

One year after the war ended in 1946, Lillian returned to United Airlines as a stewardess. She left her job 4 years later, signing up for military flight duty in the Korean War. After Korea, she returned to California, got married, had two children and became a homemaker. In 1954, the year she married Walter Keil, a Navy intelligence officer, Hollywood made a movie based on her life entitled "Flight Nurse;" and in 1961 her story was featured on "This is Your Life."

Sadly, Lillian Kinkella Keil passed away of cancer at the age of 88 on June 30, 2005. I commend the gentlewoman from California (Ms. SOLIS) for seeking to honor the tremendous legacy of the late Captain Lillian Kinkella Keil. She will forever be remembered as the "Airborne Florence Nightingale" and the most decorated female veteran. The Keil story is an inspiration to all, and I am proud and pleased that the postal facility in Covina, California, will be dedicated in her honor. I also note that the mayor and the City Council of Covina join in support of this measure and urge its swift passage.

Ms. SOLIS. Mr. Speaker, I rise today in support of H.R. 4053, a bill designating a post office located at 545 North Rimsdale, Covina, California, in honor of Lillian Kinkella Keil, the most decorated female veteran in U.S. military history.

The story of Lillian Keil is one of remarkable courage. Born in Arcata in Northern California, she studied to be a nurse before becoming an airline stewardess for United Airlines. In 1943, she joined the U.S. Army Air Corps (now the U.S. Air Force) as a flight nurse, where she rose to the rank of Captain. Captain Keil flew on 425 combat air evacuation missions in World War II and the Korean War. She helped load wounded soldiers onto airplanes and took part in 11 major campaigns, including the Battle of the Bulge in Normandy during World War II and the Inchon Invasion in Korea. She tended to about 10,000 soldiers while they were being flown to military hospitals. She endured hazardous conditions, sometimes sleeping on a keg of gunpowder or among medical supplies the planes were delivering to battlefields.

To a wounded soldier, Captain Keil represented hope and home. She won the hearts and touched the lives of countless service members and their families. Her life and service to our country serves as an inspiration to all Americans, particularly women serving in the U.S. military. Captain Keil was awarded 19 medals and ribbons, including: 4 Air Medals, 2 Presidential Unit Citations, 1 World War II Victory Medal, 4 battle stars in World War II, and 1 Korean Service Medal with seven battle stars. In 1954, the Hollywood movie "Flight Nurse," starring Joan Leslie and Forrest Tucker, was based, in part, on her experiences. She was the honorary grand marshal of the National World War II Memorial Dedication parade in Washington, DC.

Keil was honorably discharged from the military in 1955. Her family moved to Covina in 1958, and she continued working as a nurse in emergency rooms and hospitals. After serving her country, she became an active member of the Veterans of War 8620, the Amer-

ican Legion Post 790, and the Chosen Few Veterans Military Organization. Captain Keil died of cancer at the age of 88 in June of this year. As a longtime resident of Covina, Captain Keil was not just a brave and self-sacrificing veteran, but she was a loving wife, a mother and a friend to many who live in the 32nd Congressional District.

I urge all my colleagues to join me in recognizing this beloved military hero. This bill is a tribute to all those who have died for our country and their families. The bill symbolizes the gratitude and admiration we have for our Nation's soldiers, who risk their lives to uphold our way of life and the American ideals of liberty, justice, and equality.

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

Mr. WESTMORELAND. Mr. Speaker, I urge all Members to support the passage of H.R. 4053, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Georgia (Mr. WESTMORELAND) that the House suspend the rules and pass the bill, H.R. 4053.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FAIR ACCESS FOSTER CARE ACT OF 2005

Mr. HERGER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 1894) to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies.

The Clerk read as follows:

S. 1894

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Fair Access Foster Care Act of 2005".

SEC. 2. FOSTER CARE MAINTENANCE PAYMENTS TO PRIVATE FOR-PROFIT AGENCIES.

Section 472(b) of the Social Security Act (42 U.S.C. 672(b)) is amended by striking "nonprofit" each place it appears.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. HERGER) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

The Chair recognizes the gentleman from California (Mr. HERGER).

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

Mr. Speaker, I rise today in support of S. 1894, the Fair Access Foster Care Act of 2005. This legislation has recently passed the Senate by unanimous consent.

S. 1894 makes a technical change that will ease the administration of payments to families who assist foster children. It does so by permitting the transmission of foster care mainte-

nance payments through any agency that assists families caring for foster children in licensed settings. Current law prevents the transmission of these payments through private for-profit agencies.

As we have come to learn, public and private agencies that assist families who serve foster children play a pivotal role in promoting child safety and well-being.

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While we allow States the flexibility to determine what agencies can best serve children, current law creates administrative burdens that deter the transmission of Federal funds through private for-profit agencies. This legislation would rectify that inequity, ensuring that all public and private agencies that assist families caring for foster children are treated in the same way.

Mr. Speaker, S. 1894 is identical to bipartisan legislation introduced by the gentleman from Oklahoma (Mr. COLE), and I thank him for his work on this legislation. The legislation is supported by the American Public Human Services Association and the Child Welfare League of America. The Congressional Budget Office has informally estimated that the cost of this legislation would be insignificant.

Mr. Speaker, everyone agrees our Nation's children's welfare system is in need of improvement. Unfortunately, this change will only relieve one small facet of a much larger set of administrative burdens that today too often get in the way of ensuring child safety. This legislation is an important step in the right direction, and we must continue to pursue broader reforms in our Nation's child protection programs.

I thank all my colleagues on both sides of the aisle for their support of today's legislation. I urge all Members to support this bill.

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

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

Mr. Speaker, this bill, the Fair Access Foster Care Act, makes a minor technical change designed to broaden the agencies that can recruit and reimburse foster families to include private welfare agencies. The CBO, Congressional Budget Office, concludes that this modification would impact only "isolated cases" within the child welfare system. So it is not any big step forward.

In short, we should not give the American people the false impression that we are actually facing the urgent and unattended needs for countless vulnerable children in this country, because we simply are not. "Fair Access" in the title still will not bring any access for over half of the abused and neglected children in America today. Over half of America's most vulnerable children are not merely left behind, they are left out of access, and that simply is not fair.

Make no mistake, we know how to fix it. We could start by investing in prevention, providing sufficient resources for States to work with families to prevent child abuse and neglect. We could start by investing in the people on the front lines; we would do something about the fact that the average tenure of a caseworker in the foster care system is less than 2 years.

We could start by investing in families. We could remove the obstacles in current law that prevent foster children from receiving Federal help if they are in the care of a relative because their parents' home is not safe.

We could start by investing in compassion. Thousands of children are among the victims of Hurricane Katrina, but we ignore pleas for help in spite of what we know to be true. Study after study shows that child abuse and neglect rises in the months immediately after natural disasters, particularly hurricanes; that is happening today in Louisiana. But Republicans and the administration pretend to be deaf and blind to the truth.

Mr. Speaker, I have a letter dated September 22, 2005, from the State of Louisiana. In it the State's Child Welfare Director asks the Bush administration for the same assistance that New York City received after 9/11, to meet the needs of abused and neglected children. And that is not all. The Governor of Louisiana has asked us to help them keep foster children in safe and stable settings and provide services like mental health treatment to counteract the trauma these children endured. Louisiana's leaders asked the administration to partner with them to prevent child abuse and to keep children and their families safely together.

Who can forget the President going down to Louisiana and saying, We will do everything we can to help the people affected by this disaster? Louisiana has asked us to be an extended family in a time of need, Americans helping Americans. But 6 weeks later, the Governor is still waiting for an answer to that letter.

Children remain vulnerable, without fair access, in fact, without any access. As bad as this is, the Republican leaders want their Members to make things even worse. Sometime soon, in fact, the notice on my BlackBerry says on Thursday, the House will consider what is known as the Budget Reconciliation Act. As it stands now, Republican leaders intend to cut resources dedicated to children in foster care.

Cut, let me say it again so the Members can remember it: Cut the resources for children. They intend to reduce the number of children in low-income families eligible for Federal foster care. They intend to reduce the reimbursement for the oversight of foster care for children who live with relatives. And the Republican leaders intend to cut case management and rehabilitative services provided to foster children through the Medicaid program. If they get their way, Republican

leaders will take away hundreds of millions of dollars in services for abused and neglected kids and give it away in tax cuts for the rich.

Fair access is a false hope under this Republican leadership. They would like to zero out the problem as if all these kids who need us will simply vanish.

I am not going to let that happen. Not today, not tomorrow, not the day when the so-called budget reconciliation bill comes to the floor. It is a kid-buster bill, and America is better than that. Ask anyone in Louisiana. Ask anyone in America. It is time to fund some compassion. It is time to care for Americans. Americans, not Iraqis, not Afghans, not anybody else, Americans who need us to help them.

We are making a technical correction today that will benefit a few kids, but Republican leaders need to make a titanic correction in reconciliation or we will all go down with the ship of state. A majority party that is deaf and blind to meeting the needs of our most vulnerable children is a party that has been in power too long.

Mr. Speaker, not even the very rich would fault you and us for putting the children first. Do it while they still have a future we can save.

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

The material previously referred to is as follows:

DEPARTMENT OF SOCIAL SERVICES,
OFFICE OF COMMUNITY SERVICES,
Baton Rouge, Louisiana, September 22, 2005.
Re addressing Hurricane Katrina's impact on
Louisiana Child Welfare Services.

AMY GRISSOM, LMSW,
Program Specialist, Admin. for Children and
Families, Dallas, Texas.

DEAR MS. GRISSOM: the purpose of this letter is to outline requests for waivers of certain activities and for budgetary assistance in the wake of Hurricane Katrina. As you are aware, the catastrophic effect of Hurricane Katrina has dramatically impacted the activities the Louisiana Department of Social Services, and diminished the extent to which the Office of Community Services can implement pre-Katrina initiatives. Coupled with these effects, the state is experiencing significant changes in the public role expected of the Office for the foreseeable future as Louisiana continues its recovery and support of impacted families, children, and communities.

We note that ACF Information Memorandum ACYF-CB-IM-05-06 provides for notice to states of flexibility in regards to title IV-E funds that can assist and protect/support hurricane victims. We seek meaningful ways now to operationalize that offer of provision of flexibility through these requests. The following requests are proposed after considerable thought and assessment of the changing impact of Hurricane Katrina on Louisiana statewide, for Louisiana clients and providers, and on the Office of Community Services. The requests are grouped under two broad categories: Procedural Waivers and Requests and Budgetary Requests.

The requests are as follows:

PROCEDURAL WAIVERS AND REQUESTS
TITLE IV E CLAIMS FOR FOSTER HOME CARE LICENSING STATUS. LICENSED CHILD CARE INSTITUTIONS (RESIDENTIAL FACILITIES AND DAY CARE PROGRAMS)

1. As foster homes, residential care institutions, and child-care institutions are due for

relicensing, we propose to grant provisional status for up to one year provided there is documentation that the licensure record contains no concerns about the home in the previous year period. We also ask to provisionally license these providers in foster families/child care institutions who may have been temporarily displaced to another state.

Rationale: This will ease the requirements for families being re-licensed. Louisiana Office of Community Services is asking to make claims through Title IV E for such cases, for a one-year period. We want the ability to make claims for full federal participation for such activities for one year with provisionally licensed homes and facilities.

2. For new applicant homes, we propose to grant provisional licenses to new homes for the next four months that are in the process of being studied. This would preclude the need to have the health department and fire inspections since those are currently backlogged in many parts of the state.

Rationale: We propose this in order to expedite an increase of available new foster home providers to assist with the care of children coming into state custody as a result of the Hurricane.

3. We propose to grant provisional licenses to displaced foster families and provide maintenance payments, medical cards, etc., for foster children in those households as needed.

Rationale: We want to be able to quickly provisionally license displaced families so that they can provide foster care services.

Child and Family Services Plan and Program Improvement Plan

We request that the Program Improvement Plan be suspended for a period of 12 months from September 1, 2005 until August 31, 2006, without potential financial penalties. We seek relief for a one-year period from PIP reporting and related activities except those that interface with the PIP and that the Office undertakes relative to Hurricane Katrina relief efforts. If granted, we propose to renew PIP implementation on June 1, 2006 with the report interval to resume 45 days after August 31, 2006 (approximately on October 15, 2006). Restarting the PIP after the year period may require a renegotiation of the PIP (or at least a realignment or revision of much of the PIP content) before beginning and we propose that approach as well.

Rationale: There has been a dramatic data base shift that has and is occurring for Louisiana families, reporting regions, and children in care. For instance, the largest metropolitan area has been severely impacted and is now and for the next year period (at least) likely to be the smallest region of the state. Further, our Office is now impacted by the new demands for different services for the population and provider base to help implement services. The service capacity in the Orleans Region, which previously was the largest metropolitan area, is changed dramatically.

2. We propose that the 5-Year Child and Family Services Plan be suspended for one year through September 2006, without potential financial penalties. We seek relief from reporting on objectives for a one-year period.

Rationale: If granted, we propose to resume implementation on October 1, 2006 for year two initiatives, goals, objectives, and due dates. Essentially, year two of the 2005-2009 CFSP will functionally become year three of the CFSP.

Title IV E Program Improvement Plan

3. We propose that the previously negotiated time frames for the title IV-E Program Improvement Plan be extended for six

additional months, that the objectives presently due on November 8, 2005 would then be due on May 8, 2006. We further request that those time frame objectives due on February 8, 2006 would be due on August 8, 2006. This request would make the title IV-E PIP extended to an 18-month PIP rather than a 12 month PIP.

Rationale: The Office of Community Services task force work efforts to revise the residential licensing regulations have been suspended as state Licensing, the Office of Youth Development, and this Office now have staff attending to Hurricane Katrina issues, and much of the subsequent IV-E PIP outcomes are predicated on the completion of tasks due on November 8, 2005. The title IV-E PIP involved large participation and input from the Orleans area, this area is now uninhabited.

Judicial Review

4. We request presumptive title IV-E eligibility during the period of 72 hours prior to the evacuation through the time when evacuated courts in the impacted disaster areas resume normal functioning.

Rationale: The Department is seeking relief from these reviews for two reasons: the change in governmental role and expectation and the eliminated capacity to conduct reviews in the disaster impacted areas of Orleans and Jefferson Region. ACYF-CB-IM05-06 clearly acknowledges that areas "may not have court systems that are fully functioning." Courts such as those formerly functioning in Orleans and Jefferson Parishes have now been closed for five weeks, and cannot have retroactive "alternative procedures" for judicial determinations regarding contrary to the welfare and reasonable efforts. In the absence of either our staff or courts having access to case documentation, we may not even know for whom we need to obtain these judicial determinations, much less what the removal circumstances were, e.g., we have no way of knowing how many children were in care pending continued custody hearings.

5. We request a waiver of administrative review/case review requirements pursuant to ACYF-CB-IM-05-06

Rationale: This is provided for in the referenced memorandum.

BUDGETARY REQUESTS

The following listing contains issues related to recovery from Hurricane Katrina's impact on the State of Louisiana Department of Social Services, Office of Community Services to adequately operate as the public child welfare agency statewide.

1. Social Service Block Grant (SSBG) Funding—We are requesting a 35% increase in the present funding. This is requested in order to keep foster care placements stable.

Rationale: Needed to support foster and adoptive placements and residential treatment within as well as outside of the state. Entire communities in the severely affected areas of Louisiana (and neighboring states as well) will need extensive supports and services to stabilize and sustain adequate placement resources and to meet on a service continuum the needs of vulnerable children and families in the rebuilding period. Residential placements in Louisiana are currently funded by state and the SSBG, and not by title IX as is common in other states. Many of these supports will be directed at recruitment of additional foster home providers.

2. An additional federal funding allocation for clothing, personal items in the form of an special appropriated allocation for all foster children from Hurricane Katrina affected areas.

Rationale: Rationale is the same as above. Children and families in the displaced areas will need this as well.

3. Chafee Independent Family Living Program—we are requesting 35-40% increase in the allocation for the Chafee Program.

Rationale: A large number of the Independent Living programs were in the disaster impact areas and were pre-Katrina providing a large variety of independent living and young adult services as well as a large number of the provider base were located in New Orleans. Supervised apartments were destroyed or severely damaged as well as furnishings, clothing, and other critical items were lost. New supervised apartment housing will have to be developed and will cost more to the state.

4. Additional funding for foster care reunification services and supports through title IV-B, parts 1 and 2 is requested. This is requested for a two-year period. Further, the state is asking assistance in regards to the required match for these funds. There is no state funding appropriation for the additional matching funding. The state is asking for a federal waiver for the requirement for state matching participation for any increase in these funding sources for services.

Rationale: Children and their biological parents may be separated by significant distances for an extended or indefinite period of time. Pursuant to federal and state child welfare law, states will remain responsible for making reasonable efforts to reunify those children with their families so long as that is the case plan goal. It is noteworthy that approximately one third of the total foster homes in the state were in the Katrina impacted areas. Louisiana does not have a sufficient number of alternative placement resources to replace these children. Children taken into custody in other states will need to be returned to Louisiana and this will result in increased strain on the limited number of available foster homes. Special provisions for recruitment and licensure are sought.

It is anticipated also that as the weeks ensue that there will be increases in the number of child abuse reports resulting in a further increase in the need for foster care placement resources. Due to the devastation in three major regions of state foster care population; there will be few families in those areas who will be able to consider fostering or adopting children. This will impact the requirements the state will labor under for requirements for proximity of placement to parents. Additionally, part 2 of title IV-B provides for promoting safe and stable families. This too requires expansion to expand access to mental health assessment and placement assessment services for children and families and to increase support to foster parents through service providers such as family resource centers. Title IV-B, part 2, which has been so instrumental over the past decade of providing for services to prevent removal and provide assistance with reunification, must now be allowed to address for the next 12 months (at minimum) issues of posttraumatic stress in foster children, adjustment counseling for families, grief and loss counseling, social, mental health, and placement assessments, and to put in place services to address other Katrina mental health and crisis recovery impacts of the disaster effects on families and children involved in child welfare in the state.

5. Request for approval of random moment sampling procedures for cost allocation of administrative and other costs associated with service delivery. The state is requesting that we continue to use the June 30, 2005 random moment samples for the quarter ending September 30, 2005 and for the foreseeable future (at least one year) until statistics can be reasonably obtained from and for disaster areas.

Rationale: The state has no statistical capacity for random moment sampling for the

three storm impacted disaster regions. Random moment sampling cannot be conducted in these areas. Using the June 30, 2005 sample is our last pre-Katrina milepost for these statistics.

6. Request for special assistance from the Federal Emergency Management Agency (FEMA) to provide for FEMA related replacement costs for replacement of items of foster children that were lost in the storm. The state is asking for ACF assistance with FEMA to organize a quick and easy method for foster parents to submit and receive reimbursements or payments for the items of foster children that were lost during the storm and subsequent evacuation.

Rationale: These are costs that FEMA may be able to reimburse by special arrangement. An innovative foster parent special reimbursement "track" is envisioned to assist these families in any state they have relocated to due to evacuation from the disaster areas. Expedited reimbursement to lessen the recovery burden on foster children is the aim of this request.

We appreciate the opportunity to submit these requests to your office. We would welcome any questions or comments. A prompt reply would be appreciated.

Sincerely

MARKETA GARNER GAUTREAU,
Assistant Secretary.

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

I thank the gentleman from Washington for his support for this legislation. I appreciate the concern expressed across the aisle, but the concern is not valid. It is important that we accurately explain the policy included in the spending reform bill, what it will do.

This legislative fix would not alter Federal eligibility for foster care and adoptive assistance. Instead, it would ensure that every State uses the same eligibility criteria for receipt of Federal payments. Promoting child safety and well-being must remain the goal of these programs. And Federal law must be applied evenly in all States. We are doing just that with this policy fix.

Mr. Speaker, I yield 3 minutes to the gentleman from Oklahoma (Mr. COLE), who is the author of this legislation.

Mr. COLE of Oklahoma. Mr. Speaker, I rise today in support of S. 1894, the Fair Access Foster Care Act of 2005.

This legislation makes a technical change to current law, which will allow foster care maintenance payments to any public or private agency that assists families who care for foster children. This will allow for-profit agencies to operate on the same footing as all other such agencies, but States will continue to decide which agencies to use based on their best judgment about what is in the interest of the children and the families they serve.

The Fair Access Foster Care Act will ease the administrative costs to States that already elect to work with non-profit agencies, allowing the focus and the money to be concentrated on what really matters.

Speaking for my own State, in Oklahoma there are 15 agencies that provide therapeutic foster care. Five of these agencies operate under a for-profit business model.

Mr. Speaker, I will again note that this legislation does not require any State to contract with for-profit agencies. Individual State agencies charged with the oversight of custody children will continue to create their own rules for licensing child-placing agencies within the State. This legislation is identical to legislation I authored, H.R. 3008, so I am very grateful that this legislation was scheduled for consideration.

Mr. Speaker, I want to extend my gratitude to the gentleman from California (Chairman HERGER), the gentleman from Washington (Ranking Member McDERMOTT), and also to the staff of the Ways and Means Committee for guiding this bill through the legislative process.

And finally, Mr. Speaker, I want to extend my thanks to my friend, Dr. Laura Boyd of Norman, Oklahoma. Dr. Boyd and I belong to different parties and have even been on the opposite sides of each other in various campaigns over the years, but we have always had the ability to work together across the aisle when it counted.

Mr. Speaker, Dr. Boyd did a commendable job in raising awareness of this issue, and she was an effective proponent for this needed change in the law. She is a very big reason why we are at this point today.

I urge the Members to support the passage of this bill, S. 1894.

Mr. McDERMOTT. Mr. Speaker, I yield 3½ minutes to the gentlewoman from Houston, Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman for yielding me this time, and I remain very appreciative of his long-standing interest and support on these important issues dealing with children.

Let me thank the distinguished gentleman from Oklahoma (Mr. COLE) for his work on this issue and working, of course, as he has indicated, in a bipartisan way with his constituents back home.

I think it is important to note that those of us who are on this floor and our colleagues obviously have a great concern for our children. So this reporting of the truth about the calamity and the concern about the foster care system in America should not be taken personally. We should all be moving toward trying to improve the system. And I rise in support of the Fair Access Foster Care Act of 2005 simply because it is a procedural change that allows a broader response to the needs of our foster care children.

I happened to have worked in Houston with an outreach committee co-chaired by myself and former Congressman Mike Andrews, who used to be a member of the Ways and Means Committee; and we worked on recruitment of foster parents, providing foster parents with more resources. And this was a decade or so ago. Unfortunately, in 2005 we have the same concerns dealing with our foster care system. It is, in

fact, broken to a certain extent, and the Fair Access Foster Care Act of 2005 will at least provide the access to not-for-profits to be able to channel the care of foster children, therapeutic care, how important that is, counseling and psychologists and psychiatrists, to build these lives.

But we cannot, Mr. Speaker, deny the fact that more resources are not needed in recruitment, more resources are not needed to give foster parents relaxation, R&R, so that they can come back home to take care of these children. More resources are needed in keeping siblings together, and, of course, as my colleague from the great State of Washington said, more resources are needed to stand in the way of child abuse and neglect.

Might I cite for the Members an article that says “Record High Numbers of Children Reported in Foster Care.” This article reports the fact that these numbers are growing and growing and growing. Let me also say that we have seen over the course of 2 months one natural disaster after another: Hurricane Rita, Hurricane Katrina, Hurricane Wilma, and the terrible tornado in Kentucky and Indiana. In Hurricane Katrina alone, the statistics show that 35 percent of those impacted by Hurricane Katrina will be children.

One of the things that we fail to recite and repeat on the floor of the House, Mr. Speaker, 1,000-plus individuals died in Hurricane Katrina. Many of them are the parents of children now still living with relatives or children that are missing. And the very fact that we have ignored that dilemma shows that downstream we are going to be facing huge numbers of children needing foster care.

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In my own congressional district, we have thousands of Hurricane Katrina survivors. Many of the family members are there taking care of other people's children or their relative's children.

So the foster care concept or the structure of foster care unfortunately is a safety net for children who are without any supervision or not having their needs being taken care of because of the family dissolution and other problems. This is an important step to fix the problem to add more people into the system, but this does not, Mr. Speaker, answer the total question of building a foster care system to aid those who suffer from neglect and helping out children in these terrible times.

Mr. Speaker, I speak today in support of S. 1894, the Fair Access Foster Care Act of 2005. Therapeutic foster care is foster care for children with special medical, psychological, emotional, and social needs. These children need comprehensive support and attention, requiring a great deal of commitment and sacrifice from foster care parents. Prior to the placement of a child, a potential therapeutic foster care parent must complete a certification process that involves a background check, a training program, and at least two homestudies.

Generally therapeutic foster care children are not permitted to attend daycare and require “line of sight” supervision. That is, therapeutic foster care children must be in view of the foster parents at all times, except when attending school and other approved activities.

Recruiting parents to provide therapeutic foster care is a never-ending job. There are always children waiting for a match to be found. Therapeutic foster care children stay in crisis shelters for the transition period, adding a great deal of stress to their lives.

Since 1992, IV-E funds from Department of Health and Human Services (HHS) have gone to partially fund both for-profit and nonprofit therapeutic foster care providers.

The problem we are facing is that recently, the Oklahoma Department of Human Services (DHS) realized that due to a technicality, for-profit agencies are not eligible to receive IV-E funds from HHS. In addition, other states have come to similar realizations and made arrangements to avoid noncompliance. Unfortunately, some states are not even aware of this discrimination. S. 1894 amends the United States code to allow all therapeutic foster care agencies to receive maintenance payments from the United States Department of Health and Human Services.

The Congressional Budget Office has indicated that any costs associated with this legislation would be insignificant. S. 1894 would amend the United States code to allow all therapeutic foster care agencies to receive maintenance payments from the United States Department of Health and Human Services. The Congressional Budget Office has indicated that any costs associated with this legislation would be insignificant.

In closing, there are over 500,000 children in foster care today. A large number of these children require therapeutic care. The business model of for-profit agencies should not prohibit Title IV-E maintenance cost reimbursement. Now is not the time to prevent highly qualified agencies from placing these children in safe homes.

Mr. McDERMOTT. Mr. Speaker, I yield 6 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. Mr. Speaker, this bill provides very limited administrative flexibility, essentially just legalizing what a handful of States are already doing with foster care. But this tiny finger of flexibility given with one hand is taken away with both hands from the same abused and neglected children in the companion legislation that this same group of Republican leaders has so enthusiastically endorsed in our committee and which it plans to foist off on the American people this week.

So extreme is the Republican demand for tax breaks and more tax breaks and more tax breaks for those at the top of the economic ladder and the multinational corporations that will not pay their fair share of the tax burden that Republicans have demanded that the same abused and neglected children that they say they would help today, would be the ones to pay the tab for these tax cuts.

Those across America who realize that we need to be doing more for children who are physically or sexually

abused by a parent, or merely abandoned without food or support by a parent who is caught up in a drug habit, need to know that those kids need more help. They need to know that the companion legislation the Ways and Means Committee has approved for consideration in the full House this week would deny those children almost \$600 million of federal support.

Most of this is taken from battered, abused, and neglected children who found a new home with a loving family member. Think about it: a grandparent who realizes their child has gone astray and they take their abused, neglected grandchild back into their family to try to give them a chance.

The only federal court, an appellate court, that has interpreted our existing federal foster care law in the case, *Rosales v. Thompson*, issued a decision that is so clear that the Bush administration chose not to appeal it to the United States Supreme Court. However, the Bush administration has said it will not apply the court's decision to the law in this country outside a number of Western States. Under the court's ruling, abused, neglected, and battered children who seek the safety and stability of a home with grandparents, or other relatives who are not formally licensed as foster caregivers are eligible to receive, quite wisely, federal foster care assistance.

The Republicans are now saying we should deny funding to these grandparents and other relatives that care. They would tear apart tens of thousands of families and disregard the very purpose of the Adoption and Safe Families Act, a Federal law that directs a preference be given to placements with relatives.

For some reason, after endless speeches proclaiming a concern for "family values," the only families that count are those that are sitting up at the top of the economic ladder, while the families that have taken in an abused and neglected child are left behind. This companion bill is the so-called "reconciliation" which really ought to be spelled W-R-E-C-K, "wreck," because it is a wreck for these tens of thousands of loving and caring families. It is speeding through this Congress and speaking volumes about how much "family values" really count up here.

To say that the Republicans would literally take food from the mouths of babes to fund tax breaks for the rich might sound like partisan rhetoric, but if you watch this Congress this week, that is exactly what you will see.

This very year, President Bush's Office of Management and Budget rated the federal child support program among the highest and most efficient programs in the Federal Government; and yet, in the same bill in which they plan to take away about \$600 million from families caring for abused and neglected children, they plan to deny federal support for child support enforcement, as amazing as that might seem.

There has been a 75 percent increase in child support collections from deadbeat dads since fiscal year 1996, adding up to \$21.2 billion, a big figure, but it translates, just like these monies for the foster families, into hundreds of thousands of small amounts that put food on the table and allow kids to have the clothes to go to school.

Apparently, the folks that are running this place, the Administration and the House of Representatives do not know what it is like to be a single mom out there trying to get kids through school or to be a single grandmother having to start a second family to care for a grandchild while trying to keep them out of trouble and struggling to put food on the table. A few hundred dollars a month—whether it is from a deadbeat dad or through this foster care program for abused and neglected families—can make a big difference. That little bit of money makes the difference between a child who has a future and a child who ends up just like the abused and neglected parent that placed them in this horrible situation.

And, in the same bill that is a companion to this, House Republicans go even farther than cutting off support for programs that address deadbeat dads and abused and neglected children, they also cut child care funding to the tune of about \$500 billion. Those funds are cut from those who are struggling to get off welfare and will result in 270,000 fewer children of poor working families being able to get access to child care in the next 5 years.

This Republican reduction in our federal investment in children will cost us millions and billions of dollars in the long run, but, most importantly, it will deny too many children in this country the opportunity to achieve their full, God-given potential. It is wrong. And while this minor piece of uncontested legislation ought to be approved today, we need to reject this attempt by extremists in this Congress to place all the burden of their fiscal mismanagement on the most vulnerable people in our society.

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

Mr. Speaker, the gentleman from California (Mr. HERGER) brought out a harmless little bill here today, and some may wonder why we have taken so much time to whale away on the Budget Reconciliation Act which is coming down the road.

The fact is that this issue of child welfare is an issue that we have absolutely neglected in this House, and we are talking about the whole issue of child care.

This one little bill here has the title, which is the part that offends me: "Fair Access to Foster Care Act." Well, advertising like that would be out of order, because that is misrepresenting what this is about. This is a technical corrections bill. But the Republicans want to come out here, and everything is a PR piece: "Fair Access

to Foster Care." You do not intend to give to anyone. You are not giving it in this bill. You are not going to give it on Thursday in the reconciliation bill. There is simply no concern about foster children in this Republican leadership.

When they send people like the gentleman from California (Mr. HERGER), a good, solid citizen, out here to defend this as "fair access to foster care," people will say, well, I voted for the Fair Access to Foster Care bill, as though voting for a title meant something.

Mr. Speaker, this administration is 6 weeks without picking up a pen and signing a letter to help the kids in Louisiana. That is a President who is leaving people behind. That is a Congress who is leaving children behind. You are not going to get away from it with the Fair Access to Foster Care Act.

I urge all of my colleagues to vote for this bill. We will continue this discussion on Thursday when we have the Budget Reconciliation Act.

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

Mr. HERGER. Mr. Speaker, I appreciate the comments on the other side of the aisle. However, almost none of what was just discussed has anything to do with what is on the floor today. The bill before us is a good one and one every Member should support. Members will soon have a chance to support needed spending reforms to reduce deficits and help balance the budget. That should be a goal for all of us.

But what we hear today from the other side of the aisle is what we always hear: one, "no" on any savings in Federal programs; and, two, "no" on commonsense reforms; but, three, "yes" on raising taxes on the American people. Unfortunately, it is just the same old liberal wine in the same old bottles.

Mr. Speaker, the legislation before us today is an important step towards improving our Nation's child protection programs. It would ensure that all public and private agencies that assist families who care for foster children are treated in the same manner. It is good legislation and would help States focus their efforts on promoting child safety and well-being.

I would like to again thank my colleagues for their work in this area, and I urge all Members to support this legislation.

GENERAL LEAVE

Mr. HERGER. 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 subject of the bill now under consideration.

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

There was no objection.

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

The SPEAKER pro tempore. The question is on the motion offered by

the gentleman from California (Mr. HERGER) that the House suspend the rules and pass the Senate bill, S. 1894.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. HERGER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

GENERAL LEAVE

Mr. KNOLLENBERG. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the motion to instruct on H.R. 3058.

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

There was no objection.

MOTION TO GO TO CONFERENCE ON H.R. 3058, TRANSPORTATION, TREASURY, HOUSING AND URBAN DEVELOPMENT, THE JUDICIARY, THE DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS ACT, 2006

Mr. KNOLLENBERG. Mr. Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 3058) making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. KNOLLENBERG).

The motion was agreed to.

MOTION TO INSTRUCT OFFERED BY MR. OLVER

Mr. OLVER. Mr. Speaker, I offer a motion to instruct conferees.

The Clerk read as follows:

Mr. Olver moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill, H.R. 3058, be instructed to recede to the Senate levels for the National Railroad Passenger Corporation and the revitalization of severely distressed public housing (HOPE VI) and recede to the Senate on Section 722 of the Senate amendment.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Massachusetts (Mr. OLVER) and the gentleman from Michi-

gan (Mr. KNOLLENBERG) each will control 30 minutes.

The Chair recognizes the gentleman from Massachusetts (Mr. OLVER).

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

Mr. Speaker, we are approaching the end of what has been a long and complicated process.

□ 1215

As we all know, the Treasury, Transportation, HUD and other agencies, commonly known as the THUD bill, has many moving parts; and while there are many issues to be addressed in the conference, I want to highlight a few today to refresh our memory.

The motion to instruct is fairly straightforward and simple. It addresses three items that deserve the body's attention. The first is funding to ensure that the National Railroad Passenger Corporation, commonly known as Amtrak, maintains its current level of service. It is funded in both bills; however, the House bill provides \$1.18 billion and the Senate bill provides \$1.4 billion. As you can see, it is intent of both houses of this Congress to fund Amtrak, and my motion to instruct conferees insists on sufficient funding to ensure that Amtrak can continue to provide service, make capital improvements and pay its debt.

The second item deals with the micropurchase cap. The second Katrina supplemental budget included an administration proposal to increase the micropurchase threshold from \$15,000 to \$250,000. This means that authorized holders of government credit cards can now charge items that cost up to a quarter of a million dollars. This is far beyond the purpose of the government card program and invites the possibility for fraud and abuse. The Senate's version of H.R. 3058, the Senate's amendment to H.R. 3058, included a provision that repeals the increase to the micropurchase threshold. My motion to instruct insists on the Senate provision that repeals the unnecessary and excessive increase to the micropurchase threshold.

And the final issue, Mr. Speaker, deals with HOPE VI. The House bill funded the program at \$60 million as a result of an amendment passed on the floor. The Senate funded this important program at \$150 million. The fiscal year 2005 level for this program was \$142 million.

The HOPE VI program is vital to the rehabilitation of urban areas. And once again, Congress has shown its intent to support this important program, and my motion insists on its being funded at the higher level.

Again, Mr. Speaker, this is a simple motion that instructs the conferees to support the highest possible funding level to ensure Amtrak can maintain the current level of service; to recede to the Senate level for HOPE VI; and to recede to the Senate language in order to repeal the micropurchase cap increase that had been adopted in the

second Hurricane Katrina supplemental budget earlier this fall.

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

Mr. KNOLLENBERG. Mr. Speaker, I yield myself such time as I might consume.

I thank my colleague from Massachusetts for his commitment to the programs in this bill and for his partnership in what has been a most interesting journey to bring this bill to a conference.

This bill is a huge compilation of government operations, public service programs and critical national infrastructure. Like other appropriations bills, our allocation and commitment to fiscal responsibility makes funding these programs a challenge. Our task was to fund well-run, effective programs to the greatest extent that we could and encourage reform in others. Two of the motions, Amtrak and HOPE VI, fall into the latter category.

Starting first with Amtrak, this is a railroad in desperate need of reform. This year alone Amtrak will carry over \$120 million in funds that were provided to them by the Congress in fiscal year 2005 but not used. The DOT Inspector General, an official respected on both sides of the aisle, has informed us that \$1.275 billion is sufficient for Amtrak to continue operating its existing route structure without reductions in frequency, and to dedicate sufficient resources to continue the effort to bring Amtrak-owned infrastructure to a state of good repair. Also included in this figure is \$278 million to meet Amtrak's debt service obligations on its nearly \$4 billion in outstanding loans.

HOPE VI is a program that is just that for many people, hope that the grant to create new public housing will actually be spent in their neighborhoods. Currently, over \$2.8 billion in HOPE VI grants has not been spent. Only 37 of the 224 communities have actually seen the finished product.

For those 37 communities, HOPE VI is a terrific program, and I was a supporter of HOPE VI for that reason, because there are some good examples. However, HOPE VI is not working for the other 187.

Here is another program in desperate need of reform, and I am hopeful for that in the coming year, with whatever level of funding is provided for the program. The authorizing committees of jurisdiction will look for ways to make this program more effective.

Section 722 of the Senate bill deals with micropurchases. I believe the administration has already acted on this issue, and we are supportive of the Senate's provisions.

In the end, we recognize the challenges of reform and have not abandoned our commitment to fund good programs. We will do our best under this allocation that we have to meet to fund the priority programs, including HOPE VI and Amtrak. Again, I thank the gentleman from Massachusetts and