

Barrett (SC) Etheridge  
 Barrow Everett  
 Bartlett (MD) Fallin  
 Barton (TX) Farr  
 Bean Fattah  
 Becerra Feeney  
 Berkley Filner  
 Berman Forbes  
 Berry Fortenberry  
 Biggert Foxen  
 Bilbray Frank (MA)  
 Bilirakis Franks (AZ)  
 Bishop (GA) Frelinghuysen  
 Bishop (NY) Gallegly  
 Bishop (UT) Garrett (NJ)  
 Blackburn Gerlach  
 Blumenauer Giffords  
 Blunt Gilchrest  
 Boehner Gillibrand  
 Bonner Gingrey  
 Bono Gonzalez  
 Boozman Goode  
 Boren Goodlatte  
 Boswell Gordon  
 Boucher Granger  
 Boustany Graves  
 Boyd (FL) Green, Al  
 Boyda (KS) Green, Gene  
 Brady (TX) Grijalva  
 Braley (IA) Gutierrez  
 Brown (SC) Hall (NY)  
 Brown, Corrine Hall (TX)  
 Brown-Waite, Hare  
 Ginny Harman  
 Buchanan Hastert  
 Burgess Hastings (FL)  
 Burton (IN) Hastings (WA)  
 Calvert Hayes  
 Camp (MI) Heller  
 Cannon Hensarling  
 Cantor Herger  
 Capito Herseth Sandlin  
 Capps Higgins  
 Capuano Hill  
 Cardoza Hinchey  
 Carnahan Hinojosa  
 Carney Hirono  
 Carter Hobson  
 Castle Hodes  
 Castor Hoekstra  
 Chabot Holden  
 Clarke Holt  
 Clay Honda  
 Cleaver Hooley  
 Clyburn Hoyer  
 Coble Hulshof  
 Cohen Hunter  
 Cole (OK) Inglis (SC)  
 Conyers Inslee  
 Cooper Israel  
 Costa Issa  
 Costello Jackson (IL)  
 Courtney Jackson-Lee  
 Cramer (TX)  
 Crenshaw Jefferson  
 Crowley Johnson (GA)  
 Cuellar Johnson (IL)  
 Culberson Johnson, E. B.  
 Cummings Jones (NC)  
 Davis (AL) Jones (OH)  
 Davis (CA) Jordan  
 Davis (IL) Kagen  
 Davis (KY) Kanjorski  
 Davis, David Kaptur  
 Davis, Lincoln Keller  
 Davis, Tom Kennedy  
 DeFazio Kildee  
 DeGette Kilpatrick  
 Delahunt Kind  
 DeLauro King (IA)  
 Dent King (NY)  
 Diaz-Balart, L. Kingston  
 Diaz-Balart, M. Kirk  
 Dicks Klein (FL)  
 Dingell Kline (MN)  
 Doggett Knollenberg  
 Donnelly Kucinich  
 Doyle Kuhl (NY)  
 Drake Lamborn  
 Dreier Lampson  
 Duncan Langevin  
 Edwards Lantos  
 Ehlers Larsen (WA)  
 Ellsworth Larson (CT)  
 Emanuel Latham  
 Emerson LaTourette  
 Engel Lee  
 English (PA) Levin  
 Eshoo Lewis (CA)

Lewis (GA)  
 Lewis (KY)  
 Linder  
 Lipinski  
 LoBiondo  
 Loeb sack  
 Lofgren, Zoe  
 Lowey  
 Lucas  
 Lungren, Daniel  
 E.  
 Lynch  
 Mack  
 Mahoney (FL)  
 Maloney (NY)  
 Manzullo  
 Marchant  
 Markey  
 Matheson  
 Matsui  
 McCarthy (CA)  
 McCarthy (NY)  
 McCaul (TX)  
 McCollum (MN)  
 McCotter  
 McCreery  
 McDermott  
 McGovern  
 McHugh  
 McIntyre  
 McKeon  
 McMorris  
 Rodgers  
 McNeerney  
 Meek (FL)  
 Meeks (NY)  
 Melancon  
 Mica  
 Michaud  
 Miller (FL)  
 Miller (MI)  
 Miller (NC)  
 Miller, Gary  
 Miller, George  
 Mitchell  
 Mollohan  
 Moore (KS)  
 Moore (WI)  
 Moran (KS)  
 Moran (VA)  
 Murphy (CT)  
 Murphy, Patrick  
 Murphy, Tim  
 Murtha  
 Musgrave  
 Myrick  
 Nadler  
 Napolitano  
 Neal (MA)  
 Neugebauer  
 Nunes  
 Obey  
 Oliver  
 Ortiz  
 Pallone  
 Pascarell  
 Pearce  
 Pence  
 Perlmuter  
 Peterson (MN)  
 Peterson (PA)  
 Petri  
 Pickering  
 Pitts  
 Platts  
 Poe  
 Pomeroy  
 Porter  
 Price (GA)  
 Price (NC)  
 Putnam  
 Radanovich  
 Rahall  
 Ramstad  
 Rangel  
 Regula  
 Rehberg  
 Reichert  
 Renzi  
 Reyes  
 Reynolds  
 Richardson  
 Rodriguez  
 Rogers (AL)  
 Rogers (KY)  
 Rogers (MI)  
 Rohrabacher  
 Ros-Lehtinen  
 Roskam

Ross  
 Rothman  
 Roybal-Allard  
 Royce  
 Ruppersberger  
 Rush  
 Ryan (OH)  
 Ryan (WI)  
 Salazar  
 Sali  
 Sanchez, Linda  
 T.  
 Sanchez, Loretta  
 Sarbanes  
 Saxton  
 Schakowsky  
 Schiff  
 Schmidt  
 Schwartz  
 Scott (GA)  
 Scott (VA)  
 Sensenbrenner  
 Serrano  
 Sessions  
 Sestak  
 Shadegg  
 Shays  
 Shea-Porter  
 Sherman  
 Shimkus  
 Shuler  
 Shuster

Simpson  
 Sires  
 Skelton  
 Slaughte  
 Smith (NE)  
 Smith (NJ)  
 Smith (TX)  
 Smith (WA)  
 Snyder  
 Solis  
 Souder  
 Space  
 Spratt  
 Stark  
 Stearns  
 Stupak  
 Sullivan  
 Sutton  
 Tanner  
 Tauscher  
 Taylor  
 Terry  
 Thompson (CA)  
 Thompson (MS)  
 Thornberry  
 Tiahrt  
 Tiberi  
 Tierney  
 Towns  
 Tsongas  
 Turner  
 Udall (CO)

Udall (NM)  
 Upton  
 Van Hollen  
 Velázquez  
 Visclosky  
 Walberg  
 Walden (OR)  
 Walsh (NY)  
 Walz (MN)  
 Wamp  
 Wasserman  
 Schultz  
 Waters  
 Watson  
 Watt  
 Waxman  
 Weiner  
 Welch (VT)  
 Weldon (FL)  
 Weller  
 Wexler  
 Whitfield  
 Wicker  
 Wilson (NM)  
 Wilson (OH)  
 Wilson (SC)  
 Wolf  
 Woolsey  
 Wu  
 Wynn  
 Young (AK)  
 Young (FL)

## NAYS—8

Broun (GA)  
 Campbell (CA)  
 Conaway

Deal (GA)  
 Doolittle  
 Flake

Gohmert  
 McHenry

## NOT VOTING—22

Brady (PA)  
 Butterfield  
 Buyer  
 Carson  
 Chandler  
 Cubin  
 Ellison  
 Ferguson

Fossella  
 Jindal  
 Johnson, Sam  
 LaHood  
 Marshall  
 McNulty  
 Oberstar  
 Pastor

Paul  
 Payne  
 Pryce (OH)  
 Tancred  
 Westmoreland  
 Yarmuth

## ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1833

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

The title was amended so as to read: "A bill to establish a National Commission on Children and Disasters, and for other purposes."

A motion to reconsider was laid on the table.

## APPOINTMENT OF CONFEREES ON H.R. 1429, IMPROVING HEAD START ACT OF 2007

Mr. GEORGE MILLER of California. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 1429) to reauthorize the Head Start Act, to improve program quality, to expand access, 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. Is there objection to the request of the gentleman from California?

There was no objection.

## MOTION TO INSTRUCT OFFERED BY MR. CASTLE

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

The Clerk read as follows:

Mr. Castle 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 House bill (H.R. 1429) be instructed—

(1) to insist on subsection (b) of section 653 of the Head Start Act as added by section 21 of the House bill, restricting the use of Federal funds to pay the salary of any Head Start employee at a rate in excess of level II of the Executive Schedule;

(2) to disagree to subsection (b) of section 653 of the Head Start Act as added by section 22 of the Senate amendment, relating to wages and compensation for individuals employed by a Head Start agency compensated at a rate in excess of level II of the Executive Schedule; and

(3) insist that the differences between the two Houses on wages and compensation of Head Start employees be open to discussion at any meeting of the conference and, that all meetings thereon be conducted under circumstances in which every manager on the part of the House has notice of the meeting and a reasonable opportunity to attend, pursuant to House Rule XXII, clause 12.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Delaware (Mr. CASTLE) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CASTLE. Mr. Speaker, at this time I yield to the distinguished ranking member of the full Education and Labor Committee from the State of California (Mr. McKEON) for such time as he may consume.

Mr. McKEON. I thank the gentleman for yielding.

Mr. Speaker, since 1965, the Head Start program has provided comprehensive health, developmental and educational services to disadvantaged, 4- and 5-year-olds. Head Start involves parents and communities in helping to prepare needy children to succeed in school and beyond.

Because this program served such an important purpose, the notion that it could be abused to enrich the lifestyles of individuals rather than the lives of children is particularly shocking to the conscience. It's hard to imagine that any individual would seek to divert precious resources away from disadvantaged children in order to finance lavish cars, homes and travel; yet that's exactly what has happened.

I would like to share two examples of these reported abuses which began coming to light almost 5 years ago. The head of a large organization of child care centers that operates Head Start programs in Ohio received pay that amounted to about a quarter of the public money that the centers receive each year. She owned a house in Aurora and another in Arizona. A Mercedes Benz and a Hummer were registered in the name of her centers. A portion of her salary came from Federal Head Start funds.

The executive in charge of the Kansas City Head Start operation was revealed to have been earning a salary in excess of \$300,000 annually and driving

a Mercedes luxury sport utility vehicle leased, in part, with Federal Head Start funds meant for disadvantaged children.

The executive resigned after questions were raised about his salary, which totaled more than \$814,000 in fiscal years 2000, 2001 and 2002. The Improving Head Start Act takes steps to clamp down on financial abuses. Included in the bill is a reform Republicans have championed since these financial abuses were revealed; establishment of a cap on the amount Head Start executives can earn.

We believe the compensation paid to a Head Start program director should be no higher than that paid to an assistant secretary at a Federal agency. Put another way, we do not believe local Head Start executives should be paid more than the Federal official confirmed by the Senate to oversee the entire program. The average Head Start teacher earns approximately \$25,000 annually.

The Head Start program can serve a disadvantaged child for just a few thousand dollars per year. Allowing these programs to divert resources from children and teachers in order to inflate the salaries of top executives is unconscionable.

Head Start is a program intended to help disadvantaged children prepare for school. The House has already voted to protect Head Start children and teachers by explicitly prohibiting salaries in excess of that earned by Federal agencies' assistant secretaries.

I urge my colleagues to join me in voting "yes" on this motion to instruct conferees to maintain this common-sense proposal.

Mr. CASTLE. Mr. Speaker, I reserve the balance of our time.

Mr. GEORGE MILLER of California. Mr. Speaker, I yield myself such time as I might consume.

I want to begin by thanking Mr. KILDEE, Mr. McKEON and Mr. CASTLE and all of the members of the Education and Labor Committee for their hard work on this legislation, for all of their input and their suggestions.

Mr. Speaker, this bill has been a very long time coming. It has been coming to the floor of this House since 2003, and we have an opportunity tonight to begin the final part of that process, which is to go to conference on this legislation. This is an important piece of legislation, and this is an important program. In fact, it's this Nation's premier program with respect to the early education and the development of our children in this country, and it has been for more than 40 years. It has served more than 20 million children and their families in that time.

Head Start has remained during that time, and continues to remain today, as the cornerstone of this country's efforts to close the achievement gap, to combat poverty, to provide all of its citizens with an opportunity to thrive and to get parents more involved in the education of their children and to show

them ways in which they can help in the development and the educational skills necessary for their children.

Head Start's design has always been a science-based program, and this reauthorization builds on the strong foundation by, again, turning to the best science to renew and improve the Head Start program. Both Head Start and Early Head Start programs prepare our country's most disadvantaged children to succeed in school and in life by addressing the needs of the whole child by providing services such as health and nutrition, in addition to the educational curriculum, because Head Start knows and discovered, and based upon fact, that the health and the nutritional well-being of these children determines the outcomes in the schools that they attend and the programs that they attend and in their participation.

Recent findings from the congressionally mandated impact study found that in less than a school year, Head Start narrowed the achievement gap by 45 percent in the prereading skills and by 28 percent in prewriting skills of the children that attended the program.

Head Start also works closely with parents, as I pointed out, empowering them to understand what their involvement can mean to the success of their child and to the long-term educational outcomes of that child. This reauthorization will help more children arrive in kindergarten ready to succeed by improving program quality and expanding the access to more children. We will improve teacher and classroom quality by strengthening the Head Start standards and supporting the best practices in the classroom.

We will end the inappropriate testing of 4-year-olds that has been undertaken by the administration in 2003 over the objections of hundreds of experts in child development and early education and over the bipartisan objection of many Members of Congress.

We will better target available funds to the underserved communities and prioritize the expansion of early Head Start so that more of our Nation's youngest children, will receive this program during the years when their brains are growing the fastest. We will strengthen program accountability at the Federal, regional, and local levels due to the changes made by the members of this committee and the operations of this program to assure that taxpayer dollars are being used wisely. In fact, in the example that was cited by Mr. McKEON, the senior Republican in the committee, is an example that was dealt with a number of years ago, hopefully by the administration but also in this legislation. Amendments that were offered in earlier iterations of this legislation are reoffered again as part of this bill as introduced by Mr. KILDEE.

We have, I think, been very diligent in looking after that effort. I would hope that the administration, who has full authority on the oversight of the use of these funds, I wish they had been more diligent at that time.

As the GAO found, they failed in their oversight responsibility of the disbursements of this fund. But that is the past. We are assuming that the administration takes the wise use of these funds, the proper use of these funds very seriously, and that they pursue those who choose to do otherwise with these funds. Head Start dollars are very precious in the budget of this Nation. They are very precious to the families of these children, to these children and to those who dedicated their lives to the educational improvement, to the healthy child development of each and every one of these children. We are not to be frivolous with those dollars.

The minority has offered a motion to instruct. We agree with that motion. We think if there are differences, those differences are very narrow. They will be discussed; they will be voted upon in the conference committee, and that is our intent. We think that is consistent with the wording of the motion to instruct. When the proper time comes, we will urge Members to support that legislation.

Given the scarcity of these dollars, the importance of these dollars and the effectiveness of these dollars, we have no alternative but to be very tough on the accountability sections for this program. This is a trust not only of the children in the care of the Head Start program for the children of this Nation, it is a trust, too, for the taxpayer dollars, because this is a program that we have seen now over these 40 years has continued to receive bipartisan support, not only in the Congress but from every President of the United States. That's why this legislation is so important.

Hopefully, with this conference committee, we will be able to report back to the House and to the Senate legislation that can be sent to the President's desk hopefully in the next week or 10 days. That is our goal, and I thank the gentleman for his motion to instruct.

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

□ 1845

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

And let me just start by saying that I'm in total agreement with the gentleman from California (Mr. GEORGE MILLER). I'm also in total agreement with Mr. McKEON. I think we all here who've worked in this area understand the importance of Head Start and understand how it can give young children an opportunity to be able to advance enough in school to be able to succeed in school. And maybe early Head Start could do even more. But we also all agree that we need to be very careful about our dollars and how we manage them. And that is the whole purpose of this motion to instruct conferees.

We have, as Mr. MILLER has well indicated, made important reforms for the children who are served in the program. I'm delighted the Senate bill is

very similar to the House bill, and I have high hopes that we are going to be able to pass legislation that we can all agree on in the House and the Senate ultimately.

Here, basically, we're instructing conferees to adhere to the House provisions for a reasonable salary cap prohibiting Head Start executives from collecting a salary higher than an assistant secretary of a Federal agency, which is currently \$168,000.

Although the House language contained in H.R. 1429, the Improving Head Start Act of 2007, effectively prohibits any official from receiving compensation above that of an assistant secretary, legislation approved by the Senate leaves open a glaring, lavish salary loophole by allowing programs to divert their own non-federal resources away from other uses in order to pay Head Start programs operators more than top officials. We think that's wrong. We think that money should be used for the kids, for the recruiting and development of the kids, for the students who are going to be in the Head Start program to pay their teachers.

So for all those reasons I think we all agree that executive salaries and other benefits which are out of the ordinary should not be allowed in the Head Start programs; that we should obviously compensate people as well as possible, but make sure that after that is done, that the money that is there, be it State money or local money, is channeled in the direction of helping these young children who need so much help in order to prepare them to get ready for school. And that is something I think we all agree on.

I reserve the balance of my time.

Mr. GEORGE MILLER of California. Just quickly, I yield myself 30 seconds to say that, as I said, this bill has been a long time coming to where we think we can get it to the President's desk. I certainly want to thank the staffs on both sides of the aisle for all of their expertise, experience, and knowledge about this program. And we've been working together to get to this point in the conference committee.

I would urge passage of the motion to instruct.

I reserve my time.

Mr. CASTLE. Mr. Speaker, I yield the balance of my time to the gentleman from Utah (Mr. BISHOP), and I ask unanimous consent that he be allowed to control that time.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield 2 minutes to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to offer my support for this motion to instruct conferees which will cap the amount Head Start employees may be paid at the executive schedule level to an amount currently equal to \$168,000.

I want to thank my colleague, Congressman MIKE CASTLE, the former Governor of Delaware, who is a champion for education, for offering this motion. This is a commonsense motion. It is fiscally responsible for us to use taxpayers' money, and it is a fair compromise for the Head Start employees.

If this cap is not adopted, a Head Start employee could be paid up to \$186,000, an \$18,000 difference and a substantial amount of money that would be better spent on Head Start classroom teachers and other aspects of this program.

Fiscal responsibility means not just being cautious in how much we spend. It is just as important to be responsible in where we spend.

When you have Head Start classroom teachers making an average of \$25,000 annually, it is disrespectful to divert more money and give it to employees already making well over six figures.

As the husband of a teacher, I hope my colleagues will join me in being effective about how we spend the taxpayers' money for the children.

Again, I want to thank my colleague, MIKE CASTLE, for bringing this motion to the floor.

Mr. BISHOP of Utah. Could I ask the gentleman from California if he has other speakers.

Mr. GEORGE MILLER of California. No, I have none.

Mr. BISHOP of Utah. Then I'll be the last speaker, and I think we're ready to move on with that.

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

I think in closing on this particular issue, I would like to speak also in favor of the motion to instruct of the gentleman from Delaware (Mr. CASTLE). It's a wise motion. I don't think I or anyone else here objects to any administrator making an adequate compensation. But I also think that six figures is an adequate compensation, especially when the teachers in Head Start are averaging 25 grand a year.

In 2005, the independent General Accountability Office did issue a report that warned that their financial control system in the Head Start program is flawed, failing, and it did fail to prevent multi-million-dollar financial abuses that do cheat children in this particular program.

It is important that the resources that we have go to increasing teacher salaries, hiring more teachers or supplies that directly go to help the kids in the Head Start program. And it's important that in conference we make it very clear that our resources should be targeted to those who are simply in need.

Sparky Anderson was once asked why he was such a successful manager, and he simply responded that baseball is a simple game. You have good players you keep in the right positions, and then the manager is a success.

Even Earl Weaver once said that if you do the dull things right, extraor-

dinary things won't be required. This motion to instruct may be one of those dull things, that if we do it right and do it right in this bill, we won't have to come back here and do the extraordinary things. The extraordinary things will be done by the teachers in the classrooms who are helping these kids who need this help in the Head Start program so desperately.

I urge a favorable vote on the motion to instruct.

I yield back the balance of my time.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

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

Mr. BISHOP of Utah. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

#### PROVIDING FOR CONSIDERATION OF H.R. 3043, DEPARTMENTS OF LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2008

Mr. HASTINGS of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 794 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

#### H. RES. 794

*Resolved*, That upon adoption of this resolution it shall be in order to consider the conference report to accompany the bill (H.R. 3043) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2008, and for other purposes. All points of order against the conference report and against its consideration are waived. The conference report shall be considered as read.

SEC. 2. A motion to proceed to consideration of H.R. 3688 pursuant to section 151 of the Trade Act of 1974 shall be in order only if offered by the Majority Leader or his designee.

SEC. 3. Upon receipt of a message from the Senate transmitting H.R. 3043, with a Senate amendment thereto, it shall be in order to take the same from the Speaker's table and to consider in the House, without intervention of any point of order, a motion offered by the chairman of the Committee on Appropriations or his designee that the House concur in such amendment. The Senate amendment and the motion shall be considered as read. The motion shall be debatable for one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The previous question shall be considered as ordered on the motion to its adoption without intervening motion.

#### POINT OF ORDER

Mr. FLAKE. Mr. Speaker, I raise a point of order against H. Res. 794 under