ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The House will continue in recess until approximately noon.

□ 1206

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LATHAM) at 12 o'clock and 6 minutes p.m.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. FOLEY. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

CLINTON ADMINISTRATION'S CASE FOR WAR

(Mr. FOLEY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FOLEY. Mr. Speaker, let me give Members the following quotes: ''Sometimes the United States has to act alone, or at least has to act first. Sometimes we cannot let other countries have a veto on our foreign policy.'' That is a debate quote spoken by President Clinton.

Madeleine Albright: ''I am going to explain our position, and while we always prefer to act multilaterally, we are prepared to go unilaterally.''

President Clinton: ''Would the Iraqi people be better off if there was a change in leadership? I certainly think they would be.''

In the last couple of days, we have heard a lot of people questioning the President's veracity. Let us talk about the successes: Libya is cooperating and disarming; Charles Taylor has been forced out of Liberia; India and Pakistan are talking about Kashmir and reducing tensions; and as Senator LIEBERMAN said, ''Saddam Hussein was a walking weapon of mass destruction.''

Mr. Speaker, I appreciate the leadership of this President. I am proud of standing with him and our military as they combat terror and tyranny around the globe. Shame on the Democrats for suggesting that the President is not truthful.

PROTECT AMERICA'S NATIONAL SECURITY ACT

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Speaker, in the next couple of days I expect to introduce my Protect America's National Security Act of 2004. The provisions of this bill will include full congressional hearings on what intelligence was used and how the intelligence was used in the decision to make a unilateral attack against Iraq in the winter of 2003. The American people deserve to know.

And then I will ask to allow for the general figure that is utilized for the intelligence budget of this Nation to be presented publicly to the American people. That will not violate our security. I will not ask for a line item listing, but I will ask that the American people, as indicated by a former Reagan administration official, know how much we spend for intelligence. The American people deserve to know.

Mr. Speaker, I hope that my colleagues will realize that our rights as a Congress should not be abrogated.

DEFICIT SPENDING BEFORE CONGRESS

(Mrs. BLACKBURN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. BLACKBURN. Mr. Speaker, today I rise to speak on the enormous deficit spending that is before Congress this year. It is expected to be between $477 billion to $530 billion. As a fiscal conservative, I find it unacceptable.

One of the core values of conservatism is to fight for limited government, wise use of taxpayer money, and fiscal restraint. This body falls short on being an example of these values. We need only to look to last year when we had several opportunities to cut out waste in government programs, but did not do so. One prime example is where Congress would not pass a simple amendment which would have prevented the funding of sexual arousal and porn studies granted through the National Institutes of Health. I voted for the amendment which would have prevented the use of taxpayer money for these ridiculous studies. I think most constituents agree with me on that. Also numerous amendments by the gentleman from Pennsylvania (Mr. TOOMEY) were presented to reduce spending by across-the-board cuts. What a great idea. We failed to take measures there.

Mr. Speaker, it is time for us to realize the government will continue to borrow for the present by mortgaging the future.

IMPROVING THE COMMUNITY SERVICES BLOCK GRANT ACT OF 2003

Mrs. MYRICK. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 513 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 513

*Resolved*, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 3030) to amend the Community Service Block Grant Act to provide for quality improvements. The first reading of the bill shall be dispensed with. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment so printed may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentlewoman from North Carolina (Mrs. MYRICK) is recognized for 1 hour.

Mrs. MYRICK. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

□ 1215

On Tuesday, the Rules Committee met and granted a modified open rule for H.R. 3030, the Improving the Community Services Block Grant Act (CSBG). This is a very fair rule and I believe that all Members of the House should be able to support it. This bipartisan bill extends the CSBG program through 2009 while strengthening its accountability provisions and preserving current law protections for faith-based service providers using CSBG funds.

In every State across the Nation, various communities combat the devastating effects of poverty using the Federal funds provided by the CSBG. This legislation preserves the CSBG as a true State block grant program, allowing States to establish and operate antipoverty programs that meet the unique needs of their low-income communities. Most importantly, H.R. 3030 fosters increased accountability by ensuring that States are monitoring local grantees to ensure services are being

provided in the most efficient manner and that quality services are reaching those who have the greatest need. As many of my colleagues know in communities across America, faith-based organizations play a central role in the battle against poverty. From food and clothing drives to shelters for the homeless and from youth mentoring to job training, faith-based service providers have proven to be among the most effective tools for helping the most vulnerable members of our society. I believe it is the faith-based character of these organizations that makes them so effective. By nature, many of them include helping those in need as a part of their founding mission and their purpose.

The provisions in H.R. 3030 ensure that these organizations can continue to operate antipoverty programs in their communities without losing their Civil Rights Act protection to staff on a basis consistent with their organizational nature. However, there will be amendments offered today that seek to repeal current law and remove this protection for faith-based organizations participating in CSBG.

I urge Members to vote against the Woolsey amendment because the federally funded faith-based programs under the CSBG program must include participants of all faiths, if they choose to participate. The issue at hand does not regard who is treated or helped with Federal money but merely if groups doing the helping or treating may consider in hiring decisions the faith of an employee who would work in their faith-based program.

CSBG has enjoyed a long tradition of bipartisan support. Helping communities to combat the harmful effects of poverty has been and will continue to be a bipartisan goal. To that end, I urge my colleagues to support the rule and the underlying bill.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentlewoman from North Carolina for yielding me the customary 30 minutes and I yield myself such time as I may consume.

(Ms. SLAUGHTER asked and was given permission to revise and extend her remarks.)

Ms. SLAUGHTER. Mr. Speaker, chronic unemployment still plagues the Nation; 3.3 million workers have lost their jobs since January 2001. The poverty rate in America has risen to 12 percent and the number of children living in poverty continues to climb.

The community services block grants were created to alleviate poverty by funding initiatives that fight its causes. These grants enable over 1,000 organizations across the country to provide services to combat unemployment, inadequate housing, poor nutrition and the lack of educational opportunities.

Because of community services block grants, the Orleans Community Action Committee in Orleans County, New York, is able to provide a broad array of services, including Head Start, teen programs, weatherization programs, transportation, emergency services, family development, help in putting together a budget, help in preparing tax returns, child care services and a community center. For 30 years, Action for a Better Community has been a leader in Rochester, providing programs increasing health, education, safety, employment and housing needs. Every dollar the Federal Government invested in these organizations through the community services block grant program is a dollar wisely spent. An investment in our citizens and our children is an investment in our Nation's future.

The value of these programs is not at issue. The problem with this reauthorization is the ability of provider organizations to use Federal funds to discriminate. H.R. 3030 allows these service organizations to discriminate against clients because of their religion. It allows religious organizations that receive these Federal grants to discriminate based on religion in their employment practices. This is un-American. Discrimination is happening. Employees of the Salvation Army of Greater New York have filed complaints with the Equal Employment Opportunity Commission, and several lawsuits against the Salvation Army are in the works. Employees are being questioned about their church affiliations. One of the duties listed on new job applications is to, quote, preach the gospel of Jesus Christ and to meet human needs in His name without discrimination. The Salvation Army uses millions in public moneys to carry out its charitable missions, but it has recently begun to impose its religious mission upon its employees.

Right here in my hand I have an employment application for a social worker position with a religious organization, and that religious organization uses Federal funds. The applicant is asked his or her religion, length of church membership, the name of his or her church, the church's phone number and address, and the name of its minister. The United States should not permit religious discrimination with Federal funds. As Theodore Roosevelt said, ''To discriminate against a thoroughly upright citizen because he belongs to some particular church, or because, like Abraham Lincoln, he has not avowed his allegiance to any church, is an outrage against that liberty of conscience which is one of the foundations of American life.''

Mr. Speaker, I would like to take this opportunity to clear up a misunderstanding about what title VII of the Civil Rights Act of 1964 says and does not say. Religious organizations are exempted from the general prohibition against religious discrimination in hiring personnel for work connected to the organization's religious activities. However, religious organizations are not permitted to discriminate in hiring for secular activities. There should be an ability in this Congress to make a distinction between those two descriptions.

This country has spent decades and decades working to eradicate the insidious venom of discrimination. It is an anathema to fundamental American ideals that we would now permit Federal moneys to be used to discriminate against people because of their religion. Taxpayers do not want to subsidize discrimination.

Federally funded programs to attack the causes of poverty do not have a religious mission, regardless of the service provider. Helping someone fill out tax forms is a secular program. Someone's religion is irrelevant to this program. The Federal Government should not fund the religious activities of any religious organization. To do so is a violation of the first amendment of the United States Constitution which we hold up our hands every 2 years and swear to uphold. As the United States Supreme Court said in Bowen v. Kendrick, ''Even when the Court has upheld aid to an institution performing both secular and sectarian functions, it has always made a searching inquiry to ensure that the institution kept the secular activities separate from its sectarian ones, with any direct aid flowing only to the former and never the latter.''

On its Web site, Action for a Better Community says that faith-based organizations, quote, should be held to the same high standard of outcome delivery as community action agencies without compromising the separation of church and State. We would be wise to listen to their admonition.

I urge my colleagues to support the Woolsey substitute amendment which would clarify that religious organizations are welcome as service providers to low-income Americans and that they are not permitted to discriminate on the basis of religion. And I urge my colleagues to support the Miller amendment which would extend unemployment benefits for the 2 million unemployed Americans whose benefits have run out. Almost daily, my office hears from those Americans who are afraid of losing their homes or having to take their children out of school and simply being unable to meet their obligations. We owe it to them to give them some help until a job can be found for them.

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

Mrs. MYRICK. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the distinguished chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, let me begin by thanking my very good friend, the former mayor of Charlotte, and I should say since I mentioned Charlotte, congratulations on a well-fought

Super Bowl. I understand that in Charlotte there was no sense at all that anyone was a loser and it was a great game. She has done a superb job on managing this rule and with her work on the Committee on Rules.

I am proud to be here. I have surmised from the comments from my good friend from Rochester that she is supportive of the rule. She did not indicate that, but I suspect that in light of the fact that with the exception of the preprinting requirement, this is an open amendment process and we have had one substitute that was outlined before our Committee on Rules yesterday and four amendments that have been filed that we will be able to have an opportunity for a free-flowing debate on a very important issue.

I have to say that I am particularly proud of our colleague from Nebraska (Mr. OSBORNE) who has worked long and hard on this and gave great testimony before the Committee on Rules yesterday and understands very well that we are as a Nation seeing very positive signs of economic improvement. It used to be that the full employment rate in this country was 6 percent. I am happy to see the unemployment rate has dropped to 5.7 percent. We just got the report at the end of last week that the GDP growth for the fourth quarter of last year was at 4 percent, which is a very positive sign of improvement.

Jobs are being created, contrary to a lot of the reports out there. Under the household survey which is conducted by the Department of Labor, we have seen 1.9 million new jobs created since November of 2001. So we are seeing positive signs out there, but the gentleman from Nebraska understands that there are still people out there who are in need and there are challenges.

One of the things we want to do is make sure that we lay the groundwork, which is what the community services block grant program has done, lay the groundwork for people to move from depending on others to get to the productive side of our economy. We all know what that does. It not only plays a role in diminishing the reliance on taxpayer dollars but it also tremendously increases the self-esteem level. We have found that time and time again from a wide range of entities which work to help people who are facing dire circumstances get onto the productive side of the economy. It does wonders for their families and it creates a sense of optimism for the future.

The gentleman from Nebraska (Mr. OSBORNE) and his work along with the gentleman from Ohio (Mr. BOEHNER) and others understand that with the community services block grant, we can do a lot of very important things that do provide assistance to those who are truly in need.

And so I simply want to congratulate the gentleman from Nebraska and congratulate all those who have been involved in putting this package together. We are going to have an interesting debate and I know that the substitute will spark a great deal of particular debate and interest. We will look forward to that. I hope very much that just as we, I believe, enjoy strong bipartisan support for this modified open rule, that we will similarly enjoy bipartisan support as has been anticipated on the passage of this legislation.

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

Mrs. MYRICK. Mr. Speaker, I yield 3 minutes to the gentleman from Nebraska (Mr. OSBORNE), the author of this legislation.

Mr. OSBORNE. Mr. Speaker, I rise in support of the rule. We think this is an important piece of legislation. It seems to have fairly broad bipartisan support in most areas. Obviously this legislation reauthorizes the CSBG Act and preserves the CSBG as a State block grant program. The main issue here is that we do try to do some things that improve the quality of the block grant program.

□ 1230

First of all, State and local goals must be met by grantees, so there is some accountability, which probably heretofore has been lacking in some cases.

States monitor grantees to ensure that services are provided to those with the greatest need. Many times it has not in the past gone to those who are most destitute.

It streamlines reporting data to HHS to avoid duplication and eliminates extraneous information. I guess everyone likes to see less paperwork.

Also the States must either defund low-performing entities or justify to Labor-HHS why low-performing entities continue to be funded. So there is, again, an area of accountability.

In addition, this particular bill encourages initiatives to improve economic conditions in rural areas, which are often underserved, encourages education and youth crime prevention through youth mentoring, which saves money and lives by investing in young people before they are enmeshed in the criminal justice system, and, of course, it also allows faith-based organizations to consider religion while hiring, while ensuring that recipients are not discriminated against on the basis of religion. Also it continues to fund discretionary programs at current authorization levels and extends them through 2009.

I might just mention one story that I think pretty much illustrates the importance of this situation. A young mother in my district was abandoned by her abusive fiancee. She had no money, no car, no job, no family support, and a 5-year-old child. A Blue Valley community action crisis intervention program provided counseling, obtained housing, helped her find a job, and so she is now supporting her child, productively employed and preparing to own her own home. This is just one story that can be told thousands of times.

So I urge support of this bill. It provides those who have great need in the most efficient, most cost-effective way.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, the first 16 words of the Bill of Rights enshrined in our psyche in this country, the belief that every American citizen should have the right to his or her own religious views.

I want to point out, Mr. Speaker, to colleagues here in the House and to the people across this country, that in this legislation is language that will make it perfectly legal for an American citizen to receive, say, a $5 million job training grant, or a Head Start grant, and then using those tax dollars, that one American citizen can say to another citizen, if you do not pass my private religious test, then you do not qualify for a tax-funded job. In effect, what this bill does is to subsidize, not just tolerate, but to subsidize religious bigotry in America.

How ironic, at a time when we are fighting for religious freedom in Iraq and across the world, that we would pass legislation that would maintain in the law a prescription for religious discrimination. I think it is wrong to do so, and I would be willing to even yield some of my time to any Republican Member that would stand up and tell me that it is okay in 2004 in America to say that you should have to pass my religious test to qualify for a federally-funded job.

That is wrong, and it should not be a partisan issue. It is an American issue, because it is ingrained in the very first 16 words of the Bill of Rights that has protected America's religious liberty for over two centuries.

So far, I have not had any of my colleagues on the other side of the aisle willing to stand up and say in public that it is okay that someone else should have to pass another American citizen's religious test in order to qualify for a federally-funded job. Yet, guess what happens? When the doors are closed and decisions are being made on the bills and interest groups are plying their pressure, that kind of discrimination language was put in this bill.

It is wrong, it is unconstitutional, and I find it morally offensive as a person of faith that any American ought to have to pass someone else's private religious test to qualify for a tax-funded job.

Mr. Speaker, I would welcome a debate on this issue at any point during the debate of this bill with any of my colleagues on either side of the aisle. As I said, this should not be a partisan issue. Protecting religious freedom in America should be an American value, an American issue, and we ought to have the courage in this Congress to stand up to special interest groups and say we do not care how much power

you have, we are not going to let you try to put in the law of this land a rule that allows other Americans to discriminate against citizens, to exercise religious bigotry when using Federal dollars to funds those jobs.

Mrs. MYRICK. Mr. Speaker, I am pleased to yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Speaker, today I rise in support of this rule to reauthorize the Community Services Block Grant Act. I oppose the substitute because it would repeal current law and strip faith-based organizations of their right to hire the candidates they feel are most qualified for the jobs. These same rights are guaranteed to faith-based organizations under Title VII of the Civil Rights Act of 1964, and have since been consistently upheld in the courts.

Last year, I brought the Committee on Government Reform to Franklin, Tennessee, and we heard from groups of all sizes that helped the needy in Franklin and Middle Tennessee. One of those that testified was Onnie Kirk. He runs the Family Foundation Fund, an organization that helps fatherless children. He testified that they would not accept Federal funds if these funds compromised the character and the purpose of his organization. The amendment would remove those protections.

We should not bend to the false arguments and overburden the very organizations that serve the most needed needy in our society. These organizations have higher success rates than many government programs.

The Community Services Block Grant Act did not and still does not permit Federal funds to be used for the purposes of promoting religion. It allows faith-based groups to use Federal funds for secular purposes, feeding, clothing its needy, helping the out-of-work find jobs, without compromising their essential character. We should keep it that way.

I ask my colleagues to join me in opposing the substitute to H.R. 3030.

Ms. SLAUGHTER. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I would like to ask the gentlewoman from Tennessee before she leaves the Chamber if she would be willing to have a discussion. I would be glad to yield some time to have a discussion on the issue of whether a group should be able to say with tax dollars that we are not hiring Jews or we are not hiring Catholics in this job training program or education program, even though you are perfectly qualified for that job.

My friend and colleague the gentleman from Ohio (Mr. BOEHNER) is on the floor, and I would be glad to yield for the purpose of a discussion.

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

Mr. EDWARDS. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Speaker, under the rules outlined here in the House, we are debating the rule to consider the bill. Once this rule is approved, we will spend, I would imagine, the better part of the afternoon discussing the protections granted to religious organizations under the 1964 Civil Rights Act. I think that would be a more appropriate time to have this debate.

Mr. EDWARDS. Mr. Speaker, reclaiming my time, I would just say to the gentleman, he and I came to the House together 14 years ago and we know on a daily and weekly basis we utilize rule time to discuss what is in a bill.

Obviously, I do not like this rule because it allowed a bill to come to the floor that I find deeply offensive to the First Amendment protection of religious freedom. But if this was an issue important enough for Madison and Jefferson to debate for 10 years in the Virginia legislature, the issue of religious freedom in America, then certainly it is worthy of our discussion here on the floor.

I guess what I would like to ask the gentleman is just do you not think it is wrong that you would have to pass my personal religious test to qualify for a tax-funded job? Why should you have to pass my religious test? Why should I have the right to give you a religious test to qualify for a job that is being paid for by the American taxpayers?

Mr. BOEHNER. If the gentleman will yield further, the Congress in 1964, and as amended in 1965, passed landmark civil rights legislation in America, and it was the Congress in the mid-sixties who saw fit to provide religious organizations with one small exemption, and that in the case of employment, to religious organizations. And if you read the comments of the debate and the record of that debate, it was because those civil rights laws guarantee Americans full access to jobs, to all types of programs in our country.

But they did understand that religious organizations, by their very nature, ought to have an exemption in employment so religious organizations can, if they want, not all do, hire people of their faith.

The only issue here is whether those organizations, faith-based organizations, that do in fact provide community services with Federal funds, whether they should continue to have that exemption.

Mr. EDWARDS. Mr. Speaker, reclaiming my time, if I could respond to that, then I would be glad to yield, because I appreciate the opportunity to have a discussion on this, I think if the gentleman would go back and look at the debate, including Senator Sam Irvin's comments on the Title VII exemption to the Civil Rights Act and the amendments thereto, you would find that the focus there was saying that Baptist churches with their own money should have the right to hire Baptist pastors; a Jewish Synagogue with its own money ought to have the right to hire a Jewish rabbi, rather than a Baptist pastor.

I think there is a real serious question about suggesting that Title VII said it is perfectly okay for a faith-based group to take Federal tax dollars and say, ''Mr. BOEHNER, I am not hiring you today because you do not pass my personal religious test.''

Let us put Title VII aside for a moment. There might be differences of opinion about what is in it. Let us discuss the direct principle. Why should any American citizen have to pass another American citizen's personal religious test to qualify for a Federal education program or a job training program? Why should it be legal for a group to accept a $5 million Head Start or job training grant from the taxpayers and say we are not going to hire Jews or Catholics? Or it might be a Muslim group that says we are not going to hire Christians.

In the land that cherishes religious freedom, do you really believe that that is a good public policy?

Mr. BOEHNER. Mr. Speaker, if the gentleman will yield further, let me pose the opposite question to you. Why should a faith-based organization that is providing tremendous community services give up the protections granted to them under the 1964 Civil Rights Act just because they accept Federal dollars in their mission to help low-income people?

Mr. EDWARDS. Reclaiming my time, I will be glad to answer that question, and then I will give the gentleman time to answer my question.

I would say, first of all, I disagree with the gentleman that the Title VII exemption gave faith-based groups a carte blanche to use public tax dollars to discriminate in job hiring. The second thing is, when they accept Federal money, they already, under long-standing law, agree not to proselytize.

So when you accept taxpayer money, there are certain standards you accept. My question back to the gentleman is does he think it is okay for a faith-based group to receive a $5 million job training grant and say we are not going to hire you because you are Jewish or Catholic? Is that okay?

Mr. BOEHNER. If the gentleman would yield further, if that organization in their beliefs want to hire people of their faith, because in many cases the people they may hire will not only participate in a job training program, they may also teach Sunday school, they may also do other things for that religious organization.

But I would bring the gentleman's attention back to the bill we have before us, and the bill before us, that is the Community Services Block Grant reauthorization bill, last passed and reauthorized by the Congress in 1998 and signed into law by then President Bill Clinton, that act in 1998 and the President's signature in 1998 contains the identical language that this bill contains.

Now, the Congress passed this overwhelmingly in 1998, and the President

signed it into law. Now here we are 6 years later and we are saying, oh my goodness, there is a problem. If I could just finish, if over the last 6 years it would have been clear that there was a problem with faith-based organizations maintaining their rights under the 1964 Civil Rights Act, I think we would have heard about it. I have not heard a word.

Mr. EDWARDS. Reclaiming my time, there are cases starting to come to the surface. For example, in the State of Florida or Georgia, a Jewish citizen, perfectly qualified for a job, was denied the right to a job simply because he was Jewish.

Now, again, I differ with the idea that the Title VII exemption of the Civil Rights Act allowed faith based groups to exercise religious discrimination or, in the worst cases, religious bigotry.

□ 1245

But I at least want to clarify, at least the gentleman is saying, for whatever reasons he mentioned, groups ought to be able to do with public tax dollars whatever they want; the gentleman is saying that it is okay for a faith-based group running a federally funded jobs training program to say to a Jew or a Catholic or a Christian of one denomination or another, we are not going to hire you even though you are perfectly qualified for this job, simply because of your religious faith. I think most Americans would think that type of religious discrimination is absolutely wrong, especially when we consider we cannot fund religious programs. We all agree that is prohibited under Federal law.

So what we are doing is we are funding social programs. Why should your religious faith have an affect on whether you can ladle soup at a soup kitchen or train a 5-year-old child? Perhaps we have just an honest disagreement. I think it is wrong for a group to say with tax dollars we are not going to hire you because of your personal religious faith. Perhaps the gentleman feels that these groups ought to be able to discriminate in that fashion. And if he does, then at least that is an honest debate and we will let the American people decide which side they come down on.

One other point. I would challenge the gentleman. Other than the gentleman's tremendous knowledge as the chairman of this committee, there were not 10 Members out of 435 in this House that knew the discrimination language was in there in 1998. I have gone back and chronicled the first 3 or 4 times that we passed charitable choice language like this. The first time was the Welfare Reform Act. Virtually no one in the House, other than maybe the conferees, some of them, knew it was in there. The second time we passed it was at about 1 o'clock in the morning. The third time was at about 12:30 in the morning with 2 or 3 Members on the floor. Every time we passed it Members would say, We already passed this before. People did not know it was in there.

So I think all of that is irrelevant.

The fundamental question is should an American citizen be discriminated against for a tax-funded job simply because he or she is exercising their deeply-felt personal religious faith. In my opinion, that kind of subsidized Federal bigotry based on religious faith is a prescription for disaster in this country. And President Clinton, when he signed this legislation and other legislation with charitable choice language in it, made it very clear he did not support that kind of discrimination, and he only signed the bill because of the other good things in it, and his administration had no intention of letting that kind of discrimination occur. With this administration, the present Bush administration, they have said no, it is okay to discriminate against someone based on their religion.

Mr. BOEHNER. Mr. Speaker, if the gentleman would yield, this is not the only statute on the books that allows religious organizations to maintain their 1964 protections under the Civil Rights Act; there are at least a half a dozen others.

But the point I would make is that if we want to debate the merits or changes to the 1964 Civil Rights Act, let us do that out of the bill that comes out of the Committee on the Judiciary, where it was rightfully debated and processed. The fact is, the 1964 Civil Rights Act is very clear in providing this exemption to these organizations. And if the gentleman disagrees with the 1964 Civil Rights Act, as amended in 1965, let us take that debate to the Committee on the Judiciary, let us bring the bill out here and have that debate. But that is the law.

What we are trying to do here is to comply with that. And in the underlying bill here, the Community Services Block Grant bill, we have had this exemption, maintained this exemption for those organizations. All we do in this bill today is to maintain it.

Mr. EDWARDS. Mr. Speaker, reclaiming my time, I appreciate the gentleman's honest comments. This is the kind of dialogue that this subject deserves. It is too important of an issue when we talk about religious freedom to be debated in a 10-minute debate at 1:30 a.m. So I appreciate the gentleman's willingness to have this honest debate.

I would conclude by saying, Mr. Speaker, that I strongly disagree with the notion that the 1964 Civil Rights Act clearly made it legal for faith-based groups in America to accept millions, and now in this case billions of Federal dollars, and say, We are not hiring you because you are Jewish or because you are Catholic, or because you are Baptist, or because you are Muslim. And I do not think we have to totally revisit the 1964 Civil Rights Act; I think we could just come here on the floor of the House and have an upfront debate.

It is very simple. It is, Do you believe that it is okay for groups to discriminate in job hiring using tax dollars, based on no other reason than that person's personal religious faith? I am confident that the vast majority of Americans do not like religious discrimination. They are appalled with religious bigotry, and while they understand, as I do, that Baptists and Methodists and Jews and Muslims should be able to hire people of their faith, using their own money, once they accept public tax dollars as a funding source, then they accept the obligation that in America, with tax dollars, you do not discriminate against your fellow citizens simply because of their deeply held religious faith.

Mr. Speaker, before I yield further, the gentlewoman from New York has been very gracious with time. I have appreciated this discussion. I see my colleague, the gentleman from Virginia (Mr. SCOTT) on the floor.

Ms. SLAUGHTER. Mr. Speaker, may I inquire how much time is remaining?

The SPEAKER pro tempore (Mr. LATHAM). The gentlewoman from New York (Ms. SLAUGHTER) has 6½ minutes remaining.

Ms. SLAUGHTER. It is such a pleasure to hear a real debate. I am delighted. I continue to yield such time as he may consume to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT), and I welcome a 3-person discussion of this question of religious discrimination and religious freedom in America.

Mr. SCOTT of Virginia. Mr. Speaker, I thank the gentleman from Texas (Mr. EDWARDS) for his comments and remind people that the 1964 Civil Rights legislation that prohibited discrimination included an exception, as the gentleman from Ohio has indicated, for religious organizations using their own money for religious purposes. No one anticipated at that time that one would take Federal money and try to discriminate in employment based on religion. Let us be clear. If you can discriminate based on religion and what church or religious organization you belong to, you can essentially discriminate based on race.

Now, the question before us is whether or not, in a government-funded program, you can declare that you do not want to hire people of certain religions. Now, the problem that occurs is that if you can discriminate with Federal money, well, why can you not discriminate with your own money? If you have a group of people running a manufacturing firm and they are all of the same religion, why should they have to hire somebody of a different religion? Because it is against the law. Because we have such a sorry history of discrimination in our country that we just decided that we were not going to allow discrimination based on religion; that it is so ugly that we are going to prohibit it by law, and we did. You cannot hire people with Federal money,

you cannot hire people with your own money and discriminate against them solely because of their race, color, creed, national origin, or sex. That is the law.

Now, we can change the law. You can start allowing discrimination. You can have somebody come around and say, Well, we are running a manufacturing firm and we do not want to work with people of a different religion; or, We do not want to work with people of a different race. We can change the law. That is our prerogative, and that is what we are doing with this bill if we pass it in its present form. We will be saying to the public that we hire everybody but Catholics or Jews. That is about as ugly a situation as there is. I do not know how you can dress that up and have it come out anything other than ugly. I mean you can put lipstick on a pig, but you cannot pass it off as a beauty queen, and you cannot say, We do not hire Catholics and Jews, and try to pass that off as anything but ugly discrimination.

Mr. EDWARDS. Mr. Speaker, I yield to the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, I appreciate the gentleman yielding, and I clearly recognize that there is a difference of opinion on this. I do not castigate any aspersions on the feelings of my colleagues. But both of my colleagues on the other side here who have engaged in this debate have referred to the intent of the 1964 Civil Rights Act, and the gentleman from Texas (Mr. EDWARDS) even used Senator Ervin's name in terms of there was no intent for these organizations to give up, to give up their religious exemption.

I have a quote here from Senator Ervin during that debate and he said, ''This amendment is to take the political hands of Caesar off the institutions of God where they have no place to be.'' I would suggest to both gentlemen that Senator Ervin from North Carolina clearly intended for the hiring exemption under title VII to be there.

Mr. EDWARDS. Mr. Speaker, reclaiming my time just for a moment, if the gentleman would check the full debate record, Senator Ervin also said at one point, ''After all, it is their money.''

Well, now we are not talking about ''after all, it is their money.'' We are talking about the people's money, the American tax dollar, and I think there is a huge difference there.

Mr. SCOTT of Virginia. Mr. Speaker, will the gentleman yield?

Mr. EDWARDS. I am glad to yield to the gentleman from Virginia (Mr. SCOTT) and then back to the gentleman from Ohio (Mr. BOEHNER).

Mr. SCOTT of Virginia. Mr. Speaker, just so we know what we are talking about, I would like to know whether or not if the bill passes in its present form, you can take Federal money and have a policy of not hiring Catholics and Jews; if it passes in its present form with the Federal money. Now, the church can do what it wants with the church money. That exemption is not affected. But under this bill in its present form, can you have the policy of telling people that you are the best qualified, but we do not hire Catholics and Jews?

Mr. EDWARDS. Mr. Speaker, let me tell the gentleman, I think the gentleman understands what this law would allow.

Going back several years ago, I do not know the present policy, but just a few years ago Bob Jones University made it very clear they did not hire Catholics or Jews. And under this language, you could literally put out a sign, paid for with tax dollars, in a faith-based group associated at that time with Bob Jones University, possibly today, that literally says, No Jews or Catholics need apply here for this federally funded education grant. I find that deeply offensive, especially when these are not religious jobs that we are paying for with tax dollars; these are social programs, education programs, job training programs, and other areas of government.

Why should someone's ability to help a 5-year-old get a head start in life through the Head Start program be denied a job? Why should an adult helping children be denied a job because they are Jewish, Catholic, or some other faith?

I think it is dead wrong. I do not think we have to look at other issues to just face the moral rightness or wrongness of that point. I think it is wrong to be discriminated against in a federally funded job simply because of my personal religious faith. I do not think the gentleman from Ohio (Mr. BOEHNER) ought to have to pass my religious test to qualify for a job training program. I do not think the gentleman from Virginia (Mr. SCOTT) should have to pass the gentleman from Ohio (Mr. BOEHNER)'s 20-point religious test to qualify for an education job funded by the taxpayers. It is just right or wrong.

The SPEAKER pro tempore. The time of the gentlewoman from New York (Ms. SLAUGHTER) has expired.

Mrs. MYRICK. Mr. Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Speaker, I appreciate the gentlewoman yielding me this time.

In answering the gentleman from Virginia (Mr. SCOTT)'s question, the fact is this has been the law of the land in this program for 6 years, and I challenge anyone to come to the floor and say where there has been a problem, because there has not been a problem.

But in the bigger question, let us not forget that these faith-based organizations in many of our poorest communities are doing tremendous work to help needy people. And my concern, by changing the law along the lines of what my two colleagues would like to do, would be to provide a chilling effect on faith-based organizations from participating in programs to help their fellow citizens.

So we will have plenty of time for this debate this afternoon once we get into the bill, but I do think that there are various points of view here. They ought to be heard. The rule allows for a clear and open debate on this question and the rest of the bill, and let us have that debate then.

Mrs. MYRICK. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1300

The SPEAKER pro tempore (Mrs. MYRICK). Pursuant to House Resolution 513 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 3030.

□ 1300

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 3030) to amend the Community Service Block Grant Act to provide for quality improvements, with Mr. LATHAM in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered as having been read the first time.

Under the rule, the gentleman from Ohio (Mr. BOEHNER) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

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

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

Mr. Chairman, before I get into my remarks on the underlying bill, the Community Services Block Grant reauthorization, let me take a moment to welcome our colleague, the gentleman from California (Mr. GEORGE MILLER), and the ranking democrat on my committee, back to the House. He had some surgery over the break in December and has been in a period of recuperation. And we just want to welcome him back, back to the House and hope that he is in a very pliable and amenable mood.

Mr. Chairman, I rise today in strong support of H.R. 3030, improving the Community Services Block Grant Act, a bill that strengthens the popular and valuable Community Services Block Grant program.

I want to thank my colleague from Nebraska (Mr. OSBORNE) who is the author of this legislation, who, along with his staff and our committee staff, has worked hard to guide this legislation through the committee where the bill received bipartisan support.

The CSBG provides Federal money to State and local agencies to lessen the

effects of poverty. States pass at least 90 percent of the Federal funds they receive through to community action agencies who run programs to help with finding and retaining a job, getting food on the table, and providing emergency services.

Since 1981, this program and the agencies it funds have helped millions of fellow Americans. Mr. OSBORNE's legislation makes improvements to this popular initiative by increasing accountability and efficiency while preserving the successful framework of this proven program. The bill requires the community action agencies to set clear, locally determined goals and to work each year to meet those goals. Agencies that repeatedly fall short of their own goals will be subject to action by the States. H.R. 3030 works with the local centers while making sure taxpayer dollars are carefully accounted for.

In the interest of improving the quality of local programs, this bill requires States to reevaluate their lowest performing grantees and justify to the Secretary of Health and Human Services why those organizations should continue to receive Federal funding. Again, this bill makes sure that agencies using Federal funds are delivering high-quality services.

Finally, this bill maintains the current law regarding faith-based organizations. We are all aware that some of the finest social service organizations in this country are run by religious charities; and I, along with a majority of my colleagues on the committee, believe that these faith-based organizations ought to be able to continue to provide help to their neighbors in need.

In 1998 when this bill was last reauthorized, then President Clinton signed into law the same language that we have in the bill of the gentleman from Nebraska (Mr. OSBORNE) today. It allows faith-based community services to continue to maintain the character of their organizations with regard to their own hiring decisions. In fact, a broad group of faith-based organizations including Catholic charities, the American Association of Christian Schools, the Salvation Army, World Vision, and the Coalition to Preserve Religious Freedom have expressed strong support for the faith-based protections included in this bill.

There are some on the other side who would like to strip these rights to deny religious charities the rights they are granted under the 1964 Civil Rights Act and as upheld by the U.S. Supreme Court and current law.

Now, should the minority succeed in depriving these groups of their rights, I do think it would have a chilling effect on the participation of faith-based organizations in the Community Services Block Grant program.

We can expect that at least some of these groups would choose not to participate in CBGC, rather than compromise their character. As we all know, the group most likely to suffer the consequences are the most vulnerable in our society, those who need the help most.

This legislation makes some key improvements to ensure quality and accountability in the Community Services Block Grant program but leaves the essential character of this popular and successful program unchanged.

I want to urge my colleagues to support this valuable antipoverty program that the funds in this bill promote and vote ''yes'' on H.R. 3030 to improve the Community Services Block Grant program.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I want to begin by thanking the gentleman from Nebraska (Mr. OSBORNE) and the gentlewoman from California (Ms. WOOLSEY) for all of their work on this legislation.

I want to compliment the gentleman from Nebraska (Mr. OSBORNE), a relatively new Member of the Congress, for his effort in shepherding this through our committee and bringing it to the floor on a timely basis. And I want to thank the gentleman from Ohio (Mr. BOEHNER) for working with us on many of the provisions in this bill to make sure that States and local entities are held to strong accountability while providing services to reduce the effects of poverty. And I rise in strong support of the Community Services Block Grant program.

The Community Services Block Grant is a relatively small, but an extremely important, program. The central purpose of this program is to minimize the effects of poverty and to maximize self-sufficiency. This program gives money to local entities who can create innovative programs and respond to community needs. It helps low-income individuals and families with services such as domestic violence prevention programs, job training and business development, senior services, homelessness, food pantries, adult literacy, and early education.

As we read that list of names, many of us will recognize our friends and families who volunteer in many of these efforts in our communities because the Community Services Block Grant has also been a catalyst to bring together other elements of the community help volunteers to address these problems that are present in our local community. I support the provisions of this legislation, and the substitute makes important steps to further strengthen the accountability of goals and performances.

However, I cannot support this bill because this bill contains a poison pill. I will not support government-sponsored religious discrimination. And we can dress it all up and we can talk all around the point, but the fact of the matter is that what this legislation does is allow faith-based organizations to make discriminatory hiring decisions with the funds from the Community Services Block Grant.

The majority claims that these types of repeals of civil rights laws are necessary for faith-based groups to participate is simply wrong. The faith-based organizations have been participating in this program from its inception. In many instances, the faith-based organizations were here prior to the creation of the Community Services Block Grant.

When we think back to the War on Poverty, when we think back to ending segregation in this country and to providing opportunity in this country, to poor and minority families in our communities, if it had not been for the faith-based organizations, many of those efforts would have never gotten off the ground in many regions of this country, in many of our cities, and many of our communities.

So the fact of the matter is from its inception faith-based organizations have been a key component, a necessary component, and a welcome component to the providing of services under the Community Services Block Grant and in many other governmental activities that we undertake to improve our communities.

Mr. Chairman, I also want to point out that the suggestion that, but for this provision in the law, these organizations are not participating, according to a nonpartisan survey, over two-thirds of local Community Service Block Grant boards include faith-based organizations. Forty percent of the community action agencies contract with faith-based organizations to deliver services.

I expect, again, that Members of Congress will recognize that activity. I certainly do from the congressional district that I represent because I rely on, and our community relies on, and the families and recipients of these services rely on faith-based organizations to extend the efficiency of these programs, to extend the effectiveness of these programs. We do it when working with prison parolees and their families; we do it working with the victims of domestic violence and working with children who need additional mentoring and tutoring, all kinds of activities that take place in our community.

Nearly 100 percent of the community action agencies refer clients to faith-based providers because the services are there and they are effective and they are working. The majority's claim that Democrats and President Clinton have supported discriminatory language we are debating today is really not true. When the Community Services Block Grant was before us in 1998 the religious discrimination language was put into conference report and was voice voted at 2 a.m. Some on the other side of the aisle may recognize that because that has become a habit. Whenever there is something controversial, we do it after midnight in the House of Representatives.

Mr. Chairman, we simply should not as a matter of law give to religious organizations the right to discriminate when they are using Federal dollars, because that makes the government of the United States a partner in the discriminatory agent. And that is what the Constitution is all about, to make sure that the government does not do that.

We had a little tune-up here a little earlier on the floor between my chairman and the gentleman from Texas (Mr. EDWARDS), and I think it is clear that there is a distinction what faith-based and private organizations do with their own money. It is a distinction that has been brightly drawn in Federal law as to what they do with the taxpayers' dollars. Obviously these taxpayer dollars come from people of all faiths, and they should not be used to discriminate.

The underlying bill is a very good bill. It is a very important bill. It is an improved bill because of the work of the members of our committee. But it, in fact, contains this poison pill that specifically provides for discrimination with Federal funds. I will not support that effort. I would hope that most of the Members of Congress would not support that effort, and then we can get on to renewing the effort by the community action agencies, by our States and our cities and localities and agencies and so many of the faith-based organizations that are already providing so many of these services and helping so many of the agencies and helping so many in our community to battle the impacts of poverty on families and children in our communities.

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

Mr. BOEHNER. Mr. Chairman, I yield 6 minutes to the gentleman from Nebraska (Mr. OSBORNE), the author of the bill before us.

Mr. OSBORNE. Mr. Chairman, I would like to thank the gentleman from California (Mr. GEORGE MILLER) for his kind comments regarding the overall worth of the bill. I am glad to see him back.

I really have three comments regarding the faith-based issue. First of all, I think that we need to recognize that there is legal precedent. And some of this has been discussed earlier. There are four different acts: The Substance Abuse and Mental Health Services Administration Act; the Welfare Reform Act of 1996; the Community Renewal Tax Relief Act of 2000; the Community Services Block Grant Act of 1998, which we have been discussing, which is current law; title VII of the Civil Rights Act of 1964, which we have been discussing; Supreme Court decisions such as Bowen v. Kendrick. So all of these provide sound legal support for the fact that faith-based organizations have a right to consider religion in determining hiring. And so we think this is well substantiated.

What time of night we voted on a bill should not have any bearing. We are accountable people. We cannot call Kings Acts because it was at a certain time of day.

We hear about special interests being involved in this, such as the Salvation Army, Catholic Social Services. These are not really very powerful special interest groups, and I do not think we need to worry about them very much.

The second point I would make is this, and the chairman made this earlier, this is a bill that is working. And so often when we get down to where the rubber hits the road in this body, we want to quibble over details, and we do not want to worry about the big picture. The big picture is how many people in need are we helping? And, obviously, this bill has done a good job for the last 6 years. There have been minimal complaints. Matter of fact, we know of no legal challenge to this bill.

□ 1315

So why all the sudden now is this becoming a big issue?

The third point that I would like to make is simply that of return on investment. And we hear a lot about budget deficits and our tax dollars and how they are being spent. Well, let us take a look at this because I think this is important. I will give you a case history from my district.

One agency has total funding of $8.5 million; $250,000 of this comes from community service block grants. That is 3 percent of the total. This particular agency serves 12,000 people. So if you prorate that, that means an average of $700 goes to each recipient. The community service block grant would then serve 350 of that 12,000.

Now, let us take, say we took that $250,000 community service block grant and said, okay, we got to go rent a building. We have to go hire 3 employees. We have to get a car. We have to buy some computers. We have to get some telecommunications going. You would eat up the whole $250,000 getting started. You would serve nobody.

What we are doing is getting more bang for the buck. I think everybody can understand that. We are not hurting anybody. I think it is important to understand that.

I think it is also important to understand that if faith-based organizations are not allowed to maintain hiring practices where faith is a consideration, obviously, many will leave the program. So they would be open to lawsuits regarding a hostile environment due to religious symbols and art. So if somebody has a picture on the wall that is a religious connotation, and somebody does not like it and they have been hired and they do not understand the mission of that organization, they can file a lawsuit because of a hostile environment which makes it almost impossible to function.

Also, as the chairman pointed out earlier, many faith-based organizations have employees with multiple responsibilities. So the music director at a church may also run the Head Start program. A youth pastor may run the food pantry. If you have multiple responsibilities, you obviously have to have people in place who understand the mission of that particular church or organization, and you cannot say, well, we need to have somebody who is socially acceptable and politically correct, but is actually the antithesis of what that particular organization wants to hire. You cannot do that.

Also, they could lose their tax-exempt status because tax-exempt status is provided to entities which share a common faith. So if you have to hire people that do not share that common faith, then how are you going to maintain that tax exemption? So we often assume the worst about faith-based organizations. I think this is a mistake.

The overwhelming majority of faith-based organizations hire people who agree simply with their mission. They hire people of other faiths but they want to make sure they understand the mission.

Dr. Nelson testified before our committee. She runs a faith-based organization in Chicago. She says their mission is based on a passage from the book of Isaiah that refers to justice and compassion. So obviously they hire a broad spectrum of people from many different faiths that simply aspire to that mission.

So this organization should not be forced to hire those who do not agree with the mission. That is simply what we are saying. We do not think there is widespread discrimination anyway.

Lastly, I will say this: The Supreme Court in Mitchell v. Helms set forth the proposition that members of religious organizations should always be presumed to be acting in good faith. It seems to me that we are doing exactly the opposite here. We are assuming that members of religious organizations act in exactly the opposite, they operate in bad faith. I do not think they do this. That is why for 6 years we have not had complaints. This is working. So we think we have a good bill. We think we need to pass it, as written, and we would urge a vote against the substitute.

Mr. Chairman, I am very pleased to rise today in support of my bill, H.R. 3030, Improving the Community Services Block Grant Act of 2003. H.R. 3030 reauthorizes the Community Services Block Grant Act (CSBG). The Community Services Block Grant program distributes Federal money to more than 1,100 Community Action Agencies nationwide that use those funds to lessen the effects of poverty.

In my congressional district, there are six Community Action Agencies: Blue Valley Community Action, Central Nebraska Community Services, Community Action Partnership of Mid-Nebraska (Kearney), Goldenrod Hills Community Services, Northwest Community Action, and Panhandle Community Services. Each of these agencies provide invaluable services to the citizens of Nebraska.

Many people have asked about what CSBG funds do. In short, CSBG funds provide the

glue that help Community Action Agencies coordinate funding and services across the spectrum of what families might need. An example of the success of the CSBG was shared with me by Shelley Mayhew of the Blue Valley Crisis Intervention. Shelley worked with a young mother with a 5-year-old child who was abandoned, with no money or car, by her abusive and violent fiancé.

Unable to search for a job because of her inability to pay for childcare, lack of extended family support, lack of domestic violence services, and her lack of a car, since in rural Nebraska we have no mass transit system, this young mother was referred to Blue Valley Community Action Crisis Intervention. There, through the actions of staff at Blue Valley, the child was enrolled in school, the family received domestic violence counseling and found affordable housing, and the mother found a job that allows her to support her family. Today, this young mother is even enrolled in a program to help her prepare for homeownership. Shelley, the caseworker, says, ''I watched a family struggling and hopeless become self-sufficient and optimistic about the future. I feel very fortunate to be part of an agency that makes a difference in so many people's lives.''

This is just one story from my congressional district. H.R. 3030 preserves the CSBG as a true State block grant program, allowing States to establish and operate antipoverty programs that meet the unique needs of their low-income communities. It also retains the current definition of an eligible entity to include the grandfather provisions, but requires eligible entities to successfully develop and meet locally determined goals and meet State goals, standards, and performance requirements in order to continue to receive funds.

H.R. 3030 contains a number of important provisions:

Increases quality by requiring States to reevaluate funding the lowest-performing grantees. States are not required to defund these groups, but to explain why underperforming agencies should continue to receive funding. In addition, agencies are required to set locally determined goals and meet those goals and State goals, standards, and performance requirements.

Improves accountability by requiring states to take swift action to improve or defund low-performing entities that do not meet State and local goals.

Retains protections for faith-based charities. H.R. 3030 allows faith-based organizations to make employment decisions based on religion. I realize that this will be a topic of much discussion as we address this bill today, but I hope we can keep in mind that this is current law, signed into law by President Clinton. The bill does not permit federal funds to be used for the purposes of promoting religion. Rather, the CSBG funds under this bill can be used for secular purposes without compromising the essential character of the faith-based organization providing the services.

In addition, the bill maintains current overall funding levels as well as continues funding discretionary programs, including the National Youth Sports Program, which is particularly important to me.

I want to thank all the staff on both sides of the aisle who worked so hard to craft the compromise language that was necessary to insure that H.R. 3030 met the needs of the local organizations that work so hard to provide services to all of our constituents.

I urge passage of H.R 3030 and yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 7 minutes to the gentleman from New Jersey (Mr. ANDREWS).

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

Mr. ANDREWS. Mr. Chairman, I thank my friend and ranking member for yielding me time.

Mr. Chairman, I would like to congratulate the gentleman from Ohio (Mr. BOEHNER) and the gentleman from Nebraska (Mr. OSBORNE), and the gentlewoman from California (Ms. WOOLSEY) for the outstanding work they have done in authorizing the continuation of a very powerful and positive force in our community.

I will support the Democratic substitute because it permits that work to go forward, but it does not contain a very troubling provision that I believe should be struck from the bill.

There are few things that I hold more dearly in my life than my faith. I miss the weeks when I cannot attend my chosen church. I feel like something is missing in my life. I make an effort as much as I can that my children are exposed to their religious traditions so they can make their own choices about religion. I feel awfully blessed to live in a country where I can practice my faith as I see fit. It is one of the things that I most cherish about being an American. But I also cherish that I live in a country where the government can never, never force me to adopt a religious belief or to bend my religious belief because it is the will of the majority.

There are few principles in American law that are without exception, but that is one of them. And I am glad that it is one of them. The provision that is in this bill, although I know that it stems from the best of intentions, and I know that in fact in many cases it would yield the best of results, is ultimately a provision that would do great mischief to this great balance of liberty that the framers of the Bill of Rights gave us in balancing the prohibition against the establishment of religion with the free exercise of religion.

I agree with my friend, the gentleman from Nebraska (Mr. OSBORNE) when he says he presumes that most faith-based organizations most of the time want to do what is right with public money and with private money. That is obviously true. But the Bill of Rights is not about the majority of situations or the majority of people. It is about everyone's rights in every situation to be free from religious discrimination paid for and facilitated by public dollars. Here is the situation that gives me trouble and pause about this bill:

One of the programs that is funded under this bill is the Meals on Wheels program, a terrific program where shut-ins and other people suffering with illness or infirmity can receive a hot meal in their community and in their home. Under this bill, as proposed, if a Meals on Wheels program were to be run by a church or a synagogue or a mosque, and that Meals on Wheels program was advertising for a van driver, not a Sunday school teacher, not a director of religious education, but a van driver, someone who is going to get in the van every day and deliver the meals, the church or the synagogue or the mosque could say, with our tax money, We will not consider you to drive the van if you are not a Catholic. We will not let you cook the dinners if you are not Jewish. We will not let you run the administrative part of the program if you are not a Muslim. With public money.

Now, it is one of the cherished religious principles of this country that with its own money the church or the temple or the mosque can absolutely maintain that hiring practice, and it should. And I will never vote for the legislation that limits or repeals that right, because it is unconstitutional and it is wrong. But I also will never vote for the proposition that is before us today that says with my money and your money, Mr. Chairman, that a church or a temple or a mosque can refuse to hire someone because they do not fit the right religious profile. That is not right.

The reason that we have a country is because people came across the Atlantic Ocean hundreds of years ago to escape a society where if you did not fit the religious conformity of the majority, you could not be a full partner in that society. That is why there is a United States of America. Now when people say, well, faith-based groups are excluded from community development programs because they cannot discriminate with public money on the basis of hiring and firing, that is not true. There are faith-based organizations that run Head Start centers and run Meals on Wheels programs and run homeless programs and job training programs, and they do so respecting the differences between the protected private right to choose whomever you want from your faith or not from your faith and the recognized public responsibility to spend money in such a way that does not discriminate.

This is not a debate about motive. I know that the sponsors of this legislation on the majority side are not bigots and not interested in discrimination in any way, shape or form. I know that their motive, in fact, is to spread the good works of religious organizations in this country and I support that mission as well. But the best way to support and spread the good works of religious institutions in this country is not to entangle those institutions in the machinery of government. The best way to ensure the continued vitality of our churches and our temples and our mosques is to assure their continued independence. And the best way to assure their continued independence is

not to ensnare them in the expenditure of public funds in discriminatory practices.

I do not want my church to be able to take my tax money and tell people who are not a part of my church that they cannot come to work there in a federally funded program. I do not want that. And I certainly do not want someone taking any tax money and telling someone of my faith or some other faith that they cannot do the same thing as well.

This is a well-intentioned provision, I am sure, but the results will be a mischief that we will regret for a very, very long time. The right course of action, Mr. Chairman, is to pass the Democratic substitute, move forward with the laudable programs under this bill, and retain the cherished tradition of the separation of church and State that has defined this country's success for so many years and so many generations.

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

Mr. Chairman, it should be clear to our colleagues today that the underlying bill, the reauthorization of the Community Services Block Grant program, has been done on a broad bipartisan basis. The only issue here of disagreement in the Chamber is the issue of whether faith-based providers would give up their title VII exemption in order to continue working in this program.

As I mentioned before, for the last 6 years this language allowing faith-based providers to receive federal funds and to maintain their exemptions under title VII has in fact been the law. And to my knowledge, there has been no complaints. Now, it is pretty clear to me, and I think to most of my colleagues, that faith-based organizations, whether they are using their own money or they are using federal funds, I would venture to say that the vast majority of them probably would never take up their title VII exemption or need it. But the fact is that that is the law.

The 1964 Civil Rights Act made it very clear that religious organizations did not have to give up their rights to hire the person of their choice under that act. And all we do here is maintain that and we have been doing this, as we said, in the welfare reform law, a number of other laws, over the past decade or so. And for those who have differences with this law, and I certainly respect their opinion, the fight should not be here on this bill. If they really feel strongly that the title VII exemption for religious organizations should be taken away, they should go to the Committee on the Judiciary and move a bill to change the 1964 Civil Rights Act. But let us not do it on this bill.

Mr. Chairman, I yield 2 minutes to the gentleman from Delaware (Mr. CASTLE), who has worked diligently on this program, not only here as a Member of Congress, but in his prior life of Governor of the great State of Delaware.

Mr. CASTLE. Mr. Chairman, I thank the chairman of the committee very much for yielding me time and all of those who helped put this together.

In a benevolent society, as America is, I think the most important function government can have is the care of those who may be unable to take care of themselves. As we know, with the Community Services Block Grant we are dealing with the very lowest-income part of our population. I doubt if there is a single Member here, either Republican or Democrat, who has not toured or at some point come into contact with probably multiple agencies which are working under this particular grant, and which has made a difference in the lives of people.

I certainly have had that great opportunity as I have seen the Meals on Wheels programs and educational programs and helping with housing and helping with job development, and you name it, the various things these agencies do. It is a very clean flow through to these agencies. It is a very clean delivery system as they deal with that particular part of the population who needs help.

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This is a very important piece of legislation. I congratulate the chairman and the ranking member and everybody else who was involved, the gentleman from Nebraska (Mr. OSBORNE), of course, who is the author of this, for putting together a piece of legislation which both renews what we have been doing and reauthorizes it for the next half dozen years or so but also recognizes that we need to keep an eye on certain things and does that as well.

I think this is a very good underlying piece of legislation. I would encourage each and every one of us to support it and also to support these programs out in our communities, which I think makes a great difference in the quality of life for everybody.

On the faith-based issue, which is obviously the contentious issue here, I think it is important to understand, for whatever reason, this was done in 1998. If my recollection is correct, it became law under a Democratic President at that time. I have not had anybody say to me ever in my State of Delaware that there is a problem with that. Not once have I ever heard it mentioned, and I have been to these agencies on a number of occasions in the course of the last half dozen years, and I have not heard any examples of that on the floor.

Where it is really a problem, where the rubber hits the road, it is a very nice constitutional argument. It belongs in the Committee on the Judiciary, but the bottom line is most of the people who are supplying these services are doing it in a way that benefits everybody, and I would encourage everyone to support the legislation.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise today as a supporter of H.R. 3030 which provides Federal funds to local community action agencies and local nonprofits, who use these funds to lessen the effects of poverty. However, Mr. Chairman I cannot in good conscious support this legislation without having the Democratic substitute being accepted as part of this bill. While I support faith-based organizations I also support the idea of religious freedom that is a hallmark of our great Constitution and would be repressed by the passage of this resolution without an amendment.

Mr. Chairman as the representative of the 18th Congressional district in the city of Houston I have seen the good works that can be done by faith-based organizations. I have gone to nearly every church in my district and seen the charity taking place to feed, clothe, and care for our most impoverished citizens. But it is not just churches that engage in this kind of beneficial activity. Throughout my district there are synagogues, mosques, and temples that are out-reaching to the general community. We should be encouraging all these centers of faith to be dialoguing and working with each other. We must eliminate many of the walls that often exist between communities of faith and have plagued so much of the world. The legislation contains the fatal flaw of allowing discrimination based on a person's religious background. If a person of a different faith wanted to take part in a church's homeless project and was turned away because of her faith, how can we approve of that? Each individual should be judged on their intentions not just on their faith. The people who want to work in these faith-based programs only have the best of intentions. They want to positively affect their community and we should not allow others to put roadblocks in their way simply because of their religious affiliation.

The provisions allowing religious discrimination in faith-based organizations is truly unfortunate because this is an otherwise excellent piece of legislation. Not only will it provide community service block grants, but it will hold these programs accountable. States will now have to monitor the effectiveness of programs that are receiving Federal funds under this legislation. I know for certain that this legislation will be very welcome in the city of Houston and indeed in the State of Texas. Our State is full of charitable and caring people whose only concern is the well-being of the community. I have full faith in my fellow Texans that they would accept and welcome a provision not allowing religious discrimination for Federally funded programs. This body has always stood for the rights of all minorities and we should stand with them now. Those who want to engage in charitable activities should be allowed to do so regardless of their religious faith. I hope the majority in this body will accept the Democratic substitute and make this a truly bipartisan resolution.

Mr. RYUN of Kansas. Mr. Chairman, some of my colleagues on the other side of the aisle would like to strip religious organizations of a fundamental first amendment right that has been guaranteed to them by decades of civil rights law—a right that has been upheld by both the Congress and the U.S. Supreme Court.

George Washington in a letter to the Annual Meeting of Quakers held in 1789 said this: ''The liberty enjoyed by the people of these states of worshiping Almighty God agreeably to their conscience, is not only among the

choicest of their blessings, but also of their rights.''

As noted in a recent study by The Heritage Foundation entitled Churches, Charity, and Children: ''It is not hard to understand why religious organizations would hire only those with similar religious values. It is impossible to safeguard an organization's mission—religious or secular—without staff and volunteers who embody it.''

Our Nation was founded on the premise of religious freedom. It is what makes our Nation great.

Religious organizations are founded on deeply held convictions. It is these convictions that have created these organizations. It is these convictions that make these organizations so successful. It is these convictions that give these organizations life. And today, if we as a Congress do not combat this attempt to destroy these convictions, we will be destroying a part of the very foundation of what and who we are as a Nation.

Mrs. BIGGERT. Mr. Chairman, I rise today in support of H.R. 3030 and in opposition to the amendments offered today.

H.R. 3030 would reauthorize the Community Services Block Grant program and restore the protections granted to religious organizations under Title VII of the Civil Rights Act. This exemption explicitly allows faith-based organizations the freedom to consider religion when hiring staff, and any federal legislation governing federal training and social services funds should continue to protect these rights.

Faith-based providers cannot be expected to sustain their religious mission if they cannot employ individuals who share the tenets and practices of their faith. In many cases, it is that faith that motivates them to serve their community. Such practices have been upheld by the United States Supreme Court in Bowen v. Kendrick, even when the organization is receiving federal funds.

Let me clarify. Federal funds cannot be used for worship or for proselytizing. Nor can these organizations discriminate in who receives services. Any activity that used federal funds must not be discriminatory.

We have a long history of making social service legislation more inclusive by extending the Title VII exemptions in various federal programs. H.R. 3030 contains the same ''faith-based'' provisions as the Welfare Reform Act of 1996 and the Community Services Block Grant Act of 1998, both of which were signed into law by former President Clinton. The bill we are considering today would simply make the Community Services Block Grant consistent with the legislation governing other major social service programs. Furthermore, in May, the House approved almost identical language in reauthorizing the Workforce Reinvestment and Adult Education Act of 2003.

I urge my colleagues to support this legislation and let faith-based organizations continue the good work they are currently doing.

Ms. LEE. Mr. Chairman, today I rise in strong support of the Woolsey and Miller amendments and to highlight the immense need for anti-poverty and poverty-reduction programs, currently executed by communities through the Community Service Block Grant program.

Unfortunately today, far too many of us are blinded by the politics of service instead of viewing the need for it.

As we debate the merits of this legislation's language, its impact on civil rights, and where funding can be squeezed out of the administration's budget for actual communities to invest in people, we negate the intent of this bill and the work that must be done.

This bill should be about people not politics.

The truth is we are in an ongoing struggle for human dignity, basic human rights and real people living in poverty which this bill has provided resources and support to.

Ending poverty should be our obligation, and President Johnson launched the Community Service Block Grant program back in the 1960s hoping that we would step up to our commitment.

How many of us can argue that we have challenged this chronic problem, while our country has 35 million people living in poverty, 43 million people without insurance, 14.4 million families with critical housing needs, at least 2 million Americans without jobs, and while hunger and homelessness continue to rise with over a million homeless people on the street any given night—nearly a third of whom are veterans.

The Community Service Block Grant is part of a comprehensive, community centered approach to helping those most vulnerable in our country. The CSBG grants funding and resources to groups that: weatherize homes or provide emergency assistance; teach parents on parenting and connect parents to reliable child care; work with elderly and youth after school programs; provide transportation to those with disabilities; teach people about credit and financial literacy; provide crisis assistance to victims of domestic violence; fill food pantries for the hungry; and the list goes on and on.

Mr. Chairman, today the debate over the Community Service Block Grant authorization should go much deeper than mere dollars and cents. The domestic agenda of the Bush administration is crippling America and Congress cannot stand for it.

Our challenge and our obligation to eliminate poverty and guarantee basic human rights and dignity to all men and women must be championed not only by this bill but by some real money and attention.

I stand in support of ending poverty through the reauthorization of this bill, and if my colleagues feel the need to politicize poverty today, then I along with many other Members, will shed light on those malicious maneuvers.

The centerpiece of this debate should be, where there is justice for all men and women, we find peace and respect for human dignity and rights. Today this country needs leadership that will ensure and protect that dignity and our basic and most treasured human rights.

Ms. SCHAKOWSKY. Mr. Chairman, I rise today to speak out in opposition to H.R. 3030, a bill to reauthorize and amend the Community Service Block Grant program. While I strongly support the social services and organizations that these grants help support, this bill does not correct current law, which explicitly allows religious organizations that receive federal funds from the Community Service Block Grant Act to discriminate in their hiring. Instead, I support the amendment offered by my colleagues, Representatives LYNN WOOLSEY, GEORGE MILLER, and others, which would prohibit discrimination in hiring based on religion.

Americans share a fundamental value that we must never discriminate on the basis of religion. Unlike other ideologies, our Constitution specifically protects religion in the first amendment of the Bill of Rights. Yet, H.R. 3030 says federal funds can, in fact, be used to discriminate against someone who may not share the same religion as that practiced by the organization receiving funds. We must not allow our taxpayer dollars to support discrimination.

The fact is that religious organizations have been providing secular social services, such as Meals on Wheels, adult literacy programs, homeless shelters and job-training programs, to people in this country for decades. And, in cases where federal funds are involved, these religious organizations have willingly done so without discriminating in their hiring. We must not go down a road where discrimination of any kind is allowed with federal money.

I urge my colleagues to vote ''no'' on H.R. 3030 and ''yes'' on amendments that prohibit religious discrimination.

Mr. UDALL of Colorado. Mr. Chairman, I rise today to express my cautious support of H.R. 3030, the reauthorization of the Community Service Block Grant (CSBG).

The Federal government sponsors several programs which fight poverty on all levels. The CSBG ties these programs together and provides extra support and flexibility to meet the individual needs of each state. Many public and private organizations which fight poverty will benefit the lives of many more people throughout the country as a result of the help these grants provide.

This bill makes several changes that enhance the quality of services these grant sponsor. For example, organization, when applying for the grant, must submit a detail plan about the type of services they will provide as well as criteria which effectively judge if the organization has meet the goals outline in their submitted plan. by establishing local goals, each organization can tailor their efforts to meet the needs of their clientele, while maintaining a high standard of service and effetive use of taxpayer dollars.

I am also pleased that this bill continues to require funding to improve economic conditions and encourage self-sufficiency for the poor in rural areas. The rural poor face different barriers to reach self-sufficiency than those in urban areas and thus require different types of services to reach a level of independence.

I do have many concerns that efforts to protect against religious discrimination in hiring made in both committee and through amendments to this bill were not adopted by this chamber. While I believe that it is important that religious organizations maintain their religious character, I do not favor discrimination of any kind with federal dollars.

That being said, I believe that this ultimately is a good bill and the efforts made through the Community Service block Grants provide important services to the poor in our country. As a result, I will vote in favor of H.R. 3030 and am hopeful that the Senate will provide protection against hiring discrimination and that that language will remain in the final version of the bill.

Mr. STARK. Mr. Chairman, today I rise in opposition to the ''Improving the Community Services Block Grant Act of 2003'' and in support of the Democratic alternative.

I fully support the Community Services Block Grant. It has helped lift many Americans out of poverty. It has been instrumental in creating programs that provide many Americans

with services and skills to get good jobs and fully participate in their community.

And ''community'' is an important value underscored in this initiative. The Community Services Block Grant is supposed to build stronger communities, not create divided ones where discrimination is tolerated and encouraged.

Yet, the House Republican bill would do just that. It includes a provision that makes it legal for religious organizations that receive funds under the Community Services Block Grant to discriminate against who they hire or provide services to based on one's religious beliefs. This horrible provision will lead to religious organizations denying essential services to many low income Americans based on their religion and ultimately depriving them of the opportunity to use these community services to climb out of poverty.

I will not vote for legislation that reinstitutes government-sponsored discrimination. I urge my colleagues to vote instead for the Democratic alternative. It funds all the programs Republicans fund in their bill. But, it does so without opening the door to discrimination and intolerance that is a barrier to self-sufficiency and stronger communities across our Nation.

Mr. KIND. Mr. Chairman, I rise today in strong support of the Community Services Block Grant. It is an extremely important program for more than 1,000 communities nationwide and millions of families. In Wisconsin, there are currently 19 eligible organizations and 11 tribes that receive CSBG funds and last year the State received nearly $8 million in funding. I am pleased that in Wisconsin's Third Congressional District that I represent there are five Community Action Agencies serving our community. They include West Central Wisconsin Community Action Agency, Western Dairy-land, Cooleecap, Central Wisconsin Community Action Council and Southwest CAP. I commend these agencies for all the work they do to fight poverty and assist some of the most vulnerable members of our community.

Over the past several years the Nation's poverty rate has risen so that now more than 34 million people live in poverty with an all-time high since statistics were first kept in 1979. Recent unemployment figures are equally troubling. Since 2001, approximately 2.3 million workers have lost their jobs. Given the current economic situation in this country right now, the reauthorization of a program whose central purpose is to minimize the effects of poverty and to maximize self-sufficiency for millions of people is critically important.

Yet, H.R. 3030 before us today fails to correct provisions in current law that permit religious organizations receiving funds under this Act to discriminate in employment based on religion. While these provisions have existed in current law for 5 years, I cannot condone the continuation of discriminatory policies in any context.

During committee consideration of H.R. 3030, an amendment was offered to remove the discriminatory language. This amendment failed, thus retaining this language, which is why I opposed the legislation in committee and why I oppose it again today.

While I strongly support the right of religious institutions to preserve the integrity of their own religious character when it comes to their activities, I oppose the Federal Government providing Federal funds for secular purposes to any organization that could then use these funds in a discriminatory fashion on religious grounds.

I do support the Democratic substitute offered by my good friend, Representative GEORGE MILLER, ranking member of the Education and Workforce Committee. The substitute restores basic civil rights for workers while ensuring the on-going participation of faith-based groups in CSBG programs.

Mr. Chairman, in closing, I want to reiterate my support for the Community Services Block Grant and express my deep disappointment in having to oppose this bill for the mere fact that the congressional leadership insisted on retaining such discriminating language.

Mr. GEORGE MILLER of California. Mr. Chairman, if I may inquire of the chairman how many additional speakers he has on general debate.

Mr. BOEHNER. Mr. Chairman, I do not have any at the present time.

Mr. GEORGE MILLER of California. Mr. Chairman, we have no further speakers, and I yield back our time. We can move right to the substitute. I think we were debating the substitute in any case.

Mr. BOEHNER. Mr. Chairman, I yield back the balance of our time under general debate.

The CHAIRMAN. All time for general debate has expired.

Pursuant to the rule, the committee amendment in the nature of a substitute printed in the bill is considered as an original bill for the purpose of amendment and is considered read.

The text of the committee amendment in the nature of a substitute is as follows:

H.R. 3030

*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 ''Improving the Community Services Block Grant Act of 2003''.*

***SEC. 2. COMMUNITY SERVICES BLOCK GRANT ACT AMENDMENTS.***

*(a) PURPOSES AND GOALS.—Section 672 of the Community Services Block Grant Act (42 U.S.C. 9901 note) is amended to read as follows:*

***''SEC. 672 PURPOSES AND GOALS.***

*''The purpose of this subtitle is to reduce poverty—*

*''(1) by strengthening and coordinating local efforts to expand opportunities for individuals and families to become economically self-sufficient and to improve and revitalize low-income communities in urban and rural areas, by providing resources to States for support of local eligible entities, including community action agencies and other community-based organizations—*

*''(A) to plan, coordinate, and mobilize a broad range of Federal, State, local, and private assistance or investment in such a manner as to use these resources effectively to reduce poverty and in initiatives that are responsive to specific local needs and conditions;*

*''(B) to coordinate a range of services that meet the needs of low-income families and individuals, that support strong and healthy families, and that assist them in developing the skills needed to become self sustaining while ensuring that these services are provided effectively and efficiently; and*

*''(C) to design and implement comprehensive approaches to assist eligible individuals in gaining employment and achieving economic self-sufficiency;*

*''(2) by improving and revitalizing the low-income communities in urban and rural areas by providing resources to States for support of local eligible entities and their partners—*

*''(A) to broaden the resource base of initiatives and projects directed to the elimination of poverty and the redevelopment of the low-income community, including partnerships with nongovernmental and governmental institutions to develop the community assets and services that reduce poverty, such as—*

*''(i) other private, religious, charitable, and community-based organizations;*

*''(ii) individual citizens, and business, labor, and professional groups, that are able to influence the quantity and quality of opportunities and services for the poor; and*

*''(iii) local government leadership; and*

*''(B) to coordinate community-wide resources and services that will have a significant, measurable impact on the causes of poverty in the community and that will help families and individuals to achieve economic self-sufficiency and to test innovative, community-based approaches to attacking the causes and effects of poverty and of community breakdown, including—*

*''(i) innovative initiatives to prevent and reverse loss of investment, jobs, public services, and infrastructure in low- and moderate-income communities; and*

*''(ii) innovative partnerships to leverage the assets and services that reduce poverty, as provided in subparagraph (A); and*

*''(3) by ensuring maximum participation of residents of low-income communities and of members of the groups served by grants made under this subtitle in guiding the eligible entities and in their programs funded under this subtitle, to ameliorate the particular problems and needs of low-income residents and to develop the permanent social and economic assets of the low-income community in order to reduce the incidence of poverty.''.*

*(b) DEFINITIONS.—Section 673(1)(A) of the Community Services Block Grant Act (42 U.S.C. 9902(1)(A)) is amended—*

*(1) in clause (i) by striking ''and'' at the end;*

*(2) in clause (ii) by striking the period at the end and inserting ''; and''; and*

*(3) by adding at the end the following:*

*''(iii) that successfully develops and meets the locally determined goals described in section 678E(b)(1), as determined by the State, and meets State goals, standards, and performance requirements as provided for in section 678B(a).''.*

*(c) AUTHORIZATION OF APPROPRIATIONS.—Section 674 of the Community Services Block Grant Act (42 U.S.C. 9903) is amended—*

*(1) in subsection (a) by striking ''1999 through 2003'' and inserting ''2004 through 2009''; and*

*(2) in subsection (b)(2)—*

*(A) by striking ''678F'' and inserting ''678E to assist States, eligible entities, and their partners in projects supported by this subtitle''; and*

*(B) in subparagraph (B) by striking ''monitoring (to correct programmatic deficiencies of eligible entities)'' and inserting ''monitoring (including technical assistance and training to correct programmatic deficiencies of eligible entities)''.*

*(d) USES OF FUNDS.—Section 675C of the Community Services Block Grant Act (42 U.S.C. 9907) is amended—*

*(1) in subsection (a)(3)(A) by striking ''Beginning on October 1, 2000, a'' and inserting ''A''; and*

*(2) in subsection (b)(1)(F) by striking ''neighborhood-based'' and inserting ''community-based''.*

*(e) APPLICATION AND PLAN.—Section 676 of the Community Services Block Grant Act (42 U.S.C. 9908) is amended—*

*(1) in subsection (b)—*

*(A) by striking ''Beginning with fiscal year 2000, to'' and inserting ''To'';*

*(B) in paragraph (1)—*

*(i) in subparagraph (B)—*

*(I) by striking ''youth development programs that support'' and inserting ''youth development programs, which may include mentoring programs, that support''; and*

*(II) by striking ''and'' at the end;*

*(ii) in subparagraph (C) by adding ''and'' at the end; and*

*(iii) by adding at the end the following:*

*''(D) initiatives to improve economic conditions and mobilize new resources in rural areas to eliminate obstacles to the self-sufficiency of families and individuals in rural communities;'';*

*(C) in paragraph (2) by striking ''community and neighborhood-based'' and inserting ''community-based'';*

*(D) in paragraph (3)—*

*(1) in the matter preceding subparagraph (A) by striking ''information provided by eligible entities in the State, containing'' and inserting ''an assurance that the State will provide information, including''; and*

*(ii) in subparagraph (D) by striking ''community and neighborhood-based'' and inserting ''community-based'';*

*(E) in paragraph (9) by striking ''and community organizations'' and inserting ''and community-based organizations'';*

*(F) in paragraph (10) by striking ''community organization'' and inserting ''community-based organization'';*

*(G) in paragraph (12) by striking ''and'' at the end;*

*(H) by redesignating paragraph (13) as paragraph (15); and*

*(I) by inserting after paragraph (12) the following:*

*''(13) an assurance that the State will take swift action to improve performance or, when appropriate, to terminate the funding under this subtitle of low-performing eligible entities that do not meet the applicable locally determined goals described in section 678E(b)(1) or do not meet the State goals, standards, and requirements as provided for in section 678B(a);*

*''(14) an assurance that the State will provide a justification to the Secretary if it continues to fund persistently low-performing eligible entities; and'';*

*(2) in subsection (c)(2) by striking ''plan, or'' and all that follows through the period at the end, and inserting ''plan, to meet a State requirement, as described in section 678C(a), or to meet the locally determined goals as described in section 678E(b)(1).''; and*

*(3) by striking subsection (f).*

*(f) TRAINING, TECHNICAL ASSISTANCE, AND OTHER ACTIVITIES.—Section 678A(a)(1)(A) of the Community Services Block Grant Act (42 U.S.C. 9913(a)(1)(A)) is amended—*

*(1) by inserting ''dissemination regarding best practices,'' after ''technical assistance,''; and*

*(2) by inserting ''(including to assist in the development of reporting systems and electronic data systems)'' after ''collection activities''.*

*(g) MONITORING OF ELIGIBLE ENTITIES.—Section 678B of the Community Services Block Grant Act (42 U.S.C. 9914) is amended—*

*(1) in subsection (a)—*

*(A) in the matter preceding paragraph (1) by inserting ''and the locally determined performance goals described in section 678E(b)(1)'' after ''a State''; and*

*(B) in paragraph (3)—*

*(i) by inserting ''appropriate'' before ''goals''; and*

*(ii) by striking ''established by the State''; and*

*(2) in the last sentence of subsection (c) by striking ''Chairperson of the Committee on Education'' and all that follows through ''Human Resources of the Senate'' and inserting ''appropriate congressional committees''.*

*(h) CORRECTIVE ACTION; TERMINATION AND REDUCTION OF FUNDING.—Section 678C(a) of the Community Services Block Grant Act (42 U.S.C. 9915(a)) is amended in the matter preceding paragraph (1) by striking ''established by the State''.*

*(i) ACCOUNTABILITY AND REPORTING REQUIREMENTS.—Section 678E of the Community Services Block Grant Act (42 U.S.C. 9917) is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (1)(A) by striking ''By October 1, 2001, each'' and inserting ''Each''; and*

*(B) in paragraph (2)—*

*(i) in the 1st sentence by inserting ''including any activities under section 678C'' before the period at the end;*

*(ii) by striking the 2d sentence;*

*(iii) in the 3d sentence by striking ''also''; and*

*(iv) in the 3d sentence by inserting ''information on the timeliness of the distribution of block grant funds to eligible entities as provided in section 675C(a),'' after ''including'';*

*(2) in subsection (b)—*

*(A) in paragraph (2) in the matter preceding subparagraph (A) by striking ''beginning after September 30, 1999'';*

*(B) in paragraph (3) by striking ''Committee on Education'' and all that follows through ''Human Resources of the Senate'' and inserting ''appropriate congressional committees'';*

*(C) by adding at the end the following:*

*''(5) COORDINATION OF REPORTING REQUIREMENTS.—To the maximum extent possible, the Secretary shall coordinate reporting requirements for all programs of the Department of Health and Human Services managed by eligible entities so as to consolidate and reduce the number of reports required about individuals, families, and uses of grant funds.''; and*

*(D) by redesignating such subsection as subsection (c); and*

*(3) by inserting after subsection (a) the following:*

*''(b) LOCAL ACCOUNTABILITY AND REPORTING REQUIREMENTS.—*

*''(1) LOCALLY DETERMINED GOALS.—In order to be designated as an eligible entity and to receive a grant under this subtitle, an eligible entity shall establish locally determined goals for reducing poverty in the community, including goals for—*

*''(A) leveraging and mobilizing community resources;*

*''(B) fostering coordination of Federal, State, local, private, and other assistance; and*

*''(C) promoting community involvement.*

*''(2) DEMONSTRATION THAT GOALS WERE MET.—In order for an eligible entity to receive a second or subsequent grant made under this subtitle after the effective date of this paragraph, such entity shall demonstrate to the State that it has met the goals described in paragraph (1).''.*

*(j) TREATMENT OF BENEFICIARIES.—Section 679 of the Community Services Block Grant Act (42 U.S.C. 9920) is amended by adding at the end the following:*

*''(f) TREATMENT OF BENEFICIARIES.—In providing assistance under a program described in subsection (a), a religious organization shall not discriminate against a beneficiary, or a potential beneficiary, of such assistance on the basis of religion or of a religious belief.''.*

*(k) DISCRETIONARY AUTHORITY OF SECRETARY.—Section 680 of the Community Services Block Grant Act (42 U.S.C. 9921) is amended—*

*(1) in subsection (a)—*

*(A) in paragraph (2)—*

*(i) in subparagraph (A) by inserting ''(including financial assistance for construction or substantial rehabilitation of buildings and facilities, and for loans or investments in private business enterprises owned by community development corporations)'' after ''assistance'';*

*(ii) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (D), (E), (F), and (G), respectively; and*

*(iii) by inserting after subparagraph (A) the following:*

*''(B) FEDERAL INTEREST.—The Secretary shall establish procedures that permit funds provided under a grant made under this paragraph, or intangible assets acquired with such funds, to become the sole property of the grantee before the expiration of the 12-year period beginning after the fiscal year for which such grant is made if such grantee agrees to use such funds or such property for purposes and uses consistent with the purposes and uses for which such grant is made.*

*''(C) REPLACEMENT ACTIVITIES.—The Secretary shall establish procedures to allow a grant made under this paragraph to be used by a grantee to carry out activities substantially similar to the activities for which such grant is made if, due to no fault of such grantee, such grantee cannot carry out the activities for which such grant is made. Such procedures shall require that the substantially similar activities serve the same impact area and have the same goals, objectives, and outcomes as the activities for which such grant is made.'';*

*(B) in paragraph (3)(B) by inserting ''water and wastewater'' after ''community''; and*

*(C) in paragraph (4) by striking ''neighborhood-based'' and inserting ''community-based''; and*

*(2) in subsection (c) by striking ''Chairperson of the Committee on Education'' and all that follows through ''Human Resources of the Senate'' and inserting ''appropriate congressional committees''.*

*(l) COMMUNITY FOOD AND NUTRITION PROGRAMS.—Section 681 of the Community Services Block Grant Act (42 U.S.C. 9922) is amended—*

*(1) in subsection (c) in the matter preceding paragraph (1) by striking ''Committee on Education'' and all that follows through ''Human Resources of the Senate'' and inserting ''appropriate congressional committees''; and*

*(2) in subsection (d) by striking ''1999 through 2003'' and inserting ''2004 through 2009''.*

*(m) NATIONAL OR REGIONAL PROGRAMS DESIGNED TO PROVIDE INSTRUCTIONAL ACTIVITIES FOR LOW-INCOME YOUTH.—Section 682 of the Community Services Block Grant Act (42 U.S.C. 9923) is amended—*

*(1) in subsection (b)(5)—*

*(A) by inserting ''(which may be accomplished through mentoring)'' after ''youth''; and*

*(B) by inserting ''to improve academic achievement'' after ''study practices''; and*

*(2) in subsection (g) by striking ''1999 through 2003'' and inserting ''2004 through 2009''.*

***SEC. 3. EFFECTIVE DATE.***

*This Act and the amendments made by this Act shall take effect on the 1st day of the 1st fiscal year beginning after the date of the enactment of this Act.*

The CHAIRMAN. No amendment to that amendment shall be in order except those printed in the designated place in the CONGRESSIONAL RECORD and pro forma amendments for the purpose of debate. Amendments printed in the RECORD may be offered only by the Member who caused it to be printed or his designee and shall be considered read.

Are there any amendments to the bill?

AMENDMENT NO. 4 IN THE NATURE OF A SUBSTITUTE OFFERED BY MS. WOOLSEY

Ms. WOOLSEY. Mr. Chairman, I offer an amendment in the nature of a substitute.

The CHAIRMAN. The Clerk will designate the amendment in the nature of a substitute.

The text of the amendment in the nature of a substitute is as follows:

Amendment No. 4 in the nature of a substitute offered by Ms. WOOLSEY:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the ''Improving the Community Services Block Grant Act of 2003''.

**SEC. 2. COMMUNITY SERVICES BLOCK GRANT ACT AMENDMENTS.**

(a) PURPOSES AND GOALS.—Section 672 of the Community Services Block Grant Act (42 U.S.C. 9901 note) is amended to read as follows:

**''SEC. 672 PURPOSES AND GOALS.**

''The purpose of this subtitle is to reduce poverty—

''(1) by strengthening and coordinating local efforts to expand opportunities for individuals and families to become economically self-sufficient and to improve and revitalize low-income communities in urban and rural areas, by providing resources to States for support of local eligible entities, including community action agencies and other community-based organizations—

''(A) to plan, coordinate, and mobilize a broad range of Federal, State, local, and private assistance or investment in such a manner as to use these resources effectively to reduce poverty and in initiatives that are responsive to specific local needs and conditions;

''(B) to coordinate a range of services that meet the needs of low-income families and individuals, that support strong and healthy families, and that assist them in developing the skills needed to become self sustaining while ensuring that these services are provided effectively and efficiently; and

''(C) to design and implement comprehensive approaches to assist eligible individuals in gaining employment and achieving economic self-sufficiency;

''(2) by improving and revitalizing the low-income communities in urban and rural areas by providing resources to States for support of local eligible entities and their partners—

''(A) to broaden the resource base of initiatives and projects directed to the elimination of poverty and the redevelopment of the low-income community, including partnerships with nongovernmental and governmental institutions to develop the community assets and services that reduce poverty, such as—

''(i) other private, religious, charitable, and community-based organizations;

''(ii) individual citizens, and business, labor, and professional groups, that are able to influence the quantity and quality of opportunities and services for the poor; and

''(iii) local government leadership; and

''(B) to coordinate community-wide resources and services that will have a significant, measurable impact on the causes of poverty in the community and that will help families and individuals to achieve economic self-sufficiency and to test innovative, community-based approaches to attacking the causes and effects of poverty and of community breakdown, including—

''(i) innovative initiatives to prevent and reverse loss of investment, jobs, public services, and infrastructure in low- and moderate-income communities; and

''(ii) innovative partnerships to leverage the assets and services that reduce poverty, as provided in subparagraph (A); and

''(3) by ensuring maximum participation of residents of low-income communities and of members of the groups served by grants made under this subtitle in guiding the eligible entities and in their programs funded under this subtitle, to ameliorate the particular problems and needs of low-income residents and to develop the permanent social and economic assets of the low-income community in order to reduce the incidence of poverty.''.

(b) DEFINITIONS.—Section 673(1)(A) of the Community Services Block Grant Act (42 U.S.C. 9902(1)(A)) is amended—

(1) in clause (i) by striking ''and'' at the end;

(2) in clause (ii) by striking the period at the end and inserting ''; and''; and

(3) by adding at the end the following:

''(iii) that successfully develops and meets the locally determined goals described in section 678E(b)(1), as determined by the State, and meets State goals, standards, and performance requirements as provided for in section 678B(a).''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 674 of the Community Services Block Grant Act (42 U.S.C. 9903) is amended—

(1) in subsection (a) by striking ''1999 through 2003'' and inserting ''2004 through 2009''; and

(2) in subsection (b)(2)—

(A) by striking ''678F'' and inserting ''678E to assist States, eligible entities, and their partners in projects supported by this subtitle''; and

(B) in subparagraph (B) by striking ''monitoring (to correct programmatic deficiencies of eligible entities)'' and inserting ''monitoring (including technical assistance and training to correct programmatic deficiencies of eligible entities)''.

(d) USES OF FUNDS.—Section 675C of the Community Services Block Grant Act (42 U.S.C. 9907) is amended—

(1) in subsection (a)(3)(A) by striking ''Beginning on October 1, 2000, a'' and inserting ''A''; and

(2) in subsection (b)(1)(F) by striking ''neighborhood-based'' and inserting ''community-based''.

(e) APPLICATION AND PLAN.—Section 676 of the Community Services Block Grant Act (42 U.S.C. 9908) is amended—

(1) in subsection (b)—

(A) by striking ''Beginning with fiscal year 2000, to'' and inserting ''To'';

(B) in paragraph (1)—

(i) in subparagraph (B)—

(I) by striking ''youth development programs that support'' and inserting ''youth development programs, which may include mentoring programs, that support''; and

(II) by striking ''and'' at the end;

(ii) in subparagraph (C) by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(D) initiatives to improve economic conditions and mobilize new resources in rural areas to eliminate obstacles to the self-sufficiency of families and individuals in rural communities;'';

(C) in paragraph (2) by striking ''community and neighborhood-based'' and inserting ''community-based'';

(D) in paragraph (3)—

(1) in the matter preceding subparagraph (A) by striking ''information provided by eligible entities in the State, containing'' and inserting ''an assurance that the State will provide information, including''; and

(ii) in subparagraph (D) by striking ''community and neighborhood-based'' and inserting ''community-based'';

(E) in paragraph (9) by striking ''and community organizations'' and inserting ''and community-based organizations'';

(F) in paragraph (10) by striking ''community organization'' and inserting ''community-based organization'';

(G) in paragraph (12) by striking ''and'' at the end;

(H) by redesignating paragraph (13) as paragraph (15); and

(I) by inserting after paragraph (12) the following:

''(13) an assurance that the State will take swift action to improve performance or, when appropriate, to terminate the funding under this subtitle of low-performing eligible entities that do not meet the applicable locally determined goals described in section 678E(b)(1) or do not meet the State goals, standards, and requirements as provided for in section 678B(a);

''(14) an assurance that the State will provide a justification to the Secretary if it continues to fund persistently low-performing eligible entities; and'';

(2) in subsection (c)(2) by striking ''plan, or'' and all that follows through the period at the end, and inserting ''plan, to meet a State requirement, as described in section 678C(a), or to meet the locally determined goals as described in section 678E(b)(1).''; and

(3) by striking subsection (f).

(f) TRAINING, TECHNICAL ASSISTANCE, AND OTHER ACTIVITIES.—Section 678A(a)(1)(A) of the Community Services Block Grant Act (42 U.S.C. 9913(a)(1)(A)) is amended—

(1) by inserting ''dissemination regarding best practices,'' after ''technical assistance,''; and

(2) by inserting ''(including to assist in the development of reporting systems and electronic data systems)'' after ''collection activities''.

(g) MONITORING OF ELIGIBLE ENTITIES.—Section 678B of the Community Services Block Grant Act (42 U.S.C. 9914) is amended—

(1) in subsection (a)—

(A) in the matter preceding paragraph (1) by inserting ''and the locally determined performance goals described in section 678E(b)(1)'' after ''a State''; and

(B) in paragraph (3)—

(i) by inserting ''appropriate'' before ''goals''; and

(ii) by striking ''established by the State''; and

(2) in the last sentence of subsection (c) by striking ''Chairperson of the Committee on Education'' and all that follows through ''Human Resources of the Senate'' and inserting ''appropriate congressional committees''.

(h) CORRECTIVE ACTION; TERMINATION AND REDUCTION OF FUNDING.—Section 678C(a) of the Community Services Block Grant Act (42 U.S.C. 9915(a)) is amended in the matter preceding paragraph (1) by striking ''established by the State''.

(i) ACCOUNTABILITY AND REPORTING REQUIREMENTS.—Section 678E of the Community Services Block Grant Act (42 U.S.C. 9917) is amended—

(1) in subsection (a)—

(A) in paragraph (1)(A) by striking ''By October 1, 2001, each'' and inserting ''Each''; and

(B) in paragraph (2)—

(i) in the 1st sentence by inserting ''including any activities under section 678C'' before the period at the end;

(ii) by striking the 2d sentence;

(iii) in the 3d sentence by striking ''also''; and

(iv) in the 3d sentence by inserting ''information on the timeliness of the distribution of block grant funds to eligible entities as provided in section 675C(a),'' after ''including'';

(2) in subsection (b)—

(A) in paragraph (2) in the matter preceding subparagraph (A) by striking ''beginning after September 30, 1999'';

(B) in paragraph (3) by striking ''Committee on Education'' and all that follows through ''Human Resources of the Senate'' and inserting ''appropriate congressional committees'';

(C) by adding at the end the following:

''(5) COORDINATION OF REPORTING REQUIREMENTS.—To the maximum extent possible, the Secretary shall coordinate reporting requirements for all programs of the Department of Health and Human Services managed by eligible entities so as to consolidate and reduce the number of reports required

about individuals, families, and uses of grant funds.''; and

(D) by redesignating such subsection as subsection (c); and

(3) by inserting after subsection (a) the following:

''(b) LOCAL ACCOUNTABILITY AND REPORTING REQUIREMENTS.—

''(1) LOCALLY DETERMINED GOALS.—In order to be designated as an eligible entity and to receive a grant under this subtitle, an eligible entity shall establish locally determined goals for reducing poverty in the community, including goals for—

''(A) leveraging and mobilizing community resources;

''(B) fostering coordination of Federal, State, local, private, and other assistance; and

''(C) promoting community involvement.

''(2) DEMONSTRATION THAT GOALS WERE MET.—In order for an eligible entity to receive a second or subsequent grant made under this subtitle after the effective date of this paragraph, such entity shall demonstrate to the State that it has met the goals described in paragraph (1).''.

(j) NONDISCRIMINATION.—Section 678F(c)(1) of the Community Services Block Grant Act (42 U.S.C. 9918(c)(1)) is amended by inserting ''religion,'' after ''color,''.

(k) TREATMENT OF BENEFICIARIES.—Section 679 of the Community Services Block Grant Act (42 U.S.C. 9920) is amended to read as follows:

**''SEC. 679. OPERATIONAL RULE.**

''(a) RELIGIOUS ORGANIZATIONS INCLUDED AS NONGOVERNMENTAL PROVIDERS.—For any program carried out by the Federal Government, or by a State or local government under this subtitle, the government shall consider, on the same basis as other nongovernmental organizations, religious organizations to provide the assistance under the program, so long as the program is implemented in a manner consistent with the Establishment Clause of the first amendment to the Constitution. Neither the Federal Government nor a State or local government receiving funds under this subtitle shall discriminate against an organization that provides assistance under, or applies to provide assistance under, this subtitle, on the basis that the organization has a religious character.

''(b) RELIGIOUS CHARACTER AND INDEPENDENCE.—

''(1) IN GENERAL.—A religious organization that provides assistance under a program described in subsection (a) shall retain its religious character and control over the definition, development, practice, and expression of its religious beliefs.

''(2) ADDITIONAL SAFEGUARDS.—Neither the Federal Government nor a State or local government shall require a religious organization—

''(A) to alter its form of internal governance, except (for purposes of administration of the community services block grant program) as provided in section 676B; or

''(B) to remove religious art, icons, scripture, or other symbols;

in order to be eligible to provide assistance under a program described in subsection (a).

''(c) LIMITATIONS ON USE OF FUNDS FOR CERTAIN PURPOSES.—No funds provided directly to a religious organization to provide assistance under any program described in subsection (a) shall be expended for sectarian worship, instruction, or proselytization.

''(d) FISCAL ACCOUNTABILITY.—

''(1) IN GENERAL.—Except as provided in paragraph (2), any religious organization providing assistance under any program described in subsection (a) shall be subject to the same regulations as other nongovernmental organizations to account in accord with generally accepted accounting principles for the use of such funds provided under such program.

''(2) LIMITED AUDIT.—Such organization shall segregate government funds provided under such program into a separate account. Only the government funds shall be subject to audit by the government.

''(e) TREATMENT OF ELIGIBLE ENTITIES AND OTHER INTERMEDIATE ORGANIZATIONS.—If an eligible entity or other organization (referred to in this subsection as an ''intermediate organization''), acting under a contract, or grant or other agreement, with the Federal Government or a State or local government, is given the authority under the contract or agreement to select nongovernmental organizations to provide assistance under the programs described in subsection (a), the intermediate organization shall have the same duties under this section as the government.

''(f) TREATMENT OF BENEFICIARIES.—In providing assistance under a program described in subsection (a), a religious organization shall not discriminate against a beneficiary, or a potential beneficiary, of such assistance on the basis of religion or of a religious belief.

''(g) OPERATIONAL REQUIREMENT.—Notwithstanding any other provision of this section, each entity that carries out a program, or provides assistance, under this subtitle shall carry out such program, or shall provide such assistance, in a lawful and secular manner.''.

(l) DISCRETIONARY AUTHORITY OF SECRETARY.—Section 680 of the Community Services Block Grant Act (42 U.S.C. 9921) is amended—

(1) in subsection (a)—

(A) in paragraph (2)—

(i) in subparagraph (A) by inserting ''(including financial assistance for construction or substantial rehabilitation of buildings and facilities, and for loans or investments in private business enterprises owned by community development corporations)'' after ''assistance'';

(ii) by redesignating subparagraphs (B), (C), (D), and (E) as subparagraphs (D), (E), (F), and (G), respectively; and

(iii) by inserting after subparagraph (A) the following:

''(B) FEDERAL INTEREST.—The Secretary shall establish procedures that permit funds provided under a grant made under this paragraph, or intangible assets acquired with such funds, to become the sole property of the grantee before the expiration of the 12-year period beginning after the fiscal year for which such grant is made if such grantee agrees to use such funds or such property for purposes and uses consistent with the purposes and uses for which such grant is made.

''(C) REPLACEMENT ACTIVITIES.—The Secretary shall establish procedures to allow a grant made under this paragraph to be used by a grantee to carry out activities substantially similar to the activities for which such grant is made if, due to no fault of such grantee, such grantee cannot carry out the activities for which such grant is made. Such procedures shall require that the substantially similar activities serve the same impact area and have the same goals, objectives, and outcomes as the activities for which such grant is made.'';

(B) in paragraph (3)(B) by inserting ''water and wastewater'' after ''community''; and

(C) in paragraph (4) by striking ''neighborhood-based'' and inserting ''community-based''; and

(2) in subsection (c) by striking ''Chairperson of the Committee on Education'' and all that follows through ''Human Resources of the Senate'' and inserting ''appropriate congressional committees''.

(m) COMMUNITY FOOD AND NUTRITION PROGRAMS.—Section 681 of the Community Services Block Grant Act (42 U.S.C. 9922) is amended—

(1) in subsection (c) in the matter preceding paragraph (1) by striking ''Committee on Education'' and all that follows through ''Human Resources of the Senate'' and inserting ''appropriate congressional committees''; and

(2) in subsection (d) by striking ''1999 through 2003'' and inserting ''2004 through 2009''.

(n) NATIONAL OR REGIONAL PROGRAMS DESIGNED TO PROVIDE INSTRUCTIONAL ACTIVITIES FOR LOW-INCOME YOUTH.—Section 682 of the Community Services Block Grant Act (42 U.S.C. 9923) is amended—

(1) in subsection (b)(5)—

(A) by inserting ''(which may be accomplished through mentoring)'' after ''youth''; and

(B) by inserting ''to improve academic achievement'' after ''study practices''; and

(2) in subsection (g) by striking ''1999 through 2003'' and inserting ''2004 through 2009''.

**SEC. 3. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall take effect on the 1st day of the 1st fiscal year beginning after the date of the enactment of this Act.

Ms. WOOLSEY. Mr. Chairman, the Woolsey-Miller-Payne-Andrews-Van Hollen-Frank-Scott-Nadler amendment is a Democratic substitute to H.R. 3030. This Democratic substitute is word for word the same as H.R. 3030 except for one big difference: the Democratic substitute prohibits religious discrimination with Federal CSBG funds.

It does this by making just three changes to the underlying bill. First, the Democratic substitute adds the word ''religion'' to the list of protected groups that cannot be discriminated against with CSBG funds. This list now prohibits discrimination on the basis of race, color, national origin, or sex. We want to add religion to that.

Second, the substitute does not include the title VII exemption to the Civil Rights Act, which is in current CSBG law, permitting faith-based organizations to discriminate based on religion when hiring with Federal funds. In other words, Mr. Chairman, religious discrimination is not allowed when using Federal funds.

Finally, the substitute adds a provision to clarify that while religious organizations are welcome and able to participate in CSBG, they must conduct their activities in a lawful and secular manner when using Federal funds. This language is taken directly from Chief Justice Rehnquist's majority opinion in the Supreme Court case of Bowen v. Kendrick, the case which sets the constitutional requirements for religious organizations that provide government services.

Faith-based organizations have a long and successful history of participating in CSBG programs, and we want that participation to continue. We celebrate their contribution. We want faith-based organizations to participate in the same lawful and secular manner as they did prior to the 1998 reauthorization, an authorization that

occurred in the middle of the night that allowed faith-based organizations to discriminate when hiring staff with Federal funds. That change was made by tucking a significant anti-civil rights provision into an otherwise sound conference report that was based on a voice vote in the middle of the night on the House floor; and, of course, it passed.

With this Democratic substitute, Members have the opportunity to actually vote in the clear light of day on whether or not they want organizations to be able to use Federal funds to further religious discrimination.

Mr. Chairman, a vote for the Democratic substitute is a vote for community service block grants. The Democratic substitute funds local community action agencies which sponsor so many important programs that address the needs of low-income families in our communities. Strong community action agencies make for strong families, strong communities, and a stronger Nation.

The Democratic substitute gives Members the opportunity to take a clean vote for CSBG, without voting for religious discrimination, and I urge my colleagues to please support it.

Mr. FRANK of Massachusetts. Mr. Chairman, I move to strike the last word.

Mr. Chairman, this is one of the most important issues we are going to deal with. The question is whether or not organizations receiving taxpayer dollars paid for by every taxpayer in this country for secular purposes, nonreligious purposes, will be allowed to use those taxpayer dollars to discriminate against people based on their religion. There are arguments about what the history is or is not and the current status is or is not. They are on both sides of the case.

Let us deal with the merits. Why should people in this country who pay their taxes be told that they are not eligible because of their religion for a job which is paid for by their taxes? Of course, religions have a right to hire their own co-religionists in religious matters, but let us understand. If you are talking about the propagation of religion, a very important function, under the Constitution's establishment clause that cannot be done with public money. By definition you can only use public money for secular purposes. No one denies that.

The question then is, if you get the money for secular purposes, why should you be able to tell people that they cannot work for you if you do not like their religion? It is not just religion in the more formal sense. It is religion as the recipient defines it. If you believe that no one who believes in evolution can be a true Christian, then you will, under the law, without the Woolsey amendment, be allowed to deny people who believe in evolution the right to work in a soup kitchen.

If there were a nexus in the job, yes. If you were asking people to teach creationism, then you could ban people who believe in evolution, but a janitor, an architect, a contractor? The notion, by the way, that we have to do this to allow faith-based groups to work is unfair to faith-based groups. I do not think they need to be discriminatory.

We are not again talking about telling them they cannot hire people for religious purposes. What is it about people of another religion that is so distasteful that it is somehow wrong to ask people to associate with them? Are we saying that people cannot administer good works, that they have to associate with Jews if they are Christians, with Catholics if they are Baptist, with Muslims if they are Episcopalians? Of course, it is the case that in America what Martin Luther King said years ago is still true, the hour of worship is a pretty segregated one. Tell Orthodox Jews in Brooklyn that they may hire only their own and how many African Americans will be hired? Tell Mormons in Utah that they may only hire their own and how many Americans are hired? Tell the African Methodist Episcopal church or tell the Nation of Islam that they may hire only their own co-religionists, and how many white people or Hispanics get hired?

We need not empower discrimination. In fact, I have worked myself, as many others have, with the archdiocese of Boston, which has a wonderful housing program with combined Jewish philanthropy's housing program. The notion that religious charities cannot do their work unless they are allowed to discriminate against people not of their religion as they define it is factually wrong.

So that is the question here. I would have thought that the lesson of the last few years is that there is too much religious separatism, too much divisiveness, too much us against them in religion. Yes, let us encourage religious groups to be fully participant in good works, but let us not write into the law of the United States the principle that having simply to work with someone of another religion in entirely nonreligious matters, secular matters, is somehow so corrosive to your morale, so corrosive to your ability to function that you ought to be allowed to say to people, yes, pay taxes for this. We will take billions of dollars of tax money paid by everybody, and you Jews, you Christians, cannot apply.

Let me say, I was recently shown something that I am told comes from the Focus on the Family Web site, and if this is an error I will apologize. I hope I will be corrected. I hope it is an error. What I am told it said was, if this amendment passes, Christian charities interested in accepting Federal funds will be required to ignore religious conviction in hiring, even if potential employees practice Islam, Judaism, or no religion at all.

Yes, I think under the American Constitution and our principles, people who practice Islam, Judaism, or no religion at all ought not to be taxed and told that they are not eligible to do the work for which they are wholly qualified except that people do not like their particular religion. I hope the amendment passes.

Mr. BOEHNER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we are debating the substitute offered by the gentlewoman from California (Ms. WOOLSEY), our good friend and committee member; and the only difference between the substitute and the underlying bill is the issue of whether faith-based providers can continue to maintain their title VII exemption under the 1964 Civil Rights Act.

The gentleman from Massachusetts made a case for the fact that we should not continue to allow this to occur. The fact is that the Congress in 1964, and as amended in 1965, went out of its way to say that religious organizations, when it comes to their hiring, can, in fact, make a decision and use religion as a basis of hiring. That is the law; and for our colleagues who disagree with that, as I said before, let them take this case to the Committee on the Judiciary. Let us go amend the 1964 Civil Rights Act, but it is not the issue here.

Secondly, I would point out that these faith-based organizations in many cases are very effective organizations, helping needy people who need our help, and they do tremendous work; and in many cases, these organizations, faith-based community organizations, hire people who have multiple jobs.

My concern with the language that is being offered in the substitute is that it will, in fact, have a very chilling effect on these faith-based organizations when it comes to their willingness to participate in Federal programs to help meet their mission and our mission of helping poor people that are in crisis.

These organizations have been doing this work for a long time. Many of them have participated in Federal programs where they were protected, like the program we have before us. The Community Service Block Grant program going back to 1998 has the same language in it that the bill has in it today. I have not heard one complaint from anywhere in the country that because they are allowed to have their 1964 civil rights protections that they have discriminated against anyone.

The fact is that these organizations do very good work in our communities. We ought to allow them to participate, as we have.

□ 1345

And it is not just this program. There are at least a half dozen other programs, including the 1996 Welfare Act, that allows faith-based organizations to provide these services while maintaining their protections under the 1964 Civil Rights Act.

So all we are asking in the underlying bill is to maintain the current

law and continue to allow these organizations, who are doing great work, to keep doing what they are doing. I think that is a reasonable assumption, and I believe that most Americans would support what we are trying to do with the underlying bill.

Ms. MCCOLLUM. Mr. Chairman, I move to strike the requisite number of words.

(Ms. McCOLLUM asked and was given permission to revise and extend her remarks.)

Mr. Chairman, I stand today to support the Woolsey amendment because, you see, the underlying bill provides more than $635 million to communities throughout this country to combat poverty, improve the lives of people who are homeless, hungry, jobless, and all too often hopeless. These funds distributed through Community Service Block Grants put valuable resources into all of our communities to combat poverty, and I support the general goals of the underlying bill and the program it funds.

But it is not the funding alone that meets the needs of the homebound, the drug addicted, the destitute, and the hopeless. It is the tens of thousands of determined men and women who work as health outreach workers in shelters, as social service workers, in treatment centers, as counselors, and throughout our community to meet the needs of others. I admire the service and the selflessness of these men and women who live compassion every day they go to work, and not as a soundbite on a campaign trail.

Today, I rise on behalf of the STD and HIV clinic, the foster care social worker, the midnight-to-6-a.m. attendant at a group home, to oppose this bill because it uses their tax dollars and mine to fund religious organizations that can hire them and then fire them based on their religion or how they pray. This bill promotes State-sponsored religious intolerance in employment and it should be defeated, and that is why I support the Woolsey amendment.

Our country was founded on the principle of freedom of religion, and our tax dollars never should be used to enable religious discrimination in hiring. The Bush administration is continuing this disturbing trend of taking social service funding from successful, experienced organizations and redistributing to faith-based organizations that are permitted to use religion in hiring.

How can Congress enable and fund religious organizations to use a person's faith or religious orthodoxy to determine if a candidate is qualified to deliver social services or to mop a floor or to cook soup in a soup kitchen or to teach in a Head Start center? This is wrong. Separation of church and State is not an opt-in or opt-out provision of our Constitution. Using tax dollars to promote discrimination on the basis of religion is just plain, in my opinion, un-American.

I was disturbed by an article in Monday's New York Times describing the Salvation Army's new hiring practices for employees who deliver social services with taxpayers' money that take advantage of the Bush administration's faith-based agenda. The New York division's second-in-command of the Salvation Army is quoted as saying, ''Do we require our employees to believe in Jesus Christ and administer the doctrines and tenets of the Salvation Army? Not unless we hire them for a specific ministry.'' And then he clarified. ''Everything we do is related to our ministry and, in fact, is our ministry. The mission of the Salvation Army,'' which is listed on job postings and calls on new hires to ''preach the gospel of Jesus Christ and to meet human needs in his name.''

Mr. Chairman, I respect any American's freedom to pray, and I pray myself. I worship and I believe in God, and I believe every American should be able to worship in the way that they choose. But this congressionally funded and sanctioned discrimination based on religion is an abomination and debases our Constitution.

I call on all Members of Congress who respect religious freedom and believe in the constitutional separation of church and State to vote against this dangerous extremist bill and to support the Woolsey amendment.

Mr. Chairman, I include for the RECORD the full text of the New York Times article I referred to earlier from February 2.

[From the New York Times, Feb. 2, 2004]

CHARITY REOPENS BIBLE, AND QUESTIONS FOLLOW

(By Daniel J. Wakin)

The Salvation Army of Greater New York, long known for its network of thrift shops and shelters, has begun an effort to reassert its evangelical roots, stressing to lay employees that the Army's core mission is not just social services, but also spreading the gospel.

The New York division's new leaders have ordered that job descriptions now state the mission clearly. they have reminded employees who deal with children that they must fill out a form promising to follow the Army's religious mission in working with them. The form also asks those employees to describe their church affiliations.

''Periodically, we have to kind of reclaim the ecclesiastical turf, if you will,'' said Col. Paul M. Kelly, a former New York division commander who was brought in as a consultant last year to assess its operations.

The effort has stirred a mini-rebellion among some longtime employees who resent what they see as an intrusion on their privacy and the potential for religious discrimination. Such demands for religious loyalty, they say, breach the wall between church and state because the division accepts $70 million in state and city funds for its programs.

''We've been told that things are changing, that they've come to whip us into shape, and they want us to become more like the Army,'' said one social worker in a Salvation Army foster care program who wanted to remain anonymous for fear of retaliation. ''Everyone's really freaked out.'' Robert Gutheil, a former official with an Army social service program, said the New York division was considered an anomaly within the national Army for the lack of emphasis of religion in its programs.

One high-ranking administrator, in a complaint to the Equal Employment Opportunity Commission, said a Salvation Army official said during a meeting that any staff member who refused to sign revised job descriptions proclaiming the church's mission would be fired. And a former human resources executive said a Salvation Army official asked about religious affiliations of people who worked for her and whether several of them were gay.

Catholic Charities, the UJA-Federation of New York and the Evangelical Lutheran Church's local synod all said they do not require social service employees to reveal religious affiliations or commit themselves to a religious mission.

The Salvation Army's New York division leaders would not comment on the specific charges, but denied that their policies are new or even out of the ordinary for a religious institution. Officials acknowledged, however, that they had begun efforts to reinforce the organization's religious identity among employees as part of a general effort to tell the world about the group's mission.

The Army's charitable role was in full focus last week when the national headquarters announced it had received a bequest of $1.5 billion to build and endow 25 or 30 community centers around the country, each of which will contain a place of worship. The bequest came from Joan B. Kroc, the wife of the McDonald's chain founder, who died in October.

Local Army officials said it was far too early to say how the money would affect operations, but national officials have said the centers will be used for educational and spiritual purposes, not for social services.

Best known for the thrift shops and red kettles that help support its network for services for the poor and homeless, the Salvation Army is first and foremost a worldwide evangelical church, according to the New York division's second in command, Maj. Guy D. Klemanski.

''Everything that we do is related to our ministry, and is in fact our ministry,'' he said in an interview. ''Do we require our employees to believe in Jesus Christ and administer the doctrines and tenets of the Salvation Army? Not unless we hire them for a specific ministry.''

The tension between the social and spiritual sides of the Army on display in New York have occurred in Salvation Army divisions elsewhere in the nation, officials said. Major Klemanski said the questionnaire asking about church affiliation has been in effect nationwide since 1993, although it was not always adhered to in the New York division and was re-emphasized last fall. The church questions were to help with background checks, he said, adding that many people in the New York division did not seem to be aware of the mission.

Major Klemanski said it was only natural that the Salvation Army expects general support from its employees for its mission.

''Why would you go to McDonald's and tell everybody to go to Burger King?'' he asked. ''Why would any one want to go to work for the Salvation Army if they are not supportive of us?''

The major said he and the New York commander, Lt. Col. Nestor Nuesch, arrived in their posts in July with a desire to remind employees and the public of the Army's religious functions. They would have done the same anywhere, he said. ''It's fresh leadership.''

Their arrival came on the heels of a reorganization plan by Col. Kelly that was circulated last spring. In it, Col. Kelly urged that more Salvation Army members be recruited for jobs. ''The Army's 'Christian perspective' is rarely emphasized,'' he said.

The church and its program are happily growing, he said, ''but what appears to be happening is a widening gap between the ecclesiastical Salvation Army and the social service component.''

He praised a human resources executive for ordering a Muslim employee to remove ''various Muslim artifacts'' from one center. His report also questioned whether it was a good idea to have hired a human resources director for the Army's adult services agency ''who represents and Eastern religion,'' apparently Buddhism or Hinduism.

The clash between the group's religious and social service missions goes to the heart of President Bush's effort to make it easier for churches to obtain Federal money for so-called faith-based social programs, a debate in which the Salvation Army has been central.

The group has lobbied the White House to allow exemptions from gay discrimination laws, and in New York, has argued that its hiring policies fall well within the terms of contracts with the city, the city's human rights law and a 1980 executive order.

Opponents sharply disagree. ''It's governmental monies to spread the mission of Christ,'' said Martin Garbus, a First Amendment lawyer who is representing at least a dozen Army employees who are upset by the religious policy and fear retaliation. ''The government shouldn't support Pat Robertson, it shouldn't support the Catholic church, it shouldn't support Jewish synagogues.''

The New York Civil Liberties Union asked the city and state comptrollers two weeks ago to audit the New York branch, Lawyers for the group say the New York division may be violating city and state contracts prohibiting religious discrimination.

The city comptroller, William G. Thompson, has passed the complaint on to the New York City Human Rights Commission, and the office of the state comptroller, Alan G. Hevesi, said it was studying the case.

Lawyers for the employees said a lawsuit could be filed this week.

''This is an agency acting on behalf of a government providing government services,'' said Donna Lieberman, the civil liberties union director. ''It cannot be in the business of promoting religion and discriminating against its employees based on religion.''

Religious institutions are exempt from religious anti-discrimination laws, but not for employees working in government-funded programs, the civil liberties union argues. The Bush administration favors allowing religious institutions to consider religion in hiring people who work for their government-funded programs.

The Army, which operates in 109 countries, was founded in London in the 19th century by a Methodist minister, who patterned its structure and terminology after the military. Adherents undergo training before being ''commissioned,'' or ordained, as ''officers,'' the equivalent of ministers. Army doctrine holds that the Bible is truthful revelation and salvation depends on obedience to Christ.

Nationwide, the Army has 46,000 employees, a budget of $2.5 billion and a reputation for being efficiently administered.

Some 1,700 employees work in the Greater New York Division's social service agencies, which have a budget of $120 million a year, about 60 percent from government sources, the division said. The agencies operate more than 60 group homes, foster care, treatment programs, H.I.V. services, shelters and the like. The New York division, which covers New York City, Long Island and seven counties north of the city, said it touches the lives of 5 million people a year.

A few supervisors refused to hand out the forms that included questions on church affiliations. Some workers feared losing their jobs if they did not sign. They included Jews, Muslims and Hindus, gays and lesbians, atheists and even a lapsed Salvation Army member, employees said.

The civil liberties union has also condemned job descriptions calling for applicants to support ''the mission'' of the Salvation Army, which is listed on job postings and calls on new hires to ''preach the Gospel of Jesus Christ and to meet human needs in His Name without discrimination.''

The associate executive director of the children's agency, Anne Lown, who is Jewish, filed the E.E.O.C. complaint, according to the New York Nonprofit Press, which reported the dispute last month. Ms. Lown, now associate director, would not respond to questions about the complaint.

Mr. Gutheil, the executive director of the children's division, said in a Sept. 26 memo to his superiors that the church-affiliation form would have an ''enormously chilling effect'' on hiring good applicants. He said it was bound to be challenged in court, bringing bad publicity and hurting donations.

''Finally, whatever the legality and whatever the practical implications, this is just plain offensive to many of us who share the Gospel faith of the Salvation Army,'' wrote Mr. Gutheil, an Episcopalian. ''This is a city that thrives on its diversity. Our workplace should reflect that.''

Within weeks, Mr. Gutheil had left the Army after more than 20 years. On Tuesday, he said a confidentiality agreement that was part of a severance agreement prevented him from discussing his departure. But he said the dispute contributed to it.

''It was an important stand to take,'' he said. ''I'm sorry I'm not at liberty to say more about it.''

Mr. BURNS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, we have had this debate before. We had it in subcommittee, we had it in committee, and the same rhetoric is here on the floor today. The opposition and the Woolsey amendment would roll back time and take us back prior to 1998 and prior to 1964. The underlying bill, H.R. 3030, preserves religious freedom and religious participation by faith-based organizations in community service.

Current law makes it clear that when faith-based organizations participate in Community Service Block Grants, they can indeed take religion into account in their hiring practices. They are not discriminating. Current law recognizes that faith-based organizations should not be asked to compromise their religious character as a condition of using Federal funds to help those who are in need.

Repealing the 1998 law would needlessly strip faith-based organizations of their rights, rights that have been guaranteed to them by title VII of the Civil Rights Act of 1964, and this has been upheld consistently since then by the courts, most notably by the Supreme Court in Bowen v. Kendrick.

Community Service Block Grants allow faith-based groups to utilize Federal funds for secular purposes, feeding and clothing the needy, helping those out of work to find jobs, and they do so without compromising their essential character. The underlying legislation would continue to provide this opportunity for faith-based organizations.

Faith-based organizations have a fundamental right to their religious beliefs, Christian, Jewish, or Muslim. The Federal Government, given its size and scope, would render their services meaningless if this protection was eliminated. We must continue to support the most needy, those in our country who have needs of education, of health, of food and shelter, and faith-based organizations in the 12th District of Georgia are capable of meeting this need.

I oppose the Woolsey amendment and urge my colleagues to support the underlying bill, H.R. 3030.

Mr. HOLT. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. HOLT. Mr. Chairman, the Community Services Block Grant is a relatively small but important program for more than 1,000 communities and millions of families nationwide, but this amendment is critical because without it a potentially good bill is rendered un-American and unacceptable.

The CSBG purpose is to alleviate poverty by funding initiatives that fight the causes of poverty, such as unemployment, inadequate housing, poor nutrition, and lack of educational opportunities. The unifying characteristic of CSBG programs is that they provide people and communities with the resources and skills they need to become self-sufficient. It is good legislation.

Communities in my 12th District of New Jersey, such as Franklin Township, Somerset County, Trenton, and North Brunswick use CSBG funds to help individuals obtain employment skills, gain access to home ownership and health insurance. It is used for new housing facilities, economic development, job creation, and public service improvements, such as safer streets.

I am glad to see that this legislation, the Improving Community Services Block Grant Act of 2003, as reported, strengthens and improves the CSBG program. It enhances accountability at the local, State and Federal levels. It gives extra emphasis to CSBG's top priority, reducing poverty. I would strongly support the provisions of the reported legislation, and I believe that they would help improve the quality of services to low-income individuals and families so that communities can more effectively move people towards self-sufficiency, with the exception that this, as reported, is un-American.

Because H.R. 3030 fails to remove provisions in law that allow discrimination against beneficiaries of services based on religion, and permits religious organizations receiving funds to discriminate in employment, I must oppose this bill. Now, I agree with the majority that these provisions have existed in current law for 5 years, but that is not reason for us to continue to condone the continuation of discriminatory policies.

For years, faith-based organizations have helped many Americans, but they should not be permitted to turn away qualified individuals from a federally funded job because they are Christian or because they are Jewish or because they are Muslim or because they have any particular faith. It would be wrong to discriminate when hiring. It was wrong, it is wrong, to discriminate when hiring, and it should remain wrong to discriminate when hiring when using taxpayer dollars for that hiring.

The social services of CSBG are not inherently religious activities. It is appropriate to use taxpayer dollars to conduct these activities. Organizations that are faith-based and that are motivated by their religious faith can do these things, even using Federal funds. But they should not use the taxpayer dollars to discriminate. The work they do builds communities. The work funded by CSBG is to build communities. Let us not fund practices that tear apart our communities.

I ask my colleagues to support the Woolsey amendment. And if it does not pass, I ask them to oppose the bill.

Ms. WOOLSEY. Mr. Chairman, will the gentleman yield?

Mr. HOLT. I yield to the gentlewoman from California.

Ms. WOOLSEY. Mr. Chairman, I thank the gentleman from New Jersey for yielding to me, and I just wish to respond to the gentleman from Ohio (Mr. BOEHNER), because he repeats over and over that by not allowing faith-based organizations to discriminate using Federal funds, it would have a chilling effect on these organizations. I want to tell him that what would have a chilling effect and does have a chilling effect is allowing the use of Federal tax dollars based on religious hiring.

Using Federal tax dollars to discriminate is chilling, and we must not let it happen.

Mr. SOUDER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. SOUDER. Mr. Chairman, it needs to be absolutely clear that this amendment would in fact roll back civil rights protections in the United States. Religious organizations have long had protections that this amendment would roll back. The hiring protections in title VII of the Civil Rights Act of 1964, were included in the 1998 Community Services Block Grant authorization. And the President at that time, Bill Clinton, supported this clause directly for social services block grant because he realized that to do so and change anything else regarding this would mean that we would be rolling back civil rights protections for faith-based organizations and churches across the country.

We have long had these types of debates. And one of the things that very much concerns me that those on the other side are doing, as well as some on our side are doing, are muddying up what are very clear waters. Let us make some things absolutely clear. You cannot proselytize, you cannot use public funds under current law, or under the bill that this House is considering to proselytize. It might be part of the goal of your mission that in providing, say, soup to the hungry or shelter to the homeless or helping someone who is dying of AIDS, the reason you are doing it may be Christian and you may be a Christian mission and talking about and viewing this as a holistic part of your mission, but when you are giving the soup, you cannot require a prayer. When you are giving shelter, you cannot require somebody to have a statement of faith when you are providing those services.

□ 1400

The question is not whether we are going to fund Bible studies or fund prayer or that type of thing. The question is can organizations who want to maintain, from their point of view, their organization's statement of faith, whether they be orthodox Jews, whether they be fundamentalist Christians, whether they be fundamentalist Muslims, do they have to change their fundamental mission to hire people who do not share that mission in order to provide soup to the hungry. Giving a bowl of soup to somebody does not require proselytizing them. They can proselytize on their own dime; they can raise money on their own dime.

The question comes when they are doing those services, does the fact that you believe your organization wants to have people of like mind working with it and that you hire people of like mind mean you can no longer provide soup to the hungry?

Let me give Members a couple of specific examples. We have been having a series of oversight hearings on faith-based initiatives around the country, including Chicago, Nashville, San Antonio, Los Angeles, and Colorado Springs. We have been having a full debate at each hearing where we have had people from Jewish organizations who are more secular who do not agree with the position that I am arguing today, and with different organizations like Catholic Charities where they set up separate foundations where they will hire people who do not necessarily share their faith as opposed to directly through the Church. But at every hearing, we have heard from organizations who will not be able to access Federal funds if they have to change their hiring practices. The amendment before us now would not allow the organizations to participate in providing soup, if they don't change their hiring practices.

And by coming down constantly to the floor and saying or implying that these organizations are proselytize is confusing many religious groups around the country. With Federal dollars, they cannot proselytize. The Court has clearly ruled that the software on the computer cannot be paid by the Federal Government if it has any proselytizing in it. But the computer itself does not evangelize. The computer itself does not have a religious message. A school bus taking kids to a camp does not have a religious message in it. If they are going to use the school bus, they cannot put on the side ''Jesus Saves You'' if it is paid for with government dimes.

At the same time, they can be transported to a place that has different messages. For example, we allow this with Catholic schools in the country. Is the other side of the aisle proposing that Catholic schools can no longer receive assistance under IDEA or Title I, that Catholic schools can no longer receive assistance in the form of basic things to their schools? Of course not. We have done this for years.

What we cannot do is provide religious instruction materials for Catholic schools or other schools. This amendment, if passed, would suddenly pull out whole groups of people who view part of their mission, and I myself am an evangelical Christian, it is telling people like me who want to belong to an organization of evangelical Christians who believe part of our mission is to help the poor, that unless we bring in people who do not share our mission, we cannot even compete to provide assistance to the poor.

Quite frankly, most of these groups do not want to touch it. What I have been able to hear in the different hearings were many people coming forth saying they were afraid that the Federal Government is now going to reach their long arm into our churches and start telling us who to hire and fire, and that is just not acceptable.

Mr. Chairman, the Woolsey amendment would in effect gut civil rights protections for all sorts of religious groups, Muslim, Jewish, Catholic, Protestant; and it would be a travesty if we go backwards in allowing people from their own hearts to want to help the poor.

Although this provision appears innocuous, in fact this language is a blow that will serve to gut the faith-based provision in the law that allows faith-based organizations to retain their religious character while providing federally funded social services.

All beneficiaries and potential beneficiaries are protected from discrimination based on religion. At Committee, Chairman BOEHNER offered an amendment that was accepted which codified the regulatory provision (45 CFR 1050.3(e)) regarding the treatment of beneficiaries. Specifically, the amendment stated that a ''religious organization that receives funds under an applicable program, shall not, in providing program services or benefits, discriminate against a program beneficiary or prospective program beneficiary on the basis of religion or a religious belief.''

Additionally, the CSBG law and regulations both prohibit a faith-based organization from using CSBG funds for religious activities.

Section 679(c), states that "[n]o funds provided directly to a religious organization to

provide assistance under any program . . . shall be expended for sectarian worship, instruction, or proselytization.''

In Section 1050.3(c), the regulations state that a religious organization may not ''expend any direct funding under the applicable program to support any inherently religious activities, such as worship, religious instruction, or proselytization'' (45 CFR 1050.3(c)).

Opponents have made the argument that Chief Justice Rehnquist's majority opinion in Bowen v. Kendrick requires the addition of this language, arguing that it was ''one of the most important reasons'' that the Court had found the funding of a faith-based organization constitutional was because it ''did not 'discriminate' on the basis of religion and operated its government-funded services in a secular manner.'' However, a careful reading of the opinion reveals neither of those points to be valid.

The excerpt from the opponents about the faith-based organization not ''discriminating'' failed to note that in the full quote (copied below) the phrase was modified by ''particularly when'' indicating that the decision was valid even before getting to that issue—so it was not ''one of the most important reasons.''

''We note in addition that this Court has never held that religious institutions are disabled by the First Amendment from participating in publicly sponsored social welfare programs. To the contrary, in Bradfield, v. Roberts, 175 U.S. 291, 20 S.Ct. 121, 44 L.Ed. 168 (1899), the Court upheld an agreement between the Commissioners of the District of Columbia and a religiously affiliated hospital whereby the Federal Government would pay for the construction of a new building on the grounds of the hospital. In effect, the Court refused to hold that the mere fact that the hospital was 'conducted under the auspices of the Roman Catholic Church' was sufficient to alter the purely secular legal character of the corporation, id., at 298, 20 S.Ct., at 124, particularly in the absence of any allegation that the hospital discriminated on the basis of religion or operated in any way inconsistent with its secular character. In the Court's view, giving of Federal aid to the hospital was entirely consistent with the Establishment Clause, and the fact that the hospital was religiously affiliated was 'wholly immaterial.' Ibid. The propriety of this holding, and the long history of cooperation and interdependency between governments and charitable or religious organizations is reflected in the legislative history of the AFLA.'' (Bowen v. Kendrick, 487 U.S. 589, 609 (1987)).

As for the ''lawful and secular'' claim, again the full quote (copied below) is illustrative. It shows that it was only when there was a concern that funds might be used for religious indoctrination)—which is not permitted under CSBG—was further scrutiny needed.

''But nothing in our prior cases warrants the presumption adopted by the District Court that religiously affiliated AFLA grantees are not capable of carrying out their functions under the AFLA in a lawful, secular manner. Only in the context of aid to 'pervasively sectarian' institutions have we invalidated an aid program on the grounds that there was a 'substantial' risk that aid to these religious institutions would, knowingly or unknowingly, result in religious indoctrination.'' (Id., at 612) (internal cites omitted).

SUBCOMMITTEE ON CRIMINAL JUSTICE, DRUG POLICY AND HUMAN RESOURCES

HEARING ON ''FAITH-BASED PERSPECTIVES ON THE PROVISION OF COMMUNITY SERVICES, LOS ANGELES, CALIFORNIA''

Monday, January 12, 2004

Tim Hooten, Executive Director, Office of Ministry and Service, Asuza Pacific University:

Mr. Souder: Have you ever had any complaints from any organization that any of your students started sharing the faith and did not represent the organization?

Mr. Hooten: No, quite the opposite. Especially Foothill AIDS project, for instance. I had a phone call with their Executive Director recently, just asked how are things going there. And he said, you know what—and my question was with concern, like are students causing a problem there. And he said, you know what? Your volunteers are my best volunteers because they really have a heart for these young men and women who are dying.

Mr. Souder: And why do you believe they have that heart?

Mr. Hooten: I believe because they feel that they are there to serve the Christ within the people that they are seeing. As far as my perspective on what the New Testament, as a response to the Old Testament is that when I serve someone, I am actually getting to serve Christ. So it is incarnational in that they be the presence of Christ as they serve Christ.

SUBCOMMITTEE ON CRIMINAL JUSTICE DRUG POLICY AND HUMAN RESOURCES

HEARING ON ''THE ROLE OF FAITH-BASED ORGANIZATIONS IN PROVIDING EFFECTIVE SOCIAL SERVICES''

Wednesday, July 2, 2003, Victory Fellowship Annex, San Antonio, Texas

Excerpted comments from the testimony of Greg Kepferle, Executive Director of Catholic Charities of Central New Mexico and Catholic Charities of Santa Fe.

Mr. Kepferle: With Catholic Charities we want to make sure our Title VII exemption under the civil Rights Act is protected, that as a religiously sponsored organization we have the right to hire people who are Catholic and/or who have an understanding of Catholic social teaching; however, in actual practice because of—you know, we're looking for the competent staff with skills and we're serving a very diverse population that we are retaining that right only in select positions.

For example, executive director or positions that are working specifically with parishes or within specific faith-based projects that we have, so we want to make sure that that which is already in the law and we have that right, we want to make sure that's protected. But as a matter of actual practice our hiring practices we hire very diverse staff. We don't for most positions inquire in terms of their religious background or affiliation.

Mr. Sounder: You don't inquire?

Mr. Kepferle: We don't inquire, but we want to make sure we still have that right to do that because just with any organization you want to make sure that, you know, the—if you're selling shoes, you want to make sure that the person that's out there selling shoes wears shoes and believes in that. I mean, just with any business. In our mission it's the mission of following the teaching of the Catholic Church and carrying that out.

Mr. DAVIS of Illinois. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in support of the Democratic substitute to H.R. 3030, the Community Services Block Grant Act of 2003. Community service block grants have played an essential role in our society to help fight poverty by establishing programs, to help with such issues as employment opportunities, housing, facilities development, and food assistance. These community action agencies have become pillars in communities throughout the country. We all know and accept the fact that over two-thirds of community action agencies have a faith-based organization or representatives on their board of directors. Approximately 75 percent of community action agencies work directly with religious institutions and denominations. Affiliations with faith-based organizations and houses of worship have strengthened their message, outreach, and support for community action.

I am amazed that we would take a good process, a good program, a good approach, and then urge religious institutions to discriminate. I can understand a person who tithes at the New Galilee Missionary Baptist Church where I am a member, and they even let me be a deacon at times. When you tithe, you give of your free will. You decide that you are going into your pocket, and so you should have a right to determine who the clerk of that church becomes. If you want a Baptist person to be the clerk, that is quite all right.

But when you pay your income tax, you are not necessarily doing it of your free will. You are doing it because it is the law of the land. If you do not pay, then something bad is likely to happen to you. There is a tremendous amount of difference between a religious institution having the ability to determine who the pastor's secretary is on the basis of religion, but to determine whether or not a Ph.D. psychologist can work in a program, or to determine whether or not a certified public accountant can be the comptroller for a $2 million grant, or a $3 million grant, that seems to be stretching it a bit; and we are comparing apples with oranges.

Of course religious institutions have had the ability to determine that the church secretary is in need of being Methodist or Baptist or Jewish or Catholic, but please do not tell me that you can handle a $5 million grant using my tax dollars and other people's tax dollars and then tell me that I cannot work here because I am not Baptist.

Members talk about taking us back; yes, we can go back, back to the days when NINA existed, and we would see in the store windows of businesses N-I-N-A, meaning that no Irish need apply. Or if you are African American, you went to the back to get a drink of water or a hamburger or a hot dog. Or you were told that you did not have enough experience or the expertise.

I would urge that we support this amendment so that religious freedom can really be religious freedom. The whole social service, human service system in my community is undergirded by faith-based organizations,

Lutheran Family Services, Jewish Federation, the Baptist Council, Methodist Urban Renewal. They all provide excellent services. So do not change it. Do not urge them to discriminate. Vote to support the Woolsey amendment.

Mr. GREEN of Wisconsin. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I wonder how many people across America have had the misfortune of tuning into this debate. Because if they did and are watching this debate, they would be wondering what evil it is that has crept into this land.

All over America people are seeing something a little bit different than what the other side is presenting today. All across the land, people are familiar with organizations like Habitat for Humanity, St. Vincent DePaul, Lutheran Social Services, Salvation Army, and in my neck of the woods organizations like Urban Hope and Rawhide Boys' Ranch, which saves young men before they choose a career path of crime, or Matt's Place, which is trying to provide positive outlets for wayward youth. They think of those organizations, and they are trying to match those organizations with the rhetoric that they are hearing from the other side, and shake their heads.

The real issue today is whether or not this institution is going to chase their wonderful groups away, whether or not we are going to try to discourage those groups from taking up the mission of poverty relief that they have devoted themselves to, whether or not we are going to push them away and tell them they need not apply merely because they do not believe certain things that we expect them to believe.

The question is whether or not we are going to lay new burdens on these groups just because they had the audacity to answer the call of the needy, whether or not we are going to push away these organizations who are endeavoring to lift lives and heal communities and build neighborhoods. The question comes down to something that President Bush said in his inaugural speech. I am paraphrasing, but President Bush asked this question of America: When we see that wounded traveler on that road to Jericho, will we step to the other side?

Well, listening to the debate here today, it is clear at least a small number do want us to step to the other side. They want us to turn our gaze and chase away those who would be the good Samaritan. Time and time again, this Congress has supported the concepts and the language that are in this bill today. This Congress has supported it, President Clinton has supported it, President Bush has supported it. Now, apparently, a small group wants to destroy something that is working very well, something that so many Americans look to with admiration. They want to chase it away. This would be a terrible idea. This would slam the door on so many worthwhile projects that are lifting lives and healing neighborhoods.

I desperately hope the Woolsey amendment is rejected. If this amendment is adopted, it slams the door; it chases away and sends a terrible message to so many good people and so many organizations. It would be, in my view, a travesty.

Mr. VAN HOLLEN. Mr. Chairman, I move to strike the requisite number of words.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. VAN HOLLEN. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I want to make a point because I think the previous speaker in the well completely misstates history.

This is not about driving anybody away who wants to help our communities. One of the other speakers talked about rolling back time. We have 30 years of experience where faith-based organizations have stepped up to the plate to help our communities, to help our families, to help our children, to help our homeless; and they have been doing it all along. They were there before the government programs were there. They were there with the initial programs in the 1960s. It was the only way we could get services delivered.

Now, to suggest that somehow because we do not think that they should discriminate in the hiring that we are chasing them away, they were there before this was the law. I was building houses with Habitat for Humanity before 1998. This is not about that. This is about whether or not people in good faith who walked through the front door who need a job who have a talent are going to be chased away because of their religion. That is what this is about, whether or not a completely well-qualified individual who walks in and asks for a job to help out, and is told they cannot have that job because of their religion, that is who is being chased away, people of good faith and intentions who need help in our community who need a job and who are qualified to do the job.

□ 1415

Mr. VAN HOLLEN. Mr. Chairman, I rise in strong support of the Woolsey amendment, and I want to begin by making it clear what this amendment is not about. It is not about the value of the Community Services Block Grant. That block grant is extremely important to millions of Americans in thousands of communities around this land. From Meals on Wheels to child care, to job training, to early education, community action partnerships provide critical support to the communities they serve. Nor is this a debate about those provisions in the underlying bill that strengthen the accountability and local control in the program. Finally, this amendment is not about whether faith-based organizations should be able and allowed to participate in Federal programs designed to help those in need. They should and they do. And those who seek to confuse this conversation and suggest that those organizations will no longer receive Federal support are misleading the American people in this debate today.

So what is this all about? What this amendment does is affirm the critical role of faith-based organizations in providing services in the fight against poverty while at the same time preserving the principles of religious tolerance that are enshrined in the Constitution and the Bill of Rights. The Woolsey amendment is identical to the underlying bill in all respects except one. What this amendment does is prohibits taxpayer-funded job discrimination based on religion. Period. It is that simple. Should applicants for federally funded jobs be evaluated based on their credentials, their experience, their performance and merit, or should they be fired and hired based on their religion or some religious test?

Imagine someone opening their local newspaper, seeing an ad there for a federally funded job, someone who has devoted their life's work to trying to teach young children in early education, and they are excited about it, they open it up and they say, here's the description, help young children, but, by goodness, only Christians need apply; or, within Christianity, only Catholics or only Baptists need apply.

This provides a green light for that kind of discrimination. How can we ask individuals, individuals who may be listening to this debate around the country, who pay their fair share of taxes to support this community effort, to support the programs that we are talking about to help the poor? How can we ask them who have paid those taxes to the Federal Government to not be allowed to take a job with an organization that helps in that regard because of their religion?

That is what the other side asks us to do. In fact, the arguments put forth by the Republicans on this issue today should be troubling to every American. They say that faith-based organizations that take Federal dollars must be able to hire only their own members of their own faith in order to do a good job of providing secular services under this Federal program. It is in their committee report. They have said it on the floor today. Think about what they are saying. These Federal funds in this legislation provide services to help those in poverty. The mission is to provide housing for those without housing. To provide food and nutrition for those who have none. What they are saying is that in order for a faith-based organization to effectively use those funds for those purposes, you have to shut the door on employees of other faiths.

I find it very ironic, Mr. Chairman, that today we are asking the peoples in Iraq and Afghanistan, the Sunnis, the Shia, the Turkmen, the Christians, to

come together for the common good, while at the same time here we are saying that in order to fulfill the common good, we have to divide people based on religion. What a terrible message.

Mr. CANTOR. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in listening to the speakers that have come before me in talking and debating about what this debate is actually about, I will tell you what this debate is about. This debate is about a principle from the Civil Rights Act of 1964 which permits religious organizations to employ persons who are members of or agree with the organization's religious principles. This element of religious liberty was recognized by the framers of that act as well as a unanimous Supreme Court as a fundamental component of the first amendment's guarantee of freedom of religion.

We all have stories in our districts of individuals who have come together, many around faith-based principles, connected with faith-based institutions or ideology who perform tremendous good for our communities; actually, organizations that do much better than what the government may have tried to do in any given instance. I know these organizations, as all of you do. They bring people together, they improve lives, they clean up inner cities, they feed the poor, they help drug addicts return to a productive avenue in life. And these are all roles that perhaps the commercial endeavors have failed at or certainly the government has failed at in many instances.

The critics are saying somehow this is a constitutional issue. But to the critics I say, the Constitution says freedom of religion, not freedom from religion. I received in my office just yesterday a press release from the Union of Orthodox Jewish Congregations of America. Mr. Chairman, I would like to just read an excerpt from this memo from this group. In responding to the critics' assertion that this principle involved in the CSBG program fosters some federally funded employment discrimination, the group retorts:

> This principle is a fundamental component of constitutionally protected religious liberties and exactly analogous to those enjoyed under the first amendment freedom of association by other private agencies organized around certain beliefs and principles.

Mr. ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. ANDREWS. Mr. Chairman, I would like to take a moment and yield to the author of the amendment for a point.

Ms. WOOLSEY. I thank the gentleman for yielding.

Mr. Chairman, my point ought to be taken very seriously by the gentleman from Virginia (Mr. CANTOR). We have all received an action alert in our offices from the Focus on the Family CitizenLink. In the communique they say that on Wednesday we are going to have this debate and we are going to have this amendment to prohibit faith-based organizations from hiring on the basis of religion. As a result, Christian charities interested in accepting Federal funds would be required to ignore religious conviction in hiring even if potential employees practice Islam, Judaism or no religion at all. So the gentleman from Virginia's folks that he quoted would not get hired.

Mr. ANDREWS. I thank the gentlewoman.

Mr. Chairman, I want to make reference to the case of Bowen v. Kendrick which several times has been cited by the majority as proof for the proposition that the court has upheld provisions like these. That is not the case. It is very important to understand the difference between Bowen v. Kendrick and the bill that is before us. In fact, language in Bowen v. Kendrick indicates that there are suspicious constitutional problems with this bill.

In Bowen v. Kendrick, the Congress had enacted the Adolescent Family Life Act which was designed to create grant programs for local agencies to counsel young people on issues of sexual relations, personal responsibility and the like. The statute did not expressly exclude religious organizations from receiving these grants. It was silent about the question of what religious organizations could do. There was a lawsuit brought to declare the statute unconstitutional on its face because it failed to exclude religious organizations. The Supreme Court held that the statute was not unconstitutional because it failed to exclude religious organizations. However, and this is important, one of the things that Chief Justice Rehnquist noted in his opinion was that one of the reasons that the Court concluded that that statute in Bowen v. Kendrick was not unconstitutional, they said, and I am quoting from the official summary of this in the case, however, there is no requirement that grantees, meaning the agencies receiving the funds under that bill, there is no requirement that grantees be affiliated with any religious denomination and the services to be provided under the act are not religious in character.

In other words, what the Court, I think, is implying there is if that statute had said, as this one does, that an Episcopal agency that wants to do counseling of young people about issues of sexual relations can only engage in the teachings of that particular church, that that would have been suspect under the Constitution and probably unconstitutional. What the Court said in this case is, because there was no requirement that a particular denomination receive the grant, that it is okay. That is the precise opposite of what we are talking about here.

This bill would authorize a church, a synagogue or a temple using Federal money to say, you can't drive the Meals on Wheels van if you are a Catholic. You can't wash the dishes in the soup kitchen if you are Jewish. You can only be a member of our church or our mosque or our temple using Federal funds to have this job. That is the opposite of what Bowen v. Kendrick says. The more accurate statement would be that the United States Supreme Court has not dealt with this issue.

But the U.S. Supreme Court is not the only arbiter of constitutionality. On the first day of our session, we all raised our right hand on this floor and swore an oath of allegiance to the Constitution of the United States. With that oath comes a responsibility to interpret the proposals before us as to whether they are constitutional. I would urge my Federalist Society friends on the majority side, my strict constructionist friends on the majority side, to consider that oath before they cast this vote today.

I believe strongly that this provision, which expressly authorizes the use of public money to discriminate on the basis of religion in granting employment, is unconstitutional. Irrespective of how one feels about the other merits here, I think that Members should vote for the Woolsey substitute on that basis.

Mr. PITTS. Mr. Chairman I move to strike the requisite number of words.

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

Mr. PITTS. Mr. Chairman, I rise today in opposition to the Woolsey amendment. It declares war between the government and faith-based organizations. It cuts services for people in need. It eliminates the role of faith-based organizations in our government's efforts to help. By denying the rights of religious organizations to hire according to their principles, this amendment would deny resources to people who know what they are doing. Many faith-based organizations have proven track records of meeting the long-term needs of people who need it. Many government programs do not. Government may provide food and shelter for a night, but it cannot offer hope and courage many times to build a new life. Faith-based organizations can. There is no need to supplant them or undermine them with another government program. They are great sources of hope and encouragement for those at their wit's end.

In 2002, the Access Agency received $60,000 in CSBG funding. A quick visit to their Web site reveals that the Access Agency has a set of core values and principles, including that they ''recognize the dignity and value of every human being'' and ''believe every human being has the fundamental right to a job, food, clothing, shelter and health care.'' I doubt anyone would argue that because the Access Agency

received Federal funds, they should have to hire someone who does not believe that employment, for example, is a fundamental right. They are not forced by Congress to hire people who oppose their beliefs. Title VII of the Civil Rights Act allows these organizations to hire people who support their mission. This means that a faith-based charity, working to meet the needs of people seeking help, can hire employees who support their religious convictions above those who do not.

Why, then, do some call it discriminatory when a Christian or Muslim charity wants to consider the beliefs of potential employees before hiring them to run a federally funded faith-based program? Such practices have been upheld by the United States Supreme Court. There is a double standard here. Planned Parenthood receives at least $240 million in Federal tax funds. At least in 2002 they did. Obviously they take belief in abortion into consideration before hiring their employees.

□ 1430

They are not forced by Congress to hire pro-life Catholics, for instance. Why, then, do some call it discriminatory when a Christian or Muslim charity wants to consider potential employees' beliefs before hiring them to run a Federally funded faith-based program?

The Federally funded faith-based programs under the CSBG program must include participants of all faiths if they choose to participate. The issue at hand is not in regard to who is treated or helped with Federal funds, but merely if groups doing the helping or treating may consider in hiring decisions the faith of an employee who would work in their faith-based programs.

Religious freedom in hiring is consistent with constitutional assurances of civil rights, as the Supreme Court has unanimously decided in upholding these protections. It is the critics of the exemption who are trying to undo 35 years of civil rights guarantees by attacking the independence of churches, synagogues, mosques, and religious organizations of every kind.

There is no more vital protection for organizations with a religiously rooted approach to social assistance than the freedom to hire according to their convictions. The leadership and staff of an organization determine its destiny. They alone will carry out its mission, uphold its priorities, embody its deepest values.

If the first amendment guarantee of religious liberty does not protect the employment decision of faith-based organizations, their right to free association, it then will become a meaningless abstraction. This amendment proposes to tell faith-based groups that they have to hire individuals who disagree with their core principles. If it passes, we might as well revisit the Civil Rights Act itself, since we would be rewriting it today.

Faith-based providers cannot be expected to sustain their religious missions without the ability to employ individuals who share the tenets and practices of their faith. The success of any organization is having everyone on board with its essential principles and vision. The Civil Rights Act secures that right, the Supreme Court protected it, and we should follow suit.

By protecting the nature of faith-based organizations in the CSBG, H.R. 3030 encourages providers, who otherwise may not have participated in the CSBG, to do so. This will increase the option afforded to people in need, and it will help more people. This amendment should be defeated.

Mr. GREEN of Texas. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the Woolsey substitute. I am a strong supporter of both faith-based organizations and Community Services Block Grants. In the district I represent, we have many faith-based groups providing help with food, housing, counseling, and so many other areas. We could not do it without them.

America has long been a country of willing volunteers and people eager to give back to their communities and lift up those to whom life has dealt a difficult hand. Many people dedicate themselves to programs that rely on funding from Community Services Block Grants, food pantries, homeless shelters, Meals on Wheels, just to name a few. All of those right now are serving in the district I represent, and they are faith-based. All denominations, the Catholic Church, the Baptist Church, the Methodist Church, that I am a member of, all of them.

I do not think that we want to believe that individuals who want to help combat poverty or help their fellow people should be denied this work based on their religious beliefs. Thank the Lord, our faith-based organizations have always played a historic role in helping deliver these much-needed services, but their important role in delivering any Federal-supported services should not include the ability to discriminate against potential employees on the basis of religion.

Mr. Chairman, everywhere we turn, we see great need in our country. Too many of our citizens go without food or homes to shelter them. These needs know no religious boundaries. It is represented by Protestants, Catholics, Muslims, Hindus, all beliefs. If Americans want to help meet this great need through our community work, we should embrace each and every one of them and not shut the door in their faces because they hold different beliefs.

From my days in Sunday school, the lessons I learned each Sunday morning have remained with me my whole life. Our religious beliefs are best judged not by what denomination we are, but by the actions we take and the manner that we live our lives. The ultimate judgment lies with God, who no doubt looks approvingly on any American who wishes to help their fellow human being.

Mr. Chairman, this is not only a moral issue; it is also a constitutional issue. The Civil Rights Act is clear that it is illegal for employers to discriminate on the basis of religion regarding any condition of employment. My Methodist church, if they only want to hire Methodists, we have the right to do it with our tithes and offering; but you do not have the right to do it with my tax dollars.

This Congress should not be in the business of sanctioning discrimination of any kind, and that is why I urge my colleagues to adopt the substitute. The substitute in no way hampers the ability of faith-based organizations to participate in Community Service Block Grant programs. I have dozens of them today who participate in it and do not ask whether you are a member of their particular denomination or belief. It ensures that employees that are working in these programs are afforded the same civil rights protections that any other Federal-funded employee receives. On both a moral and constitutional level, voting for this amendment is the right thing to do.

Ms. HART. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the amendment has been explained in a number of, I think, quite confusing ways this afternoon. I think it is important that we make clear what this amendment does.

This amendment changes the Civil Rights Act. The amendment would prevent religious organizations from employing persons in a manner that is consistent with their faith as currently allowed and allowed for a number of years under the Civil Rights Act. This amendment, again, changes the Civil Rights Act and in my opinion takes the rights of people away.

The amendment would really destroy the opportunity for many very small faith-based institutions to continue operating as they do today.

Do not tell my constituents in the very small towns that I represent in western Pennsylvania that they are not allowed to utilize those from their faith community to provide the services that they currently provide. In fact, many of the people who actually provide those services are not employed; they are volunteers. But the few that they do actually employ are people who are not just working for the faith-based community's service project.

This discussion has been such that these church organizations or church-related organizations are a Federal hiring program. They are not a Federal hiring program. The purpose of the Federal dollars is to empower them with more resources to provide services through the Community Services Block Grant program. That block grant program is not a hiring program; it is a service program.

Do not tell the constituents in the small towns that I represent in western

Pennsylvania that they are not allowed to do double duty; that they cannot be, for example, a part-time church secretary of the faith of that institution and also be part of the organization that provides service to alcoholics who are trying to overcome that difficulty.

Do not tell the churches or the synagogues or mosques in my community that they cannot take the part-time person who helps perhaps maintain their building to provide services with organizing their job placement program. Do not tell the people in my community that this amendment does not violate the Civil Rights Act, because it changes it significantly.

These community organizations are very small, and they exist in communities where we do not have great big Federal programs. They are filling in the gap where Federal programs have not been effective.

These programs have been supported by Republicans and Democrats alike, people of all different faiths; and they have been very successful. Do not tell the people in my communities who have been helped by these small programs that there is something wrong with the way that things have been run.

They are most often not using these Federal dollars to hire someone new. They are using Federal dollars to help them carry out the service, whether it is to buy some more food for their soup kitchen program or to help provide more resources for the Meals on Wheels or buy gasoline for Meals on Wheels.

This is not a jobs program. This is a service program, and the people are motivated to provide service, often as volunteers; and a couple of them perhaps will get paid as a result of the monies they get through the Community Services Block Grant program.

It is important that we as Members of Congress look at where these dollars really go. This is not a jobs program; it is a community service program. The law as it is protects civil rights. The law as it is is part of the Civil Rights Act. This amendment would take civil rights away.

Mr. SCOTT of Virginia. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I think we need to remember what we are voting on. This amendment includes all of the provisions of the Community Services Block Grant, for which there is strong bipartisan support. It includes two improvements on the bill. One I do not believe is that controversial, but you never can tell. It just says you cannot run a worship service on the government dime. That is, if you are contracted to provide a government service, you cannot have a worship service in the middle of the government program. If you want to have worship, it has to be separate and apart from the government service, so people getting the government services can get the full benefit of the program without having to be subjected to proselytization or religious instruction. That part, I do not think, is controversial; but you never can tell.

The other part, of course, is the discrimination provision. We have had trouble in the past trying to get down exactly what we are voting on in this, but I think we have come to the time where everybody acknowledges what is going on.

In 1941, President Roosevelt signed an executive order prohibiting discrimination in any defense contract. In 1965, President Johnson signed an executive order, no discrimination in any Federal contract. That has been the law of the land since that time. If you want a contract with the government to run a program, you cannot discriminate based on religion. Now, that does not require you to change your mission or anything. It is just if you are using Federal money, you cannot discriminate.

Now, if you cannot get along with people of other religions, whose problem is it? Traditionally, that is your problem. If you cannot get along with people of different religions, that is your problem; that is not their problem. And if you are trying to get a government contract and just for one reason or another do not want to hire people of other religions, that is your problem; and you have been ineligible to run a government program, personally, faith-based, or otherwise.

According to this, if you cannot get along with people of other religions, it is their problem. The victim is the one that gets hurt in this situation. The minority religions, the ones you want to discriminate against, are the ones that get hurt. That is a change in the law.

Now, remember the present law under title VII, you cannot discriminate against people with your own money. You cannot take money out of your pocket and start hiring people and say on this construction project, I am only hiring people that belong to this church; you belong to another church. Although you are the best carpenter that applied, you are not going to get the job, solely because of your religion. You cannot do that with your own money. Why should you be able to do it with Federal money?

Now, we have heard this thing about the pro-choice groups do not have to hire people that are right-to-life. We have a concept in law called a protected class. There are certain groups of Americans that historically have been discriminated against so badly that we have had to pass laws to prohibit it, have a protected class.

Our history on racial discrimination and religious discrimination is so ugly that we made it illegal to discriminate. So there is a difference between the NRA not hiring people because of their position on gun control and the NRA saying we are not going to hire Catholics and Jews, or we are not going to hire blacks. That is different, because race and religion are protected classes.

Now, these are not gifts to the church. They are contracts to provide government services. If you cannot provide government services the way everybody has been providing them since 1941, the question is, whose problem is it? I believe it is your problem. If you cannot get along with other people and do not want to hire people because of their religion, that is your problem; you are ineligible for government contracting.

This bill in its present form would change that. If you cannot get along with other people, that is their problem, not your problem. We ought to go back to the traditional way, since 1965 on all contracts and since 1941 on defense contracts, that if you cannot hire people, regardless of their religion, then you are not entitled to contract with the Federal Government to provide those services.

We need to adopt the Woolsey amendment. It validates the Community Services Block Grant program. It says that you cannot have discrimination in employment and you cannot run worship services on the government dime. That is the way it ought to be, and that is the way I hope it is if this substitute is adopted.

Mr. ISAKSON. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the gentlewoman from California has proposed a solution to a problem we do not have. When you walked here today, there was not a single person stopping you saying, you know, the 1964 Civil Rights Act was wrong and section 702 ought not apply under Community Services Block Grants. When you go back to your e-mail, because we are not getting any mail right now, you do not have anybody writing you that they have been harmed because of a practice of 40 years of the Civil Rights Act of the United States of America.

□ 1445

When you read the news tonight or when you read it last night and you look at television tonight, you look at all of the problems in the world, there is not a single person complaining about community service block grants or about the Civil Rights Act of 1964.

My dear friend, the gentleman from New Jersey (Mr. ANDREWS) referred to the courts have not yet been challenged on this particular issue. Well, I will tell my colleagues one thing, and this is a guess and I stand to be corrected if anybody knows I am wrong, but since 1964, in the last 40 years, no act of Congress has ever been ruled on more frequently or more often or been challenged before the Supreme Court of the United States more than the Civil Rights Act. If what we were talking about repealing was so wrong and evil and punitive, then it would have long since been decided.

But the biggest tragedy of all, and I love the ranking member, the gentleman from California (Mr. GEORGE

MILLER), he is a wonderful human being. And he and I are about the same age, and I have worked over the last 30 years on many charitable organizations and faith-based projects, and he has too, but he made a statement that kind of twisted the facts. He said this has not been a problem for 30 years; and he is right, it has not been. But if the substitute is adopted today, we have a big problem, because we are saying to a huge resource of individuals who, for 3 decades when they have been allowed to, have provided meaningful efforts, like the YMCA of Atlanta that delivers the Head Start program for our area; we have said to them, you know, your exemption of the Civil Rights Act no longer applies. You cannot participate unless you change. And who gets hurt? The 350 kids in Head Start get hurt.

Now, we are going to vote on this in a little bit, and I hope we will defeat the substitute, but I want to ask my colleagues to count something. On the way back to your office, count how many people you encounter who bring up the fact that there has ever been a problem with this act or who say thank you one way or another for voting for a substitute that is dead flat wrong.

Mr. NADLER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, there has been a misconstruction here of what this amendment is all about, in particular by the gentleman from Georgia who just spoke. This amendment will restore the Civil Rights Act as it was from 1964 to 1998. It undoes an amendment put there in the dead of night, after no hearings and almost no debate, only 6 years ago. And from 1964 to 1998, the gentleman is quite correct, we had no problems with this.

Now, Community Service Block Grants help communities provide services for low-income families and individuals who address the ever-rising number of people living in poverty through employment programs, housing programs, nutrition programs, and education programs. For years these grants have been praised by both sides of the aisle. Yet today we find ourselves debating the issue of whether or not religious discrimination should play a part in providing these services.

Religious discrimination is not the American way. Asking someone his or her religion in a job interview is simply wrong. Asking people what they believe before they can feed the poor, help the homeless, or provide protection to battered families is, frankly, immoral.

Government saying that this is okay and funding it is a betrayal of our most cherished values.

Now, no one with this amendment, or with the law as it existed between 1964 and 1998, which this amendment would restore, no one is telling any religious person not to adhere to his or her faith or to advocate it. No one is telling religious institutions what to teach its members or who should conduct their religious ceremonies. No one is even telling a religious institution who to hire as the janitor. And if the Presbyterian church wants to say only Presbyterians could be hired to be the janitor or the priest, that is fine.

Nor, despite the rhetoric, are religiously affiliated charities under this amendment barred from participating in publicly funded programs. Every Member, including myself, has worked to obtain public funding for these worthwhile organizations. These religiously affiliated charities are the backbone of our social service delivery system, and no one is suggesting we change this, except for this administration and the Republican majority, which wants to destroy what has worked well for years.

What is at issue here is not whether a church or a religiously based group can have a religious test for anyone at all. What is at issue here is whether they can have a religious test for people, paid for by public funds; paid for by public funds to provide a public service.

If the church wants to have a religious test, as I said, for the minister or for the singers or for the choir director or for the janitor, it is free to do so. But those things are not paid for by public funds. If the church wants to compete for a public contract to provide services to the homeless with public funds, or to provide housing with public funds, it should compete for that contract. It should get that contract if it has the best proposal. But it should not be permitted, as it was not permitted until 1998, to have a religious test to say no Jews or no Irish or no Catholics and no Muslims may apply for the publicly funded position to help administer these public funds. For the nonpublicly funded positions of doing anything at all in the church or in the charity, have any religious test you want; that is religious freedom. It is not religious freedom to put a religious test on employment in a public program paid for by the tax dollars of everybody. Protestant, Catholic, Jew, Hindu, Muslim, atheist, we all pay taxes, and our tax policy, our tax funds, should not be used to discriminate against any of us on the basis of religion.

No one should ever see a sign at a government-funded program that says ''No Catholics need apply'' or ''No Jews need apply'' or ''No Presbyterians need apply,'' but that is what this bill would allow. In the Yorker case, an applicant for employment with public funds was asked on his job application what his religion was, on the job application. Is that the America we want to live in?

I know that my colleagues on the other side of the aisle complained about what they view as religious tests when it comes to approving judges in the Senate. Why should the person who serves soup in the soup kitchen, the publicly funded soup kitchen, or who aids the poor or the homeless with public funds be entitled to any less consideration?

The amendment in the existing law that we are trying to take out was passed in the dead of night in 1998 with few Members understanding the full implications of the language in it. The gentleman from Virginia and I were here at 1 in the morning to talk about the dangers this kind of publicly funded discrimination posed to our social services programs. Perhaps many of my colleagues were not fully aware of the scope of these change.

Now, as we debate this in the light of day, I urge everyone to take a close, hard look at what is being done. I urge my colleagues to reject this betrayal of our first freedom, our most fundamental of values, the freedom of conscience. I urge support of the Woolsey amendment, and I urge that, again, we are not talking about telling church-based organizations not to participate in public programs; they can do that as they always did prior to 1998. We are simply saying you can only use public funds in a public contract in a nondiscriminatory manner.

I urge support of the Woolsey amendment to restore the law as it was.

Mr. BARTLETT of Maryland. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise to oppose the proposed amendment because it would clearly violate the first amendment's guarantee of freedom of religion under our Constitution. This amendment would tell faith-based organizations that they must hire people who do not share their faith and beliefs. This is not the case with other organizations and other deeply held beliefs.

Planned Parenthood receives millions of Federal dollars, but there is no requirement that they hire people who believe in the sanctity of life. Planned Parenthood takes belief into account when hiring, but this is not condemned nor forbidden by the government as unlawful discrimination.

Members of the Congress hire staff based upon competence and beliefs. A major factor in our hiring decisions is whether applicants believe in the same things as we; if we have similar political philosophies, similar ideas about the role of government and what public policies will strengthen our country. It would be ludicrous for someone to say to a Member of Congress that they could not ask a potential employee what their political views were or could not take that into hiring consideration.

Why apply a different standard to faith-based organizations? The government should not discriminate against religious groups that are delivering services to help the poor.

In defeating this amendment, we uphold the Constitution when it says that ''Congress shall make no law respecting the establishment of religion or prohibiting the free exercise thereof.'' Yet, some argue that faith-based organizations cannot receive Federal dollars because that would be a violation

of the separation of church and State. May I remind everyone that the words ''separation of church and State'' are not in the Constitution of the United States. ''Separation of church and State'' was a part of the now defunct Soviet Union's Constitution, article 128, I believe. Even so, the Congress is not establishing a religion here. When money is given to diverse faith-based groups to help the poor, Congress is not declaring a national religion. The President has made this clear when he said ''faith-based programs should not be forced to change their character or compromise their mission.''

I urge the House to defeat this amendment.

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

Mr. BARTLETT of Maryland. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, I thank the gentleman for yielding.

One of the points the gentleman made is that organizations should not be forced, faith-based organizations should not be forced to hire people that do not share their same opinions. As a matter of fact, in a hearing, a field hearing, a Reverend Tony Marciano, Executive Director of the Charlotte Rescue Mission in Charlotte, North Carolina made this statement: ''The first 677 words of our mission is to minister the good news of Christianity. So yes, in our application, we ask for your church affiliation. Our statement of faith is attached to the application so that there are no questions who we are and who we are hiring. We expect people, as they sign off on the application, to sign on to our statement of faith. And that is key,'' he says, ''because even though we have people from different denominations, Presbyterian, Baptist, Methodist, et cetera, we need to make sure that everybody is on the same page, you know, as we work with the chemically addicted homeless.''

It is not just these organizations, faith-based organizations, that are doing such great work and who are supportive of this language. We have a number of associations: Agudath Israel of America, American Association of Christian Schools, Association of Christian Schools International, Call to Renewal, Catholic Charities, Catholic Health Association of the United States, Center for Public Justice, Christians for the Faith-Based Initiative, Christian Community Health Fellowship, Christian Legal Society, Council of Christian Colleges and Universities, Evangelicals for Social Action, the General Conference of Seventh-Day Adventists, the Heritage Foundation, Latino Coalition for Christian, Community, and Faith-Based Initiatives, the National Association of Evangelicals, the National Center for Neighborhood Enterprise, Prison Fellowship, the Salvation Army, Union of Orthodox Jewish Congregations of America, the U.S. Conference of Catholic Bishops, We Care America, World Relief, and World Vision, all of these organizations are supportive of the underlying language in the bill.

Mr. BARTLETT of Maryland. Mr. Chairman, reclaiming my time, our Founding Fathers would be amazed that we were even discussing this. This Congress, for the first 100 years of our existence, voted money every year to send missionaries to the American Indians. The Continental Congress bought 20,000 volumes of the Bible, copies of the Bible to distribute to their new citizens. For the first 200 years the New England Primer taught the alphabet to our students by using Bible text. In the McGuffrey Reader, the author of that says that he borrowed more from scripture than any other source, and he made no apologies for that. Our Founding Fathers were devoutly Christian. They would be amazed that we are even discussing this. President Adams said that this Constitution was prepared for a Christian Nation which served the purposes of no other. Mr. Chairman, they would be amazed that we are even discussing this today.

Mr. GEORGE MILLER of California. Mr. Chairman, I move to strike the requisite number of words. So would the Jewish and Muslim citizens of this country be amazed.

I yield to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, in response to the comment of the gentleman from Georgia (Mr. ISAKSON) that there is no known discrimination because of the exemption included in the underlying bill, I would like to read a story that I have here, and the story is that in Georgia last fall, Alan Yorker responded to an advertisement in the Atlanta Journal Constitution for a position at the Methodist Children's Home. Mr. Yorker is an exceptionally qualified psychotherapist with over 20 years' experience counseling young people and their families, and over a decade's experience teaching in Emory University professional schools, and a number of appointments to State professional committees. The Home, as the Methodist Children's Home is referred to, has admitted that his credentials placed him among the top candidates for the position. On the strength of these credentials, the Home rushed him in for an interview where he was first required to disclose in an application form his religious affiliation, church and minister.

□ 1500

Mr. Yorker, a Jew, supplied the name of his synagogue and rabbi. As his interview was getting under way, the home administrator checked Mr. Yorker's response to this section of the application, noted that Mr. Yorker is Jewish and announced that the home does not hire people of his faith. Alan Yorker was shown the door.

The same administrator told another woman in the organization that it is the home's practice to throw the resumes of applicants with Jewish-sounding names in the trash. Only because the administrator had not recognized the name ''Yorker'' as Jewish was he interviewed in the first place.

That is what happens, and that is what happened.

Mr. CHOCOLA. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise today in opposition to this amendment. The reason I rise in opposition is because I think it reduces the effectiveness of faith-based organizations because it prevents them from hiring people that share their values and their beliefs.

I think the most effective organizations in many of our communities, and certainly in the second district of Indiana, and I do not think my district is really any different than any other, that some of the most effective organizations that serve our communities' needs are faith-based organizations. With any organization, whether it is faith-based or not, it is the people that make it effective. It is not the building, it is not the computers, it is not anything other than the people that breathe life into that organization.

And it is the people that share common values, common beliefs, and share a common mission that truly make it effective and truly help it serve our communities' needs. Now the supporters of this amendment want to prevent that from happening. They want to prevent people coming together that share common beliefs from serving community needs.

Before we vote on this, I ask every Member of this body to examine their own hiring practices. When we hire people to work in our offices, do we not ask them what their values and beliefs are? Do we not require that the they share our beliefs in their view of the role of the Federal Government? Do we not ask them to share our beliefs in how we should spend the taxpayers' dollars? Do we not ask them to share our beliefs in our political philosophy?

So, Mr. Chairman, I urge a ''no'' vote on this amendment because I do not think that we should ask anyone to do things that we are not willing to do ourselves. We ask people who work for us in our office to share our values and beliefs so they can be effective in serving the people of this country. I think we should ask no less to allow faith-based organizations to ask people what their values and their beliefs are so they can serve the communities across this country in each and every one of our districts as effectively as possible.

Mr. RYAN of Ohio. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, in a moment of full disclosure I am a Catholic. I am a Christian. And I have heard the name of Christ used here several times today. And if we look at one of the stories that one of the gentlemen used a little bit earlier, he talked about the story and the parable of the good Samaritan.

The Samaritans were an immigrant group who had distinct views that were

different from the Jews of their time. And there was enormous hatred between the Samaritans and the Jews. And Jesus' parable of the Samaritan was to illustrate, he made the Samaritan a hero to reach out and help a Jew, two groups that hated each other.

As we are having this discussion today, we should not try to twist the story. We should understand that this is about people wanting to help each other. I am a bit confused, though. I had listened to one gentleman who said this money could not be used to proselytize. Then the chairman of the committee said that some of the mission statements of these groups is to minister the good news of Christianity, which is great. We all support it. The Catholic schools I went to for 12 years supported that, but they did it with private money. You cannot use public money to support a religious institution. It is wrong, and it should not be allowed.

My great grandfather who was a little Italian guy, who lived in Niles, Ohio, during the Depression, he would walk down to the bottom of this hill during the Depression, and he would walk to a couple of the steel mills. If you would go out early enough, one of the foremen would come out, and they would say they have three or four slots, and there would be 80 or 90 people there waiting to see if they would get picked that day. But the foremen were all Irish.

So they would come out and my little grandfather was sitting there hoping that his name would be called. And the Irish foreman would pick the Irishmen, always, every day. And my grandfather would probably swear in Italian and work his way back up the hill and try it again the next day. But as wrong as that was, it was okay because it was private money. It was a private business making this decision.

Now we are saying that a Protestant taxpayer will give money to the Federal Government, the Federal Government will get that money and will give it to Catholic charities. Catholic charities will take that Federal tax money that was paid by a Protestant to the Federal Government, and they will hire people to administer their programs. Then the Catholic charities will be able to say we will not hire you because of one reason: you are Protestant.

Look at all these religions. They all share the same values, they are all supportive, and they all want people to be compassionate to one another. They all support social justice, but in this instance your values do not matter. It is what God you pray to or how you view Christianity. It is wrong, and it is confusing. And I do not think the Federal Government should be in this line of work.

The chairman of the committee also stated that you will be able to use this money and they will be able to work a part of the day doing one thing and then a part of the day possibly teaching Sunday school. What could they teach in Sunday school? They are not teaching the theory of relativity. They are teaching religion. You have Federal dollars going to support someone to teach Sunday school religion in the United States of America. We are in Iraq right now trying to teach our values and the separation of church and state. It is wrong, and it should not happen.

And the bottom line is this is a political institution. And this political institution will make political decisions. And money will end up in religious groups that look like us and act like us and have only our beliefs. Not our values, but our beliefs. Then, ladies and gentlemen, we have state-sponsored religion right here in the United States of America.

It is a blow to the Constitution, it is a blow to democracy, and it is a blow to those of us who love freedom, especially religious freedom.

Mr. EHLERS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, it is my pleasure to rise today to support the base bill on the Community Services Block Grant Act. Probably my best way of approaching this is just to describe my own community which has engaged in faith-based activities for years. And I am just constantly amazed at the horror stories that are projected today by Members about what might happen if this bill passes.

Let me tell you what has happened in my community and put some of your fears to rest. My community happens to be quite a religious community of many diverse faiths. But yet these churches and synagogues have always felt a major responsibility to the community and to the world about them.

As an example, when Vietnamese first became refugees, my small community had more refugees initially than any other city in the United States simply because our churches became active early in providing relief for these refugees.

The church that I go to is an inner-city church. My wife and I selected that when we moved to Grand Rapids because we wanted to be involved in the central community. Our church has succeeded in starting a community center. It is a faith-based community center, but anyone is welcome.

In addition to that, our church has started a food program for the people in the neighborhood, many of whom are unemployed, on welfare or in very difficult circumstances. We serve approximately 400 people every Saturday. We have a group of volunteers from our church and other churches who every Friday go out and collect food from stores and from warehouses, and make it available in our church basement. We sell it for approximately 10 cents on the dollar. And a number of families that come through can buy a week's groceries for their family for anywhere from $10 to $20.

No attempt is made to proselytize in any of these organizations in our community. It is simply a recognition of the people of these churches that as part of their commitment to their Lord and to their faith; they have to help others. And that is precisely what they are doing. They are providing social services which the government would provide at far greater cost and far less efficiently. And we do that voluntarily.

My city houses the second largest private mental health hospital in the United States, again, started by a faith-based institution. It is still a faith-based institution. It may discriminate in hiring in certain cases because their treatment is based on a certain philosophy of life and faith and it uses that to effectively treat those patients.

Incidently, many of these institutions do already get Federal funds. For example, the hospital I mentioned gets a great deal of money from the Federal Government and from State government for health treatment. No one raises a question about that. No one says this violates the Constitution. They are providing medical treatment, but they do discriminate in hiring, not in every case but many some cases.

You look at the colleges and universities across the United States, and of those are not State institutions, most were founded by religious group. Today there are still many religious colleges, primarily Christian colleges, but also other faiths, represented in the higher educational system of the United States. All of these can make better use of Federal money than many Federal programs can. And many of them do receive Federal funds, whether scholarship grants, or loans, what have you.

But in the case of an organization such as our church and its food program which I mentioned earlier, we could serve many more people if we had government funds. And we would certainly provide it more efficiently and at less cost than a government entity could with paid employees.

So I simply want to point out to the naysayers on this floor that what we are attempting to do in this bill, is not breaking new ground. It has already been broken in the Civil Rights Act. Those who wish to limit the ability of faith-based institutions are, in fact, attempting to infringe on the civil rights of these faith-based institutions and their supporters by prohibiting support from the Federal Government when these churches are, in fact, doing the job that the Federal Government does. And they are doing it in many cases better.

I urge that we defeat the amendments that have been offered. I urge that we continue the practice as we have it. And I urge that we make certain that these agencies will continue to be able to provide the services in the manner they see best and be able to qualify for Federal funds and not be hampered by restrictions on their hiring practices.

I strongly urge that we defeat the proposed amendments and that we vote for the base bill.

I rise today in support of H.R. 3030, Improving the Community Services Block Grant Act.

The Community Services Block Grant provides funding for a state-run network of local non-profit community action agencies. Michigan's third Congressional district is served by three community action agencies: the Area Community Services Employment and Training Council in Kent County, the Community Action Agency of South Central Michigan in Barry County, and EightCAP, Inc. in Ionia County.

In partnership with community organizations, these agencies provide services to low-income individuals, and families. The partners include faith-based organizations, such as Hope Network and its Exodus Correctional Ministries. In addition, several faith-based colleges and universities, including Calvin College, Aquinas College, Cornerstone University and Reformed Bible College, are located in my district. This is multiplied many times throughout the United States, which has approximately 500 religious colleges and universities, many of which work with community action agencies.

Allowing these faith-based partners and universities to receive federal funding is nothing new. Faith-based organizations have been receiving federal money to provide social services for decades.

The faith-based provisions within this legislation allow faith-based providers to maintain the character of their organization through their employment practices. These groups do not exist in order to proselytize, but in order to serve those in need. Faith-based providers, including universities, cannot be expected to sustain their religious mission without the ability to employ individuals who share the tenets and practices of their faith. It is faith that motivates these organizations to serve their neighbors in trouble. To deny faith-based organizations the right to shape the character of their groups through their employment practices is to deny them their motivation to serve. Keeping religious-based staffing legal is the only way to ensure equal opportunity and effectiveness for all organizations and to respect the diversity of faith communities that are a part of our civil society.

Mr. PAYNE. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. PAYNE. Mr. Chairman, I join today with the gentleman from California (Mr. GEORGE MILLER), the gentlewoman from California (Ms. WOOLSEY), the gentleman from New Jersey (Mr. ANDREWS) and others, myself included, in offering a Democratic substitute to H.R. 3030, the Community Service Block Grant.

I strongly believe that the Democratic substitute does two important things: one, it supports ongoing participation of faith-based providers and Community Service Block Grant programs; and, two, it restores basic civil rights protection for families and employees who benefit from participating in Federally funded Community Service Block Grant programs.

It was interesting to listen to the earlier discussion when one of the previous Members on the Republican side said that we Members of Congress on our side ask what religion people are before we hire them. I was pretty shocked. I do not know if I know the religion of any of my staff members. I do not even know if they are religious. So we do get revelations here when we have these discussions. And it does, once again, show the difference between the ideologues who are holier than thou when in their employment they are going to find out what religion you are before you can be hired.

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It was also interesting that the same gentleman talked proudly about the former founders, the framers of the Constitution, and how they were so great in using the Bible to teach people as they have used government money to buy these Bibles to teach, one, the American Indians and, number two, simply to use religious people to teach.

Of course, these same framers of the Constitution were the same people that said I was three-fifths of a person. As you may recall in the Constitution of the United States, African Americans were considered three-fifths of a man. And when I was a youngster my grandfather always told me that his grandfather told him about this three-fifths of a man. That is what black people were. These great religious framers of the American Constitution had everyone as a full person but blacks were only three-fifths because in the census for Congress, they did not want blacks, who could not vote in the first place, to be allowed to distort the number of people in Congress in the South.

And so when we start talking about the framers of the Constitution, we need to have a whole day discussing the framers of the Constitution. Since the gentleman from Maryland (Mr. BARTLETT) brought it up, I just thought I would mention it.

I just want to say that, one, I certainly think that we are turning the clock back. For over 40 years, Community Service Block Grant programs have been instrumental in assisting families in poverty, and faith-based communities have made strong partners. It has worked. But as we know, back in 1998 there was a change in the middle of the night. An amendment was put in that changed charitable-choice provisions, which was added to allow religious organizations to receive Community Service Block Grants to use Federal funds to discriminate with respect to employment. This is new. That was done in 1998 when the bill was changed.

So I think that this really says a lot about the people on the other side of the aisle because they want to take Federal money and say that you have the right to discriminate. And on top of that, unfortunately, religion happens to be, on Sunday mornings it is the most discriminating hour in the United States' week, because most churches are totally racially segregated in most communities. So once you start bringing in religion as a way to hire, the next thing that will follow actually is that you will then find that racial discrimination will follow the religious discrimination.

So as we have all people from all races losing their lives daily in Iraq, where we have people in Afghanistan of all races fighting together, we find those who fostered this war on us saying we have got to separate people. We do not separate them on the battlefields. We do not ask the religion when they go out to try to get the enemy. But all of the sudden we are going to ask the religion of people. What hypocrisy. What hypocrisy. You can die on the battlefield under the American flag, but when you go to get a job you have to tell your religion.

I think that the day will come when all of this will pass by the board. It is sooner than we think. It is going to be in November this year.

Mr. CUMMINGS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, as the son of two preachers and one who has represented many churches as an attorney before I came to the Congress, I rise today to speak on the Community Service Block Grant reauthorization, a bill that could represent 10 steps forward for our country's most downtrodden, but in the end represents 100 steps back for civil rights.

Forty years after the passing of the Civil Rights Act of 1964, 41 years, Mr. Chairman, after the 1963 March on Washington, 49 years after Rosa Parks' refusal to give up her seat in 1955, just a few weeks after the celebration of Martin Luther King's birthday, and still today, regrettably, we fight to end discriminatory practices.

Mr. Chairman, over 40 years after Americans have fought to put into place laws to end discrimination, I stand here on the House floor fighting against outlandish provisions in this reauthorization of the Community Services Block Grant, a bill designed to ameliorate the ravages of poverty. Unfortunately, this bill also allows taxpayer dollars to be used by religious organizations while letting them engage in discriminatory hiring practices. Furthermore, it does not require that these Federal dollars be used in a nonreligious manner. These are very unfortunate provisions I simply cannot support.

Mr. Chairman, title VI of the Civil Rights Act of 1964 specifically bans recipients of Federal funds from engaging in discriminatory practices. As President John F. Kennedy said in 1963, ''Simple justice requires that public funds, to which all taxpayers of all races, colors and national origins contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial, color, or national origin discrimination.''

As such, in 1964, following Kennedy's legacy, the new Civil Rights Act was

put in place to prevent this from ever happening. Yet today we debate a bill that allows discrimination on the basis of religious preference. As history clearly demonstrates, legalization of any form of discrimination, religious, racial, sexual or other, makes way for the legalization of other forms.

Thankfully, we also have on the House floor today a substitute being offered by my good friend, the gentlewoman from California (Ms. WOOLSEY), and many other Democratic members of the Committee on Education and the Workforce. The Woolsey substitute would prohibit taxpayer dollars from being used for inequitable hiring practices and requires that the funds be used in a lawful and secular manner. There is no doubt that religious organizations play an invaluable role in the provision of services at the local level in antipoverty efforts. However, there is also no doubt that this can be done successfully without exempting them from compliance with our civil rights laws. All recipients of Federal dollars should be held to the full letter of the law.

I urge my colleagues on both sides of the aisle to vote yes for the Woolsey substitute and no on final passage of H.R. 3030. We cannot allow Congress to turn back the clock on all of the civil rights protections that we have fought so hard to build. We have come too far to start over now.

I also urge all of my colleagues to support the Miller amendment extending unemployment benefits. Over 2.9 million jobs lost, versus 1,000 gained last month. That is a zero-sum gain, Mr. Chairman. American workers want to work and they need help.

Mr. BOEHNER. Mr. Chairman, I move to strike the requisite number of words.

As we near the end of the debate on the Woolsey substitute, let me remind my colleagues that the two bills that we have before us are identical, with one exception, that exception being the language that we preserve in the current law to allow faith-based organizations to participate in Community Service Block Grant programs without giving up the protections granted to them under the 1964 Civil Rights Act. That is the only difference.

We have worked the rest of the bill out in a bipartisan basis, but this one issue that we have argued on this floor, we have done so on numerous occasions, whether it be the 1996 Welfare Reform Act, several times last year when we considered the Workforce Investment Act, and when we considered the reauthorization of the Head Start bill, we had the same debate here in the House about whether faith-based providers using Federal funds would have to give up the protections granted to them under the 1964 Civil Rights Act.

As we have heard today from numerous Members, these faith-based organizations do very good work with the poorest of the poor in many of our communities. And to deny them their protections under the Civil Rights Act of 1964, we believe would in fact have a chilling effect on their willingness to take Federal funds and to work in the community to help deal with many of the problems that are there.

When I listen to the debate today, there are a lot of examples used of discrimination, discrimination in hiring. And I would suggest to most of my colleagues that use these examples, if you don't like the 1964 Civil Rights Act that provides religious organizations an exemption in hiring, then we ought to change it. But that is the law. And what we are trying to do is trying to continue to comply with the law, and we should not deny those organizations that are faith-based the protections that are granted to them under the 1964 Civil Rights Acts.

I would ask my colleagues when we near the vote on this substitute, that we vote no on the substitute and to support the underlying bill which, in fact, has been the law since 1998.

Ms. WOOLSEY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, the 1964 Civil Rights Act allows faith-based organizations, religious organizations to use their own funds, and they can discriminate if they choose. That act does not allow faith-based organizations to use Federal funds starting in 1964.

The chairman is right. The only difference in this bill is the faith-based discrimination based on religion language. That is what we would like to remove because, Mr. Chairman, this is a sad move on the side of the Republicans to continue to take perfectly good legislation and allow a poison pill to stay in that legislation thinking that the people on this side of the aisle are going to vote yes, that we have no choice.

You know what? It is wrong. We do have a choice. It is wrong to allow religious discrimination using Federal dollars, and we are going to vote against it.

I support faith-based organizations and the good they are doing in their outreach and their human service programs. I support them totally. The faith-based groups in my district are successful. They tell me, Get that language out of the bill. We do not need it. They agree that the exemption to title VII is useless. It should not be in there and that individual groups should not be able to use Federal tax dollars to discriminate in their hiring policies.

If this language remains in the bill, I, for one, will be forced to vote against the underlying bill because I will not vote to use tax dollars for discrimination.

Mr. SHAYS. Mr. Chairman, I believe people competing for a job should be judged on the strength of their candidacy, not on their gender, the color of their skin, their sexual orientation, or their religious beliefs.

Supporting this amendment was not an easy decision for me. I have grappled with this issue for years because the Civil Rights Act includes an exemption for religious organizations, but I have come to believe that, where Federal dollars are involved, Congress should not condone discrimination on any grounds, even on religious grounds.

With the help of tax dollars, faith-based organizations are able to provide a wide range of social services to their communities, but allowing them to discriminate against those who wish to be of service, simply on the basis of their religion, casts a shadow on the wonderful work these groups are doing.

I understand some faith-based organizations would prefer to have ideologically consistent staffs, but I believe a person willing to take a job with a religious group and commit to advancing the mission of that group can do so whether or not they believe personally in the institution's message. And I believe any candidate who can excel in the workplace, will be able to do so regardless of his or her religious convictions.

The bottom line is, holding one set of religious beliefs does not preclude someone from effectively providing services and even advocating another set of ideas. For that reason, being Catholic, Jewish, Muslim, or Hindu should not hinder a person's ability to perform the functions of a job they are intellectually qualified and willing to do.

Ms. MAJETTE. Mr. Chairman, the Community Service Block Grant program is an invaluable tool for fighting poverty. The Community Service Block Grant works and works well. It works because it allows local discretion to guide the allocation of resources to those programs that the underprivileged in their own communities most need. In my own district, the Partnership for Community Action helps underprivileged children get a Head Start on school, helps citizens weatherize their homes, and helps teen mothers find work. I am proud of these programs and support Federal investment in their efforts.

This same Community Action Agency in my district is involved in faith-based partnerships. They teamed with Christian, Hindu, Islamic, Jewish, and Baha'i groups to work together to address the problems of substance abuse among youth and to decrease the recidivism rate of inmates in our county jail. And they did this all without discriminating on the basis of religion. However, the law allows discrimination.

I am strongly opposed to allowing recipients of Federal dollars to discriminate on the basis of religion. No issue is more important to our Nation than the need to prevent our Federal Government from either supporting or opposing any form of religious expression. Despite this principle, the current law actually allows recipients of taxpayer money to discriminate against someone who doesn't share their religious beliefs. It is unconscionable that this body ever allowed this kind of discrimination to be the law of the land.

I strongly support all of the religious-based organizations whose members devote so much of their time and energy to curing our Nation's ills. I am confident that these organizations make us a stronger, more compassionate Nation.

My personal faith in God is strong and does not depend on a government endorsement. Our Founding Fathers shared the belief that it is in the best interest of both government and religion if they remain mutually prevented from exerting influence upon each other.

Even a single case of someone losing their job because of their faith is too much to allow in our great Nation. As Justice John Paul Stevens has wisely noted, ''Our democracy is threatened whenever we remove a brick from the wall that was designed to separate religion and government.''

This Congress cannot ever condone employer discriminating against potential employees. For this reason, I support the Democratic substitute which preserves this wonderful program while upholding the constitutional prohibition on religious discrimination.

I support the Community Block Grant Program, but cannot support any bill that condones discrimination.

Mr. BEAUPREZ. Mr. Chairman, I rise today in opposition to the Woolsey amendment, and to recognize the critical importance that Congress must adopt a new attitude toward faith-based and community initiatives and not hinder their ability to effectively assist the needy.

Uncertain times have left many people in search of assistance and in need of a helping hand to improve their lives. I believe is in the vital interest of the United States to care for all of our citizens. Inadequacies seen in many current programs have left millions searching for alternative sources of aid. I believe that the establishment of faith-based initiatives is one of many ways to provide a helping hand to our fellow Americans in need.

Few people realize that faith-based organizations have been utilized for years by all levels of government. President Lyndon Johnson's ''Great Society'' initiatives expanded FBOs to include welfare and community service programs. Further evolution of FBOs showed that they are effective partners for delivering special services, including literacy programs, counseling, and healthcare services. These programs proved to be a more effective process to deliver vital programs to the needy. I have seen the positive results of faith-based initiatives first hand throughout the Denver metro area. Fine examples are childcare, senior services, and job placement training.

Some of my colleagues believe that faith-based organizations discriminate against employees based on their faith. In 1972, a Democratic-controlled Congress expanded the already-existing 1964 Civil Rights Act Title VII exemptions for religious organizations, which allows religious organizations to consider potential employees' faith when making staffing decisions. The United States Supreme Court, without a single dissenting vote, upheld this law. The Court reasoned that a law is not unconstitutional simply because it allows churches to advance religion, it must be evident that the Government itself has advanced religion through its own activities and influence.

I fully support our constitutional separation of church and state and remain convinced that adequate judicial protection exists to assure compliance. As a former member of a Christian school board, I know first hand that faith-based organizations cannot be expected to sustain their religious drive without the ability to employ individuals who share the tenets and practices of their faith. This is simply because it is that faith that motivates them to serve their neighbors in trouble.

When the objective is helping some of the most distressed and needy in our communities, faith based groups have historically been the best providers. It would seem counterintuitive to limit opportunity for needed services because of an underlying religious affiliation.

Vote to defeat the Woolsey amendment, and for passage of H.R. 3030.

Ms. LORETTA SANCHEZ of California. Mr. Chairman, I rise in support of this substitute to H.R. 3030, which will improve the Community Services Block Grant.

In the Republican version of H.R. 3030, a church could decide that an individual is not qualified to work in a federally funded community services program, simply because that individual does not hold the same religious beliefs.

There is no question that this is a clear violation of civil rights. It must be amended.

Religious organizations provide essential community services around the country. However, we must not allow these organizations to discriminate against people who want to work in federally funded social service programs. The Democratic substitute would forbid such discriminatory practices.

Don't misunderstand me. I absolutely support the amazing work that local religious organizations do to help poor and disadvantaged families. In Orange County, the Orange County Rescue mission provides food and shelter to disadvantaged men and women. This work is necessary, and appreciated.

Indeed, this good work should continue. Religious organizations should receive funding for community programs. The Democratic amendment would allow churches and other religious organizations to receive federal funds for community programs.

But religious groups should follow the same civil rights protections secular organizations are required by law to follow in order to receive Federal dollars.

Religious and civil rights groups support this effort, too, because they understand that discrimination based on religion has no place in the Community Services Block Grant program.

These groups also know that Democrats support programs that help poverty-stricken individuals, whether those programs are operated by secular or religious organizations.

The Democratic amendment will preserve Federal support to religious organizations providing critical community services. It only serves to strengthen those programs by holding them to the same standard of civil rights in employment practices that all other organizations must follow.

Please join me in supporting this amendment.

Mrs. JONES of Ohio. Mr. Chairman, I rise to encourage my colleagues to extend unemployment insurance benefits for 6 months in an effort to prevent over 2 million workers from losing benefits. With the ending of the Federal Temporary Extended Unemployment Compensation (TEUC) program, jobless workers whose regular, State-funded unemployment insurance benefits run out before they can find a job no longer qualify for any Federal unemployment aid.

Mr. Chairman, Congress rejected calls for a benefits extension before the December holidays, and job growth has since remained anemic. The previous unemployment insurance extension expired on December 20. Roughly 375,000 people exhausted their benefits in January, the largest number in a single month in 30 years, and these individuals are receiving neither a paycheck nor unemployment benefits.

According to an analysis of Government data from the Center on Budget and Policy Priorities, nearly 2 million unemployed workers are expected to be in this situation during the first 6 months of 2004. The Center on Budget and Policy Priorities also projected that 2 million people will exhaust their benefits between January and June, a record for any six-month period for which data are available, if benefits are not extended.

In no other month on record—and in no other six-month period for which data are available—have so many unemployed workers exhausted their regular unemployment benefits without being able to receive additional aid. The unemployment rate is currently 6 percent in Ohio. In my congressional district, in the city of Cleveland, the unemployment rate is 13.1 percent—57,191 Ohioans are scheduled to lose their benefits over the next 6 months.

Dear colleagues, how do you recommend I inform my constituents that Congress decided not to extend unemployment benefits? I ask my colleagues to join me and support the Democratic substitute.

The Democratic substitute provides for continued participation by faith-based organizations in Community Services Block Grant programs, but prohibits religious discrimination with Federal funds. Colleagues, Congress has worked to eliminate discrimination since 1964 through the enactment of Title VII of the Civil Rights Act of 1964, that prohibits employers from discriminating against individuals because of their religion in hiring, firing, and other terms and conditions of employment.

How dare we, Members of Congress, allow legislation that will discriminate against anyone come before the House floor. Have we forgotten what Title VII of the Civil Rights Act of 1964 prohibits under religious discrimination: My history reflects working toward the Dream that Dr. Martin Luther King had that, ''one day this nation will rise up and live out the true meaning of its creed: ''We hold these truths to be self-evident: that all men are created equal.'' My work history exemplifies working toward bringing all races together for employment, education, and religious beliefs. I have worked with the U.S. Equal Employment Opportunity Commission. I will also remind all of you that under Title VII of the Civil Rights Act of 1964 for religious discrimination:

Employers may not treat employees or applicants less—or more—favorably because of their religious beliefs or practices. For example, an employer may not refuse to hire individuals of a certain religion, may not impose stricter promotion requirements for persons of a certain religion, and may not impose more or different work requirements on an employee because of that employee's religious beliefs or practices.

Employees cannot be forced to participate—or not participate—in a religious activity as a condition of employment.

Employers must reasonably accommodate employees' sincerely held religious beliefs or practices unless doing so would impose an undue hardship on the employer. A reasonable religious accommodation is any adjustment to the work environment that will allow the employee to practice his religion.

Flexible scheduling, voluntary substitutions or swaps, job reassignments and lateral transfers and modifying workplace practices, policies and/or procedures are examples of how

an employer might accommodate an employee's religious beliefs.

An employer is not required to accommodate an employee's religious beliefs and practices if doing so would impose an undue hardship on the employers' legitimate business interests. An employer can show undue hardship if accommodating an employee's religious practices requires more than ordinary administrative costs, diminishes efficiency in other jobs, infringes on other employees' job rights or benefits, impairs workplace safety, causes coworkers to carry the accommodated employee's share of potentially hazardous or burdensome work, or if the proposed accommodation conflicts with another law or regulation.

Employers must permit employees to engage in religious expression if employees are permitted to engage in other personal expression at work, unless the religious expression would impose an undue hardship on the employer. Therefore, an employer may not place more restrictions on religious expression than on other forms of expression that have a comparable effect on workplace efficiency.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on religion or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under title VII.

It is vital that Congress authorizes additional funds under Community Services Block Grants to be used to pay for a 6-month extension of unemployment benefits. Benefits paid under Community Services Block Grants that will be modeled after the Unemployment Insurance program that expired for workers exhausting regular unemployment benefits after the week of December 20, 2003.

Mr. Chairman, I ask my colleagues to join me and support the Democratic substitute, and vote to provide continued participation by faith-based organizations in Community Services Block Grant (CSBG) programs, but prohibits religious discrimination with Federal funds.

The CHAIRMAN pro tempore (Mr. GILLMOR). The question is on the amendment in the nature of a substitute offered by the gentlewoman from California (Ms. WOOLSEY).

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

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

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on amendment No. 4 offered by the gentlewoman from California (Ms. WOOLSEY) will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Mr. SCOTT of Virginia:

Page 12, after line 22, insert the following (and make such technical and conforming changes as may be appropriate):

(j) LIMITATION ON USE OF FUNDS; VOLUNTARINESS.—Section 679(c) of the Community Services Block Grant Act (42 U.S.C. 9920(c)) is amended by adding at the end the following:

''If the religious organization offers such an activity, it shall be voluntary for the individuals receiving services and offered separate from the program funded under subsection (a). A certificate shall be separately signed by religious organizations, and filed with the government agency that disburses the funds, certifying that the organization is aware of and will comply with this subsection.''.

Mr. SCOTT of Virginia. Mr. Chairman, this is slightly different from the language in the substitute. It requires religious organizations to separate any religious activities from CSBG activities to ensure that such programs meet current constitutional standards.

Several speakers from the other side have mentioned that you should not be able to proselytize during a government-funded program, and that is consistent with this amendment.

The language tracks language that was recommended by the Bush administration's Justice Department during the 107th Congress' consideration of President Bush's faith-based legislation in H.R. 7. It also tracks the H.R. 7 language that was reported by the House Committee on the Judiciary and passed by the full House.

In his testimony to Congress, the Bush administration Department of Justice argued, ''Justice O'Connor requires that no government funds be diverted to 'religious indoctrination,' thus religious organizations receiving direct funding will have to separate their social service programs from their sectarian practices.''

□ 1530

The current provisions in CSBG do not meet the current constitutional standard required.

Specifically, the current provision provides that only ''no funds provided directly to a religious organization shall be expended for sectarian worship, instruction or proselytization.'' This language fails to address whether religious organizations can include a religious message in publicly funded services and also fails to answer the question of whether volunteers can be used.

Mr. Chairman, if we do not pass this amendment, we are essentially creating a system where the Federal Government officials will have to pick and choose which religious organization will get the benefit of using publicly funded programs to advance their religious views. Such a policy violates the Constitution and violates their religious liberty to believe their own religion and not be subjected to the views of others as a condition of receiving government-funded services.

In addition to failing to adopt these safeguards, it raises a concern as to how we measure the success of a faith-based program. The administration has said that faith-based institutions are better and more successful, but common sense will tell us that some faith-based programs are better than secular programs, but some secular programs are better than faith-based programs.

To that end, on what basis are we measuring the success of a program if it incorporates religion? Are we weighing the Baptist approach to drug treatment against the Muslim approach?

This amendment answers the simple question, Can you conduct a worship service in the middle of a federally funded program with volunteers or not? This amendment simply answers ''no.'' If you want to conduct a worship service, those activities must be voluntary and separate from the government-funded program. On the other hand, the House can reject this amendment and require some program participants to participate in sectarian worship services as part of the government-funded program.

I hope we adopt the position taken by the Committee on the Judiciary in H.R. 7 and agree to the amendment.

Mr. BOEHNER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the Community Services Block Grant program has a proud history of inclusion of faith-based organizations in the coordination of poverty reduction services, and we should continue that tradition of inclusion and reject attempts to add new barriers to faith-based organizations who are already serving in this program.

This amendment offered by my good friend from Virginia (Mr. SCOTT) does two things. It adds new language that is duplicative and redundant to the current program or the current operation of the CSBG program; and, second, it complicates the operation of the program by adding a new paperwork requirement only for faith-based providers, I might add, and requiring them to certify to the funding agency that they are in compliance with the law.

On the first issue, the amendment seeks to add language regarding the voluntariness of participation by beneficiaries in religious activities and the separation of these activities from the services under the program. Both of these issues are duplicative and redundant to the current requirements of the program.

Specifically, under section 1050.3(b) of the Community Services Block Grant regulations, the requirement is clear that direct funds under the program may not be expended for inherently religious activities such as worship, religious instruction, or proselytizing. The same section goes on to state that if an organization conducts such activities, it must offer them separately in time or location from the programs or services directly funded under any applicable program, and participation must be voluntary for program beneficiaries.

The second issue is purely a new paperwork requirement, again targeted only at faith-based providers, and based on the unsubstantiated assumption that these organizations are somehow violating the current requirements

of the law. This requirement seeks to erect new, unnecessary barriers to the participation of faith-based providers by requiring that they, and only they, certify to the funding agency that they have read the law and will comply. Other program operators that are not faith-based will not have this requirement under the language offered by the gentleman from Virginia (Mr. SCOTT).

Unfortunately, its real purpose, I think, is likely a bit more insidious. In adding this new requirement solely for faith-based providers, it creates further barriers designed to limit the participation of faith-based providers and will likely lead to a chilling effect for both current and potential faith-based providers.

Should this amendment pass, we expect at least some of those groups would choose not to participate in the Community Services Block Grant program. As we all know, the group most likely to suffer the consequences are the most vulnerable in our society and those who need the help most and those who the Community Services Block Grant program is designed to serve.

So I would suggest to my colleagues that we do not need this language. It will drive faith-based providers away from the program, and the amendment deserves to be defeated.

The CHAIRMAN pro tempore (Mr. GILLMOR). The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

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

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. SCOTT) will be postponed.

AMENDMENT NO. 1 OFFERED BY MR. SCOTT OF VIRGINIA

Mr. SCOTT of Virginia. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. SCOTT of Virginia:

Page 12, after line 22, insert the following (and make such technical and conforming changes as may be appropriate):

(j) NONDISCRIMINATION.—Section 678F(c)(1) of the Community Services Block Grant Act (42 U.S.C. 9918(c)(1)) is amended by inserting ''religion,'' after ''color,''.

(k) EMPLOYMENT PRACTICES.—Section 679(b) of the Community Services Block Grant Act (42 U.S.C. 9920(b)) is amended by striking paragraph (3).

Mr. SCOTT of Virginia. Mr. Chairman, this amendment is simple. It is the specific, straight up-and-down vote on the discrimination amendment without ducking and dodging. It asks the question whether you can take the Federal money and discriminate or not, either you can have a policy of hiring no Catholics and Jews or not or hiring just people that belong to a church that happens to be all black or all white or not.

We know that if we can discriminate based on religion, we can discriminate based on race. We know also, Mr. Chairman, these are not gifts. They are contracts to perform government services.

In 1941, President Roosevelt signed an executive order, no discrimination in defense contracts. In 1965, Johnson expanded that to all contracts. That has been a good policy; and if you cannot work with others, it is your problem. It is not their problem. Since 1965, that has been the law of the hand.

Under the bill, it is the problem of the person being discriminated against. Now we hear talk about rights. This is the first time I have heard about the right of someone to discriminate. We usually talk about the right of someone to apply for a job and be free from discrimination based on employment, but now we have to focus on the right to discriminate. That is wrong to tell somebody that they are the best qualified, that someone is the best qualified for a federally funded job, but we do not hire people of your religion. It is wrong to tell someone if the faith-based organization has won a new contract, it is wrong to tell the group of employees on the job that we will hire everybody except people of a certain religion. That is wrong.

It is either right or wrong to discriminate, Mr. Chairman. I hope my colleagues will say it is wrong by adopting this amendment.

Mr. BOEHNER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, our friend from Virginia (Mr. SCOTT) offers the second amendment, which is very close to the language that was contained in the Woolsey substitute, striking the ability of faith-based providers from their protections under the 1964 Civil Rights Act.

The current law, which was signed by President Clinton in 1998, makes clear that when faith-based organizations participating in the Community Services Block Grant program take religion into account in their hiring practices, they are not discriminating. That language is consistent with the protections provided to religious organizations under the 1964 Civil Rights Act.

What the gentleman seeks to do is to take that protection away from those faith-based providers who would participate in the Community Services Block Grant program. It has been the subject of debate for hours here on the floor today; and to save all of us a little time and effort, the amendment would, in fact, have a chilling effect on the willingness of faith-based providers to participate in the Community Services Block Grant program; and, therefore, I believe it is a bad amendment and does not deserve our support.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

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

RECORDED VOTE

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The CHAIRMAN pro tempore. Pursuant to clause 8 of rule XVIII, this 15-minute vote on Scott amendment No. 1 will be followed by two 5-minute votes in the following order: (1) Scott amendment No. 2 and, (2) Woolsey amendment No.4.

Mr. SCOTT of Virginia. Mr. Chairman, I ask unanimous consent that the first vote be the Woolsey vote and then my votes after that, because if the Woolsey amendment is adopted, my votes will not be necessary.

The CHAIRMAN pro tempore. The gentleman's request is not in order. The order of votes is within the discretion of the Chair and the Chair will follow precedent in that the Committee will vote on the perfecting amendments before the substitute.

The order of the votes will be this Scott amendment. This is to be followed by a 5-minute vote on the other Scott amendment, followed by a 5-minute vote on the Woolsey amendment.

The vote was taken by electronic device, and there were—ayes 182, noes 231, not voting 19, as follows:

[Roll No. 15]

AYES—182

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Green (TX)
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.

Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—231

Aderholt
Akin
Alexander
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Cunningham
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lucas (KY)
Manzullo
Marshall
McCotter
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Brown-Waite, Ginny
Culberson
DeGette
Dicks
Gephardt
Gutierrez
Hunter
Kucinich
Langevin
Linder
Lucas (OK)
McCrery
Millender-McDonald
Ortiz
Pascrell
Rahall
Sabo
Smith (WA)
Watson

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. GILLMOR) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1609

Messrs. WILSON of South Carolina, TOM DAVIS of Virginia, PEARCE, BRADLEY of New Hampshire, TANCREDO, FOSSELLA, RYAN of Wisconsin, CRAMER and Ms. HARRIS changed their vote from ''aye'' to ''no.''

Mr. MORAN of Virginia and Mr. KIRK changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order: amendment No. 2 as printed in the RECORD by the gentleman from Virginia (Mr. SCOTT) and amendment No. 4 offered by the gentlewoman from California (Ms. WOOLSEY).

The remaining electronic votes will be conducted as 5-minute votes.

AMENDMENT NO. 2 OFFERED BY MR. SCOTT OF VIRGINIA

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 2 offered by the gentleman from Virginia (Mr. SCOTT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 233, not voting 19, as follows:

[Roll No. 16]

AYES—180

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Green (TX)
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kleczka
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Reyes
Rodriguez
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Skelton
Slaughter
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—233

Aderholt
Akin
Bachus
Baird
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Berry
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boyd
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Cunningham
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lucas (KY)
Manzullo
McCotter
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts

Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—19

Brown-Waite, Ginny
Culberson
DeGette
Dicks
Gephardt
Gutierrez
Hunter
Kucinich
Langevin
Linder
Lucas (OK)
McCrery
Millender-McDonald
Ortiz
Pascrell
Rahall
Sabo
Smith (WA)
Watson

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

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

□ 1619

Mr. BARTON of Texas changed his vote from ''aye'' to ''no.''

Mr. SHAYS changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 IN THE NATURE OF A SUBSTITUTE OFFERED BY MS. WOOLSEY

The CHAIRMAN pro tempore (Mr. GILLMOR). The pending business is the demand for a recorded vote on the amendment in the nature of a substitute offered by the gentlewoman from California (Ms. WOOLSEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment in the nature of a substitute.

The Clerk redesignated the amendment in the nature of a substitute.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 183, noes 232, not voting 17, as follows:

[Roll No. 17]

AYES—183

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capps
Capuano
Cardin
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Conyers
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Frost
Gonzalez
Green (TX)
Grijalva
Harman
Hastings (FL)
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick
Kind
Kirk
Kleczka
Lampson
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lofgren
Lowey
Lynch
Majette
Maloney
Markey
Matheson
Matsui
McCarthy (MO)
McCarthy (NY)
McCollum
McDermott
McGovern
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (NC)
Miller, George
Moore
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rangel
Reyes
Rodriguez
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Slaughter
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (TX)
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Waters
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

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Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burns
Burr
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Cardoza
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cooper
Cox
Cramer
Crane
Crenshaw
Cubin
Cunningham
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Emerson
English
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Fossella
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goode
Goodlatte
Gordon
Goss
Granger
Graves
Green (WI)
Greenwood
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Lipinski
LoBiondo
Lucas (KY)
Manzullo
Marshall
McCotter
McHugh
McInnis
McIntyre
McKeon
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Nethercutt
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Sullivan
Sweeney
Tancredo
Tauzin
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Turner (OH)
Upton
Vitter
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—17

Brown-Waite, Ginny
Culberson
DeGette
Dicks
Gephardt
Gutierrez
Kucinich
Langevin
Linder
Lucas (OK)
McCrery
Millender-McDonald
Ortiz
Pascrell
Rahall
Smith (WA)
Watson

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1627

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. GEORGE MILLER OF CALIFORNIA

Mr. GEORGE MILLER of California. Mr. Chairman, I offer an amendment.

The CHAIRMAN pro tempore. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 offered by Mr. GEORGE MILLER of California:

Page 5, strike lines 20 and 21, and insert the following:

(1) in subsection (a)—

(A) by striking ''1999 through 2003'' and inserting ''2004 through 2009''; and

(B) by striking ''681'' and inserting ''675C(b)(3), 681,'';

Page 6, line 2, strike ''and'' at the end.

Page 6, line 8, strike the period at the end and insert ''; and''.

Page 6, after line 8, insert the following:

(C) by adding at the end the following:

''(c) ASSISTANCE RELATING TO UNEMPLOYMENT.—There are authorized to be appropriated such sums as may be necessary for fiscal year 2004 to carry out section 675C(b)(3).''.

Page 6, strike lines 9 through 14, and insert the following:

(d) USES OF FUNDS.—Section 675C of the Community Services Block Grant Act (42 U.S.C. 9907) is amended—

(1) in subsection (a)(3)(A) by striking ''Beginning on October 1, 2000, a'' and inserting ''A''; and

(2) in subsection (b)—

(A) in paragraph (1)(F) by striking ''neighborhood-based'' and inserting ''community-based''; and

(B) by adding at the end the following:

''(3) ASSISTANCE RELATING TO UNEMPLOYMENT.—With the amount appropriated under section 674(c), the Secretary shall make grants to States to provide financial and employment support to individuals who cannot find employment, who have exhausted their State unemployment benefits, and who, after the week of December 20, 2003, can no longer receive Federal extended temporary unemployment compensation. The eligibility criteria and benefit amounts under this paragraph for such individuals shall be the same as for such individuals prior to December 20, 2003, under the Federal extended temporary unemployment compensation program.''; and

(3) in subsection (c)(1) by inserting ''paragraphs (1) and (2) of'' after ''under''.

Mr. GEORGE MILLER of California. Mr. Chairman, this amendment authorizes an additional 6 months of urgently needed extended unemployment compensation benefits through the Community Services Block Grant program.

Last week, the shocking neglect of the unemployed by this administration became all too apparent. The tag-team termination of extended unemployment benefits by the Republican leadership and the Bush administration has left a staggering, record-breaking 375,000 unemployed individuals who have been out of work over a half a year and still cannot find work. By July, over 2 million unemployed workers will be left to fend for themselves, with no paycheck and no unemployment assistance. Two million Americans who were working before this recession, 2 million Americans who were working before the tech bubble burst, 2 million Americans who were working before the corporate scandals in this Nation, who were supporting their families and themselves, cannot find work and this government will not help them because this administration does not see it as a priority. In no other month on record and in no other 6-month period for which data is available have so many unemployed workers exhausted their regular unemployment benefits without being able to receive additional aid.

At a time when we see that this administration is willing to lavish billions of dollars on special perks for the pharmaceutical companies and HMOs but nothing for an unemployed family, at a time when we see us borrowing money to rebuild Iraq and provide sole-source contracts that are now overcharging us millions of dollars for the care and feeding of our soldiers, no money for the unemployed. At a time when this administration comes to us and tells us we should borrow to go to Mars, nothing for the unemployed. We should borrow to rebuild Iraq, nothing for the unemployed. Time and again, we have made decisions in this Congress and in this administration that do not include the ordinary, hard-working American families who have fallen on hard times through no fault of their own. Their jobs have been outsourced, their jobs have been sent overseas, their jobs have been eliminated. It is not because they are not struggling. These people want a job. They want a job. They would trade their unemployment check in a minute for a job. But the jobs are not available.

□ 1630

They were told at the beginning of this Congress by this administration with their economic program, with their budget priorities that they were going to create 1.8 million jobs. Well, here we are, folks, a year later, and they are 1.6 million jobs short. They just did not hit the target. But what they did hit was the misery and the trauma among the unemployed in this country.

In the past, we have recognized when jobs are not available, as the economy bottoms out, as it starts to turn up, we have extended the unemployment benefits to get those people to a job. These people have been looking for work for 6 months. But this administration will not do it. This administration will not do it.

This administration makes this part of the attack on middle-class America, middle-class working people who have lost their jobs. They take away their unemployment benefits. Middle-class America, that relies on overtime to meet their annual support for their families, to provide their cars, to buy their houses, they want to engineer the taking away of their overtime. Middle-class America that needs a pension, they want to take away their pension in the cash balance program.

What is it that middle-class America did that so angered the Republican Party, that so angered this President, that he cannot understand and have compassion over what these families are going through when they are unemployed? What is it that the middle class did that does not allow this President to understand what it means when they close down the factory in your hometown, when they out-source your job to India, to China, to Singapore? Your job just disappeared.

The answer from this administration and this Congress, this Republican Congress, is, tough; it is tough. These are hard-working people. They were working the day before they were unemployed. They have a work history. They have a history of supporting their families, of supporting themselves, of trying to hold on to a standard of living.

The CHAIRMAN pro tempore (Mr. LAHOOD). The time of the gentleman from California (Mr. GEORGE MILLER) has expired.

(By unanimous consent, Mr. GEORGE MILLER of California was allowed to proceed for 2 additional minutes.)

Mr. GEORGE MILLER of California. Mr. Chairman, we have a remedy today. You vote for this amendment, and we can tell the 61,000 people from North Carolina who are expected to lose their jobs over the next 6 months that we will help them and their families until they find a job. You can tell the 66,000 people in Florida that we will help them and their families and their children until they find a job; or the 51,000 people in Georgia or the 314,000 people in the State of California that this government will help them until they can find employment.

Compassionate conservatism? Sounds pretty good to me. Where is the compassion? These are breadwinners. These are providers for families. Where is it that we cannot help them?

There is $17 billion in the Unemployment Trust Fund that was put there by the work and the sweat and the toil of America's workers, and what we are asking you today is to authorize that those funds be released for the next 6 months so that these people can have an opportunity to hold on to their house, to hold on to their health care, to hold on to their children, because that is what happens when you lose all of your financial support: you start to lose your family, you start to see divorce is a possibility, you start to lose your mortgage, you start to lose your car, and you have got to start all over again and you are 50 years old.

That is an America of compassionate conservatism? That is the America of Bush compassionate conservatism? No, that is a very mean-spirited America. But you have an opportunity to turn that around today. You have an opportunity to turn it around immediately. Pass this amendment and ask for a supplemental to take those hard-earned worker funds that are in the trust fund, that are there for their benefit, for exactly this purpose in this economic emergency and help those 375,000 people that this administration pushed off the employment cliff and the economic cliff in this country last month.

Mr. BOEHNER. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I really do not know where to begin. I have been around the political arena for the better part of 20 years, and I have seen every political stunt that I think there is; but I have never seen a more cynical attempt to exploit American unemployed workers for political gain.

Now, let us talk about the facts that are contained in the gentleman's amendment. The gentleman's amendment would create a new program within the Community Services Block Grant program. This is nothing more than an authorization. It has no money attached to it. The Community Services Block Grant program helps poor people in all of our communities across the country. They have no capability to pay out unemployment benefits. So we have only here an authorization for a program that cannot deliver the funds. And if they were to deliver, it would take years to implement such a system. Yet there is no money that has been appropriated to actually pay these.

Now, these are the kinds of political stunts that occur in the middle of even numbered years divisible by four. But to exploit American workers here in

the House of Representatives is wrong, and the gentleman fully well knows that unemployed workers will wait years to get their extended unemployment benefits under the language that is being offered here today.

Mr. Chairman, I might add that last March this Congress provided $8 billion additional to the States for the extension of unemployment benefits, $8 billion. As of January of this year, the States were sitting on $5.4 billion of that money. The States were sitting on it. Thus, if you look at nearly 2 years since Congress provided this $8 billion in Federal funds, States have spent less than half of this to assist unemployed workers. A total of 45 States still have some of their share of the original $8 billion. 31 States, 31 States still have over 90 percent of the money that Congress allocated to them still in their accounts today.

Now, what we ought to be doing is encouraging the States to take care of those who have extended unemployment problems. But my colleagues know and all the Members ought to know that this is not the way to do it and that this is nothing more than a hollow, empty promise, exploiting American workers for political gain; and I do not think this Congress is worthy of that kind of gamesmanship.

We as a House ought to stand up and say no. If we want to have a debate about extending unemployment benefits and to help those who are in need and looking for a job, then let us have that debate. But this is not the place to do it, and the gentleman knows this is not the place to do it.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

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

Mr. GEORGE MILLER of California. When would we have that debate? When is that bill coming to the floor? Why did it not come to the floor just before we went home for Christmas? Why did it not come to the floor before these people fell off the edge?

Mr. BOEHNER. Mr. Chairman, reclaiming my time, over the course of this debate I am sure that my colleagues from the Committee on Ways and Means that have jurisdiction over the extension of the unemployment benefits and the unemployment program will be here to handle that debate. But to hold up the Community Services Block Grant program, a program that helps the community action agencies in all of our communities, helps them with their assistance to the poorest of the poor, to hold it up over this kind of a political stunt, I think, is regrettable. It does not deserve the support of our colleagues.

Mr. HINOJOSA. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I wonder if the gentleman who just spoke from the State of Ohio knows that an estimated 57,000 residents in his State are likely to exhaust their State unemployment insurance compensation, leaving them and their families without a paycheck or benefits.

Mr. Chairman, I rise in strong support of the Miller amendment. Before Christmas 2003, this Congress adjourned without providing any relief for the more than 2 million workers whose unemployment benefits have or will soon expire.

In my home State of Texas, during the next 6 months, over 125,000 workers will lose these critical benefits and have no means by which to support their families. The number of unemployed Texans expected to exhaust their regular benefits without being able to receive further assistance will be the second highest on record for the months of January through June 2004.

These workers do not want government handouts. They simply want a job. But since there are 2.4 million fewer jobs to be had because of the failed economic policies of my colleagues on the other side of the aisle, the least we can do is provide these workers some financial assistance to tide them over until the promised job growth occurs.

American workers deserve the security of knowing that these important unemployment benefits will be available to them and their families through the rest of this year. I urge my colleagues to do the right thing and support the Miller amendment.

Mr. HAYWORTH. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I rise in opposition to this amendment. I appreciate the comments of my friend from Ohio who preceded me.

Mr. Chairman, just to inform my friends on the left, if they want to ask about the number of unemployed in the State of Arizona, and am I aware of it, you bet I am. I also should point out for the record that our Democratic Governor in Arizona vetoed last year an unemployment bill to put to use some of the $8 billion in extended unemployment benefits available to Arizona and the other 49 States. I would remind this House, to amplify what my colleague from Ohio pointed out, as of last month, more than $5.4 billion in unemployment benefits still remains available.

Mr. Chairman, I was surprised that our Governor chose to veto that bill, supported by labor and by business to deal with economic needs in the State of Arizona. So I am well aware of what is happening in my home State.

I am well aware too in this House of another division. My friend from California asked where was the compassion. Mr. Chairman, this points out a fundamental difference. If you measure compassion by the number of people who stay on unemployment, I think that is a curious standard, because Mr. Chairman, compassion is not measured by the number of people who remain on unemployment and collect those checks. True compassion is measured by the number of people who leave unemployment and find real, rewarding jobs.

Expounding on my friend from California's statement, who asked where was the compassion when jobs are lost, a couple of points.

Mr. Chairman, just up in the Subcommittee on Forests and Forest Health, we heard from union members, we heard from some of my fellow Arizonans who were in attendance, we heard from others across the West and across this country about jobs that have been lost because some in Washington thought it was more important to move away from a policy of balance when it comes to resource-based industries, and to support in another branch of government court cases that actually shut down the ability of people across this country to utilize the renewable resource of timber and, sadly, that resulted in catastrophic fire, not only in my State, but in the gentleman's home State of California.

I do not believe it is compassionate to get rid of those jobs. I am sorry my friend was not in attendance at that particular meeting. I am sorry many of my friends on the minority side were not in attendance at that particular encounter, because we continue to talk about restoring jobs and positive policies.

But we do have a fundamental difference, Mr. Chairman. And to my friends who measure compassion by the continuation of benefits on unemployment rather than taking actions to create new jobs, well, I think we understand how they are going to vote on this amendment, although for the record I would point out this does not really improve the unemployment benefits. It sets up a further administrative program, a new grant program, I guess more make-work-for-Washington bureaucrats, without the money necessary, and, by the way, with over $5.4 billion still sitting there in the unemployment program that the 50 States have not utilized. But I suppose if we want to grow government, this would be the action to take.

□ 1645

So, Mr. Chairman, spare us the false compassion, spare us the false compassion of preening and posturing and creating a new grant program, and finding some thin sliver of germaneness, when the real issue here is the fact that we have seen in the last year the biggest December drop in long-term unemployment in U.S. history: 146,000 going from the rolls of long-term unemployment to jobs. That is the real way we get this done.

Mr. Chairman, I would say to my colleagues, reject this amendment, support true compassion, which is putting people to work with real jobs.

Mr. BLUMENAUER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I appreciate that my good friend from Arizona is concerned about those 23,000 residents of Arizona

who are likely to exhaust their State unemployment compensation. But I am a little, I am a little concerned that what we are having here today is a debate that sort of misses the fundamental point.

I do not think the gentleman from California (Mr. MILLER) would have chosen this vehicle and this approach if we were actually able, on the floor of the House, to have an honest debate on the simple act of extending the unemployment. We tried to do that repeatedly before the holidays, but the House does not operate that way anymore. We do not permit a bipartisan effort to come forward with major public policy issues that actually have broad bipartisan support on both sides of the aisle. That was never permitted to come forward.

I appreciate the gentleman from California's creativity at least in bringing forward an opportunity to spotlight the needs of these Americans who, with all due respect to my friend from Arizona, I do not think we encourage them by starving them off the rolls, by arbitrarily limiting it. I do not think that is compassion.

I come from a State that has had serious unemployment problems. We have been at the top 3 for most of the last 2 years; an uncomfortable portion of those 2 years at number one in the country. It is not that we have not been creative in terms of moving people off welfare. We were doing it far before the Federal Government was doing it over the course of the last 5 or 6 years. We are proud of that effort. We are proud of efforts at job retraining.

The simple fact is, this is a serious patch for the people in the Pacific Northwest, in Oregon, in Washington, in California. My friend from Arizona I think needs to take a look at what happened with that drop in unemployment. It was not that there were new jobs created; it is because people gave up. They were discouraged. There were not jobs available. And we are going to cut them off.

Well, I think if we are serious about creating jobs, we have a bipartisan bill in our committee, in the Committee on Transportation and Infrastructure, that would actually put hundreds of thousands of Americans to work in a matter of weeks, rebuilding crumbling bridges, dealing with transit, dealing with roads. We are ready to go. But this administration is not interested. In fact, they have sent signals that if we even had this bipartisan bill that would put hundreds of thousands of people to work doing important things, if we brought it forward, they are threatening to veto it.

I would suggest, Mr. Chairman, that we need to stop, and my friends talk about hypocrisy. Well, I think there is some hypocrisy here. If we could actually legislate on the floor in a bipartisan fashion, we could deal with this directly and there would be an overwhelming vote to extend unemployment benefits. We ought to deal meaningfully with creation of job opportunities like transportation and infrastructure. We ought to move forward, not having the rhetoric of the President that he is concerned about job training and offer a few million dollars, and then have a budget that cuts job training even more. Today, in the Committee on International Relations, we had a hearing that dealt with the problems with people with the L–1 visas that are coming in and taking jobs of Americans and, in fact, having the indignity of Americans training their replacement from overseas in an abuse of that program.

I think we can stop the hypocrisy. We can move forward with simple, commonsense things that are supported by the American people that, if we were allowed to legislate, would get bipartisan support. We ought to start with the Miller amendment today. Hopefully, that will be a signal that we ought to stop the games. We ought to do it in a forthright fashion, and then follow up with transportation investments, follow up with meaningful tax reform like the alternative minimum tax that would take care of middle-class Americans, and do it in a system that I think men and women on this floor would like to do.

I sincerely hope that this vote in favor of the amendment today will be a signal to our friends in the Republican leadership to allow us to debate in a bipartisan way solving problems, extend unemployment, invest in America's future, and meaningful tax reform that will make a difference for American families.

Mr. HERGER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the Miller amendment. This amendment would authorize an indeterminate amount of extra funds under the Community Service Block Grant program for States to use for more extended unemployment benefits. I stress that these funds would be authorized, but not appropriated. So everyone listening to this debate should know that this bill would have no effect, even if it were signed into law. It would require another bill, a supplemental appropriations bill, to actually make good on this supposed promise. The chances of that happening are about zero, and here is why.

In March of 2002, Congress provided States a record $8 billion in additional funds they may use to help unemployed workers. Never in our history have we provided more flexible Federal funds to the States to help the unemployed. According to the Department of Labor and based on reports from the States, as of December 31, 2003, States still had more than $5 billion of this $8 billion left over to assist the unemployed. Let me repeat that. Almost 2 years later, the States had $5 billion left over, and almost every State still has at least some of this Federal money left. Thirty-one States, including major States like Arizona, Connecticut, Florida, Georgia, Iowa, Kentucky, Louisiana, Maryland, Maine, New Jersey, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Washington, and West Virginia have more than 90 percent of their money left. Just for the record, California has 88 percent of our money left, or some $800 million.

Mr. Chairman, this Congress has provided generous assistance for the unemployed. In fact, we have provided extended benefits at unemployment rates well below the unemployment rate when the Democrats ended a similar extended benefits program in the 1990s. We have provided States record flexible funds to help the unemployed. I suppose the fact that States still have billions of that money left is lost on the other side.

Mr. Chairman, let us reject this amendment.

Mr. ANDREWS. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. ANDREWS. Mr. Chairman, I would like to thank my friend, the gentleman from California (Mr. MILLER) for bringing this amendment to the floor.

Mr. Chairman, for most of the day in this debate we have been debating the so-called faith-based initiative in this underlying grant program. It occurs to me that the Bush administration and the majority's unemployment relief program is a faith-based initiative. What they are saying to the unemployed workers of this country is, ''Have faith, things will get better.''

Saturday was the last day of January. For many of us it meant flipping another page over on the calendar or anticipating the Super Bowl game the next day. But for 375,000 Americans who used to work in steel mills or shipyards or auto plants or tech firms or retail stores, it meant that the next day was the beginning of one of the most anxious periods in their lives because, for them, this is the first week where there is no income at all. The mortgage payment does not stop. The insurance payments do not stop. The utility bills do not stop. The need to pay the grocery bills does not stop. But the one check that was coming into their house stopped on Saturday. And what the majority is saying is, Have faith, our job creation program will save the day.

For the first time since Herbert Hoover was President, this administration will chalk up more jobs lost than gained in its 4-year term. Have faith. There is this $5.4 billion that is sitting out in the States. Have faith that someone will find a way to use it. I say to my colleagues, that is exactly the point as to why the Miller amendment is needed. The $5.4 billion is sitting there, but the people who have exhausted their unemployment benefits are not eligible to receive it, because

under the laws of the plan, they cannot receive any more benefits. Have faith. Their faith is in us to change the law so that they become eligible for those benefits.

Now, there are those who will say, well, they ought to be put back out on the labor market; it will help the economy. It will force down wages if more people flood into the labor market and go to work that way. There are jobs there. Look at the want ads. It is all people have to do.

Mr. Chairman, these are the people that President Bush came to this House and talked about needing a new job training program, because the steel mill they used to work in is not open anymore, and they need to get trained to work in a whole new field that they have no training for. These are the people who worked for the tech boom companies that either do not exist or exist in Asia today, and they need new training. This needs to be more than a faith-based initiative. This is a modest but necessary proposal, to say to people who are out there, trying hard every day to find the next job, that we will provide them with a meager bridge to that future, enough to just hang on so maybe that their next trip is not to the bankruptcy court.

I heard my friend talk about compassionate conservatism. This administration is neither compassionate nor conservative. An administration that is borrowing $30 for every $100 that it spends more is not conservative. And an administration that is turning its back on the 375,000 working Americans who lost their benefits last Saturday sure is not compassionate.

We heard about germaneness, that this bill belongs under a different committee. Well, by all means, let us bring it up under the right committee and vote on the funding. This is the only way, because of the creativity of the gentleman from California (Mr. MILLER), that this bill could be brought to the floor.

Be compassionate, and be conservative. Vote in favor of the Miller amendment.

Mr. BRADY of Texas. Mr. Chairman, I move to strike the requisite number of words.

If you ever wonder why the American people have lost faith in politicians, all you need to do is look at this amendment. It is very disappointing. It is a cynical political stunt that hurts the unemployed in America, and it is shameful.

The fact is, this leadership amendment by our Democratic friends does not extend unemployment benefits to even one American. It does not help even one American. That is because they do not use our unemployment insurance fund, the one we help people with. They say, we will create a new program out of an agency that does not even deal with unemployment. It will take months, years, whatever, to set it up, but we are trying to make a plumber do brain surgery, and we will convince you this will help you. Everyone in this room knows this is false.

One would think if something was important, one would put money toward it, but this amendment does not even have a dollar, not even $1 allocated to back it up. Nowhere in this bill. And I would challenge anyone in this room to just point to the part of the amendment that includes the dollar amount we are going to provide for those who are unemployed.

□ 1700

The answer is you cannot find it because there is not a dollar, nothing to help the unemployed in this amendment. We know that people have lost jobs, which is why this Congress sent to the States an unprecedented $8 billion to help people who are out of work. Since then, in the 2 years since we have done that, States still have most of that money left, $5.5 billion. Forty-five States still have money left. Most of them have 90 percent of what we sent to help people who are out of work. They have not spent it yet.

The fact of the matter is that people did lose their jobs; Congress responded in a big way. The States have these dollars. And this amendment does nothing to help the unemployed. My thought is the last thing unemployed workers need is a false promise, an empty shelf, an amendment that accomplishes nothing but try to score political points off the backs of those who are unemployed. This is a cynical, political stunt that has no place in this Congress.

Mr. CARDIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, to my friend from Texas I would invite him to join as a cosponsor of the bill that I filed along with the gentleman from New York (Mr. RANGEL), the gentleman from Michigan (Mr. LEVIN), and the gentleman from California (Mr. GEORGE MILLER) that extends unemployment benefits through the jurisdiction of our committee. But I have not noticed his support for that legislation.

Mr. Chairman, many of my colleagues have asked where is the compassion. My question is where are the jobs. Last month we bragged about the growth of employment and we created 1,000 new jobs. Now, that is one new job for every 8,400 unemployed Americans. And we are surprised that people cannot find jobs in our community; 3 million fewer private sector jobs now than 3 years ago. Many people have given up hope because there are no jobs there.

Now, questions have been asked about can the States not take care of this. After all, we made a retransfer of funds, which we do on regular occasions, in order for the States to have money in their basic programs to help people who are unemployed and can keep a modest tax for unemployment benefits. If, in fact, they spent the $5 billion, which has already been obligated, it would trigger in many of our States tax increases. I do not want to do that.

The Federal unemployment trust fund was established for the purpose that it is a national responsibility in tough economic times to provide extra unemployment benefits to people who cannot find jobs. It is a Federal responsibility, not a State responsibility for good reason in that the economic conditions around the Nation are different. Some States may be able to respond, but it is States that are the hardest hit that need the help from the Federal Government.

That is why we established a Federal unemployment trust account, and we have $20 billion in that fund just for this purpose.

That raises the question why are we using this bill as a vehicle in order to provide unemployment benefits for people who are unemployed. And the reason, quite frankly, is that the majority will not give us any other opportunity. Yes, I would prefer to be speaking on the bill that was filed that uses the funds in the Federal unemployment trust accounts to pay for these benefits.

The gentlewoman from Oregon (Ms. HOOLEY) is on the floor. If my colleagues would sign her discharge on the rule, we will be able to bring that bill up. We are only a few Members short on that. But the majority will not give us that opportunity.

So I congratulate the gentleman from California (Mr. GEORGE MILLER) for giving the membership the opportunity to vote on the issue now. What does this bill do? It follows regular order, the regular rules of this body by establishing an authorization for a program, clear indication to our appropriators that we want it funded, that we believe paying unemployment benefits to unemployed workers, that it is a priority of this Congress, and we want it done now. That is what this vote is about.

Do not try to put a smoke screen up here. We brought this issue to the floor; we have asked for it many times. We now have the chance for a clear vote. And I hope that those who are concerned and believe that we should be helping will vote in favor of it. We have now 90,000 workers exhausting benefits every single week. That is 90,000. This is the highest in the history of our Nation.

A couple of my colleagues have talked about in the 1990s we terminated the unemployment benefit program. Yes, when we had created enough jobs to make up for what was lost; where the exhaustion rate, that is, those who have exhausted State unemployment benefits, was not at an all time level. Today that is the highest levels in the history of keeping those records. The highest levels. We have not returned to the level we were prior to this recession.

The right thing to do is extend the benefits, and this amendment gives us that opportunity.

I heard one of my colleagues talk about, well, the unemployment rate is only 5½ percent. But understand how we calculate that. The last month, 300,000 have given up even looking for jobs because there are no jobs out there. They do not count officially in the numbers. But we know by the exhaustion rate that we are at the highest possible times.

So, Mr. Chairman, I appreciate the arguments of my colleagues; but when it gets right down to it, it is the needs of the people in our districts that are at stake. If you believe we should be taking care of the people who are unemployed, that they need our assistance at this time, vote for the Miller amendment.

Mr. BOEHNER. Mr. Chairman, I ask unanimous consent that we limit the remaining time on this amendment and all amendments thereto to 30 minutes equally divided between myself and the gentleman from California (Mr. GEORGE MILLER).

The CHAIRMAN pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from California (Mr. CUNNINGHAM).

Mr. CUNNINGHAM. Mr. Chairman, I do not believe that members on either side of the aisle are mean spirited. I think the Democratic Presidential candidates are honorable men. But if you watch the debates, they are being pretty mean to each other. And I think on this floor between now and November you are going to see a lot of meanness and partisanship that is going to come across in political rhetoric. That is disconcerting. It is not why we came here.

According to my colleagues on the other side, Republicans do not care about middle-class people. And first of all, there is no such thing as a middle-class person. There may be middle income, but to play the class card I think is wrong. We care about middle-income folks. We have different ways sometimes of getting to them and helping them. But we do care.

I want to tell you that my mother and my father and most of my family on both sides are middle income, and we care about their jobs as well. And there are other things that we can do. But I think the rhetoric that is going on between now and November, I think, the American people are going to tune out.

Do you know how many jobs we lost to fires in California and billions of dollars in homes lost and jobs lost? Well, a lot of those jobs could have been saved, but we have some people that want to save the environment through extreme measures. We wanted to cut brush for the last decade that caused a lot of these fires and the firemen not to keep up. The firemen asked us to put in roads in our forests so they would have access to save those forests, save those jobs, and have a safe route out. We lost 23 firemen; 23 firemen killed. They wish they had jobs and a job opportunity. But they do not because we were not allowed to do that because of environmental movements of many of the Members on this floor. And that is wrong.

How many gnat catchers and endangered species do we have in the moonscape in California right now? Look at it. It looks like a moon. It looks like a desert.

We had a lot of people killed and a lot of jobs lost. And that is wrong. Now, I am not saying it was intentionally done, but for political reasons or whatever it is, there is a lot of ways in which we can come together. But the distance you are going to put between the parties between now and November for this kind of tactic I think is wrong.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Texas (Mr. GREEN).

(Mr. GREEN of Texas asked and was given permission to revise and extend his remarks.)

Mr. GREEN of Texas. Mr. Chairman, I rise in support of this amendment.

Mr. Chairman, I rise today in support of the amendment from my friend, Mr. MILLER, that would extend temporary unemployment benefits for America's unemployed workers.

It is shameful enough that Congress went home during the height of the holiday season and left many unemployed workers with no where to turn. Yet, it's been over a month since these benefits expired. And each week, approximately 80,000 more unemployed workers feel the stinging effects of our inaction.

The Republican leadership will tell you we don't need to extend temporary unemployment benefits because the stock market is up, the economy is rebounding and jobs are being created. Tell that to the half a million unemployed workers who've exhausted their benefits since December 31. The Republican argument simply doesn't pass the laugh test.

In the past five months, this country has seen net job gains of only 56,000. Any only 1,000 jobs were created in December. It is clear from these numbers that whatever economic growth we are experiencing is not translating into jobs.

Mr. Chairman, when this worthwhile program was created, unemployment stood at 5.7 percent and the President's net job loss numbers totaled 2 million.

The latest numbers show that unemployment is still at 5.7 percent, and net job loss has increased to 2.3 million. These numbers tell the true job growth story.

And no amount of economic rhetoric can convince me that America's unemployed workers aren't in need of 13 additional weeks of unemployment benefits.

The American worker needs our help.

I urge my colleagues, let's do right by America's unemployed and pass this crucial amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from New York (Mr. OWENS).

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

Mr. OWENS. Mr. Chairman, I rise in support of the amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentlewoman from California (Ms. SOLIS).

(Ms. SOLIS asked and was given permission to revise and extend her remarks.)

Ms. SOLIS. Mr. Chairman, I rise in strong support of this amendment.

Mr. Chairman, each week, over 90,000 workers are losing their unemployment benefits. Many of these workers are from my district in East Los Angeles and the San Gabriel Valley, where unemployment remains as high as 10 percent in some areas.

Without a paycheck and without jobless benefits, these workers are struggling to put food on the table. They're looking for jobs, but the jobs aren't there.

Only 1,000 new jobs were created nationwide in December, well below the 300,000 that President Bush had promised his tax cuts would create.

The number of unemployed and without jobless benefits doesn't even include the more than 70,000 grocery workers in Southern California that have been out of work since a labor dispute erupted there more than 4 months ago. These workers are fighting to maintain affordable health care and fair wages. Without a paycheck and without jobless benefits, they, like the long-term unemployed, are struggling to make ends meet.

It's an outrage that Congress left town last December without extending unemployment benefits.

Let's not repeat this mistake. Extend unemployment benefits and support the Miller Amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. RANGEL), the ranking member of the committee.

Mr. RANGEL. Mr. Chairman and my colleagues, I rise in support of the Miller amendment, but I am a little surprised that my Republican friends believe that we do this for political reasons and that this is not the place to have political goals in terms of protecting our constituents.

I would be the last one to say that the President of the United States wants to go to war for political reasons. I think it is an interest in steroids when he made this a priority in the State of the Union and was not political, and the fact that he wants to make permanent tax decreases for the rich. All we are trying to do is say that there is a difference between Republicans and Democrats. And we are concerned and will do everything that we can to try to bring some comfort to those people, the 9 million people who are without jobs. It means that they lose self-esteem, they lose the ability to take care of their families, some have lost their homes.

And I think that whether you are a Republican or a Democrat, this should

be a priority. It is okay to talk about how the stock market is going, but it gives small comfort to people that have not been able to have respect and dignity and be able to work.

Now, some of my colleagues are saying that the people that we are giving unemployment assistance to, that these people will not be seeking employment. They know that is untrue, and they know they say that, too, for political reasons. But do not make politics such a dirty word.

We had an election where a President received less than the popular vote. There is a reason for it, and we want to make it clear in this House of Representatives, where we are elected, the difference between you and us.

So do not be offended by it because we will be talking about education, about health care, about veterans benefits, about the deficits that you have driven this country into, and we will be talking about a war that we should not be involved in too. So when you say politics, be very kind and put sugar on the words because sometimes your next speaker may have to swallow the very same words that they spoke on this floor.

Mr. BOEHNER. Mr. Chairman, we will reserve the balance of our time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Mr. Chairman, because of the 125,000 unemployed without employment benefits in Texas, I rise to support the Miller amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Oregon (Ms. HOOLEY).

Ms. HOOLEY of Oregon. Mr. Chairman, Oregon has had the dubious distinction of being the number one State for unemployment. We lost more than 57,000 jobs. I think people need to be reminded that unemployment benefits do not pay their full salary. This is a bridge from one job to another. And when people go out and cannot find a job, they need that bridge.

I was talking to one woman. She is in her 50s. She has worked her entire life. She was laid off. She has looked for a job every single day. She had to sell her home to be able to support herself and her family. A gentleman just a week ago I was talking to said he is 52; he has got a daughter who is an honors scholar in high school. He would like to see her go to college. Now he is afraid about losing his house and how he is going to support his family.

These benefits are not used for luxury items. They are needed to pay the rent and mortgage, buy food, pay utility bills.

The President has talked about marriage promotion programs costing billions of dollars. But it is scientific fact that poverty and homelessness directly increase the rate of divorce. Therefore, unemployment benefits, which keep families experiencing temporary hardships off the street until they find a job, should be considered the best marriage promotion program of all. Yet these benefits have been ignored by this Congress and this administration.

Some have raised concerns that extending unemployment benefits would bankrupt the system. Yet there is money in the bank to be used only for this purpose. There is not a legitimate argument toward not extending these unemployment benefits. This is a no-brainer. Vote ''yes'' for this amendment.

Mr. OSBORNE. Mr. Chairman, in the absence of the gentleman from Ohio (Mr. BOEHNER), I recognize myself for 3 minutes.

Mr. Chairman, I have been here all afternoon. I know the chairman of the committee has been here all afternoon. The main reason we have been here is we would like to see H.R. 3030, the Community Service Block Grant Act of 2003, passed.

□ 1715

I think most people here believe this is a good bill. It does provide needed services. There was a dust-up over the faith-based provision, but I think for the most part people are supportive.

We already have an unemployment compensation system. This amendment creates a new grant program. It creates a second system operated through Health and Human Services instead of the Department of Labor. What this amendment will do, it will certainly confuse consumers. It will splinter resources. It will weaken an already good bill. And furthermore, there is no money to fund the amendment. We would have to go through the appropriations process separately.

The amendment, in addition, is inconsistent with services provided under CSBG provisions. CSBG provides grants to States, not to individuals directly. So we have an entirely new system here and it alters the entire nature of the program.

Lastly, let me say something that is little bit controversial. I do not try to be partisan. I do not try to be controversial, but there are some numbers thrown around here about unemployment and I think that certainly many of those are accurate, many of them are very justified. However, we seldom hear the figures I am going to quote.

During 2003 we went from 137,447,000 jobs in the United States to 138,479,000 jobs, from January 2003 to January 2004. The unemployment rated dropped from 5.8 to 5.7. We would like to see it down at 2 or 3 percent, but it is dropping and it will probably continue to drop. So we feel that some folks that have lost their jobs have become entrepreneurs. Some have gone into business for themselves.

We understand the problems that the other side is trying to address. We simply do not believe this is the vehicle to do it. We would like to see the bill passed. We think that people need it, and we think that it is a well-written bill and I think will command widespread support, but this amendment certainly does not enhance the bill in any way.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. LEVIN).

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

Mr. LEVIN. Mr. Chairman, the majority says ''This is not the way'' when you stand in the way. You say, the majority, the jobs are the answer, when under your dominion we have lost 3 million jobs in this country. You talk about this being a political ploy. No. What it is is an effort to force your hand, to lose your iron grip on unemployment compensation.

In the 1991–1992 recession, just 10, 12 years ago, the program ended after the creation of 3 million jobs, so people could find a job. Now you have ended this program when there has been a loss of 2 million jobs.

So you say the READ Act. That $8 billion went to the States to pay regular State 26 weeks of benefits, not to extend the benefits program that is the Federal extended benefit program.

So let me just say to every Member here who votes no on this amendment, it will be interpreted appropriately as a vote ''no'' against the millions of unemployed people in this country, the 375,000 every month who are exhausting their benefits. Vote ''yes.''

Mr. OSBORNE. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from California (Mr. DREIER).

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

Mr. DREIER. Mr. Chairman, I rise in strong opposition to this amendment.

Let me first of all thank the gentleman from Nebraska (Mr. OSBORNE) for his work on this very balanced measure that came forward from the committee chaired by the gentleman from Ohio (Mr. BOEHNER). It is a bipartisan measure. I am convinced at the end of this day that this bill itself will enjoy bipartisan support; but I have been told, I have not followed the debate completely, but I have been told that a number of people have been raising concern about the fact that we are not giving the minority an opportunity to have a chance to discuss the issue of unemployment insurance.

Well, I would ask rhetorically, what is it we are doing right now? Obviously, we are considering this measure under an open amendment process, allowing an opportunity for this issue to be addressed. Let me also say that as we look at the overall question of extending unemployment, it seems to me that we need to realize that during the Clinton administration, when we saw an

unemployment rate at 6.4 percent in 1994, we saw an end to the benefits that we are talking about right here. In years past, a 6-percent level of unemployment has traditionally been considered full employment.

Now obviously every single one of us is concerned about the fact that there are people in this country who are looking for a job, who have not been able to find a job. We want to do everything that we possibly can to encourage them. We want to do everything that we possibly can to help them. And, quite frankly, the Community Services Block Grant structure that is being put into place and extended through this legislation, I believe will go a long way towards providing assistance to those who truly are in need. But it is very clear, if you look historically at what a constant, blind extension of unemployment insurance often creates, it does in fact create a disincentive for many people who should be looking for job opportunities from doing just that.

I happen to believe that as we look at this measure today, we are in a position where the proposal before us does not even go under the structure that has existed in the past for unemployment insurance. This notion of taking this issue and transferring it to the Department of Health and Human Services I believe is misplaced, and I believe that there should, in fact, be an opportunity for us to take a closer look at this.

We are seeing very positive indicators of improved economic growth. Mr. Chairman, we are seeing very positive indications right now that good jobs are being created. Now, we know that the level has dropped from 6 percent down to 5.7 percent, again, many tenths of a percent below what it was in 1994 when we saw an end under the Clinton administration of these benefits being provided. But we also know that the gauge for determining unemployed is somewhat different. We need to look, I think along with the traditional level of job creation, we need to look at the Household Survey that is conducted by the Department of Labor. The Household Survey itself takes into consideration some very important factors: those who are self-employed. And, quite frankly, according to the Household Survey, since November of 2001 we have seen the creation of 1.9 million new jobs in this country.

Now, I believe there are other steps that can be taken which will help create greater opportunity. The issue of global trade, I know, is a hotly debated and often controversial one. This administration and many of us in a bipartisan way in this Congress are working hard to try to pry open new markets for U.S. goods and services worldwide. I believe that will help us in our quest to address this issue of unemployment that is there.

So we have a great opportunity to continue bold, strong, dynamic economic recovery. This amendment does not help us in that quest at all.

Let me say that I do believe as we look at this issue going down the road, it will be very important for us to sustain the economic growth that is there today. And the establishment of a new program, the establishment of a new program will do nothing but hurt our quest to get this economy going. And so I thank, again, my friend for his leadership and yield back the balance of my time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Washington (Mr. MCDERMOTT), a member of the Committee on Ways and Means.

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

Mr. MCDERMOTT. Mr. Chairman, the chairman of the committee comes out here and says he is confused. I will tell you what to do. Pick up the phone, call the President and tell him if he does not deal with this, he is going to meet it at Election Day.

There are millions of people who are losing their benefits, and what they are getting from this administration is, hey, everything is going well. The stock market is going up. What is the matter with you people? But the Labor Department says, 3 people looking for every job available in this day.

Now, we hear all kinds of dust thrown in the air. There is $5 billion sitting out there somewhere. The fact is that Illinois, Minnesota, Missouri, North Carolina, New York, and Texas are borrowing money in their regular unemployment program. Never mind the extension of benefits. They are borrowing. That is where that $8 billion went before. It is gone. And now you say, well, you know, geez, if things are getting better, now that people are off work, some of them are picking up bottles and they are taking them in and they are getting maybe a tenth of a cent for a can.

Yes, there are a lot of people out there, but the CBO says that when people do not get unemployment benefits, 50 percent of them go into poverty. Fifty percent. That is what our President wants.

Now, wait for those ads that come out in the fall. The compassionate conservative President of the United States said to the unemployed, Why do you not get a pointy stick and pick up garbage in the park or something?

Mr. President, we are looking for you to do something.

Vote ''yes'' on the Miller amendment.

Mr. Chairman, what has this President, what has this Administration, what has this Congress come to?

Ordinary Americans are being forced to beg for help.

Across this great country, ordinary Americans are drowning in the President's economic policies. They need a lifeline. That's all the extended unemployment benefits program provides.

Today, America faces a soaring budget deficit and a terrifying employment deficit. Average Americans can't find work and can't find compassion from this Administration.

The President wants to extend tax benefits to the rich, but won't extend unemployment benefits for average Americans.

Under this Administration, we've moved from an economy that includes all Americans to an agenda that precludes average Americans.

375,000 workers exhausted unemployment benefits last month, the highest single month number in history. What do we say to these people? Good luck.

In my home state of Washington, 82,000 people will lose all benefits by June. That's on top of the thousands of people who have already exhausted their benefits. What do we say to these people? Well, the stock market is up—what's your problem?

Under President George Bush a dozen years ago, this Congress and that President enacted a temporary federal unemployment program to help workers through the 1990–91 recession. The program lasted almost a full year after the job deficit created in the recession was erased.

Under President George W. Bush, America has a 2.5 million-job deficit, but the extended benefits program ended at Christmas by a President who believes in arrogance, not compassion.

The President and Republican leaders say the economy is growing and nothing needs to be done. Nothing could be further from the truth.

The economic growth that has occurred has been with few jobs and fewer prospects. One thousand jobs nationwide grown in December by the Bush economic debacle.

America needs to grow 175,000 jobs per month, every month, for the next year, just to get back to where we started. Just to shrink America's employment deficit to zero.

Without unemployment benefits while they find a job, the Congressional Budget Office found that almost half of the long-term unemployed would be in poverty. We are forcing Americans into poverty.

What has the President, what has this Administration, what has this Congress come to? I stand here and ask: What would a leader do?

A leader would have the courage to act. Would have the strength to act. Would set aside partisan politics to embrace the common good. And act on behalf of our fellow man.

Americans forced into poverty, crushed by a recession they did not create and struggling to survive—that is America today for too many people from Maine, to Washington, to California.

America needs leaders. This Congress has at least one. My distinguished colleague from California, Mr. GEORGE MILLER, has offered an amendment to extend unemployment benefits.

I ask that we stand together as Americans and unanimously pass this amendment and that the President sign it immediately. Let America have something to believe in. And someone to believe in—the people they elected.

I wonder if the gentleman who just spoke from the state of California knows that an estimated 314,000 residents in his state are likely to exhaust their state unemployment insurance compensation, leaving them and their families without a paycheck or benefits.

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LAHOOD). Members are reminded to address their remarks to the Chair.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I thank the gentleman for yielding me time.

How can we possibly pass the Community Services Block Grant to aid the poor, and leave the people who are being made poor by the jobless recovery with nothing?

I agree with the gentleman from Arizona who said the remedy for this is jobs. Why do you think we are on the floor? Because this economy has not been forthcoming with jobs. Some of us cosponsored a bill for a $50 billion program for jobs creation, almost all of this in terrorism infrastructure. That never made it to the floor. That was paid for, ready to go, terrorism projects infrastructure. So what are we left with?

We have got to do something for those who do not have the jobs that the economy has not provided. Look, something very different has happened to our economy. This global economy is different. We do not understand it, but we do understand the unemployed. We have got to do something about the long-term unemployed. That is who we are talking about. And the way to do it is to make these benefits available to these people who comprise the largest number of people losing their unemployment in 30 years.

It provides a stimulus to the local community in which they live, where the businesses are going out of business as well because the people do not have jobs. We get 2 bangs for the buck. It is time to make it up to these people whom we left with no benefits when we went home for Christmas.

Mr. OSBORNE. Mr. Chairman, we reserve the balance of our time.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. WU).

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

Mr. WU. Mr. Chairman, recently I held town hall meetings across the congressional district that I am privileged to represent in Oregon. In Scappoose on Monday night, the first person to speak was a woman who told me that she had been unemployed for a long time. Her benefits had run out. She is terrified of losing her health care. And most galling for an Oregonian, she is thinking about moving to California and taking a job while leaving her children and family behind.

Oregon has a jobless rate of 7.2 percent. Scappoose, located in Columbia County, has an unemployment rate of 10.6 percent. But these are not just naked statistics. Each one of these unemployed people risks losing their car, their home, of being unable to afford college payments or vital health care for their family.

So today we are called upon to show some compassion and extend unemployment benefits. At the end of the same town meeting in Scappoose, a fellow got up and asked, ''Who can solve this? Who can make a difference in this?''

He asked a straight question and I gave him a straight answer. If the President of the United States picked up the phone and asked for a straight extension of unemployment benefits, it would happen this week. And I said that before I knew that the Miller amendment would be up for a vote today.

So today I would like to say to the President of the United States, it is time to phone home. It is time to phone home so that you feel the passion, the anger, and the pain of millions of Americans who have been without work for a long time and are now without unemployment benefits.

□ 1730

I ask for an ''aye'' vote on the Miller amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Chairman, I agree with the gentleman from Washington. In my home State of Illinois, it is estimated that in the first half of 2004, 91,928 individuals will have exhausted their benefits, with no relief in sight.

We have heard about the unemployment rate going down, but what we have not heard is the way in which the rate is calculated. The real deal is that there are so many people not even looking for work, who have given up, until that makes it look as though the rate is going down.

The reality is unemployment is sky high. We need relief and we need it now. Vote for the Miller amendment.

Mr. GEORGE MILLER of California. Does the gentleman have any additional speakers?

Mr. OSBORNE. Mr. Chairman, we reserve the balance of our time.

Mr. GEORGE MILLER of California. How much time do we have remaining?

The CHAIRMAN pro tempore (Mr. LAHOOD). The gentleman from California (Mr. GEORGE MILLER) has 4½ minutes remaining.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1½ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Chairman, we are in incredible denial on the other side of the aisle. Once again, it is not needed, not now, not this way.

Nationwide, 375,000 people will exhaust their unemployment benefits this month. In Oregon, by March, 43,000 will have lost all their benefits. We hear the unemployment rate is dropping. Yeah, the statistic is dropping. We are not creating jobs. People no longer qualify for benefits. Well, they do not count as unemployed anymore.

We heard this extraordinary statement that some have become entrepreneurs, some are the modern day equivalent of selling apples and pencils on the street corner. Yeah, the entrepreneurs in my district are picking up bottles and cans for the five cent deposits, and it is really ironic.

Unlike the tax cuts for the billionaires where we have to borrow money from average working people and the Social Security trust fund to give tax breaks to billionaires, we do not have to borrow money to extend unemployment benefits. Working people have already paid the tax. There is $17 billion in the unemployment trust fund. All we need is for the majority to allow us a vote to authorize spending that money that is on account to help these people in their time of desperation and the President to sign the bill.

Vote ''yes.''

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself the remaining time.

Mr. Chairman, this is an important debate. I appreciate that my colleagues on the Republican side of the aisle do not like this bill being used for this purpose; but let me say to them, this is the only vehicle we have because they will bring us nothing to address the unemployment problem in this country and the loss of unemployment benefits. We are trying. We are trying on this side of the aisle to use any vehicle we have to try to get this Congress to respond to the needs of millions of Americans who are at risk of losing or have already lost their unemployment benefits, millions of middle-class Americans who are working hard, who are about to go in a downward financial spiral that leads to chaos in their families, that leads to bankruptcies, that leads to the loss of assets, millions of working Americans who play by the rules, had a job, worked hard at it, and then through no fault of their own they lost it.

This Congress stands by as 375,000 people lost their benefits in the month of January. We knew it was going to happen. We went home for Christmas. What kind of Christmas did these people have when they knew that their benefits were going to run out? What kind of Christmas did these hard-working families have?

We have heard a lot over the last couple of months about two Americas. This is the other America. This is the America without stock options. This is the America without vacations. This is the America without jobs.

Most of them have worked their whole lives, played by the rules, tried to do it the right way, tried to raise their families; and now all of that is at risk, and we sit with $17 billion in the trust fund, and they say go to the States. The State of Illinois is out of money. The State of Minnesota is out of money. The State of Missouri is out

of money. North Carolina is out of money. New York's out of money. Texas is out of money. California's about out of money, and Arkansas is heading in that direction.

My colleagues do not have a solution, go to the States. What a cynical approach. The gentleman from Texas takes the well and says go to the States, and his State with 300,000 people in it is out of money, is out of money. So his answer apparently is nothing for these families.

I do not get it. I just do not get how this happens to people who work all year long, year after year; and then they find out they are closing the factory, they are closing the mill, their job has disappeared. They run out and try to find another job. They cannot find the job. They run from place to place. They send out resumes; they go through retraining. They cannot find a job, and then they run out of unemployment benefits, and they get to go home to their spouse and to their children and say we are going to have to sell the house, we are going to have to sell the car, we have lost our health insurance. What is this Congress for? What is this Congress for if we are not here to try and bridge those people across these troubled waters from unemployment to employment.

I know my colleague is going to say, these people want a job? You bet your buns they want a job. They just do not have one in the Bush economy. They just do not have the opportunity.

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of our time.

Mr. Chairman, we are debating the Community Services Block Grant reauthorization program that funds the community action agencies in all of our communities to help the poorest of the poor, Meals on Wheels, other coordination of social services, to help those that are very needy. It is a very important program and a program that needs to be reauthorized.

But out of nowhere, at the 11th hour, we get this cynical attempt to talk about extending unemployment benefits. It has no business on this bill. As I said before, this is an authorization. There is no money attached to it; and for goodness sakes, no unemployed worker in America ought to count on anything happening out of this bill because it never will be funded.

The gentleman from California, my good friend and colleague, although we do disagree and we are disagreeing today, knows that this has no chance of becoming law. We are here scoring political points today at the expense of unemployed workers, and I really do think that is a sad use for the U.S. House of Representatives, not that there is never politics played here, but they are not usually played on the backs of the unemployed. I think that is what causes me such distress as I stand here today in opposition to the gentleman's amendment.

Two years ago, when we sent this $8 billion out to the States for unemployment out of the Federal unemployment trust fund, we told the States they could do a number of things with that money. They could increase benefits. They could add additional workers. They could increase the amounts or they could extend unemployment benefits for those whose were expired.

As we have heard in the debate today, 45 States have almost all of the money that we sent them, 45 States; and so the money is there and the States, in my view, are acting to help those people. Why are we here?

Even if this were germane and it were in order, the money would go out to the States. The same States that already have the money, would they really help any more unemployed workers? The States ought to get off their rear ends and help those who need help. We know there are people out there whose benefits have run out, and those State legislators and those Governors ought to step up to the plate and use the money we sent them out of the Federal unemployment trust fund to help them.

In the meantime and back to this debate, this amendment does not deserve to be here. This amendment does not deserve our vote. I will not vote in a cynical way to try to tell unemployed workers we are going to extend their benefits when I know, when I know that this bill will never be funded, and this program, even if it were funded, would take years and years to actually implement the extension of benefits for these workers. It is not fair to them, and playing politics on the backs of unemployed Americans is beneath the dignity of this institution.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of the Miller-Woolsey amendment to H.R. 3030 which ensures that Federal funds will not be used to support discrimination in hiring and I commend the authors for sponsoring it.

Mr. Chairman, I support and have always supported faith based organizations. They have played a major role in the delivery of social services in our country, in particular those who have been a part of the Congressional Black Caucus's Minority AIDS Initiative.

But what the White House and the Republicans are trying to do is relinquish government responsibility for the safety nets that millions of people rely on. More importantly, under cover of supporting the work of our faith-based institutions, they are attempting to unravel our civil rights by writing into the bill the right to discriminate.

Mr. Chairman, we need to call this egregious hand that they are trying to deal to the American public and say no to weakening our safety nets and a big no to discrimination.

Is there no shame?

Mrs. JONES of Ohio. Mr. Chairman, I rise to encourage my colleagues to extend unemployment insurance benefits for 6 months in an effort to prevent over 2 million workers from losing benefits. With the ending of the Federal Temporary Extended Unemployment Compensation (TEUC) program, jobless workers whose regular, state-funded unemployment insurance benefits run out before they can find a job no longer qualify for any federal unemployment aid.

Mr. Chairman, Congress rejected calls for a benefits extension before the December holidays, and job growth has since remained anemic. The previous unemployment insurance extension expired on December 20. Roughly 375,000 people exhausted their benefits in January, the largest number in a single month in 30 years, and these individuals are receiving neither a paycheck nor unemployment benefits.

According to an analysis of government data from the Center on Budget and Policy Priorities, nearly 2 million unemployed workers are expected to be in this situation during the first 6 months of 2004. The Center on Budget and Policy Priorities also projected that 2 million people will exhaust their benefits between January and June, a record for any 6-month period for which data are available, if benefits are not extended.

In no other month on record—and in no other 6-month period for which data are available—have so many unemployed workers exhausted their regular unemployment benefits without being able to receive additional aid. The unemployment rate is currently 6 percent in Ohio. In my congressional district, in the city of Cleveland, the unemployment rate is 13.1 percent—57,191 Ohioans are scheduled to lose their benefits over the next 6 months.

Dear Colleagues, how do you recommend I inform my constituents that Congress decided not to extend unemployment benefits? I ask my colleagues to join me and support the Democratic substitute.

The Democratic substitute provides for continued participation by faith-based organizations in Community Services Block Grant programs, but prohibits religious discrimination with Federal funds. Colleagues, Congress has worked to eliminate discrimination since 1964 through the enactment of Title VII of the Civil Rights Act of 1964, that prohibits employers from discriminating against individuals because of their religion in hiring, firing, and other terms and conditions of employment.

How dare we, Members of Congress, allow legislation that will discriminate against anyone come before the House floor. Have we forgotten what Title VII of the Civil Rights Act of 1964 prohibits under religious discrimination: My history reflects working toward the Dream that Dr. Martin Luther King had that, ''one day this nation will rise up and live out the true meaning of its creed: We hold these truths to be self-evident: that all men are created equal.'' My work history exemplifies working toward bringing all races together for employment, education, and religious beliefs. I have worked with the U.S. Equal Employment Opportunity Commission. I will also remind all of you that under Title VII of the Civil Rights Act of 1964 for religious discrimination:

Employers may not treat employees or applicants less—or more—favorably because of their religious beliefs or practices. For example, an employer may not refuse to hire individuals of a certain religion, may not impose stricter promotion requirements for persons of a certain religion, and may not impose more or different work requirements on an employee because of that employee's religious beliefs or practices.

Employees cannot be forced to participate—or not participate—in a religious activity as a condition of employment.

Employers must reasonably accommodate employees' sincerely held religious beliefs or

practices unless doing so would impose an undue hardship on the employer. A reasonable religious accommodation is any adjustment to the work environment that will allow the employee to practice his religion.

Flexible scheduling, voluntary substitutions or swaps, job reassignments and lateral transfers and modifying workplace practices, policies and/or procedures are examples of how an employer might accommodate an employee's religious beliefs.

An employer is not required to accommodate an employee's religious beliefs and practices if doing so would impose an undue hardship on the employers' legitimate business interests. An employer can show undue hardship if accommodating an employee's religious practices requires more than ordinary administrative costs, diminishes efficiency in other jobs, infringes on other employees' job rights or benefits, impairs workplace safety, causes coworkers to carry the accommodated employee's share of potentially hazardous or burdensome work, or if the proposed accommodation conflicts with another law or regulation.

Employers must permit employees to engage in religious expression if employees are permitted to engage in other personal expression at work, unless the religious expression would impose an undue hardship on the employer. Therefore, an employer may not place more restrictions on religious expression than on other forms of expression that have a comparable effect on workplace efficiency.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on religion or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under title VII.

It is vital that Congress authorizes additional funds under Community Services Block Grants to be used to pay for a 6-month extension of unemployment benefits. Benefits paid under Community Services Block Grants that will be modeled after the Unemployment Insurance program that expired for workers exhausting regular unemployment benefits after the week of December 20, 2003.

Mr. Speaker, I ask my colleagues to join me and support the Democratic substitute, and vote to provide continued participation by faith-based organizations in Community Services Block Grant (CSBG) programs, but prohibits religious discrimination with Federal funds.

Mr. LANGEVIN. Mr. Chairman, in my home State of Rhode Island, and throughout the country, Community Services Block Grant (CSBG) funds play a critical role in food and clothing assistance for low-income families, access to quality child care and other programs to help families and individuals achieve self-sufficiency and find and retain meaningful employment. Support from such programs makes it possible for many adults to overcome the challenges of poverty, return to the workforce, provide for their children, and keep their families together.

Because I believe in the mission of the CSBG, to combat poverty in meaningful, measurable ways, I strongly support the amendment offered by Representative GEORGE MILLER to H.R. 3030. The Miller amendment, which would authorize a 6-month extension of unemployment benefits, promotes the antipoverty mission of the CSBG. Rhode Island's unemployment rate is near a 7-year high, and thousands of jobs have been lost over the last 3 years. I have heard from many of my constituents who have lost their regular unemployment benefits and are on the verge of selling their car or home just to provide food for their families. The President proclaimed that the economy is improving, but the paltry 1,000 jobs created in December 2003 are not nearly enough to keep up with those who wish to enter the job market. Until real job creation occurs, we must help those who wish to enter the job market. Until real job creation occurs, we must help those that are left behind by providing additional unemployment benefits.

Finally, I urge my colleagues to preserve these critical programs as we reauthorize the CSBG and to guarantee that employees of CSBG-funded organizations are not subject to employment discrimination. The Woolsey amendment will allow religious organizations to continue to participate equally in CSBG programs, while ensuring that organizations receiving these Federal funds do not engage in employment discrimination based on religion. I urge my colleagues to support the Woolsey amendment and recognize that discrimination in hiring in federal funded programs is fundamentally wrong.

Mr. HOLT. Mr. Chairman, on behalf of these Americans, who are constituents, our neighbors, and the people who have entrusted us with the care of our Nation, it is essential that we renew their unemployment benefits, and it is essential that we do it now.

Middle-class Americans cannot sustain the American dream while not receiving any income for 3 or 4 months, or even longer. We owe them this continued assistance until this economy can provide them with jobs they desperately want again.

An estimated 375,000 unemployed individuals are exhausting their regular unemployment benefits in January without qualifying for any further assistance—and are receiving neither a paycheck or unemployment benefits.

In New Jersey, the 99,000 unemployed workers expected to exhaust their regular benefits without being able to receive further assistance will be the second highest on record for the months of January through June.

Mr. Chairman, the Congress must make the plight of middle-class America its number one concern. Without the temporary extension of unemployment benefits under TEUC, Americans will continue to struggle to pay the bills in this still-weak job market.

By extending the unemployment benefits for an additional 6 months, it will grant more time for unemployed Americans to find new jobs. While experts could explain various aspects about the business and economic cycles and how companies will begin hiring again in the future, this does not solve the present problem of how bread winners are going to pay bills and how food is going to get into the stomachs of children so that when they go to school, their day is spent learning and not focusing on the pain in their gut.

Mr. Chairman, the American public needs the Miller amendment so I ask my colleagues to pass the Miller amendment.

Mr. DAVIS of Illinois. Mr. Chairman, in my home State of Illinois, it is estimated that in the first half of 2004, 91,928 individuals will have exhausted their benefits and will not qualify for additional aid. This places Illinois along side of nine other States as reaching the second highest on record for the number of unemployed workers expected to exhaust their regular benefits without being able to receive further assistance. We all have heard the news of the unemployment rate going down—but unlike the paper it is printed on, the unemployment rate is not clear as black and white but hazy and has a lot of gray. According to the Illinois Department of Employment Security, the Illinois unemployment rate dropped in December from 6.8 to 6.4 percent with the number of unemployed declining by 20,800. However, as the Illinois Department states, the declines in both the number of unemployed and the unemployment rate were largely due to people who just stopped looking for work and therefore not counted as unemployed. Even according to the U.S. Department of Labor, as unemployment declined from October 2003 to December of 2003 by 8,797 to 8,398 unemployed individuals, the number of individuals considered not in the labor force grew from October 2003 to December 2003 by 75,147 to 75,631.

Our real concern and focus should be on who is unemployed and on the growing number of individuals that are not in the workforce and are no longer looking for employment. In Illinois, the group of individuals unemployed and no longer looking for employment jumped by 15 percent between the third quarters of 2000 and 2002. Men accounted for a third of those counted as not currently employed along with a 20-percent increase in no longer seeking employment. Men are also on unemployment for a longer period of time. From the third quarter of 2000 to the third quarter of 2002, the duration of unemployment grew by more than 75 percent or from 7 weeks to just under 13 weeks. The racial minorities are also finding themselves unemployed for a longer period of time. The average unemployment period for African Americans in Illinois rose by more than 50 percent of 4.6 weeks. African Americans are dramatically unemployed more so than any other ethnic group. According to the Department of Labor, in December 2003, 10.3 percent of all unemployed workers were African Americans compared to 6.6 percent of Hispanic workers and 5 percent of White workers.

Mr. Speaker, thousands of Americans have already exhausted their benefits and approximately 2 million unemployed workers will exhaust their benefits in the next 6 months. To fully stimulate this economy, we must ensure we are assisting not the few at the top but the masses of workers, who keep this country moving. I am in full support of the Miller amendment to authorize additional funds under CSBG to be used to pay for a 6-month extension of unemployment benefits. Instead of contributing to our economy by buying school supplies, paying rent or a mortgage or going out to dinner, without this amendment and without an extension of unemployment benefits more of our constituents will be forced into poverty with the chance of losing their home, having no food to eat, no new shoes for their children, no way to pay for a doctor let alone over the counter medications and the list continues. The old saying remains clear—we either pay for it now—or we pay more for it later. I urge all my colleagues to support the Miller amendment.

Ms. MAJETTE. Mr. Chairman, I rise today on behalf of the over 51,000 Georgians who have exhausted their regular unemployment

benefits and still can't find a job. We must extend unemployment benefits for these Georgians and the estimated 2 million workers nationwide who will exhaust their benefits in the next 6 months. We must extend these benefits until the administration starts taking job creation seriously.

The administration's policies are not creating jobs and there is no plan to create jobs either. The Bush administration has presided over the worst job-loss record in half a century—we have lost almost 2.4 million jobs since Bush took office—and yet this Congress and the President are denying that jobless Americans even exist. That is unacceptable.

These Americans have worked hard and paid into the system, but now they are unemployed and they need a safety net for a few more weeks. Until we start creating jobs, we must show compassion for these hard-working Americans who lost their jobs through no fault of their own during the economic downturn.

My colleagues on the other side of the aisle continue to say that this unemployment extension is unnecessary because the Gross Domestic Product is back on the rise these days, and the stock market has turned the corner. The stock market rise might be helping the wealthy who benefit from Bush's tax cut, but it is not helping the over 51,000 Georgians who can't find a job.

These economic indicators are good news, but this has been a jobless recovery. Last month only 1,000 new jobs were created in this country. Until this economy starts creating jobs—and lots of them, these economic indicators don't mean a thing. These Americans need jobs—and until then, they need unemployment insurance.

These hard-working Americans expect and deserve our help. During past recessions, Congress habitually extended unemployment insurance until there were enough jobs to make it unnecessary. The numbers speak for themselves. There just aren't enough jobs—and until there are enough jobs, we need to meet our obligation to these workers and their families.

Mr. BOEHNER. Mr. Chairman, I yield back the balance of our time.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from California (Mr. GEORGE MILLER).

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

RECORDED VOTE

Mr. GEORGE MILLER of California. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 227, noes 179, not voting 27, as follows:

[Roll No. 18]

AYES—227

Abercrombie
Ackerman
Alexander
Allen
Andrews
Baca
Baird
Baldwin
Ballance
Becerra
Bell
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Burns
Burr
Camp
Capito
Capps
Capuano
Cardin
Cardoza
Carson (IN)
Carson (OK)
Case
Clay
Clyburn
Cooper
Costello
Cramer
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
Delahunt
DeLauro
Deutsch
Dingell
Doggett
Dooley (CA)
Doyle
Edwards
Emanuel
Emerson
Engel
English
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Fossella
Frank (MA)
Frost
Gonzalez
Goode
Gordon
Green (TX)
Green (WI)
Grijalva
Harman
Hastings (FL)
Hayes
Hill
Hinchey
Hinojosa
Hoeffel
Holden
Holt
Honda
Hooley (OR)
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
John
Johnson (IL)
Johnson, E. B.
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Kelly
Kennedy (RI)
Kildee
Kilpatrick
Kind
King (NY)
Kleczka
Lampson
Lantos
Larsen (WA)
Larson (CT)
LaTourette
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lofgren
Lowey
Lucas (KY)
Lynch
Majette
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy (NY)
McCollum
McCotter
McDermott
McGovern
McIntyre
McNulty
Meehan
Meek (FL)
Meeks (NY)
Menendez
Michaud
Miller (MI)
Miller (NC)
Miller, George
Mollohan
Moore
Moran (VA)
Murphy
Murtha
Nadler
Neal (MA)
Nethercutt
Ney
Oberstar
Obey
Olver
Owens
Pallone
Pastor
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Pomeroy
Price (NC)
Quinn
Rangel
Reyes
Rodriguez
Rogers (MI)
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Sandlin
Saxton
Schakowsky
Schiff
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Shimkus
Simmons
Skelton
Slaughter
Smith (NJ)
Snyder
Solis
Spratt
Stark
Stenholm
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Turner (OH)
Turner (TX)
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Waters
Watt
Waxman
Weiner
Weldon (PA)
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NOES—179

Aderholt
Akin
Bachus
Baker
Ballenger
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Bereuter
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Cannon
Cantor
Carter
Castle
Chabot
Chocola
Coble
Cole
Collins
Cox
Crane
Crenshaw
Cubin
Cunningham
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
DeMint
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Dreier
Duncan
Dunn
Ehlers
Everett
Feeney
Ferguson
Flake
Foley
Forbes
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Goodlatte
Graves
Greenwood
Gutknecht
Hall
Harris
Hart
Hastert
Hastings (WA)
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Houghton
Hulshof
Hunter
Hyde
Isakson
Issa
Istook
Jenkins
Johnson (CT)
Johnson, Sam
Keller
Kennedy (MN)
King (IA)
Kingston
Kirk
Kline
Knollenberg
Kolbe
LaHood
Latham
Lewis (CA)
Lewis (KY)
Manzullo
McKeon
Mica
Miller (FL)
Miller, Gary
Moran (KS)
Musgrave
Myrick
Neugebauer
Northup
Norwood
Nunes
Nussle
Osborne
Ose
Otter
Oxley
Paul
Pearce
Pence
Petri
Pickering
Pitts
Platts
Pombo
Porter
Portman
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Schrock
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shuster
Simpson
Smith (MI)
Smith (TX)
Souder
Stearns
Sullivan
Tancredo
Tauzin
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Toomey
Vitter
Wamp
Weldon (FL)
Weller
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—27

Brown-Waite, Ginny
Calvert
Conyers
Culberson
DeGette
Dicks
Gephardt
Goss
Granger
Gutierrez
Kucinich
Langevin
Linder
Lipinski
Lucas (OK)
McCarthy (MO)
McCrery
McHugh
McInnis
Millender-McDonald
Napolitano
Ortiz
Pascrell
Rahall
Ruppersberger
Smith (WA)
Watson

ANNOUNCEMENT BY THE CHAIRMAN PRO TEMPORE

The CHAIRMAN pro tempore (Mr. LAHOOD) (during the vote). There are 2 minutes remaining in this vote.

□ 1805

Messrs. ROTHMAN, GOODE, JONES of North Carolina, BURNS, TAYLOR of North Carolina, NEY, FOSSELLA, TURNER of Ohio, SAXTON, SHAYS, MURPHY, WELDON of Pennsylvania, and Mrs. EMERSON changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Ms. MCCARTHY. Mr. Chairman, on rollcall No. 18, I was unavoidably detained. Had I been present, I would have voted ''yes.''

Mr. MCHUGH. Mr. Chairman, due to the need for me to be out of town on official Committee business, I missed the following vote taken during consideration of H.R. 3030, Improving the Community Services Block Grant Act. Had I been present, I would have voted as follows: Rollcall No. 18, the Miller amendment on unemployment compensation: ''yes.''

Stated against:

Mr. GOSS. Mr. Chairman, this evening I had to depart early for a previously scheduled meeting. As a result, I was not able to be present for rollcall vote 18. Had I been present, I would have voted ''no'' on rollcall vote 18.

PERSONAL EXPLANATION

Mr. PASCRELL. Mr. Chairman, on February 4, 2004, I was not able to be in attendance during rollcall votes 15 through 18. I have deep concerns about H.R. 3030 which would permit organizations that receive public funds to discriminate in hiring based on religion. Had

I been in attendance, I would have voted ''yes'' for rollcall vote 15, ''yes'' for rollcall vote 16, ''yes'' for rollcall vote 17, and ''yes'' for rollcall vote 18.

The CHAIRMAN pro tempore (Mr. LAHOOD). Are there further amendments?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

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

The CHAIRMAN pro tempore. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. LAHOOD, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 3030) to amend the Community Service Block Grant Act to provide for quality improvements, pursuant to House Resolution 513, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

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

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

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

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## GENERAL LEAVE

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 3030, Improving the Community Services Block Grant Act.

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

There was no objection.

## AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 3030, IMPROVING THE COMMUNITY SERVICES BLOCK GRANT ACT OF 2003

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 3030, the Clerk be authorized to make technical corrections and conforming changes to the bill.

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

There was no objection.

## REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2169

Mr. SANDERS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2169.

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

There was no objection.

## LEGISLATIVE PROGRAM

(Mr. HOYER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority leader the schedule for the House next week.

Mr. DELAY. Mr. Speaker, will the gentleman yield?

Mr. HOYER. I yield to the gentleman from Texas.

Mr. DELAY. Mr. Speaker, the House will convene on Tuesday at 12:30 p.m. for morning hour debates and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members' offices by the end of this week. Any votes called on these measures will be rolled until 6:30 p.m.

On Wednesday, the House will convene at 10 a.m. We plan to consider the Senate amendment to H.R. 743, the Social Security Protection Act. In addition, we plan to consider H.R. 1561, the U.S. Patent and Trademark Fee Modernization Act and a short extension of the highway program as well. The current extension expires at the end of February, so we must consider a short-term extension while we are working actively on TEA–LU.

Finally, I would like to remind all Members that we do not plan to have votes on Friday, February 13. I will be happy to answer any questions.

Mr. HOYER. Mr. Speaker, I thank the gentleman for the information he has given to the Members and for the schedule.

Mr. Leader, you indicate there will be a short-term extension of the highway reauthorization bill scheduled for next week. Can you tell us as to when the full reauthorization, the permanent reauthorization, will be ready for consideration on the floor?

Mr. DELAY. Mr. Speaker, I think that the committee should be prepared to mark up this very important legislation very shortly after the Presidents' Day district work period. The 4-month extension that we are talking about doing next week should not in any way indicate that we want to postpone the completion of this very important bill until June. The 4-month extension that we are talking about is simply to give highway administrators, especially in the northern States, the predictability that they need to let contracts for the spring and summer construction season.

In discussions with the chairman of the Committee on Transportation and Infrastructure, he informs me that he is working as hard as he can to get the TEA–LU bill up as quickly as possible. And once they get it marked up, it goes through the Committee on Ways and Means. After that, we will bring it to the floor as quickly as possible.

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Mr. HOYER. I thank the gentleman for those comments. To reiterate, the extension will be until May 30 or 31?

Mr. DELAY. I have not seen the actual language. That is being consulted with your side. The last I was advised, it would probably be June 30.

Mr. HOYER. I thank the gentleman for that information.

For Members' planning purposes, does the gentleman expect to have votes next Thursday? I know we have it on the schedule, but I am wondering whether or not the leader has any insight into whether or not we will need next Thursday or not.

Mr. DELAY. We do not have a busy week on the floor for next week, but at this point we are inclined to work through Thursday, not through Thursday but at least Thursday morning to early afternoon. This will give committees an opportunity to hold hearings and get some markups completed so we will have legislation ready for the end of February and through March. But I do not expect to have a long day Thursday.

Mr. HOYER. Unemployment insurance, as the gentleman knows, has been a real concern, I think, of all of ours but particularly we have raised this issue in terms of the extension. When Congress adjourned last year, it failed to extend, as the gentleman knows, the emergency unemployment compensation program which left 90,000 American workers and their families every week, which now is approximately 375,000 workers by the end of last month, in the lurch, off of unemployment benefits.

We have just passed, in my perspective at least, a very significant amendment which will give some hope and relief to these folks whose families have lost at least some type of floor for their maintenance of their families, the purchase of food and payment of rent and mortgages and things of that nature. I know we just passed it, but I would be very interested in whether the leader has any thoughts as to whether or not it would be possible to accelerate this matter so that we could get it back here so that we could give relief to these families that we have been talking about for many months.

Mr. DELAY. My friend considers that amendment a very significant amendment. I have a different point of view. As the gentleman is surely aware, the provision that he refers to that just passed is a completely new, unfunded program in a new agency with no experience or competence to handle this issue. Frankly, it was a very clever political stunt and I have to hand it to