 Ehlers
 English (PA)
 Everett
 Feeney
 Ferguson
 Flake
 Foley
 Forbes
 Fortenberry
 Fossella
 Foxx
 Franks (AZ)
 Gallegly
 Garrett (NJ)

Baldwin
 Barrow
 Bass
 Bean
 Becerra
 Berkley
 Berman
 Berry
 Biggert
 Bilirakis
 Bishop (GA)
 Bishop (NY)
 Blumenauer
 Boehlert
 Boren
 Boucher
 Boyd
 Bradley (NH)
 Brady (PA)
 Brown (OH)
 Brown, Corrine
 Butterfield
 Capps
 Capuano
 Cardin
 Cardoza
 Carnahan
 Carson
 Case
 Castle
 Chandler
 Clay
 Cleaver
 Clyburn
 Conyers
 Cooper
 Costa
 Costello
 Cramer
 Crowley
 Cuellar
 Cummings
 Davis (AL)
 Davis (CA)
 Davis (FL)
 Davis (IL)
 Davis (TN)
 DeFazio
 DeGette
 Delahunt
 DeLauro
 Dent
 Dicks
 Dingell
 Doggett
 Doyle
 Edwards
 Emanuel
 Emerson
 Engel
 Eshoo
 Etheridge
 Evans
 Farr
 Fattah
 Filner
 Fitzpatrick (PA)
 Ford
 Frank (MA)
 Frelinghuysen
 Gerlach
 Gonzalez
 Gordon
 Green, Al
 Grijalva
 Gutierrez
 Harman
 Hart
 Hastings (FL)
 Herger

Herseth
 Higgins
 Hinchey
 Holden
 Holt
 Honda
 Hooley
 Hoyer
 Hulshof
 Inslee
 Israel
 Jackson (IL)
 Jackson-Lee
 (TX)
 Jefferson
 Johnson (CT)
 Johnson, E. B.
 Jones (OH)
 Kanjorski
 Kaptur
 Kelly
 Kennedy (RI)
 Kildee
 Kilpatrick (MI)
 Kucinich
 Kuhl (NY)
 LaHood
 T.
 Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 LaTourette
 Leach
 Lee
 Levin
 Lewis (GA)
 Lewis (VA)
 Lipinski
 LoBiondo
 Lofgren, Zoe
 Lowey
 Maloney
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy
 McCollum (MN)
 McCotter
 McDermott
 McGovern
 McHugh
 McIntyre
 McKinney
 McNulty
 Meehan
 Meek (FL)
 Meeks (NY)
 Melancon
 Menendez
 Mica
 Michaud
 Millender-
 McDonald
 Miller (NC)
 Miller, George
 Mollohan
 Moore (KS)
 Moore (VA)
 Murphy
 Murtha
 Nadler
 Napolitano
 Neal (MA)
 Ney
 Oberstar
 Obey
 Oliver
 Osborne
 Owens

NOT VOTING—17

Baker
 Boswell
 Boustany
 Brady (TX)
 Buyer
 Camp
 DeLay
 Green, Gene
 Hastings (WA)
 Hefley
 Hinojosa
 Kind

Lynch
 Ortiz
 Peterson (PA)
 Poe
 Weller

ANNOUNCEMENT BY THE ACTING CHAIRMAN
 The Acting CHAIRMAN (Mr. TERRY)
 (during the vote). Members are advised
 2 minutes remain in this vote.

□ 1621

So the amendment was rejected.
 The result of the vote was announced
 as above recorded.

NOES—14

Blunt
 Carter
 Flake
 Franks (AZ)
 Hall
 Herger
 Johnson, Sam
 King (IA)
 Marchant
 McHenry
 Myrick
 Price (GA)
 Sessions
 Shadegg

NOT VOTING—18

Baker
 Boswell
 Boustany
 Brady (TX)
 Buyer
 Camp
 DeLay
 Diaz-Balart, L.
 Goode
 Green, Gene
 Hastings (WA)
 Hefley
 Hinojosa
 Kind
 Lynch
 Ortiz
 Poe
 Weller

ANNOUNCEMENT BY THE ACTING CHAIRMAN
 The Acting CHAIRMAN (during the
 vote). There are 2 minutes remaining
 in this vote.

□ 1613

Mr. GINGREY and Mr. MARCHANT
 changed their vote from “aye” to “no.”

NOES—241

Abercrombie
 Ackerman
 Allen
 Andrews
 Baca
 Baird

AMENDMENT NO. 12 OFFERED BY MR. BOEHNER

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Ohio (Mr. BOEHNER) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 220, noes 196, not voting 17, as follows:

[Roll No. 492]

AYES—220

Aderholt	Franks (AZ)	Miller (MI)
Akin	Frelinghuysen	Miller, Gary
Alexander	Gallegly	Mollohan
Bachus	Garrett (NJ)	Moran (KS)
Barrett (SC)	Gerlach	Murphy
Barrow	Gibbons	Musgrave
Bartlett (MD)	Gilchrest	Myrick
Barton (TX)	Gillmor	Neugebauer
Bass	Gingrey	Ney
Beauprez	Goode	Northup
Biggart	Goodlatte	Norwood
Bilirakis	Granger	Nunes
Bishop (UT)	Graves	Nussle
Blackburn	Green (WI)	Osborne
Blunt	Gutknecht	Otter
Boehlert	Hall	Oxley
Boehner	Harris	Paul
Bonilla	Hart	Pearce
Bonner	Hayes	Pence
Bono	Hayworth	Peterson (MN)
Boozman	Hensarling	Peterson (PA)
Boren	Herger	Petri
Brown (SC)	Hobson	Pickering
Brown-Waite,	Hoekstra	Pitts
Ginny	Hostettler	Platts
Burgess	Hulshof	Pombo
Burton (IN)	Hunter	Porter
Calvert	Hyde	Price (GA)
Cannon	Inglis (SC)	Pryce (OH)
Cantor	Issa	Putnam
Capito	Istook	Radanovich
Carter	Jenkins	Ramstad
Case	Jindal	Regula
Castle	Johnson (IL)	Rehberg
Chabot	Johnson, Sam	Reichert
Chandler	Jones (NC)	Renzi
Chocola	Keller	Reynolds
Coble	Kennedy (MN)	Rogers (AL)
Cole (OK)	King (IA)	Rogers (KY)
Conaway	King (NY)	Rogers (MI)
Crenshaw	Kingston	Rohrabacher
Cubin	Kline	Ros-Lehtinen
Culberson	Knollenberg	Royce
Cunningham	Kolbe	Ryan (WI)
Davis (KY)	Kuhl (NY)	Ryun (KS)
Davis (TN)	LaHood	Saxton
Davis, Jo Ann	Latham	Schmidt
Davis, Tom	LaTourette	Sensenbrenner
Deal (GA)	Lewis (CA)	Sessions
Dent	Lewis (KY)	Shadegg
Diaz-Balart, L.	Linder	Shaw
Diaz-Balart, M.	LoBiondo	Shimkus
Doolittle	Lucas	Shuster
Drake	Lungren, Daniel	Simpson
Dreier	E.	Smith (NJ)
Duncan	Mack	Smith (TX)
Ehlers	Manzullo	Sodrel
Emerson	Marchant	Souder
English (PA)	Marshall	Stearns
Everett	McCaul (TX)	Sullivan
Feeney	McCotter	Sweeney
Ferguson	McCrery	Tancredo
Fitzpatrick (PA)	McHenry	Taylor (MS)
Flake	McHugh	Taylor (NC)
Foley	McIntyre	Terry
Forbes	McKeon	Thomas
Fortenberry	McMorris	Thornberry
Fossella	Mica	Tiahrt
Foxx	Miller (FL)	Tiberi

Turner	Weldon (FL)	Wilson (NM)
Upton	Weldon (PA)	Wilson (SC)
Walden (OR)	Westmoreland	Wolf
Walsh	Whitfield	Young (AK)
Wamp	Wicker	Young (FL)

NOES—196

Abercrombie	Harman	Olver
Ackerman	Hastings (FL)	Owens
Allen	Herseth	Pallone
Andrews	Higgins	Pascrell
Baca	Hinchev	Pastor
Baird	Holden	Payne
Baldwin	Holt	Pelosi
Bean	Honda	Pomeroy
Becerra	Hooley	Price (NC)
Berkley	Hoyer	Rahall
Berman	Inslee	Rangel
Berry	Israel	Reyes
Bishop (GA)	Jackson (IL)	Ross
Bishop (NY)	Jackson-Lee	Rothman
Blumenauer	(TX)	Roybal-Allard
Boucher	Jefferson	Ruppersberger
Boyd	Johnson (CT)	Rush
Bradley (NH)	Johnson, E. B.	Ryan (OH)
Brady (PA)	Jones (OH)	Sabo
Brown (OH)	Kanjorski	Salazar
Brown, Corrine	Kaptur	Sánchez, Linda
Butterfield	Kelly	T.
Capps	Kennedy (RI)	Sanchez, Loretta
Capuano	Kildee	Sanders
Cardin	Kilpatrick (MI)	Schakowsky
Cardoza	Kirk	Schiff
Carnahan	Kucinich	Schwartz (PA)
Carson	Langevin	Schwarz (MI)
Clay	Lantos	Scott (GA)
Cleaver	Larsen (WA)	Scott (VA)
Clyburn	Larson (CT)	Serrano
Conyers	Leach	Shays
Cooper	Lee	Sherman
Coode	Levin	Sherwood
Costello	Lewis (GA)	Simmons
Cramer	Lipinski	Skelton
Crowley	Lofgren, Zoe	Slaughter
Cuellar	Lowey	Smith (WA)
Cummings	Maloney	Snyder
Davis (AL)	Markey	Solis
Davis (CA)	Matheson	Spratt
Davis (FL)	Matsui	Stark
Davis (IL)	McCarthy	Strickland
DeFazio	McCollum (MN)	Stupak
DeGette	McDermott	Tanner
Delahunt	McGovern	Tauscher
DeLauro	McKinney	Thompson (CA)
Dicks	McNulty	Thompson (MS)
Dingell	Meehan	Tierney
Doggett	Meeke (FL)	Towns
Doyle	Meeks (NY)	Udall (CO)
Edwards	Melancon	Udall (NM)
Emanuel	Menendez	Van Hollen
Engel	Michaud	Velázquez
Eshoo	Millender-	McDonald
Etheridge	Miller (NC)	Wasserman
Evans	Miller, George	Schultz
Farr	Moore (KS)	Waters
Fattah	Moore (WI)	Watson
Filner	Moran (VA)	Watt
Ford	Murtha	Waxman
Frank (MA)	Nadler	Weiner
Gonzalez	Napolitano	Wexler
Gordon	Neal (MA)	Woolsey
Green, Al	Neal (TX)	Wu
Grijalva	Oberstar	Wynn
Gutierrez	Obey	

NOT VOTING—17

Baker	DeLay	Kind
Boswell	Gohmert	Lynch
Boustany	Green, Gene	Ortiz
Brady (TX)	Hastings (WA)	Poe
Buyer	Hefley	Weller
Camp	Hinojosa	

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote). Members are advised 2 minutes remain in this vote.

□ 1629

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. The question is on the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute, as amended, was agreed to.

The Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SIMPSON) having assumed the chair, Mr. TERRY, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2123) to reauthorize the Head Start Act to improve the school readiness of disadvantaged children, and for other purposes, pursuant to House Resolution 455, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the committee amendment in the nature of a substitute adopted by the Committee of the Whole? If not, the question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

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

RECORDED VOTE

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

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 231, noes 184, not voting 18, as follows:

[Roll No. 493]

AYES—231

Aderholt	Case	Foley
Akin	Castle	Forbes
Alexander	Chabot	Ford
Bachus	Chandler	Fortenberry
Barrett (SC)	Chocola	Fossella
Barrow	Coble	Foxx
Barton (TX)	Cole (OK)	Franks (AZ)
Bass	Conaway	Frelinghuysen
Bean	Costa	Gallegly
Beauprez	Cramer	Garrett (NJ)
Biggart	Crenshaw	Gerlach
Bilirakis	Cubin	Gibbons
Bishop (UT)	Cuellar	Gilchrest
Blackburn	Cunningham	Gillmor
Blunt	Davis (KY)	Gingrey
Boehlert	Davis (TN)	Goode
Boehner	Davis, Jo Ann	Goodlatte
Bonilla	Davis, Tom	Gordon
Bonner	Deal (GA)	Granger
Bono	Dent	Graves
Boozman	Diaz-Balart, L.	Green (WI)
Boren	Diaz-Balart, M.	Gutknecht
Bradley (NH)	Doolittle	Hall
Brown (SC)	Drake	Harris
Brown-Waite,	Dreier	Hart
Ginny	Edwards	Hayes
Burgess	Ehlers	Hayworth
Burton (IN)	Emerson	Hensarling
Calvert	English (PA)	Herger
Cannon	Eshoo	Herseth
Cantor	Everett	Hobson
Capito	Feeney	Hoekstra
Cardoza	Ferguson	Holden
Carter	Fitzpatrick (PA)	Hostettler

Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel
E.
Mack
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)

NOES—184

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bartlett (MD)
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Carnahan
Carson
Clay
Cleaver
Clyburn
Conyers
Cooper
Costello
Crowley
Culbertson
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Duncan
Emanuel
Engel
Etheridge
Evans
Farr

Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton

Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Udall (CO)
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Young (AK)
Young (FL)

Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Van Hollen
Velázquez
Tancredo
Tanner

Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (NM)
Van Hollen
Velázquez
Visclosky

Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wynn

NOT VOTING—18

Baker
Boswell
Boustany
Brady (TX)
Buyer
Camp
DeLay
Gohmert
Green, Gene
Hastings (WA)
Hefley
Hinojosa
Kind
Lynch
Ortiz
Poe
Smith (NJ)
Weller

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1646

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GENE GREEN of Texas. Mr. Speaker, due to Hurricane Rita approaching the Texas Gulf Coast and the Houston area, I have been excused from today's proceedings.

I would like my positions regarding votes taken on H.R. 2123, the School Readiness Act, and amendments to this Act entered into the CONGRESSIONAL RECORD. Let the RECORD reflect I would have voted the following way: Rollcall No. 486—"yes"; rollcall No. 487—"yes"; rollcall No. 488—"yes"; rollcall No. 489—"yes"; rollcall No. 490—"yes"; rollcall No. 491—"no"; and rollcall No. 492—"no."

I would also vote for final passage of H.R. 2123.

Mr. ORTIZ. Mr. Speaker, on Thursday, September 22, 2005, I was not present to vote, on H.R. 2123, the School Readiness Act of 2005, as I was in my district making preparations for Hurricane Rita's landfall.

Had I been present, I would have voted as follows:

The vote on final passage would have been a difficult one for me, but I would have ultimately been forced to vote against the bill. Using Federal funding to run a program should preclude that program from discriminating in hiring decisions. Our country has a strong tradition of religious freedom, and I cannot support a vote that chooses to ignore that. However, that should not diminish the fact that I remain a strong supporter of education and the Head Start program.

Additionally, as a Hispanic member of Congress, I recognize the importance of civil rights in our country. America has fought hard to rectify transgressions of the past, and to turn back that work is not a position I can endorse. H.R. 2123 unanimously passed out of committee—demonstrating clear bipartisanship and maintaining the longstanding civil rights provision which has been part of the Head Start program since 1972. It was 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, and should not have been eroded.

Rollcall No. 478—"no"; rollcall No. 479—"yes"; rollcall No. 480—"yes"; rollcall No. 481—"yes"; rollcall No. 482—"yes"; rollcall No. 483—"yes"; rollcall No. 484—"yes"; rollcall No. 485—"yes"; rollcall No. 486—"no"; rollcall No. 487—"yes"; rollcall No. 488—"yes"; rollcall No. 489—"yes"; rollcall No. 490—"yes"; rollcall No. 491—"no"; rollcall No. 492—"no"; and rollcall No. 493—"no."

Mr. BOUSTANY. Mr. Speaker, on September 22, 2005, I returned to my district to prepare for Hurricane Rita, which was projected to hit southwest Louisiana, and I was unable to be present during House consideration of H.R. 2123, "School Readiness Act of 2005." Consequently, I missed rollcall No. 488 on amendment No.ed 2 offered by Representative SOUDER, had I been present, I would have voted "nay." I also missed rollcall No. 489 on amendment No.ed 4 offered by Representatives STEARNS; had I been present, I would have voted "aye." On rollcall No. 490 on amendment No.ed 5 offered by Representative DAVIS, I would have voted "aye." On rollcall No. 491 on amendment No.ed 10 offered by Representative MUSGRAVE, I would have voted "aye." On rollcall No. 492 on amendment No.ed 12 offered by Representative BOEHNER, I would have voted "aye." On rollcall No. 493 on the passage of H.R. 2123, "School Readiness Act" I would have voted "aye."

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 2123, SCHOOL READINESS ACT OF 2005

Mr. DREIER. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill (H.R. 2123), the Clerk be authorized to correct section numbers, punctuation, citations, and cross-references and to make such other technical and conforming changes as may be necessary or appropriate to reflect the actions of the House in amending the bill.

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

There was no objection.

GENERAL LEAVE

Mr. DREIER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 2123.

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

There was no objection.

AMENDMENT PROCESS FOR H.R. 3402, DEPARTMENT OF JUSTICE APPROPRIATIONS AUTHORIZATION ACT, FISCAL YEARS 2006 THROUGH 2009

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week to grant a rule which could limit the amendment process for floor consideration of H.R. 3402, the Department of