

They are everybody's children, and nobody's children. They are the forgotten children in the Texas foster care and residential care system. Black, White, Hispanic, and Asian—they all need the love of a mother, the nurturing of a family, and the support of their community. Some of them find homes with caring foster parents or in treatment centers with experienced and caring providers. And some do not.

This legislation allows us to keep our children safe with:

New national standards for private and public residential programs:

Prohibit programs from physically, mentally, or sexually abusing children in their care;

Prohibit programs from denying children essential water, food, clothing, shelter, or medical care—whether as a form of punishment or for any other reason;

Require that programs only physically restrain children if it is necessary for their safety or the safety of others, and to do so in a way that is consistent with existing Federal law on the use of restraints;

Require programs to provide children with reasonable access to a telephone and inform children of their right to use the phone;

Require programs to train staff in understanding what constitutes child abuse and neglect and how to report it; and

Require programs to have plans in place to provide emergency medical care.

Prevent deceptive marketing by residential programs for teens:

Require programs to disclose to parents the qualifications, roles, and responsibilities of all current staff members;

Require programs to notify parents of substantiated reports of child abuse or violations of health and safety laws; and

Require programs to include a link or Web address for the Web site of the U.S. Department of Health and Human Services, which will carry information on residential programs.

Hold teen residential programs accountable for violating the law:

Require States to inform the U.S. Department of Health and Human Services of reports of child abuse and neglect at covered programs and require HHS to conduct investigations of such programs to determine if a violation of the national standards has occurred; and

Give HHS the authority to assess civil penalties of up to \$50,000 against programs for every violation of the law.

Ask States to step in to protect teens in residential programs: Three years after enactment, the legislation would provide certain Federal grant money to States only if they develop their own licensing standards (that are at least as strong as national standards) for public and private residential programs for teens and implement a monitoring and enforcement system, including conducting unannounced site inspections of all programs at least once every 2 years. The Department of Health and Human Services would continue to inspect programs where a child fatality has occurred or where a pattern of violations has emerged.

This legislation seeks to protect the unprotected—our children—from abuse, neglect and exploitation. Many of these children are not safe, and their futures are uncertain. The groups serving children and adolescents with mental health or substance use conditions

need better regulation. The youth boot camps and other “alternative placement facilities” should be forced to provide greater transparency as to the policies and practices of their programs.

This legislation is a welcomed and needed response to numerous studies documenting the ineffectiveness of these programs and, in several instances, the tragic deaths as a result of child abuse and neglect as reported by the GAO in October 2007. Too many families struggle mightily in nearly every State to find placements, when appropriate, for their children that will address their complex mental health needs.

These facilities flourish, in part, because parents lack the necessary information about the operation and practices of these programs. The promise of help cannot be allowed to obscure the fact that these kinds of programs are not science-based and have not been forthcoming about the incidence of neglect or abuse.

This addresses the challenges facing many families. It seeks relief from these risks by (1) establishing standards for these programs that are consistent with current child protection laws; (2) ensuring that personnel are qualified; (3) shifting these programs to be family-centered, as well as culturally and developmentally appropriate; (4) creating mechanisms for the monitoring and enforcement of these goals; (5) calling for greater transparency and accessibility to the compliance of these standards; and (6) providing grants to States for the prevention of child abuse and neglect and for the treatment of children's mental health or substance use conditions.

Additionally, the annual report to Congress is an effective tool in ensuring that these critical issues emerge from the shadows and see the light of day. I share the vision and commitment of Chairman MILLER and the Education and Labor Committee in protecting our youth from such predators.

I urge my colleagues to vote for our children, vote for our families, and vote for H.R. 6358.

Mr. GEORGE MILLER of California. 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. GEORGE MILLER) that the House suspend the rules and pass the bill, H.R. 6358.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PLATTS. Madam 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 motion will be postponed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 6052, SAVING ENERGY THROUGH PUBLIC TRANSPORTATION ACT OF 2008

Mr. MCGOVERN, from the Committee on Rules, submitted a privileged report (Rept. No. 110-734) on the

resolution (H. Res. 1304) providing for consideration of the bill (H.R. 6052) to promote increased public transportation use, to promote increased use of alternative fuels in providing public transportation, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order: motion to suspend with respect to H.R. 6358; passage of H.R. 3195; and motion to instruct on H.R. 4040.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

STOP CHILD ABUSE IN RESIDENTIAL PROGRAMS FOR TEENS ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill, H.R. 6358, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and pass the bill, H.R. 6358.

The vote was taken by electronic device, and there were—yeas 318, nays 103, not voting 13, as follows:

[Roll No. 459]

YEAS—318

Abercrombie	Calvert	Diaz-Balart, L.
Ackerman	Capito	Diaz-Balart, M.
Alexander	Capps	Dicks
Allen	Capuano	Dingell
Altmire	Cardoza	Doggett
Andrews	Carnahan	Donnelly
Arcuri	Carney	Doyle
Baca	Carson	Dreier
Bachus	Castle	Edwards (MD)
Baird	Castor	Edwards (TX)
Baldwin	Cazayoux	Ehlers
Barrow	Chandler	Ellison
Bartlett (MD)	Childers	Ellsworth
Bean	Clarke	Emanuel
Becerra	Clay	Emerson
Berkley	Cleaver	Engel
Berman	Clyburn	English (PA)
Berry	Cohen	Eshoo
Biggert	Conaway	Etheridge
Bilirakis	Conyers	Fallin
Bishop (GA)	Cooper	Farr
Bishop (NY)	Costa	Fattah
Blumenauer	Costello	Ferguson
Boren	Courtney	Filner
Boswell	Cramer	Fortenberry
Boucher	Crowley	Foster
Boustany	Cuellar	Frank (MA)
Boyd (FL)	Culberson	Frelinghuysen
Boyda (KS)	Cummings	Galleghy
Brady (PA)	Davis (AL)	Gerlach
Braley (IA)	Davis (CA)	Giffords
Brown (SC)	Davis (IL)	Gillibrand
Brown, Corrine	Davis, Lincoln	Gonzalez
Brown-Waite,	Davis, Tom	Gordon
Ginny	DeFazio	Graves
Buchanan	DeGette	Green, Al
Burgess	Delahunt	Green, Gene
Butterfield	DeLauro	Grijalva
Buyer	Dent	Gutierrez

Hall (NY) McCollum (MN) Sánchez, Linda
 Hare McDermott T.
 Harman McGovern Sanchez, Loretta
 Hastings (FL) McHugh Sarbanes
 Hayes McIntyre Saxton
 Heller McKeon Scalise
 Herseeth Sandlin McNerney Schakowsky
 Higgins McNulty Schiff
 Hill Meek (FL) Schwartz
 Hinchey Meeks (NY) Scott (GA)
 Hinojosa Melancon Scott (VA)
 Hirono Michaud Serrano
 Hobson Miller (MI) Sestak
 Hodes Miller (NC) Shays
 Holden Miller, Gary Shea-Porter
 Holt Miller, George Sherman
 Honda Mitchell Shimkus
 Hooley Mollohan Shuler
 Hoyer Moore (KS) Simpson
 Hulshof Moore (WI) Sires
 Inslee Moran (KS) Skelton
 Israel Moran (VA) Slaughter
 Issa Murphy (CT) Smith (NJ)
 Jackson (IL) Murphy, Patrick Smith (WA)
 Jackson-Lee Murphy, Tim Solis
 (TX) Murtha Space
 Jefferson Nadler Spratt
 Johnson (IL) Napolitano Stark
 Johnson, E. B. Neal (MA) Stupak
 Jones (NC) Nunes Sullivan
 Jones (OH) Oberstar Sutton
 Kagen Obey Tanner
 Kanjorski Oliver Tauscher
 Kaptur Ortiz Taylor
 Keller Pallone Terry
 Kennedy Pascrell Thompson (CA)
 Kildee Pastor Thompson (MS)
 Kilpatrick Payne Tiahrt
 Kind Pearce Tiberi
 King (NY) Perlmutter Tierney
 Kirk Peterson (MN) Towns
 Klein (FL) Petri Tsongas
 Knollenberg Pickering Udall (CO)
 Kucinich Platts Udall (NM)
 Kuhl (NY) Pomeroy Upton
 LaHood Porter Van Hollen
 Langevin Price (NC) Velázquez
 Larsen (WA) Pryce (OH) Visclosky
 Larson (CT) Rahall Walberg
 Latham Ramstad Walden (OR)
 LaTourette Rangel Walsh (NY)
 Lee Regula Walz (MN)
 Levin Rehberg Wasserman
 Lewis (CA) Reichert Schultz
 Lewis (GA) Renzi Waters
 Lipinski Reyes Watson
 LoBiondo Reynolds Watt
 Loeb sack Richardson Waxman
 Lofgren, Zoe Rodriguez Weiner
 Lowey Rogers (KY) Welch (VT)
 Lucas Rogers (KY) Wexler
 Lynch Ros-Lehtinen Whitfield (KY)
 Maloney (NY) Roskam Wilson (OH)
 Markey Ross Woolsey
 Marshall Rothman Wu
 Matheson Roybal-Allard Yarmuth
 Matsui Ruppersberger Young (AK)
 McCarthy (CA) Ryan (OH) Young (FL)
 McCarthy (NY) Salazar

NAYS—103

Aderholt Drake Lewis (KY)
 Akin Duncan Linder
 Bachmann Everett Lungren, Daniel
 Barrett (SC) Feeney E.
 Barton (TX) Flake Mack
 Bilbray Forbes Manzullo
 Bishop (UT) Foxx Marchant
 Blackburn Franks (AZ) McCaul (TX)
 Blunt Garrett (NJ) McCrery
 Boehner Gingrey McHenry
 Bonner Gohmert McMorris
 Bono Mack Goode Rodgers
 Boozman Goodlatte Mica
 Brady (TX) Granger Miller (FL)
 Broun (GA) Hall (TX) Musgrave
 Burton (IN) Hastings (WA) Myrick
 Camp (MI) Hensarling Neugebauer
 Campbell (CA) Herger Paul
 Cantor Hoekstra Pence
 Carter Hunter Peterson (PA)
 Chabot Inglis (SC) Pitts
 Coble Johnson, Sam Poe
 Cole (OK) Jordan Price (GA)
 Crenshaw King (IA) Radanovich
 Davis (KY) Kingston Rogers (AL)
 Davis, David Kline (MN) Rogers (MI)
 Deal (GA) Lamborn Rohrabacher
 Doolittle Latta Royce

Ryan (WI) Sali
 Schmidt Schmidt
 Sensenbrenner Sessions
 Shadegg Shuster
 Smith (NE) Smith (TX)
 Souder Stearns
 Tancredo Thornberry
 Turner Wolf

NOT VOTING—13

Cannon Lampson Snyder
 Cubin Mahoney (FL) Speier
 Fossella McCotter Weller
 Gilchrest Putnam
 Johnson (GA) Rush

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that less than 2 minutes remain on this vote.

□ 1803

Messrs. EVERETT, WITTMAN of Virginia, BOOZMAN, Mrs. SCHMIDT, Messrs. MICA and SMITH of Texas, and Mrs. MUSGRAVE changed their vote from “yea” to “nay.”

Messrs. KUCINICH, BOUSTANY, GALLEGLY, CULBERSON, WALBERG, Ms. FALLIN, Messrs. LEWIS of California, MORAN of Kansas, and Mr. ISSA changed their vote from “nay” to “yea.”

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ADA AMENDMENTS ACT OF 2008

The SPEAKER pro tempore. The unfinished business is the vote on the passage of the bill, H.R. 3195, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

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

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 17, not voting 15, as follows:

[Roll No. 460]

YEAS—402

Abercrombie Blunt Carney
 Ackerman Boehner Carson
 Aderholt Bonner Carter
 Akin Bono Mack Castle
 Alexander Boozman Castor
 Allen Boren Cazayoux
 Altmire Boswell Chabot
 Andrews Boucher Chandler
 Arcuri Boustany Childers
 Baca Boyd (FL) Clarke
 Bachmann Boyda (KS) Clay
 Bachus Brady (PA) Cleaver
 Baird Brady (TX) Clyburn
 Baldwin Braley (IA) Coble
 Barrett (SC) Brown (SC) Cohen
 Barrow Brown, Corrine Cole (OK)
 Bartlett (MD) Brown-Waite, Conaway
 Barton (TX) Ginny Conyers
 Bean Buchanan Cooper
 Becerra Burgess Costa
 Berkley Burton (IN) Costello
 Berman Butterfield Courtney
 Berry Buyer Cramer
 Biggert Calvert Crenshaw
 Bilbray Camp (MI) Crowley
 Bilirakis Cantor Cuellar
 Bishop (GA) Capito Culberson
 Bishop (NY) Capps Cummings
 Bishop (UT) Capuano Davis (AL)
 Blackburn Cardoza Davis (CA)
 Blumenauer Carnahan Davis (IL)

Davis (KY) Kanjorski Petri
 Davis, David Kaptur Pickering
 Davis, Lincoln Pitts
 Davis, Tom Keller
 Deal (GA) Kennedy Platts
 DeFazio Kildee Pomeroy
 DeGette Kind Porter
 Delahunt King (IA) Price (NC)
 DeLauro King (NY) Pryce (OH)
 Dent Kirk Radanovich
 Diaz-Balart, L. Klein (FL) Rahall
 Diaz-Balart, M. Kline (MN) Ramstad
 Dicks Knollenberg Rangel
 Dingell Kucinich Regula
 Doggett Kuhl (NY) Rehberg
 Donnelly LaHood Reichert
 Doyle Lamborn Renzi
 Drake Langevin Reyes
 Dreier Larsen (WA) Reynolds
 Edwards (MD) Larson (CT) Richardson
 Edwards (TX) Latham Rodriguez
 Ehlers LaTourette Rogers (AL)
 Ellison Latta Rogers (KY)
 Ellsworth Lee Rogers (MI)
 Emanuel Levin Rohrabacher
 Emerson Lewis (CA) Ros-Lehtinen
 Engel Lewis (GA) Roskam
 English (PA) Lewis (KY) Rothman
 Eshoo Lipinski Roybal-Allard
 Etheridge LoBiondo Royce
 Everett Loeb sack Ruppersberger
 Fallon Lofgren, Zoe Ryan (OH)
 Farr Lowey Ryan (WI)
 Fattah Lucas Salazar
 Feeney Lungren, Daniel Sali
 Ferguson E. Sánchez, Linda
 Filner Lynch T.
 Forbes Mack Sanchez, Loretta
 Fortenberry Maloney (NY) Sarbanes
 Foster Manzullo Saxton
 Foxx Markey Scalise
 Frank (MA) Marshall Schakowsky
 Franks (AZ) Matheson Schiff
 Frelinghuysen Matsui Schmidt
 Gallegly McCarthy (CA) Schwartz
 Gerlach McCarthy (NY) Scott (GA)
 Giffords McCaul (TX) Scott (VA)
 Gillibrand McCollum (MN) Sensenbrenner
 Gingrey McCrery Serrano
 Gonzalez McDermott Sessions
 Goode McGovern Sestak
 Goodlatte McHenry Shadegg
 Gordon McHugh Shays
 Granger McIntyre Shea-Porter
 Graves McKeon Sherman
 Green, Al McMorris Shimkus
 Green, Gene Rodgers Shuler
 Grijalva McNerney Shuster
 Gutierrez McNulty Simpson
 Hall (NY) Meek (FL) Sires
 Hall (TX) Meeks (NY) Skelton
 Hare Melancon Smith (NE)
 Harman Mica Smith (NJ)
 Hastings (FL) Michaud Smith (TX)
 Hastings (WA) Miller (FL) Smith (WA)
 Hayes Miller (MI) Solis
 Heller Miller (NC) Space
 Herger Miller, Gary Spratt
 Herseeth Sandlin Miller, George Stark
 Higgins Mitchell Stearns
 Hill Mollohan Stupak
 Hinchey Moore (KS) Sullivan
 Hinojosa Moore (WI) Sutton
 Hirono Moran (KS) Tanner
 Hobson Moran (VA) Tauscher
 Hodes Murphy (CT) Taylor
 Hoekstra Murphy, Patrick Terry
 Holden Murphy, Tim Thompson (CA)
 Holt Murtha Thompson (MS)
 Honda Musgrave Thornberry
 Hooley Myrick Tiahrt
 Hoyer Nadler Tiberi
 Hulshof Napolitano Tierney
 Hunter Neal (MA) Towns
 Inglis (SC) Neugebauer Tsongas
 Inslee Nunes Turner
 Israel Oberstar Udall (CO)
 Issa Obey Udall (NM)
 Jackson (IL) Oliver Upton
 Jackson-Lee Ortiz Van Hollen
 (TX) Pallone Velázquez
 Jefferson Pascrell Visclosky
 Johnson (IL) Pastor Walberg
 Johnson, E. B. Payne Walden (OR)
 Johnson, Sam Pearce Walsh (NY)
 Jones (NC) Pence Walz (MN)
 Jones (OH) Perlmutter Wamp
 Jordan Peterson (MN) Wasserman
 Kagen Peterson (PA) Schultz