

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	Falbin
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
Boysda (KS)	Cummings	Gallegly
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
Herseth 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
Insllee	Moran (KS)	Skelton
Israel	Moran (VA)	Slaughter
Issa	Murphy (CT)	Smith (NJ)
Jackson (IL)	Murphy, Patrick	Smith (WA)
Jackson-Lee (TX)	Murphy, Tim	Solis
Jefferson	Murtha	Space
Johnson (IL)	Nadler	Spratt
Johnson, E. B.	Napolitano	Stark
Jones (NC)	Neal (MA)	Stupak
Jones (OH)	Nunes	Sullivan
Kagen	Oberstar	Sutton
Kanjorski	Obey	Tanner
Kaptur	Olver	Tauscher
Keller	Ortiz	Taylor
Kennedy	Pallone	Terry
Kildee	Pascrell	Thompson (CA)
Kilpatrick	Pastor	Thompson (MS)
Kind	Payne	Tiabrt
King (NY)	Pearce	Tiberi
Kirk	Perlmutter	Tierney
Klein (FL)	Peterson (MN)	Towns
Knollenberg	Petri	Tsongas
Kucinich	Pickering	Udall (CO)
Kuhl (NY)	Platts	Udall (NM)
LaHood	Pomeroy	Upton
Langevin	Porter	Van Hollen
Larsen (WA)	Price (NC)	Velázquez
Larson (CT)	Pryce (OH)	Visclosky
Latham	Rahall	Walberg
LaTourette	Ramstad	Walden (OR)
Lee	Rangel	Walsh (NY)
Levin	Regula	Walz (MN)
Lewis (CA)	Rehberg	Wasserman
Lewis (GA)	Reichert	Schultz
Lipinski	Renzi	Waters
LoBiondo	Reyes	Watson
Loebsack	Reynolds	Watt
Lofgren, Zoe	Richardson	Waxman
Lowey	Rodriguez	Weiner
Lucas	Rogers (KY)	Welch (VT)
Lynch	Ros-Lehtinen	Wexler
Maloney (NY)	Roskam	Whitfield (KY)
Markey	Ross	Wilson (OH)
Marshall	Rothman	Woolsey
Matheson	Royal-Allard	Wu
Matsui	Ruppersberger	Yarmuth
McCarthy (CA)	Ryan (OH)	Young (AK)
McCarthy (NV)	Salazar	Young (FL)

Ryan (WI)	Smith (NE)	Wamp
Sali	Smith (TX)	Weldon (FL)
Schmidt	Souder	Westmoreland
Sensenbrenner	Stearns	Wilson (NM)
Sessions	Tancredo	Wilson (SC)
Shadegg	Thornberry	Wittman (VA)
Shuster	Turner	Wolf
<b>NOT VOTING—13</b>		
Cannon	Lampson	Snyder
Cubin	Mahoney (FL)	Speier
Fossella	McCotter	Weller
Gilchrest	Putnam	
Johnson (GA)	Rush	

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, WALTERBERG, 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

Davis (KY)	Kanjorski	Petri
Davis, David	Kaptur	Pickering
Davis, Lincoln	Keller	Pitts
Davis, Tom	Kennedy	Platts
Deal (GA)	Kildee	Pomeroy
DeFazio	Kilpatrick	Porter
DeGette	Kind	Price (NC)
Delahunt	King (IA)	Pryce (OH)
DeLauro	King (NY)	Radanovich
Dent	Kirk	Rahall
Diaz-Balart, L.	Klein (FL)	Ramstad
Diaz-Balart, M.	Kline (MN)	Rangel
Dicks	Knollenberg	Regula
Dingell	Kucinich	Rehberg
Doggett	Kuhl (NY)	Reichert
Donnelly	LaHood	Renzi
Doyle	Lamborn	Reyes
Drake	Langevin	Reynolds
Dreier	Larsen (WA)	Richardson
Edwards (MD)	Larson (CT)	Rodriguez
Edwards (TX)	Latham	Rogers (AL)
Ehlers	LaTourette	Rogers (KY)
Ellison	Latta	Rogers (MI)
Ellsworth	Lee	Rohrabacher
Emanuel	Levin	Ros-Lehtinen
Emerson	Lewis (CA)	Roskam
Engel	Lewis (GA)	Ross
English (PA)	Lewis (KY)	Rothman
Eshoo	Lipinski	Royal-Allard
Etheridge	LoBiondo	Royce
Everett	Loebssack	Ruppersberger
Fallin	Lofgren, Zoe	Ryan (OH)
Farr	Lowey	Ryan (WI)
Fattah	Lucas	Salazar
Feeley	Lungren, Daniel	Sali
Ferguson	E.	Sánchez, Linda
Filner	Lynch	T.
Forbes	Mack	Sánchez, Loretta
Fortenberry	Maloney (NY)	Sarbanes
Foster	Manzullo	Saxton
Foxx	Markey	Scalise
Frank (MA)	Marshall	Schakowsky
Franks (AZ)	Matheson	Schiff
Frelinghuysen	Matsui	Schmidt
Gallagly	McCarthy (CA)	Schwartz
Gerlach	McCarthy (NY)	Scott (GA)
Giffords	McCaull (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
Herseth 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)	Olver	Upton
Jackson-Lee	Ortiz	Van Hollen
(TX)	Pallone	Velázquez
Jefferson	Pascarel	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