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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LAHOOD).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 2, 2005.

I hereby appoint the Honorable RAY LAHOOD to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,
Speaker of the House of Representatives.

PRAYER

The Reverend James T. Akers, National Chaplain, The American Legion, offered the following prayer:

Our Heavenly Father, in this moment of petition, when our minds and hearts are silent before You, may the prayers of Thy servants in this Chamber be heard.

In the midst of great activity today, make this moment sacred, a moment when answers come and guidance is given. Create in us the grace of thankful hearts, the grace of boldness in standing for what is right, the grace to treat others as we would be treated, and, finally, the grace to be thankful for all that we have and enjoy.

Grant us now a vivid sense of Your being by our side and make us Your partners in seeking wisdom for all matters of State. Give to these leaders of our Nation the inspired plans that shall lead this country in making the American Dream come true for all our citizens.

All of this we lift up to Your Holy Will and ask it in Your Holy Name. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. CUELLAR) come forward and lead the House in the Pledge of Allegiance.

Mr. CUELLAR led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

INTRODUCTION OF THE REVEREND JAMES T. AKERS AS GUEST CHAPLAIN

(Mr. MORAN of Kansas asked and was given permission to address the House for 1 minute.)

Mr. MORAN of Kansas. Mr. Speaker, I am honored today to introduce to my colleagues here in the House the Reverend James T. Akers of Madison, Kansas. Reverend Akers currently serves as the chaplain of the American Legion, and is an ordained priest with the Anglican Orthodox Church in Madison.

Reverend Akers answered the call to the Lord's service when he left public school administration and entered the clergy. He has served his church and has focused his efforts on his colleagues, his comrades, and the American Legion as he tries to meet the spiritual needs of veterans and their families. Since 1992 this chaplain has been the chaplain at Ball-McComb American Legion post in Emporia, Kansas, and has been the American Legion district chaplain twice and for the past 7 years has been the Department of Kansas chaplain. We are honored in Kansas to have him now as the National American Legion chaplain. He is a U.S. Army veteran himself, who fought in the Korean War, and Reverend Akers is not only involved in the American Legion and service to other veterans, but he is also a member of the Disabled American Veterans, the Reserve Officers Association of the United States, and is a Companion of the Military Order of World Wars.

I have known Reverend Akers for a long time now. We often meet people in life who make a tremendous difference just on meeting them. He is a warm and caring and compassionate person who loves his fellow man, and it is a real honor to have him today as our guest chaplain in the United States House of Representatives.

THE REAL ''SURVIVORS'' OF PALAU

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

Mr. PITTS. Mr. Speaker, Reality TV is very popular these days. ''Survivor'' was the first of these shows to really break through. This season ''Survivor'' is being filmed on the island of Palau.

A reader, Major Jerry Wiffler, pointed out to nationalreview.com that this island was also the site of an important battle in 1944. On September 15, 1944, the 1st Marine Division landed on the beaches of Palau in order to protect MacArthur's right flank as he tried to recapture the Philippines. The battle was ferocious, as were most of these island engagements in the South Pacific. Ten thousand and five hundred Japanese troops fought for nearly a month before the Marines were able to secure the island, and during this battle, Major Wiffler recalls, eight Marines earned the Medal of honor for their actions.

Today the island is best known as the setting for a ''reality'' TV show that

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pits people against each other for prize money. Sixty years ago, the island was the site of great bravery and courage, not for the sake of prize money, but for the sake of our Nation and for freedom.

Major Wiffler hoped we would remember this.

SOCIAL SECURITY TOWN HALL MEETINGS

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, this Friday, President Bush plans to take his traveling White House to New Jersey in the hope of convincing New Jersey workers to support his Social Security privatization proposal. I only wish the President would open his event up to New Jerseyans who did not contribute huge amounts to his reelection campaign or who refused to sign a letter saying they are a card-carrying Republican. Maybe then he would hear the public's real concerns about his privatization plan.

Mr. Speaker, the American people simply do not believe the President wants to strengthen Social Security. President Bush keeps on talking about a crisis, but he has even admitted that his own privatization plan does nothing to fix the problems Social Security faces 40 years from now. Instead of fixing a future problem, the President's privatization plan actually jeopardizes the future of Social Security by moving insolvency forward from 2052 to 2031, meaning we would face a real crisis much sooner under the President's plan.

I welcome the President's visit. For 6 weeks, he has been working to build support for his plan, but it has fallen flat with the American people and it will also fall flat in New Jersey.

JOHN LEWIS'S 65TH BIRTHDAY

(Mr. GINGREY asked and was given permission to address the House for 1 minute.)

Mr. GINGREY. Mr. Speaker, I rise today in honor of the gentleman from Georgia (Mr. LEWIS), who celebrated his 65th birthday last week. It was appropriate that the gentleman from Georgia's (Mr. LEWIS) birthday fell during Black History Month because his involvement in politics began when he was a student activist working to spread the message of nonviolence preached by the Reverend Martin Luther King, Jr. The gentleman from Georgia (Mr. LEWIS) was later involved in some of the most important civil rights events in our Nation's history: The Freedom Rides, the Selma March, and countless other gatherings that helped this country end the era of segregation and move toward an equal and a just society.

Even today, the gentleman from Georgia (Mr. LEWIS) is known for his dedication and persistence. Although we sit on opposite sides of the aisle, I am often inspired by his passion and determination on issues of importance to his constituents.

Mr. Speaker, I ask that the Members join me in congratulating the gentleman from Georgia (Mr. LEWIS) on the occasion of his 65th birthday.

SOCIAL SECURITY IN THE 32ND CONGRESSIONAL DISTRICT OF CALIFORNIA

(Ms. SOLIS asked and was given permission to address the House for 1 minute.)

Ms. SOLIS. Mr. Speaker, today I rise to inform President Bush about what my constituents in the San Gabriel Valley and East Los Angeles are saying about Social Security.

In my district where there are nearly 60,000 Social Security beneficiaries, people are very concerned about the risky privatization scheme. To date, my office has held 15 senior center visits, high school visits, parent center visits, and health care facility visits. Over 500 constituents have been contacted about this issue. My constituents at Club America and the Federation of Seniors, whose members reside in east Los Angeles and the San Gabriel Valley, are overwhelmingly opposed to privatizing Social Security. I have received well over 300 letters in the past 2 weeks from people who are very worried about their benefits. In fact, Mr. Raymundo Romero from Los Angeles says: ''President Bush is claiming a mandate to privatize Social Security. I'm writing to tell you that he has no mandate from me, or from most other Americans, to cut Social Security benefits or add to America's financial burdens in order to reward Wall Street backers with risky private accounts.'' And I have about 300 letters that say about the same thing.

So I urge our Members of Congress to reject privatization.

THE NATIONAL BUDGET

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

Mr. PENCE. Mr. Speaker, the Good Book tells us to know the condition of our flocks and keep careful watch over our herds, for riches do not endure forever.

Tomorrow the budget debate begins here on Capitol Hill as the Committee on the Budget begins the process of writing our Federal budget, and President Bush has sent to Capitol Hill a strong conservative budget that represents a good start as we head down the road to fiscal discipline.

But as the debate begins, let us also insist that we change the way we spend the people's money. Observers of Congress know that it is not bad people who spend the people's money, it is a bad process that has not been fundamentally reformed since 1972. Only through fundamental budget process reform and a budget that represents fiscal discipline will we begin again to restore fiscal discipline to the national budget.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record vote on the postponed question will be taken later today.

CONGRATULATING ASME ON THEIR 125TH ANNIVERSARY

Mr. AKIN. Mr. Speaker, I move to suspend the rules and concur in the Senate concurrent resolution (S. Con. Res. 13) congratulating ASME on their 125th anniversary, celebrating the achievements of ASME members, and expressing the gratitude of the American people for ASME's contributions.

The Clerk read as follows:

S. CON. RES. 13

Whereas in 2005, ASME, incorporated in 1880 as the American Society of Mechanical Engineers, celebrates its 125th anniversary as one of the premier professional organizations focused on technical, educational, and research issues of the engineering community;

Whereas ASME plays a key role in protecting the welfare and safety of the public through the development and promulgation of over 600 codes and standards, including codes governing the manufacture of boilers, pressure vessels, elevators, escalators, petroleum and hazardous liquid pipelines, cranes, forklifts, power tools, screw threads and fasteners, and many other products routinely used by industry and people in the United States and around the world;

Whereas ASME, through its 120,000 members, works diligently to ensure the provision of quality science, technology, engineering, and mathematics education for young people as a way to foster and encourage the advancement of technology;

Whereas industrial pioneers and ASME members such as Thomas Edison, Henry Ford, and George Westinghouse helped to build ASME's engineering society even as ASME was helping to build the economy of the United States;

Whereas ASME members help to ensure the development and operation of quality and technologically advanced transportation systems, including automobile, rail, and air travel;

Whereas ASME members contribute to research and development that identifies emerging and future technical needs in evolving and multidisciplinary areas;

Whereas ASME continues to provide quality continuing education programs designed to keep engineers at the cutting edge of technology; and

Whereas in the aftermath of the terrorist attacks on the United States of September 11, 2001, ASME members have intensified efforts to develop technologies for homeland security and the protection of the critical assets of this Nation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Congress—

(1) congratulates ASME on its 125th anniversary;

(2) recognizes and celebrates the achievements of all ASME members;

(3) expresses the gratitude of the people of the United States for ASME's contributions to the health, safety, and economic well-being of the citizenry; and

(4) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to the president of ASME.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Missouri (Mr. AKIN) and the gentleman from Oregon (Mr. WU) each will control 20 minutes.

The Chair recognizes the gentleman from Missouri (Mr. AKIN).

□ 1015

GENERAL LEAVE

Mr. AKIN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on S. Con. Res. 13.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of Senate Concurrent Resolution 13, a resolution recognizing the American Society of Mechanical Engineers, ASME, on the occasion of its 125th anniversary.

125 years ago, a group of prominent mechanical engineers gathered in the New York offices of the ''American Machinist'' to form what ultimately became ASME, one of the premier professional engineering organizations for technical education and research issues. Since 1880, ASME has worked to advance technological knowledge and facilitate the transfer of information from research to application.

Significant among ASME's many achievements is its efforts to improve the safety and reliability of equipment, especially boilers. In the year that ASME was founded, nearly 160 boiler explosions occurred in the U.S., each of which brought death and injury. During this period of industrial growth, boilers were becoming larger, more numerous and dangerous.

On March 10, 1905, a boiler explosion at the Brockton Shoe Factory resulted in 58 deaths and 117 injuries and completely leveled the factory. Terrible accidents like Brockton drove the creation of ASME's comprehensive Boiler Code, a set of standards to ensure the reliability and predictability of machine design and production. Quickly adopted by most States, this code virtually eliminated boiler explosions in the United States.

Today, ASME has thousands of volunteers working on committees that combine to issue more than 600 standards, ensuring proper specifications for a wide range of manufactured items. From the pressure valve of boilers to the threads on a screw, these standards ensure that equipment fits and holds safely, protecting American workers and the general public.

Some of our most prominent Americans have helped found ASME and many of our greatest innovators have occupied its board. Many will recognize the names of such members as Thomas Edison, Henry Ford, and George Westinghouse.

ASME continues this proud tradition more than a century later, engaging men and women of substance in emerging and future technical fields and cultivating the next generation of industrial leaders. In fact, ASME fellows can be found in the Halls of Congress and throughout the administration, providing valuable insight on legislation, regulation, and policies related to technology and the practice of engineering. The ASME members are tireless advocates for quality science, technology, engineering, and mathematics education for students of all ages.

For 125 years of service to the U.S., I want to extend my warmest and heartfelt congratulations and sincere appreciation to President Harry Armen and the members of ASME for their strong and inspired leadership. I look forward to our continued association and future ASME achievements.

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

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

Mr. Speaker, today I rise in strong support of this resolution to commemorate the 125th anniversary of the founding of the American Society of Mechanical Engineers. The American Society of Mechanical Engineers, with its 120,000 members worldwide, is a professional organization focused on technical, educational, and research issues of the engineering and technology communities.

The society has a long and distinguished history in the creation of industrial and manufacturing codes and standards that enhance public safety. It began with technical standards for screw threads and now has developed more than 600 standards, including standards in vital areas such as precision machining, nuclear power generation, and petroleum refining.

The diversity and range of the society's activities is reflected in the variety of its technical divisions, including Aerospace, Management, Materials, Power, Production Engineering, Rail Transportation, Textile Industries and most recently, Information Storage and Processing Systems.

The Society conducts one of the world's largest technical publishing operations, holds numerous technical conferences worldwide, and offers hundreds of professional development courses each year. It also sponsors activities to enhance kindergarten through twelfth grade science education and to attract students to careers in science and engineering.

On the basis of its long and beneficial service to the engineering profession and to the welfare of this Nation, it is entirely appropriate that we recognize the accomplishments of the American Society of Mechanical Engineers and congratulate the society on its 125th anniversary.

Mr. Speaker, I commend this resolution to my colleagues and ask for their support for its passage by this House.

Mr. BOEHLERT. Mr. Speaker, I proudly support S. Con. Res. 13, a resolution to recognize the American Society of Mechanical Engineering (ASME) on the occasion of its 125th anniversary.

Since 1880, ASME has focused upon technical, educational, and research issues as they pertain to engineering. It has played a key role in standardization and safety—developing and promulgating more than 600 codes and standards over its 125-year history.

Significantly, ASME created a comprehensive Boiler Code in reaction to the dangerous widespread boiler explosions that plagued early 20th century America. Following rapid adoption, this code virtually eliminated the scourge of boiler explosions. In updated versions, the code is still in existence today. It serves as a clear example of the value—indeed the necessity—of clear standards to prevent injury and maximize economic output.

Fifty years after its founding, ASME worked to promote precision machining, mass production and commercial transportation—all technologies that triggered enormous productivity gains and opened the nation and the world to American enterprise. Prominent ASME members included pioneers of American technology and industry such as Thomas Edison, Henry Ford and George Westinghouse. At the same time, the human aspect of industrial processes grew into focus: ASME leaders Henry Robinson Towne, Frederick Taylor and James M. Dodge pioneered management practices that reformed labor-management relations.

Today, over 120,000 members comprise ASME, serving the interests of industry, government, academia and the public. ASME members play a key role in providing affordable access to energy and natural resources. Its members work to ensure the quality of scientific research as well as science and technology education. In fact, ASME fellows can be found in the halls of Congress and throughout the Administration providing valuable insight on legislation and helping to shape engineering and technology policy.

Recently, ASME members have risen to the challenge posed by the terrorist attacks on September 11, 2001. Their intensified efforts have developed technologies for homeland security and protected critical assets to our Nation.

On behalf of the 109th Congress, I warmly congratulate ASME for 125 years of service to the United States. I wish to extend my sincere appreciation to President Harry Armen and the members of ASME for their strong leadership and I look forward to future ASME achievement.

Mr. WU. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. AKIN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

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

the gentleman from Missouri (Mr. AKIN) that the House suspend the rules and concur in the Senate Concurrent Resolution, S. Con. Res. 13.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT OF 2005

Mr. SMITH of New Jersey. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 912) to ensure the protection of beneficiaries of United States humanitarian assistance.

The Clerk read as follows:

H.R. 912

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 ''Humanitarian Assistance Code of Conduct Act of 2005''.

SEC. 2. CODE OF CONDUCT FOR THE PROTECTION OF BENEFICIARIES OF HUMANITARIAN ASSISTANCE.

(a) PROHIBITION.—None of the funds made available for foreign operations, export financing, and related programs under the headings ''Migration and Refugee Assistance'', ''United States Emergency Refugee and Migration Assistance Fund'', ''International Disaster and Famine Assistance'', or ''Transition Initiatives'' may be obligated to an organization that fails to adopt a code of conduct that provides for the protection of beneficiaries of assistance under any such heading from sexual exploitation and abuse in humanitarian relief operations.

(b) SIX CORE PRINCIPLES.—The code of conduct referred to in subsection (a) shall, to the maximum extent practicable, be consistent with the following six core principles of the United Nations Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises:

(1) ''Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.''.

(2) ''Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.''.

(3) ''Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries.''.

(4) ''Sexual relationships between humanitarian workers and beneficiaries are strongly discouraged since they are based on inherently unequal power dynamics. Such relationships undermine the credibility and integrity of humanitarian aid work.''.

(5) ''Where a humanitarian worker develops concerns or suspicions regarding sexual abuse or exploitation by a fellow worker, whether in the same agency or not, he or she must report such concerns via established agency reporting mechanisms.''.

(6) ''Humanitarian agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct. Managers at all levels have particular responsibilities to support and develop systems which maintain this environment.''.

SEC. 3. REPORT.

Not later than 180 days after the date of the enactment of this Act, and not later than one year after the date of the enactment of this Act, the President shall transmit to the Committee on Appropriations and the Committee on International Relations of the House of Representatives and the Committee on Appropriations and the Committee on Foreign Relations of the Senate a detailed report on the implementation of this Act.

SEC. 4. EFFECTIVE DATE; APPLICABILITY.

This Act—

(1) takes effect 60 days after the date of the enactment of this Act; and

(2) applies to funds obligated after the effective date referred to in paragraph (1)—

(A) for fiscal year 2005; and

(B) any subsequent fiscal year.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of New Jersey. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 912.

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

There was no objection.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in the wake of the devastating Indian Ocean tsunami and the genocide in Darfur, we have witnessed untold suffering. And yet, Mr. Speaker, we have learned from other crises situations that people in some crises become victims of additional and incomprehensible violations, sexual exploitation and abuse. The most vulnerable groups, women and children, are at greatest risk.

The passage of the Humanitarian Assistance Code of Conduct Act of 2005 ensures that steps will be taken to protect the most vulnerable people from sexual exploitation and abuse by those providing aid and humanitarian relief operations.

H.R. 912 requires that the United States Government assistance for humanitarian relief operations will be available only to organizations that have adopted a code of conduct incorporating the core principles of the United Nations Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises. These principles include, but are not limited to, the following:

''Sexual exploitation and abuse by humanitarian workers constitute acts of gross misconduct and are therefore grounds for termination of employment.''

''Sexual activity with children (persons under the age of 18) is prohibited regardless of the age of majority or age of consent locally. Mistaken belief regarding the age of a child is not a defense.''

''Exchange of money, employment, goods, or services for sex, including sexual favors or other forms of humiliating, degrading or exploitative behavior, is prohibited. This includes exchange of assistance that is due to beneficiaries.''

Mr. Speaker, passage of the Humanitarian Assistance Code of Conduct Act of 2005 will help ensure the protection of beneficiaries of United States humanitarian assistance. I urge my colleagues to support it.

Mr. Speaker, I would also include a CBO estimate for H.R. 912, which indicates that this legislation has no significant budgetary effect.

Mr. Speaker, in addition to the important provisions of H.R. 912, I would like to inform my colleagues of additional measures contained in a bill I introduced, the Trafficking Victims Protection Reauthorization Act of 2005, H.R. 972, which we will be marking up next week, cosponsored by my good friend and colleague, the gentleman from California (Mr. LANTOS), the gentleman from Missouri (Mr. BLUNT), and a number of other Members of this committee and of this House. That comprehensive legislation is designed to help ensure the protection of vulnerable women and children in post-natural disaster situations.

H.R. 972, among several other things, incorporates stronger child protection and trafficking prevention activities into USAID, State and DOD post-conflict and post-natural disaster relief programs. The measure provides for the Secretary of State and the administrator of USAID to conduct a study regarding the threat and practice of trafficking in persons generated by post-conflict and humanitarian emergencies in foreign countries, and to look at and implement best practices to combat human trafficking in such areas.

It also requires, and I think this is very important, that the Secretary of State certify that prior to approval of a peacekeeping mission or a renewal of the mandate, the Secretary of State would have to guarantee or certify, 15 days before that, that appropriate safeguards are in place to protect vulnerable populations from trafficking and from rape and other kinds of sexual misconduct.

I would point out parenthetically to my colleagues that yesterday we held a day-long hearing on the atrocities committed by U.N. peacekeepers in the Congo, where unfortunately there have been credible and large numbers of allegations made that U.N. peacekeepers have raped 13-year-old, 14-year-old, and 15-year-old girls and older and have offered them $1 or $2 or a loaf of bread in exchange for this exploitation. It is outrageous.

The U.N. for its part, I believe, is committed to trying to rectify and remedy this situation, but more needs to be done; and we need to have in place safeguards to ensure that this kind of misconduct, which is gross and, unfortunately, very, very prevalent, is mitigated and stopped. This bill is another step in that direction; and I applaud the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from Texas (Mr. DELAY), and all of those who have sponsored it and brought it to the floor today.

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

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

Mr. Speaker, I rise in strong support of this legislation. I would first like to thank my good friend and distinguished colleague, the ranking member of the Committee on International Relations Subcommittee on Oversight and Investigations, the gentleman from Massachusetts (Mr. DELAHUNT), for being the principal author of this critically important legislation.

I would also like to express my thanks to my friend, the gentleman from New Jersey (Mr. SMITH); the majority leader, the gentleman from Texas (Mr. DELAY); and the distinguished chairman of the House Committee on International Relations, the gentleman from Illinois (Mr. HYDE), for their outstanding work on this legislation.

Mr. Speaker, the humanitarian instincts of the American people run deep, and each year the United States helps tens of millions of refugees and internally displaced people in conflict zones around the globe. When Afghans streamed back to their homes after the fall of the Taliban, the United States was on hand to help rebuild homes and villages. When the tsunami struck Southeast Asia, the United States, and particularly our military, led the way in providing emergency help, food, medicine and shelter to hundreds of thousands of people who had lost their homes in that horrible tragedy.

Mr. Speaker, I want specifically to commend former Presidents Bush and Clinton for their efforts in this very important undertaking.

As we speak today, the United States is helping more than 20,000 Sudanese refugees who have fled their country for the neighboring country of Chad to escape the bloodshed in Darfur. In acting on our humanitarian impulses, the United States greatly enhances the image of our Nation abroad, but only if these activities are carried out correctly. Avoiding any linkage between the United States assistance and sexual abuse must be a cornerstone principle of our Nation's foreign assistance program.

Over the past year, the United Nations has investigated over 150 allegations of sexual abuse by United Nations peacekeepers in the Democratic Republic of Congo. Women have charged that they have been raped by U.N. peacekeepers, the very military forces specifically sent there to protect and to defend them. There have been charges that children as young as 12 and 13 were bribed with food for sex. Women trying to feed their families were forced to trade sex for money or food or jobs.

While most peacekeepers in the Congo obviously did not participate in these despicable practices, I strongly agree with United Nations Secretary General Kofi Annan who has stated that ''the behavior of a few has undermined the contributions of many.''

□ 1030

In response to the outrages committed in the Congo, Secretary General Annan has wisely instituted a non-fraternization policy between United Nations Peacekeepers and the local population. This ban forbids United Nations personnel and Peacekeepers from engaging in sex with girls younger than 18, from engaging in commercial sex of any kind, and imposes a curfew of U.N. military contingent.

We further understand that the United Nations, under Secretary For Peacekeeping Operations, is engaged in a far-reaching review that will increase enforcement of sexual abuse laws, providing additional training of peacekeeping troops before they are deployed in the field, and providing better investigatory capacity to ensure that those who violate the guidelines are properly punished.

I commend the United Nations for taking these measures and for making it clear that a new zero tolerance policy will apply to all United Nations peacekeeping troops abroad.

In light of the problems faced by the United Nations as it has carried out its humanitarian mission, the United States must follow suit. We must ensure that all humanitarian organizations receiving American money have firm policies which prevent their employees from sexually abusing the people they were sent to help.

Mr. Speaker, the Humanitarian Assistance Code of Conduct Act of 2005 prohibits funding for refugee, disaster and other humanitarian assistance to humanitarian organizations that failed to adopt a code of conduct consistent with principles adopted by the U.N. interagency standing committee on protection from sexual exploitation and abuse in humanitarian crisis. It is long past time for us to ensure that humanitarian organizations that receive U.S. funding fully comply with these principles. The time for voluntary acceptance is over and mandatory compliance must now begin.

The United States is a most generous Nation, Mr. Speaker, and American humanitarian organizations provide invaluable expertise and hands-on assistance in crisis zones around the globe. With the passage of our legislation, refugees and internally displaced people can have even more confidence that American assistance is distributed according to the highest standards of conduct.

I urge all of my colleagues to support this legislation.

Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. DELAHUNT), the distinguished author of the bill and my good friend.

Mr. DELAHUNT. Mr. Speaker, I thank the ranking member and appreciate his encouragement and support in this particular effort along with his leadership on the full Committee on International Relations on the House side.

Mr. Speaker, as others have said, including the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH), this bill represents yet another step forward in the comprehensive effort to address the international human tragedy of sexual exploitation of women and children. It would mandate that humanitarian relief agencies adopt a code of conduct that would promote protection for potential victims.

As the gentleman from California (Mr. LANTOS) indicated, U.S. funding would only be available if those agencies had expressly articulated and adopted such a policy. The bill enumerates six core principles that incorporate the findings of a task force created by the United Nations in 2002. To mention a few, and I will be repetitive, but I think it is important to repeat because these provisions are of consequence.

Sexual activity with a child under 18 is prohibited regardless of local law. The exchange of sexual favors for any reason is defined as abusive and exploitative behavior. It is humiliating and degrading, and as such, it is prohibited. Where there is a concern of abuse or exploitation on the part of a humanitarian worker, that individual, that humanitarian worker is required, is mandated now, under the provisions of this legislation, to report their suspicions to the proper authorities. And most importantly, humanitarian agencies are obliged to create and maintain an environment which prevents sexual exploitation and abuse and promotes the implementation of their code of conduct.

It cannot be denied that as a people and a government, the United States has responded to crisis after crisis. At the same time, Mr. Speaker, it is estimated that 600,000 to 800,000 people, mostly women and children, are trafficked across national borders. It is also estimated that 2 million children, 2 million children are enslaved in the global sex trade. The magnitude of this crisis is immense. And sadly, Mr. Speaker, it goes largely unnoticed. It is an international scandal that needs to be revealed and acknowledged by the international community because that is necessary before we can adequately address it and seek to eradicate it. Information and discussion about this tragic reality is critical because there

is widespread agreement that education and awareness, public awareness are the keys to prevention. And if we persist in our collaboration with other governments and stakeholders, including the United Nations, I am convinced that our efforts will result in a significant decline in these unacceptable numbers.

The truth is we are making progress. Since 2001, the U.S. has provided close to $300 million to support anti-trafficking programs in 120 countries. Under the leadership of the gentleman from New Jersey (Mr. SMITH), the Protect Act became law, which allows for the prosecution of U.S. citizens who travel abroad to sexually abuse minors. And in the private sector we secured a commitment from the travel and tourism industry to implement its own code of conduct on child trafficking. And I am confident that the passage of this bill code will build on that progress that we have already observed because it will increase public awareness of this quiet crisis. And hopefully it will impact the cultural attitudes that nurture this behavior, often by silence and acquiescence by looking the other way, by ignoring its existence. And there have been some positive developments.

Recently, the action of the government of Morocco in filing charges against their own troops who purportedly bribed Congolese children with food for sex while serving as U.N. Peacekeepers has to be noted for the record, because I have no doubt that the tangible and cumulative efforts of this Congress and many of the stakeholders contributed in an indirect way do that particular action. Because by our cumulative efforts we have announced to the world, to the international community that this issue is a high priority for the United States and for every American.

The idea for this discrete proposal was generated as a result of a meeting in the Majority Leader's office this past January, and I want to acknowledge his leadership on this issue, I see the gentleman presents in the Chamber now, not only on the bill before us today, but for his long and committed engagement on children's issues.

The Majority Leader has made a difference, and I would be remiss also not to note the contributions made by the gentleman who controls the time for the majority, the gentleman from New Jersey (Mr. SMITH) whose leadership on this whole array, this particular issue and other related issues, can only be described as inspirational. Many are in the debt of the gentleman from New Jersey (Mr. SMITH), many victims across the world.

As a people and a government, the United States responded as we always do in a very positive way to the tsunami in South Asia and to every crisis that besets this planet with passion and incredible generosity. But we cannot lose sight of that unfortunate reality that at such times, there are increased opportunities for sexual predators and those who would traffic for sexual reasons.

So today, once more, we are announcing to the rest of the world that protection of women and children is a top priority for the people of the United States.

Before I conclude, I think it is incumbent upon me to recognize the key members of the staffs on both sides who achieved what I consider to be a thoughtful and obviously bipartisan piece of legislation.

First, let me thank the staff of the Majority Leader's office for their cooperation and hard work enabling us to reach this result. With their customary incredible energy, Cassie Statuto Bevans demonstrated a sincere determination to craft the best legislative proposal to protect women and children who are at risk. I am also grateful for the helpful assistance of Hope Henry in the office of the gentleman from Texas (Mr. DELAY). From the House Committee on International Relations, Renee Austell and Matt McLean provided significant time and expertise helping us to formulate the right approach.

In addition, I would like to acknowledge the import and guidance of my Democratic colleagues on the committee, Pearl Alice Marsh and Robin Roizman. And I would also like to extend my appreciation to Rob Blair with the Subcommittee on Foreign Operations, Export Financing and Related Programs of the House Committee on Appropriations whose timely and insightful guidance throughout this process is much appreciated by me and my own staff.

Finally, I would like to extend my appreciation for the skillful assistance of Mark Synnes in the Office of Legislative Counsel in the drafting of this bill. Myself, and I know the gentleman from Texas (Mr. DELAY) and the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) also appreciate the letters of support that we have received from several leading relief organizations, including InterAction, Save the Children, the American Red Cross, Refugees International, World Vision and UNICEF.

By the way, I also want to acknowledge the assistance and help of my own staffer, Christine Leonard.

Mr. Speaker, with that I urge my colleagues to unanimously approve this legislation.

[From World Vision, Mar. 1, 2005]

STATEMENT OF WORLD VISION ON H.R. 912, THE HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT OF 2005

Washington.—World Vision would like to thank House Majority Leader Tom DeLay and Congressman William Delahunt for their ongoing commitment to protecting children from harm and their leadership in drafting H.R. 912, the Humanitarian Assistance Code of Conduct Act of 2005.

World Vision supports this important piece of legislation.

Each year, millions of children are exploited and abused around the world, often in the midst of a disaster, such as the tsunami that impacted South Asia in December 2004. Humanitarian organizations must be part of the first line of defense in protecting these children, and this includes measures for self-accountability and proper conduct.

H.R. 912 helps to ensure this accountability and conduct by prohibiting the funding of relief organizations that have not adopted a code of conduct that provides for the protection of beneficiaries from sexual exploitation and abuse in humanitarian operations.

World Vision has been in the forefront of developing comprehensive child protection policies and codes of conduct among the humanitarian aid community. All organizations that work with children should use every available measure to protect children from harm.

World Vision is a Christian relief and development organization dedicated to helping children and their communities worldwide reach their full potential by tackling the causes of poverty. World Vision serves the world's poor—regardless of religion, race, ethnicity, or gender. In 2004, World Vision operated in nearly 100 countries around the world.

UNITED STATES FUND FOR UNICEF,
New York, NY 10016, March 1, 2005.

RE: The Humanitarian Assistance Code of Conduct Act of 2005

Hon. TOM DELAY,
House Majority Leader, Capitol Building, Washington, DC.

DEAR MR. LEADER: On behalf of the United States Fund for UNICEF, I am writing to offer our thanks for your leadership in introducing the Humanitarian Assistance Code of Conduct Act of 2005. This bipartisan legislation will help reduce the risk of exploitation and abuse of children in complex humanitarian emergencies. We are happy to join the coalition of groups endorsing this important legislation.

UNICEF is committed to a zero tolerance policy toward the sexual abuse and exploitation of children, or any other form of child abuse or exploitation by its staff or those affiliated with UNICEF. As of October of 2003, the United Nations Secretary-General promulgated a bulletin which requires all UN staff to adhere to the six core principles developed by the UN Inter-Agency Standing Committee. We are glad to see these same core principles included in your legislation and extended to all humanitarian relief operations.

Your legislation is a big step forward to the goal of universal application and enforcement of the humanitarian code of conduct. We thank you for your leadership and look forward to working with you on this issue and other child protection issues.

Sincerely,

CHARLES J. LYONS,
President, U.S. Fund for UNICEF.

AMERICAN COUNCIL FOR VOLUNTARY INTERNATIONAL ACTION,
March 1, 2005.

Rep. TOM DELAY,
House of Representatives, Washington, DC.

DEAR REP. DELAY: On behalf of InterAction, the largest alliance of U.S. based nongovernmental organizations working in international humanitarian and development assistance, I write to commend you and Representative Delahunt for your interest and commitment in advancing the protection of beneficiaries of humanitarian assistance and for providing us an opportunity to comment on H.R. 912, The Humanitarian Assistance Code of Conduct Act of 2005. InterAction exists to enhance the effectiveness and professional capacities of our member organizations engaged in international

humanitarian efforts. As such, we are committed to promoting the highest standards of ethical and effective performance among our members as we strive towards overcoming poverty, exclusion and suffering in the world.

As you are well aware, most of the victims of conflict and those most often affected by humanitarian crises are women and children. They are also the most vulnerable to further exploitation in the delivery of humanitarian relief. This was dramatically highlighted by the February 2002 report by the United Nations High Commissioner for Refugees and Save the Children-UK containing allegations of widespread abuses of displaced children, particularly young girls, in humanitarian situations.

InterAction immediately established a task force comprised of member CEOs to develop guidelines and recommendations that humanitarian agencies, particularly InterAction members, might take to prevent the abuse of displaced children. The report of the InterAction task force was widely disseminated in the humanitarian community and shared with our donors, partners and policymakers and included the recommendation that humanitarian agencies revise or adopt codes of conduct to reflect the six core principles of the IASC Task Force on Sexual Exploitation and Abuse in Humanitarian Crises. In addition, InterAction amended its own membership standards to include the adoption of a code of conduct against the exploitation of humanitarian beneficiaries by our members. Finally, we continue our efforts to advance and enhance the protection of vulnerable populations in humanitarian situations through our Protection Working Group.

InterAction members appreciate the legislation that has been drafted by you and Mr. Delahunt and appreciated the opportunity to work with your staff in the drafting of this legislation. InterAction strongly supports efforts to require organizations involved in the delivery of humanitarian assistance to adopt codes of conduct to protect beneficiaries from sexual exploitation and abuse. Furthermore, InterAction supports the six core principles of the United Nations Inter-Agency Standing Committee Task Force on Protection From Sexual Exploitation and Abuse in Humanitarian Crises, which have been widely agreed upon as the guiding principles for such codes of conduct.

We believe that such a code of conduct should be required for organizations providing all manner of humanitarian assistance, not just to refugees and internally displaced. However, we would urge that any requirement for a code of conduct allow humanitarian agencies flexibility in the type of code required and the manner in which it is implemented to reflect the many variables of organizational structure and country environments. Finally, while we understand that this legislation does not carry any funds for training and technical assistance for the affected U.S. government agencies or their implementing partners, we believe that such assistance is necessary and hope that you will address this need in the near future.

We thank you for your interest and commitment to protection of beneficiaries of humanitarian assistance from sexual exploitation and abuse.

Sincerely,

MARY E. MCCLYMONT,
President and CEO.

[From Save the Children, Mar. 1, 2005]

STATEMENT OF SAVE THE CHILDREN IN SUPPORT OF H.R. 912, THE HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT OF 2005

On behalf of Save the Children, the leading independent organization committed to creating real and lasting change in the lives of children in need, we applaud the introduction of H.R. 912, The Humanitarian Assistance Code of Conduct Act of 2005. Introduced by House Majority Leader Tom DeLay and Congressman William Delahunt, we believe that this legislation sends an important message to all organizations providing assistance to refugees and internally displaced people (IDP)—the majority of whom are women and children—that abuse and exploitation will not be tolerated.

Whether as a result of war or natural disaster, a child's vulnerability to abuse is very similar. To survive, women and children in refugee camps are frequently put in a position where they have little choice but to barter with their bodies in order to obtain desperately needed food and assistance. The full extent of sexual exploitation and abuse of children in war and conflict is largely unknown. However, according to UNIFEM in Sierra Leone, 94 percent of displaced families experienced sexual abuse. Furthermore, 40 percent of the population, including 692,000 children, suffered sexual abuse from 1994–1997 at the height of the civil war. In just one camp for displaced persons in Darfur, 15 cases of rape are reported each week.

A joint Save the Children/UNHCR assessment mission looking at refugee and IDP communities in West Africa in October/November 2001 highlighted the fact that these issues need urgent attention. The mission found that a large number of refugee and displaced children, mainly girls, were victims of sexual violence and many more were forced into exploitative relationships in order to obtain food, shelter, healthcare and education. Protection concerns must be integrated into humanitarian services.

As a result of the West Africa report, Save the Children participated in the writing of the Inter-Agency Standing Committee (IASC) Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises six core principles relating to sexual exploitation and abuse by humanitarian workers. Making these principles the standard operating procedures for organizations receiving U.S. Government funding will help ensure that these most vulnerable children and their families are not victimized by those who are sent to help.

[From the American Red Cross]

We applaud the efforts of Majority Leader Tom DeLay and Representative William Delahunt. The Humanitarian Assistance Code of Conduct Act of 2005 will go far to help ensure the protection of some of the world's most vulnerable people.

The American Red Cross fully supports the effort to prevent sexual exploitation and abuse in any form, especially when committed against children. As an organization chartered by Congress to bring emergency relief to disaster victims all over the world, we firmly believe that our humanitarian workers should behave in a way that is beyond reproach.

Since 2003, the American Red Cross has integrated the six core principles identified by the Inter-Agency Standing Committee Task Force on Protection within the policies and procedures of the American Red Cross International Services. Making these principles the standard operating procedures for relief organizations will help ensure those most in need are not victimized yet again by those sent in to help. Our organization stands in support of this legislation and thanks Congress for advocating on behalf of those in need of humanitarian assistance.

[From Refugees International, Mar. 1, 2005]

STATEMENT BY KEN BACON, PRESIDENT OF REFUGEES INTERNATIONAL, IN SUPPORT OF THE HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT (HR 912)

Refugees International (RI) applauds the introduction of HR 912: The Humanitarian Assistance Code of Conduct Act to protect beneficiaries of humanitarian assistance. Since the scandal in Sierra Leone involving 'sex for food' abuses by humanitarian workers in 2002, United Nations agencies and U.S. non-governmental organizations have slowly begun to implement codes of conduct regarding sexual exploitation. The Inter-Agency Standing Committee Code of Conduct, the principles of which are included in this legislation, is testimony to the seriousness with which the responsible members of the humanitarian community have responded to this issue.

However, many contractors and others that have received funding from the U.S. government have not yet faced up to the issue of sexual exploitation in emergency settings. The battle to protect vulnerable women and children from humiliating and degrading behavior is difficult, as is evidenced by the ongoing problems in the Democratic Republic of Congo. By requiring that all U.S. humanitarian funding go to organizations that are working within the framework of the IASC guidelines, Congress is sending a strong message to vulnerable women and children that they have a powerful ally in their struggle for human dignity in the face of overwhelming odds.

As an independent organization that promotes life-saving action for displaced people around the world, RI strongly supports the US Congress's efforts to require all organizations involved in the delivery of humanitarian assistance to adopt a code of conduct to protect vulnerable women and children from sexual exploitation and abuse by those charged with assisting them. We are fully committed to the IASC principles and to advancing the code of conduct throughout the humanitarian community. RI therefore urges all members of Congress to support the vulnerable women and children of the world by passing this bill into law.

□ 1045

Mr. SMITH of New Jersey. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. DELAY), the distinguished majority leader.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me the time, and I really thank the gentleman from Massachusetts (Mr. DELAHUNT) for bringing this bill to the floor and particularly the gentleman from California (Mr. LANTOS) and the gentleman from New Jersey (Mr. SMITH) for working hard to make sure it was all right and well. These three gentlemen have worked tirelessly on children's issues, particularly this issue. It is a thankless issue.

Just like people in the United States do not want to talk about abused and neglected children in foster care, people around the world, and particularly governments, do not want to recognize that sex trafficking is going on, slavery is going on, and actual exploitation of children and women is going on around the world. These three men have worked tirelessly on the thankless job to raise this issue, an issue this is vitally important to the lives of many, many people.

Last December, the United Nations Under Secretary for Humanitarian Relief reported that cases of sexual abuse and exploitation by U.N. peacekeeping and humanitarian personnel had reached an unacceptable level.

Victims of natural disasters and civil wars, especially children, are among the most vulnerable people on Earth.

In many places around the world, the security of homes, families and lives rely on the compassion and commitment of international relief organizations. As anyone who has ever seen them in action could tell my colleagues, the men and women who devote their lives to this work, who travel at a moment's notice to help total strangers, survive in desperate straits, arrive on such scenes with wings on their backs.

The very thought that such people could prey upon the women and children under their care is disturbing in the extreme, and yet we must now sadly admit such cases have occurred.

Victims of disasters need our help, and the American people always respond to humanitarian crises with compassion and generosity. That any of our generosity for these victims might be twisted into revictimizing them will not stand.

Assistance must reach those in need of relief, and it must be delivered by organizations and individuals committed to their safety. That is what this bill will do.

The Humanitarian Assistance Code of Conduct Act, the result of cooperation from humanitarian relief organizations, administration officials, and especially the work of the gentleman from Massachusetts (Mr. DELAHUNT) will ensure that from now on the American people need not accept a choice between indifference and abuse.

It will require any organization receiving humanitarian assistance funds from the United States Government adopt a strict code of conduct for its relief workers.

It will prohibit humanitarian relief workers from engaging in sexual contact with minors, soliciting prostitution, and in other ways exploiting the women and children of disaster-ravaged communities.

Such organizations must strongly discourage any sexual relationships between relief workers and beneficiaries and will immediately terminate any worker who crosses the line.

The best of such groups already adhere to the principles in this bill, groups that have assisted in its development, groups that set a gold standard for every aspect of humanitarian activity; and the adoption of these principles by more and more groups will help eradicate the behavior they specifically prohibit.

This code of conduct will help identify and document at-risk children in devastated regions, reducing the likelihood that such children will fall through the cracks and into the dark world of exploitation, abuse, and even human trafficking.

It is sickening that this bill even merits consideration, Mr. Speaker; but in order to protect some of the world's most vulnerable people, consider it and pass it we must.

The exploitation of women and children who have already lived misery few of us could even imagine at the hands of their would-be rescuers is a corruption of humanity itself. Those responsible for such evil are terrorists of the soul, Mr. Speaker, their crimes of a sort civilization cannot brook.

I urge my colleagues to join me in supporting the gentleman from Massachusetts' (Mr. DELAHUNT) bill and reminding the world the only acceptable level of abuse and exploitation of human life is none.

I, too, want to thank the staff, particularly my staff, Dr. Cassie Bevan, in working on this, the staff of the Committee on International Relations on both sides; and certainly the gentleman from Massachusetts' (Mr. DELAHUNT) staff did excellent work on this issue.

This is an issue that people have to pay attention to, and hopefully this bill will help.

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

We have no additional requests for time; but before yielding back, I want to join the gentleman from Massachusetts (Mr. DELAHUNT) in paying tribute to the majority leader and to the gentleman from New Jersey (Mr. SMITH) for their invaluable work on this issue.

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

Mr. SMITH of New Jersey. Mr. Speaker, we do have one additional request for time, and I yield such time as he may consume to the distinguished gentleman from Connecticut (Mr. SHAYS).

Mr. SHAYS. Mr. Speaker, I appreciate the gentleman yielding me time, and I just want to rise in strong support for the gentleman from Massachusetts' (Mr. DELAHUNT) bill and a bill supported by the gentleman from Texas (Mr. DELAY), the majority leader, and to thank the gentleman from New Jersey (Mr. SMITH) and the gentleman from California (Mr. LANTOS) for always being out front on such important issues.

This bill takes a very meaningful step. It may be small, but it is meaningful to ensure those who are most vulnerable in emergency situations, women and children, are not exploited.

In my work as chairman on the Subcommittee on National Security, Emerging Threats and International Relations, I have had the opportunity to witness the crucial and awe-inspiring work of humanitarian aid organizations around the world. I am, frankly, in awe of organizations like AmeriCares, Save the Children, MercyCorps and so many others. They do extraordinary work.

As an original cosponsor of this legislation, I can clearly state we have no intention of hindering, in any way, the crucial work these and other humanitarian organizations do. In fact, most of the organizations working with the USAID already have adopted policies that protect their beneficiaries.

What we do want to say, however, is that with the U.S. Government's financial assistance comes some responsibility, and so by passing this legislation we will require aid organizations to adopt a code of conduct that protects beneficiaries of their assistance from sexual exploitation and abuse. This is not a burdensome condition.

In fact, the United Nations created a Task Force on Protection from Sexual Exploitation and Abuse in Humanitarian Crises and established a set of six core principles. This legislation clarifies the code of conduct should be consistent with those six principles to the maximum extent practicable.

We can all agree that Americans want to know our foreign assistance is being put to good use and certainly that it is doing no harm. I am sincerely grateful to the gentleman from Massachusetts (Mr. DELAHUNT) and to the gentleman from Texas (Mr. DELAY). It makes me feel encouraged that on a bipartisan basis we can do something that has meaning and frankly will not only bring our country together, but bring this Congress together.

Mr. SMITH of New Jersey. Mr. Speaker, I yield myself 30 seconds.

We have no further requests for time, and I just want to conclude and again say to my friends on the other side of the aisle, to the gentleman from Massachusetts (Mr. DELAHUNT), the gentleman from California (Mr. LANTOS), as well as to the gentleman from Illinois (Mr. HYDE), the chairman of our distinguished Committee on International Relations, to the gentleman from Connecticut (Mr. SHAYS) and, of course, to our majority leader for his leadership on this in ensuring that this very important piece of legislation not only gets expedited treatment but will be passed early and closed enough to the tsunami in order to address some of the problems that were exposed as a result of it.

Children need protection. Women need protection. This bill advances that ball. It is an important and very noble task, and I am glad we have bipartisan consensus on this kind of humanitarian and human rights legislation.

Ms. PRYCE of Ohio. Mr. Speaker, I rise today in support of H.R. 912, the Humanitarian Assistance Code of Conduct Act. I'd like to first thank Majority Leader DELAY and the gentleman from Massachusetts, Mr. DELAHUNT, for their steadfast work on crafting this critical legislation. They have put partisan politics aside to collaborate on a monumental initiative that will establish a clear U.S. policy to protect some of the most vulnerable refugees in the tsunami-affected areas.

It's been over two months since the tsunami devastated villages and neighborhoods across South Asia. Yet while the images we were so used to seeing on television in the days and weeks after the tragedy struck seem to have

all but disappeared from the airwaves, lives remain shattered, loved ones are still missing, and communities are still coping with inexplicable loss and devastation.

Individuals and communities around the world have poured out their hearts and opened up their pocketbooks to help victims of the tsunami. And while so much good has come out of something so terrible, there remains a dark and vicious threats that has infiltrated this region for years.

South Asia has been a source and destination for human trafficking for a long time. While efforts are being made to put a stop to this horrific form of modern day slavery, the problem remains prevalent in this region. Natural disasters, like the tsunami, significantly increase the risk for trafficking and exploitation of women and children.

That is why the legislation we're considering on the floor today is important. It takes us another step forward in our global effort to combat human trafficking and the sexual exploitation of women and children. This measure will help insure that the children in the tsunami-affected region who lost family members or the roof over their heads will be protected from those who may try to prey on them.

I urge my colleagues to lend their strong support for this critical legislation.

Mr. SMITH of New Jersey.

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

The SPEAKER pro tempore (Mr. LAHOOD). The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 912.

The question was taken.

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

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

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 10 o'clock and 55 minutes a.m.), the House stood in recess subject to the call of the Chair.

□ 1405

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 2 o'clock and 5 minutes p.m.

PROVIDING FOR CONSIDERATION OF H.R. 27, JOB TRAINING IMPROVEMENT ACT OF 2005

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 126 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 126

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. 27) to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes. 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 the 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 in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. 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 gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

Mr. Speaker, House Resolution 126 is a structured rule providing for 1 hour of general debate equally divided between the chairman and ranking minority member of the Committee on Education and the Workforce. The rule makes in order only those amendments printed in the Committee on Rules report, and for the time specified in the report. And finally, the rule provides for one motion to recommit with or without instructions.

Mr. Speaker, I am pleased to stand before the House today in strong support of this rule and support of the underlying resolution legislation, H.R. 27, the Job Training Improvement Act of 2005. The gentleman from Ohio (Chairman BOEHNER) and the gentleman from California (Subcommittee Chairman MCKEON) and the committee members from both sides of the aisle are to be commended for their diligence and hard work in putting together a comprehensive measure reauthorizing vital job training programs while, at the same time, providing for improvements of those programs aimed at providing greater flexibility, accountability, targeting Federal dollars where they will be most effective and where there is the highest demonstrated need.

Mr. Speaker, my favorite movie of all time has always been ''Inherit the Wind.'' I still think it is Spencer Tracy's greatest role. But in that he, playing the character of Henry Drummond, talks about the other main character, Matthew Harrison Brady, who was a well intentioned, yet flawed, character. And in talking about his death, Drummond says of Brady, a giant once lived in that body. But Matt Brady got lost because he was looking for God too high and up too far away.

Federal Government is a lot like Matt Brady. We are well intentioned, the greatest of desire to serve; but we oftentimes get lost and allow too many people to fall through cracks and harm people because we try to solve problems from too high up and administer programs from too far away.

From this isolated Hall, we often concoct specific standards that fail people who have the needs but do not fit our preconceived standards. Last Wednesday in my district at a town meeting, I met a young lady by the name of Micaela, who offered me also this five-page letter of her efforts and her concerns. She is in need of vocational rehabilitation services, but does not quite fit our standards we have designed.

In her letter she said in her years of trying to receive services that she was told she had too many disabilities, too few disabilities. You could not visually see her disability. She was too young, too old, and too rare of a circumstance. You name it, she had heard it. And she has also been basically told that I am not worth helping, hiring, or even listening to.

Oftentimes the Federal Government, in fact, not oftentimes. The Federal Government's only advantage is that of uniformity. By definition we can deal with people only as objects on a factory conveyor belt designed to meet the Federal factory specifications.

But if we truly believe that people are each individuals, that they have a spark of divinity, that individual needs are there that require individualized

help, then we do not need uniformity. What we need is creativity, efficiency, and caring; and that can only be done effectively on the State levels, which is why this particular bill has gone from several years ago, 63 programs, has now taken three funding streams and tried to bring it into one so they could help individual people by trying to apply 70 percent of the funding that has been given to students to those who have been unserved and out of school, to create a demonstration project for personal reemployment accounts to meet individual needs to be addressed by that individual, and to present the President's community college program and tie them all together to give local governments the ability to work with individuals so that Micaela here does not slip through the crack by definition.

Prior to coming to Congress, I had the opportunity, like many of you, of serving in the State legislature, and I was a teacher for a long time. In that position, or those positions, I witnessed firsthand the years of oftentimes Federal programs and mandates shoved on States, on local school districts, on local units of governments with this one-size-fits-all uniform approach. What was often, too often, left out were, quite frankly, the bona fide local needs. A uniform Federal approach stifles innovation with the heavy hand of Federal regulations and professionalism.

The philosophy behind H.R. 27, therefore, is to give Governors as the chief political officer of the States the flexibility over job training programs to promote economic development and jobs based upon local needs, and that way, the States become responsive to employment and to job markets.

Recently, I attended a community college, a community technical college in my district. And I was amazed at the benefits I saw of partnerships with local private industry, government contractors, and local employers coming together. In their diesel program, to find the kinds of materials that were provided by the industry, they have to get hands-on experience for first-rate technicians. And in program after program in that particular college, I saw, through innovation and hard work, the community college has been able to leverage the State and Federal dollars and to attract private contributions for equipment and training that met the need of training qualified workers in the high-tech future.

Vocational rehabilitation services in State after State does the same thing. But these type partnerships are not just allowed in this bill. They are encouraged under this legislation, which is vital in helping provide workers for the competition of the 21st century.

H.R. 27 is strongly supported by a coalition of community colleges which authorizes $250 million for community-based job training grants to strengthen the role of those communities' colleges and to promote the United States' full workforce potential.

We face a 21st-century challenge in an ever-changing technology and the aging American workforce. We must provide States, local workforce boards, Governors flexibility to fit real people with real skills for real jobs. And they vary in need from State to State. We must allow them the opportunity to work together as they see fit to help people like Micaela.

I further support H.R. 27 because it targets Federal funds to groups of youths who are presently underserved, because it provides for individual self-help efforts.

I would like to point out also that H.R. 27 builds upon legislation passed in the 108th Congress, namely H.R. 1261, the Workforce Reinvestment and Adult Education Act of 2003, which was passed by this House.

There may be some who would oppose this bill because it respects both the letter and the spirit of existing law. If there is a problem with existing law, this is not the proper venue for that discussion.

□ 1415

Let us not, in the debate over the rule or the bill, lose focus and lose sight of our goal, which is to help the Micaelas of this Nation who need services, which are and will continue to be distributed fairly without precondition.

It is significant that we not confuse services rendered with the desire of some to sanitize and regulate legally diverse practices, reaffirmed in a rare moment of sanity by the courts, which do not impact the rendering of those employment services. Others beside sanctioned-government programs care and help and are effective, and we ought to forget the old pattern of confrontation and pointless attacks on groups that we see as different; we should join for the common goal of helping people.

Mr. Speaker, this is a good rule, supporting a bill that has been discussed and amended in committee through regular order. The rule allows for three specific amendments to focus discussion on key elements of the proposal. I am looking forward to riveting debate on this bill, with the realization our goal is to help the Micaelas of this world who have been hurt because there have been programs which are too high, too far away, and forgot our purpose of helping real people. I urge adoption of the rule.

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

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

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

Mr. McGOVERN. Mr. Speaker, I thank the gentleman from Utah (Mr. BISHOP) for yielding me the customary 30 minutes.

Mr. Speaker, here we go again. The 109th Congress convened 2 months ago. The Committee on Rules has reported eight rules, including the one we are considering today. None of these rules, not a single one, has been open. The Republican majority is zero for eight on open rules. It is an abysmal record and just continues to prove how out of touch with America, and with the democratic process, this leadership really is.

I oppose this rule and I oppose this bill. The Republican leadership seems to think that the job picture in this country is rosy, but they could not be more wrong. They seem to think jobs are popping out of the woodwork, but it is clear our workers need job training assistance in order to compete in the 21st century workplace.

When we think that the Republican leadership cannot be any more out of touch with the challenges facing working Americans, they bring the Job Training Improvement Act of 2005 to the floor today.

Let us look at the facts. Every day over 85,000 people in this country lose their jobs. Under this administration's watch, the Nation has lost 2.8 million jobs, and 4.3 million formerly middle class Americans have been pushed into poverty. President Bush's failed economic policies have produced a 5.2 percent unemployment rate.

Let us be clear. This slightly lower unemployment rate does not signal a rebounding labor market. In addition to the 8 million Americans who are currently unemployed, there are 5 million unemployed workers who want to work but have given up looking for jobs simply because there are no jobs out there for them. Beyond that, there are 4.5 million people who have accepted low-wage, part-time work simply because they cannot find full-time employment in this weak economy. The real unemployment rate would skyrocket to 9.3 percent by merely including these workers.

And not only are millions of American workers looking for jobs, but the long-term unemployment rate, workers who have been jobless for 6 months or more, is the highest in more than 20 years. Despite these startling statistics, this administration has continued to resist efforts to extend unemployment benefits for the 3.5 million workers who have exhausted their coverage.

The Republicans have mismanaged this economy, and American workers are paying the price through lower pay, reduced benefits, and in too many cases job loss. As if this were not enough, the Republican leadership is trying to enact broad, sweeping changes to the Workforce Investment Act. This bill will do nothing to create new jobs, reduce the number of unemployed people in this country, or sufficiently training workers for jobs. Frankly, this bill is a slap in the face to American workers. Contrary to what we will hear from the Republican leadership, the Job Training Improvement Act will actually make it harder for the unemployed to obtain employment and reemployment training.

Specifically, H.R. 27 would eliminate the employment services system, a program which provides critical job assistance to those unemployed workers hardest hit with the job loss of recent years. In my home State of Massachusetts, this program provides services to nearly 165,000 jobseekers each year, and it has successfully helped 75 percent of them retain employment in less than 6 months.

In addition, this bill block grants adult and dislocated worker funding streams. It allows States to use funds from the Disability and Veteran Employment and Adult Learning Programs to fund expenses at the Workforce Investment Act's centers. The result of this provision will be more bureaucracy and less training for the disabled and veterans.

Given all of the rhetoric that we hear about supporting our troops and providing for our veterans, we should find this provision particularly disturbing. We should be doing everything we can to help veterans find employment instead of slashing the disability and veteran employment and adult learning programs.

Additionally, the bill eliminates existing protections and safeguards against low quality and potentially fraudulent job training providers and permits States to allow these providers to receive Federal funding. It caps at 30 percent the use of funds for services targeting low-income youth, those considered most likely to drop out of school.

If that were not bad enough, this bill also abandons a core principle of our Constitution by repealing civil rights protections written into current law.

Twenty-one years ago, then-Senator Dan Quayle sponsored legislation that provided civil rights protections against religious-based employment discrimination in programs that receive Federal funding. These protections were extended to secular as well as religious organizations. President Reagan signed that bill into law. It is not every day that I praise Dan Quayle, but the nondiscrimination provision he offered is good policy which has served us well. This provision received strong bipartisan support when the Workforce Reinvestment Act was reauthorized in 1998.

However, the Job Training Investment Act shreds these protections by allowing religious organizations to receive Federal funding for job-training activities and social services while also employing religious-based discriminatory practices. In other words, this bill would allow a religious organization that discriminates based on religion, like a Bob Jones University, to get taxpayer money and use that Federal funding to legally discriminate on religious grounds when hiring staff to carry out the job training programs and services in this bill.

But let me be clear, the right of churches, synagogues, mosques and other religious organizations to remain free from government intervention has long been protected under the law, and I am sure my colleagues join me in support of this protection. Congress has always exempted faith-based organizations from antidiscrimination provisions in programs funded by their own money, and we are not proposing that a church or synagogue or mosque be forbidden from using religious criteria in deciding who to hire as a minister or rabbi or imam.

However, that same church, synagogue or mosque should not be permitted to apply for and receive Federal funding for job training and then, as written in this bill, be exempted from Federal civil rights protections. Faith-based institutions should be required, like all other recipients of Federal funds, to adhere to basic civil rights laws, and I cannot even begin to count the number of institutions that have contacted my office in the last few days asking to be held to those same standards.

Last night in the Committee on Rules, I heard my colleagues, the gentleman from Virginia (Mr. SCOTT) and the gentleman from Florida (Mr. HASTINGS) talk about a return to discrimination practices that forced these men and millions of other African Americans to drink from separate drinking fountains and eat at separate lunch counters from white Americans.

How can anyone justify abandoning one of our Nation's most fundamental principles? How can Members believe this is the right position for Congress to advocate? How can Members believe this provision is moral? I certainly cannot find it in myself to do so. This provision is offensive, it is ugly, it is wrong, it is unacceptable. But beyond that, Mr. Speaker, I believe it is unconstitutional and unAmerican.

The gentleman from Virginia (Mr. SCOTT) will offer an amendment to strike this offensive provision from the bill. I hope that my colleagues will join me in voting for the Scott amendment. It is important that we oppose discrimination at every turn, and this is an important vote.

Mr. Speaker, many Democrats offered several high-quality amendments in the Committee on Rules yesterday. Unfortunately, the majority has continued to stifle the democratic process by denying common sense amendments to this bill.

Just because the Republican leadership allowed the Scott amendment to be considered on the floor today does not make this a good rule. Once again, let me remind my colleagues and the American people watching at home that the Republicans have not reported one single open rule this year.

Mr. Speaker, this is an unfair rule, poor policy-making and a bad bill. It is truly a tragedy when a Nation that prides itself on democracy and equality considers and will most likely pass a bill that would permit employment discrimination in federally-funded programs. It is a slippery slope from here on out, and I fear this may just be the beginning. I urge this House to defeat the rule and vote against the bill.

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

Mr. BISHOP of Utah. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Chairman BOEHNER).

Mr. BOEHNER. Mr. Speaker, I congratulate the gentleman from Utah (Mr. BISHOP) as a new member of the Committee on Rules for his work today on his first rule that he is bringing to the floor of the House.

Today we are considering a rule that would allow for consideration of the reauthorization of the Workforce Investment Act. The Workforce Investment Act, enacted in 1998, brought together some 60 Federal job-training and retraining programs, and put them together and we created these one-stop shops all across America. They are intended to be able to provide training and retraining for American workers who are out of work or workers who simply want to improve their skills so they can move up the economic ladder.

By and large, these one-stop shops have worked very well, but as we reauthorize this law, it is our obligation to take a look at what is working, what could work better, and as we bring this reauthorization forward, there are some important changes that we are bringing to the floor with it.

Mr. Speaker, we want to provide more flexibility for the local workforce boards to do their work by consolidating the funding stream. We want to ensure that more of the funding that is available for this Act goes down to the local county boards, or, in some cases, multiple county jurisdictions. In this bill, we also renew the vocational programs for those who have disabilities, an important part of our workforce.

I think all of us know if we are going to be successful in the 21st century, that America has to do a better job of training and retraining our workforce. The days of going to work for one employer and being there for most of your career are, by and large, over. People are going to change jobs multiple times during their career, and we have to have available to them the kinds of services where they can improve their skills to take that new job of tomorrow.

The reauthorization program that we have today, I think is a good one. There is one amendment that we will debate that we have had considerable debate on over the last several years in this Congress and considered in the committee twice during the markup of this bill. It is on the faith-based language. Members are going to hear an awful lot about it today, but let me give the parameters.

The 1964 Civil Rights Act, the landmark legislation which prevented discrimination in America, allowed for one exception in hiring and that exception was granted to religious organizations where we grant them an exemption if they wished to only hire people

of their own faith. That is the law. It has been the law since 1964.

We believe that faith-based providers who may want to offer services, job training services or retraining services, ought not to be denied their rights under the 1964 Civil Rights Act just because they want to help the neediest of the needy and help the poor improve their skills and get a job.

This is a great debate which has gone on for several years. We allow faith-based providers in this bill to provide services without giving up their protections in the 1964 Civil Rights Act. Some believe, and it is certainly their right to have a different opinion, believe that faith-based organizations, even though they have this right, ought to be forced to give it up in order to take Federal funds to help the poorest of the poor.

Now I would argue those who really do believe that is the case ought to go back and amend the 1964 Civil Rights Act, title 7, and not try to do it in this bill. But this provision, and again, we will have ample time to debate it later, I think this provision helps organizations who want to go out and help the needy in their community. It gives them the tools to do it without having to set up a new organization, or denies them the ability and the rights that they have under the 1964 Civil Rights Act.

□ 1430

I think that we have a fair rule before us. I think it will provide for a very meaningful debate today on this reauthorization. I would urge my colleagues to support it.

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

I would just reiterate that what we believe is that taxpayer money should not be used by faith-based organizations to discriminate against people based on religion. What we feel is that this provision in this bill is offensive and it turns the clock backwards on civil rights.

Mr. Speaker, I include for printing in the RECORD a letter opposing this bill signed by 67 religious organizations and civil rights organizations that have great concerns not only with the provision on religious-based employment discrimination but on a whole series of other provisions.

FEBRUARY 28, 2005.

DEAR REPRESENTATIVE: The undersigned organizations are writing to urge you to vote against H.R. 27, the Job Training Improvement Act, unless it is modified to address the concerns outlined in this letter; and to oppose any effort to expand the block grant authority in the bill along the lines of the Administration's ''WIA Plus'' proposal.

H.R. 27 fails to make meaningful improvements to the Workforce Investment Act (WIA) that would enhance the training and career opportunities of unemployed workers. Instead, the legislation would eliminate the dislocated worker training program, undermine state rapid response systems, end the federal-state labor exchange system, roll back protections against religious discrimination in hiring by job training providers, and potentially undermine the stability of other important programs.

In particular, we are concerned about the following provisions in H.R. 27:

NEW BLOCK GRANT

H.R. 27 consolidates into a single block grant the WIA adult and dislocated worker programs with the Wagner-Peyser employment service program and reemployment services for unemployment insurance recipients. In doing so, it will eliminate job training assistance specifically targeted to workers dislocated by off shoring and other economic changes, pit different types of workers against each other, and lead to future funding reductions. The block grant also eliminates the statewide job service, which provides a uniform statewide system for matching employers and jobseekers, replacing it with a multiplicity of localized programs that would have no incentive or ability to cooperate and function as a comprehensive labor exchange system. Eliminating the employment service, which is financed with revenue from the unemployment insurance (UI) trust fund, breaks the connection between the unemployment insurance program and undermines the UI ''work test,'' which ensures that UI recipients return to work as quickly as possible.

INFRASTRUCTURE AND CORE SERVICES FUNDING

A principal criticism of WIA has been the substantial decline in actual training compared to its predecessor, the Job Training Partnership Act. While there are various reasons for the reduction in training, including the sequence of services requirement in current law, the use of WIA resources by local boards and operators to build new one-stop facilities and bureaucracies, without any limitation, has contributed substantially to the decline in training. This is despite the fact that many WIA partner programs also contribute operating funds to one-stop operations.

H.R. 27 gives governors even broader discretion to transfer additional resources from the WIA partner programs to pay for WIA infrastructure and core services costs—without any assurance that more training would result. These programs include the vocational rehabilitation program, veterans employment programs, adult education, the Perkins post secondary career and technical education programs, unemployment insurance, trade adjustment assistance, Temporary Assistance for Needy Families (TANF), and, if they are partners, employment and training programs under the food stamp and housing programs, programs for individuals with disabilities carried out by state agencies, including state Medicaid agencies, and even child support enforcement. By relying on funding transfers from these programs to guarantee resources for WIA infrastructure and core services, H.R. 27 will disrupt and weaken services provided by these non-WIA programs, which also will face substantial pressures for funding reductions in the next few years.

The infrastructure and related provisions start the commingling of funds from these non-WIA programs. In doing so, they transform the original one-stop idea of a better-coordinated workforce system into a mechanism for reducing resources for and block granting these programs in the future. A more effective and simple solution to ensuring adequate training services would be to require that a certain percentage of WIA funds be used for training as provided in previous job training programs and to create a separate WIA funding stream for one-stop operations, if necessary.

PERSONAL REEMPLOYMENT ACCOUNTS

H.R. 27 includes permanent and unlimited authority for the Secretary to conduct ''personal reemployment account'' (PRA) demonstrations even though the Department of Labor recently initiated a PRA demonstration without strong interest among the states. Although nine states could have participated, only seven are doing so.

Since this demonstration already is in process, we see no justification for this provision and can only surmise that it is an attempt to implement PRAs more broadly, despite a lack of Congressional support for a full-scale program in the past.

Unlike current WIA training programs, the PRAs would limit the cost of training that an unemployment insurance recipient can receive and would bar that individual from WIA training services for a year after the PRA account is established. This is the wrong way to go. With long-term unemployment at historically high levels, there is a much greater need for continued unemployment benefits for the long-term unemployed who have found it so difficult to become reemployed.

RELIGIOUS-BASED EMPLOYMENT DISCRIMINATION

H.R. 27 repeals longstanding civil rights protections that prohibit religious-based employment discrimination by job training providers. These protections have been included in job training programs, which received bipartisan support, since 1982. At no time have the civil rights provisions prohibited religious organizations from effective participation in federal job training programs. This rollback of civil rights protections is especially incongruous in a program designed to provide employment and career opportunities in an evenhanded manner and should be rejected.

WIA PLUS PROPOSAL

The Administration has proposed giving Governors authority to merge five additional programs into the WIA block grant. The proposal would eliminate specialized assistance to unemployed, disabled and homeless veterans, critical job training services for workers under the Trade Adjustment Assistance Act whose jobs have been outsourced or lost to foreign competition, and specialized counseling and customized help for people with disabilities through state vocational rehabilitation agencies. These individuals would have to compete with each other for a declining share of resources without the protections and requirements under current law. Furthermore, the proposal abrogates accountability for the expenditure of federal taxpayer dollars by eliminating program reporting requirements. We strongly urge you to oppose any effort to adopt this misguided plan.

In summary, H.R. 27 strays far from the appropriate mission for federal job training programs of enhancing training opportunities for workers and providing skilled workers for employers. We strongly urge you to oppose this legislation unless amendments are adopted to delete the block grant, PRA demonstration and religious-based discrimination provisions and to modify the infrastructure provisions as recommended.

American Association of People with Disabilities.

American Civil Liberties Union.

American Counseling Association.

American Federation of Government Employees (AFGE).

American Federation of Labor-Congress of Industrial Organizations (AFL-CIO).

American Federation of State, County and Municipal Employees (AFSCME).

American Federation of Teachers (AFT).

American Humanist Association.

American Jewish Congress.

American Psychological Association.

American RehabACTion Network.

Americans for Democratic Action (ADA).
Americans for Religious Liberty.
Americans United for Separation of Church and State (AU).
Association for Career and Technical Education.
Baptist Joint Committee.
Brain Injury Association of America.
Brotherhood of Locomotive Engineers and Training.
Campaign for America's Future.
Center for Community Change.
Communications Workers of America (CWA).
Council of State Administrators for Vocational Rehabilitation (CSAVR).
Easter Seals.
Equal Partners in Faith.
Goodwill Industries.
Institute for America's Future.
Interfaith Alliance.
International Association of Machinists and Aerospace Workers.
International Brotherhood of Teamsters.
International Union of Painters and Allied Trades.
National Advocacy Center of the Sisters of the Good Shepherd.
National Alliance For Partnerships in Equity.
National Association of State Directors of Career Technical Education Consortium.
National Association of State Head Injury Administrators.
National Council of Jewish Women.
National Education Association.
National Employment Law Project.
National Head Start Association.
National Immigration Law Center.
National Law Center on Homelessness & Poverty.
National League of Cities.
National Organization for Women.
National Rehabilitation Association (NRA).
National WIC Association.
National Women's Law Center.
NETWORK, A National Catholic Social Justice Lobby.
OMB Watch.
Paralyzed Veterans of America.
Patient Alliance for Neuroendocrine-immune Disorders; Organization for Research and Advocacy.
Plumbers and Pipe Fitters Union.
Professional Employees Department, AFL-CIO.
Protestants for the Common Good.
Service Employees International Union (SEIU).
The Arc of the U.S..
United Cerebral Palsy.
Unitarian Universalist Service Committee.
United Auto Workers (UAW).
United Church of Christ Justice and Witness Ministries.
United Mineworkers of America.
United Steelworkers of America.
USAction.
Welfare Law Center.
Wider Opportunities for Women.
Women Employed.
Women Work! The National Network for Women's Employment.
YWCA USA.
9 to 5, National Association of Working Women.

Mr. Speaker, I yield 3 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Speaker, I thank the gentleman from Massachusetts for yielding me this time, and I rise to oppose this rule to H.R. 27, the Workforce Investment Act. The gentleman from Ohio, the chairman of the committee on which I serve, is correct. The Workforce Investment Act has been successful. The renewal that is proposed to us today, however, is a step backwards; and we will hear a great deal about that.

There were amendments that were proposed that have not been made in order. These amendments would have created a separate authorization for infrastructure funding for one-stop centers, would have struck the provisions regarding personal reemployment accounts. There was an amendment that would have struck the provisions to consolidate the funding of adult, dislocated worker and employment service; and an amendment that I would like to address at this moment that I offered that would have increased the authorization by $750 million for job training programs under the Workforce Investment Act.

Between fiscal year 2002 and fiscal year 2006, Mr. Speaker, funding for the Workforce Investment Act has been reduced by three-quarters of a billion dollars. This is for a program that works. But the funding has been reduced. My amendment would have restored this funding. However, the Committee on Rules did not see fit to accept the amendment. At a time when there are 7.7 million people unemployed, not counting those who have fallen off the rolls, 4.5 million working part-time because they cannot find a full-time job that they need, we should be doing more. Through the one-stop delivery system, job seekers have access to labor market information, job counseling, and job training to help them get back on their feet.

Back in 1998 when this bill, this program, was first passed, David Broder wrote an article. He said: When Senator Paul Wellstone walked off the floor arm in arm with Senator MIKE DEWINE of Ohio, bipartisan I should point out, Paul Wellstone said, ''MIKE, this may not be the lead story on the network news, but it's a good piece of work.'' Well, indeed it was not the lead story on the network news.

David Broder reports, It was hard to find a trace of their bill. The news at that time was overwhelmed, overtaken by scandals. But as says Broder, In communities less consumed by scandal than Washington, the impact of the measure that DEWINE and Wellstone and others had fashioned may be felt in real lives long after the memories of the scandals have faded. In a dynamic economy where technological changes and market shifts are forcing layoffs of some people even as other jobs are being created, the key is to equip workers with needed skills and then link them efficiently to the vacancies.

That is what this legislation is intended to do. It should be authorized at a greater amount. Said Broder back then, The workers will never know the names of the legislators, but they are in their debt.

Unfortunately, the workers who do not get to take advantage of this program because it is underfunded will never know what they have missed, and we have let them down. We should oppose this rule, Mr. Speaker.

Mr. BISHOP of Utah. Mr. Speaker, I yield 8 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Mr. Speaker, I thank the gentleman for yielding me this time. I urge the body to adopt this rule and to pass the bill.

I will be addressing just one particular topic which has been controversial in committee discussions and will be the subject of an amendment later on, and that is turning the clock back on the Civil Rights Act of 1964 and changing what it says. Those who are opposed to this bill on that ground believe that somehow it is wrong to allow religious institutions to receive Federal funds for programs that benefit the public at large, are not restricted to people of particular faith but are operated by organizations that are religiously based.

I have listened carefully to the debate in the committee. We have had this same debate several times in committee. I have yet to understand precisely what the objections are, but it seems that opponents are afraid of two things: one, that this provision in the bill somehow will allow these organizations to discriminate on other grounds in their hiring, which is, first, contrary to the Civil Rights Act, and second, I would say religious organizations are the least likely to discriminate on the basis of race or any of the other forbidden categories.

The other objection appears to be that somehow these churches are going to use this Federal money to try to proselytize, to get people in these programs and then they will say, okay, now isn't this wonderful, you should join this church.

I would like to say, that is also not true. It just does not happen. I can speak from my personal experience. When my wife and I moved to Grand Rapids, Michigan, in 1966 to take on a new position, we looked for a church. In fact, we spent 3 months trying out different churches, looking, trying to find a certain something: we wanted a church in the inner city because we wanted to be able to contribute to solving the problems of the city of Grand Rapids, particularly in the inner city.

And so we joined Eastern Avenue Christian Reformed Church because of its location and because of the attitude of its people. They worked very hard in the community. As an example, they established a community center. There was none at that time either federally funded, State funded, or city funded. The church stepped in and started it. It was on the top story of a ramshackle building which housed a small convenience store in the lower floor. It grew slowly at first, but then took off. Today it is a large community center, one of the best, if not the best, in the city. They purchased a school which was being abandoned, filled up that

school, and they now have just successfully completed a $2.5 million capital drive to add on to their facilities and improve them.

Our church started that. We did have and still largely do have religious restrictions on the hiring of individuals, but the facility serves all people in that community. It has brought in medical care workers of all faiths to work and provide medical care and dental care for the recipients in that community.

We started a housing program which turned into the Inner City Christian Federation, and we spun off this organization as well as Baxter Community Center, but they are still largely faith-based organizations. ICCF, the Inner City Christian Federation, developed housing programs, and they had built many houses before Habitat for Humanity started in our community; but ICCF has built and remodeled more houses than almost any organization within the city that I am aware of. Again, it is faith-based. The employees are hired partially on the basis of their faith and their commitment to serving in the inner city and often work for less pay than they could get elsewhere.

Our church, not our individual congregation, but our denomination started a mental health institution, Pine Rest, years ago because the people of our church and of our community were not getting adequate mental care. Today it is one of the largest mental health hospitals in our Nation. It serves many people of different faiths and of no faith, but it is a faith-based institution because their treatment modalities are based, to a large extent, on our beliefs about the nature of people and their interaction with each other. It has been very successful. It has received millions upon millions of dollars of aid from the Federal Government, from the State through community mental health funds and from the local community.

No one has ever said a word about this, that using Federal money for this is improper. The reason is simply that Pine Rest provides services that really are unequaled anywhere else. And so they have received Federal dollars through Medicaid and through Medicare, and State dollars through community mental health. It is an outstanding operation.

Then, finally, something we have ongoing in our church right now. Every Saturday, I wish you could visit our church; you would see people of all races, all colors, all faiths walking in the church basement which we have stocked with food that we have collected from different stores, warehouses and so forth: produce, baked goods, and many different types of perishable food.

We have purchased a truck to go around and collect this on Fridays. And Saturday morning anyone from that city can walk in with no test of their faith, no means test, they can just walk in and say, I need some groceries, and they go through the line. We charge them roughly 10 cents on the dollar because we think it is a good thing for them to feel they have bought something; but a family of four can buy a week's worth of groceries for about $10. That is a good deal. It is staffed by people from our church and from other churches, and it is a very successful operation. If we adopt the Scott amendment, which we will be discussing later, we simply could not do that.

There is one other factor here as well, and that is every church that I am aware of does not have a surplus of money. The people that they hire have to do many different jobs. That is true in our church as well. We have hired individuals who work in the church. Those individuals not only operate programs such as the food program, or getting community centers started, but they also have duties within the church and by necessity, and clearly within the intent of the Civil Rights Act, they are performing religious duties. A church cannot go out and afford to hire a different person to run each different program. You have to be multifaceted to be on the staff of a church, and that is precisely what we have in our church.

For these reasons, and many others I could enumerate, I urge the Congress to pass this rule and this bill, and to defeat the Scott amendment, so that churches and faith-based organizations of other sorts can continue to do their good work for the people of this country without fear of their programs being damaged because they would have to hire additional personnel who do not have a faith compatible with the organization.

I believe the system as we have it now, and have had it since the 1964 Civil Rights Act, has worked, it has worked well, and I urge that we keep it that way and not adopt the Scott amendment.

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

I would just say to the gentleman who just spoke that we believe that there are many religious organizations, many faith-based organizations that do incredible work, and they will still be able to do incredible work. What we object to, quite frankly, is the use of taxpayers' money to basically subsidize discrimination. It is not just a concern that those of us who are speaking here have; I submitted a list of close to 70 civil rights and religious organizations that have objections to this provision, including the African American Ministers in Action; American Jewish Committee; the American Jewish Congress; Americans for Religious Liberty; the Anti-Defamation League; the Baptist Joint Committee; Central Conference of American Rabbis; Episcopal Church, USA; the General Board of Church and Society of the United Methodist Church; the National Advocacy Center of the Sisters of the Good Shepherd; National Council of Jewish Women; NETWORK, a national Catholic social justice lobby; Presbyterian Church USA; Protestants For the Common Good; Religious Action Center of Reform Judaism; Texas Faith Network; the Interfaith Alliance; Union for Reform Judaism; United Universalist Association of Congregations; United Church of Christ Justice & Witness Ministries. They go on and on and on. This is a concern that many of the faith-based organizations all across this country share with us.

Mr. Speaker, I yield 6 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. I thank the gentleman for yielding me this time.

Mr. Speaker, we have heard a lot about the amendment I will be offering. I will be offering it in conjunction with the gentlewoman from California (Ms. WOOLSEY), the gentleman from Maryland (Mr. VAN HOLLEN), the gentleman from Massachusetts (Mr. FRANK), the gentleman from Texas (Mr. EDWARDS), and the gentleman from New York (Mr. NADLER) in order to preserve and maintain civil rights protections as they currently appear in the job training laws. Current law prohibits sponsors of job training programs from discriminating based on race or religion, and that policy goes back decades. For decades, our country has prohibited discrimination in hiring with Federal funds.

In 1941, President Roosevelt ordered a prohibition against discrimination in all defense contracts. In other words, since 1941, our national policy has been that even if you can build better and cheaper rifles, the Army will not buy them from you if you discriminate in employment. The Civil Rights Act passed in 1964, and it prohibited discrimination; but it included an exception for religious organizations, but that exception was limited to the context of the religious organizations using their own money. In 1965, President Johnson banned discrimination in all government contracts without exception.

□ 1445

In job training programs specifically, this Congress passed in 1982 the Job Training Partnership Act with bipartisan support. In that Act, Congress included a nondiscrimination clause without exception, and that remains the statutory requirement in job training requirement programs today. That policy will change and discrimination will be allowed if my amendment is not adopted.

So let us be clear. This is not a debate about religious organizations having the right to participate in job training programs. They already do. As the current law stands, and my amendment would keep that law intact, Catholic, Jewish, Lutheran, Baptist, and other religious organizations already get hundreds of millions dollars today to run job training and other federally funded programs. Religious organizations do not need Section 129 in the

bill to sponsor federally funded job training programs. They need that section in order to discriminate in hiring with Federal dollars. My amendment would delete Section 129 and maintain the law against discrimination.

Moreover, Mr. Speaker, when the government refuses to prohibit discrimination based on religion, it cannot effectively enforce laws against discrimination based on race or national origin. Many churches are all virtually white; others virtually all black. So if they restrict hiring based on their religious organization, they can effectively discriminate based on race. And if we do not enforce discrimination laws in Federal contracts with secular programs, where is our moral authority to tell private employers who may be devoutly religious that they cannot discriminate with their private money?

Mr. Speaker, for 40 years, if an employer had a problem hiring the best qualified applicant because of discrimination based on race or religion, that employer had a problem because the weight of the Federal Government was behind the victim of discrimination. The underlying, without my amendment, proposes to shift the weight of the Federal Government from supporting the victim of discrimination to supporting some so-called right to discriminate with Federal funds. That is a profound change in civil rights protection.

Mr. Speaker, we have heard the majority try to defend the discrimination with misleading and poll-tested rhetoric. For example, I read in a Dear Colleague that the bill is one that would ''restore hiring protections for faith-based organizations participating in federal job training programs.'' Mr. Speaker, Section 129 does not restore anything. People have not been able to discriminate in Federal contracts since 1965 and specifically not in any job training program since 1982. If anything is being restored, it is the ugly practice of discrimination that existed before the 1960s.

The Dear Colleague went on to say that Congress needs to ''continue to uphold the basic civil right of America's religious organizations to hire the staff they judge to be best qualified to carry out their programs and missions when they provide job training assistance.'' Mr. Speaker, the language fails to say that they can hire whoever they want to promote their religious missions with the church money. But with the Federal money, they have got to hire the best qualified for the Federal mission the tax dollars were appropriated to promote without discrimination. Funds appropriated under this bill are not gifts or grants to churches. They are contracts for government services, and we should honor the tradition begun in 1941, which prohibits discrimination.

And, finally, Mr. Speaker, Dear Colleague talks about barriers that exist to prevent faith-based organizations from fully participating in government-sponsored programs, but it does not say what the barrier is. In fact, the only barrier is one cannot discriminate. Any program that can get funded under the underlying bill could be funded without Section 129 if the sponsoring organization would agree not to discriminate in employment. As a representative said during the debate on the Civil Rights Act of 1964, he said, ''Stop the discrimination, get the money; continue the discrimination, do not get the money.''

Employment discrimination is ugly. We can put lipstick on a pick, but we cannot pass it off as a beauty queen, and we cannot dress up ''we do not hire Catholics and Jews'' with poll-tested semantics and euphemisms and pass it off as anything other than ugly discrimination.

Mr. Speaker, religious organizations actively supported the Civil Rights Act 40 years ago. Today they support the nondiscrimination provision in the Workforce Investment Act the way it is and they oppose Section 129.

Mr. Speaker, I urge my colleagues to oppose the bill unless traditional civil rights protections are included.

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

The SPEAKER pro tempore (Mr. SIMPSON). Without objection, the gentleman from Florida (Mr. HASTINGS) will control the time of the gentleman from Massachusetts (Mr. MCGOVERN).

There was no objection.

Mr. HASTINGS of Florida. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EVANS).

MR. EVANS. Mr. Speaker, H.R. 27, the administration's job training reauthorization bill, would, among other misguided actions, harm veterans' employment programs and critical vocational rehabilitation services.

Specifically, this bill would permit States to siphon off Federal resources from already underfunded veterans' employment programs that operate under State ''one-stop'' centers. Veterans and disabled job seekers do not deserve this.

Mr. Speaker, in the 107th Congress, we passed in a bipartisan manner the Jobs for Veterans Act, legislation to reorganize, update, and improve these very same veterans' employment and training programs. Now is not the time for this bipartisan effort to be unraveled. While our troops are actively engaged in Iraq and Afghanistan and many others suffering from severe injuries and permanent disabilities, now is not the time to reduce the resources for these critical job training programs. Indeed, we need to give these programs the chance to be effective.

Mr. Speaker, I understand that States are facing tremendous fiscal challenges due to the harsh economic times, but clearly taking resources from one chronologically underfunded program is not the answer. The responsible thing for the administration to do, the right thing, would be to adequately support job seekers, especially disabled veterans, as well as to assist the States with infrastructure costs.

Mr. Speaker, this legislation is not responsible and permits already modest resources intended for the Nation's disabled veterans, all who have served our country, to be further diminished.

I oppose this legislation and urge a ''no'' vote on the underlying legislation. And as a former Marine, I have benefitted from many programs that help veterans with education and training. As a continuation of those efforts, we must not let these people fall through the cracks that we have in our employment laws.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

May I respond simply to the arguments about our veterans because they are so important to us. Let me reiterate that H.R. 27 does not harm worker-retaining programs for veterans. Not one dollar from this account comes that is meant to help veterans with their training. The programs that we already have in place, specifically the Disabled Veterans' Outreach Program, the Local Veterans Employment Representative Program, the Vocational Rehabilitation Program, already are required to contribute to the infrastructure of these one-stop career center programs. Any money that would come to the one-stop center would be coming out of their administrative funds, not from the money going directly to the training of veterans. That is an area that was specifically covered in this bill.

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

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

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

In closing, my friends on the other side have had numerous objections to provisions in H.R. 27. They have a right to do so and I expect it will be warmly discussed in the ensuing discussion of the bill itself. I believe strongly in the ability of our States, Governors, local boards, workforce boards, to be creative and innovative. There is no omniscient power that we have here. People can think for themselves in other parts of this country. And the essence of our government demands that we give them the opportunity to succeed without the benevolent help of the Federal Government.

Our job, might I remind my colleagues, is to make sure the Micaelas of the world never slip through the cracks. I believe, and I have confidence in the ability of local governments to be creative and effective, and I think so does H.R. 27. What we have today is a confusing patchwork of employment, training services. The duplication of those reduces the amount of money we get to use to help Micaelas. Many amendments that we will be discussing

on the floor have also been discussed in committee. A lot of other amendments were heard in the committee. This was fully discussed in committee and voted upon.

May I just, in closing, ask us not to lose sight that the goal is service and how to provide training for people which is given without any precondition. Hiring practices that are protected by existing law are that, protected by existing law. If we feel there is a problem with that, then we should attack the existing law, and there are venues to do that. This is not the venue in this particular bill. Faith-based institutions out there, which are not rich, are still nevertheless effective. They care. They have the same goal as we do. Our goal should be to try to join hands to help all the Micaelas in the world solve the problem of employment, retraining, and servicing, not to try to change our friends in other particular ways but to join together on a common front, in a common effort, to help people, not to harm people.

Mr. Speaker, in closing, I urge adoption of the rule and the underlying legislation.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in opposition to the structured rule that has been reported out of the Committee on Rules for this debate. The party-line vote of 220–204 that we saw in the 108th Congress on the debate of the then H.R. 1261 should evidence the need for the most open debate over the issues. The need for debate arises from disagreement. As representatives of the United States Congress, we all have a duty to fully debate the issues on behalf of our constituents. A restricted rule precludes that opportunity.

Nevertheless, I am pleased that the amendments of my colleagues from Massachusetts, New York, and Virginia respectively have been ruled in order.

Passage of these three important amendments will bring H.R. 27 one step closer to providing more jobs and better opportunities for American workers to receive training for these jobs. Without them and many other suggestions that have been made by our colleagues, this bill fails as to both initiatives. In the short term, extending unemployment benefits, coupled with the assistance that unemployed workers can receive through one-stop service centers, will provide workers with the means to achieve high paying jobs.

We must address the needs of our unemployed now and in a manner that respects the rights of individuals regardless of their faith, while they are struggling to pay their mortgages and to put food on the table for their families. The base bill will fail to address these concerns and squander resources better used to provide immediate help to our unemployed workers.

Mr. Speaker, I urge my colleagues to reject a restrictive rule or to support the amendments offered by Mr. TIERNEY, Ms. VELÁZQUEZ, and Mr. SCOTT.

Mr. BISHOP of Utah. 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 SPEAKER pro tempore. The question is on the resolution.

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

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 3:15 p.m. today.

Accordingly (at 2 o'clock and 56 minutes p.m.), the House stood in recess until 3:15 p.m.

□ 1515

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. SIMPSON) at 3 o'clock and 15 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Votes will be taken in the following order:

H. Res. 126, by the yeas and nays;

H.R. 912, by the yeas and nays.

Without objection, the minimum time for electronic voting on the second question will be reduced to 5 minutes, notwithstanding the intervention of remarks concerning the passing of a former Member.

There was no objection.

PROVIDING FOR CONSIDERATION OF H.R. 27, JOB TRAINING IMPROVEMENT ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of agreeing to the resolution, H. Res. 126, on which the yeas and nays are ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

The vote was taken by electronic device, and there were—yeas 227, nays 191, not voting 15, as follows:

[Roll No. 42]

YEAS—227

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Fitzpatrick (PA)
Flake
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hinojosa
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—191

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Cardin
Cardoza
Carnahan
Case
Chandler
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)

Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Marshall
Matheson
McCarthy
McCollum (MN)
McDermott
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—15

Capuano
Carson
Cleaver
Ferguson
Foley
Gillmor
Harris
Markey
McGovern
Meeks (NY)
Millender-McDonald
Napolitano
Neal (MA)
Ramstad
Sanders

□ 1545

Mr. BRADY of Pennsylvania, Ms. SCHAKOWSKY and Messrs. BECERRA, CHANDLER, RUPPERSBERGER and TAYLOR of Mississippi changed their vote from ''yea'' to ''nay.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. HINOJOSA. Mr. Speaker, on the previous vote which was rollcall no. 42, I inadvertently voted "yes." I want the record to reflect that I meant to vote "no."

(Ms. PRYCE of Ohio asked and was given permission to speak out of order for 1 minute.)

ANNOUNCEMENT OF THE PASSING OF FORMER COLLEAGUE TILLIE FOWLER

Ms. PRYCE of Ohio. Mr. Speaker, I rise today with great sadness to inform the House that our good friend and our distinguished former colleague from Florida, Tillie Fowler, passed away today at 10:30 a.m. Tillie epitomized the very meaning of class, and she was the Southern lady in this House. She was a rare find, an example to all Members of Congress in her patriotism and her bipartisanship, and to women everywhere in her ability to attain the highest levels of power while always putting her family first. Our prayers are with Tillie's family during this difficult time, and we will all miss her greatly.

Her loved ones should know that Tillie left them, our country, and all who had the good fortune to know her a wonderful and lasting legacy.

And, Mr. Speaker, I yield to the gentleman from Florida (Mr. CRENSHAW) for a further announcement.

Mr. CRENSHAW. Mr. Speaker, I thank the gentlewoman for yielding. Tillie had an awful lot of friends in this Chamber. And for those of you that will not be able to go to Jacksonville for the funeral service on Friday, next Tuesday night we have reserved a time of Special Order to celebrate her life and her service. And so if you would like to be part of that celebration, if you would please contact my office.

Tillie was a remarkable woman. She was a rare combination of passionate drive and dedication coupled with just a warm and caring feeling for all the people around her, and she will be missed by not only her family, but her friends in this Chamber, by the people of Florida, as well as the people of this Nation whom she so proudly served. So I am sure you all join as we send our thoughts and prayers to her husband Buck, and her two daughters in this difficult time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON). Under the previous order by unanimous consent of earlier today, this next question will be a 5-minute vote.

HUMANITARIAN ASSISTANCE CODE OF CONDUCT ACT OF 2005

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 912.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New Jersey (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 912, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, answered ''present'' 1, not voting 16, as follows:

[Roll No. 43]

YEAS—416

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Capps
Cardin
Cardoza
Carnahan
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cox
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Everett
Farr
Fattah
Feeney
Filner
Fitzpatrick (PA)
Flake
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marshall
Matheson
McCarthy
McCaul (TX)
McCotter
McCrery
McDermott
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Portman
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Saxton
Schakowsky
Schiff
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel

Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

ANSWERED ''PRESENT''—1

McCollum (MN)

NOT VOTING—16

Allen
Capuano
Carson
Cleaver
Davis (FL)
Ferguson
Foley
Gillmor
Harris
Knollenberg
Markey
McGovern
Meeks (NY)
Millender-McDonald
Napolitano
Sanders

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. SIMPSON) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1557

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. MCGOVERN. Mr. Speaker, I was unavoidably detained during rollcall votes 42 and 43. If I were present, I would have voted "nay" on rollcall vote No. 42 and "yea" on rollcall vote No. 43.

GENERAL LEAVE

Mr. BOEHNER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 27.

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

There was no objection.

JOB TRAINING IMPROVEMENT ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 126 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. 27.

□ 1557

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. 27) to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes, with Mr. TERRY 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 Michigan (Mr. KILDEE) 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, as we stand here today we continue to see significant progress toward greater economic opportunity and prosperity across the country. More than 2.7 million new jobs have been created over the last 17 months, and the unemployment rate has fallen to 5.2 percent, the lowest level since September 2001. Our economy is strong and it is getting stronger.

The backbone of a strong economy is a well-trained and highly skilled workforce, and it is absolutely critical for workers to have the education and skills necessary to adapt to new opportunities and to move into higher wages.

Federal Reserve Chairman Alan Greenspan agreed with this view when he testified before the Committee on Education and the Workforce last year. The chairman said, ''We need to increase our efforts to ensure that as many of our citizens as possible have the opportunity to capture the benefits of the changing economy. One critical element in creating that opportunity is the provision of rigorous education and ongoing training to all members of our society.''

Chairman Greenspan this morning testified before Congress and talked about the need to do a better job with our education system and better training and retraining of American workers.

The bill before us, the Job Training Improvement Act, would achieve this objective by strengthening the Nation's job training system. In 1998, Congress established a system of one-stop career centers aimed at providing one convenient central location to offer job training and related employment services. While these reforms have been generally successful, the Workforce Investment Act system is still hampered by bureaucracy and duplication that prevents it from being as effective as it could be for workers and their families.

Our bill includes a number of reforms aimed at strengthening our job training system and better engaging the business community to improve job training services.

Our bill includes a number of reforms. First, requiring State and local workforce investment boards to ensure the job training programs reflect the employment needs in local areas. Secondly, allowing training for currently employed workers so employees can upgrade their skills and avoid layoffs. Third, encouraging the highest caliber providers, including community colleges, to offer training through the one-stop system, and leveraging other public and private resources to increase training and opportunities.

The bill also includes other important reforms. First, it consolidates the three adult WIA training programs, giving States and local communities greater flexibility and enabling more job seekers to be served with no reduction in services.

□ 1600

In addition, it targets 70 percent of the youth grant funds to out-of-school youth, an underserved population that faces significant challenges in finding meaningful employment.

The bill includes a proposal passed by the House last year introduced by the gentleman from Nevada (Mr. PORTER) to create personal reemployment accounts of up to $3,000 to help unemployed Americans purchase job training and other employment-related services, such as child care, transportation services and housing assistance, giving them the flexibility they need in order to gain meaningful employment. In addition, it includes the President's community college proposal to strengthen the partnership between local businesses, community colleges, and the local one-stop delivery system.

Later today, we will consider an amendment from my colleague from Virginia to strip the faith-based provisions from this bill, an amendment that would deny faith-based providers their rights under the historic 1964 Civil Rights Act. When we considered this bill in committee, we twice rejected it on a bipartisan basis, and I urge all Members to vote against it today. The 1964 Civil Rights Act made clear that when faith-based groups hire employees on a religious basis, it can exercise the group's civil rights liberties and not discriminate under Federal law. In 1987, the Supreme Court unanimously upheld this right.

As my colleagues can see from the chart that I have next to me, former President Bill Clinton signed four laws allowing faith-based groups to staff on a religious basis when they receive those Federal funds. Those four laws are the 1996 welfare reform law; the 1998 Community Services Block Grant Act; the 2000 Community Renewal Tax Relief Act; and the 2000 Substance Abuse and Mental Health Services Administration Act, all allowing faith-based providers to preserve their rights under the 1964 Civil Rights Act.

Our Nation's faith-based institutions have a proven track record in meeting the training and counseling needs of

our citizens. Why would we want to deny them the opportunity to help in Federal job training efforts? President Bush repeated this call to empower faith-based providers both during his State of the Union address and again yesterday. I can think of no better place to start than to protect the rights of faith-based groups who are willing to lend a helping hand in providing job training and other critical social services to the most needy of our citizens.

I want to thank the gentleman from California (Mr. MCKEON) for his work in putting this bill together, a bill that is supported by a broad and diverse coalition of groups, including the U.S. Chamber of Commerce, the National Association of Counties, the National Association of Workforce Boards, the National Workforce Association, the Coalition to Preserve Religious Freedom and the Salvation Army, amongst others.

We are part of a dynamic economy that is constantly creating new and different types of jobs, so the knowledge and skills of each job seeker is absolutely critical in determining their success or failure. If we are going to help them succeed, then strengthening our job training programs is essential. The bill, I believe, accomplishes that goal.

Unfortunately, the only plan that my colleagues on the other side have put forward to address the needs of American workers is the status quo. Their plan fails to reduce duplication and inefficiency, it fails to give States and local communities more flexibility, and it fails to take advantage of the positive role that faith-based institutions play in our communities and the success they have in providing critical social services to those most in need.

Mr. Chairman, the status quo is no plan at all. I ask my colleagues to support the underlying bill.

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

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

Mr. Chairman, I rise in strong opposition to this bill. This bill is nearly identical to the WIA bill that passed this House last Congress on a near party-line vote. It was a bad bill then, and it remains a bad bill now.

H.R. 27 represents a missed opportunity to ensure that more, not less, job training happens for the millions who are unemployed or looking to upgrade their skills. This legislation fails to increase the amount of actual training services that will be provided to unemployed, dislocated, and underemployed workers. Instead, this legislation focuses on moving around and changing the bureaucratic elements of WIA without focusing on getting more resources to the consumers of these programs.

H.R. 27 is largely the same proposal backed by the administration for the past 2 years. Just a few weeks ago, President Bush spoke to individuals in Omaha, Nebraska. There he met a woman in her late 50s who is a mother of three children. She told him that presently she was working three jobs to ensure she could provide for her family. The President's response was the following, and I quote exactly: ''Uniquely American, isn't it? I mean, that is fantastic that you're doing that.''

What insensitivity. Is this the attitude of this administration when it comes to the challenges of working adults and families? I think this quote from the President speaks for itself. It will go down in history with Marie Antoinette's famous quote: ''Let them eat cake.''

Mr. Chairman, this bill is not going to help this mother of three or the millions of Americans seeking job training. This bill is objectionable for four primary reasons.

First, the bill block-grants the adult worker, dislocated worker, and employment service program. This effectively repeals the Wagner-Peyser Act and the employment service, the national program used to match job seekers with employment opportunities. Termination of the employment service will translate into higher unemployment and less jobs.

The elimination of the employment service and Wagner-Peyser marks another example of the Republican majority terminating a New Deal program. Wagner-Peyser was first enacted in June of 1933 in the first term of President Franklin Delano Roosevelt. It is shameful that we are eliminating a 70-year-old program that has helped so many achieve and maintain work. In my hometown of Flint, Michigan, we had two parts of the unemployment office, one where you applied for the unemployment benefits and the other where you went in and were seeking a job and they would put the unemployed and an employer together. That would be decimated by this bill.

Second, H.R. 27 allows Governors to siphon off resources currently providing veterans, adult learners, and individuals with disabilities with critical services. Instead of helping vulnerable and needy individuals, these resources would fund infrastructure costs of the one-stop centers. Many of these individuals have nowhere else to turn to receive help, and this bill would exacerbate this problem.

H.R. 27 requires programs which provide these critical services to give up resources, but it also takes away any say over how they are allocated or used. They no longer will have a voice on the local boards. We should not be taking funds from these programs. These lost resources will translate into disruptions and lost opportunities to people who presently rely on these services. We should provide a separate source of funding for these one-stop centers.

Third, the bill allows discrimination in hiring based on religion with WIA funds. The bill turns back the clock on decades of civil rights protections in our job training programs. This is simply wrong. Focus Hope in Detroit, Michigan, is one of the best, if not the best, job training program in the State of Michigan. Focus Hope was run until his death by Father William Cunningham, a classmate of mine in the seminary. He trained thousands of people in inner-city Detroit as a Catholic priest assigned by his bishop there, and he did not care whether those who were training people to run a lathe, to do engineering or whatever it was, he did not care whether they were Catholic, whether they were Protestant, whether they were Morman, Muslim or had no faith at all. All he cared was they knew how to teach what they were teaching. That was a very important and effective program. He did not need to discriminate to carry out his duties. I strongly urge Members to support the Scott amendment today that will be offered later during debate to remedy this major shortcoming in this legislation.

Finally, Mr. Chairman, H.R. 27 creates personal reemployment accounts which voucherize the job training system and cuts individuals off from other training services. The money they do not spend to get a job, they can keep and use for any purpose. Workers do not need a bribe to get back to work. Research on similar schemes have proven that PRAs are not an effective means of providing job training.

Mr. Chairman, this bill does not respond to the needs of underemployed and unemployed individuals. It misses an opportunity to improve our job training system. I urge Members to join me in opposing passage of this legislation.

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

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 5 minutes to the gentleman from California (Mr. MCKEON), the author of the bill, the chairman of the Subcommittee on 21st Century Competitiveness.

Mr. MCKEON. Mr. Chairman, I rise in strong support of H.R. 27 and thank the gentleman from Ohio for his leadership in bringing this bill to the floor, the Job Training Improvement Act of 2005, which I introduced to strengthen and reauthorize the Nation's job training system as well as adult education and vocational rehabilitation programs. Job training programs must be responsive to the needs of the workforce and improving them is critical. In today's knowledge-based economy, we need to equip Americans with the skills they need to find a new or better job and quickly return to the workforce.

One of the hallmarks of WIA is that in order to encourage the development of comprehensive systems that improve services to both employers and job seekers, local services are provided through a one-stop delivery system. The one-stop centers serve as the front line in helping job seekers return to the workforce. At the one-stop centers,

assistance ranges from core services such as job search and placement assistance, access to job listings and an initial assessment of skills and needs, to intensive services such as comprehensive assessments and case management and, if needed, occupational skills training.

Over the last 3 years, I have met with local workforce development leaders, businesses, the administration, researchers, and others to examine how we can improve our Federal job training system. While the Workforce Investment Act of 1998 made dramatic reforms to the Nation's workforce system, I learned that further refinements were necessary to ensure State and local officials have the flexibility they need to effectively target resources toward the unique needs of their communities.

The Job Training Improvement Act builds upon WIA to make it more demand-driven and flexible while reducing unnecessary duplication and inefficiency. H.R. 27 will help strengthen and improve the Nation's locally driven, business-led workforce investment system to help States and localities ensure workers get the training they need to find good jobs.

For example, the bill streamlines the current WIA funding in order to provide more efficient and results-oriented services and programs by combining the adult, dislocated, and employment service funding streams into one funding stream. This will eliminate duplication in service delivery and administrative functions that remain in the system, improving services for individuals.

The bill also ensures the financial contribution of the mandatory partners in the one-stop centers while at the same time it increases the service integration among the partner programs. This will improve access to services through the one-stop delivery system for special populations, such as individuals with disabilities.

In order to ensure greater responsiveness to local area needs and strengthen the private sector's role, the bill simplifies the local and State governance processes. One-stop partner programs will no longer be required to have a seat on the local boards. This will provide for greater representation and influence by local business representatives. Currently, they are frequently frustrated that they are not able to connect with or access resources from the local boards.

Mr. Chairman, I had a couple of my good friends, constituents in my district, that lost their jobs in the defense industry. They came up and thanked me for the help they received from WIA. They were able to get vouchers. One of them went on to become a school teacher, one a worker in the computer industry. This bill works. The new bill that we are passing today will make it better, more efficient and help the people to really get the services they need so we can continue to have the job growth that we have been enjoying the last few months here in the country. I support this strongly.

Mr. KILDEE. Mr. Chairman, I yield 4 minutes to the gentleman from Washington (Mr. MCDERMOTT).

□ 1615

Mr. MCDERMOTT. Mr. Chairman, the question is when is the Congress going to stop letting American businesses and workers down? It is time to roll up our sleeves and chart a path to economic freedom. It is time to govern.

Today the Republicans again ask us to consider a bill with provisions that will make its mark by missing the mark. It inflates government bureaucracy and deflates workers' opportunity. American business needs the best, most qualified workers on earth, but this bill does nothing to reach that goal.

Workers, especially the working poor, need a credible realistic road to economic freedom. This bill is a dead end. Our workforce is in trouble. The ''L.A. Times,'' which I will enter into the RECORD an article from the ''L.A. Times,'' recently reported that the volatility of income for the working poor has doubled in recent years. Income among the working poor now fluctuates by as much as 50 percent annually. One cannot buy a home with a wild fluctuation like that. One cannot plan for their children's college education with income swings like that, and they are lucky to put food on the table.

Mr. Chairman, we need to rethink the systems we have in place to help workers and employers maximize productivity and profitability. We continue to pursue open trade to open our domestic market to foreign competition, but we are not employing the same vigor toward pursuing the means to ensure that our workforce can compete and be the best trained and equipped in the world. This issue, investing in our workforce, transcends social and economic status.

I represent the 7th District of Washington, Seattle, where the economy is driven by manufacturing as well as by innovation and the service industry. Everyone in these industries is competing for their jobs against someone overseas. Making the proper investments and systems to helping the working poor obtain access to job training and education is even more important.

The so-called Personal Reemployment Accounts compel, compel, unemployed workers to take the first job they can get and forego current job training opportunities. Instead of economic independence, this bill produces economic surrender. We can do better.

We ought to significantly invest in continuing education training programs for people in industries that are challenged by global competition. Furthermore, we ought to seriously consider wage insurance. This would enable the working poor to move into jobs that may begin by paying a little less but have greater opportunities for wage growth and economic stability down the road. This bill, even without the bad provisions such as Personal Reemployment Accounts and the provisions that allow workplace discrimination based on religion, does nothing to meet the new challenges that workers and businesses that rely on them face in the new global economy.

The question again, Mr. Chairman, is when will you tell your chairman to start taking these responsibilities seriously rather than playing politics, as we are here today, putting the same bill before us that we have put here before, we know it is not going anywhere, it is a waste of time, and it does nothing for the workers? This is not even an election year.

[From the Los Angeles Times, Dec. 12, 2004]

THE POOR HAVE MORE THINGS TODAY—INCLUDING WILD INCOME SWINGS

(By Peter G. Gosselin)

''The poor are not like everyone else,'' social critic Michael Harrington wrote in the 1962 bestseller ''The Other America,'' which helped shape President Johnson's War on Poverty.

''They are a different kind of people,'' he declared. ''They think and feel differently; they look upon a different America than the middle class.''

How then to account for Elvira Rojas?

The 36-year-old Salvadoran-born dishwasher and her partner, warehouse worker Jose Maldanado, make barely enough to stay above the official poverty line—$18,810 last year for a family of four. But by working two, sometimes three, jobs between them, they are grabbing at middle-class dreams.

Rojas and Maldanado live in a two-room apartment in Hawthorne but have china settings for 16 tucked in a wooden hutch. Their two young daughters receive health coverage through Medi-Cal but get many of their clothes at Robinsons-May.

The family struggles to meet its monthly bills but has taken on a mountain of credit card debt. They have used plastic to buy a large-screen TV and other luxuries but have also relied on it to cover bare necessities such as rent and emergency-room visits.

''That's why I'm really poor even though I work so hard,'' Rojas said with a rueful laugh.

Some see circumstances like Rojas' as testament to the economic strides that America has made over the last generation, rather than a reflection of its failures.

''We've won the War on Poverty,'' asserted Robert Rector, an influential analyst with the Heritage Foundation, a conservative Washington think tank. ''We've basically eliminated widespread material deprivation.''

But if deprivation is no longer as big a problem, that hardly means all is well. In many ways, Rojas is the new face of the working poor, suffering not so much from a dearth of possessions as from a cavalcade of chaos—pay cuts and eviction notices, car troubles and medical crises—that rattles her finances and nudges her family toward the economic brink.

In this way, Rojas and millions like her are not—as Harrington described them—fundamentally different from most other Americans; they are remarkably similar.

Indeed, today's working poor are experiencing an extreme version of the economic turbulence that is rocking families across the income spectrum. And the cause, no matter people's means, is the same: a quarter-

century-long shift of economic risk by business and government onto working families.

Protections that Americans, especially poor ones, once relied on to buffer them from economic setbacks—affordable housing, stable jobs with good benefits, union membership and the backstop of cash welfare—have shriveled or been eliminated. These losses have been only partially offset by an expansion of programs such as the earned-income tax credit for the working poor and publicly provided healthcare.

For the most part, the poor have been left to cope on their own, scrambling from one fragile employment arrangement to the next, doubling up on housing and borrowing heavily.

''Families up and down the income distribution are bearing more economic risk than they did 25 or 30 years ago,'' said Johns Hopkins University economist Robert A. Moffitt. ''But the increase has been especially dramatic among the working poor.''

As a result, their earnings are jumping around like never before.

During the early 1970s, the inflation-adjusted incomes of most families in the bottom fifth of the economy bounced up and down no more than 25% a year. By the beginning of this decade, those annual fluctuations had doubled to as much as 50%, according to statistics generated by the Los Angeles Times in conjunction with Moffitt and researchers at several other major universities.

For a family with an income at the 20th percentile—or roughly $23,000 a year in inflation-adjusted terms—that has meant recent annual swings of as much as $12,000. Twenty-five years ago, those swings tended to be no more than $4,300.

The Times' figures are based on the Panel Study of Income Dynamics, a database funded by the National Science Foundation and run by the University of Michigan. In contrast to most economic indicators, which involve taking random samples of different Americans at different times and comparing the results, the panel study has followed the same 5,000 nationally representative families and their offshoots for nearly 40 years.

In supplementing conventional statistics with the panel-study data, the newspaper has sought to explain why Americans in rising numbers report being less financially secure, even as the nation has grown richer overall.

In a nutshell, The Times has found that behind the upward march of most economic averages are increasingly frequent instances of financial setback and hardship for a large swath of the population. Even those in the top-10 percent bracket—making well over $100,000 a year—have seen their incomes grow more volatile and therefore prone to steep dives.

But for the country's 20 million working-poor families, the findings are particularly sobering: They now run the risk of seeing their incomes slashed by half in any given year. That's almost double the volatility experienced by families in the middle of the economic spectrum, the newspaper's findings show.

''The only way to improve your life if you're poor is to be very prudent and make very, very few mistakes like getting fired or splurging and ending up with a lot of debt,'' said Christopher Jencks, a Harvard University authority on poverty. ''Most people aren't that prudent.''

FINDING A FOOTHOLD

Elvira Rojas headed for the U.S. at age 21 in search of two things that were in short supply in her native EI Salvador: peace and prosperity.

Combatants in that country's bloody civil war engaged in firefights outside her family's home in Acajutla, and Maldanado had received death threats because of his role as a former military man. In addition, Rojas discovered that the only job she could get with her high school diploma from El Instituto Nacional was at the local fish-packing plant.

The pair arrived in L.A. in May 1989. She quickly found work cleaning houses with two of Maldanado's aunts. He landed a job at a Hawthorne dry-cleaning plant. Between them, they made about $200 a week.

But with the average rent on a one-bedroom apartment in the city then running about $600, they could not afford a first foothold in their new country—a place of their own to live. ''I felt bad in the beginning because I had nothing,'' Rojas said. ''I wanted to go home.''

With nowhere else to turn, they moved in with one of Maldanado's aunts, her five children and four cousins in a two-bedroom house on Firmona Avenue in Hawthorne. They slept on the kitchen floor.

As the couple began to make more money, they moved into a succession of other apartments. Each was a little larger than the last but still crammed with relatives.

Rojas and Maldanado had few alternatives. During their first years, they were effectively excluded from Federal rent subsidies or State help because they were illegal immigrants.

In 1991, the two gained legal status under a program that allowed people fleeing war in their homelands to be counted as refugees. But their new standing was thrown into question in 1994, when California voters approved Proposition 187. The initiative was designed to cut off state assistance to undocumented immigrants, but many legal ones interpreted the measure as a blanket ban aimed at them too.

Rojas, for one, took no chances; she never applied for housing assistance—or almost any other kind of aid—although it appears from her Social Security records and tax returns that she would have qualified. ''I didn't want to be a burden on the government,'' she explained.

It's probably just as well. By the mid-1990s, the state and federal governments were winding down most of a six-decade-long drive to help poor families meet their housing needs. That effort had begun under President Franklin D. Roosevelt, who decried the conditions gripping America. ''I see one-third of a nation ill-housed, ill-clad, ill-nourished,'' he said in 1937.

In the years that followed, a booming private sector largely solved the food and clothing problems. And a combination of financial market innovations and federal power applied through a battery of agencies—the Veterans Administration, the Federal Housing Administration, Fannie Mae and Freddie Mac—greatly expanded home ownership, especially among the middle class. But that still left what to do for poor families, most of whom could afford only to rent.

Washington's first answer was to have the government build and run housing projects. Some worked. But many degenerated into vertical ghettos, victimized by disastrous design, racial and economic segregation, drugs and crime.

In 1974, President Nixon and Congress turned to another solution: the Section 8 program. Instead of putting up buildings itself, the government would subsidize private developers to construct housing and give poor families vouchers to rent apartments in the open market. But developer subsidies produced cost overruns and political scandals in the 1980s and were largely phased out.

That left only the vouchers, which recently have been cut back. In all, the amount of money that Congress and the president have authorized to be spent on housing assistance has plunged by nearly two-thirds in the last 25 years, from an inflation-adjusted $82 billion in 1978 to $29 billion last year.

Washington's latest answer has been more laissez-faire: offer tax breaks for the creation of low-income housing but otherwise leave it to the marketplace to decide how much gets built. In hot housing markets such as Southern California's, little has.

''We've produced tens of thousands of units recently, but the well's been dry for so long we should have been producing hundreds of thousands,'' said Jan Breidenbach, executive director of the Southern California Assn. of Non-Profit Housing, which represents many of the region's developers of low-income housing.

In the absence of substantial government help—and with housing prices soaring beyond the reach of even the middle class—most working-poor families have been left to fend for themselves.

By 1997, Rojas and Maldanado thought they had succeeded in doing that. He was making $5,800 a year at the dry-cleaning plant. She was making more than $12,000 dashing between a part-time job at an airline linen service on Prairie Avenue in Hawthorne and a temporary position with Kelly Services, packing magazines, perfume and shampoo in samplers for direct-market mailings.

In the fall of that year, the couple, with another of Maldanado's aunts and her children, moved into a white stucco bungalow on Burin Avenue in Inglewood, not far from Los Angeles International Airport.

Although the house sagged in the middle and had drainage problems, it featured two kitchens and two living rooms, plenty of space for each family. The place cost Rojas and Maldanado $550 a month. That was more than 30% of their earnings, a level the government considers the outer limit of affordable, but it was still something they could bear.

The bungalow ''felt good because there were not so many of us,'' Rojas said. ''It was the most room I've ever had.'' The following year, the two families celebrated Christmas by stringing sparkling lights along the structure's faded blue eaves and inviting neighbors for a party.

HEADING WEST FOR WORK

Albert Grimes arrived in Los Angeles a few years before Elvira Rojas did, similarly hungry to start over.

He came from Cleveland, where his family was a pillar of the African American community. His father, ''Big Joe'' Grimes, had returned home from World War II and used the GI Bill to buy a house. He opened a barbershop, founded a youth marching band called B.J.'s Raiders and became a kingmaker of sorts in Cleveland politics.

Albert's uncle, Walter Dicks, ran the municipal workers union and helped the younger Grimes find a job right out of high school on a city sanitation truck. It paid about $15,000, equal to about $30,000 in today's dollars.

But Albert was laid off during one of Cleveland's periodic fiscal crises. In 1985, at the age of 29, he left home and headed West. He had no trouble finding work with one of Los Angeles' big employers.

For most of the postwar era, working Americans could count on big business even more than big government to provide safeguards against economic risk. In a reverse of the current passion for temps, outsourcing and lean workforces, corporate America felt it had a civic duty to offer full-time jobs with good wages and solid benefits, even to those like Grimes with no college education.

''Steady, year-round employment is so right from the standpoint of the employer, so right from the standpoint of the workers and so right for the country as a whole . . . that it is hard to see why we manufacturers have not made more progress in its application,'' Procter & Gamble Co. President Richard Deupree told a 1948 audience.

As the decades passed, Los Angeles became the hub of the nation's aerospace industry; a second home to U.S. automakers, after Detroit; and a major financial center. Among the region's largest employers: Lockheed Corp., McDonnell Douglas Corp., General Motors Corp., Goodyear Tire & Rubber Co., First Interstate Bank and Security Pacific Bank.

By the late 1970s, the typical L.A. County workplace had nearly 30% more employees than the U.S. average, according to government statistics—a situation that translated into a high level of economic security.

''There is a close correlation between firm size, employment stability and generous compensation,'' said UCLA economist Sanford Jacoby, who has written extensively about the new risks that working people face. ''Big firms underwrote the creation of America's—and Southern California's—blue-collar middle class.''

As for Grimes, he found his way to Sears, Roebuck & Co.'s massive warehouse at Olympic Boulevard and Soto Street, where he was hired as a merchandise handler represented by the Teamsters. He did well for himself there. His Social Security records show that his income rose steadily—from $12,000 in 1987 to $20,000 in 1990 (or nearly $28,000 in today's terms). On top of that, his health care was covered.

But in 1992, Sears stumbled, the result of a failed strategy to sell everything from socks to stocks. Grimes, then on leave with a bad back, soon found himself out of a job.

It was a particularly bad time to be without work. The combination of recession and steep cuts in defense spending, brought on by the end of the Cold War, walloped Southern California. Unremitting pressure from low-cost foreign producers and wage competition from new immigrants such as Rojas took a severe toll on unskilled workers like Grimes.

Any chance that he would be rehired by Sears soon evaporated when the company's warehouse and adjacent store were damaged in the L.A. riots. The warehouse was eventually shuttered.

By the time the region bounced back, the nature of employment had changed. Gone were many of the corporate giants that had delivered a generation of blue-collar security. In their place were tens of thousands of relatively small employers whose job-generating capacity is now regularly praised by the nation's leaders but whose instability, often-low wages and meager benefits are less remarked upon.

Government figures show that the average size of a workplace shrank by 18% nationally between its late–1970s peak and last year. The slide was even steeper in L.A. County, with the average size of a workplace plunging 50% to 10 workers. This trend, according to Jacoby, ''is one of the most important and least appreciated reasons why so many people are having a tough time making a go of it today.''

For several years, Grimes all but vanished from the regular economy. He, his chronically ill girlfriend and the couple's young son lived off a mix of workers' compensation, disability payments and her welfare checks.

In 1995, he resurfaced, this time as a security guard and—befitting the U.S. economy's free-market transformation—a self-employed entrepreneur. ''I set myself up as a corporation,'' he said proudly.

With the help of a friend, Grimes persuaded a string of businesses in a run-down neighborhood along Bixel Street near downtown to hire him.

For three years, he watched over a dental office, a parking garage, a liquor store and a methadone clinic. His earnings climbed from $5,600 when he launched his venture to more than $27,000 two years later. He bought himself a used Pontiac Grand Am, a washer and dryer and a Rent-A-Center living room set.

Then in 1998, he found out how risky the life of an entrepreneur can be: The city bought up the properties along Bixel Street to make way for the Staples Center.

The businesses that employed Grimes closed. Demolition crews flattened the buildings and, along with them, Grimes' income. His earnings that year went clear to zero.

HIGH HOPES

As Grimes' world caved in on him once more, Rojas' prospects were looking up.

She was still shuttling between her jobs at the airline laundry service and as a packer of sundries when one of Maldanado's cousins told her that the dishwashing department at the Wyndham Hotel on Century Boulevard near LAX was hiring for the 4-to-midnight shift.

The full-time position paid more than $7 an hour and, because the workers were represented by Hotel Employees and Restaurant Employees Local 814, it came with holidays and family health insurance. The latter would prove particularly important when Rojas suffered a miscarriage in 2001, and her health plan picked up the tab for more than $5,000.

Rojas saw the job as a turning point. Until then, virtually everything she had in her life had belonged to her in-laws. ''If we used dishes,'' she remembered, ''they were theirs. If we watched TV, it was theirs.''

But all that would change when she went to the Wyndham. ''I knew at that point I would have my own things,'' she said.

By 1998, as Rojas and Maldanado's income more than doubled to $26,000 ($30,500 in today's dollars), the couple began assembling the pieces of a middle-class life.

Rojas bought china by Royal Prestige. She purchased a hutch from Levitz Furniture in which to display the dishes. She and Maldanado acquired a couch, a bed and a dining table. They shelled out for two large-screen TVs and signed up for satellite-dish service.

They bought a 1987 Plymouth Sundance to go with their aging blue Toyota Camry. And they traveled.

''We would go to Las Vegas and Disneyland,'' Maldanado recalled. ''We had more money to spend.''

When the first of the couple's two daughters was born the following year, Rojas was so eager for her to be part of the fabric of America that she resisted entreaties to name her Maria after five of Maldanado's aunts, and instead gave her the name Katherine. She would make a similar choice when their second child was born last May, rejecting Maldanado's suggestion of Elvira in favor of Melane.

The new job let Rojas dream about owning a house where, she said, ''my daughters can have their own rooms'' and ''maybe one day I can take care of my grandchildren if I have some.''

Meanwhile, any thought of returning to Central America faded away. ''Here,'' said Rojas, ''my family will go a lot farther than in El Salvador.''

In the summer of 2000, the Wyndham's owners announced that they were closing the hotel for renovations. Rojas remembers hearing ominous rumblings that more would change than the color of the lobby—something about the parking attendants' jobs being contracted out.

But she was not worried. To tide her over during the shutdown, Local 814 had steered her to a job at a unionized Burger King at LAX. The fast-food outlet offered a wage-and-benefit package almost as good as what she was making at the Wyndham.

About a year after it had closed, the hotel on Century Boulevard reopened. Only now, the sign outside read ''Radisson.'' The Wyndham name wasn't the only thing that was gone either. So too was the union—part of a broader trend sweeping corporate America for more than two decades. Unions, which represented 17 percent of the nation's private-sector workforce in the early 1980s, counted only 8 percent as members by last year.

Rojas could have her dishwashing job back. But instead of $8.89 an hour, her top wage at the Wyndham, she said, she'd be pulling down only $7.50 at the Radisson, with no employer-paid family health insurance. She signed on anyway and, to make ends meet, kept her job at Burger King as well.

It was hard running between two jobs again, but the family's income finally seemed to be stabilizing. As it turned out, their financial roller-coaster ride had only just begun.

SHRINKING WELFARE

For the poor, the most dramatic of all the safety-net cuts that the government has engineered in the last 25 years came in 1996.

That's when a Republican-controlled Congress passed and President Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act, overhauling the nation's cash welfare system.

The law sought to push people off the dole and into work. In doing so, it essentially reversed the poverty-fighting strategy that Washington had pursued since the 1960s in which poor Americans were promised a certain minimal standard of living. By last year, the law had reduced the nation's welfare rolls by 3 million families, or one-half, and had sliced inflation—adjusted welfare spending by about $10 billion, or one-third.

These numbers, though, are about all the experts can agree on. Advocates have hailed the measure as a spectacular success, saying it has increased the incomes of many poor people while triggering a steep drop in poverty among black children. Critics have denounced it as a failure, saying that many people are poorer today than they were before the law was changed.

For its part, Grimes' household has remained largely unaffected by the law's ''work first'' requirements. That's because California has maintained relatively generous benefits and because Grimes' domestic partner, Jacqueline Harvey, has a chronic intestinal disease and is exempt from work requirements. She has thus continued to collect benefits off and on from the state's cash welfare program, CalWORKs. She now receives $583 a month.

But Grimes, in the meantime, has been staggered by another, lesser-known element of the 1996 act—a significant toughening of child-support enforcement rules. This part of the law built on other efforts undertaken since the 1970s to go after absentee parents and compel them to help finance their kids' upbringings.

Grimes and Harvey's son, Albert Jr., was born in 1988. Nine years later, when the elder Grimes applied for custody of a nephew, the Los Angeles County district attorney's office sued him for child support for Albert Jr. The D.A. took action even though Grimes, Harvey and their son had always lived together and, they and several relatives say, Grimes always helped raise the boy.

Nonetheless, Grimes declined to challenge the county, which won a court judgment

against him. Grimes said he thought that he had to go along with the support order to obtain custody of his nephew and to ensure that Harvey would continue receiving publicly funded healthcare. It's also unclear whether counting Grimes as a parent in the house would have jeopardized the size of Harvey's welfare checks.

Whether a mix-up or not, the effect on Grimes' finances has been devastating. California courts not only have imposed high monthly support payments—often unrelated to a parent's ability to comply—but also have added interest at a 10 percent annual clip to past-due amounts.

A recent study commissioned by the state found that past-due child-support payments in California have soared to almost $17 billion from $2.5 billion in the last decade. Most of that money, moreover, is earmarked for state coffers—not for the children who need support.

''The system was largely about welfare-cost recovery, not helping families,'' said Curtis L. Child, who stepped down recently as head of the state Department of Child Support Services, which was created in 2000 to remove enforcement power from county district attorneys and restructure the system. ''In imposing these huge judgments on fathers, we're confronting these men with an awful choice: Go underground, which is just what child-support enforcement was intended to stop, or let themselves be financially ruined.''

In August 1997, Grimes was ordered to start sending the county $173 a month in current payments, plus an additional amount for past-due support totaling $4,900. When he fell behind after his Bixel Street business collapsed in 1998, the past-due total began to swell. It now tops $8,000.

PLASTIC SAFETY NET

In one great clap, the 9/11 terrorists brought down the twin towers in New York, shattered Americans' sense of security and shoved Elvira Rojas down the economic ladder.

It took her five days to reach Burger King after the police and military sealed off the airport in the wake of the September 2001 attacks. When she finally was allowed in, Rojas found that her manager had cut her shift to just four hours. Within a couple of weeks, she was laid off.

Things were little better at the nearly deserted Radisson. Rojas' hours there were reduced to practically nothing.

Over the next 15 months, Rojas grabbed whatever hours she could get at the hotel and worked a second job ironing clothes at Hermosa Cleaners in Hermosa Beach. It was a tough schedule even before she got pregnant in 2002. And still it was not enough to keep her family's income from sliding almost 20% from its 1998 high to less than $22,000.

So she and Maldanado turned to what has become one of the few reliable safety nets left for many poor Americans: their credit cards.

In May 2002, Rojas was rushed to the emergency room at Robert F. Kennedy Medical Center in Hawthorne, where she suffered a second miscarriage. This time, with only minimal health insurance from the hotel, she said she had to put $2,000 of her $4,000 medical bill onto her MasterCard.

''I didn't have the money otherwise,'' she said.

As the credit card industry emerged in the late 1950s and '60s, some expressed concern that even well-provisioned middle-class families would be unable to resist the lure of instant credit. Betty Furness, President Johnson's consumer affairs advisor, warned that credit cards were ''modern traps'' that would turn Americans into ''hopeless addicts.''

But over the last 25 years, card issuers have not let up in pushing their products. Instead, they have reached out for ever more low-income households.

Federal Reserve figures show that among families in the bottom fifth of the economy, the percentage of households with credit cards has soared from 11% in the late 1970s to almost 40%. Their average balance on those cards has climbed, in inflation-adjusted terms, from about $825 to more than $2,000.

Some analysts applaud the greater availability of credit. Gregory Elliehausen, of the Credit Research Center at Georgetown University, said the spread of cards and other kinds of lending was part of a sweeping ''democratization of finance'' that has allowed poor families to operate more efficiently by, for example, buying decent cars to get to work.

Economists Dirk Krueger of the University of Pennsylvania and Fabrizio Perri, a New York University professor now on sabbatical at the Federal Reserve Bank of Minneapolis, say families of all incomes increasingly rely on loans, rather than on business and government safety nets, in times of trouble. They borrow their way through the bad patches and pay off their debts in flush periods.

The problem comes when there are no flush periods.

Some of the items purchased on Rojas' and Maldanado's credit cards can seem frivolous or extravagant—the TVs, for example, or a $150 set of sepia-toned studio photographs of Katherine and her mom dressed in feather boas and gowns. But most of the charges appear to fit the definition of safety-net spending.

Beyond the emergency room charge, there was $130 for a new fuel pump for Rojas' Toyota and $170 to repair the power steering. There was $300 at the start of September to cover rent and a $1,000 cash advance that Rojas said went to help a brother bring his wife to the U.S. from El Salvador.

Chipping away at what's due on their cards is virtually impossible. That's in large part because the interest the two are charged is about double what a typical middle-class borrower faces. By the time they cover that, there is little left to reduce the balance.

Although the stated interest on the couple's most heavily used cards, a pair of Direct Merchants Bank MasterCards, ranges from 20.49% to 31.99%, a review of recent bills indicates that they are consistently charged close to the higher amount. (The Minnetonka, Minn., bank recently was ordered by federal regulators to pay $3.2 million in penalties for ''downselling''—offering low pre-approved rates and then moving customers to higher-rate accounts without fully disclosing the switch. It is not clear that this happened to Rojas and Maldanado.)

Rojas and Maldanado now owe $14,592 on their four credit cards—a burden that financial experts say is appropriate for a household making about $100,000, but not one like theirs.

FALLING BEHIND

In the spring of 2000, two years after Grimes' Bixel Street business failed, he found a job as a security guard five blocks away at Ernst & Young Plaza.

For a while after the September 2001 terrorist attacks, the building's owners and tenants treated Grimes and his co-workers with newfound respect. Managers listened to his suggestions about how to improve safety at the 41–story structure.

He was promoted to ''lobby ambassador,'' a sort of informal emissary to the building, and then to lobby supervisor. His annual earnings climbed back above $20,000, and he began to imagine himself becoming a director of security.

''My goal was to have a facility of my own,'' Grimes said. ''I thought I should have a situation where I'm in control.''

But for most of the last year, Grimes has been anything but in control.

In February, after a dispute with their landlord, he and his family were evicted from their apartment on Fedora Street, where they had lived for several years. All that he was able to save from the place were three mattresses, two chairs and a Sony PlayStation.

By April, he had run through several thousand dollars paying for a $90-a-night motel room while he looked for a new apartment. He and Harvey eventually rented a two-room Hollywood walk-up for $875 a month, or more than 40% of their combined income. Before long, he fell behind again on his court-ordered child-support payments.

In July, things took another turn for the worse. After a series of clashes with his boss, Grimes was ordered out of the Ernst & Young tower and told he would be reassigned. Instead, he quit. For the time being, he is working for the Service Employees International Union on a campaign to organize security guards in the city's high-rise offices.

Grimes is determined to recover from the latest round of reverses. He dreams about what his father had—a house, a secure job—and is convinced he'll fare as well someday. ''I'm trying,'' Grimes said, ''to get back to what he had.''

ANOTHER EVICTION

A month after Grimes was forced out of the Ernst & Young tower, Rojas and her family were evicted from the Burin Avenue bungalow where they had lived for seven years. A developer is preparing to raze the place and put in half-million-dollar townhouses.

It's not clear how long they could have afforded to stay there anyway. A week before they moved, Maldanado was laid off from the dry-cleaning plant to make way, he said, for new immigrants who were willing to work for less. He has since gotten a new job, packing items at a warehouse, for minimum wage.

The family's new apartment is so small that the bedroom is a single mass of mattresses and cribs. The hutch and couches fill the living room to overflowing. And the cabinets in the kitchenette are so stuffed that Rojas must store her supply of infant formula in her car trunk.

But the couple has plans—to turn around the slide in their income, to look for a house, to make sure that the girls continue all the way through school. ''I don't want them to be struggling like us,'' Maldanado said.

Rojas is making other plans as well. Soon after arriving in the U.S., she took out a loan to finance her future at the Inglewood Park Cemetery. She now owns two plots at the cemetery's Mausoleum of the Golden West, and recently signed papers to pay $82.79 a month for the next five years to buy two more. By the time Rojas is finished, she will have spent more than $12,000 in total. But she's convinced it's worth it.

''Now if I die, I won't have to worry about my funeral,'' she said. ''I won't leave my family with a financial burden.''

The Source of the Statistics and How They Were Analyzed

The Times used the Panel Study of Income Dynamics for its analysis of family income volatility.

The panel study has followed a nationally representative sample of about 5,000 families and their offshoots for nearly 40 years and is the most comprehensive publicly available income and earnings database in the world. It is run by the University of Michigan and principally underwritten by the National

Science Foundation. The families' identities are kept confidential.

The Times employed techniques for gauging income volatility that were developed by economists Robert A. Moffitt of Johns Hopkins University and Peter Gottschalk of Boston College. The Times also consulted with Yale University political scientist Jacob S. Hacker, who has conducted his own analysis of income volatility among households in the panel study and has published results linking it to economic risk.

The Times employed two Johns Hopkins graduate students, Xiaoguo Hu and Anubha Dhasmana, to help generate the data. Moffitt guided them and advised the newspaper.

The Times' analysis looked at five-year increments from 1970 to 2000 and examined the annual fluctuations in each family's income.

For example, for a family whose income rose by $5,000 over a five-year span, the paper examined the journey from the lower number to the higher: Did the change occur in steady $1,000 annual increases? Or did the family's income take a big jump in one year and plunge in another?

The Times' basic finding is that the fluctuations in annual income that individual families have experienced have grown larger over the last three decades.

Based on the panel-study sample, The Times estimated the annual income swings, up or down, for 68% of all U.S. families—those who did not have the most extreme fluctuations. As a result, the newspaper's conclusions don't rest on cases outside the mainstream: the movie star whose career dries up overnight, say, or the hourly worker who wins the lottery.

To zero in on working families, The Times focused on men and women 25 to 64 years old whose households had some income. To analyze the working poor, the paper ranked families by their average income during each five-year period. It then concentrated on those in the bottom one-fifth of income earners and especially those right at the 20th percentile.

The average annual income of panel-study families at the 20th percentile is close to the government's official poverty line for a family of four most years.

The analysis looked at pretax income of all family members from all sources, including workplace earnings; investments; public transfers such as jobless benefits, food stamps and cash welfare; and private transfers such as inheritances.

All amounts were adjusted for inflation, expressed in 2003 dollars.

Mr. MCKEON. Mr. Chairman, I yield 2½ minutes to the gentleman from Nebraska (Mr. OSBORNE), a member of the committee.

Mr. OSBORNE. Mr. Chairman, I would like to particularly thank the gentleman from Ohio (Chairman BOEHNER) and the gentleman from California (Mr. MCKEON), subcommittee chairman, for this bill.

From my perspective this is a good bill. And I think there are several points I would like to make. First of all, it consolidates programs and creates efficiencies. It gives State and local officials more flexibility, which is always important. And the $3,000 reemployment accounts to purchase needed services to ensure reemployment seem to me to be a good idea because oftentimes when a person is trying to get back on their feet, they need to have money to pay for child care. They need transportation. It allows them to get reestablished, and we think this is certainly very helpful. And then it also allows faith-based organizations to offer job training service. We think this is important.

I would like to amplify on that just a little bit. Number one, faith-based organizations often provide services more efficiently than State or Federal agencies. The Salvation Army, Catholic Charities, Jewish Federation are all extremely efficient and they are very cost effective.

Secondly, faith-based organizations often go where others will not go or do not go. In inner cities, and sometimes our rural areas, we find that they are very effective. Faith-based organizations are by law allowed to hire employees to provide services which conform to the mission of the faith-based organization. This right was affirmed by the 1964 Civil Rights Act and the 1987 Supreme Court decision, Corporation of the Presiding Bishop versus Amos. So we think there is ample legal justification for this.

Number four, faith-based organization employees must often wear many hats. For instance, a music director at a church may also work at the job training center in the afternoon. A Sunday school superintendent may also run a Head Start program at the faith-based organization. So it is unreasonable and contrary to establish law to force faith-based organizations to hire employees who do not share the faith-based organization's mission. We think this makes perfect sense.

This is a good bill and I urge support for it.

Mr. KILDEE. Mr. Chairman, I yield 3 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 the gentleman from Michigan for yielding me this time.

I am opposed to this bill because it reflects a misunderstanding of the proper way to build a successful career and a gross misinterpretation of our constitutional tradition.

With respect to its misunderstanding of the best way to build a career, I think that these personal retraining accounts, although clearly well intentioned, have exactly the wrong effect on an unemployed person. The purpose of workforce investment is not to move a person from a position of unemployment to a position of employment for a while. The purpose of the workforce investment is to move a person from dependency to opportunity and eventually to prosperity. The great dividing line in the American economy is whether one has 2 years of college or not. People with more than 2 years of college tend to have stable jobs and high and rising incomes. This bill says to a person who is laid off from an industrial industry or some other employer like that take the first job that comes along.

As the gentleman from Washington (Mr. MCDERMOTT) said, they are virtually compelled to do that. The first job is not always the best job. But, more importantly, from the public's point of view, it may be a temporary job. It will move the person from a period of unemployment to a brief period of reemployment to another period of unemployment. Our goal should not be temporary employment. Our goal should be opportunity and prosperity in the long run.

With respect to the constitutional misinterpretation, the gentleman from Virginia (Mr. SCOTT) will offer an amendment later in this debate that needs to be adopted. We are not opposed to faith-based organizations continuing the work they are presently doing in job training. They do a great job and they should continue. If the gentleman from Virginia's (Mr. SCOTT) amendment passes, that work will not be discontinued. If the gentleman from Virginia's (Mr. SCOTT) amendment passes, here is what will happen: We think that with Federal money a religious organization should not be able to say we will not hire Catholics to serve meals at a clinic. We think with Federal money, an organization should not be able to say we do not hire Jews to do job training. We think with Federal money, people should not be able to say we do not want evangelical Christians or Muslims or Buddhists doing job counseling.

This country started because we wanted to get away from religious persecution and discrimination. It is an abrogation of our constitutional traditions to enshrine that in the law, and that is what this bill does. The gentleman from Virginia's (Mr. SCOTT) amendment corrects that mistake and it should be adopted.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. REGULA).

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

Mr. REGULA. Mr. Chairman, I rise in strong support of H.R. 27, the Job Training Improvement Act of 2005. I would like to recognize the gentleman from Ohio (Mr. BOEHNER) and the gentleman from California (Mr. MCKEON) for their leadership and tireless efforts in bringing this bill to the House floor.

Hard-working families in my district who have been laid off rely on programs like the One-Stop workforce development system, which helps States and communities ensure workers to get the training they need to find good jobs. I like to call the One-Stops ''hope centers'' because they provide hope to people seeking gainful employment.

For example, my constituent, Jeff Ring, who after 24 years of employment as a steelworker, was laid off. He is a father of three children, eight and younger. He came to the One-Stop and enrolled in training to become a registered nurse. Just last week he received his certification and will begin

working at Aultman Hospital and will be making nearly 20 percent more than his previous salary.

In another case, my constituent, Tiffany Birtalan, a single mother raising a teenager, she currently works as a waitress making $2.13 an hour plus tips. She came to the local One-Stop seeking to change careers. Tiffany is now enrolled at a community college and is training to be a dental hygienist. Based on current labor market information and the high demand for this occupation, she will easily make $25 to $30 per hour.

Every day, every day, hard-working people like Jeff and Tiffany walk through the doors of One-Stop across the country seeking assistance. We must do all we can to streamline unnecessary bureaucracy and strengthen allocations so that adequate resources are available to them achieve their hopes and dreams.

Mr. Chairman, this is a good bill, and I would urge my colleagues to support H.R. 27.

Mr. KILDEE. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. HINOJOSA).

Mr. HINOJOSA. Mr. Chairman, I rise to engage the gentleman from Ohio (Chairman BOEHNER) of the Committee on Education and the Workforce in a colloquy.

During our full committee consideration of H.R. 27, I offered and withdrew an amendment to ensure that data on high school-aged students participating in adult education programs is publicly available and reported to our committee.

We already know that 30 percent of our high school students fail to earn diplomas with their peers. In the Hispanic community, that figure is nearly 50 percent. Many of our adult education providers report that high school-aged students are flooding their programs. We cannot continue to allow our high school students to slip through the cracks. Our first step in shining the light on this issue is to make sure that we have accurate and regularly reported data.

At full committee, the gentleman offered to work with me to ensure that these concerns are addressed in the reports that our committee received from the Department of Education.

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

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

Mr. BOEHNER. Mr. Chairman, I want to thank the gentleman from Texas for raising this issue. Data on young adults participating in adult education programs is important information for our committee as well as for the adult education programs and for school districts to keep in mind as we work to raise our high school completion rates. And it is my understanding that this is information that the Department already collects but has not been a focus in program reporting.

Mr. HINOJOSA. Mr. Chairman, reclaiming my time, the chairman is correct. The Department already collects this data and would be able to highlight this information in its annual report to Congress with very little additional work. It is simply a matter of clearly communicating to the Department that we would like to see focused information on high school-aged students in adult education reported by race, ethnicity, language proficiency, and program enrollment.

I thank the chairman for continuing to work with me and the Department to bring this critical information to the forefront.

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

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

Mr. BOEHNER. Mr. Chairman, again I want to thank the gentleman for his work on this issue. I will continue to work with him and the Department to ensure that we have the necessary information to carefully monitor the participation of high school-aged students in adult education programs.

Mr. HINOJOSA. Mr. Chairman, reclaiming my time, I thank the gentleman from Ohio (Chairman BOEHNER) for his comments.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to the gentleman from Nevada (Mr. PORTER), a member of the committee, vice chairman of the subcommittee.

Mr. PORTER. Mr. Chairman, I rise today in strong support of H.R. 27, the Job Training Improvement Act of 2005, and I certainly applaud the gentleman from California (Chairman MCKEON) and the gentleman from Ohio (Chairman BOEHNER) for their tireless efforts in bringing this important legislation to the floor today.

□ 1630

As an original cosponsor of this legislation, there are many provisions that will increase the ability of our Nation's workers to achieve greater stability in our ever-changing workforce. I would like to mention one aspect of the bill which I am particularly proud of, the inclusion of Personal Reemployment Accounts as an allowable usage of funds under the pilot and demonstration projects of the Greater Workforce Investment Act.

PRAs will provide American workers who are seeking employment added flexibility to seek the customized training and support services that they need and deserve to expand their career opportunities. As my community of southern Nevada experienced in the wake of September 11, our economy proved to be very vulnerable. As my community rebounded from this blow, Nevadans sought help in adjusting to the realities of the workforce. Those Nevadans who suffered the woes of unemployment sought additional training and support as they sought to increase their career opportunities.

Mr. Chairman, I know that PRAs would have provided my constituents with a valuable option in seeking these services. In fact, many constituents have told me they are excited to have this opportunity in case there is another emergency at some point in time. In fact, one young girl, Lucy, wanted to make sure that there was ample education dollars available; and I assured her there would be.

Besides providing for an individualized approach to reemployment, the PRAs provide an added bonus. Individuals are able to retain the remainder of their account after they return to the workforce. These funds can be used for continued training and support.

As Americans return to work, they continue to face hardships until the benefits of employment become manifest. PRAs can help ease this transition.

Mr. Chairman, I will include for the RECORD a letter from Deputy Secretary of Labor Steven Law demonstrating the administration's continued support of the PRA program.

Mr. Chairman, I urge all of my colleagues to support this important legislation. As our workforce continues to engage the ever-changing economy which we are part of, this reauthorization will provide American workers with the tools they need and deserve to improve their career opportunities. I recommend final passage of the Job Training Improvement Act of 2005.

Mr. Chairman, I include for the RECORD the letter referred to earlier from Steven J. Law, Deputy Secretary of Labor.

DEPARTMENT OF LABOR,
DEPUTY SECRETARY OF LABOR,
Washington, DC, March 2, 2005.

Hon. JON PORTER,
House of Representatives,
Washington, DC.

DEAR CONGRESSMAN PORTER: I would like to thank you for your invaluable and effective advocacy of Personal Reemployment Accounts (PRAs). Like you we believe that PRAs will provide thousands of Americans seeking reemployment with a new and more flexible means to seek customized training that leads quickly to expanded career opportunities.

We are enthusiastic about the launch of PRA demonstration projects in seven states. We are confident that this important pilot program will prove the value of PRAs and, with enactment of your legislation, even more Americans will have access to PRAs.

We look forward to working with you, Chairman BOEHNER, and Chairman MCKEON on this innovative plan to help workers in transition. Thank you again for your leadership on this initiative.

Sincerely,

STEVEN J. LAW.

Mr. KILDEE. Mr. Chairman, I yield 4 minutes to the gentlewoman from Washington, D.C. (Ms. NORTON).

Ms. NORTON. Mr. Chairman, I very much appreciate the gentleman yielding me this time.

Mr. Chairman, there are many problems with this bill. I choose to focus on the Scott amendment because it involves a matter in what I think I can safely say is my personal confidence.

I have heard title VII of the 1964 Civil Rights Act called out here repeatedly. It was my great privilege to enforce

title VII of the 1964 Civil Rights Act as Chair of the Equal Employment Opportunity Commission, and I have an obligation to step forward to plead with my friends on the other side to make this a bipartisan bill, because its chances of becoming so at least on this matter should be great.

In fact, it is such a good idea to have faith-based organizations involved in the programs of the Federal Government that we have been doing it for decades with billions of dollars to show for it. There may be some ways, I will be the first to say, there are some ways in which this could be strengthened and expanded. But I do not know whose idea it was to allow religious organizations to discriminate. I do not think it could possibly have been the idea of the faith-based communities themselves. I do not believe that churches and synagogues and mosques are stepping forward to say, Even though we have an extraordinary ability to hire only our own folks, we want to make sure we use public dollars to hire only our co-religious partners.

If the language is kept as it is, we will have the first nullification, the first repeal, of civil rights laws since they were initially passed 40 years ago. To our credit, we have steadily built those laws into legislation that came after it, and, yes, into the Workforce Investment Act. We are required to do that. Title VI requires us to do that, the 14th amendment requires us to do that. It required us to do so when the Workforce Investment Act was passed, and it requires us to do so now.

Essentially what the bill states now is that you can hire only Lutherans or Muslims with your own money, and you can hire only Catholics and Jews with the people's money. That is a huge departure from everything that is built into title VII.

I was Chair of the agency and brought forward religious discrimination guidelines. We worked very hard to strengthen the law against religious discrimination and went the extra mile because of the free exercise clause. Thus, today religious organizations, a church or synagogue, for example, can do what no union or business can do. It cannot only use its money to hire its religious members in religious positions; it can use its own money to hire even their own members in secular positions. This is the maximum in religious freedom that is allowed under the Constitution.

Now, if you want to take on public responsibilities, I cannot understand why anybody would say you would not want to spend that money in accordance with the public responsibility in each and every respect. That is how it has always been done. Why the departure now?

If you want public dollars, do so in accordance with public law. That law requires no discrimination on the basis of race, sex, or religion. It would be a horrible setback to now come forward and say that you can in fact discriminate on the basis of religion, of all things. And that is what you would be doing, because, as everybody knows, race and religious identity track one another very, very closely.

Today, when black people go to Catholic Charities or to Lutheran Services they see people of every race and color working there. And do you know what? I have not heard these organizations and the many other faith-based organizations complain that in order to serve my African American community, they sometimes reach out and find black people who are not Catholic and who are not Lutheran, because they do not ask what they are.

We have resisted pressures in this House for repeal of affirmative action, for repeal of goals. Surely we can resist the role back to the bad old days of religious discrimination and a violation of title VII of the 1964 Civil Rights Act.

Mr. MCKEON. Mr. Chairman, I am happy to yield 3 minutes to the gentleman from Georgia (Mr. PRICE), a new member of the committee.

(Mr. PRICE of Georgia asked and was given permission to revise and extend his remarks.)

Mr. PRICE of Georgia. Mr. Chairman, I thank the chairman and the gentleman from California for allowing me to participate in this debate.

Mr. Chairman, I am somewhat perplexed and disappointed by the tactics from the other side. This is serious business, and simply working to divide our citizens I believe to be counterproductive.

This bill, this bill, will enhance employment; it will increase employment and job retention, plus increase the overall skill level of our labor force. Now, the demagoguery that you hear from the other side on this issue, and, frankly, on every issue, seemingly every issue, frankly is a disservice to this debate and does a disservice to our Nation.

This bill gets more resources to the individual needing it. That is a good thing.

These are very challenging times for many in our workforce. They need more options for assistance, not a one-size-fits-all model or program. Streamlining the one-stop career center system is easier for the client. That is a good thing. It does not harm the Wagner-Peyser money. There are no lost resources.

Greater flexibility in the delivery of core, intensive, and training services allows individuals to receive the most appropriate services specifically for them. That is a good thing. Providing Personal Reemployment Accounts allows those who are unemployed an opportunity to use money for those things that are often that final hurdle to getting a new job, child care, transportation, housing assistance. That is a good thing. Getting more resources to those most in need when they are out of school helps those without other opportunities, and that is a good thing.

Faith-based language in this bill is identical, identical, to four separate pieces of legislation passed during the Clinton administration. There is no discrimination on the provision of services.

With this legislation, we are actively and positively addressing how the Federal Government, and ultimately how each and every citizen, will come together and lend a helping hand to those needing that assistance at a very pivotal time. That is a good thing.

Mr. Chairman, I urge my colleagues to support this bill and move forward in helping those needing to return to the workforce. This is a good thing.

Mr. KILDEE. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

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

Ms. WOOLSEY. Mr. Chairman, once again my colleagues on the other side of the aisle are claiming they want to help workers in this Nation. But, as usual, their actions say otherwise.

The newest WIA proposal does nothing more than force workers to compete with each other for services that they have come to expect and services they deserve from the WIA system. WIA one-stops provide important job training services to help those struggling to find work to get resources they need.

If this bill passes, veterans and unemployed adults will be placed second to infrastructure costs. Instead of increasing funding in the bill to address infrastructure needs separately, this bill forces Governors to choose between workers and updating facilities, all from the same pot of money. Limiting this pool of funding will deny workers quality services for reemployment and adult education programs, and that is just plain and simple true.

This bill also sets up a voucher system that will actually decrease the amount of services available to job seekers. Those receiving these new job vouchers will be able to pay for training courses or other job-searching expenses. That sounds great. But the catch is that once a worker takes a voucher, they will lose access to Federal job training programs through WIA for an entire year. Money and services are both critical for many workers to get back on track, particularly when they have become unemployed over and over again, and workers who should not have to make the choice between one or the other are continually faced with the dilemma.

This bill also changes the way in which the government will evaluate the success of WIA programs. Now workers will be judged on how they serve the company they work for rather than on the quality of services they received under WIA. Since when was WIA focused on big business' needs rather than the worker's needs?

The worst part of this bill, however, is that it will write discrimination into the law. At religious institutions receiving WIA funds, those who share the

same religious philosophies will have an advantage over those applying for employment that do not subscribe to the same views. Workers can now lose job opportunities through blatant religious discrimination at places our tax dollars are funding. This bill turns WIA into a competitive service provider, rather than an equal opportunity resource for our Nation's unemployed workers.

This is not the way we can help our Nation's workforce, and I urge my colleagues to oppose H.R. 27 as it is written.

The CHAIRMAN. The committee will rise informally.

The Speaker pro tempore (Mr. McKEON) assumed the Chair.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings or other audible conversation is in violation of the rules of the House.

MESSAGE FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Ms. Wanda Evans, one of his secretaries.

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The SPEAKER pro tempore (Mr. McKEON). The Committee will resume its sitting.

JOB TRAINING IMPROVEMENT ACT OF 2005

The Committee resumed its sitting.

Mr. BOEHNER. Mr. Chairman, I yield 3 minutes to the gentleman from Puerto Rico (Mr. Fortuño).

Mr. FORTUÑO. Mr. Chairman, back in 1998, Congress enacted the Workforce Investment Act, which established a system for a one-stop career centers aimed at providing one convenient central location to offer job training and other employment-related services.

While these reforms have largely been a success, the system is still hampered by inefficiency, duplication, and unnecessary bureaucracy. The bill that we are approving today aims to strengthen training services for job seekers accomplishes these goals in several ways: Particularly by streamlining bureaucracy and eliminating duplication; consolidating the three adult WIA training programs, giving States and local communities greater flexibility, and enabling more job seekers to be served with no reduction in services; removing arbitrary barriers that prevent individuals from accessing job training services immediately; strengthening partnerships between local businesses, communities colleges and the local one-stop delivery system; enhancing vocational rehabilitation to help individuals with disabilities; and improving allocation and literacy for adults to ensure they gain the knowledge and skills necessary to find employment, including language proficiency.

I want to thank the chairman on the committee for adopting two amendments I have introduced to enhance further employability of the limited English proficient calculation by providing necessary skills, training and English language instruction. I believe this will help tremendously, especially the Hispanic populations throughout the country.

I believe that the backbone of a strong economy and a strong society is a well-trained and highly-skilled workforce. The bill on the floor today is an excellent source to achieve that goal. This bill includes a number of reforms aimed at strengthening our Nation's job training system and better engaging the business community to improve job training services.

It accomplishes this by requiring State and local workforce investment boards to ensure the job training programs reflect the employment needs in local areas; also allowing training for currently employed workers so employers can upgrade workers' skills and avoid layoffs; encouraging the highest caliber providers, including community colleges, to offer training through the one-stop system; leveraging other public and private resources to increase training opportunities; and increasing connections to economic development programs.

The bill reauthorizes the Rehabilitation Act of 1993, the primary Federal program designed to assist individuals with disabilities to prepare for, obtain and retain employment to live independently; and furthermore, it includes transition services for students with disabilities moving from secondary education into post-secondary activities that can only be determined as a possible alternative to address the needs of those in special needs.

I am convinced that H.R. 27 is a valuable tool to achieve that goal we all have set our minds to. And that is none other than creating a better and strong economy and society that will be prepared to compete in a changing and demanding new world that rises as we speak.

Mr. KILDEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from New York (Mrs. McCARTHY).

Mrs. McCARTHY. Mr. Chairman, I rise to join the chairman of the Committee on Education and the Workforce, the gentleman from Ohio (Mr. BOEHNER), in a colloquy on how certain provisions in this legislation might affect the governance of WIA funding in New York State.

This legislation provides governors the authority to take a portion of funds provided through the authorizing statutes of mandatory partner programs to cover the infrastructure costs of one-stop centers. I am concerned that this may create a constitutional conflict between the Governor of New York and the Board of Regents.

I offered an amendment to remedy this conflict in committee. The amendment I offered was language that is identical to language already included in S. 9. I would ask the chairman if he would commit to working with me and my New York colleagues in conference to resolve this issue.

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

Mrs. McCARTHY. I yield to the gentleman from Ohio.

Mr. BOEHNER. Mr. Chairman, I want to thank the gentlewoman for yielding. I pledge to work with her and other interested members of the New York delegation during conference on this legislation to identify and remedy any governance problems which New York may have under this bill. However, it is not clear that the language that the gentlewoman offered in committee that is included in S. 9 fixes the problem in New York and could have other unintended consequences in New York and other States.

So my goal is to ensure that the mandatory partners contribute to the cost of the one-stop infrastructure without causing constitutional problems for States. And as I suggested, I will continue to work with the gentlewoman to achieve this.

Mrs. McCARTHY. Mr. Chairman, I want to thank the chairman for agreeing to work with us on this issue of importance to New York.

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

Mr. KILDEE. Mr. Chairman, I yield two minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. Mr. Chairman, I rise in opposition to H.R. 27, the Reauthorization of the Workforce Investment Act.

The Workforce Investment Act was one of these pieces of legislation that actually helps people. It was passed back in 1998. Unfortunately, this is a step backward as it comes before us today. The bill now here would create block grants to fund the adult dislocated worker and employment service programs. And as we know, funding through nearly every past block grant program has led to decreases in funding in just about every education or labor program that was block granted.

In addition, the proposal here would reduce and restrict services for in-school youths. It would fund one-stop infrastructure by siphoning off funds used to serve veterans and individuals with disabilities; and importantly, the legislation before us here would allow discrimination in hiring based on individuals's religious beliefs.

Under current religious law, organizations are free to make employment decisions using religious criteria with their own money. Why should we allow organizations to discriminate with taxpayer dollars? It really would roll back

40 years of civil rights laws and decades of job training laws as we have heard here today.

The Workforce Investment Act was intended to be about helping hard working Americans find jobs and help those who have a job receive training to improve their employment prospects. This is, I repeat, the kind of legislation that could actually help people. These one-stop centers have been a success. But this legislation does not provide adequate authorized funding for them and it changes many of the good features that have been part of the Workforce Investment Act.

We could be closing the skills gap, but unfortunately, the bill does not do that. It is a step backward from the legislation that was passed in 1998.

Mr. KILDEE. Mr. Chairman, how much time do I have remaining?

The CHAIRMAN. The gentleman from Michigan (Mr. KILDEE) has 5 minutes.

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

In summary, I urge a no vote on this bill. In 1998, the gentleman from California (Mr. MCKEON) who is a very good friend of mine, we will always remain friends, we have great respect for one another, we wrote a very good bill in 1998, WIA, and I hope we would do likewise this time; but I find myself unable to support this bill.

The bill, among other things, I do not mean to be harsh, but among other things, encapsulates President Bush's response to the woman in Omaha who told him that she was presently working three jobs to ensure that she could provide for her family. And the President responded, ''Uniquely American, isn't it? I mean, that is fantastic that you're doing that.''

Mr. Chairman, we can do better than that.

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

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, what we have before us is the Reauthorization of the Workforce Investment Act. It was first passed in 1998. These one-stop centers that have been created all over the country to help the people gain skills and to increase their skills are a critical part of what we need to do if we are going to have a successful economy over the next 10, 20 and even 50 years.

What we have done in this reauthorization is tried to make these one-stop centers work even better. We believe that by consolidating the three separate funding streams, three different sets of employees, three different sets of books, we can gain more flexibility for the local workforce boards and thereby freeing up more dollars to be used to actually train workers.

We believe strongly that the youth services money here ought to be directed for the most part to out of school youth, a population that is vastly underserved and we do that in this bill. We also believe that faith-based providers, especially in large urban centers, can provide a very necessary outreach to help those who are really needy have an opportunity to get the kind of training and retraining they need to become productive members of our society.

I think what we have here is a very good bill. And while my friends on the other side of the aisle have some disagreement, I think all of us understand that by and large, this is a good program, that the bill before us is worth the support of my colleagues and I would ask them to do that.

Ms. PELOSI. Mr. Chairman, I rise in opposition to H.R. 27, the Workforce Investment Act Reauthorization.

Today, there are nearly 8 million people who are unemployed and seeking work in this country. There are an additional 5 million workers who want a job but have given up their job search out of frustration. And about one in every five unemployed people—1.7 million Americans—has been jobless for more than 26 weeks.

These sad statistics make a clear point—access to job training services is critical for Americans across the country.

Job training should be a bipartisan priority of this Congress, but this is the second Congress in a row that Republicans have brought to the floor a partisan bill that undermines our job training initiatives.

This Republican bill puts the funding for job training services at risk by consolidating them into a block grant. This is at a time Republicans have already cut funding for job training initiatives under WIA by $750 million since 2002.

The Republican bill eliminates targeted job training for workers who need it the most—those who have lost their jobs to outsourcing and the downturn in our economy.

It allows the states to rob from Adult Education, Veterans' Reemployment, and job training programs for individuals with disabilities to fund more bureaucracy. This would severely jeopardize services to our most vulnerable populations.

Most troubling, this bill sends the message that discrimination will be condoned in federal, taxpayer-funded job training programs.

We all recognize and appreciate the work of faith-based organizations in their service to communities in need. But there is absolutely no evidence that the current law protections have hampered the full participation of faith-based organizations in providing job training services.

This bill, however, would allow religious groups to discriminate on the basis of religion when hiring or firing staff for federally-funded job training initiatives.

It would permit those seeking jobs funded by the federal government to be judged solely on the basis of their religious beliefs and practices, not on their qualifications or ability to do the job.

Instead of promoting the good works of religious organizations, this bill unfairly tarnishes them with the specter of discrimination that they have nobly fought so hard against.

The bill's constitutionally dubious provisions will introduce needless uncertainty and controversy. It will subject religious organizations to legally and morally untenable positions.

That is why this bill is opposed by many religious and civil rights organizations.

The Scott Amendment preserves current law, which permits these organizations to provide job training services with federal funds as long as they do not discriminate.

We can support faith-based organizations without breaking faith with our fundamental American commitment to non-discrimination.

And we can do so much more to support job training services for the millions of American workers who are struggling to find work.

I urge my colleagues to support the Scott Amendment and oppose the Republican bill.

Mr. GENE GREEN of Texas. Mr. Chairman, I rise today to voice my opposition to this Job Training Improvement Act because it does nothing to improve job training in our country.

Congress has an opportunity to take the reauthorization of the Workforce Investment Act and address the needs of millions of unemployed Americans. Instead, we are presented with a proposal that reduces the impact of job training programs by cutting funding to traditional job training providers such as the veteran's employment programs and Perkins Vocational Education Programs.

This bill also consolidates the adult, dislocated worker and employment service programs and their funding while repealing the Wagner Peyser Act. Wager Peyser established the Federal performance and accountability standards that ensure our job training programs are quality programs that place able workers in appropriate positions in the workforce.

Furthermore, this bill would allow federally funded job training organizations to question a candidate about their religious beliefs. I've been a Christian all my life. However, I do not feel it is the place of the Federal Government or anyone receiving Federal funds to question a job candidate about their religious beliefs.

At this time, Congress needs to place more resources into workforce training, not reduce job training programs that are successful. The Houston area continues to have an unemployment rate higher than the national average, as does the State of Texas.

This bill will slow down the ability of those who need workforce training from getting it, and right now this economy needs all the help it can get. H.R. 27 is bad public policy and will further slow our efforts to strengthen our economy.

Mrs. BIGGERT. Mr. Chairman, I rise today in support of H.R. 27, the Job Training Improvement Act. Through local and State workforce investment boards, this legislation will strengthen job training programs to meet the needs of local businesses, many of which rely heavily on information technology, IT.

In the span of just two decades, information technology has become a commonplace part of our lives and has also created nearly 10 million jobs in the United States. Information technology is a factor in the productivity and success of many different sectors of our economy. Whether one is an auto mechanic, a dentist, or a farmer, IT skills are essential—and will be increasingly essential—to one's job performance and productivity. Simply put, the IT industry and its workforce are significant contributors to productivity, innovation and global competitiveness.

It is for this reason, Mr. Chairman, that the Committee report encourages States to examine whether providers of training offer the opportunity to obtain an industry-developed and maintained certification or credential. This is

important, in as much as it recognizes that the industries themselves are the most qualified to determine what skills their workforce will need to succeed and excel. This is especially true with respect to the constantly changing and ever-evolving IT industry.

Through certification, individuals receive validation of a level of expertise. This, in turn, can increase an individual's ability to find and retain a good job that utilizes that training. Employers also benefit when certification assures a level of skill that an individual could bring to a job.

The success of WIA in expanding the computer skills of Americans—through training and certification—will improve the productivity of every sector of our economy. This in turn will make America more competitive globally and is an effective step toward creating good jobs right here in the United States.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise in support of the amendment offered by my colleague the Ranking Member of the Judiciary Subcommittee on Crime, Mr. SCOTT along with Ms. WOOLSEY, Mr. VAN HOLLEN, Mr. FRANK, Mr. EDWARDS, and Mr. NADLER, to the base bill, H.R. 27. As I stated with respect to the rule, H. Res. 126, the party-line vote of 220–204 that we saw in the 108th Congress on the debate of the then H.R. 1261 should evidence the need for the most open debate over the deficiencies that lie within the provisions on the floor. The need for debate arises from disagreement. As representatives of the United States Congress, we all have a duty to fully debate the issues on behalf of our constituents. A restricted rule precludes that opportunity.

I support the Scott-Woolsey-VanHollen-Frank-Edwards-Nadler amendment to H.R. 27 to remove the provision allowing religious discrimination in employment from the underlying bill. A base bill purportedly designed to improve the opportunity to achieve adequate employment is no place to encourage discrimination. In fact, there is no place for religious discrimination in American law just as there should be no place in America for that kind of backwards thinking.

H.R. 27, in its current state, erodes fundamental civil rights protections for the unemployed and the underemployed by exempting faith-based organizations from compliance with the current non-discrimination law. Presently, under our country's existing laws, in Title VII of the Civil Rights Act, employing institutions using private funds were exempt from employment discrimination protections. However, WIA programs are federally funded and as such do not fall under the jurisdiction of the Title VII statute. Simply put: Public funds are not allowed to be used to encourage religious discrimination in employment and that should not change.

Each of my colleagues should understand that without this important amendment, we are advocating the notion that one's ability to provide employment to those who are in need is contingent on the religious institution to which the individual belongs. What if anything is accomplished by attempting to create religious hierarchies in the workplace? What benefit does that provide the employer? None. And thus the language allowing religious discrimination should be stricken from the bill. As should all language that does not add to the well being of job-seekers or employment services.

The Founding Fathers of this country found it necessary to say that no one should be unfairly judged or discriminated against on the basis of their religion. This Congress should do no less. We should not create law that does harm. We should not encourage discrimination of any kind, religious or otherwise.

Surely, this country prides itself on its diversity and its willingness to open its doors to people of different religions, races, and ethnic backgrounds. Yet on the floor of the people's House we are faced with an attempt by the Republicans to create a monolithic sub-culture within our employment training programs. Despite the rhetoric on the other side of the aisle, H.R. 27 as it currently reads will not only result in the loss of jobs for applicants who do not identify with their prospective employer's religious beliefs but more importantly it will cause the loss of quality workers.

The Scott-Woolsey-Van Hollen-Frank-Edwards-Nadler amendment will effectively retain civil rights protections for individuals who seek employment or employment training. This amendment simply retains their freedom of religious choice and their freedom not to be discriminated against due to their religion. This amendment adds nothing to the law rather it maintains current law. Without the addition of this proposal, however, the body elected to serve all of the people of this country will have endorsed employment discrimination with federal dollars. We simply cannot allow this to happen. We must do everything we can to preserve the fundamentals of Head Start. I urge my colleagues to vote to ensure that our job programs are not muddied and degraded by the promotion of religious discrimination. Therefore, I stand in full support of this amendment and I urge my colleagues to do the same.

Mr. MORAN of Virginia. Mr. Chairman, I rise in strong opposition to the Job Training Improvement Act, because it will reduce important job training programs such as the veterans employment programs, Perkins Vocational Educational Program and the Vocational Rehabilitation Program.

This measure consolidates the adult, dislocated worker and employment service programs and funding into a block grant, while also repealing the Wagner Peyser Act and removing many of the federal performance and accountability measurements that make the Workforce Investment Act such an important investment in our nation's workforce.

With the unemployment rate at 5.2 percent, it is reprehensible that this legislation will repeal a dedicated funding stream for one-stop centers where job seekers can learn about job opportunities, apply for aid and receive counseling.

We all know what is going to happen if Workforce Investment Act programs are block-granted.

States are not going to spend that money where it is needed the most, which is to aid job seekers in this troubling economy. Instead, these funds may be used to cover infrastructure and administrative costs. This will go against the true intent of the Workforce Investment Act, which is to invest in our workforce.

Even more troubling is the fact that H.R. 27 reduces preventive in-school youth training programs which keep students from dropping out of school. President Bush has pledged to expand the No Child Left Behind law to high schools and require students to take annual tests in reading and mathematics through 11th grade.

So the president wants to ensure that students and teachers are held accountable for learning standards, but he lacks support for programs that strive to keep kids in school?

As we all know, these workforce investment programs are already critically underfunded. They strive to meet the increasing demands placed upon them in an environment of increasingly inadequate resources. To be effective, these programs cannot sustain these devastating cuts.

Finally, the Workforce Reinvestment and Adult Education Act would eliminate the civil rights protections of Americans, by exempting religious organizations from anti-discrimination requirements.

The message that we are sending to the millions of Americans who are unemployed, who are veterans and those who are in need of economic assistance is that we do not care about keeping them from falling further into an economic crisis.

This bill fails as a reinvestment in our workforce and fails to aid the millions of jobless Americans who need it the most.

I urge all my colleagues to vote in favor of the Scott Amendment which will protect current civil rights protections for employees and job applicants of faith-based organizations.

Mr. CASTLE. Mr. Chairman, I rise in support of H.R. 27, the Job Training Improvement Act, which will reauthorize the Workforce Investment Act (WIA)—programs which provide job training for youths, veterans, and seasonal and migrant workers.

For the past six years WIA has offered a ''one-stop delivery system'' through which job-seekers have access to labor market information, job counseling, and job training. In addition, they have access to numerous other federal programs that provide services for job seekers. With facilities in Wilmington, Newark, Dover and Georgetown, the ''one-stop delivery system'' in Delaware has proved to be an efficient tool in training individuals for the workforce.

For example, in Delaware all of our centers are fully equipped with: Internet ready computers, interactive CD–Rom tutorials, fax machine to send resume and cover letters to perspective employers, copy machine, telephone resource center with career manuals including reference books. Delaware also runs an internet site where applicants can post resumes, as well as to search a comprehensive database of job openings. Applicants can also allow Job Scout to search the system for you automatically track wages and trends, training locations and funding available. It also offers bus schedules, links to newspaper classified ads, child care and related information through the family and workplace connection.

The purpose of highlighting the program in Delaware is to provide a real life example of useful it is to have services in one central place. The bill before us today builds on the efficiency of the ''one-stop delivery'' model by streamlining unnecessary bureaucracy, eliminating duplication, strengthening resource allocation, and improving accountability. I am pleased that we are able to make reforms that build upon successes, and that will ultimately enhance the ability of adults to access services that lead to employment.

I would also like to briefly touch upon the services that are provided for youth under this

bill. Under this legislation youth between the ages of 16 and 24 are eligible for a variety of services geared toward graduating high school or gaining the skills necessary for employment. The importance of these services cannot be overstated to these young adults.

With that, I thank the gentleman from Ohio (Mr. BOEHNER) and the gentleman from California (Mr. MCKEON), and urge my colleagues to support H.R. 27.

Mr. GREEN of Wisconsin. Mr. Chairman, there are towns and neighborhoods across America that have tough problems, social crises, that desperately need to be addressed. Fortunately, there are many organizations in those communities that want to help, and they offer unique and innovative solutions to some of our most challenging needs. We must open doors for them and help them help our neighbors. That begins by removing the barriers that unnecessarily stand in their way.

It is essential that we recognize the importance of government working with faith-based providers to help society. These organizations are a central part of the fabric of communities across America and we need to ensure that we are removing any obstacles that stand in the way of their ability to help.

Faith-based organizations have a federally-protected right to maintain their religious nature and character through those they hire. Organizations willing to serve their communities by participating in federal programs should not be forced to give up that right. We must pass this legislation with a clear message from Congress to our faith-based leaders: we need your service and we want to assist you in delivering for us and for the most vulnerable in our society.

I urge my colleagues to vote against any amendment that would remove the important religious freedom protections these organizations need and deserve.

Mrs. DRAKE. Mr. Chairman, the policies Congress has implemented over the last four years have provided a solid foundation for American workers and businesses to build a strong economy.

With steady job growth over the last 20 months putting over 2.7 million Americans back to work, it is clear that Congress has the right priorities: Working Americans and their families.

American workers need access to job-training in order that they may obtain the skills to perform the jobs of the 21st century.

Americans want more than a job—they want jobs with higher pay and that provide them with meaning and personal satisfaction. They also want a career, a future, and financial independence in retirement.

As our economy shifts from production to service related jobs, and from low-tech to high-tech occupations, Americans need access to education and job training that provides them with the skills they need to perform.

Mr. Chairman, when enacted, this plan will pair workers with the employers who need the skills they offer, and vice versa.

In a dynamic and changing world economy, many Americans are faced with the reality that they might have to change careers multiple times. This plan will strengthen the ties between job training programs, adult education and vocational rehabilitation programs and the people they serve so they can continue to grow in their careers.

Of particular importance to me and my colleagues who support this plan is provision I proposed that is reflected in the bill we're voting on today.

The provision paves the way for added support for disabled veterans who need help finding meaningful work as they transition to the civilian sector after their dedicated service to our nation.

The men and women of our Armed Forces who have given of themselves should not only be honored, but aided as much as possible in starting life again upon their return.

The Job Training Improvement Act is a crucial step in taking the American workforce into the 21st Century, and I encourage my colleagues to support its passage.

Mr. BACA. Mr. Chairman, I rise in opposition to H.R. 27, the Job Training Improvement Act. This bill fails to improve the Workforce Investment Act and falls short of the promises our government made to provide training and career opportunities for the unemployed.

H.R. 27 is fatally flawed and undermines our current national workforce policy.

It eliminates various worker-training programs, rolls back protection against religious discrimination, and potentially damages the stability of important social programs.

We cannot neglect the unemployed, underemployed and dislocated workers of America who need ample and widespread funding for federal job training services.

Despite a suffering economy and high unemployment, this bill undercuts the ability of our government to provide for these vital workers and erodes Congressional authority and accountability over workforce funds.

Under the provisions of H.R. 27, funding will be shifted from WIA partner programs to pay for the WIA infrastructure and core services costs.

This transfer will weaken vital programs such as TANF, adult education, unemployment insurance, child support enforcement, and veterans employment programs.

Why would we threaten these vital social programs by passing a flawed bill that does not even assure more training would result from the transfer of funds?

H.R. 27 also contains explicit discriminatory provisions.

By repealing long-standing civil rights protections that were signed into law by President Reagan, this bill allows job-training providers to discriminate on the basis of religion.

Since 1982, these provisions have been included in the bill and received bipartisan support.

We cannot allow this gross inequity to tear at the fabric of a fundamental American principle—the inalienable right to fair and equal treatment under the law.

This is why I strongly support Congressman Scott's amendment that will restore these basic civil rights and my faith in our legislative process.

We cannot allow ourselves to drastically depart from previous workforce policy by eliminating worker training programs, destabilizing essential social programs, and writing discriminatory provisions into law.

This so-called Workforce Investment Act is not an acceptable or responsible proposal to provide needed services to our nation's unemployed.

I urge my colleagues to join me in voting no on final passage.

Mr. STARK. Mr. Chairman, I rise today in opposition to H.R. 27, the so-called Job Training Improvement Act of 2005.

Today's bill has nothing to do with improving job training for our workforce—far from it. Instead, this bill actually weakens worker protections, opens the door to hiring discrimination, and dismantles the employment service program that helps unemployed workers find jobs.

Apparently the Republicans haven't monitored the weak job market numbers. How else can you explain being so cruel and unfair as to pull the rug out on our nation's unemployed?

Let me remind my Republican colleagues that there are still fewer jobs available in America than when President Bush came to office. Inflation is still growing faster than the average earnings of workers—a fact that is particularly true for low-skilled and low-income workers.

Confronted with such evidence, this Congress should be doing everything we can to bolster workforce investment. Yet, this Republican bill cuts employment and re-employment services at the time they are needed most. It underfunds the Employment Service, Adult, and Dislocated Worker programs by consolidating them into a single block grant. This puts a greater financial burden directly on the states, exacerbating their budget deficits and perversely triggering layoffs among the very state employees who administer these programs. Yet, much worse, it forces unemployed workers and welfare recipients to fight it out for a share of these limited funds.

To add insult to injury, the Republicans give states the right to waive basic worker protections that allow employees to seek redress when they've been treated unfairly. They even allow religious organizations to engage in hiring discrimination in an unholy attempt to turn back a half-century of progress in preventing workplace discrimination.

Current law prohibits employers participating in federal job training programs from discriminating based on race, color, religion, sex, national origin, age disability, or political affiliation or belief. The Republican bill would allow the taxpayer dollars that pay for these job-training programs to go to religious organizations that blatantly discriminate in hiring based on religious beliefs. What next? Will the next Bush initiative include allowing discrimination based on race, sexual orientation or political affiliation?

The vital civil rights provision barring federally-funded religious discrimination has never been controversial and has never been a partisan issue. In fact, the provision was first included in the federal job training legislation that former Senator Dan Quayle sponsored. It passed through a committee chaired by Senator ORRIN HATCH and was signed by President Ronald Reagan.

Throughout its 23-year history, this civil rights provision has not been an obstacle to the participation of religiously affiliated organizations in federal job training programs. Currently, many religious organizations participate in the federal programs and comply with the same civil rights protections that apply to other employers.

But suddenly, under the leadership of the White House, we are being asked to forget the principle of equal opportunity on which our country was founded.

Now is not the time to be rolling back civil rights protections and it certainly isn't the time to be short-changing the unemployed.

Congress ought to be creating solutions to make it easier for folks to find jobs, not more difficult. This Republican bill is clearly not a solution.

I urge my colleagues to vote "no" on H.R. 27.

Mr. BOEHNER. Mr. Chairman, I yield back the balance of my time.

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 shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

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

H.R. 27

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 ''Job Training Improvement Act of 2005''.

SEC. 2. TABLE OF CONTENTS.

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Sec. 111. Youth Activities.
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Sec. 123. Personal Reemployment Accounts.
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Sec. 301. Amendments to the Wagner-Peyser Act.
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Sec. 401. Findings.
Sec. 402. Rehabilitation Services Administration.
Sec. 403. Director.
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Sec. 405. State plan.
Sec. 406. Scope of services.
Sec. 407. Standards and indicators.
Sec. 408. Reservation for expanded transition services.
Sec. 409. Client assistance program.
Sec. 410. Protection and advocacy of individual rights.
Sec. 411. Chairperson.
Sec. 412. Authorizations of appropriations.
Sec. 413. Conforming amendment.
Sec. 414. Helen Keller National Center Act.
TITLE V—TRANSITION AND EFFECTIVE DATE
Sec. 501. Transition provisions.
Sec. 502. Effective date.

SEC. 3. REFERENCES.

Except as otherwise expressly provided, wherever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the amendment or repeal shall be considered to be made to a section or other provision of the Workforce Investment Act of 1998 (20 U.S.C. 9201 et seq.).

TITLE I—AMENDMENTS TO TITLE I OF THE WORKFORCE INVESTMENT ACT OF 1998

SEC. 101. DEFINITIONS.

Section 101 (29 U.S.C. 2801) is amended—

(1) by striking paragraphs (13) and (24) and redesignating paragraphs (1) through (12) as paragraphs (3) through (14), and paragraphs (14) through (23) as paragraphs (15) through (24), respectively;

(2) by inserting after ''In this title:'' the following new paragraphs:

''(1) ACCRUED EXPENDITURES.—The term 'accrued expenditures' means charges incurred by recipients of funds under this title for a given period requiring the provision of funds for goods or other tangible property received; services performed by employees, contractors, subgrantees, and other payees; and other amounts becoming owed under programs assisted under this title for which no current services or performance is required, such as annuities, insurance claims, and other benefit payments.

''(2) ADMINISTRATIVE COSTS.—The term 'administrative costs' means expenditures incurred by State and local workforce investment boards, direct recipients (including State grant recipients under subtitle B and recipients of awards under subtitle D), local grant recipients, local fiscal agents or local grant subrecipients, and one-stop operators in the performance of administrative functions and in carrying out activities under this title which are not related to the direct provision of workforce investment services (including services to participants and employers). Such costs include both personnel and nonpersonnel and both direct and indirect.'';

(3) in paragraph (6) (as so redesignated), by inserting ''(or such other level as the Governor may establish)'' after ''8th grade level'';

(4) in paragraph (10) (as so redesignated)—

(A) in subparagraph (B), by striking ''and'' after the semicolon;

(B) in subparagraph (C)—

(i) by striking ''not less than 50 percent of the cost of the training'' and inserting ''a significant portion of the cost of training, as determined by the local board''; and

(ii) by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(D) in the case of customized training with an employer in multiple local areas in the State, for which such employer pays a significant portion of the cost of the training, as determined by the Governor.'';

(5) in paragraph (11)(A)(ii)(II) (as so redesignated) by striking ''section 134(c)'' and inserting ''section 121(e)'';

(6) in paragraph (14)(A) (as so redesignated) by striking ''section 122(e)(3)'' and inserting ''section 122'';

(7) in paragraph (25)—

(A) in subparagraph (B), by striking ''higher of—'' and all that follows through clause (ii) and inserting ''poverty line for an equivalent period;''; and

(B) by redesignating subparagraphs (D) through (F) as subparagraphs (E) through (G), respectively, and inserting after subparagraph (C) the following:

''(D) receives or is eligible to receive free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.);'';

(8) in paragraph (32) by striking ''the Republic of the Marshall Islands, the Federated States of Micronesia,''; and

(9) by striking paragraph (33) and redesignating paragraphs (34) through (53) as paragraphs (33) through (52), respectively.

SEC. 102. PURPOSE.

Section 106 (29 U.S.C. 2811) is amended by inserting at the end the following: ''It is also the purpose of this subtitle to provide workforce investment activities in a manner that promotes the informed choice of participants and actively involves participants in decisions affecting their participation in such activities.''.

SEC. 103. STATE WORKFORCE INVESTMENT BOARDS.

(a) MEMBERSHIP.—

(1) IN GENERAL.—Section 111(b) (29 U.S.C. 2821(b)) is amended—

(A) by amending paragraph (1)(C) to read as follows:

''(C) representatives appointed by the Governor, who are—

''(i)(I) the lead State agency officials with responsibility for the programs and activities that are described in section 121(b) and carried out by one-stop partners;

''(II) in any case in which no lead State agency official has responsibility for such a program or activity, a representative in the State with expertise relating to such program or activity; and

''(III) if not included under subclause (I), the director of the State unit, defined in section 7(8)(B) of the Rehabilitation Act of 1973 (29 U.S.C. 705(8)(B)) except that in a State that has established 2 or more designated State units to administer the vocational rehabilitation program, the board representative shall be the director of the designated State unit that serves the most individuals with disabilities in the State;

''(ii) the State agency officials responsible for economic development;

''(iii) representatives of business in the State who—

''(I) are owners of businesses, chief executive or operating officers of businesses, and other business executives or employers with optimum policy making or hiring authority, including members of local boards described in section 117(b)(2)(A)(i);

''(II) represent businesses with employment opportunities that reflect employment opportunities in the State; and

''(III) are appointed from among individuals nominated by State business organizations and business trade associations;

''(iv) chief elected officials (representing both cities and counties, where appropriate);

''(v) representatives of labor organizations, who have been nominated by State labor federations; and

''(vi) such other representatives and State agency officials as the Governor may designate.''; and

(B) in paragraph (3), by striking ''paragraph (1)(C)(i)'' and inserting ''paragraph (1)(C)(iii)''.

(2) CONFORMING AMENDMENT.—Section 111(c) (29 U.S.C 2811(c)) is amended by striking ''subsection (b)(1)(C)(i)'' and inserting ''subsection (b)(1)(C)(iii)''.

(b) FUNCTIONS.—Section 111(d) (29 U.S.C. 2811(d)) is amended—

(1) in paragraph (2), by striking ''section 134(c)'' and inserting ''section 121(e)'';

(2) by amending paragraph (3) to read as follows:

''(3) development and review of statewide policies affecting the integrated provision of services through the one-stop delivery system described in section 121, including—

''(A) the development of criteria for, and the issuance of, certifications of one-stop centers;

''(B) the criteria for the allocation of one-stop center infrastructure funding under section 121(h), and oversight of the use of such funds;

''(C) approaches to facilitating equitable and efficient cost allocation in one-stop delivery systems; and

''(D) such other matters that may promote statewide objectives for, and enhance the performance of, one-stop delivery systems within the State;'';

(3) in paragraph (4), by inserting ''and the development of State criteria relating to the appointment and certification of local boards under section 117'' after ''section 116'';

(4) in paragraph (5), by striking ''sections 128(b)(3)(B) and 133(b)(3)(B)'' and inserting ''sections 128(b)(3) and 133(b)(3)''; and

(5) in paragraph (9), by striking ''section 503'' and inserting ''section 136(i)''.

(c) ELIMINATION OF ALTERNATIVE ENTITY AND PROVISION OF AUTHORITY TO HIRE STAFF.—Section 111(e) (29 U.S.C. 2821(e)) is amended to read as follows:

''(e) AUTHORITY TO HIRE STAFF.—The State board may hire staff to assist in carrying out the functions described in subsection (d).''.

SEC. 104. STATE PLAN.

(a) PLANNING CYCLE.—Section 112(a) (29 U.S.C. 2822(a)) is amended by striking ''5-year strategy'' and inserting ''2-year strategy''.

(b) CONTENTS.—Section 112(b) (29 U.S.C. 2822(b)) is amended—

(1) in paragraph (12)(A), by striking ''sections 128(b)(3)(B) and 133(b)(3)(B)'' and inserting ''sections 128(b)(3) and 133(b)(3)'';

(2) in paragraph (14), by striking ''section 134(c)'' and inserting ''section 121(e)'';

(3) in paragraph (17)(A)—

(A) in clause (iii) by striking ''and'';

(B) by amending clause (iv) to read as follows:

''(iv) how the State will serve the employment and training needs of dislocated workers (including displaced homemakers and formerly self-employed and transitioning farmers, ranchers, and fisherman) low income individuals (including recipients of public assistance), individuals with limited English proficiency, homeless individuals, ex-offenders, individuals training for nontraditional employment, and other individuals with multiple barriers to employment (including older individuals); and''; and

(C) by inserting after clause (iv) the following:

''(v) how the State will serve the employment and training needs of individuals with disabilities, consistent with section 188 and Executive Order 13217 (42 U.S.C. 12131 note; relating to community-based alternatives for individuals with disabilities) including the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility to program services, consistent with sections 504 and 508 of the Rehabilitation Act of 1973; and'';

(4) in paragraph (18)(D), by striking ''youth opportunity grants'' and inserting ''youth challenge grants''; and

(5) by adding at the end the following new paragraphs:

''(19) a description of the methodology for determining one-stop partner program contributions for the cost of the infrastructure of one-stop centers under section 121(h)(1) and of the formula for allocating such infrastructure funds to local areas under section 121(h)(3); and

''(20) a description of any programs and strategies the State will utilize to meet the needs of businesses in the State, including small businesses, which may include providing incentives and technical assistance to assist local areas in engaging employers in local workforce development activities.''.

(c) MODIFICATION TO PLAN.—Section 112(d) (29 U.S.C. 2822(d)) is amended by striking ''5-year period'' and inserting ''2-year period''.

SEC. 105. LOCAL WORKFORCE INVESTMENT AREAS.

(a) DESIGNATION OF AREAS.—

(1) CONSIDERATIONS.—Section 116(a)(1)(B) (29 U.S.C. 2831(a)(1)(B)) is amended by adding at the end the following clause:

''(vi) The extent to which such local areas will promote efficiency in the administration and provision of services.''.

(2) AUTOMATIC DESIGNATION.—Section 116(a)(2) (29 U.S.C. 2831(a)(2)) is amended to read as follows:

''(2) AUTOMATIC DESIGNATION.—

''(A) IN GENERAL.—Except as provided in subparagraph (B) of this paragraph and subsection (b), the Governor shall approve a request for designation as a local area from—

''(i) any unit of general local government with a population of 500,000 or more; and

''(ii) an area served by a rural concentrated employment program grant recipient that served as a service delivery area or substate area under the Job Training Partnership Act (29 U.S.C. 1501 et seq.),

for the 2-year period covered by a State plan under section 112 if such request is made not later than the date of the submission of the State plan.

''(B) CONTINUED DESIGNATION BASED ON PERFORMANCE.—The Governor may deny a request for designation submitted pursuant to subparagraph (A) if such unit of government was designated as a local area for the preceding 2-year period covered by a State plan and the Governor determines that such local area did not perform successfully during such period.''.

(b) REGIONAL PLANNING.—Section 116(c)(1) (29 U.S.C. 2831(c)(1)) is amended by adding at the end the following: ''The State may require the local boards for the designated region to prepare a single regional plan that incorporates the elements of the local plan under section 118 and that is submitted and approved in lieu of separate local plans under such section.''.

SEC. 106. LOCAL WORKFORCE INVESTMENT BOARDS.

(a) COMPOSITION.—Section 117(b)(2)(A) (29 U.S.C. 2832(b)(2)(A)) is amended—

(1) in clause (i)(II), by inserting '', businesses that are in the leading industries in the local area, and large and small businesses in the local area'' after ''local area'';

(2) by amending clause (ii) to read as follows:

''(ii) a superintendent of the local secondary school system, an administrator of an entity providing adult education and literacy activities that is not a one-stop partner designated under section 121(b)(1)(B), and the president or chief executive officer of a postsecondary educational institution serving the local area (including community colleges, where such entities exist);'';

(3) in clause (iv), by striking the semicolon and inserting ''and faith-based organizations; and''; and

(4) by striking clause (vi).

(b) AUTHORITY OF BOARD MEMBERS.—Section 117(b)(3) (29 U.S.C. 2832(b) is amended—

(1) in the heading, by inserting ''AND REPRESENTATION'' after ''MEMBERS''; and

(2) by adding at the end the following: ''The members of the board shall represent diverse geographic sections within the local area.''.

(c) FUNCTIONS.—Section 117(d) (29 U.S.C. 2832(d)) is amended—

(1) in paragraph (2)(B), by striking ''by awarding grants'' and all that follows through ''youth council''; and

(2) in paragraph (4) by inserting '', and ensure the appropriate use and management of the funds provided under this title for such programs, activities, and system'' after ''area''.

(d) AUTHORITY TO ESTABLISH COUNCILS AND ELIMINATION OF REQUIREMENT FOR YOUTH COUNCILS.—Section 117(h) (29 U.S.C. 2832(h)) is amended to read as follows:

''(h) ESTABLISHMENT OF COUNCILS.—The local board may establish councils to provide information and advice to assist the local board in carrying out activities under this title. Such councils may include a council composed of one-stop partners to advise the local board on the operation of the one-stop delivery system, a youth council composed of experts and stakeholders in youth programs to advise the local board on activities for youth, and such other councils as the local board determines are appropriate.''.

(e) REPEAL OF ALTERNATIVE ENTITY PROVISION.—Section 117 (29 U.S.C. 2832) is further amended by striking subsection (i).

SEC. 107. LOCAL PLAN.

(a) PLANNING CYCLE.—Section 118(a) (29 U.S.C. 2833(a)) is amended by striking ''5-year'' and inserting ''2-year''.

(b) CONTENTS.—Section 118(b) (29 U.S.C. 2833(b)) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) a description of the one-stop delivery system to be established or designated in the local area, including a description of how the local board will ensure the continuous improvement of eligible providers of services through the system and ensure that such providers meet the employment needs of local employers and participants;'';

(2) in paragraph (4), by striking ''and dislocated worker'';

(3) in paragraph (9), by striking ''; and'' and inserting a semicolon; and

(4) by redesignating paragraph (10) as paragraph (12) and inserting after paragraph (9) the following:

''(10) a description of the strategies and services that will be initiated in the local area to engage employers, including small employers, in workforce development activities;

''(11) how the local area will serve the employment and training needs of individuals with disabilities, consistent with section 188 and Executive Order 13217 (42 U.S.C. 12131 note) including the provision of outreach, intake, assessments, and service delivery, the development of performance measures, the training of staff, and other aspects of accessibility to program services, consistent with sections 504 and 508 of the Rehabilitation Act of 1973; and''.

SEC. 108. ESTABLISHMENT OF ONE-STOP DELIVERY SYSTEMS.

(a) ONE-STOP PARTNERS.—

(1) REQUIRED PARTNERS.—Section 121(b)(1) (29 U.S.C. 2841(b)(1)) is amended—

(A) in subparagraph (B)—

(i) by striking clauses (ii) and (v);

(ii) by redesignating clauses (iii) and (iv) as clauses (ii) and (iii), respectively, and by redesignating clauses (vi) through (xii) as clauses (iv) through (x), respectively;

(iii) in clause (ix) (as so redesignated), by striking ''and'' at the end;

(iv) in clause (x) (as so redesignated), by striking the period and inserting ''; and''; and

(v) by inserting after clause (x)(as so redesignated) the following:

''(xi) programs authorized under part A of title IV of the Social Security Act (42 U.S.C. 601 et. seq.), subject to subparagraph (C).''; and

(B) by adding after subparagraph (B) the following:

''(C) DETERMINATION BY THE GOVERNOR.—The program referred to in clause (xi) of subparagraph (B) shall be included as a required partner for purposes of this title in a State unless the Governor of the State notifies the Secretary and the Secretary of Health and Human Services in writing of a determination by the Governor not to include such programs as required partners for purposes of this title in the State.''.

(2) ADDITIONAL PARTNERS.—Section 121(b)(2)(B) (29 U.S.C. 2841(b)(2)(B)) is amended—

(A) by striking clause (i) and redesignating clauses (ii) through (v) as clauses (i) through (iv) respectively;

(B) in clause (iii) (as so redesignated) by striking ''and'' at the end;

(C) in clause (iv) (as so redesignated) by striking the period and inserting a semicolon; and

(D) by adding at the end the following new clauses:

''(v) employment and training programs administered by the Social Security Administration, including the Ticket to Work program (established by Public Law 106–170);

''(vi) employment and training programs carried out by the Small Business Administration;

''(vii) programs under part D of title IV of the Social Security Act (42 U.S.C. 451 et seq.) (relating to child support enforcement);

''(viii) employment, training, and literacy services carried out by public libraries; and

''(ix) programs carried out in the local area for individuals with disabilities, including programs carried out by State agencies relating to mental health, mental retardation, and developmental disabilities, State Medicaid agencies, State Independent Living Councils, and Independent Living Centers.''.

(b) PROVISION OF SERVICES.—Subtitle B of title I is amended—

(1) in section 121(d)(2), by striking ''section 134(c)'' and inserting ''subsection (e)'';

(2) by striking subsection (e) of section 121;

(3) by moving subsection (c) of section 134 from section 134, redesignating such subsection as subsection (e), and inserting such subsection (as so redesignated) after subsection (d) of section 121; and

(4) by amending subsection (e) of section 121 (as moved and redesignated by paragraph (2))—

(A) in paragraph (1)(A), by striking ''subsection (d)(2)'' and inserting ''section 134(c)(2)'';

(B) in paragraph (1)(B)—

(i) by striking ''subsection (d)'' and inserting ''section 134(c)''; and

(ii) by striking ''subsection (d)(4)(G)'' and inserting ''section 134(c)(4)(G)'';

(C) in paragraph (1)(C), by striking ''subsection (e)'' and inserting ''section 134(d)'';

(D) in paragraph (1)(D), by striking ''section 121(b)'' and inserting ''subsection (b)''; and

(E) by amending paragraph (1)(E) to read as follows:

''(E) shall provide access to the information described in section 15(e) of the Wagner-Peyser Act (29 U.S.C. 49l-2(e)).''.

(c) CERTIFICATION AND FUNDING OF ONE-STOP CENTERS.—Section 121 (as amended by subsection (b)) is further amended by adding at the end the following new subsections:

''(g) CERTIFICATION OF ONE-STOP CENTERS.—

''(1) IN GENERAL.—The State board shall establish procedures and criteria for periodically certifying one-stop centers for the purpose of awarding the one-stop infrastructure funding described in subsection (h).

''(2) CRITERIA.—The criteria for certification under this subsection shall include minimum standards relating to the scope and degree of service integration achieved by the centers involving the programs provided by the one-stop partners, and how the centers ensure that such providers meet the employment needs of local employers and participants.

''(3) EFFECT OF CERTIFICATION.—One-stop centers certified under this subsection shall be eligible to receive the infrastructure grants authorized under subsection (h).

''(h) ONE-STOP INFRASTRUCTURE FUNDING.—

''(1) PARTNER CONTRIBUTIONS.—

''(A) PROVISION OF FUNDS.—Notwithstanding any other provision of law, as determined under subparagraph (B), a portion of the Federal funds provided to the State and areas within the State under the Federal laws authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating additional partner programs described in (b)(2)(B) for a fiscal year shall be provided to the Governor by such programs to carry out this subsection.

''(B) DETERMINATION OF GOVERNOR.—Subject to subparagraph (C), the Governor, in consultation with the State board, shall determine the portion of funds to be provided under subparagraph (A) by each one-stop partner and in making such determination shall consider the proportionate use of the one-stop centers by each partner, the costs of administration for purposes not related to one-stop centers for each partner, and other relevant factors described in paragraph (3).

''(C) LIMITATIONS.—

''(i) PROVISION FROM ADMINISTRATIVE FUNDS.—The funds provided under this paragraph by each one-stop partner shall be provided only from funds available for the costs of administration under the program administered by such partner, and shall be subject to the limitations with respect to the portion of funds under such programs that may be used for administration.

''(ii) FEDERAL DIRECT SPENDING PROGRAMS.—Programs that are Federal direct spending under section 250(c)(8) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(8)) shall not, for purposes of this paragraph, be required to provide an amount in excess of the amount determined to be equivalent to the proportionate use of the one-stop centers by such programs in the State.

''(iii) NATIVE AMERICAN PROGRAMS.—Native American programs established under section 166 shall not be subject to the provisions of this subsection. The method for determining the appropriate portion of funds to be provided by such Native American programs to pay for the costs of infrastructure of a one-stop center certified under subsection (g) shall be determined as part of the development of the memorandum of understanding under subsection (c) for the one-stop center and shall be stated in the memorandum.

''(2) ALLOCATION BY GOVERNOR.—From the funds provided under paragraph (1), the Governor shall allocate funds to local areas in accordance with the formula established under paragraph (3) for the purposes of assisting in paying the costs of the infrastructure of One-Stop centers certified under subsection (g).

''(3) ALLOCATION FORMULA.—The State board shall develop a formula to be used by the Governor to allocate the funds described in paragraph (1). The formula shall include such factors as the State board determines are appropriate, which may include factors such as the number of centers in the local area that have been certified, the population served by such centers, and the performance of such centers.

''(4) COSTS OF INFRASTRUCTURE.—For purposes of this subsection, the term 'costs of infrastructure' means the nonpersonnel costs that are necessary for the general operation of a one-stop center, including the rental costs of the facilities, the costs of utilities and maintenance, equipment (including adaptive technology for individuals with disabilities), strategic planning activities for the center, and common outreach activities.

''(i) OTHER FUNDS.—

''(1) IN GENERAL.—In addition to the funds provided to carry out subsection (h), a portion of funds made available under Federal law authorizing the one-stop partner programs described in subsection (b)(1)(B) and participating partner programs described in subsection (b)(2)(B), or the noncash resources available under such programs shall be used to pay the costs relating to the operation of the one-stop delivery system that are not paid for from the funds provided under subsection (h), to the extent not inconsistent with the Federal law involved including—

''(A) infrastructure costs that are in excess of the funds provided under subsection (h);

''(B) common costs that are in addition to the costs of infrastructure; and

''(C) the costs of the provision of core services applicable to each program.

''(2) DETERMINATION AND GUIDANCE.—The method for determining the appropriate portion of funds and noncash resources to be provided by each program under paragraph (1) shall be determined as part of the memorandum of understanding under subsection (c). The State board shall provide guidance to facilitate the determination of appropriate allocation of the funds and noncash resources in local areas.''.

SEC. 109. ELIGIBLE PROVIDERS OF TRAINING SERVICES.

Section 122 (29 U.S.C. 2842) is amended to read as follows:

''SEC. 122. IDENTIFICATION OF ELIGIBLE PROVIDERS OF TRAINING SERVICES.

''(a) IN GENERAL.—The Governor shall establish criteria and procedures regarding the eligibility of providers of training services described in section 134(c)(4) to receive funds provided under section 133(b) for the provision of such training services.

''(b) CRITERIA.—

''(1) IN GENERAL.—The criteria established pursuant to subsection (a) shall take into account the performance of providers of training services with respect to the indicators described in section 136 or other appropriate indicators (taking into consideration the characteristics of the population served and relevant economic conditions), and such other factors as the Governor determines are appropriate to ensure the quality of services, the accountability of providers, how the centers ensure that such providers meet the needs of local employers and participants, whether providers of training allow participants to attain a certification, certificate, or mastery, and the informed choice of participants under chapter 5. Such criteria shall require that the provider submit appropriate, accurate and timely information to the State for purposes of carrying out subsection (d). The criteria shall also provide for periodic review and renewal of eligibility under this section for providers of training services. The Governor may authorize local areas in the State to establish additional criteria or to modify the criteria established by the Governor under this section for purposes of determining the eligibility of providers of training services to provide such services in the local area.

''(2) LIMITATION.—In carrying out the requirements of this subsection, no personally identifiable information regarding a student, including Social Security number, student identification number, or other identifier, may be disclosed without the prior written consent of the parent or eligible student in compliance with section 444 of the General Education Provisions Act (20 U.S.C. 1232g).

''(c) PROCEDURES.—The procedures established under subsection (a) shall identify the application process for a provider of training services to become eligible to receive funds under section 133(b) for the provision of training services, and identify the respective roles of the State and local areas in receiving and reviewing applications and in making determinations of eligibility based on the criteria established under this section. The procedures shall also establish a process for a provider of training services to appeal a denial or termination of eligibility under this section that includes an opportunity for a hearing and prescribes appropriate time limits to ensure prompt resolution of the appeal.

''(d) INFORMATION TO ASSIST PARTICIPANTS IN CHOOSING PROVIDERS.—

''(1) IN GENERAL.—In order to facilitate and assist participants under chapter 5 in choosing providers of training services, the Governor shall ensure that an appropriate list or lists of providers determined eligible under this section in the State, accompanied by such information

as the Governor determines is appropriate, is provided to the local boards in the State to be made available to such participants and to members of the public through the one-stop delivery system in the State.

''(2) SPECIAL RULE.—An entity that carries out programs under the Act of August 16, 1937 (commonly known as the 'National Apprenticeship Act', 50 Stat. 664, chapter 663; 29 U.S.C. 50 et seq.) shall be included on the list of eligible providers described in paragraph (1) for so long as such entity remains certified by the Department of Labor.

''(e) AGREEMENTS WITH OTHER STATES.—States may enter into agreements, on a reciprocal basis, to permit eligible providers of training services to accept individual training accounts provided in another State.

''(f) RECOMMENDATIONS.—In developing the criteria, procedures, and information required under this section, the Governor shall solicit and take into consideration the recommendations of local boards and providers of training services within the State.

''(g) OPPORTUNITY TO SUBMIT COMMENTS.—During the development of the criteria, procedures, and information required under this section, the Governor shall provide an opportunity for interested members of the public, including representatives of business and labor organizations, to submit comments regarding such criteria, procedures, and information.

''(h) ON-THE-JOB TRAINING OR CUSTOMIZED TRAINING EXCEPTION.—

''(1) IN GENERAL.—Providers of on-the-job training or customized training shall not be subject to the requirements of subsections (a) through (g).

''(2) COLLECTION AND DISSEMINATION OF INFORMATION.—A one-stop operator in a local area shall collect such performance information from on-the-job training and customized training providers as the Governor may require, determine whether the providers meet such performance criteria as the Governor may require, and disseminate information identifying providers that meet the criteria as eligible providers, and the performance information, through the one-stop delivery system. Providers determined to meet the criteria shall be considered to be identified as eligible providers of training services.''.

SEC. 110. ELIGIBLE PROVIDERS OF YOUTH ACTIVITIES.

(a) ELIGIBLE PROVIDERS OF YOUTH ACTIVITIES.—Section 123 (29 U.S.C. 2843) is amended to read as follows:

''SEC. 123. ELIGIBLE PROVIDERS OF YOUTH ACTIVITIES.

''(a) IN GENERAL.—From the funds allocated under section 128(b) to a local area, the local board for such area shall award grants or contracts on a competitive basis to providers of youth activities identified based on the criteria in the State plan and shall conduct oversight with respect to such providers.

''(b) EXCEPTIONS.—A local board may award grants or contracts on a sole-source basis if such board determines there are an insufficient number of eligible providers of training services in the local area involved (such as rural areas) for grants to be awarded on a competitive basis under subsection (a).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by amending the item related to section 123 to read as follows:

''Sec. 123. Eligible providers of youth activities.''.

SEC. 111. YOUTH ACTIVITIES.

(a) STATE ALLOTMENTS.—

(1) IN GENERAL.—Section 127(a) (29 U.S.C. 2852(a)) is amended to read as follows:

''(a) ALLOTMENT AMONG STATES.—

''(1) YOUTH ACTIVITIES.—

''(A) YOUTH CHALLENGE GRANTS.—

''(i) RESERVATION OF FUNDS.—Of the amount appropriated under section 137(a) for each fiscal year, the Secretary shall reserve 25 percent to provide youth challenge grants under section 169.

''(ii) LIMITATION.—Notwithstanding clause (i), if the amount appropriated under section 137(a) for a fiscal year exceeds $1,000,000,000, the Secretary shall reserve $250,000,000 to provide youth challenge grants under section 169.

''(B) OUTLYING AREAS AND NATIVE AMERICANS.—

''(i) IN GENERAL.—After determining the amount to be reserved under subparagraph (A), of the remainder of the amount appropriated under section 137(a) for each fiscal year the Secretary shall—

''(I) reserve not more than ¼ of one percent of such amount to provide assistance to the outlying areas to carry out youth activities and statewide workforce investment activities; and

''(II) reserve not more than 1 and ½ percent of such amount to provide youth activities under section 166 (relating to Native Americans).

''(ii) RESTRICTION.—The Republic of Palau shall cease to be eligible to receive funding under this subparagraph upon entering into an agreement for extension of United States educational assistance under the Compact of Free Association (approved by the Compact of Free Association Amendments Act of 2003 (Public Law 108–188)) after the date of enactment of the Job Training Improvement Act of 2005.

''(C) STATES.—

''(i) IN GENERAL.—Of the remainder of the amount appropriated under section 137(a) for a fiscal year that is available after determining the amounts to be reserved under subparagraphs (A) and (B), the Secretary shall allot—

''(I) the amount of the remainder that is less than or equal to the total amount that was allotted to States for fiscal year 2005 under section 127(b)(1)(C) of this Act (as in effect on the day before the date of enactment of the Job Training Improvement Act of 2005) in accordance with the requirements of such section 127(b)(1)(C); and

''(II) the amount of the remainder, if any, in excess of the amount referred to in subclause (I) in accordance with clause (ii).

''(ii) FORMULAS FOR EXCESS FUNDS.—Subject to clauses (iii) and (iv), of the amounts described in clause (i)(II)—

''(I) 33⅓ percent shall be allotted on the basis of the relative number of individuals in the civilian labor force who are ages 16–19 in each State, compared to the total number of individuals in the civilian labor force who are ages 16–19 in all States;

''(II) 33⅓ percent shall be allotted on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States; and

''(III) 33⅓ percent shall be allotted on the basis of the relative number of disadvantaged youth who are ages 16 through 21 in each State, compared to the total number of disadvantaged youth who are ages 16 through 21 in all States.

''(iii) MINIMUM AND MAXIMUM PERCENTAGES.—The Secretary shall ensure that no State shall receive an allotment for a fiscal year that is less than 90 percent or greater than 130 percent of the allotment percentage of that State for the preceding fiscal year.

''(iv) SMALL STATE MINIMUM ALLOTMENT.—Subject to clause (iii), the Secretary shall ensure that no State shall receive an allotment under this paragraph that is less than 3/10 of 1 percent of the amount available under subparagraph (A).

''(2) DEFINITIONS.—For the purposes of paragraph (1), the following definitions apply:

''(A) ALLOTMENT PERCENTAGE.—The term 'allotment percentage', used with respect to fiscal year 2006 or a subsequent fiscal year, means a percentage of the remainder described in paragraph (1)(C)(i) that is received through an allotment made under this subsection for the fiscal year. The term, with respect to fiscal year 2005, means the percentage of the amounts allotted to States under this chapter (as in effect on the day before the date of enactment of the Job Training Improvement Act of 2005) that is received by the State involved for fiscal year 2005.

''(B) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

''(3) SPECIAL RULE.—For purposes of the formulas specified in paragraph (1)(C), the Secretary shall, as appropriate and to the extent practicable, exclude college students and members of the Armed Forces from the determination of the number of disadvantaged youth.''.

(2) REALLOTMENT.—Section 127 (29 U.S.C. 2552) is further amended—

(A) by striking subsection (b);

(B) by redesignating subsection (c) as subsection (b);

(C) in subsection (b) (as so redesignated)—

(i) by amending paragraph (2) to read as follows:

''(2) AMOUNT.—The amount available for reallotment for a program year is equal to the amount by which the unexpended balance at the end of the program year prior to the program year for which the determination is made exceeds 30 percent of the total amount of funds available to the State under this section during such prior program year (including amounts allotted to the State in all prior program years that remained available). For purposes of this paragraph, the expended balance is the amount that is the difference between—

''(A) the total amount of funds available to the State under this section during the program year prior to the program year for which the determination is made (including amounts allotted to the State in all prior program years that remained available); and

''(B) the accrued expenditures during such prior program year.'';

(ii) in paragraph (3)—

(I) by striking ''for the prior program year'' and inserting ''for the program year in which the determination is made''; and

(II) by striking ''such prior program year'' and inserting ''such program year'';

(iii) by amending paragraph (4) to read as follows:

''(4) ELIGIBILITY.—For purposes of this subsection, an eligible State means a State which does not have an amount available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made.''; and

(iv) in paragraph (5), by striking ''obligation'' and inserting ''accrued expenditure''.

(b) WITHIN STATE ALLOCATIONS.—

(1) RESERVATION FOR STATEWIDE ACTIVITIES.—Section 128(a) is amended to read as follows:

''(a) RESERVATION FOR STATEWIDE ACTIVITIES.—

''(1) IN GENERAL.—The Governor of a State shall reserve not more than 10 percent of the amount allotted to the State under section 127(a)(1)(C) for a fiscal year for statewide activities.

''(2) USE OF FUNDS.—Regardless of whether the amounts are allotted under section 127(a)(1)(C) and reserved under paragraph (1) or allotted under section 132 and reserved under section 133(a), the Governor may use the reserved amounts to carry out statewide youth activities under section 129(b) or statewide employment and training activities under section 133.''.

(2) WITHIN STATE ALLOCATIONS.—Section 128(b) is amended to read as follows:

''(b) WITHIN STATE ALLOCATION.—

''(1) IN GENERAL.—Of the amounts allotted to the State under section 127(a)(1)(C) and not reserved under subsection (a)(1)—

''(A) 80 percent of such amounts shall be allocated by the Governor to local areas in accordance with paragraph (2); and

''(B) 20 percent of such amounts shall be allocated by the Governor to local areas in accordance with paragraph (3).

''(2) ESTABLISHED FORMULA.—

''(A) IN GENERAL.—Of the amounts described in paragraph (1)(A), the Governor shall allocate—

''(i) 33⅓ percent shall be allotted on the basis of the relative number of individuals in the civilian labor force who are ages 16–19 in each local area, compared to the total number of individuals in the civilian labor force who are ages 16–19 in all local areas in the State;

''(ii) 33⅓ percent shall be allotted on the basis of the relative number of unemployed individuals in each local area, compared to the total number of unemployed individuals in all local areas in the State; and

''(iii) 33⅓ percent on the basis of the relative number of disadvantaged youth who are ages 16 through 21 in each local area, compared to the total number of disadvantaged youth who are ages 16 through 21 in all local areas in the State.

''(B) MINIMUM AND MAXIMUM PERCENTAGES.—The Governor shall ensure that no local area shall receive an allocation for a fiscal year under this paragraph that is less than 90 percent or greater than 130 percent of the allocation percentage of the local area for the preceding fiscal year.

''(C) DEFINITIONS.—

''(i) ALLOCATION PERCENTAGE.—For purposes of this paragraph, the term 'allocation percentage', used with respect to fiscal year 2006 or a subsequent fiscal year, means a percentage of the amount described in paragraph(1)(A) that is received through an allocation made under this paragraph for the fiscal year. The term, with respect to fiscal year 2005, means the percentage of the amounts allocated to local areas under this chapter (as in effect on the day before the date of enactment of the Job Training Improvement Act of 2005) that is received by the local area involved for fiscal year 2005.

''(ii) DISADVANTAGED YOUTH.—The term 'disadvantaged youth' means an individual who is age 16 through 21 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

''(3) YOUTH DISCRETIONARY ALLOCATION.—The Governor shall allocate to local areas the amounts described in paragraph (1)(B) in accordance with such demographic and economic factors as the Governor, after consultation with the State board and local boards, determines are appropriate.

''(4) LOCAL ADMINISTRATIVE COST LIMIT.—

''(A) IN GENERAL.—Of the amounts allocated to a local area under this subsection and section 133(b) for a fiscal year, not more than 10 percent of the amount may be used by the local boards for the administrative costs of carrying out local workforce investment activities under this chapter or chapter 5.

''(B) USE OF FUNDS.—Funds made available for administrative costs under subparagraph (A) may be used for the administrative costs of any of the local workforce investment activities described in this chapter or chapter 5, regardless of whether the funds were allocated under this subsection or section 133(b).''.

(3) REALLOCATION.—Section 128(c) (29 U.S.C. 2853(c)) is amended—

(A) in paragraph (1), by striking ''paragraph (2)(A) or (3) of'';

(B) by amending paragraph (2) to read as follows:

''(2) AMOUNT.—The amount available for reallocation for a program year is equal to the amount by which the unexpended balance at the end of the program year prior to the program year for which the determination is made exceeds 30 percent of the total amount of funds available to the local area under this section during such prior program year, (including amounts allotted to the local area in prior program years that remain available). For purposes of this paragraph, the unexpended balance is the amount that is the difference between—

''(A) the total amount of funds available to the local area under this section during the program year prior to the program year for which the determination is made (including amounts allocated to the local area in all prior program years that remained available); and

''(B) the accrued expenditures during such prior program year.'';

(C) by amending paragraph (3)—

(i) by striking ''subsection (b)(3)'' the first two places it appears and inserting ''subsection (b)'';

(ii) by striking ''the prior program year'' and inserting ''the program year in which the determination is made'';

(iii) by striking ''such prior program year'' and inserting ''such program year''; and

(iv) by striking the last sentence; and

(D) by amending paragraph (4) to read as follows:

''(4) ELIGIBILITY.—For purposes of this subsection, an eligible local area means a local area which does not have an amount available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made.''.

(c) YOUTH PARTICIPANT ELIGIBILITY.—Section 129(a) (29 U.S.C. 2854(a)) is amended to read as follows:

''(a) YOUTH PARTICIPANT ELIGIBILITY.—

''(1) IN GENERAL.—The individuals participating in activities carried out under this chapter by a local area during any program year shall be individuals who, at the time the eligibility determination is made, are—

''(A) not younger than age 16 or older than age 24; and

''(B) one or more of the following:

''(i) school dropouts;

''(ii) recipients of a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities) who are deficient in basic skills and not attending any school;

''(iii) court-involved youth attending an alternative school;

''(iv) youth in foster care or who have been in foster care; or

''(v) in school youth who are low-income individuals and one or more of the following:

''(I) Deficient in literacy skills.

''(II) Homeless, runaway, or foster children.

''(III) Pregnant or parents.

''(IV) Offenders.

''(V) Individuals who require additional assistance to complete an educational program, or to secure and hold employment.

''(2) PRIORITY FOR SCHOOL DROPOUTS.—A priority in the provision of services under this chapter shall be given to individuals who are school dropouts.

''(3) LIMITATIONS ON ACTIVITIES FOR IN-SCHOOL YOUTH.—

''(A) PERCENTAGE OF FUNDS.—For any program year, not more than 30 percent of the funds available for statewide activities under subsection (b), and not more than 30 percent of funds available to local areas under subsection (c), may be used to provide activities for in-school youth meeting the requirements of paragraph (1)(B)(v).

''(B) NON-SCHOOL HOURS REQUIRED.—

''(i) IN GENERAL.—Except as provided in clause (ii), activities carried out under this chapter for in-school youth meeting the requirements of paragraph (1)(B)(v) shall only be carried out in non-school hours or periods when school is not in session (such as before and after school or during recess).

''(ii) EXCEPTION.—The requirements of clause (i) shall not apply to activities carried out for in-school youth meeting the requirements of paragraph (1)(B)(v) during school hours that are part of a program that has demonstrated effectiveness in high school youth attaining diplomas.''.

(d) STATEWIDE YOUTH ACTIVITIES.—Section 129(b) (29 U.S.C. 2854(b)) is amended to read as follows:

''(b) STATEWIDE ACTIVITIES.—

''(1) IN GENERAL.—Funds reserved by a Governor for a State as described in sections 128(a) and 133(a)(1) may be used for statewide activities including—

''(A) additional assistance to local areas that have high concentrations of eligible youth;

''(B) supporting the provision of core services described in section 134(c)(2) in the one-stop delivery system;

''(C) conducting evaluations under section 136(e) of activities authorized under this chapter and chapter 5 in coordination with evaluations carried out by the Secretary under section 172, research, and demonstration projects;

''(D) providing incentive grants to local areas for regional cooperation among local boards (including local boards in a designated region as described in section 116(c)), for local coordination of activities carried out under this Act, and for exemplary performance by local areas on the local performance measures;

''(E) providing technical assistance and capacity building to local areas, one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, the development of exemplary program activities, and the provision of technical assistance to local areas that fail to meet local performance measures;

''(F) operating a fiscal and management accountability system under section 136(f); and

''(G) carrying out monitoring and oversight of activities under this chapter and chapter 5.

''(2) LIMITATION.—Not more than 5 percent of the funds allotted under section 127(b) shall be used by the State for administrative activities carried out under this subsection and section 133(a).

''(3) PROHIBITION.—No funds described in this subsection or in section 134(a) may be used to develop or implement education curricula for school systems in the State.''.

(e) LOCAL ELEMENTS AND REQUIREMENTS.—

(1) PROGRAM DESIGN.—Section 129(c)(1) (29 U.S.C. 2854(c) (1)) is amended—

(A) in the matter preceding subparagraph (A), by striking ''paragraph (2)(A) or (3), as appropriate, of'';

(B) in subparagraph (B), by inserting ''are directly linked to one or more of the performance outcomes relating to this chapter under section 136, and that'' after ''for each participant that''; and

(C) in subparagraph (C)—

(i) by redesignating clauses (i) through (iv) as clauses (ii) through (v), respectively;

(ii) by inserting before clause (ii) (as so redesignated) the following:

''(i) activities leading to the attainment of a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities);'';

(iii) in clause (ii) (as so redesignated), by inserting ''and advanced training'' after ''opportunities'';

(iv) in clause (iii) (as so redesignated), by inserting ''that lead to the attainment of recognized credentials'' after ''learning''; and

(v) by amending clause (v) (as redesignated by this subparagraph) to read as follows:

''(v) effective connections to employers in sectors of the local labor market experiencing high growth in employment opportunities.''.

(2) PROGRAM ELEMENTS.—Section 129(c)(2) (29 U.S.C. 2854(c)(2)) is amended—

(A) in subparagraph (A), by striking ''secondary school, including dropout prevention strategies'' and inserting ''secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities), including dropout prevention strategies'';

(B) in subparagraph (I), by striking ''and'' at the end;

(C) in subparagraph (J), by striking the period at the end and inserting a semicolon; and

(D) by adding at the end the following:

''(K) on-the-job training opportunities; and

''(L) financial literacy skills.''.

(3) ADDITIONAL REQUIREMENTS.—Section 129(c)(3)(A) (29 U.S.C. 2854(c)(3)(A)) is amended in the matter preceding clause (i) by striking ''or applicant who meets the minimum income criteria to be considered an eligible youth''.

(4) PRIORITY AND EXCEPTIONS.—Section 129(c) (29 U.S.C. 2854(c)) is further amended—

(A) by striking paragraphs (4) and (5);

(B) by redesignating paragraph (6) as paragraph (4);

(C) by redesignating paragraph (7) as paragraph (5), and in such redesignated paragraph (5) by striking ''youth councils'' and inserting ''local boards''; and

(D) by redesignating paragraph (8) as paragraph (6).

SEC. 112. COMPREHENSIVE PROGRAMS FOR ADULTS.

(a) TITLE AMENDMENT.—

(1) The title heading of chapter 5 is amended to read as follows:

"CHAPTER 5—COMPREHENSIVE EMPLOYMENT AND TRAINING ACTIVITIES FOR ADULTS".

(2) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by amending the item related to the heading for chapter 5 to read as follows:

''CHAPTER 5—COMPREHENSIVE EMPLOYMENT AND TRAINING ACTIVITIES FOR ADULTS''.

(b) GENERAL AUTHORIZATION.—Section 131 (29 U.S.C. 2861) is amended—

(1) by striking ''paragraphs (1)(B) and (2)(B) of''; and

(2) by striking '', and dislocated workers,''.

(c) STATE ALLOTMENTS.—

(1) IN GENERAL.—Section 132(a) (29 U.S.C. 2862(a)) is amended to read as follows:

''(a) IN GENERAL.—The Secretary shall—

''(1) reserve 10 percent of the amount appropriated under section 137(b) for a fiscal year, of which—

''(A) not less than 75 percent shall be used for national dislocated worker grants under section 173, of which up to $125,000,000 may be used to carry out section 171(d);

''(B) not more than 20 percent may be used for demonstration projects under section 171; and

''(C) not more than 5 percent may be used to provide technical assistance under section 170; and

''(2) make allotments from 90 percent of the amount appropriated under section 137(b) for a fiscal year in accordance with subsection (b).''.

(2) ALLOTMENT AMONG STATES.—Section 132(b) (29 U.S.C. 2862(b)) is amended to read as follows:

''(b) ALLOTMENT AMONG STATES FOR ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—

''(1) RESERVATION FOR OUTLYING AREAS.—

''(A) IN GENERAL.—From the amount made available under subsection (a)(2) for a fiscal year, the Secretary shall reserve not more than ¼ of 1 percent to provide assistance to outlying areas to carry out employment and training activities for adults and statewide workforce investment activities.

''(B) RESTRICTION.—The Republic of Palau shall cease to be eligible to receive funding under this paragraph upon entering into an agreement for extension of United States educational assistance under the Compact of Free Association (approved by the Compact of Free Association Amendments Act of 2003 (Public Law 108–188)) after the date of enactment of the Job Training Improvement Act of 2005.

''(2) STATES.—Subject to paragraph (5), of the remainder of the amount referred to under subsection (a)(2) for a fiscal year that is available after determining the amount to be reserved under paragraph (1), the Secretary shall allot to the States for employment and training activities for adults and for statewide workforce investment activities—

''(A) 26 percent in accordance with paragraph (3); and

''(B) 74 percent in accordance with paragraph (4).

''(3) BASE FORMULA.—

''(A) FISCAL YEAR 2006.—

''(i) IN GENERAL.—Subject to clause (ii), the amount referred to in paragraph (2)(A) shall be allotted for fiscal year 2006 on the basis of allotment percentage of each State under section 6 of the Wagner-Peyser Act for fiscal year 2005.

''(ii) EXCESS AMOUNTS.—If the amount referred to in paragraph (2)(A) for fiscal year 2006 exceeds the amount that was available for allotment to the States under the Wagner-Peyser Act for fiscal year 2005, such excess amount shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of individuals in the civilian labor force in all States, adjusted to ensure that no State receives less than 3/10 of one percent of such excess amount.

''(iii) DEFINITION.—For purposes of this subparagraph, the term 'allotment percentage' means the percentage of the amounts allotted to States under section 6 of the Wagner-Peyser Act that is received by the State involved for fiscal year 2005.

''(B) FISCAL YEARS 2007 AND THEREAFTER.—

''(i) IN GENERAL.—Subject to clause (ii), the amount referred to in paragraph(2)(A) shall be allotted for fiscal year 2007 and each fiscal year thereafter on the basis of the allotment percentage of each State under this paragraph for the preceding fiscal year.

''(ii) EXCESS AMOUNTS.—If the amount referred to in paragraph (2)(A) for fiscal year 2007 or any fiscal year thereafter exceeds the amount that was available for allotment under this paragraph for the prior fiscal year, such excess amount shall be allotted on the basis of the relative number of individuals in the civilian labor force in each State, compared to the total number of individuals in the civilian labor force in all States, adjusted to ensure that no State receives less than 3/10 of one percent of such excess amount.

''(iii) DEFINITION.—For purposes of this subparagraph, the term 'allotment percentage' means the percentage of the amounts allotted to States under this paragraph in a fiscal year that is received by the State involved for such fiscal year.

''(4) CONSOLIDATED FORMULA.—

''(A) IN GENERAL.—Subject to subparagraphs (B) and (C), of the amount referred to in paragraph (2)(B)—

''(i) 60 percent shall be allotted on the basis of the relative number of unemployed individuals in each State, compared to the total number of unemployed individuals in all States;

''(ii) 25 percent shall be allotted on the basis of the relative excess number of unemployed individuals in each State, compared to the total excess number of unemployed individuals in all States; and

''(iii) 15 percent shall be allotted on the basis of the relative number of disadvantaged adults in each State, compared to the total number of disadvantaged adults in all States.

''(B) MINIMUM AND MAXIMUM PERCENTAGES.—

''(i) MINIMUM PERCENTAGE.—The Secretary shall ensure that no State shall receive an allotment under this paragraph for a fiscal year that is less than 90 percent of the allotment percentage of the State under this paragraph for the preceding fiscal year.

''(ii) MAXIMUM PERCENTAGE.—Subject to clause (i), the Secretary shall ensure that no State shall receive an allotment for a fiscal year under this paragraph that is more than 130 percent of the allotment of the State under this paragraph for the preceding fiscal year.

''(C) SMALL STATE MINIMUM ALLOTMENT.—Subject to subparagraph (B), the Secretary shall ensure that no State shall receive an allotment under this paragraph that is less than 2/10 of 1 percent of the amount available under subparagraph (A).

''(D) DEFINITIONS.—For the purposes of this paragraph:

''(i) ALLOTMENT PERCENTAGE.—The term 'allotment percentage', used with respect to fiscal year 2006 or a subsequent fiscal year, means a percentage of the amounts described in paragraph (2)(B) that is received through an allotment made under this paragraph for the fiscal year. The term, with respect to fiscal year 2005, means the percentage of the amounts allotted to States under this chapter (as in effect on the day before the date of enactment of the Job Training Improvement Act of 2005) and under reemployment service grants received by the State involved for fiscal year 2005.

''(ii) DISADVANTAGED ADULT.—The term 'disadvantaged adult' means an individual who is age 22 through 72 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

''(iii) EXCESS NUMBER.—The term 'excess number' means, used with respect to the excess number of unemployed individuals within a State, the number that represents the number of unemployed individuals in excess of 4½ percent of the civilian labor force in the State.

''(5) ADJUSTMENTS IN ALLOTMENTS BASED ON DIFFERENCES WITH UNCONSOLIDATED FORMULAS.—

''(A) IN GENERAL.—The Secretary shall ensure that for any fiscal year no State has an allotment difference, as defined in subparagraph (C), that is less than zero. The Secretary shall adjust the amounts allotted to the States under this subsection in accordance with subparagraph (B) if necessary to carry out this subparagraph.

''(B) ADJUSTMENTS IN ALLOTMENTS.—

''(i) REDISTRIBUTION OF EXCESS AMOUNTS.—

''(I) IN GENERAL.—If necessary to carry out subparagraph (A), the Secretary shall reduce the amounts that would be allotted under paragraphs (3) and (4) to States that have an excess allotment difference, as defined in subclause (II), by the amount of such excess, and use such amounts to increase the allotments to States that have an allotment difference less than zero.

''(II) EXCESS AMOUNTS.—For purposes of subclause (I), the term 'excess' allotment difference means an allotment difference for a State that is—

''(aa) in excess of 3 percent of the amount described in subparagraph (C)(i)(II); or

''(bb) in excess of a percentage established by the Secretary that is greater than 3 percent of the amount described in subparagraph (C)(i)(II) if the Secretary determines that such greater percentage is sufficient to carry out subparagraph (A).

''(ii) USE OF AMOUNTS AVAILABLE UNDER NATIONAL RESERVE ACCOUNT.—If the funds available under clause (i) are insufficient to carry out subparagraph (A), the Secretary shall use funds reserved under section 132(a) in such amounts as are necessary to increase the allotments to States to meet the requirements of subparagraph (A). Such funds shall be used in the same manner as the States use the other funds allotted under this subsection.

''(C) DEFINITION OF ALLOTMENT DIFFERENCE.—

''(i) IN GENERAL.—For purposes of this paragraph, the term 'allotment difference' means the difference between—

''(I) the total amount a State would receive of the amounts available for allotment under subsection (b)(2) for a fiscal year pursuant to paragraphs (3) and (4); and

''(II) the total amount the State would receive of the amounts available for allotment under subsection (b)(2) for the fiscal year if such amounts were allotted pursuant to the unconsolidated formulas (applied as described in clause (iii)) that were used in allotting funds for fiscal year 2005.

''(ii) UNCONSOLIDATED FORMULAS.—For purposes of clause (i), the unconsolidated formulas are:

''(I) The requirements for the allotment of funds to the States contained in section 132(b)(1)(B) of this Act (as in effect on the day before the date of enactment of the Job Training Improvement Act of 2005) that were applicable to the allotment of funds under such section for fiscal year 2005.

''(II) The requirements for the allotment of funds to the States contained in section 132(b)(2)(B) of this Act (as in effect on the day before the date of enactment of the Job Training Improvement Act of 2005) that were applicable to the allotment of funds under such section for fiscal year 2005.

''(III) The requirements for the allotment of funds to the States that were contained in section 6 of the Wagner-Peyser Act (as in effect on the day before the date of enactment of the Job Training Improvement Act of 2005) that were applicable to the allotment of funds under such Act for fiscal year 2005.

''(IV) The requirements for the allotment of funds to the States that were established by the Secretary for Reemployment Services Grants that were applicable to the allotment of funds for such grants for fiscal year 2005.

''(iii) PROPORTIONATE APPLICATION OF UNCONSOLIDATED FORMULAS BASED ON FISCAL YEAR 2005.—In calculating the amount under clause (i)(II), each of the unconsolidated formulas identified in clause (ii) shall be applied, respectively, only to the proportionate share of the total amount of funds available for allotment under subsection (b)(2) for a fiscal year that is equal to the proportionate share to which each of the unconsolidated formulas applied with respect to the total amount of funds allotted to the States under all of the unconsolidated formulas in fiscal year 2005.

''(iv) RULE OF CONSTRUCTION.—The amounts used to adjust the allotments to a State under subparagraph (B) for a fiscal year shall not be included in the calculation of the amounts under clause (i) for a subsequent fiscal year, including the calculation of allocation percentages for a preceding fiscal year applicable to paragraphs (3) and (4) and to the unconsolidated formulas described in clause (ii).''.

(3) REALLOTMENT.—Section 132(c) (29 U.S.C. 2862(c)) is amended—

(A) by amending paragraph (2) to read as follows:

''(2) AMOUNT.—The amount available for reallotment for a program year is equal to the amount by which the unexpended balance at the end of the program year prior to the program year for which the determination is made exceeds 30 percent of the total amount of funds available to the State under this section during such prior program year (including amounts allotted to the State in all prior program years that remained available). For purposes of this paragraph, the expended balance is the amount that is the difference between—

''(A) the total amount of funds available to the State under this section during the program year prior to the program year for which the determination is made (including amounts allotted to the State in all prior program years that remained available); and

''(B) the accrued expenditures during such prior program year.'';

(B) in paragraph (3)—

(i) by striking ''for the prior program year'' and inserting ''for the program year in which the determination is made''; and

(ii) by striking ''such prior program year'' and inserting ''such program year'';

(C) by amending paragraph (4) to read as follows:

''(4) ELIGIBILITY.—For purposes of this subsection, an eligible State means a State that does not have an amount available for reallotment under paragraph (2) for the program year for which the determination under paragraph (2) is made.''; and

(D) in paragraph (5), by striking ''obligation'' and inserting ''accrued expenditure''.

(d) WITHIN STATE ALLOCATIONS.—

(1) RESERVATION FOR STATE ACTIVITIES.—Section 133(a) (29 U.S.C. 2863(a)) is amended to read as follows:

''(a) RESERVATION FOR STATEWIDE ACTIVITIES.—The Governor of a State may reserve up to 50 percent of the total amount allotted to the State under section 132 for a fiscal year to carry out the statewide activities described in section 134(a).''.

(2) ALLOCATIONS TO LOCAL AREAS.—Section 133(b) (29 U.S.C. 2863(b)) is amended to read as follows:

''(b) ALLOCATIONS TO LOCAL AREAS.—

''(1) IN GENERAL.—Of the amounts allotted to the State under section 132(b)(2) and not reserved under subsection (a)—

''(A) 85 percent of such amounts shall be allocated by the Governor to local areas in accordance with paragraph (2); and

''(B) 15 percent of such amounts shall be allocated by the Governor to local areas in accordance with paragraph (3).

''(2) ESTABLISHED FORMULA.—

''(A) IN GENERAL.—Of the amounts described in paragraph (1)(A), the Governor shall allocate—

''(i) 60 percent on the basis of the relative number of unemployed individuals in each local area, compared to the total number of unemployed individuals in all local areas in the State;

''(ii) 25 percent on the basis of the relative excess number of unemployed individuals in each local area, compared to the total excess number of unemployed individuals in all local areas in the State; and

''(iii) 15 percent shall be allotted on the basis of the relative number of disadvantaged adults in each local area, compared to the total number of disadvantaged adults in all local areas in the State.

''(B) MINIMUM AND MAXIMUM PERCENTAGES.—The Governor shall ensure that no local area shall receive an allocation for a fiscal year under this paragraph that is less than 90 percent or greater than 130 percent of the allocation percentage of the local area for the preceding fiscal year.

''(C) DEFINITIONS.—

''(i) ALLOCATION PERCENTAGE.—The term 'allocation percentage', used with respect to fiscal year 2006 or a subsequent fiscal year, means a percentage of the amount described in paragraph (1)(A) that is received through an allocation made under this paragraph for the fiscal year. The term, with respect to fiscal year 2005, means the percentage of the amounts allocated to local areas under this chapter (as in effect on the day before the date of enactment of the Job Training Improvement Act of 2005) that is received by the local area involved for fiscal year 2005.

''(ii) DISADVANTAGED ADULT.—The term 'disadvantaged adult' means an individual who is age 22 through 72 who received an income, or is a member of a family that received a total family income, that, in relation to family size, does not exceed the poverty line.

''(iii) EXCESS NUMBER.—The term 'excess number' means, used with respect to the excess number of unemployed individuals within a local area, the number that represents the number of unemployed individuals in excess of 4.5 percent of the civilian labor force in the local area.

''(3) DISCRETIONARY ALLOCATION.—The Governor shall allocate to local areas the amounts described in paragraph (1)(B) based on a formula developed in consultation with the State board and local boards. Such formula shall be objective and geographically equitable and may include such demographic and economic factors as the Governor, after consultation with the State board and local boards, determines are appropriate.

''(4) LOCAL ADMINISTRATIVE COST LIMIT.—

''(A) IN GENERAL.—Of the amounts allocated to a local area under this subsection and section 128(b) for a fiscal year, not more than 10 percent of the amount may be used by the local boards for the administrative costs of carrying out local workforce investment activities under this chapter or chapter 4.

''(B) USE OF FUNDS.—Funds made available for administrative costs under subparagraph (A) may be used for the administrative costs of any of the local workforce investment activities described in this chapter or chapter 4, regardless of whether the funds were allocated under this subsection or section 128(b).''.

(3) REALLOCATION AMONG LOCAL AREAS.—Section 133(c) (29 U.S.C. 2863(c)) is amended—

(A) in paragraph (1), by striking ''paragraph (2)(A) or (3) of'';

(B) by amending paragraph (2) to read as follows:

''(2) AMOUNT.—The amount available for reallocation for a program year is equal to the amount by which the unexpended balance at the end of the program year prior to the program year for which the determination is made exceeds 30 percent of the total amount of funds available to the local area under this section during such prior program year (including amounts allotted to the local area in prior program years that remain available). For purposes of this paragraph, the unexpended balance is the amount that is the difference between—

''(A) the total amount of funds available to the local area under this section during the program year prior to the program year for which the determination is made (including amounts allocated to the local area in all prior program years that remained available); and

''(B) the accrued expenditures during such prior program year.'';

(C) by amending paragraph (3)—

(i) by striking ''subsection (b)(3)'' the first two places it appears and inserting ''subsection (b)'';

(ii) by striking ''the prior program year'' and inserting ''the program year in which the determination is made'';

(iii) by striking ''such prior program year'' and inserting ''such program year''; and

(iv) by striking the last sentence; and

(D) by amending paragraph (4) to read as follows:

''(4) ELIGIBILITY.—For purposes of this subsection, an eligible local area means a local area which does not have an amount available for reallocation under paragraph (2) for the program year for which the determination under paragraph (2) is made.''.

(e) USE OF FUNDS FOR EMPLOYMENT AND TRAINING ACTIVITIES.—

(1) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) IN GENERAL.—Section 134(a)(1) (29 U.S.C. 2864(a)(1) is amended to read as follows:

''(1) IN GENERAL.—

''(A) REQUIRED USE OF FUNDS.—Not less than 50 percent of the funds reserved by a Governor under section 133(a) shall be used to support the provision of core services in local areas, consistent with the local plan, through one-stop delivery systems by distributing funds to local areas in accordance with subparagraph (B). Such funds may be used by States to employ State personnel to provide such services in designated local areas in consultation with local boards.

''(B) METHOD OF DISTRIBUTING FUNDS.—The method of distributing funds under this paragraph shall be developed in consultation with the State board and local boards. Such method of distribution, which may include the formula established under section 121(h)(3), shall be objective and geographically equitable, and may include factors such as the number of centers in the local area that have been certified, the population served by such centers, and the performance of such centers.

''(C) OTHER USE OF FUNDS.—Funds reserved by a Governor for a State—

''(i) under section 133(a) and not used under subparagraph (A), may be used for statewide activities described in paragraph (2); and

''(ii) under section 133(a) and not used under subparagraph (A), and under section 128(a) may be used to carry out any of the statewide employment and training activities described in paragraph (3).''.

(B) STATEWIDE RAPID RESPONSE ACTIVITIES.—Section 134(a)(2) (29 U.S.C. 2864(a)(2)) is amended to read as follows:

''(2) STATEWIDE RAPID RESPONSE ACTIVITIES.—A State shall carry out statewide rapid response activities using funds reserved as described in section 133(a). Such activities shall include—

''(A) provision of rapid response activities, carried out in local areas by the State or by an entity designated by the State, working in conjunction with the local boards and the chief elected officials in the local areas; and

''(B) provision of additional assistance to local areas that experience disasters, mass layoffs or plant closings, or other events that precipitate substantial increases in the number of unemployed individuals, carried out in local areas by the State, working in conjunction with the local boards and the chief elected officials in the local areas.''.

(C) STATEWIDE EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(a)(3) (29 U.S.C. 2864(a)(3)) is amended to read as follows:

''(3) STATEWIDE ACTIVITIES.—Funds reserved by a Governor for a State as described in sections 133(a) and 128(a) may be used for statewide activities including—

''(A) supporting the provision of core services described in section 134(c)(2) in the one-stop delivery system;

''(B) conducting evaluations under section 136(e) of activities authorized under this chapter and chapter 4 in coordination with evaluations carried out by the Secretary under section 172, research, and demonstration projects;

''(C) providing incentive grants to local areas for regional cooperation among local boards (including local boards in a designated region as described in section 116(c)), for local coordination of activities carried out under this Act, and for exemplary performance by local areas on the local performance measures;

''(D) providing technical assistance and capacity building to local areas, one-stop operators, one-stop partners, and eligible providers, including the development and training of staff, the development of exemplary program activities, and the provision of technical assistance to local areas that fail to meet local performance measures;

''(E) operating a fiscal and management accountability system under section 136(f);

''(F) carrying out monitoring and oversight of activities carried out under this chapter and chapter 4;

''(G) implementing innovative programs, such as incumbent worker training programs, programs and strategies designed to meet the needs of businesses in the State, including small businesses, and engage employers in workforce activities, and programs serving individuals with disabilities consistent with section 188;

''(H) developing strategies for effectively serving hard-to-serve populations and for integrating programs and services among one-stop partners;

''(I) implementing innovative programs for displaced homemakers, which for purposes of this subparagraph may include an individual who is receiving public assistance and is within 2 years of exhausting lifetime eligibility under Part A of title IV of the Social Security Act (42 U.S.C. 601 et seq.);

''(J) implementing programs to increase the number of individuals training for and placed in nontraditional employment; and

''(K) carrying out activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology.''.

(D) LIMITATION ON STATE ADMINISTRATIVE EXPENDITURES.—Section 134(a) is further amended by adding the following new paragraph:

''(4) LIMITATION.—Not more than 5 percent of the funds allotted under section 132(b) shall be used by the State for administrative activities carried out under this subsection and section 128(a).''.

(2) LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—Section 134(b) (29 U.S.C. 2864(b)) is amended—

(A) by striking ''under paragraph (2)(A)'' and all that follows through ''section 133(b)(2)(B)'' and inserting ''under section 133(b)''; and

(B) in paragraphs (1) and (2), by striking ''or dislocated workers, respectively'' .

(3) TECHNICAL AMENDMENT.—Section 134 is further amended by redesignating subsections (d) and (e) as subsections (c) and (d), respectively.

(4) REQUIRED LOCAL EMPLOYMENT AND TRAINING ACTIVITIES.—

(A) ALLOCATED FUNDS.—Section 134(c)(1) (29 U.S.C. 2864(c)(1)) (as redesignated by paragraph (3)) is amended to read as follows:

''(1) IN GENERAL.—Funds allocated to a local area for adults under section 133(b) shall be used—

''(A) to establish a one-stop delivery system as described in section 121(e);

''(B) to provide the core services described in paragraph (2) through the one-stop delivery system in accordance with such paragraph;

''(C) to provide the intensive services described in paragraph (3) to adults described in such paragraph; and

''(D) to provide training services described in paragraph (4) to adults described in such paragraph.''.

(B) CORE SERVICES.—Section 134(c)(2) (29 U.S.C. 2864(c)(2)) (as redesignated by paragraph (3)) is amended—

(i) by striking ''who are adults or dislocated workers'';

(ii) in subparagraph (A), by striking ''under this subtitle'' and inserting ''under the one-stop partner programs described in section 121(b)'';

(iii) by amending subparagraph (D) to read as follows:

''(D) labor exchange services, including—

''(i) job search and placement assistance, and where appropriate career counseling;

''(ii) appropriate recruitment services for employers; and

''(iii) reemployment services provided to unemployment claimants.'';

(iv) in subparagraph (I), by inserting ''and the administration of the work test for the unemployment compensation system'' after ''compensation''; and

(v) by amending subparagraph (J) to read as follows:

''(J) assistance in establishing eligibility for programs of financial aid assistance for training and education programs that are not funded under this Act and are available in the local area; and''.

(C) INTENSIVE SERVICES.—Section 134(c)(3) (29 U.S.C. 2864(c)(3) (as redesignated by paragraph (3) of this subsection) is amended—

(i) by amending subparagraph (A) to read as follows:

''(A) IN GENERAL.—

''(i) ELIGIBILITY.—Funds allocated to a local area under section 133(b) shall be used to provide intensive services for adults who—

''(I) are unemployed and who have been determined by the one-stop operator to be—

''(aa) unlikely or unable to obtain suitable employment through core services; and

''(bb) in need of intensive services in order to obtain suitable employment; or

''(II) are employed, but who are determined by a one-stop operator to be in need of intensive services to obtain or retain suitable employment.

''(ii) DEFINITION.—The Governor shall define the term 'suitable employment' for purposes of this subparagraph.''; and

(ii) in subparagraph (C)—

(I) in clause (v), by striking ''for participants seeking training services under paragraph (4)''; and

(II) by adding the following clauses after clause (vi):

''(vii) Internships and work experience.

''(viii) Literacy activities relating to basic work readiness, information and communication technology literacy activities, and financial literacy activities.

''(ix) Out-of-area job search assistance and relocation assistance.''.

(D) TRAINING SERVICES.—Section 134(c)(4) (as redesignated by paragraph (3) of this subsection) is amended—

(i) by amending subparagraph (A) to read as follows:

''(A) IN GENERAL.—

''(i) ELIGIBILITY.—Funds allocated to a local area under section 133(b) shall be used to provide training services to adults who—

''(I) after an interview, evaluation, or assessment, and case management, have been determined by a one-stop operator or one-stop partner, as appropriate, to—

''(aa) be unlikely or unable to obtain or retain suitable employment through intensive services under paragraph (3)(A);

''(bb) be in need of training services to obtain or retain suitable employment; and

''(cc) have the skills and qualifications to successfully participate in the selected program of training services;

''(II) select programs of training services that are directly linked to the employment opportunities in the local area involved or in another area in which the adults receiving such services are willing to commute or relocate;

''(III) who meet the requirements of subparagraph (B); and

''(IV) who are determined eligible in accordance with the priority system in effect under subparagraph (E).

''(ii) DEFINITION.—The Governor shall define the term 'suitable employment' for purposes of this subparagraph.'';

(ii) in subparagraph (B)(i), by striking ''Except'' and inserting ''Notwithstanding section 479B of the Higher Education Act of 1965 (20 U.S.C. 1087uu) and except'';

(iii) in subparagraph (D)—

(I) by amending clause (iv) to read as follows:

''(iv) entrepreneurial training, including providing information about obtaining microcredit loans for the purpose of starting a business, including contact information of microcredit lenders operating within the local area;'';

(II) in clause (viii) by inserting ''(including English as a Second Language)'' after ''activities''; and

(III) by redesignating clause (ix) as clause (x) and inserting after clause (viii) the following:

''(ix) training that integrates occupational skills training and English language acquisition;'';

(iv) by amending subparagraph (E) to read as follows:

''(E) PRIORITY.—

''(i) IN GENERAL.—A priority shall be given to unemployed individuals for the provision of intensive and training services under this subsection.

''(ii) ADDITIONAL PRIORITY.—If the funds in the local area, including the funds allocated under section 133(b), for serving recipients of public assistance and other low-income individuals, including single parents, displaced homemakers, and pregnant single women, is limited, the priority for the provision of intensive and training services under this subsection shall include such recipients and individuals.

''(iii) DETERMINATIONS.—The Governor and the appropriate local board shall direct the one-stop operators in the local area with regard to making determinations with respect to the priority of service under this subparagraph.'';

(v) in subparagraph (F), by adding the following clause after clause (iii):

''(iv) ENHANCED INDIVIDUAL TRAINING ACCOUNTS.—Each local board may, through one-stop centers, assist individuals receiving individual training accounts through the establishment of such accounts that include, in addition to the funds provided under this paragraph, funds from other programs and sources that will assist the individual in obtaining training services.'';

(vi) in subparagraph (G)(iv), by redesignating subclause (IV) as subclause (V) and inserting after subclause (III) the following:

''(IV) Individuals with disabilities.''; and

(vii) by adding at the end the following:

''(H) COMPUTER TECHNOLOGY.—In providing training services under subparagraph (G), funds allocated to a local area under this title may be used to purchase computer technology for use by an individual who is eligible pursuant to subsection (A), only if—

''(i) such purchase is part of an ongoing training program; and

''(ii) such purchase is necessary to ensure the individual can participate in such training program.

Any purchase of computer technology under this subparagraph shall remain the property of the one-stop operator.''.

(5) PERMISSIBLE ACTIVITIES.—Section 134(d) (as redesignated by paragraph (3)) is amended—

(A) by amending paragraph (1) to read as follows:

''(1) DISCRETIONARY ONE-STOP DELIVERY ACTIVITIES.—

''(A) IN GENERAL.—Funds allocated to a local area under section 133(b) may be used to provide, through the one-stop delivery system—

''(i) customized screening and referral of qualified participants in training services to employers;

''(ii) customized employment-related services to employers on a fee-for-service basis;

''(iii) customer support to navigate among multiple services and activities for special participant populations that face multiple barriers to employment, including individuals with disabilities;

''(iv) employment and training assistance provided in coordination with child support enforcement activities of the State agency carrying out subtitle D of title IV of the Social Security Act;

''(v) activities to improve services to local employers, including small employers in the local area, and increase linkages between the local workforce investment system and employers; and

''(vi) activities to facilitate remote access to services provided through a one-stop delivery system, including facilitating access through the use of technology.

''(B) WORK SUPPORT ACTIVITIES FOR LOW-WAGE WORKERS.—

''(i) IN GENERAL.—Funds allocated to a local area under 133(b) may be used to provide, through the one-stop delivery system and in collaboration with the appropriate programs and resources of the one-stop partners, work support activities designed to assist low-wage workers in retaining and enhancing employment.

''(ii) ACTIVITIES.—The activities described in clause (i) may include assistance in accessing financial supports for which such workers may be eligible and the provision of activities available through the one-stop delivery system in a manner that enhances the opportunities of such workers to participate, such as the provision of employment and training activities during non-traditional hours and the provision of on-site child care while such activities are being provided.''; and

(B) by adding after paragraph (3) the following new paragraph:

''(4) INCUMBENT WORKER TRAINING PROGRAMS.—

''(A) IN GENERAL.—The local board may use up to 10 percent of the funds allocated to a local area under section 133(b) to carry out incumbent worker training programs in accordance with this paragraph.

''(B) TRAINING ACTIVITIES.—The training programs for incumbent workers under this paragraph shall be carried out by the local area in conjunction with the employers of such workers for the purpose of assisting such workers in obtaining the skills necessary to retain employment and avert layoffs.

''(C) EMPLOYER MATCH REQUIRED.—

''(i) IN GENERAL.—Employers participating in programs under this paragraph shall be required to pay a proportion of the costs of providing the training to the incumbent workers. The Governor shall establish, or may authorize the local board to establish, the required portion of such costs, which shall not be less than—

''(I) 10 percent of the costs, for employers with 50 or fewer employees;

''(II) 25 percent of the costs, for employers with more than 50 employees but fewer than 100 employees; and

''(III) 50 percent of the costs, for employers with 100 or more employees.

''(ii) CALCULATION OF MATCH.—The wages paid by an employer to a worker while they are attending training may be included as part of the requirement payment of the employer.''.

SEC. 113. PERFORMANCE ACCOUNTABILITY SYSTEM.

(a) STATE PERFORMANCE MEASURES.—

(1) IN GENERAL.—Section 136(b)(1) (29 U.S.C. 2871(b)(1)) is amended—

(A) in subparagraph (A)(i), by striking ''and the customer satisfaction indicator of performance described in paragraph (2)(B)''; and

(B) in subparagraph (A)(ii), by striking ''paragraph (2)(C)'' and inserting ''paragraph (2)(B)''.

(2) INDICATORS OF PERFORMANCE.—Section 136(b)(2) (29 U.S.C. 2871(b)(2)) is amended—

(A) in subparagraph (A)(i), by striking ''(except for self-service and information activities) and (for participants who are eligible youth age 19 through 21) for youth activities authorized under section 129'';

(B) in subparagraph (A)(i)(II), by inserting ''and'' after the semicolon;

(C) in subparagraph (A)(i)(III), by striking ''; and'' and inserting a period;

(D) by striking subparagraph (A)(i)(IV);

(E) by amending subparagraph (A)(ii) to read as follows:

''(ii) CORE INDICATORS FOR ELIGIBLE YOUTH.—The core indicators of performance for youth activities authorized under section 129 shall consist of—

''(I) entry into employment, education or advanced training, or military service;

''(II) attainment of secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent (including recognized alternative standards for individuals with disabilities); and

''(III) literacy or numeracy gains.'';

(F) by striking subparagraph (B); and

(G) by redesignating subparagraph (C) as subparagraph (B), and by adding at the end of such subparagraph (as so redesignated) the following new sentence: ''Such indicators may include customer satisfaction of employers and participants with services received from the workforce investment activities authorized under this subtitle.''.

(3) LEVELS OF PERFORMANCE.—Section 136(b)(3)(A) (29 U.S.C. 2871(b)(3)(A)) is amended—

(A) in clause (i), by striking ''and the customer satisfaction indicator described in paragraph (2)(B)'';

(B) in clause (ii), by striking ''and the customer satisfaction indicator of performance, for the first 3'' and inserting ''for the 2'';

(C) in clause (iii)—

(i) in the heading, by striking ''FOR FIRST 3 YEARS''; and

(ii) by striking ''and the customer satisfaction indicator of performance, for the first 3'' and inserting ''for the 2'';

(D) in clause (iv)—

(i) by striking subclause (I);

(ii) by redesignating subclauses (II) and (III) as subclauses (I) and (II), respectively; and

(iii) in subclause (I) (as so redesignated)—

(I) by striking ''taking into account'' and inserting ''which shall be adjusted based on'';

(II) by inserting '', such as unemployment rates and job losses or gains in particular industries'' after ''economic conditions''; and

(III) by inserting '', such as indicators of poor work history, lack of work experience, low levels of literacy or English proficiency, disability status, including the number of veterans with disabilities, and welfare dependency'' after ''program'';

(E) by striking clause (v); and

(F) by redesignating clause (vi) as clause (v).

(4) ADDITIONAL INDICATORS.—Section 136(b)(3)(B) is amended by striking ''paragraph (2)(C)'' and inserting ''paragraph (2)(B)''.

(b) LOCAL PERFORMANCE MEASURES.—Section 136(c) (29 U.S.C 2871(c)) is amended—

(1) in paragraph (1)(A)(i), by striking '', and the customer satisfaction indicator of performance described in subsection (b)(2)(B),'';

(2) in paragraph (1)(A)(ii), by striking ''subsection (b)(2)(C)'' and inserting ''subsection (b)(2)(B)''; and

(3) by amending paragraph (3) to read as follows:

''(3) DETERMINATIONS.—In determining such local levels of performance, the local board, the chief elected official, and the Governor shall ensure such levels are adjusted based on the specific economic characteristics (such as unemployment rates and job losses or gains in particular industries), demographic characteristics, or other characteristics of the population to be served in the local area, such as poor work history, lack of work experience, low levels of literacy or English proficiency, disability status, including the number of veterans with disabilities, and welfare dependency.''.

(c) REPORT.—Section 136(d) (29 U.S.C. 2871(d)) is amended—

(1) in paragraph (1), by striking ''and the customer satisfaction indicator'' in both places that it appears;

(2) in paragraph (2)—

(A) in subparagraph (E), by striking ''(excluding participants who received only self-service and informational activities); and'' and inserting a semicolon;

(B) in subparagraph (F), by striking the period and inserting ''; and''; and

(C) by adding at the end the following:

''(G) the number of participants served and the cost per participant.''; and

(3) by adding at the end the following:

''(4) DATA VALIDATION.—In preparing the reports described in this subsection, the States shall establish procedures, consistent with guidelines issued by the Secretary, to ensure the information contained in the report is valid and reliable.''.

(d) SANCTIONS FOR STATE.—Section 136(g) (29 U.S.C. 2871(g)) is amended—

(1) in paragraph (1)(A), by striking ''or (B)''; and

(2) in paragraph (2), by striking ''section 503'' and inserting ''section 136(i)''.

(e) SANCTIONS FOR LOCAL AREAS.—Section 136(h) (29 U.S.C. 2871(h)) is amended—

(1) in paragraph (1), by striking ''or (B)''; and

(2) by amending paragraph (2)(B) to read as follows:

''(B) APPEAL TO GOVERNOR.—A local area that is subject to a reorganization plan under subparagraph (A) may, not later than 30 days after receiving notice of the reorganization plan, appeal to the Governor to rescind or revise such plan. In such case, the Governor shall make a final decision not later than 30 days after the receipt of the appeal.''.

(f) INCENTIVE GRANTS.—Section 136(i) (29 U.S.C. 2871(i)) is amended to read as follows:

''(i) INCENTIVE GRANTS FOR STATES AND LOCAL AREAS.—

''(1) INCENTIVE GRANTS FOR STATES.—

''(A) IN GENERAL.—From funds appropriated under section 174, the Secretary may award grants to States for exemplary performance in carrying programs under chapters 4 and 5 of this title. Such awards may be based on States meeting or exceeding the performance measures established under this section, on the performance of the State in serving special populations, including the levels of service provided and the performance outcomes, and such other factors relating to the performance of the State under this title as the Secretary determines is appropriate.

''(B) USE OF FUNDS.—The funds awarded to a State under this paragraph may be used to carry out any activities authorized under chapters 4 and 5 of this title, including demonstrations and innovative programs for special populations.

''(2) INCENTIVE GRANTS FOR LOCAL AREAS.—

''(A) IN GENERAL.—From funds reserved under sections 128(a) and 133(a), the Governor may award incentive grants to local areas for exemplary performance with respect to the measures established under this section and with the performance of the local area in serving special populations, including the levels of service and the performance outcomes.

''(B) USE OF FUNDS.—The funds awarded to a local area may be used to carry out activities authorized for local areas under chapters 4 and 5 of this title, and such demonstration or other innovative programs to serve special populations as may be approved by the Governor.''.

(g) USE OF CORE INDICATORS FOR OTHER PROGRAMS.—Section 136 (29 U.S.C. 2871) is further amended by adding at the end the following subsection:

''(j) USE OF CORE INDICATORS FOR OTHER PROGRAMS.—In addition to the programs carried out under chapters 4 and 5, and consistent with the requirements of the applicable authorizing laws, the Secretary shall use the core indicators of performance described in subsection (b)(2)(A) to assess the effectiveness of the programs described under section 121(b)(1)(B) that are carried out by the Secretary.''.

(h) REPEAL OF DEFINITIONS.—Sections 502 and 503 (and the items related to such sections in the table of contents) are repealed.

SEC. 114. AUTHORIZATION OF APPROPRIATIONS.

(a) YOUTH ACTIVITIES.—Section 137(a) (29 U.S.C. 2872(a)) is amended by striking ''such sums as may be necessary for each of fiscal years 1999 through 2003'' and inserting ''$1,250,000,000 for fiscal year 2006 and such sums as may be necessary for each of fiscal years 2007 through 2011''.

(b) ADULT EMPLOYMENT AND TRAINING ACTIVITIES.—Section 137(b) (29 U.S.C. 2872(b)) is amended by striking ''section 132(a)(1), such sums as may be necessary for each of fiscal years 1999 through 2003'' and inserting ''section 132(a), $3,140,000,000 for fiscal year 2006 and such sums as may be necessary for each of fiscal years 2007 through 2011''.

(c) DISLOCATED WORKER EMPLOYMENT AND TRAINING ACTIVITIES.—Section 137 is further amended by striking subsection (c).

SEC. 115. JOB CORPS.

(a) INDUSTRY COUNCILS.—Section 154(b) (29 U.S.C. 2894(b)) is amended—

(1) in paragraph (1)(A), by striking ''local and distant''; and

(2) by adding after paragraph (2) the following:

''(3) EMPLOYERS OUTSIDE OF LOCAL AREAS.—The industry council may include, or otherwise provide for consultation with, employers from outside the local area who are likely to hire a significant number of enrollees from the Job Corps center.''.

(b) INDICATORS OF PERFORMANCE AND ADDITIONAL INFORMATION.—Section 159(c) (29 U.S.C. 2893(c)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) CORE INDICATORS.—The Secretary shall annually establish expected levels of performance for Job Corps centers and the Job Corps program relating to each of the core indicators for youth identified in section 136(b)(2)(A)(ii).''; and

(2) in paragraph (2), by striking ''measures'' each place it appears and inserting ''indicators''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 161 (29 U.S.C. 2901) is amended by striking ''1999 through 2003'' and inserting ''2006 through 2011''.

SEC. 116. NATIVE AMERICAN PROGRAMS.

(a) ADVISORY COUNCIL.—Section 166(h)(4)(C) (29 U.S.C. 2911(h)(4)(C)) is amended to read as follows:

''(C) DUTIES.—The Council shall advise the Secretary on the operation and administration of the programs assisted under this section.''.

(b) ASSISTANCE TO AMERICAN SAMOANS IN HAWAII.—Section 166 (29 U.S.C. 2911) is further amended by striking subsection (j).

SEC. 117. MIGRANT AND SEASONAL FARMWORKER PROGRAMS.

Section 167(d) is amended by inserting ''(including permanent housing)'' after ''housing''.

SEC. 118. VETERANS' WORKFORCE INVESTMENT PROGRAMS.

Section 168(a)(3)(C) (29 U.S.C. 2913 (a)(3)(C)) is amended by striking ''section 134(c)'' and inserting ''section 121(e)''.

SEC. 119. YOUTH CHALLENGE GRANTS.

(a) IN GENERAL.—Section 169 (29 U.S.C. 2914) is amended to read as follows:

''SEC. 169. YOUTH CHALLENGE GRANTS.

''(a) IN GENERAL.—Of the amounts reserved by the Secretary under section 127(a)(1)(A) for a fiscal year—

''(1) the Secretary shall use not less than 80 percent to award competitive grants under subsection (b); and

''(2) the Secretary may use not more than 20 percent to award discretionary grants under subsection (c).

''(b) COMPETITIVE GRANTS TO STATES AND LOCAL AREAS.—

''(1) ESTABLISHMENT.—From the funds described in subsection (a)(1), the Secretary shall award competitive grants to eligible entities to carry out activities authorized under this section to assist eligible youth in acquiring the skills, credentials and employment experience necessary to succeed in the labor market.

''(2) ELIGIBLE ENTITIES.—Grants under this subsection may be awarded to States, local boards, recipients of grants under section 166 (relating to Native American programs), and public or private entities (including consortia of such entities) applying in conjunction with local boards.

''(3) GRANT PERIOD.—The Secretary may make a grant under this section for a period of 1 year and may renew the grants for each of the 4 succeeding years.

''(4) AUTHORITY TO REQUIRE MATCH.—The Secretary may require that grantees under this subsection provide a non-Federal share of the cost of activities carried out under a grant awarded under this subsection.

''(5) PARTICIPANT ELIGIBILITY.—Youth ages 14 through 19 as of the time the eligibility determination is made may be eligible to participate in activities provided under this subsection.

''(6) USE OF FUNDS.—Funds under this subsection may be used for activities that are designed to assist youth in acquiring the skills, credentials and employment experience that are necessary to succeed in the labor market, including the activities identified in section 129. The activities may include activities such as—

''(A) training and internships for out-of-school youth in sectors of the economy experiencing or projected to experience high growth;

''(B) after-school dropout prevention activities for in-school youth;

''(C) activities designed to assist special youth populations, such as court-involved youth and youth with disabilities; and

''(D) activities combining remediation of academic skills, work readiness training, and work experience, and including linkages to postsecondary education, apprenticeships, and career-ladder employment.

''(7) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

''(A) a description of the activities the eligible entity will provide to eligible youth under this subsection;

''(B) a description of the programs of demonstrated effectiveness on which the provision of the activities under subparagraph (A) are based, and a description of how such activities will expand the base of knowledge relating to the provision of activities for youth;

''(C) a description of the private and public, and local and State resources that will be leveraged to provide the activities described under subparagraph (A) in addition to the funds provided under this subsection; and

''(D) the levels of performance the eligible entity expects to achieve with respect to the indicators of performance for youth specified in section 136(b)(2)(A)(ii).

''(8) FACTORS FOR AWARD.—In awarding grants under this subsection the Secretary may consider the quality of the proposed project, the goals to be achieved, the likelihood of successful implementation, the extent to which the project is based on proven strategies or the extent to which the project will expand the knowledge base on activities for youth, and the additional State, local or private resources that will be provided.

''(9) EVALUATION.—The Secretary may reserve up to 5 percent of the funds described in subsection(a)(1) to provide technical assistance to, and conduct evaluations of the projects funded under this subsection (using appropriate techniques as described in section 172(c)).

''(c) DISCRETIONARY GRANTS FOR YOUTH ACTIVITIES.—

''(1) IN GENERAL.—From the funds described in subsection(a)(2), the Secretary may award grants to eligible entities to provide activities that will assist youth in preparing for, and entering and retaining, employment.

''(2) ELIGIBLE ENTITIES.—Grants under this subsection may be awarded to public or private entities that the Secretary determines would effectively carry out activities relating to youth under this subsection.

''(3) PARTICIPANT ELIGIBILITY.—Youth ages 14 through 19 at the time the eligibility determination is made may be eligible to participate in activities under this subsection.

''(4) USE OF FUNDS.—Funds provided under this subsection may be used for activities that will assist youth in preparing for, and entering and retaining, employment, including the activities described in section 129 for out-of-school youth, activities designed to assist in-school youth to stay in school and gain work experience, and such other activities that the Secretary determines are appropriate.

''(5) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(6) ADDITIONAL REQUIREMENTS.—The Secretary may require the provision of a non-Federal share for projects funded under this subsection and may require participation of grantees in evaluations of such projects, including evaluations using the techniques as described in section 172(c).''.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) is amended by amending the item related to section 169 to read as follows:

''Sec. 169. Youth challenge grants.''.

SEC. 120. TECHNICAL ASSISTANCE.

Section 170 (29 U.S.C. 2915) is amended—

(1) by striking subsection (b);

(2) by striking

''(a) GENERAL TECHNICAL ASSISTANCE.—'';

(3) by redesignating paragraphs (1), (2), and (3) as subsections (a), (b), and (c) respectively, and moving such subsections 2 ems to the left;

(4) in subsection (a) (as redesignated by paragraph (3))—

(A) by inserting ''the training of staff providing rapid response services, the training of other staff of recipients of funds under this title, peer review activities under this title, assistance regarding accounting and program operation practices (when such assistance would not be duplicative to assistance provided by the State), technical assistance to States that do not meet State performance measures described in section 136,'' after ''localities,''; and

(B) by striking ''from carrying out activities'' and all that follows up to the period and inserting ''to implement the amendments made by the Job Training Improvement Act of 2005''; and

(5) by inserting, after subsection (c) (as redesignated by paragraph (3)), the following:

''(d) BEST PRACTICES COORDINATION.—The Secretary shall establish a system whereby States may share information regarding best practices with regard to the operation of workforce investment activities under this Act.''.

SEC. 121. DEMONSTRATION, PILOT, MULTI-SERVICE, RESEARCH AND MULTI-STATE PROJECTS.

(a) DEMONSTRATION AND PILOT PROJECTS.—Section 171(b) (29 U.S.C. 2916(b)) is amended—

(1) in paragraph (1)—

(A) by striking ''Under a'' and inserting ''Consistent with the priorities specified in the'';

(B) by amending subparagraphs (A) through (D) to read as follows:

''(A) projects that assist national employers in connecting with the workforce investment system established under this title in order to facilitate the recruitment and employment of needed workers and to provide information to such system on skills and occupations in demand;

''(B) projects that promote the development of systems that will improve the effectiveness and efficiency of programs carried out under this title;

''(C) projects that focus on opportunities for employment in industries and sectors of industries that are experiencing or are likely to experience high rates of growth, including those relating to information technology;

''(D) projects carried out by States and local areas to test innovative approaches to delivering employment-related services;'';

(C) by striking subparagraph (E);

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

(E) in subparagraph (F) (as so redesignated, by striking ''; and'' and inserting a semicolon;

(F) by inserting after subparagraph (F) (as so redesignated) the following:

''(G) projects that provide retention grants to qualified job training programs upon placement or retention of a low-income individual trained by that program in employment with a single employer for a period of 1 year, provided that such employment is providing to the low-income individual an income not less than twice the poverty line for that individual;'';

(G) by amending subparagraph (H) to read as follows:

''(H) projects that focus on opportunities for employment in industries and sectors of industries that are being transformed by technology and innovation requiring new knowledge or skill sets for workers, including advanced manufacturing; and''; and

(H) by adding at the end the following:

''(I) projects carried out by States and local areas to assist adults or out of school youth in starting a small business, including training and assistance in business or financial management or in developing other skills necessary to operate a business.''; and

(2) in paragraph (2)—

(A) by striking subparagraph (B); and

(B) by redesignating subparagraph (C) as subparagraph (B).

(b) MULTISERVICE PROJECTS.—Section 171(c)(2)(B) (29 U.S.C. 2916(c)(2)(B)) is amended to read as follows:

''(B) NET IMPACT STUDIES AND REPORTS.—The Secretary shall conduct studies to determine the net impacts of programs, services, and activities carried out under this title. The Secretary shall prepare and disseminate to Congress and the public reports containing the results of such studies.''.

SEC. 122. COMMUNITY-BASED JOB TRAINING.

Section 171(d) of the Workforce Investment Act of 1998 is amended to read as follows:

''(d) COMMUNITY-BASED JOB TRAINING.—

''(1) DEMONSTRATION PROJECT.—In addition to the demonstration projects under subsection (b), the Secretary may establish and implement a national demonstration project designed to develop local solutions to the workforce challenges facing high-growth, high-skill industries with labor shortages, and increase opportunities for workers to gain access to employment in high-growth, high-demand occupations by promoting the establishment of partnerships among education entities, the workforce investment system, and businesses in high-growth, high-skill industries.

''(2) GRANTS.—In carrying out the demonstration project under this subsection, the Secretary shall award competitive grants, in accordance with generally applicable Federal requirements, to eligible entities to carry out activities authorized under this subsection.

''(3) DEFINITIONS.—

''(A) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means a community college or consortium of community colleges that shall work in conjunction with—

''(i) the local workforce investment system; and

''(ii) business or businesses in a qualified industry or an industry association in a qualified industry.

''(B) QUALIFIED INDUSTRY.—In this subsection, the term 'qualified industry' means an industry or economic sector that is projected to experience significant growth, such as an industry and economic sector that—

''(i) is projected to add substantial numbers of new jobs to the economy;

''(ii) has significant impact on the economy;

''(iii) impacts the growth of other industries and economic sectors;

''(iv) is being transformed by technology and innovation requiring new knowledge or skill sets for workers;

''(v) is a new or emerging industry or economic sector that is projected to grow; or

''(vi) has high-skilled occupations and significant labor shortages in the local area.

''(C) COMMUNITY COLLEGE.—As used in this subsection, the term 'community college' means an institution of higher education, as defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001), that provides not less than a 2-year program that is acceptable for full credit toward a bachelor's degree, or is a tribally controlled college or university.

''(4) AUTHORITY TO REQUIRE NON-FEDERAL SHARE.—The Secretary may require that recipients of grants under this subsection provide a non-Federal share, from either cash or noncash resources, of the costs of activities carried out under a grant awarded under this subsection.

''(5) USE OF FUNDS.—Grants awarded under this subsection may be used for—

''(A) the development, by a community college, in consultation with representatives of qualified industries, of rigorous training and education programs related to employment in a qualified industry identified in the eligible entity's application;

''(B) training of adults and dislocated workers in the skills and competencies needed to obtain or upgrade employment in a qualified industry identified in the eligible entity's application;

''(C) disseminating to adults and dislocated workers, through the one-stop delivery system, information on high-growth, high-demand occupations in qualified industries;

''(D) placing, through the one-stop delivery system, trained individuals into employment in qualified industries; and

''(E) increasing the integration of community colleges with activities of businesses and the one-stop delivery system to meet the training needs for qualified industries.

''(6) APPLICATIONS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

''(A) a description of the community college that will offer training under the grant;

''(B) an economic analysis of the local labor market to identify high-growth, high-demand industries and identify the workforce issues faced by those industries;

''(C) a description of the qualified industry for which training will occur and the availability of competencies on which training will be based;

''(D) an assurance that the application was developed in consultation with the local board or boards in the area or areas where the proposed grant will be used;

''(E) performance outcomes for the grant, including expected number of individuals to be trained in a qualified industry, the employment and retention rates for such individuals in a qualified industry, and earnings increases for such individuals;

''(F) a description of how the activities funded by the proposed grant will be coordinated with activities provided through the one-stop delivery system in the local area or areas; and

''(G) a description of any local or private resources that will support the activities carried out under this subsection and allow the entity to carry out and expand such activities after the expiration of the grant.

''(7) FACTORS FOR AWARD OF GRANT.—

''(A) IN GENERAL.—In awarding grants under this subsection the Secretary shall consider—

''(i) the extent of public and private collaboration, including existing partnerships among industries, community colleges, and the public workforce investment system;

''(ii) the extent to which the grant will provide job seekers with employment opportunities in high-growth, high-demand occupations;

''(iii) the extent to which the grant will expand the local one-stop delivery system's capacity to be demand-driven and responsive to local economic needs;

''(iv) the extent to which local businesses commit to hire or retain individuals who receive training through the grant; and

''(v) the extent to which the eligible entity commits to make any newly developed products, such as competencies or training curriculum, available for distribution nationally.

''(B) LEVERAGING OF RESOURCES.—In awarding grants under this subsection, the Secretary shall also consider—

''(i) the extent to which local or private resources, in addition to the funds provided under this subsection, will be made available to support the activities carried out under this subsection; and

''(ii) the ability of an eligible entity to continue to carry out and expand such activities after the expiration of the grant.

''(C) DISTRIBUTION OF GRANTS.—In awarding grants under this subsection the Secretary shall ensure an equitable distribution of such grants across geographically diverse areas.

''(8) PERFORMANCE ACCOUNTABILITY AND EVALUATION.—

''(A) PERFORMANCE ACCOUNTABILITY.—The Secretary shall require an eligible entity that receives a grant under this subsection to report to

the Secretary on the employment outcomes obtained by individuals receiving training under this subsection using the indicators of performance identified in the eligible entity's grant application.

''(B) EVALUATION.—The Secretary may require that an eligible entity that receives a grant under this subsection participate in an evaluation of activities carried out under this subsection, including an evaluation using the techniques described in section 172(c).''.

SEC. 123. PERSONAL REEMPLOYMENT ACCOUNTS.

Section 171 of the Workforce Investment Act of 1998 is further amended by adding at the end the following:

''(e) PERSONAL REEMPLOYMENT ACCOUNTS.—

''(1) DEFINITION.—In this subsection, the term 'State' means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and the United States Virgin Islands.

''(2) DEMONSTRATION PROJECT.—In addition to the demonstration projects under subsection (b), the Secretary may establish and implement a national demonstration project designed to analyze and provide data on workforce training programs that accelerate the reemployment of unemployed individuals, promote the retention in employment of such individuals, and provide such individuals with enhanced flexibility, choice, and control in obtaining intensive reemployment, training, and supportive services.

''(3) GRANTS.—

''(A) IN GENERAL.—In carrying out the demonstration project, the Secretary shall make grants, on a competitive basis, to eligible entities to provide personal reemployment accounts to eligible individuals. In awarding grants under this subsection the Secretary shall take into consideration awarding grants to eligible entities from diverse geographic areas, including rural areas.

''(B) DURATION.—The Secretary shall make the grants for periods of not less than 2 years and may renew the grant for each of the succeeding 3 years.

''(4) ELIGIBLE ENTITY.—In this subsection, the term 'eligible entity' means—

''(A) a State; or

''(B) a local board or consortium of local boards.

''(5) USE OF FUNDS.—

''(A) IN GENERAL.—An eligible entity that receives a grant under this subsection shall use the grant funds to provide, through a local area or areas, eligible individuals with personal reemployment accounts. An eligible individual may receive only 1 personal reemployment account.

''(B) GEOGRAPHIC AREA AND AMOUNT.—

''(i) IN GENERAL.—The eligible entity shall establish the amount of a personal reemployment account for each eligible individual participating, which shall be uniform throughout the area represented by the eligible entity, and shall not exceed $3,000.

''(ii) OPTION FOR STATES.—If the eligible entity is a State, the eligible entity may choose to use the grant statewide, if practicable, or only in specified local areas within a State.

''(C) ELIGIBLE INDIVIDUALS.—

''(i) IN GENERAL.—Each eligible entity shall establish eligibility criteria for individuals for personal reemployment accounts in accordance with this subparagraph.

''(ii) ELIGIBILITY CRITERIA REQUIREMENTS.—

''(I) IN GENERAL.—Subject to subclause (II), an individual shall be eligible to receive a personal reemployment account under a grant awarded under this subsection if, beginning after the date of enactment of this subsection, the individual—

''(aa) is identified by the State pursuant to section 303(j)(1) of the Social Security Act (42 U.S.C. 503(j)(1)) as likely to exhaust regular unemployment compensation and in need of job search assistance to make a successful transition to new employment, or the individual's unemployment can be attributed in substantial part to unfair competition from Federal Prison Industries, Incorporated;

''(bb) is receiving regular unemployment compensation under any Federal or State unemployment compensation program administered by the State; and

''(cc) is eligible for not less than 20 weeks of regular unemployment compensation described in item (bb).

''(II) ADDITIONAL ELIGIBILITY AND PRIORITY CRITERIA.—An eligible entity may establish criteria that are in addition to the criteria described in subclause (I) for the eligibility of individuals to receive a personal reemployment account under this subsection. An eligible entity may also establish criteria for priority in the provision of a personal reemployment account to such eligible individuals under a grant awarded under this subsection.

''(iii) TRANSITION RULE.—

''(I) PREVIOUSLY IDENTIFIED AS LIKELY TO EXHAUST UNEMPLOYMENT COMPENSATION.—

''(aa) IN GENERAL.—At the option of the eligible entity, and subject to item (bb), an individual may be eligible to receive a personal reemployment account under this subsection if the individual—

''(AA) during the 13-week period ending the week prior to the date of the enactment of the subsection, was identified by the State pursuant to section 303(j)(1) of the Social Security Act (42 U.S.C. 503(j)(1)) as likely to exhaust regular unemployment compensation and in need of job search assistance to make a successful transition to new employment; and

''(BB) otherwise meets the requirements of clause (ii)(I)(bb) and (cc).

''(bb) ADDITIONAL ELIGIBILITY AND PRIORITY CRITERIA.—An eligible entity may establish criteria that is in addition to the criteria described in item (aa) for the eligibility of individuals to receive a personal reemployment account under this subsection. An eligible entity may also establish criteria for priority in the provision of such accounts to such eligible individuals under this subsection.

''(II) PREVIOUSLY EXHAUSTED UNEMPLOYMENT COMPENSATION.—At the option of the eligible entity, an individual may be eligible to receive a personal reemployment account under a grant awarded under this subsection if the individual—

''(aa) during the 26-week period ending the week prior to the date of the enactment of this subsection, exhausted all rights to any unemployment compensation; and

''(bb)(AA) is enrolled in training and needs additional support to complete such training, with a priority of service to be provided to such individuals who are training for shortage occupations or high-growth industries; or

''(BB) is separated from employment in an industry or occupation that has experienced declining employment, or no longer provides any employment, in the local labor market during the 2-year period ending on the date of the determination of eligibility of the individual under this subparagraph.

''(iv) NO INDIVIDUAL ENTITLEMENT.—Nothing in this subsection shall be construed to entitle any individual to receive a personal reemployment account.

''(D) LIMITATIONS.—

''(i) INFORMATION AND ATTESTATION.—Prior to the establishment of a personal reemployment account for an eligible individual, the eligible entity receiving a grant, through the one-stop delivery system in the participating local area or areas, shall ensure that the individual—

''(I) is informed of the requirements applicable to the personal reemployment account, including the allowable uses of funds from the account, the limitations on access to services described in paragraph (7)(A)(iii) and a description of such services, and the conditions for receiving a reemployment bonus;

''(II) has the option to develop a personal reemployment plan which will identify the employment goals and appropriate combination of services selected by the individual to achieve the employment goals; and

''(III) signs an attestation that the individual has been given the option to develop a personal reemployment plan in accordance with subclause (II), will comply with the requirements under this subsection relating to the personal reemployment accounts, and will reimburse the account or, if the account has been terminated, the grant awarded under this subsection, for any amounts expended from the account that are not allowable.

''(ii) PERIODIC INTERVIEWS.—If a recipient exhausts his or her rights to any unemployment compensation, and the recipient has a remaining balance in his or her personal reemployment account, the one-stop delivery system shall conduct periodic interviews with the recipient to assist the recipient in meeting his or her individual employment goals.

''(iii) USE OF PERSONAL REEMPLOYMENT ACCOUNTS.—The eligible entity receiving a grant shall ensure that eligible individuals receiving a personal reemployment account use the account in accordance with paragraph (7).

''(6) APPLICATION FOR GRANTS.—To be eligible to receive a grant under this subsection, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require, including—

''(A) if the eligible entity is a State—

''(i) assurance that the application was developed in conjunction with the local board or boards and chief elected officials where the personal reemployment accounts shall be made available; and

''(ii) a description of the methods and procedures for providing funds to local areas where the personal reemployment accounts shall be made available;

''(B) a description of the criteria and methods to be used for determining eligibility for the personal reemployment account, including whether the eligible entity intends to include the optional categories described in paragraph (5)(C)(iii), and the additional criteria and priority for service that the eligible entity intends to apply, if any, pursuant to paragraph (5)(C)(ii)(II);

''(C) a description of the methods or procedures to be used to provide eligible individuals information relating to services and providers;

''(D) a description of safeguards to ensure that funds from the personal reemployment accounts are used for purposes authorized under this subsection and to ensure the quality and integrity of services and providers, consistent with the purpose of providing eligible individuals with enhanced flexibility, choice, and control in obtaining intensive reemployment, training, and supportive services;

''(E) a description of how the eligible entity will coordinate the activities carried out under this subsection with the employment and training activities carried out under section 134 and other activities carried out by local boards through the one-stop delivery system in the State or local area; and

''(F) an assurance that the eligible entity will comply with any evaluation and reporting requirements the Secretary may require.

''(7) USE OF PERSONAL REEMPLOYMENT ACCOUNTS.—

''(A) ALLOWABLE ACTIVITIES.—

''(i) IN GENERAL.—Subject to the requirements contained in clauses (ii) and (iii), a recipient of a personal reemployment account may use amounts in a personal reemployment account to purchase 1 or more of the following:

''(I) Intensive services, including those type of services specified in section 134(d)(3)(C).

''(II) Training services, including those types of services specified in section 134(d)(4)(D).

''(III) Supportive services, except for needs related payments.

''(ii) DELIVERY OF SERVICES.—The following requirements relating to delivery of services shall apply to the grants under this subsection:

''(I) Recipients may use funds from the personal reemployment account to purchase the services described in clause (i) through the one-stop delivery system on a fee-for-service basis, or through other providers, consistent with the safeguards described in paragraph (6)(D).

''(II) The eligible entity, through the one-stop delivery system in the participating local area, may pay costs for such services directly on behalf of the recipient, through a voucher system, or by reimbursement to the recipient upon receipt of appropriate cost documentation.

''(III) Each eligible entity, through the one-stop delivery system in the participating local area, shall make available to recipients information on training providers specified in section 134(d)(4)(F)(ii), information available to the one-stop delivery system on providers of the intensive and supportive services described in clause (i), and information relating to occupations in demand in the local area.

''(iii) LIMITATIONS.—The following limitations shall apply with respect to personal reemployment accounts under this subsection:

''(I) Amounts in a personal reemployment account may be used for up to 1 year from the date of the establishment of the account.

''(II) Each recipient shall submit cost documentation as required by the one-stop delivery system.

''(III) For the 1-year period following the establishment of the account, recipients may not receive intensive, supportive, or training services funded under this title except on a fee-for-services basis as specified in clause (ii)(I).

''(IV) Amounts in a personal reemployment account shall be nontransferable.

''(B) REEMPLOYMENT BONUS.—

''(i) IN GENERAL.—Subject to clause (ii)—

''(I) if a recipient determined eligible under paragraph (5)(C)(ii) obtains full-time employment before the 13th week of unemployment for which unemployment compensation is paid, the balance of his or her personal reemployment account shall be provided directly to the recipient in cash; and

''(II) if a recipient determined eligible under paragraph (5)(C)(iii) obtains full-time employment before the end of the 13th week after the date on which the account is established, the balance of his or her personal reemployment account shall be provided directly to the recipient in cash.

''(ii) LIMITATIONS.—The following limitations shall apply with respect to a recipient described in clause (i):

''(I) 60 percent of the remaining personal reemployment account balance shall be paid to the recipient at the time of employment.

''(II) 40 percent of the remaining personal reemployment account shall be paid to the recipient after 26 weeks of employment retention.

''(iii) EXCEPTION REGARDING SUBSEQUENT EMPLOYMENT.—If a recipient described in clause (i) subsequently becomes unemployed due to a lack of work after receiving the portion of the reemployment bonus specified under clause (ii)(I), the individual may use the amount remaining in the personal reemployment account for the purposes described in subparagraph (A) but may not be eligible for additional cash payments under this subparagraph.

''(8) PROGRAM INFORMATION AND EVALUATION.—

''(A) INFORMATION.—The Secretary may require from eligible entities the collection and reporting on such financial, performance, and other program-related information as the Secretary determines is appropriate to carry out this subsection, including the evaluation described in subparagraph (B).

''(B) EVALUATION.—

''(i) IN GENERAL.—The Secretary, pursuant to the authority provided under section 172, shall, directly or through grants, contracts, or cooperative agreement with appropriate entities, conduct an evaluation of the activities carried out under any grants awarded under this subsection.

''(ii) REPORT.—The report to Congress under section 172(e) relating to the results of the evaluations required under section 172 shall include the recommendation of the Secretary with respect to the use of personal reemployment account as a mechanism to assist individuals in obtaining and retaining employment.''.

SEC. 124. TRAINING FOR REALTIME WRITERS.

Section 171 of the Workforce Investment Act of 1998 is further amended by adding at the end the following:

''(f) TRAINING FOR REALTIME WRITERS.—

''(1) IN GENERAL.—The Secretary may make competitive grants to eligible entities under paragraph (2)(A) to promote training and placement of individuals as realtime writers in order to meet the requirements for closed captioning of video programming set forth in section 723 of the Communications Act of 1934 (47 U.S.C. 613) and the rules prescribed thereunder.

''(2) LIMITATIONS.—

''(A) ELIGIBLE ENTITIES.—For purposes of this subsection, an eligible entity is a court reporting or realtime writing training program that—

''(i) can document and demonstrate to the Secretary that it meets appropriate standards of educational and financial accountability, with a curriculum capable of training realtime writers, qualified to provide captioning services and includes arrangements to assist in the placement of such individuals in employment as realtime writers; and

''(ii) is and entity that—

''(I) is an eligible provider of training services under section 122; or

''(II) is accredited by an accrediting agency recognized by the Department of Education; and participates in student aid programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

''(B) PRIORITY IN GRANTS.—In determining whether to award grants under this section, the Secretary shall give priority to eligible entities that—

''(i) demonstrate the greatest ability to increase their capacity to train realtime writers;

''(ii) demonstrate the most promising collaboration with local workforce investment boards, local educational institutions, businesses, labor organizations, or other community-based organization having the potential to train or provide job placement assistance to realtime writers; and

''(iii) propose the most promising and innovative approaches for initiating or expanding training or job placement assistance efforts for realtime writers.

''(C) DURATION OF GRANT.—A grant under this subsection shall be for a period of 2 years.

''(D) MAXIMUM AMOUNT OF GRANT.—The amount of a grant provided under paragraph (1) to an entity eligible may not exceed $1,500,000.

''(3) APPLICATION.—To receive a grant under paragraph (1), an eligible entity shall submit an application to the Secretary at such time and in such manner as the Secretary may require. The application shall include—

''(A) a description of the training and assistance to be funded using the grant amount, including how such training and assistance will increase the number of realtime writers;

''(B) a description of performance measures to be utilized to evaluate the progress of individuals receiving such training and assistance in matters relating to enrollment, completion of training, and job placement and retention;

''(C) a description of the manner in which the eligible entity intends to continue providing the training and assistance to be funded by the grant after the end of the grant period, including any partnerships or arrangements established for that purpose;

''(D) a description of how the eligible entity will work with local workforce investment boards to ensure that training and assistance to be funded with the grant will further local workforce goals, including the creation of educational opportunities for individuals who are from economically disadvantaged backgrounds or are dislocated workers; and

''(E) such other information as the Secretary may require.

''(4) USE OF FUNDS.—

''(A) IN GENERAL.—An eligible entity receiving a grant under paragraph (1) shall use the grant amount for purposes relating to the recruitment, training, assistance, and job placement of individuals (including individuals who have completed a court reporting training program) as realtime writers, including—

''(i) recruitment activities;

''(ii) the provision of training grants to individuals for training in realtime writing;

''(iii) distance learning;

''(iv) design and development of curriculum to more effectively train realtime writing skills and education in the knowledge bases necessary for the delivery of high quality closed captioning services;

''(v) assistance in job placement for upcoming and recent graduates with all types of captioning employers; and

''(vi) encouragement of individuals with disabilities to pursue a career in realtime writing.

''(B) ADMINISTRATIVE COSTS.—The recipient of a grant under paragraph (1) may not use more than 5 percent of the grant amount to pay administrative costs associated with activities funded by the grant.

''(5) REPORTS.—Each eligible entity receiving a grant under paragraph (1) shall submit to the Secretary, at the end of each year of the grant period, a report which shall include—

''(A) a description of the use of grant amounts by the entity during such year;

''(B) an assessment, utilizing the performance measures submitted by the entity in the application for the grant under paragraph (2)(D), of the effectiveness of activities carried out using such funds in increasing the number of realtime writers; and

''(C) a description of the best practices identified by the entity as a result of the grant for increasing the number of individuals who are trained, employed, and retained in employment as realtime writers.''.

SEC. 125. BUSINESS PARTNERSHIP GRANTS.

Section 171 (29 U.S.C. 2916) is further amended by adding at the end the following:

''(g) BUSINESS PARTNERSHIP GRANTS.—

''(1) DEMONSTRATION PROJECT.—In addition to the demonstration projects under subsection (b), (d), and (e), the Secretary may make up to 10 competitive grants per year to eligible entities to expand local sector-focused training and workforce development in high growth, high wage industry sectors in one or more regions of particular States.

''(2) ELIGIBLE ENTITIES.—For purposes of this subsection an eligible entity is a business or business partnership, including associations of single or related industry employers and employee representatives, consortia of such employers, employee representatives, and workforce development community-based organizations, and higher education institutions.

''(3) USE OF FUNDS.—Grants awarded under this subsection may be used to—

''(A) provide workforce-directed business services to help employers in targeted industries better retain, support and advance their skilled workers;

''(B) provide capacity building through regional skill alliances, workforce intermediaries, and other collaborative entities to link businesses to public workforce systems and service providers targeted for their industry;

''(C) conduct analyses of skills that are needed in the workforce in such industries currently and in the future to project new market opportunities in particular industries;

''(D) develop rigorous training and education programs related to employment in high-growth, high-wage industries;

''(E) develop skill standards and industry-certified curricula used in preparing workers for employment in such industries;

''(F) train adults and dislocated workers in the skills and competencies needed to obtain or upgrade employment;

''(G) disseminate information on high-growth, high-wage occupations;

''(H) place trained individuals into employment in high-growth, high-wage industries;

''(I) increase integration between training providers, businesses, and the one-stop delivery system to meet the training needs of particular industries.

''(4) REPORTS.—The Secretary shall track and annually report to the chairmen and ranking minority members of the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, on the industries receiving grants under this subsection, the performance results of each such grant, and the percentage and amount of grants awarded to eligible entities for programs serving each of the following populations: incumbent workers, dislocated workers, adults, and youth.''.

SEC. 126. NATIONAL DISLOCATED WORKER GRANTS.

(a) IN GENERAL.—Section 173 (29 U.S.C. 2916) is amended—

(1) by amending the designation and heading to read as follows:

''SEC. 173. NATIONAL DISLOCATED WORKER GRANTS.''; and

(2) in subsection (a)—

(A) by striking ''national emergency grants'' in the matter preceding paragraph (1) and inserting ''national dislocated worker grants''; and

(B) in paragraph (1), by striking ''subsection (c)'' and inserting ''subsection (b)''.

(b) ADMINISTRATION.—Section 173 (29 U.S.C. 2918) is further amended—

(1) by striking subsection (b) and redesignating subsections (c) and (d) as subsections (b) and (c), respectively; and

(2) by striking subsection (e) and redesignating subsections (f) and (g) as subsection (d) and (e), respectively.

(c) ELIGIBLE ENTITIES.—Section 173(b)(1)(B) (29 U.S.C. 2918(b)(1)(B)) (as redesignated by subsection (b)(1) of this section) is amended by striking '', and other entities'' and all that follows and inserting a period.

(d) PARTICIPANT ELIGIBILITY FOR MILITARY SPOUSES.—Section 173(b)(2)(A) (29 U.S.C. 2918(b)(2)(A)) (as redesignated by subsection (b)(1) of this section) is amended—

(1) in clause (iii), by striking ''; or'' and inserting a semicolon;

(2) in clause (iv)(IV) by striking the period and inserting ''; or''; and

(3) by inserting at the end the following:

''(v) is the spouse of a member of the Armed Forces who is on active duty or full-time National Guard duty, or who was recently separated from such duties, and such spouse is in need of employment and training assistance to obtain or retain employment.''.

(e) CONFORMING AMENDMENT.—The table of contents in section 1(b) is amended by amending the item related to section 173 to read as follows:

''Sec. 173. National dislocated worker grants.''.

SEC. 127. AUTHORIZATION OF APPROPRIATIONS FOR NATIONAL ACTIVITIES.

(a) IN GENERAL.—Section 174(a)(1) (29 U.S.C. 2919(a)(1)) is amended by striking ''1999 through 2003'' and inserting ''2006 through 2011''.

(b) RESERVATIONS.—Section 174(b) is amended to read as follows:

''(b) TECHNICAL ASSISTANCE; DEMONSTRATION AND PILOT PROJECTS; EVALUATIONS; INCENTIVE GRANTS.—

''(1) DEMONSTRATION AND PILOT PROJECTS.—

''(A) IN GENERAL.—There are authorized to be appropriated to carry out section 171, $211,000,000 for fiscal year 2006 and such sums as may be necessary for fiscal years 2007 through 2011.

''(B) RESERVATION FOR COMMUNITY-BASED JOB TRAINING.—Of the amount appropriated pursuant to subparagraph (A), the Secretary shall reserve up to $125,000,000 for carrying out section 171(d).

''(2) TECHNICAL ASSISTANCE, EVALUATIONS.—There are authorized to be appropriated to carry out section 170, section 172, and section 136 such sums as may be necessary for each of fiscal years 2006 through 2011.''.

SEC. 128. REQUIREMENTS AND RESTRICTIONS.

(a) IN GENERAL.—Section 181(c)(2)(A) (29 U.S.C. 2931(c)(2)(A)) is amended in the matter preceding clause (i) by striking ''shall'' and inserting ''may''.

(b) LIMITATIONS.—Section 181(e) (29 U.S.C. 2931(e)) is amended by striking ''training for'' and inserting ''the entry into employment, retention in employment, or increases in earnings of''.

(c) REPORTS TO CONGRESS.—Section 185(e)(2) (29 U.S.C. 2935(e)(2)) is amended by inserting ''and the Secretary shall submit to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate,'' after ''Secretary,''.

SEC. 129. NONDISCRIMINATION.

Section 188(a)(2) (29 U.S.C. 2931(a)(2)) is amended to read as follows:

''(2) PROHIBITION OF DISCRIMINATION REGARDING PARTICIPATION, BENEFITS, AND EMPLOYMENT.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), no individual shall be excluded from participation in, denied the benefits of, subjected to discrimination under, or denied employment in the administration of or in connection with, any such program or activity because of race, color, religion, sex (except as otherwise permitted under title IX of the Education Amendments of 1972), national origin, age, disability, or political affiliation or belief.

''(B) EXEMPTION FOR RELIGIOUS ORGANIZATIONS.—Subparagraph (A) shall not apply to a recipient of financial assistance under this title that is a religious corporation, association, educational institution, or society, with respect to the employment of individuals of a particular religion to perform work connected with the carrying on by such corporation, association, educational institution, or society of its activities. Such recipients shall comply with the other requirements contained in subparagraph (A).''.

SEC. 130. ADMINISTRATIVE PROVISIONS.

(a) PROGRAM YEAR.—Section 189(g)(1) (29 U.S.C. 2939(g)(1)) is amended to read as follows:

''(1) IN GENERAL.—Appropriations for any fiscal year for programs and activities carried out under this title shall be available for obligation only on the basis of a program year. The program year shall begin on July 1 in the fiscal year for which the appropriation is made.''.

(b) AVAILABILITY.—Section 189(g)(2) (29 U.S.C. 2939(g)(2)) is amended by striking ''each State'' and inserting ''each recipient''.

(c) GENERAL WAIVERS.—Section 189(i)(4) (29 U.S.C. 2939(i)(4)) is amended—

(1) in subparagraph (A), in the matter preceding clause (i), by inserting '', or in accordance with subparagraph (D)'' after ''subparagraph (B)''; and

(2) by adding the following subparagraph:

''(D) EXPEDITED PROCESS FOR EXTENDING APPROVED WAIVERS TO ADDITIONAL STATES.—In lieu of the requirements of subparagraphs (B) and (C), the Secretary may establish an expedited procedure for the purpose of extending to additional States the waiver of statutory or regulatory requirements that have been approved for a State pursuant to a request under subparagraph (B). Such procedure shall ensure that the extension of such waivers to additional States are accompanied by appropriate conditions relating the implementation of such waivers.''.

SEC. 131. GENERAL PROGRAM REQUIREMENTS.

Section 195 (29 U.S.C. 2945) is amended by adding at the end the following new paragraphs:

''(14) Funds provided under this title shall not be used to establish or operate stand-alone fee-for-service enterprises that compete with private sector employment agencies within the meaning of section 701(c) of the Civil Rights Act of 1964 (42 U.S.C. 2000e(c)). For purposes of this paragraph, such an enterprise does not include one-stop centers.

''(15) Any report required to be submitted to Congress, or to a Committee of Congress, under this title shall be submitted to both the chairmen and ranking minority members of the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.''.

TITLE II—ADULT EDUCATION, BASIC SKILLS, AND FAMILY LITERACY EDUCATION

SEC. 201. TABLE OF CONTENTS.

The table of contents in section 1(b) is amended by amending the items relating to title II to read as follows:

''TITLE II—ADULT EDUCATION, BASIC SKILLS, AND FAMILY LITERACY EDUCATION

''Sec. 201. Short title.
''Sec. 202. Purpose.
''Sec. 203. Definitions.
''Sec. 204. Home schools.
''Sec. 205. Authorization of appropriations.

''CHAPTER 1—FEDERAL PROVISIONS

''Sec. 211. Reservation of funds; grants to eligible agencies; allotments.
''Sec. 212. Performance accountability system.
''Sec. 213. Incentive grants for States.

''CHAPTER 2—STATE PROVISIONS

''Sec. 221. State administration.
''Sec. 222. State distribution of funds; matching requirement.
''Sec. 223. State leadership activities.
''Sec. 224. State plan.
''Sec. 225. Programs for corrections education and other institutionalized individuals.

''CHAPTER 3—LOCAL PROVISIONS

''Sec. 231. Grants and contracts for eligible providers.
''Sec. 232. Local application.
''Sec. 233. Local administrative cost limits.

''CHAPTER 4—GENERAL PROVISIONS

''Sec. 241. Administrative provisions.
''Sec. 242. National Institute for Literacy.
''Sec. 243. National leadership activities.''.

SEC. 202. AMENDMENT.

Title II (29 U.S.C. 2901 et seq.) is amended to read as follows:

''TITLE II—ADULT EDUCATION, BASIC SKILLS, AND FAMILY LITERACY EDUCATION

''SEC. 201. SHORT TITLE.

''This title may be cited as the 'Adult Education, Basic Skills, and Family Literacy Education Act'.

''SEC. 202. PURPOSE.

''It is the purpose of this title to provide instructional opportunities for adults seeking to improve their literacy skills, including their basic reading, writing, speaking, and math skills, and support States and local communities in providing, on a voluntary basis, adult education, basic skills, and family literacy education programs, in order to—

''(1) increase the literacy of adults, including the basic reading, writing, speaking, and math skills, to a level of proficiency necessary for adults to obtain employment and self-sufficiency and to successfully advance in the workforce;

''(2) assist adults in the completion of a secondary school education (or its equivalent) and the transition to a postsecondary educational institution;

''(3) assist adults who are parents to enable them to support the educational development of their children and make informed choices regarding their children's education including, through instruction in basic reading, writing, speaking, and math skills; and

''(4) assist immigrants who are not proficient in English in improving their reading, writing, speaking, and math skills and acquiring an understanding of the American free enterprise system, individual freedom, and the responsibilities of citizenship.

"SEC. 203. DEFINITIONS.

''In this title:

''(1) ADULT EDUCATION, BASIC SKILLS, AND FAMILY LITERACY EDUCATION PROGRAMS.—The term 'adult education, basic skills, and family literacy education programs' means a sequence of academic instruction and educational services below the postsecondary level that increase an individual's ability to read, write, and speak in English and perform mathematical computations leading to a level of proficiency equivalent to at least a secondary school completion that is provided for individuals—

''(A) who are at least 16 years of age;

''(B) who are not enrolled or required to be enrolled in secondary school under State law; and

''(C) who—

''(i) lack sufficient mastery of basic reading, writing, speaking, and math skills to enable the individuals to function effectively in society;

''(ii) do not have a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent and have not achieved an equivalent level of education; or

''(iii) are unable to read, write, or speak the English language.

''(2) ELIGIBLE AGENCY.—The term 'eligible agency'—

''(A) means the primary entity or agency in a State or an outlying area responsible for administering or supervising policy for adult education, basic skills, and family literacy education programs in the State or outlying area, respectively, consistent with the law of the State or outlying area, respectively; and

''(B) may be the State educational agency, the State agency responsible for administering workforce investment activities, or the State agency responsible for administering community or technical colleges.

''(3) ELIGIBLE PROVIDER.—The term 'eligible provider' means—

''(A) a local educational agency;

''(B) a community-based or faith-based organization of demonstrated effectiveness;

''(C) a volunteer literacy organization of demonstrated effectiveness;

''(D) an institution of higher education;

''(E) a public or private educational agency;

''(F) a library;

''(G) a public housing authority;

''(H) an institution that is not described in any of subparagraphs (A) through (G) and has the ability to provide adult education, basic skills, and family literacy education programs to adults and families; or

''(I) a consortium of the agencies, organizations, institutions, libraries, or authorities described in any of subparagraphs (A) through (H).

''(4) ENGLISH LANGUAGE ACQUISITION PROGRAM.—The term 'English language acquisition program' means a program of instruction designed to help individuals with limited English proficiency achieve competence in reading, writing, and speaking the English language.

''(5) ESSENTIAL COMPONENTS OF READING INSTRUCTION.—The term 'essential components of reading instruction' has the meaning given to that term in section 1208 of the Elementary and Secondary Education Act of 1965.

''(6) FAMILY LITERACY EDUCATION PROGRAM.—The term 'family literacy education program' means an educational program that—

''(A) assists parents and students, on a voluntary basis, in achieving the purposes of this title as described in section 202; and

''(B) is of sufficient intensity in terms of hours and of sufficient duration to make sustainable changes in a family, is based upon scientific research-based principles, and, for the purpose of substantially increasing the ability of parents and children to read, write, and speak English, integrates—

''(i) interactive literacy activities between parents and their children;

''(ii) training for parents regarding how to be the primary teacher for their children and full partners in the education of their children;

''(iii) parent literacy training that leads to economic self-sufficiency; and

''(iv) an age-appropriate education to prepare children for success in school and life experiences.

''(7) GOVERNOR.—The term 'Governor' means the chief executive officer of a State or outlying area.

''(8) INDIVIDUAL WITH A DISABILITY.—

''(A) IN GENERAL.—The term 'individual with a disability' means an individual with any disability (as defined in section 3 of the Americans with Disabilities Act of 1990).

''(B) INDIVIDUALS WITH DISABILITIES.—The term 'individuals with disabilities' means more than one individual with a disability.

''(9) INDIVIDUAL WITH LIMITED ENGLISH PROFICIENCY.—The term 'individual with limited English proficiency' means an adult or out-of-school youth who has limited ability in reading, writing, speaking, or understanding the English language, and—

''(A) whose native language is a language other than English; or

''(B) who lives in a family or community environment where a language other than English is the dominant language.

''(10) INSTITUTION OF HIGHER EDUCATION.—The term 'institution of higher education' has the meaning given to that term in section 101 of the Higher Education Act of 1965.

''(11) LITERACY.—The term 'literacy' means an individual's ability to read, write, and speak in English, compute, and solve problems at a level of proficiency necessary to obtain employment and to successfully make the transition to postsecondary education.

''(12) LOCAL EDUCATIONAL AGENCY.—The term 'local educational agency' has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(13) OUTLYING AREA.—The term 'outlying area' has the meaning given to that term in section 101 of this Act.

''(14) POSTSECONDARY EDUCATIONAL INSTITUTION.—The term 'postsecondary educational institution' means—

''(A) an institution of higher education that provides not less than a 2-year program of instruction that is acceptable for credit toward a bachelor's degree;

''(B) a tribally controlled community college; or

''(C) a nonprofit educational institution offering certificate or apprenticeship programs at the postsecondary level.

''(15) READING.—The term 'reading' has the meaning given to that term in section 1208 of the Elementary and Secondary Education Act of 1965.

''(16) SCIENTIFICALLY BASED RESEARCH.—The term 'scientifically based research' has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(17) SECRETARY.—The term 'Secretary' means the Secretary of Education.

''(18) STATE.—The term 'State' means each of the several States of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

''(19) STATE EDUCATIONAL AGENCY.—The term 'State educational agency' has the meaning given to that term in section 9101 of the Elementary and Secondary Education Act of 1965.

''(20) WORKPLACE LITERACY PROGRAM.—The term 'workplace literacy program' means an educational program that is offered in collaboration between eligible providers and employers or employee organizations for the purpose of improving the productivity of the workforce through the improvement of reading, writing, speaking, and math skills.

"SEC. 204. HOME SCHOOLS.

''Nothing in this title shall be construed to affect home schools, whether or not a home school is treated as a home school or a private school under State law, or to compel a parent engaged in home schooling to participate in an English language acquisition program, a family literacy education program, or an adult education, basic skills, and family literacy education program.

"SEC. 205. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this title $590,127,000 for fiscal year 2006 and such sums as may be necessary for fiscal years 2007 through 2011.

"CHAPTER 1—FEDERAL PROVISIONS

"SEC. 211. RESERVATION OF FUNDS; GRANTS TO ELIGIBLE AGENCIES; ALLOTMENTS.

''(a) RESERVATION OF FUNDS.—From the sums appropriated under section 205 for a fiscal year, the Secretary—

''(1) shall reserve up to 1.72 percent for incentive grants under section 213;

''(2) shall reserve 1.75 percent to carry out section 242; and

''(3) shall reserve up to 1.55 percent to carry out section 243.

''(b) GRANTS TO ELIGIBLE AGENCIES.—

''(1) IN GENERAL.—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall award a grant to each eligible agency having a State plan approved under section 224 in an amount equal to the sum of the initial allotment under subsection (c)(1) and the additional allotment under subsection (c)(2) for the eligible agency for the fiscal year, subject to subsections (f) and (g).

''(2) PURPOSE OF GRANTS.—The Secretary may award a grant under paragraph (1) only if the eligible agency involved agrees to expend the grant in accordance with the provisions of this title.

''(c) ALLOTMENTS.—

''(1) INITIAL ALLOTMENTS.—From the sums appropriated under section 205 and not reserved under subsection (a) for a fiscal year, the Secretary shall allot to each eligible agency having a State plan approved under section 224—

''(A) $100,000, in the case of an eligible agency serving an outlying area; and

''(B) $250,000, in the case of any other eligible agency.

''(2) ADDITIONAL ALLOTMENTS.—From the sums appropriated under section 205, not reserved under subsection (a), and not allotted under paragraph (1), for a fiscal year, the Secretary shall allot to each eligible agency that receives an initial allotment under paragraph (1) an additional amount that bears the same relationship to such sums as the number of qualifying adults in the State or outlying area served by the eligible agency bears to the number of such adults in all States and outlying areas.

''(d) QUALIFYING ADULT.—For the purpose of subsection (c)(2), the term 'qualifying adult' means an adult who—

''(1) is at least 16 years of age;

''(2) is beyond the age of compulsory school attendance under the law of the State or outlying area;

''(3) does not have a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent; and

''(4) is not enrolled in secondary school.

''(e) SPECIAL RULE.—

''(1) IN GENERAL.—From amounts made available under subsection (c) for the Republic of Palau, the Secretary shall award grants to Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, or the Republic of Palau to carry out activities described in this title in accordance with the provisions of this title as determined by the Secretary.

''(2) TERMINATION OF ELIGIBILITY.—Notwithstanding any other provision of law, the Republic of Palau shall be eligible to receive a grant under this title until an agreement for the extension of United States education assistance under the Compact of Free Association for the Republic of Palau becomes effective.

''(3) ADMINISTRATIVE COSTS.—The Secretary may provide not more than 5 percent of the funds made available for grants under this subsection to pay the administrative costs of the Pacific Region Educational Laboratory regarding activities assisted under this subsection.

''(f) HOLD-HARMLESS PROVISIONS.—

''(1) IN GENERAL.—Notwithstanding subsection (c), and subject to paragraphs (2) and (3), for fiscal year 2006 and each succeeding fiscal year, no eligible agency shall receive an allotment under this title that is less than 90 percent of the allotment the eligible agency received for the preceding fiscal year under this title.

''(2) EXCEPTION.—An eligible agency that receives for the preceding fiscal year only an initial allotment under subsection (c)(1) (and no additional allotment under subsection (c)(2)) shall receive an allotment equal to 100 percent of the initial allotment.

''(3) RATABLE REDUCTION.—If for any fiscal year the amount available for allotment under this title is insufficient to satisfy the provisions of paragraph (1), the Secretary shall ratably reduce the payments to all eligible agencies, as necessary.

''(g) REALLOTMENT.—The portion of any eligible agency's allotment under this title for a fiscal year that the Secretary determines will not be required for the period such allotment is available for carrying out activities under this title, shall be available for reallotment from time to time, on such dates during such period as the Secretary shall fix, to other eligible agencies in proportion to the original allotments to such agencies under this title for such year.

"SEC. 212. PERFORMANCE ACCOUNTABILITY SYSTEM.

''(a) PURPOSE.—The purpose of this section is to establish a comprehensive performance accountability system, composed of the activities described in this section, to assess the effectiveness of eligible agencies in achieving continuous improvement of adult education, basic skills, and family literacy education programs funded under this title, in order to optimize the return on investment of Federal funds in adult education, basic skills, and family literacy education programs.

''(b) ELIGIBLE AGENCY PERFORMANCE MEASURES.—

''(1) IN GENERAL.—For each eligible agency, the eligible agency performance measures shall consist of—

''(A)(i) the core indicators of performance described in paragraph (2)(A); and

''(ii) employment performance indicators identified by the eligible agency under paragraph (2)(B); and

''(B) an eligible agency adjusted level of performance for each indicator described in subparagraph (A).

''(2) INDICATORS OF PERFORMANCE.—

''(A) CORE INDICATORS OF PERFORMANCE.—The core indicators of performance shall include the following:

''(i) Measurable improvements in literacy, including basic skill levels in reading, writing, and speaking the English language and basic math, leading to proficiency in each skill.

''(ii) Receipt of a secondary school diploma, General Educational Development credential (GED), or other State-recognized equivalent.

''(iii) Placement in postsecondary education or other training programs.

''(B) EMPLOYMENT PERFORMANCE INDICATORS.—Consistent with applicable Federal and State privacy laws, an eligible agency shall identify in the State plan the following individual participant employment performance indicators:

''(i) Entry into employment.

''(ii) Retention in employment.

''(iii) Increase in earnings.

''(3) LEVELS OF PERFORMANCE.—

''(A) ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR CORE INDICATORS.—

''(i) IN GENERAL.—For each eligible agency submitting a State plan, there shall be established, in accordance with this subparagraph, levels of performance for each of the core indicators of performance described in paragraph (2)(A) for adult education, basic skills, and family literacy education programs authorized under this title. The levels of performance established under this subparagraph shall, at a minimum—

''(I) be expressed in an objective, quantifiable, and measurable form; and

''(II) show the progress of the eligible agency toward continuously and significantly improving the agency's performance outcomes in an objective, quantifiable, and measurable form.

''(ii) IDENTIFICATION IN STATE PLAN.—Each eligible agency shall identify, in the State plan submitted under section 224, expected levels of performance for each of the core indicators of performance for the first 3 program years covered by the State plan.

''(iii) AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR FIRST 3 YEARS.—In order to ensure an optimal return on the investment of Federal funds in adult education, basic skills, and family literacy education programs authorized under this title, the Secretary and each eligible agency shall reach agreement on levels of student performance for each of the core indicators of performance, for the first 3 program years covered by the State plan, taking into account the levels identified in the State plan under clause (ii) and the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan prior to the approval of such plan.

''(iv) FACTORS.—The agreement described in clause (iii) or (v) shall take into account—

''(I) how the levels involved compare with the eligible agency's adjusted levels of performance, taking into account factors including the characteristics of participants when the participants entered the program; and

''(II) the extent to which such levels promote continuous and significant improvement in performance on the student proficiency measures used by such eligible agency and ensure optimal return on the investment of Federal funds.

''(v) AGREEMENT ON ELIGIBLE AGENCY ADJUSTED LEVELS OF PERFORMANCE FOR SECOND 3 YEARS.—Prior to the fourth program year covered by the State plan, the Secretary and each eligible agency shall reach agreement on levels of student performance for each of the core indicators of performance for the fourth, fifth, and sixth program years covered by the State plan, taking into account the factors described in clause (iv). The levels agreed to under this clause shall be considered to be the eligible agency adjusted levels of performance for the eligible agency for such years and shall be incorporated into the State plan.

''(vi) REVISIONS.—If unanticipated circumstances arise in a State resulting in a significant change in the factors described in clause (iv)(I), the eligible agency may request that the eligible agency adjusted levels of performance agreed to under clause (iii) or (v) be revised.

''(B) LEVELS OF EMPLOYMENT PERFORMANCE.—The eligible agency shall identify, in the State plan, eligible agency levels of performance for each of the employment performance indicators described in paragraph (2)(B). Such levels shall be considered to be eligible agency adjusted levels of performance for purposes of this title.

''(c) REPORT.—

''(1) IN GENERAL.—Each eligible agency that receives a grant under section 211(b) shall annually prepare and submit to the Secretary, the Governor, the State legislature, and eligible providers a report on the progress of the eligible agency in achieving eligible agency performance measures, including the following:

''(A) Information on the levels of performance achieved by the eligible agency with respect to the core indicators of performance and employment performance indicators.

''(B) The number and type of each eligible provider that receives funding under such grant.

''(2) INFORMATION DISSEMINATION.—The Secretary—

''(A) shall make the information contained in such reports available to the general public through publication (including on the Internet site of the Department of Education) and other appropriate methods;

''(B) shall disseminate State-by-State comparisons of the information; and

''(C) shall provide the appropriate committees of the Congress with copies of such reports.

"SEC. 213. INCENTIVE GRANTS FOR STATES.

''(a) IN GENERAL.—From funds appropriated under section 211(a)(1), the Secretary may award grants to States for exemplary performance in carrying out programs under this title. Such awards shall be based on States exceeding the core indicators of performance established under section 212(b)(2)(A) and may be based on the performance of the State in serving populations, such as those described in section 224(b)(10), including the levels of service provided and the performance outcomes, and such other factors relating to the performance of the State under this title as the Secretary determines appropriate.

''(b) USE OF FUNDS.—The funds awarded to a State under this paragraph may be used to carry out any activities authorized under this title, including demonstrations and innovative programs for hard-to-serve populations.

"CHAPTER 2—STATE PROVISIONS

"SEC. 221. STATE ADMINISTRATION.

''Each eligible agency shall be responsible for the following activities under this title:

''(1) The development, submission, implementation, and monitoring of the State plan.

''(2) Consultation with other appropriate agencies, groups, and individuals that are involved in, or interested in, the development and implementation of activities assisted under this title.

''(3) Coordination and avoidance of duplication with other Federal and State education, training, corrections, public housing, and social service programs.

"SEC. 222. STATE DISTRIBUTION OF FUNDS; MATCHING REQUIREMENT.

''(a) STATE DISTRIBUTION OF FUNDS.—Each eligible agency receiving a grant under this title for a fiscal year—

''(1) shall use an amount not less than 82.5 percent of the grant funds to award grants and contracts under section 231 and to carry out section 225, of which not more than 10 percent of

such amount shall be available to carry out section 225;

''(2) shall use not more than 12.5 percent of the grant funds to carry out State leadership activities under section 223; and

''(3) shall use not more than 5 percent of the grant funds, or $75,000, whichever is greater, for the administrative expenses of the eligible agency.

''(b) MATCHING REQUIREMENT.—

''(1) IN GENERAL.—In order to receive a grant from the Secretary under section 211(b), each eligible agency shall provide, for the costs to be incurred by the eligible agency in carrying out the adult education, basic skills, and family literacy education programs for which the grant is awarded, a non-Federal contribution in an amount at least equal to—

''(A) in the case of an eligible agency serving an outlying area, 12 percent of the total amount of funds expended for adult education, basic skills, and family literacy education programs in the outlying area, except that the Secretary may decrease the amount of funds required under this subparagraph for an eligible agency; and

''(B) in the case of an eligible agency serving a State, 25 percent of the total amount of funds expended for adult education, basic skills, and family literacy education programs in the State.

''(2) NON-FEDERAL CONTRIBUTION.—An eligible agency's non-Federal contribution required under paragraph (1) may be provided in cash or in kind, fairly evaluated, and shall include only non-Federal funds that are used for adult education, basic skills, and family literacy education programs in a manner that is consistent with the purpose of this title.

''SEC. 223. STATE LEADERSHIP ACTIVITIES.

''(a) IN GENERAL.—Each eligible agency may use funds made available under section 222(a)(2) for any of the following adult education, basic skills, and family literacy education programs:

''(1) The establishment or operation of professional development programs to improve the quality of instruction provided pursuant to local activities required under section 231(b), including instruction incorporating the essential components of reading instruction and instruction provided by volunteers or by personnel of a State or outlying area.

''(2) The provision of technical assistance to eligible providers of adult education, basic skills, and family literacy education programs, including for the development and dissemination of scientifically based research instructional practices in reading, writing, speaking, math, and English language acquisition programs.

''(3) The provision of assistance to eligible providers in developing, implementing, and reporting measurable progress in achieving the objectives of this title.

''(4) The provision of technology assistance, including staff training, to eligible providers of adult education, basic skills, and family literacy education programs, including distance learning activities, to enable the eligible providers to improve the quality of such activities.

''(5) The development and implementation of technology applications or distance learning, including professional development to support the use of instructional technology.

''(6) Coordination with other public programs, including welfare-to-work, workforce development, and job training programs.

''(7) Coordination with existing support services, such as transportation, child care, and other assistance designed to increase rates of enrollment in, and successful completion of, adult education, basic skills, and family literacy education programs, for adults enrolled in such activities.

''(8) The development and implementation of a system to assist in the transition from adult basic education to postsecondary education.

''(9) Activities to promote workplace literacy programs.

''(10) Activities to promote and complement local outreach initiatives described in section 243(7).

''(11) Other activities of statewide significance, including assisting eligible providers in achieving progress in improving the skill levels of adults who participate in programs under this title.

''(12) Integration of literacy, instructional, and occupational skill training and promotion of linkages with employees.

''(b) COORDINATION.—In carrying out this section, eligible agencies shall coordinate where possible, and avoid duplicating efforts, in order to maximize the impact of the activities described in subsection (a).

''(c) STATE-IMPOSED REQUIREMENTS.—Whenever a State or outlying area implements any rule or policy relating to the administration or operation of a program authorized under this title that has the effect of imposing a requirement that is not imposed under Federal law (including any rule or policy based on a State or outlying area interpretation of a Federal statute, regulation, or guideline), the State or outlying area shall identify, to eligible providers, the rule or policy as being imposed by the State or outlying area.

''SEC. 224. STATE PLAN.

''(a) 6-YEAR PLANS.—

''(1) IN GENERAL.—Each eligible agency desiring a grant under this title for any fiscal year shall submit to, or have on file with, the Secretary a 6-year State plan.

''(2) COMPREHENSIVE PLAN OR APPLICATION.—The eligible agency may submit the State plan as part of a comprehensive plan or application for Federal education assistance.

''(b) PLAN CONTENTS.—The eligible agency shall include in the State plan or any revisions to the State plan—

''(1) an objective assessment of the needs of individuals in the State or outlying area for adult education, basic skills, and family literacy education programs, including individuals most in need or hardest to serve;

''(2) a description of the adult education, basic skills, and family literacy education programs that will be carried out with funds received under this title;

''(3) a description of how the eligible agency will evaluate and measure annually the effectiveness and improvement of the adult education, basic skills, and family literacy education programs based on the performance measures described in section 212 including—

''(A) how the eligible agency will evaluate and measure annually such effectiveness on a grant-by-grant basis; and

''(B) how the eligible agency—

''(i) will hold eligible providers accountable regarding the progress of such providers in improving the academic achievement of participants in adult education programs under this title and regarding the core indicators of performance described in section 212(b)(2)(A); and

''(ii) will use technical assistance, sanctions, and rewards (including allocation of grant funds based on performance and termination of grant funds based on nonperformance);

''(4) a description of the performance measures described in section 212 and how such performance measures have significantly improved adult education, basic skills, and family literacy education programs in the State or outlying area;

''(5) an assurance that the eligible agency will, in addition to meeting all of the other requirements of this title, award not less than one grant under this title to an eligible provider that—

''(A) offers flexible schedules and necessary support services (such as child care and transportation) to enable individuals, including individuals with disabilities, or individuals with other special needs, to participate in adult education, basic skills, and family literacy education programs; and

''(B) attempts to coordinate with support services that are not provided under this title prior to using funds for adult education, basic skills, and family literacy education programs provided under this title for support services;

''(6) an assurance that the funds received under this title will not be expended for any purpose other than for activities under this title;

''(7) a description of how the eligible agency will fund local activities in accordance with the measurable goals described in section 231(d);

''(8) an assurance that the eligible agency will expend the funds under this title only in a manner consistent with fiscal requirements in section 241;

''(9) a description of the process that will be used for public participation and comment with respect to the State plan, which process—

''(A) shall include consultation with the State workforce investment board, the State board responsible for administering community or technical colleges, the Governor, the State educational agency, the State board or agency responsible for administering block grants for temporary assistance to needy families under title IV of the Social Security Act, the State council on disabilities, the State vocational rehabilitation agency, other State agencies that promote the improvement of adult education, basic skills, and family literacy education programs, and direct providers of such programs; and

''(B) may include consultation with the State agency on higher education, institutions responsible for professional development of adult education, basic skills, and family literacy education programs instructors, representatives of business and industry, refugee assistance programs, and faith-based organizations;

''(10) a description of the eligible agency's strategies for serving populations that include, at a minimum—

''(A) low-income individuals;

''(B) individuals with disabilities;

''(C) the unemployed;

''(D) the underemployed; and

''(E) individuals with multiple barriers to educational enhancement, including individuals with limited English proficiency;

''(11) a description of how the adult education, basic skills, and family literacy education programs that will be carried out with any funds received under this title will be integrated with other adult education, career development, and employment and training activities in the State or outlying area served by the eligible agency;

''(12) a description of the steps the eligible agency will take to ensure direct and equitable access, as required in section 231(c)(1), including—

''(A) how the State will build the capacity of community-based and faith-based organizations to provide adult education, basic skills, and family literacy education programs; and

''(B) how the State will increase the participation of business and industry in adult education, basic skills, and family literacy education programs;

''(13) an assessment of the adequacy of the system of the State or outlying area to ensure teacher quality and a description of how the State or outlying area will use funds received under this subtitle to improve teacher quality, including professional development on the use of scientifically based research to improve instruction; and

''(14) a description of how the eligible agency will consult with any State agency responsible for postsecondary education to develop adult education that prepares students to enter postsecondary education without the need for remediation upon completion of secondary school equivalency programs.

''(c) PLAN REVISIONS.—When changes in conditions or other factors require substantial revisions to an approved State plan, the eligible agency shall submit the revisions of the State plan to the Secretary.

''(d) CONSULTATION.—The eligible agency shall—

''(1) submit the State plan, and any revisions to the State plan, to the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, or outlying area for review and comment; and

''(2) ensure that any comments regarding the State plan by the Governor, the chief State school officer, or the State officer responsible for administering community or technical colleges, and any revision to the State plan, are submitted to the Secretary.

''(e) PLAN APPROVAL.—A State plan submitted to the Secretary shall be approved by the Secretary only if the plan is consistent with the specific provisions of this title.

''SEC. 225. PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.

''(a) PROGRAM AUTHORIZED.—From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals.

''(b) USES OF FUNDS.—The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for—

''(1) basic skills education;

''(2) special education programs as determined by the eligible agency;

''(3) reading, writing, speaking, and math programs; and

''(4) secondary school credit or diploma programs or their recognized equivalent.

''(c) PRIORITY.—Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.

''(d) DEFINITIONS.—For purposes of this section:

''(1) CORRECTIONAL INSTITUTION.—The term 'correctional institution' means any—

''(A) prison;

''(B) jail;

''(C) reformatory;

''(D) work farm;

''(E) detention center; or

''(F) halfway house, community-based rehabilitation center, or any other similar institution designed for the confinement or rehabilitation of criminal offenders.

''(2) CRIMINAL OFFENDER.—The term 'criminal offender' means any individual who is charged with, or convicted of, any criminal offense.

''CHAPTER 3—LOCAL PROVISIONS

''SEC. 231. GRANTS AND CONTRACTS FOR ELIGIBLE PROVIDERS.

''(a) GRANTS AND CONTRACTS.—From grant funds made available under section 211(b), each eligible agency shall award multiyear grants or contracts, on a competitive basis, to eligible providers within the State or outlying area that meet the conditions and requirements of this title to enable the eligible providers to develop, implement, and improve adult education, basic skills, and family literacy education programs within the State.

''(b) LOCAL ACTIVITIES.—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to establish or operate one or more programs of instruction that provide services or instruction in one or more of the following categories:

''(1) Adult education, basic skills, and family literacy education programs (including proficiency in reading, writing, speaking, and math).

''(2) Workplace literacy programs.

''(3) English language acquisition programs.

''(4) Family literacy education programs.

''(c) DIRECT AND EQUITABLE ACCESS; SAME PROCESS.—Each eligible agency receiving funds under this title shall ensure that—

''(1) all eligible providers have direct and equitable access to apply for grants or contracts under this section; and

''(2) the same grant or contract announcement process and application process is used for all eligible providers in the State or outlying area.

''(d) MEASURABLE GOALS.—The eligible agency shall require eligible providers receiving a grant or contract under subsection (a) to demonstrate—

''(1) the eligible provider's measurable goals for participant outcomes to be achieved annually on the core indicators of performance and employment performance indicators described in section 212(b)(2);

''(2) the past effectiveness of the eligible provider in improving the basic academic skills of adults and, for eligible providers receiving grants in the prior year, the success of the eligible provider receiving funding under this title in exceeding its performance goals in the prior year;

''(3) the commitment of the eligible provider to serve individuals in the community who are the most in need of basic academic skills instruction services, including individuals who are low-income or have minimal reading, writing, speaking, and math skills, or limited English proficiency;

''(4) the program—

''(A) is of sufficient intensity and duration for participants to achieve substantial learning gains; and

''(B) uses instructional practices that include the essential components of reading instruction;

''(5) educational practices are based on scientifically based research;

''(6) the activities of the eligible provider effectively employ advances in technology, as appropriate, including the use of computers;

''(7) the activities provide instruction in real-life contexts, when appropriate, to ensure that an individual has the skills needed to compete in the workplace and exercise the rights and responsibilities of citizenship;

''(8) the activities are staffed by well-trained instructors, counselors, and administrators;

''(9) the activities are coordinated with other available resources in the community, such as through strong links with elementary schools and secondary schools, postsecondary educational institutions, one-stop centers, job training programs, community-based and faith-based organizations, and social service agencies;

''(10) the activities offer flexible schedules and support services (such as child care and transportation) that are necessary to enable individuals, including individuals with disabilities or other special needs, to attend and complete programs;

''(11) the activities include a high-quality information management system that has the capacity to report measurable participant outcomes and to monitor program performance against the performance measures established by the eligible agency;

''(12) the local communities have a demonstrated need for additional English language acquisition programs;

''(13) the capacity of the eligible provider to produce valid information on performance results, including enrollments and measurable participant outcomes;

''(14) adult education, basic skills, and family literacy education programs offer rigorous reading, writing, speaking, and math content that are based on scientifically based research; and

''(15) applications of technology, and services to be provided by the eligible providers, are of sufficient intensity and duration to increase the amount and quality of learning and lead to measurable learning gains within specified time periods.

''(e) SPECIAL RULE.—Eligible providers may use grant funds under this title to serve children participating in family literacy programs assisted under this part, provided that other sources of funds available to provide similar services for such children are used first.

''SEC. 232. LOCAL APPLICATION.

''Each eligible provider desiring a grant or contract under this title shall submit an application to the eligible agency containing such information and assurances as the eligible agency may require, including—

''(1) a description of how funds awarded under this title will be spent consistent with the requirements of this title;

''(2) a description of any cooperative arrangements the eligible provider has with other agencies, institutions, or organizations for the delivery of adult education, basic skills, and family literacy education programs; and

''(3) each of the demonstrations required by section 231(d).

''SEC. 233. LOCAL ADMINISTRATIVE COST LIMITS.

''(a) IN GENERAL.—Subject to subsection (b), of the amount that is made available under this title to an eligible provider—

''(1) at least 95 percent shall be expended for carrying out adult education, basic skills, and family literacy education programs; and

''(2) the remaining amount shall be used for planning, administration, personnel and professional development, development of measurable goals in reading, writing, speaking, and math, and interagency coordination.

''(b) SPECIAL RULE.—In cases where the cost limits described in subsection (a) are too restrictive to allow for adequate planning, administration, personnel development, and interagency coordination, the eligible provider may negotiate with the eligible agency in order to determine an adequate level of funds to be used for non-instructional purposes.

''CHAPTER 4—GENERAL PROVISIONS

''SEC. 241. ADMINISTRATIVE PROVISIONS.

''(a) SUPPLEMENT NOT SUPPLANT.—Funds made available for adult education, basic skills, and family literacy education programs under this title shall supplement and not supplant other State or local public funds expended for adult education, basic skills, and family literacy education programs.

''(b) MAINTENANCE OF EFFORT.—

''(1) IN GENERAL.—

''(A) DETERMINATION.—An eligible agency may receive funds under this title for any fiscal year if the Secretary finds that the fiscal effort per student or the aggregate expenditures of such eligible agency for activities under this title, in the second preceding fiscal year, were not less than 90 percent of the fiscal effort per student or the aggregate expenditures of such eligible agency for adult education, basic skills, and family literacy education programs, in the third preceding fiscal year.

''(B) PROPORTIONATE REDUCTION.—Subject to paragraphs (2), (3), and (4), for any fiscal year with respect to which the Secretary determines under subparagraph (A) that the fiscal effort or the aggregate expenditures of an eligible agency for the preceding program year were less than such effort or expenditures for the second preceding program year, the Secretary—

''(i) shall determine the percentage decreases in such effort or in such expenditures; and

''(ii) shall decrease the payment made under this title for such program year to the agency for adult education, basic skills, and family literacy education programs by the lesser of such percentages.

''(2) COMPUTATION.—In computing the fiscal effort and aggregate expenditures under paragraph (1), the Secretary shall exclude capital expenditures and special one-time project costs.

''(3) DECREASE IN FEDERAL SUPPORT.—If the amount made available for adult education, basic skills, and family literacy education programs under this title for a fiscal year is less

than the amount made available for adult education, basic skills, and family literacy education programs under this title for the preceding fiscal year, then the fiscal effort per student and the aggregate expenditures of an eligible agency required in order to avoid a reduction under paragraph (1)(B) shall be decreased by the same percentage as the percentage decrease in the amount so made available.

''(4) WAIVER.—The Secretary may waive the requirements of this subsection for not more than 1 fiscal year, if the Secretary determines that a waiver would be equitable due to exceptional or uncontrollable circumstances, such as a natural disaster or an unforeseen and precipitous decline in the financial resources of the State or outlying area of the eligible agency. If the Secretary grants a waiver under the preceding sentence for a fiscal year, the level of effort required under paragraph (1) shall not be reduced in the subsequent fiscal year because of the waiver.

''SEC. 242. NATIONAL INSTITUTE FOR LITERACY.

''(a) IN GENERAL.—

''(1) PURPOSE.—The purpose of the National Institute for Literacy is to promote the improvement of literacy, including skills in reading, writing, and English language acquisition for children, youth, and adults, through practices derived from the findings of scientifically based research.

''(2) ESTABLISHMENT.—There is established a National Institute for Literacy (in this section referred to as the 'Institute'). The Institute shall be administered under the terms of an interagency agreement entered into, reviewed annually, and modified as needed by the Secretary of Education with the Secretary of Health and Human Services and the Secretary of Labor (in this section referred to as the 'Interagency Group').

''(3) OFFICES.—The Institute shall have offices separate from the offices of the Department of Education, the Department of Health and Human Services, and the Department of Labor.

''(4) ADMINISTRATIVE SUPPORT.—The Department of Education shall provide administrative support for the Institute.

''(5) DAILY OPERATIONS.—The Director of the Institute shall administer the daily operations of the Institute.

''(b) DUTIES.—

''(1) IN GENERAL.—To carry out its purpose, the Institute may—

''(A) identify and disseminate rigorous scientific research on the effectiveness of instructional practices and organizational strategies relating to programs on the acquisition of skills in reading, writing, and English language acquisition for children, youth, and adults;

''(B) create and widely disseminate materials about the acquisition and application of skills in reading, writing, and English language acquisition for children, youth, and adults based on scientifically based research;

''(C) ensure a broad understanding of scientifically based research on reading, writing, and English language acquisition for children, youth, and adults among Federal agencies with responsibilities for administering programs that provide related services, including State and local educational agencies;

''(D) facilitate coordination and information sharing among national organizations and associations interested in programs that provide services to improve skills in reading, writing, and English language acquisition for children, youth, and adults;

''(E) coordinate with the appropriate offices in the Department of Education, the Department of Health and Human Services, the Department of Labor, and other Federal agencies to apply the findings of scientifically based research related to programs on reading, writing, and English language acquisition for children, youth, and adults;

''(F) establish a national electronic database and Internet site describing and fostering communication on scientifically based programs in reading, writing, and English language acquisition for children, youth, and adults, including professional development programs; and

''(G) provide opportunities for technical assistance, meetings, and conferences that will foster increased coordination among Federal, State, and local agencies and entities and improvement of reading, writing, and English language acquisition skills for children, youth, and adults.

''(2) COORDINATION.—In identifying scientifically based research on reading, writing, and English language acquisition for children, youth, and adults, the Institute shall use standards for research quality that are consistent with those established by the Institute of Education Sciences.

''(3) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS.—

''(A) IN GENERAL.—The Institute may award grants to, or enter into contracts or cooperative agreements with, individuals, public or private institutions, agencies, organizations, or consortia of such individuals, institutions, agencies, or organizations, to carry out the activities of the Institute.

''(B) REGULATIONS.—The Director may adopt the general administrative regulations of the Department of Education, as applicable, for use by the Institute.

''(C) RELATION TO OTHER LAWS.—The duties and powers of the Institute under this title are in addition to the duties and powers of the Institute under subparts 1, 2, and 3 of part B of the Elementary and Secondary Education Act of 1965 (commonly referred to as Reading First, Early Reading First, and the William F. Goodling Even Start Family Literacy Program, respectively).

''(c) VISITING SCHOLARS.—The Institute may establish a visiting scholars program, with such stipends and allowances as the Director considers necessary, for outstanding researchers, scholars, and individuals who—

''(1) have careers in adult education, workforce development, or scientifically based reading, writing, or English language acquisition; and

''(2) can assist the Institute in translating research into practice and providing analysis that advances instruction in the fields of reading, writing, and English language acquisition for children, youth, and adults.

''(d) INTERNS AND VOLUNTEERS.—The Institute, in consultation with the National Institute for Literacy Advisory Board, may award paid and unpaid internships to individuals seeking to assist the Institute in carrying out its purpose. Notwithstanding section 1342 of title 31, United States Code, the Institute may accept and use voluntary and uncompensated services as the Institute determines necessary.

''(e) NATIONAL INSTITUTE FOR LITERACY ADVISORY BOARD.—

''(1) ESTABLISHMENT.—

''(A) IN GENERAL.—There shall be a National Institute for Literacy Advisory Board (in this section referred to as the 'Board'), which shall consist of 10 individuals appointed by the President with the advice and consent of the Senate.

''(B) QUALIFICATIONS.—The Board shall be composed of individuals who—

''(i) are not otherwise officers or employees of the Federal Government; and

''(ii) are knowledgeable about current effective scientifically based research findings on instruction in reading, writing, and English language acquisition for children, youth, and adults.

''(C) COMPOSITION.—The Board may include—

''(i) representatives of business, industry, labor, literacy organizations, adult education providers, community colleges, students with disabilities, and State agencies, including State directors of adult education; and

''(ii) individuals who, and representatives of entities that, have been successful in improving skills in reading, writing, and English language acquisition for children, youth, and adults.

''(2) DUTIES.—The Board shall—

''(A) make recommendations concerning the appointment of the Director of the Institute;

''(B) provide independent advice on the operation of the Institute;

''(C) receive reports from the Interagency Group and the Director; and

''(D) review the biennial report to the Congress under subsection (k).

''(3) FEDERAL ADVISORY COMMITTEE ACT.—Except as otherwise provided, the Board shall be subject to the provisions of the Federal Advisory Committee Act.

''(4) APPOINTMENTS.—

''(A) IN GENERAL.—Each member of the Board shall be appointed for a term of 3 years, except that the initial terms for members may be 1, 2, or 3 years in order to establish a rotation in which one-third of the members are selected each year. Any such member may be appointed for not more than 2 consecutive terms.

''(B) VACANCIES.—Any member appointed to fill a vacancy occurring before the expiration of the term for which the member's predecessor was appointed shall be appointed only for the remainder of that term. A member may serve after the expiration of that member's term until a successor has taken office.

''(5) QUORUM.—A majority of the members of the Board shall constitute a quorum, but a lesser number may hold hearings. A recommendation of the Board may be passed only by a majority of the Board's members present at a meeting for which there is a quorum.

''(6) ELECTION OF OFFICERS.—The Chairperson and Vice Chairperson of the Board shall be elected by the members of the Board. The term of office of the Chairperson and Vice Chairperson shall be 2 years.

''(7) MEETINGS.—The Board shall meet at the call of the Chairperson or a majority of the members of the Board.

''(f) GIFTS, BEQUESTS, AND DEVISES.—

''(1) IN GENERAL.—The Institute may accept, administer, and use gifts or donations of services, money, or property, whether real or personal, tangible or intangible.

''(2) RULES.—The Board shall establish written rules setting forth the criteria to be used by the Institute in determining whether the acceptance of contributions of services, money, or property whether real or personal, tangible or intangible, would reflect unfavorably upon the ability of the Institute or any employee to carry out the responsibilities of the Institute or employee, or official duties, in a fair and objective manner, or would compromise the integrity, or the appearance of the integrity, of the Institute's programs or any official involved in those programs.

''(g) MAILS.—The Board and the Institute may use the United States mails in the same manner and under the same conditions as other departments and agencies of the United States.

''(h) DIRECTOR.—The Secretary of Education, after considering recommendations made by the Board and consulting with the Interagency Group, shall appoint and fix the pay of the Director of the Institute and, when necessary, shall appoint an Interim Director of the Institute.

''(i) APPLICABILITY OF CERTAIN CIVIL SERVICE LAWS.—The Director and staff of the Institute may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of that title relating to classification and General Schedule pay rates, except that an individual so appointed may not receive pay in excess of the annual rate of basic pay payable for level IV of the Executive Schedule.

''(j) EXPERTS AND CONSULTANTS.—The Institute may procure temporary and intermittent services under section 3109(b) of title 5, United States Code.

''(k) BIENNIAL REPORT.—

''(1) IN GENERAL.—The Institute shall submit a report biennially to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate. Each report submitted under this subsection shall include—

''(A) a comprehensive and detailed description of the Institute's operations, activities, financial condition, and accomplishments in identifying and describing programs on reading, writing, and English language acquisition for children, youth, and adults for the period covered by the report; and

''(B) a description of how plans for the operation of the Institute for the succeeding 2 fiscal years will facilitate achievement of the purpose of the Institute.

''(2) FIRST REPORT.—The Institute shall submit its first report under this subsection to the Congress not later than 1 year after the date of the enactment of the Job Training Improvement Act of 2005.

''(l) ADDITIONAL FUNDING.—In addition to the funds authorized under section 205 and reserved for the Institute under section 211, the Secretary of Education, the Secretary of Health and Human Services, the Secretary of Labor, or the head of any other Federal agency or department that participates in the activities of the Institute may provide funds to the Institute for activities that the Institute is authorized to perform under this section.

"SEC. 243. NATIONAL LEADERSHIP ACTIVITIES.

''The Secretary shall establish and carry out a program of national leadership activities that may include the following:

''(1) Technical assistance, on request, including assistance—

''(A) on request to volunteer community- and faith-based organizations, including but not limited to, improving their fiscal management, research-based instruction, and reporting requirements, and the development of measurable objectives to carry out the requirements of this title;

''(B) in developing valid, measurable, and reliable performance data, and using performance information for the improvement of adult education basic skills, English language acquisition, and family literacy education programs;

''(C) on adult education professional development; and

''(D) in using distance learning and improving the application of technology in the classroom, including instruction in English language acquisition for individuals who have limited English proficiency.

''(2) Providing for the conduct of research on national literacy basic skill acquisition levels among adults, including the number of limited English proficient adults functioning at different levels of reading proficiency.

''(3) Improving the coordination, efficiency, and effectiveness of adult education and workforce development services at the national, State, and local levels.

''(4) Determining how participation in adult education basic skills, English language acquisition, and family literacy education programs prepares individuals for entry into and success in postsecondary education and employment, and in the case of prison-based services, the effect on recidivism.

''(5) Evaluating how different types of providers, including community and faith-based organizations or private for-profit agencies measurably improve the skills of participants in adult education basic skills, English language acquisition, and family literacy education programs.

''(6) Identifying model integrated basic and workplace skills education programs, including programs for individuals with limited English proficiency coordinated literacy and employment services, and effective strategies for serving adults with disabilities.

''(7) Supporting the development of an entity that would produce and distribute technology-based programs and materials for adult education, basic skills, and family literacy education programs using an intercommunication system, as that term is defined in section 397 of the Communications Act of 1934, and expand the effective outreach and use of such programs and materials to adult education eligible providers.

''(8) Initiating other activities designed to improve the measurable quality and effectiveness of adult education basic skills, English language acquisition, and family literacy education programs nationwide.''.

TITLE III—AMENDMENTS TO THE WAGNER-PEYSER ACT

SEC. 301. AMENDMENTS TO THE WAGNER-PEYSER ACT.

The Wagner-Peyser Act (29 U.S.C. 49 et. seq.) is amended—

(1) by striking sections 1 through 13;

(2) in section 14 by inserting ''of Labor'' after ''Secretary''; and

(3) by amending section 15 to read as follows:

"SEC. 15. WORKFORCE AND LABOR MARKET INFORMATION SYSTEM.

''(a) SYSTEM CONTENT.—

''(1) IN GENERAL.—The Secretary of Labor, in accordance with the provisions of this section, shall oversee the development, maintenance, and continuous improvement of a nationwide workforce and labor market information system that includes—

''(A) statistical data from cooperative statistical survey and projection programs and data from administrative reporting systems that, taken together, enumerate, estimate, and project employment opportunities and conditions at national, State, and local levels in a timely manner, including statistics on—

''(i) employment and unemployment status of national, State, and local populations, including self-employed, part-time, and seasonal workers;

''(ii) industrial distribution of occupations, as well as current and projected employment opportunities, wages, benefits (where data is available), and skill trends by occupation and industry, with particular attention paid to State and local conditions;

''(iii) the incidence of, industrial and geographical location of, and number of workers displaced by, permanent layoffs and plant closings; and

''(iv) employment and earnings information maintained in a longitudinal manner to be used for research and program evaluation;

''(B) information on State and local employment opportunities, and other appropriate statistical data related to labor market dynamics, which—

''(i) shall be current and comprehensive;

''(ii) shall meet the needs identified through the consultations described in subparagraphs (A) and (B) of subsection (e)(2); and

''(iii) shall meet the needs for the information identified in section 134(d);

''(C) technical standards (which the Secretary shall publish annually) for data and information described in subparagraphs (A) and (B) that, at a minimum, meet the criteria of chapter 35 of title 44, United States Code;

''(D) procedures to ensure compatibility and additivity of the data and information described in subparagraphs (A) and (B) from national, State, and local levels;

''(E) procedures to support standardization and aggregation of data from administrative reporting systems described in subparagraph (A) of employment-related programs;

''(F) analysis of data and information described in subparagraphs (A) and (B) for uses such as—

''(i) national, State, and local policymaking;

''(ii) implementation of Federal policies (including allocation formulas);

''(iii) program planning and evaluation; and

''(iv) researching labor market dynamics;

''(G) wide dissemination of such data, information, and analysis in a user-friendly manner and voluntary technical standards for dissemination mechanisms; and

''(H) programs of—

''(i) training for effective data dissemination;

''(ii) research and demonstration; and

''(iii) programs and technical assistance.

''(2) INFORMATION TO BE CONFIDENTIAL.—

''(A) IN GENERAL.—No officer or employee of the Federal Government or agent of the Federal Government may—

''(i) use any submission that is furnished for exclusively statistical purposes under the provisions of this section for any purpose other than the statistical purposes for which the submission is furnished;

''(ii) make any publication or media transmittal of the data contained in the submission described in clause (i) that permits information concerning individual subjects to be reasonably inferred by either direct or indirect means; or

''(iii) permit anyone other than a sworn officer, employee, or agent of any Federal department or agency, or a contractor (including an employee of a contractor) of such department or agency, to examine an individual submission described in clause (i),

without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission.

''(B) IMMUNITY FROM LEGAL PROCESS.—Any submission (including any data derived from the submission) that is collected and retained by a Federal department or agency, or an officer, employee, agent, or contractor of such a department or agency, for exclusively statistical purposes under this section shall be immune from the legal process and shall not, without the consent of the individual, agency, or other person who is the subject of the submission or provides that submission, be admitted as evidence or used for any purpose in any action, suit, or other judicial or administrative proceeding.

''(C) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to provide immunity from the legal process for such submission (including any data derived from the submission) if the submission is in the possession of any person, agency, or entity other than the Federal Government or an officer, employee, agent, or contractor of the Federal Government, or if the submission is independently collected, retained, or produced for purposes other than the purposes of this Act.

''(b) SYSTEM RESPONSIBILITIES.—

''(1) IN GENERAL.—The workforce and labor market information system described in subsection (a) shall be planned, administered, overseen, and evaluated through a cooperative governance structure involving the Federal Government and States.

''(2) DUTIES.—The Secretary, with respect to data collection, analysis, and dissemination of labor employment statistics for the system, shall carry out the following duties:

''(A) Assign responsibilities within the Department of Labor for elements of the workforce and labor market information system described in subsection (a) to ensure that all statistical and administrative data collected is consistent with appropriate Bureau of Labor Statistics standards and definitions.

''(B) Actively seek the cooperation of other Federal agencies to establish and maintain mechanisms for ensuring complementarity and nonduplication in the development and operation of statistical and administrative data collection activities.

''(C) Eliminate gaps and duplication in statistical undertakings, with the systemization of wage surveys as an early priority.

''(D) In collaboration with the Bureau of Labor Statistics and States, develop and maintain the elements of the workforce and labor

market information system described in subsection (a), including the development of consistent procedures and definitions for use by the States in collecting the data and information described in subparagraphs (A) and (B) of subsection (a)(1).

''(E) Establish procedures for the system to ensure that—

''(i) such data and information are timely;

''(ii) paperwork and reporting for the system are reduced to a minimum; and

''(iii) States and localities are fully involved in the development and continuous improvement of the system at all levels, including ensuring the provision, to such States and localities, of budget information necessary for carrying out their responsibilities under subsection (e).

''(c) NATIONAL ELECTRONIC TOOLS TO PROVIDE SERVICES.—The Secretary is authorized to assist in the development of national electronic tools that may be used to facilitate the delivery of core services described in section 134 and to provide workforce information to individuals through the one-stop delivery systems described in section 121 and through other appropriate delivery systems.

''(d) COORDINATION WITH THE STATES.—

''(1) IN GENERAL.—The Secretary, working through the Bureau of Labor Statistics and the Employment and Training Administration, shall regularly consult with representatives of State agencies carrying out workforce information activities regarding strategies for improving the workforce and labor market information system.

''(2) FORMAL CONSULTATIONS.—At least twice each year, the Secretary, working through the Bureau of Labor Statistics, shall conduct formal consultations regarding programs carried out by the Bureau of Labor Statistics with representatives of each of the 10 Federal regions of the Department of Labor, elected from the State directors affiliated with State agencies that perform the duties described in subsection (e)(2).

''(e) STATE RESPONSIBILITIES.—

''(1) IN GENERAL.—In order to receive Federal financial assistance under this section, the Governor of a State shall—

''(A) be responsible for the management of the portions of the workforce and labor market information system described in subsection (a) that comprise a statewide workforce and labor market information system and for the State's participation in the development of the annual plan;

''(B) establish a process for the oversight of such system;

''(C) consult with State and local employers, participants, and local workforce investment boards about the labor market relevance of the data to be collected and disseminated through the statewide workforce and labor market information system;

''(D) consult with State educational agencies and local educational agencies concerning the provision of employment statistics in order to meet the needs of secondary school and postsecondary school students who seek such information;

''(E) collect and disseminate for the system, on behalf of the State and localities in the State, the information and data described in subparagraphs (A) and (B) of subsection (a)(1);

''(F) maintain and continuously improve the statewide workforce and labor market information system in accordance with this section;

''(G) perform contract and grant responsibilities for data collection, analysis, and dissemination for such system;

''(H) conduct such other data collection, analysis, and dissemination activities as will ensure an effective statewide workforce and labor market information system;

''(I) actively seek the participation of other State and local agencies in data collection, analysis, and dissemination activities in order to ensure complementarity, compatibility, and usefulness of data;

''(J) participate in the development of the annual plan described in subsection (c); and

''(K) utilize the quarterly records described in section 136(f)(2) of the Workforce Investment Act of 1998 to assist the State and other States in measuring State progress on State performance measures.

''(2) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as limiting the ability of a Governor to conduct additional data collection, analysis, and dissemination activities with State funds or with Federal funds from sources other than this section.

''(f) NONDUPLICATION REQUIREMENT.—None of the functions and activities carried out pursuant to this section shall duplicate the functions and activities carried out under the Carl D. Perkins Vocational and Applied Technology Education Act (20 U.S.C. 2301 et seq.).

''(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for each of the fiscal years 2006 through 2011.

''(h) DEFINITION.—In this section, the term 'local area' means the smallest geographical area for which data can be produced with statistical reliability.''.

TITLE IV—AMENDMENTS TO THE REHABILITATION ACT OF 1973

SEC. 401. FINDINGS.

Section 2(a) of the Rehabilitation Act of 1973 (29 U.S.C. 701(a)) is amended—

(1) in paragraph (5), by striking ''and'' at the end;

(2) in paragraph (6), by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(7) there is a substantial need to improve and expand services for students with disabilities under this Act.''.

SEC. 402. REHABILITATION SERVICES ADMINISTRATION.

Section 3(a) of the Rehabilitation Act of 1973 (29 U.S.C. 702(a)) is amended—

(1) by striking ''Office of the Secretary'' and inserting ''Department of Education'';

(2) by striking ''President by and with the advice and consent of the Senate'' and inserting ''Secretary, except that the Commissioner appointed under the authority existing on the day prior to the date of enactment of the Job Training Improvement Act of 2005 may continue to serve in the former capacity''; and

(3) by striking '', and the Commissioner shall be the principal officer,''.

SEC. 403. DIRECTOR.

(a) IN GENERAL.—The Rehabilitation Act of 1973 (29 U.S.C. 701 et seq.) is amended—

(1) by striking ''Commissioner'' each place it appears, except in sections 3(a) (as amended by section 402) and 21, and inserting ''Director'';

(2) in section 100(d)(2)(B), by striking ''COMMISSIONER'' and inserting ''DIRECTOR'';

*(3) in section 706, by striking ''**COMMISSIONER**'' and inserting ''**DIRECTOR**''; and*

(4) in section 723(a)(3), by striking ''COMMISSIONER'' and inserting ''DIRECTOR''.

(b) EXCEPTION.—Section 21 of the Rehabilitation Act of 1973 (29 U.S.C. 718) is amended—

(1) in subsection (b)(1)—

(A) by striking ''Commissioner'' the first place it appears and inserting ''Director of the Rehabilitation Services Administration''; and

(B) by striking ''(referred to in this subsection as the 'Director')''; and

(2) by striking ''Commissioner and the Director'' each place it appears and inserting ''both such Directors''.

SEC. 404. DEFINITIONS.

Section 7 of the Rehabilitation Act of 1973 (29 U.S.C. 705) is amended—

(1) by redesignating paragraphs (35) through (39) as paragraphs (36), (37), (38), (40), and (41), respectively;

(2) in subparagraph (A)(ii) of paragraph (36) (as redesignated in paragraph (1)), by striking ''paragraph (36)(C)'' and inserting ''paragraph (37)(C)'';

(3) by inserting after paragraph (34) the following:

''(35)(A) The term 'student with a disability' means an individual with a disability who—

''(i) is not younger than 16 and not older than 21;

''(ii) has been determined to be eligible under section 102(a) for assistance under this title; and

''(iii)(I) is eligible for, and is receiving, special education under part B of the Individuals with Disabilities Education Act (20 U.S.C. 1411 et seq.); or

''(II) is an individual with a disability, for purposes of section 504.

''(B) The term 'students with disabilities' means more than 1 student with a disability.''; and

(4) by inserting after paragraph (38) (as redesignated by paragraph (1)) the following:

''(39) The term 'transition services expansion year' means—

''(A) the first fiscal year for which the amount appropriated under section 100(b) exceeds the amount appropriated under section 100(b) for fiscal year 2004 by not less than $100,000,000; and

''(B) each fiscal year subsequent to that first fiscal year.''.

SEC. 405. STATE PLAN.

(a) COORDINATION WITH EDUCATION OFFICIALS AND ASSISTIVE TECHNOLOGY PROGRAMS.—Section 101(a)(11) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(11)) is amended—

(1) in subparagraph (D)(i) by inserting '', which may be provided using alternative means of meeting participation (such as video conferences and conference calls)'' before the semicolon; and

(2) by adding at the end the following:

''(G) COORDINATION WITH ASSISTIVE TECHNOLOGY PROGRAMS.—The State plan shall include an assurance that the designated State unit and the lead agency responsible for carrying out duties under the Assistive Technology Act of 1998 (29 U.S.C. 3001), as amended, have developed working relationships and coordinate their activities.''.

(b) ASSESSMENT AND STRATEGIES.—Section 101(a)(15) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)(15)) is amended—

(1) in subparagraph (A)

(A) in clause (i)—

(i) in subclause (II), by striking ''and'' at the end;

(ii) in subclause (III), by adding ''and'' at the end; and

(iii) by adding at the end the following:

''(IV) in a transition services expansion year, students with disabilities, including their need for transition services;''; and

(B) by redesignating clauses (ii) and (iii) as clauses (iii) and (iv), respectively, and inserting after clause (i) the following:

''(ii) include an assessment of the transition services provided under this Act, and coordinated with transition services under the Individuals with Disabilities Education Act, as to those services meeting the needs of individuals with disabilities;''; and

(2) in subparagraph (D)—

(A) by redesignating clauses (iii), (iv), and (v) as clauses (iv), (v), and (vi), respectively; and

(B) by inserting after clause (ii) the following:

''(iii) in a transition services expansion year, the methods to be used to improve and expand vocational rehabilitation services for students with disabilities, including the coordination of services designed to facilitate the transition of such students from the receipt of educational services in school to the receipt of vocational rehabilitation services under this title or to postsecondary education or employment;''.

(c) SERVICES FOR STUDENTS WITH DISABILITIES.—Section 101(a) of the Rehabilitation Act of 1973 (29 U.S.C. 721(a)) is further amended by adding at the end the following:

''(25) SERVICES FOR STUDENTS WITH DISABILITIES.—The State plan for a transition services

expansion year shall provide an assurance satisfactory to the Secretary that the State—

''(A) has developed and implemented strategies to address the needs identified in the assessment described in paragraph (15), and achieve the goals and priorities identified by the State, to improve and expand vocational rehabilitation services for students with disabilities on a statewide basis in accordance with paragraph (15); and

''(B) from funds reserved under section 110A, shall carry out programs or activities designed to improve and expand vocational rehabilitation services for students with disabilities that—

''(i) facilitate the transition of the students with disabilities from the receipt of educational services in school, to the receipt of vocational rehabilitation services under this title, including, at a minimum, those services specified in the interagency agreement required in paragraph (11)(D);

''(ii) improve the achievement of post-school goals of students with disabilities, including improving the achievement through participation (as appropriate when vocational goals are discussed) in meetings regarding individualized education programs developed under section 614 of the Individuals with Disabilities Education Act (20 U.S.C. 1414);

''(iii) provide vocational guidance, career exploration services, and job search skills and strategies and technical assistance to students with disabilities;

''(iv) support the provision of training and technical assistance to State and local educational agency and designated State agency personnel responsible for the planning and provision of services to students with disabilities; and

''(v) support outreach activities to students with disabilities who are eligible for, and need, services under this title.''.

SEC. 406. SCOPE OF SERVICES.

Section 103 of the Rehabilitation Act of 1973 (29 U.S.C. 723) is amended—

(1) in subsection (a), by striking paragraph (15) and inserting the following:

''(15) transition services for students with disabilities, that facilitate the achievement of the employment outcome identified in the individualized plan for employment, including, in a transition services expansion year, services described in clauses (i) through (iii) of section 101(a)(25)(B);'';

(2) in subsection (b), by striking paragraph (6) and inserting the following:

''(6)(A)(i) Consultation and technical assistance services to assist State and local educational agencies in planning for the transition of students with disabilities from school to post-school activities, including employment.

''(ii) In a transition services expansion year, training and technical assistance described in section 101(a)(25)(B)(iv).

''(B) In a transition services expansion year, services for groups of individuals with disabilities who meet the requirements of clauses (i) and (iii) of section 7(35)(A), including services described in clauses (i), (ii), (iii), and (v) of section 101(a)(25)(B), to assist in the transition from school to post-school activities.''; and

(3) in subsection (b) by inserting at the end, the following:

''(7) The establishment, development, or improvement of assistive technology demonstration, loan, reutilization, or financing programs in coordination with activities authorized under the Assistive Technology Act of 1998 (29. U.S.C. 3001), as amended, to promote access to assistive technology for individuals with disabilities and employers.''.

SEC. 407. STANDARDS AND INDICATORS.

Section 106(a) of the Rehabilitation Act of 1973 (29 U.S.C. 726(a)) is amended by striking paragraph (1)(C) and all that follows through paragraph (2) and inserting the following:

''(2) MEASURES.—The standards and indicators shall include outcome and related measures of program performance that—

''(A) facilitate the accomplishment of the purpose and policy of this title;

''(B) to the maximum extent practicable, are consistent with the core indicators of performance, and corresponding State adjusted levels of performance, established under section 136(b) of the Workforce Investment Act of 1998 (29 U.S.C. 2871(b)); and

''(C) include measures of the program's performance with respect to the transition to post-school vocational activities, and achievement of the post-school vocational goals, of students with disabilities served under the program.''.

SEC. 408. RESERVATION FOR EXPANDED TRANSITION SERVICES.

The Rehabilitation Act of 1973 is amended by inserting after section 110 (29 U.S.C. 730) the following:

''SEC. 110A. RESERVATION FOR EXPANDED TRANSITION SERVICES.

''(a) RESERVATION.—From the State allotment under section 110 in a transition services expansion year, each State shall reserve an amount calculated by the Director under subsection (b) to carry out programs and activities under sections 101(a)(25)(B) and 103(b)(6).

''(b) CALCULATION.—The Director shall calculate the amount to be reserved for such programs and activities for a fiscal year by each State by multiplying $50,000,000 by the percentage determined by dividing—

''(1) the amount allotted to that State under section 110 for the prior fiscal year, by

''(2) the total amount allotted to all States under section 110 for that prior fiscal year.''.

SEC. 409. CLIENT ASSISTANCE PROGRAM.

Section 112(e)(1) of the Rehabilitation Act of 1973 (29 U.S.C. 732(e)(1)) is amended by redesignating subparagraph (D) as subparagraph (E) and inserting after subparagraph (C) the following:

''(D) The Secretary shall make grants to the protection and advocacy system serving the American Indian Consortium to provide services in accordance with this section. The amount of such grants shall be the same as provided to territories under this subsection. ''.

SEC. 410. PROTECTION AND ADVOCACY OF INDIVIDUAL RIGHTS.

Section 509(g)(2) of the Rehabilitation Act of 1973 (29 U.S.C. 794e(g)(2)) is amended by striking ''was paid'' and inserting ''was paid, except that program income generated from such amount shall remain available to such system for one additional fiscal year''.

SEC. 411. CHAIRPERSON.

Section 705(b)(5) of the Rehabilitation Act of 1973 (29 U.S.C. 796d(b)(5)) is amended to read as follows:

''(5) CHAIRPERSON.—The Council shall select a chairperson from among the voting membership of the Council.''.

SEC. 412. AUTHORIZATIONS OF APPROPRIATIONS.

The Rehabilitation Act of 1973 is further amended—

(1) in section 100(b)(1) by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(2) in section 100(d)(1)(B) by striking ''fiscal year 2003'' and inserting ''fiscal year 2011'';

(3) in section 110(c) by amending paragraph (2) to read as follows:

''(2) The sum referred to in paragraph (1) shall be, as determined by the Secretary, not less than 1 percent and not more than 1.5 percent of the amount referred to in paragraph (1) for each of fiscal years 2003 through 2011.'';

(4) in section 112(h) by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(5) in section 201(a) by striking ''fiscal years 1999 through 2003'' each place it appears and inserting ''fiscal years 2006 through 2011'';

(6) in section 302(i) by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(7) in section 303(e) by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(8) in section 304(b) by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(9) in section 305(b) by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(10) in section 405 by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(11) in section 502(j) by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(12) in section 509(l) by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(13) in section 612 by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(14) in section 628 by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(15) in section 714 by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011'';

(16) in section 727 by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011''; and

(17) in section 753 by striking ''fiscal years 1999 through 2003'' and inserting ''fiscal years 2006 through 2011''.

SEC. 413. CONFORMING AMENDMENT.

Section 1(b) of the Rehabilitation Act of 1973 is amended by inserting after the item relating to section 110 the following:

''Sec. 110A. Reservation for expanded transition services.''.

SEC. 414. HELEN KELLER NATIONAL CENTER ACT.

(a) GENERAL AUTHORIZATION OF APPROPRIATIONS.—The first sentence of section 205(a) of the Helen Keller National Center Act (29 U.S.C. 1904(a)) is amended by striking ''1999 through 2003'' and inserting ''2006 through 2011''.

(b) HELEN KELLER NATIONAL CENTER FEDERAL ENDOWMENT FUND.—The first sentence of section 208(h) of such Act (29 U.S.C. 1907(h)) is amended by striking ''1999 through 2003'' and inserting ''2006 through 2011''.

TITLE V—TRANSITION AND EFFECTIVE DATE

SEC. 501. TRANSITION PROVISIONS.

The Secretary of Labor shall take such actions as the Secretary determines to be appropriate to provide for the orderly implementation of this Act.

SEC. 502. EFFECTIVE DATE.

Except as otherwise provided in this Act, this Act and the amendments made by this Act, shall take effect on the date of enactment of this Act.

The CHAIRMAN. No amendment to the committee amendment is in order except those printed in House Report 109–11. Each amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

It is now in order to consider amendment No. 1 printed in House report 109–11.

AMENDMENT OFFERED BY MR. KILDEE

Mr. KILDEE. Mr. Chairman, I offer an amendment as a designee of the gentleman from Massachusetts (Mr. TIERNEY).

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. KILDEE:

Strike sections 111 and 119.

In section 101(1), strike ''paragraphs (13) and'' and all that follows through ''through (24)'' and insert ''paragraph (24) and redesignating paragraphs (1) through (23) as paragraphs (3) through (25)''.

In section 101(8), strike ''; and'' and insert a period.

Strike paragraph (9) of section 101.

In the table of contents in section 2 of the bill, strike the items related to section 111 and redesignate succeeding items accordingly.

In the table of contents in section 2 of the bill, strike the item related to section 119 and redesignate succeeding items accordingly.

The CHAIRMAN. Pursuant to House Resolution 126, the gentleman from Michigan (Mr. KILDEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan (Mr. KILDEE).

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

Mr. Chairman, current law requires that services be provided to both in-school youth and out-of-school youth. Nothing in the Act prevents States from spending all of youth funds on out-of-school youths. In fact, as many as 17 States spend more than 30 percent on out-of-school programs. The majority of States are challenged by current out-of-school requirements.

Eliminating services for in-school youth cuts funding for programs designed to keep youths in school, to develop workforce skills, to prepare for post-secondary education, and provide after school and summer opportunities.

H.R. 27 limits the business community's ability to work with schools and prepare emerging workforces. In many communities, you have that cooperation between the business community and the schools.

H.R. 27 restricts services for rural youths. Many rural in-school programs provide workforce development and on-school support service for students who are at risk for dropping out. I think it is very, very important that we maintain the in-school youth program, and that is the purpose for me offering this amendment.

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

□ 1700

Mr. BOEHNER. Mr. Chairman, I rise in opposition to the gentleman's amendment and yield myself such time as I may consume.

Mr. Chairman, the amendment that is being offered by my friend, the gentleman from Michigan (Mr. KILDEE), would strike all of the positive reforms for youth that are included in H.R. 27. Under current law, funds for the WIA youth program are spread too thinly, as they fund programs that both serve in-school and out-of-school youth.

In the White House, the Disadvantaged Youth Task Force has proposed targeted Federal youth training funds to serve the most in need and to reduce the duplication of services amongst Federal programs. There are a large number of programs today designed to deal with in-school, at-risk children, and there is really only one program in WIA that is targeted at out-of-school youth.

What we tried to do in this bill was to strike a balance by requiring that 70 percent of the youth program funds go to out-of-school youth, a population that is by and large ignored and that I think these funds ought to be targeted to. We do allow the local workforce boards to use up to 30 percent of their programs for in-school youth; but there are other programs, a half a dozen other programs, targeted at these at-risk children who are in school.

So as a way of trying to bring more synergy to an effort to help out-of-school youth, I think the language we have in the bill strikes the right balance.

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

Mr. KILDEE. Mr. Chairman, I yield the balance of my time to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Chairman, I rise to support the Tierney amendment, and I thank the distinguished gentleman from Michigan (Mr. KILDEE) for yielding me this time and also for his leadership. I also want to thank the gentleman from Massachusetts (Mr. TIERNEY) for his leadership. I know he was very thoughtful in this amendment.

Particularly when we talk about these programs, what comes to mind, and I heard the gentleman from Michigan (Mr. KILDEE) be so eloquent in the Committee on Rules about the effectiveness and the importance of a training program, number one, for the new jobs of the 21st century. I am reminded of the fact that I spent a good part of my time as a locally elected official on the Houston City Council promoting the job training programs of our community that came down through the workforce board commissions in Texas.

When you eliminate summer jobs, you are literally undermining the opportunities for inner-city and rural youth to move to the next level of opportunity. You are extinguishing the right and the exposure that they have for career preparation. You go into these youth training programs and you look at the smiles on the faces of individuals who have come from experiences where there was no work, where their families are unemployed, and where there is no hope and opportunity.

I am very disappointed, in addition, to the cut in youth programs, and the fact that we are now getting rid of the veterans' preference for job training, actually cutting funds. What an outrage. With a million people having served in Afghanistan and Iraq; with the devastation of the impact of those returning veterans, with their emotional problems and injuries, and now we are suggesting to them that they are not worthy of a job preference.

Let me also say that when you block-grant these dollars, you block-grant job training away. That is what this program does; and in particular, it sends away this opportunity.

My last point is that I might beg to differ with the chairman of this particular distinguished committee. There is discrimination in this bill. And, frankly, I think we should follow the Kildee model, who said that he knew a priest in Detroit who had a job training program who made sure that there was no discrimination, whether someone is a Muslim, whether they are Jewish or Catholic or Protestant. A program that is based upon religion and allows someone to deny you the opportunity for a job or a training position under the auspices of being a particular faith and being in charge of that particular program is discrimination under title VII in the 1964 Civil Rights Bill or under any discrimination law that has been passed in America and that exists today.

Frankly, I believe this bill, even in its presence on the floor of the House, should go no further than this House; and I ask my colleagues to support the Tierney amendment, but to oppose the underlying bill.

Mr. BOEHNER. Mr. Chairman, I yield myself such time as I may consume just to correct the record.

The gentlewoman who just spoke says that we eliminated a preference for veterans in this bill. The fact is that there is a preference for veterans written into the law. That has not changed at all.

Secondly, the gentlewoman said there are block grants in the underlying bill. There are no block grants. As a matter of fact, the targeting of funds to the local workforce boards in this bill is more structured than it is today under current law, so that at least 75 percent of the funds available back to the States must go to the local workforce investment boards.

Lastly, the gentlewoman said that we have discrimination in this bill. I would just remind the gentlewoman that when our predecessors wrote the 1964 Civil Rights Act, they recognized in title VII that religious organizations ought to be protected in their hiring so that they would not be required to hire anybody that shows up, but could, if they wanted to, only hire those people within their faith.

Now, if people want to disagree with title VII of the 1964 Civil Rights Act, they certainly have that right. They may go to the Committee on the Judiciary and change that law, but let us not try to do it in this bill.

Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Georgia (Mr. PRICE), a member of the committee).

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the opportunity to speak again on this, and I am astounded, frankly, at the level of misinformation that is coming from the other side.

I think it is important to look at the bill specifically as it defines youth. The definition of youth has changed.

The age for when an individual is considered a youth has changed. Currently it is 14 to 21 years. In the bill, it would change it from 16 to 24 years. What that means is that we have more individuals out of school, out of school, who require assistance. And that is one of the reasons the provision is in the bill to change it, so that more individuals out of school will have greater opportunity to access those monies.

It is also important to appreciate this is a Department of Labor program. The Department of Education has a phenomenal number of programs eligible for in-school youth that really dwarfs the amount of money for the out-of-school individuals, 15 to 1 by my count. Some of those programs are title I grants to improve education for the disadvantaged, neglected and delinquent grants to local educational agencies, 21st Century Learning Centers, Safe and Drug-free Schools and community State grants, Bilingual Education Instructional Services, Dropout Prevention Grants, and on and on and on, Striving Readers Grant and Vocational Technical Education.

In summary, no one, no one is decreasing the amount of money to in-school youth for the concerns and the issues that they have. What we are doing is making it so that this bill addresses those individuals that are most in need.

Mr. KILDEE. Mr. Chairman, I yield the balance of my time to the gentleman from Massachusetts (Mr. TIERNEY), the author of the amendment.

Mr. TIERNEY. Mr. Chairman, I thank the chairman and I thank the gentleman from Michigan (Mr. KILDEE) for taking this amendment to this point.

Just in response to the gentleman's comments a second ago and earlier, the reason for this amendment is that current law takes care of any State that wants to put a higher proportion of funds towards out-of-school youth. It has the flexibility for that. And if they want to move in that direction, they can.

It also allows States like Massachusetts, and at least 17 others, who have a greater need to serve in-school youth for job training purposes, to use their money for that.

What the H.R. 27 bill does is it takes away that flexibility and harms at least 27 States from being able to help the people that they want while it solves a problem that does not exist for the others. The others already can, in fact, serve as many of the people they want out of school.

With respect to this money that is a duplication for it because there are other funds going, none of those other programs have money left over for job training. They are already used up. Most of them are underfunded: Safe and Drug-Free Schools being slashed by the President. Title I, underfunded. You can go right on down the line.

So I hope my colleagues look at this and do not disadvantage those States that need to have the flexibility to serve more in-school youth, and at the same time realize that this amendment harms those who need more out-of-school youth served in no way at all.

Mr. BOEHNER. Mr. Chairman, I yield 30 seconds, the balance of my time, to my friend, the gentleman from Massachusetts (Mr. TIERNEY), who I know has been pressed for time.

Mr. TIERNEY. Mr. Chairman, I thank the chairman very much. This is an example of the collegiality of our Committee on Education and the Workforce. We do not agree often, but we at least have a good collegial time doing it.

I just want to stress the points that I made. And the fact of the matter is that having a mandate that every State put all their money toward out-of-school youth does not help those States that have an in-school youth issue. It also deprives a lot of programs that are working with our business community and in-school youth to get them better equipped to not only support themselves but their families to have them be more self-sufficient when they get out of school. Those programs would be slashed in many States if H.R. 27 were to go through as it is.

We have a great need for these in many States; programs like Girls Inc., Action Inc. and others work that way. I respect the chairman giving me this time to make that point, that this H.R. 27 change is a solution that does not have a problem.

The Acting CHAIRMAN (Mr. BASS). All time having expired, the question is on the amendment offered by the gentleman from Michigan (Mr. KILDEE).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. TIERNEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan (Mr. KILDEE) will be postponed.

The Acting CHAIRMAN. It is now in order to consider amendment No. 2 printed in House Report 109–11.

AMENDMENT NO. 2 OFFERED BY MS. VELÁZQUEZ

Ms. VELÁZQUEZ. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 offered by Ms. VELÁZQUEZ:

In subsection (e)(7)(A)(i) of the matter proposed to be inserted by section 123, add at the end the following:

''(IV) Borrower guarantee fees for loans made pursuant to section 7(a) of the Small Business Act (15 U.S.C. 636(a)).''.

The Acting CHAIRMAN. Pursuant to House Resolution 126, the gentlewoman from New York (Ms. VELÁZQUEZ) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New York (Ms. VELÁZQUEZ).

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

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

Ms. VELÁZQUEZ. Mr. Chairman, for many unemployed workers, starting a small company provides opportunities for career growth and financial success. But the lack of access to capital prevents many entrepreneurs from starting their own business. The Small Business Administration's 7(a) loan program is a critical source of capital for small businesses, providing 30 percent of all long-term loans to U.S. entrepreneurs.

Despite the success of the 7(a) loan program, the Bush administration has repeatedly underfunded it, implemented a series of caps, imposed burdensome restrictions, and shut down the entire program. In the latest attack on October 1, the President doubled the fees that small businesses must pay to receive a 7(a) loan.

These new up-front fees are limiting the number of small businesses that can afford 7(a) loans. For a loan of $150,000, an entrepreneur must now pay nearly $3,000 in up-front fees, a significant cost for someone trying to start a company. These higher costs have significantly reduced small business use of the 7(a) program, as loan volume has decreased by $500 million since the new fees were implemented. The impact has been so great that this January the SBA made fewer loans than when the administration shut down the entire program last January.

President Bush was wrong when he increased the burden entrepreneurs face in accessing capital. This amendment acknowledges the shortsightedness of that decision. It affirms that new fees on 7(a) loans are hurting small businesses and demonstrates congressional support for using Federal funding to cover the cost of these fees.

A vote for this amendment is a vote against the Bush administration's policy raising the fees on 7(a) loans. It is a vote for our Nation's up-and-coming small business owners.

I have serious reservations about Personal Reemployment Accounts, as they will place severe limits on the amount of training an unemployed worker can receive. However, if Congress is going to establish Personal Reemployment Accounts, then we should provide entrepreneurs with the opportunity to use these resources to secure the capital needed to start small businesses. Unemployed workers should be allowed to use these funds in their accounts to pay for the cost of the 7(a) loan fees, and that is exactly what my amendment will do.

Given President Bush's commitment to creating an ownership society, I am surprised there are not more provisions in this bill to help unemployed workers own small businesses. The goal here is help reduce high unemployment, create a strong workforce, and boost our economy. This cannot be achieved without

a stronger commitment to our Nation's entrepreneurs. After all, it was laid-off managers launching their own small businesses that turned our economy around during the last recession.

We need a revival of entrepreneurship in this country that will spur more job creation and grow our economy. To do this, we must take advantage of every opportunity to ensure that capital is accessible and affordable for all start-up small business owners, and we must make it clear that President Bush is failing our Nation's entrepreneurs. This amendment is one of those opportunities, and I urge my colleagues to support it.

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

□ 1715

Mr. MCKEON. Mr. Chairman, although I do not oppose the amendment, I ask unanimous consent to claim the time in opposition.

The Acting CHAIRMAN (Mr. BASS). Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume. I guess I was prepared to accept this amendment, or to support this amendment, but the gentlewoman's rhetoric almost decided me not to.

But as I read the amendment, it says the amendment would allow unemployable workers to also use their personal re-employment accounts to cover the borrower guaranty costs associated with small business claims. If we can keep the focus on that, instead of the rhetoric against President Bush, I see no reason to oppose this amendment.

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

Ms. VELÁZQUEZ. Mr. Chairman, I yield myself the balance of my time.

On October 1, the Bush administration effectively implemented a tax on U.S. entrepreneurship. By doubling the fees on 7–A loans, the Bush administration has severely limited access to critical source of capital for our Nation's small businesses.

I want to be on record, and I want every Member in this House to be on record about the fact that last July, an amendment to the CJS appropriations that would have protected the 7–A program was approved with strong support. The House was on record then, and we should continue to be on record for the small business community.

This amendment sends a message that Congress is not willing to accept the recent policy decisions of the Bush administration to further burden U.S. entrepreneurs. They are our job creators. They drive our economy and they deserve our support.

Our goal is to fully repeal the freeze on the 7–A loans. While this amendment will not change the fee structure, it will help entrepreneurs afford this vital source of capital. So I therefore urge my colleagues to support this amendment.

Mrs. CHRISTENSEN. Mr. Chairman, I rise in support of the Velázquez amendment to H.R. 27 but in strong opposition to the underlying bill. H.R. 27 is a fundamentally flawed and partisan job training bill, which does nothing to address the root causes of why little actual job training services are provided under the Workforce Investment Act.

The Velázquez amendment would compensate for the harm in the Bush administration's policy of raising the fees on 7(a) loans and its proposal to undermine existing job-training programs by establishing an untested job-training voucher program. It addresses these two critical issues by offering a solution that would benefit entrepreneurs by providing them the opportunity to use funds from personal reinvestment accounts to secure the capital needed to start small businesses.

Mr. Chairman, with our high employment rate and the administration's failure to create the number of jobs it promised, entrepreneurship is a viable alternative to unemployment. The Velázquez amendment allows unemployed individuals to use the personal reinvestment accounts to defray the costs of the administration's recent fee increases for the 7(a) loan program. This fee increase on the 7(a) program puts the program out of reach for newly unemployed workers. This amendment would help to defray the cost of the 7(a) loan program for potential borrowers.

Access to capital is the biggest obstacle that entrepreneurs face in starting small businesses. A vote for this amendment is a vote to give unemployed workers resources to invest in their future by securing capital to start small businesses. Not only would this amendment help our Nation's unemployed, it will also boost job creation. After all, small businesses account for approximately 75 percent of the net new jobs added to the economy.

I would like to commend Ranking Member VELÁZQUEZ on her amendment and continued commitment to our Nation's small businesses. I urge my colleagues to support the Velázquez amendment.

Ms. VELÁQUEZ. Mr. Chairman, I yield back the balance of my time.

Mr. MCKEON. Mr. Chairman, I ask unanimous consent to reclaim the balance of my time.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

Ms. VELÁZQUEZ. Mr. Chairman, I object.

The Acting CHAIRMAN. Objection is heard.

The question is on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Ms. VELÁZQUEZ. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) will be postponed.

It is now in order to consider Amendment No. 3 printed in House report 109–11.

AMENDMENT NO. 3 OFFERED BY MR. SCOTT OF VIRGINIA.

Mr. SCOTT of Virginia. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 offered by Mr. SCOTT of Virginia:

Strike section 129.

In the table of contents in section 2 of the bill, strike the item relating to section 129, and redesignate succeeding sections accordingly.

The Acting CHAIRMAN. Pursuant to House Resolution 126, the gentleman from Virginia (Mr. SCOTT) and a Member opposed each will control 30 minutes.

The Chair recognizes the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman I yield myself 1 minute and 15 seconds.

Mr. Chairman, I made a previous statement on this amendment during the consideration of the rule, so let me just say that this amendment is offered along with my colleagues, the gentlewoman from California (Ms. WOOLSEY), the gentleman from Maryland (Mr. VAN HOLLEN), the gentleman from Massachusetts (Mr. FRANK), the gentleman from Texas (Mr. EDWARDS) and the gentleman from New York (Mr. NADLER) in order to preserve and maintain civil rights protections as they currently appear in job training law.

Current law prohibits sponsors of job training programs from discriminating in hiring based on race or religion. This amendment will keep the law the way it has been since 1965. We have heard some comments about title VII. Title VII gives the religious organization an exemption to discriminate with its own money. It was never intended to apply to Federal money.

In any event, there has been no discrimination in job training programs with Federal money, whether it is faith-based sponsored or otherwise since 1965.

Speakers have suggested that religious organizations have barriers to participation. They do not say what the barrier is. The barrier is that you cannot discriminate in employment with the Federal money. Any program that can get funded under this new language in the bill could be funded anyway under the traditional funding, no discrimination, if the sponsor would agree not to discriminate in employment. That has been the rule since 1965.

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

Mr. BOEHNER. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Virginia.

The Acting CHAIRMAN. The gentleman from Ohio (Mr. BOEHNER) is recognized for 30 minutes.

Mr. BOEHNER. Mr. Chairman, I yield myself such time as I may consume. The amendment by my friend from Virginia would actually work against the neediest citizens in our local communities. Faith-based organizations such as churches, synagogues and other

faith-based charities are a central part of the fabric of local communities across America. Many of these faith-based institutions provide assistance to the hardest-to-serve individuals because they often go where others will not and serve those others prefer not to serve, and go out of the way to meet people where they are rather than where we would want them to be.

President Bush noted yesterday at a speech that one of the key reasons why many faith-based groups are so effective is the commitment to serve that is grounded in the shared values and religious identity of their volunteers and their employees. In other words, effectiveness happens because people who share faith show up to help a particular organization based on that faith to succeed.

I agree with President Bush that many faith-based organizations can make a vital contribution to Federal assistance programs. Yet this amendment would deny faith-based institutions their rights, under the historic 1964 Civil Rights Act. Considering the proven track record of faith-based providers in meeting the needs of our citizens, why would we want to deny them the opportunity to help in Federal job training efforts?

Unfortunately, in some Federal laws, these faith-based organizations have been stripped of their hiring rights and must relinquish their civil liberties if they choose to participate in Federal service initiatives.

The landmark 1964 Civil Rights Act explicitly protects the rights of religious organizations to take religion into account into their hiring practices. In fact, the Civil Rights Act made clear that when faith-based organizations hire employees on a religious basis, it is an exercise of the organization's civil liberties and not discrimination under Federal law.

Those organizations willing to serve their communities by participating in Federal programs should not be forced to compromise their religious liberties in order to serve those in need. The U.S. Supreme Court in 1987 upheld the rights of faith-based institutions and held that it was constitutional for these groups to take religion into account when making hiring decisions.

Former Democrat President Bill Clinton himself signed four laws explicitly allowing faith-based groups to staff on a religious basis when they receive Federal funds. Those laws are the 1996 Welfare Reform Law, the 1998 Community Services Block Grant Act, the 2000 Community Renewal Tax Relief Act, and the 2000 Substance Abuse and Mental Health Services Administration Act.

President Bush has worked tirelessly to remove the barriers that needlessly discourage faith-based groups from bringing their talents and compassion to Federal initiatives that help Americans in need. And just yesterday, again, he called on Congress to send him the same language protecting religious hiring that President Clinton signed on four other occasions.

The underlying bill answers the President's call and takes advantage of the positive role that faith-based institutions play in our communities in serving those who are most in need. We should not be denying faith-based providers the opportunity to serve the neediest of our citizens. And I urge my colleagues to vote no on the Scott amendment.

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

Mr. SCOTT of Virginia. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY), a cosponsor of the amendment.

Ms. WOOLSEY. Mr. Chairman, I will begin by correcting two misunderstandings about this amendment. First, it would not keep faith-based organizations from hiring members of their own religion with their own funds in the exercise of their faith.

Second, it would not keep faith-based organizations from participating in job training programs under this bill. What this amendment says is that if a faith-based organization accepts Federal funds for job training, then in delivering job training, it cannot engage in religious discrimination.

Yesterday President Bush called on Congress, and let me quote, ''to judge faith-based groups by results, not by their religion.''

Well, current law does judge faith-based organizations by results, not by their religion. But sadly, the supporters of H.R. 27 would allow federally-funded job training programs to judge job applicants by their religion, not by their results.

Under H.R. 27, a faith-based grantee could refuse to hire the best qualified person for the grant or even fire its best worker because they are not the right religion. That is wrong, it is unconstitutional, and it is bad policy.

When people who desperately need a job seek help, they do not care about the religion of the person helping them, they do care that the person helping them was hired because he or she was the best qualified person, and they do care that the person helping them is not concerned about their religion. But when the people providing help are hired because of their own religion, it is naive to think that religion will not permeate the help that they provide, no matter what H.R. 27 says.

The proof of this slippery slope is in the President's words. In talking about a hypothetical federally-funded Methodist alcohol treatment center, he said that the policy should be that ''all are welcome, welcome to be saved so they become sober.''

I support every American's right to seek salvation through their religion, but our only interest in federally-funded programs should be whether they provide qualified services for which they are funded. No, this amendment does not discriminate against religion, it protects people from discrimination because of their religion.

In closing, I will correct a third misunderstanding, that the faith community opposes this amendment. A wide range of faith-based organizations support this amendment because they recognize that it is not an attack on American religious freedoms, but a defense of those freedoms.

So I thank the gentleman from Virginia (Mr. SCOTT), the gentleman from Maryland (Mr. VAN HOLLEN), the gentleman from Texas (Mr. EDWARDS), and the gentleman from New York (Mr. NADLER) for their commitments to protecting American's liberties and I encourage all Americans to join us in supporting this amendment.

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

Mr. SCOTT of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN), a cosponsor of the amendment.

Mr. VAN HOLLEN. Mr. Chairman, I thank the gentleman from Virginia (Mr. SCOTT) for yielding me this time.

First, let me clarify what this amendment is not about. This amendment is not about whether faith-based organizations do a terrific job in our communities and around the world in providing services. They do, and they are doing that every day. Catholic Charities, Jewish Federation, and a whole variety of Protestant denominations currently receive Federal dollars to provide services in our community and around the world. Indeed, many of them receive money today to provide job training services, and they do a good job.

And guess what, today they are doing it under current law which says when they receive those Federal tax dollars, they may not discriminate in who they hire based on religion, and not one of those organizations has come to me and said we could do a better job in providing job training services if only you would let us discriminate based on religion. That is what this is all about.

The Civil Rights Act of 1964 does not say in any way that religious organizations can take taxpayer dollars and then discriminate in their hiring based on religion when they are providing services based on those dollars. The issue is very simple. Taxes are paid by Christians, by Jews, by Muslims, by people of all denominations. We are now using those resources to provide to faith-based organizations, and what the bill would allow people to do is to say to somebody who is coming to apply for a job to provide job training services, you know what, we know you are qualified, we know you have a great education, know you can do a good job in providing job training services, but you are the wrong religion. We do not want you because you are Christian, we do not want you because you are Jewish, we do not want you because you are the wrong religion. That is a terrible message to be sending to people throughout this country. In fact, it is a great irony that in a bill that is designed to provide job training to help

more people get jobs, we would put in a provision that would deny someone an opportunity to get a job providing job training based on their religion.

□ 1730

I urge my colleagues to stick with the current law, because what the underlying bill does is eliminate current law and give a green light that allows people to discriminate based on religion, a terrible message to send. Let us not do it.

Mr. BOEHNER. Mr. Chairman, I yield myself 30 seconds. Title VII of the 1964 Civil Rights Act explicitly says that religious organizations in their hiring can hire people of their own faith. Period. That is what it says. It does not say whether you take Federal money or you do not take Federal money. It says that a religious organization can take religion into account in terms of their hiring. Period.

Mr. Chairman, I yield 5 minutes to the gentleman from Indiana (Mr. SOUDER).

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

Mr. SOUDER. Mr. Chairman, I want to further elaborate on the last point in this amendment's attack on religious liberty in the United States, that in fact the interpretation in the Presiding Bishop v. Amos, the Supreme Court unanimously upheld the language permitting religious organizations to staff on a religious basis in matters concerning employment when they receive Federal funds, in a unanimous decision.

Finding that the exemption did not violate the establishment clause, the Supreme Court has made it clear that it is ''a permissible legislative purpose to alleviate significant governmental interference with the ability of religious organizations to define and carry out their religious missions.''

Even where the content of their activities is secular, in the sense that activities do not include religious teaching, proselytizing, or worship, and it is very important for everybody to understand, we all agree you cannot have prayer, you cannot proselytize, you cannot use government funds for anything but a secular purpose in job training, Justice Brennan, hardly a conservative, said that even if a religious organization is providing job training, which would be a secular thing, it is likely to be infused with a religious purpose. In other words, the motivation of the individuals probably is religious.

He also recognized that churches and other religious entities ''often regard the provision of such services as a means of fulfilling religious duty and of providing an example of the way of life a church seeks to foster.'' He is perhaps one of the greatest liberal justices of all time. And then he recognized that preserving the title VII protections when religious organizations engage in social services is a necessary element of religious freedom.

This attempt to redefine the Supreme Court in today's debate is unfortunate. It is, in my opinion, bigotry against many religious people in the United States who would like to provide assistance to the poor, who would like to leverage their funds, their volunteer time, their churches, but are being told that even though they accept everybody in, even though they cannot proselytize with it, that they are not welcome to participate, they are going to have their liberties taken away.

For example, a case we often hear, well, they can set up a 501(c)3 or not have that reach, but Catholic Charities, an organization that historically has taken funds and it is often held up, the California Supreme Court just said that because Catholic Charities offers secular services to clients and does not directly preach Catholic values, it is therefore not a religious organization. Therefore, the court ruled that Catholic Charities must provide services contrary to their religious principles.

Furthermore, as we take the logical extension of this which we are dealing with in whether we provide buses and computers to private schools and which will certainly come up in education bills in front of our committee, one of the questions is, if those funds run through the bishop's office, does in fact the reach of the funds that go for buses and for computers, which the court has ruled a computer does not do the proselytizing, the software does the proselytizing, will this reach back in because the governance of Catholic Charities ultimately comes back to the bishop's office?

Court rulings are increasingly tilting that direction because we have falsely interpreted what is religious liberty in the United States and that we have to make it clear in these bills which, as the chairman has pointed out, have passed this House multiple times, the President of the United States in many of these was not President Bush pushing a faith-based initiative, but President Clinton. And as the Member from Maryland has pointed out, he did not enthusiastically say this was going to be upheld; but the fact is over the objections of many on his side, he supported it.

Former Vice President Gore has said specifically that religious organizations should not have to change their religious character in order to participate. What does religious character mean? It means that if you are an Orthodox Jewish group and you are going to serve everybody in your community, that you get to be an Orthodox Jewish group; if you are an evangelical group that believes in the resurrection of Jesus Christ, that people who represent your organization should share that belief; if you are a Muslim group, that people who represent that group should share that.

The fundamental question here is, and through my Subcommittee on Criminal Justice and Human Services we held eight hearings across the United States and we had a great debate in every region of the country, but many organizations came forth, whether they were Muslim, Jewish or Christian in some form, and said, we cannot compromise the nature of our faith if you are going to make us change our hiring practices.

So what we are saying, by trying to take away their religious liberty, if they want to provide secular services, that we are discriminating and changing policy contrary to what President Clinton has supported, contrary to what President Bush has supported, contrary to the different nominees of both parties; and it will be a sad day if this Congress after bipartisan efforts for the last 5 to 8 years to push this type of legislation to allow these faith-based groups at the table would go backwards and say, you are no longer welcome, you are not invited to help anymore, you are off the table.

I believe that the Members, and I know one argument is that we had these debates in the middle of the night, I believe Members actually looked at those bills and they knew what they were voting for, and I hope they will not flip-flop today.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 3½ minutes to the gentleman from Massachusetts (Mr. FRANK), a cosponsor of the amendment.

Mr. FRANK of Massachusetts. Mr. Chairman, the history is ambiguous. Courts have been on both sides. The principle is what is involved. We are told that if we adopt this amendment, we are denying the liberty to religious organizations. The liberty that is being asked, frankly I am disappointed to hear this asserted, and I think the greatest denigration of religious organizations coming forward here are those who are saying this: there are religious groups in this country who are eager to help people in need, but if they get Federal tax dollars to help people in need and they are forced to associate with heathens and unbelievers and infidels, then they will be driven away.

What is so terrible about saying to the Orthodox Jews in Brooklyn who were cited, you want to help the people in Brooklyn, the people you want to help will be black and Hispanic, they will be white and poor and Jewish and Christian, if you really want to help them, on your own, whatever you want to do, you can do. But if you want all of those people in Brooklyn who paid Federal taxes, if you want a share of their Federal taxes to run a program to help them, God forbid, I guess you mean this literally, God forbid you should have to hire one of them.

Martin Luther King said, and it is sadly still true, that one of the most segregated times in America is the hour of worship. So understand that when you empower the religious groups to discriminate based on religion, you will also de facto empower some segregation. Those Orthodox Jewish groups in Brooklyn will hire very few

black people in Brooklyn. And if in fact you have a policy that says all the money is going to go in these areas to the religious groups, then what about people who are not religious? The Constitution says you should not discriminate against them. You may not think much of them, but you should not be discriminating against them, but they cannot ever get a job.

And you talk about message. I love this message. What we are going to be saying if you win here in the House of Representatives is, attention all Shiites, do not hire Sunnis. That is your principle. Apparently, we are going to be encouraging the people in Iraq with Iraqi Government money or American Government money, a lot of it is going to Iraq, do you really think you want to send that message to the Shiites that when they try to rebuild their country they should not hire Sunnis?

And what are you saying? That there is something somehow so corrosive about associating with someone of a different religion that it disables you from doing good? What kind of motivation do you impute to these people? You want to do good, but you should not have to associate with one of those people. By the way, even you acknowledge that the people being served have to be of all religions. So this religious purity that apparently is so essential has already been dissolved.

But here is the point: we are being asked to say to Americans, yes, you will pay taxes for this; but the taxes you pay, you are not eligible for a job because you believe in the wrong God. Or you believe in God in the wrong way. You believe in the wrong denomination. Or you do not believe. Again, what are you saying? Is it really the case that religious organizations, that they are somehow so angry towards outsiders, that they feel so unclean that they cannot help people in need if they have to associate with people who are otherwise perfectly qualified, who believe in the mission of this entity, but they do not share the same religion?

I hope we will not so characterize religious people as being so narrow and so biased towards people not of their own religion that they cannot even work with them in this common cause to which you say they are committed.

Mr. SOUDER. Mr. Chairman, I yield 3 minutes to the gentleman from Pennsylvania (Mr. PITTS).

Mr. PITTS. Mr. Chairman, I rise in opposition to this amendment. The 1964 Civil Rights Act explicitly protects the rights of religious organizations to take religion into account in their hiring practices. In fact, the Civil Rights Act made clear that when faith-based organizations hire employees on a religious basis, it is an exercise of the organization's civil liberties and does not constitute discrimination under Federal law.

The writers of that legislation understood that a church, a synagogue, a mosque all operate as distinctly religious organizations. They are, therefore, protected under the first amendment's right to the free exercise of religion.

Why are we being asked today, then, to approve an amendment that revokes the constitutional right of faith-based communities to practice their religions freely? This amendment would revoke the constitutionally protected right of faith-based groups to maintain their religious nature and character through those they hire. By denying the rights of religious organizations to hire according to their principles, this amendment 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 efforts to help.

I doubt that the gentleman from Virginia would support an amendment forcing him to hire staff who oppose his values and priorities as a legislator. Why then are we being asked to call it discriminatory when a Christian or Muslim charity wants to consider the beliefs of potential employees before hiring them? Such practices have been upheld by the United States Supreme Court. If this amendment 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.

This amendment should be defeated.

Mr. SCOTT of Virginia. Mr. Chairman, we are revisiting the civil rights laws. There has been no discrimination since 1965, and that is exactly what we are revisiting.

Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER), the ranking member of the Committee on Education and the Workforce.

Mr. GEORGE MILLER of California. I thank the gentleman for yielding me this time.

Mr. Chairman, I rise in strong support of his amendment, and I find it just incredible that all of a sudden discrimination becomes the core of religious organizations, for those of us who have spent almost 40 years working with faith-based organizations in our communities involved in all kinds of public service endeavors, all kinds of delivery of services to people in need, to help members of our community in almost everything, from education to child care to job training to substance abuse to a whole range of activities that are absolutely essential to binding our community together.

Nobody said that discrimination was a fundamental part of this operation all through the sixties and seventies, the eighties or the nineties. None of these organizations ever said they were unable to deliver these services, unwilling to deliver these services, unwilling to help these people whom they have chosen to extend the services of their organization to; when they took Federal money said they could not do this because they needed to discriminate. But all of a sudden now the suggestion is that the basic tenet is that you must be able to discriminate. You must be able to discriminate or you will not deliver these services.

What does it also say about the use of the taxpayers' dollars? If the best person to provide the substance abuse counseling, if the best person to provide the child development, if the best person to provide the job training is not of the same religion, is the taxpayer getting a fair shake when they hire somebody else that does not have those qualifications? Should we not be looking for the best person to provide these services? You cannot maintain your religious character, you cannot maintain the religious character of your organization unless you can discriminate in hiring?

Organizations, again, have never suggested that they have been diminished because they ran a child development center. They have never said they have been diminished because they ran an afterschool program because they could not discriminate. What is this liberty to discriminate against somebody else using Federal dollars? This is absolutely unacceptable.

□ 1745

Mr. SOUDER. Mr. Chairman, I yield 3 minutes to the gentleman from Georgia (Mr. PRICE), a member of the Committee on Education and the Workforce.

Mr. PRICE of Georgia. Mr. Chairman, I appreciate the opportunity once again to speak on this, and I urge my colleagues to oppose this amendment. The misunderstandings and confusion and frankly the hyperbole is phenomenal coming out of the other side. No one, no one, is encouraging faith-based institutions to discriminate with the language in this bill.

Sometimes I think it is helpful to go back to the original language. We have had a lot of reference to title VII of the Civil Rights Acts of 1964. What it says specifically is ''This subchapter shall not apply to an employer with respect to the employment of,'' et cetera. It does not say anything about the source of the money. Nothing. There is no mention of the source.

There has been some discussion about previous language that many Members on the other side of the aisle have adopted in previous bills, four pieces of legislation under the Clinton administration. President Clinton himself said that no discrimination with employment in the bills that were adopted, and we have heard about them, the welfare reform, the community renewal tax relief, Community

Services Block Grant, substance abuse. The gentleman from Virginia (Mr. SCOTT) himself said that there has been no discrimination since 1965.

Well, the exact identical language in this bill was in those. If there is this incredible occurrence that is happening out there with this remarkable discrimination, where are the examples under those bills? Where are the examples of discrimination under those bills that have exactly the same language as this bill that we are promoting here?

I urge my colleagues to oppose this and to be certain, to be certain, there is no intent or desire on anybody on this side of the aisle to encourage discrimination by faith-based institutions.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER), a cosponsor of the amendment.

Mr. NADLER. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, since the presidency of Franklin Roosevelt, our Nation has moved inexorably toward the elimination of all forms of discrimination in government contracting and in the private sector. This bill rolls back that commitment that would enshrine the principle of religious discrimination in one of our most important job training programs at a time when many Americans are losing their jobs and need the help these programs offer.

Members on the other sides of the aisle say that this would roll back the ability of churches and synagogues to discriminate on the basis of religion now. Nonsense. They can discriminate. No one tells the Catholic Church they have to hire women priests. No one tells the Catholic Church or any other church or synagogue they have to hire a janitor of a different religion. Nor would this amendment. What this says is that with Federal funds, they cannot discriminate. With their own funds they still can.

President Reagan, who signed the original version of this legislation 23 years ago, did not think it was necessary to allow employment discrimination with Federal funds. No one should ever be told that they cannot hold a job simply because they profess the wrong faith. And why is this necessary? Are religiously affiliated charities unable to participate in federally social services programs? Is there a single Member of this House who has not held secure government funds for such programs? For Catholic Charities? The Federation of Protestant Welfare Agencies? The Jewish Federation, and countless others? We all get these funds. That is no secret.

The only thing required of these organizations is that they play by the same rules as everyone else. They cannot make professing religious faith a precondition of receiving social services paid for with the taxpayers' dollars, and they cannot discriminate in employment when those jobs are paid for with taxpayers' dollars.

We have all heard about the bad old days when signs hung in windows: ''No Catholics need apply,'' ''No Jews need apply. Fill in one's favorite denomination. That is wrong. People of every faith pay their taxes, and we have no right to deny them employment paid for by those taxes.

It is wrong. It is unAmerican. It is immoral. It is unnecessary, and it is unprecedented.

These are the armies of compassion. Religious discrimination with taxpayers' dollars is not compassionate. I urge support for the amendment.

Mr. BOEHNER. Mr. Chairman, I yield 3 minutes to the gentleman from Puerto Rico (Mr. FORTUÑO).

Mr. FORTUNO. Mr. Chairman, the discussion today is really about protecting the mission of those religious organizations that some of the Members here are proposing that we regulate even further in spite of the wonderful job they are doing to work with our social ills. It is also about preserving the strength and integrity of religious organizations that engage in this type of social work. It is not a license we are looking for to impose particular religious beliefs, but a guarantee to protect the administrative integrity that is part of each religious group that engages in this type of work.

Faith-based and community-based organizations are far better suited than a government bureaucracy to address these issues and produce results. Key to their success is a unifying roll they often play in their communities, as well as their proximity to individuals and communities in need.

This is especially true, I must say, of the Hispanic American population. Hispanic Americans traditionally, in following their traditional values and beliefs, often turn to faith-based and community organizations for help. By channeling social services through these organizations, we can avoid losing members of this community in our society.

However, what some today are trying to do here is essentially trying to tell them whom they can hire and whom they cannot hire. I know of different programs actually as we speak here in Washington, D.C. I have a group of six or seven ministers from the northwestern part of Puerto Rico that are visiting with us today, and they have been doing, for a number of years, a wonderful job in terms of working with our younger population. No one from Washington, I repeat, no one from Washington, has a right to tell them whom they can hire and whom they cannot hire. When a faith-based group hires employees on a religious basis, they are exercising their civil liberties. No one from Washington will take that away from them. If denied the right to staff their programs on a religious basis, employees of religious organizations not sharing the religious organization's faith could end up suing to tear down religious art or symbols and perhaps even its religious sounding name.

What is really happening here is there are some people who do not believe that these organizations should be performing the job they are performing.

I ask everyone here to oppose the amendment that has been introduced.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I rise today in support of the gentleman from Virginia's (Mr. SCOTT) amendment to H.R. 27.

Twenty-three years ago, the Workforce Investment Act was first enacted. It established a commonsense clause prohibiting job discrimination on the basis of religion. WIA then was originally designed to provide funding for secular social services. Clearly, it did not intend to permit government-funded job training programs to engage in religious discrimination when making an employment decision, which is exactly what this bill purports to do.

H.R. 27 would allow faith-based organizations to discriminate not just on the basis of a person's religious affiliation, but also on how closely they follow the tenets of that religion. This would include religious beliefs on medical treatments; procedures; marriage; pregnancy; gender; and, yes, even race.

Under this bill, if a woman providing workforce rehabilitation services in a faith-based organization was found to be using birth control, she could be fired, demoted, or not promoted. Or if a faith-based organization frowned upon women working outside the home, they could deny a woman a job just because of her gender or even deny it to her husband for allowing such a breach of faith.

It is simply unAmerican to set the clock back on the safeguards provided to protected classes, including religion, sex, race, ethnicity, and sexual orientation. H.R. 27 would remove these important protections, allowing faith-based organizations to discriminate on the basis of religion, even regarding the secular social services they provide.

This bill contains the first ever major rollback of civil rights protections that were established over 40 years ago, and many of us, including myself, have profited from those protections and from those rights granted to us 40 years ago. This is an unconscionable change of Federal law, and I cannot support a bill with such provisions.

Mr. Chairman, I urge my colleagues to join me in supporting the Scott amendment and voting ''no'' on the final passage of this bill that endorses a Federal rollback of decades-old civil rights and privacy protections.

Mr. BOEHNER. Mr. Chairman, I yield 3 minutes to the gentlewoman from North Carolina (Ms. FOXX).

Ms. FOXX. Mr. Chairman, I rise in opposition to the Scott amendment, which seeks to strike important protections for religious organizations included in the bill.

I am frankly appalled at the scale of the rhetoric being presented by the minority party on this issue. We know that many religious organizations in our hometowns and across America provide invaluable job training services in our communities. We must help religious organizations, whether they be churches, synagogues, or mosques, maintain their integrity while continuing to provide these vital services to those in need.

This debate is about whether a religious organization should have the ability to select employees who share common values and sense of purpose. This is not saying that they will not hire people of other religions but we will not force them to do so. This is a vital criterion for all organizations, especially religious ones. A secular group, such as Planned Parenthood or the Sierra Club, that receives government money, is currently free to hire based on their ideology and mission but still use Federal funds in accordance with the terms of the program. How can we allow this for groups such as these and not allow it for groups that are religious by nature?

Others who oppose these hiring protections for religious organizations talk about discrimination. The only discrimination that would take place here is if we do not include these protections. Without them we would be discriminating against religious organizations just because they are religious. Religious organizations should be allowed to apply for the same amount of government money for services they provide that nonreligious organizations do. If we deny them these protections, many of them would have to compromise their missions or not apply at all for assistance in implementing these services.

The real question here should be, do we want to be telling religious organizations whom they can hire and cannot hire? No. Nowhere in the Civil Rights Act of 1964 does it state that a faith-based organization loses its rights if it accepts Federal funds.

Our Nation was founded by those fleeing religious persecution and seeking religious freedom. For us to forget that and to place restrictions of this sort on our churches is contrary to the very foundation of this great Nation. I implore each and every one of my colleagues to take a long hard work at what message we would be sending to oppressed people across the globe if we do not include these important protections for religious organizations.

If we approve this amendment, we could be seriously damaging the integrity and mission of these faith-based institutions that only seek to serve our communities.

I urge the Members to oppose this amendment and support these important protections for religious organizations that want to provide job training services to our communities.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 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 the gentleman for yielding me this time.

Mr. Chairman, next month my family and I will observe my wife's Jewish tradition and recite the ancient story, the Passover at our family seder. Later this month, I will honor my religious tradition and commemorate Christ's crucifixion on Good Friday and his resurrection on Easter Sunday. And today I will honor the principles behind the United States Constitution and vote for the gentleman from Virginia's (Mr. SCOTT) amendment.

The principle here is that when an organization takes Federal money, it takes with it the responsibility not to discriminate. I do not think we should ever have a situation in this country where an organization takes taxpayers' money collected from everyone and then says if they want to be a job counselor in our agency, they cannot be a Catholic, they cannot be Jewish, they cannot be Muslim, they cannot be an evangelical Christian. Our religious organizations are free and should remain free to discriminate with their own funds. That is the religious liberty that our friends on the other side refer to correctly. But that liberty does not extend to the power to use someone else's money to subsidize the practice of one's religion. That is the establishment of a religion which is specifically precluded by the first amendment of the Constitution.

It would be a travesty to reject the gentleman from Virginia's (Mr. SCOTT) amendment. It would be wholly consistent with the religious principles of this country to adopt it. I would urge its adoption.

□ 1800

Mr. BOEHNER. Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Louisiana (Mr. JINDAL).

Mr. JINDAL. Mr. Chairman, I rise in opposition to the offered amendment. It seems to me in our country right now we have an all-out assault on faith-based groups. Just this week, a court in my home State of Louisiana ruled that school boards were prohibited from having voluntary school board member-led prayers to begin their meetings. Now, this very Chamber, the Supreme Court, and many government entities begin their proceedings with a prayer; and along that line I see nothing wrong with us inviting faith-based groups to be partners with the government in training tomorrow's workforce.

To me, this debate should be about one and only one thing, and that is how do we provide the most effective training for our future workers? Nobody here is arguing that we should have an unlevel playing field. Nobody here is arguing for favoritism for faith-based groups. Rather, we are simply saying, let us level the playing field. Let us invite those who are motivated by faith to help us to train displaced workers, to train tomorrow's workforce.

In my home State of Louisiana, faith-based groups have done a wonderful thing. They have provided health care to those who needed it; they have provided education, housing and shelter to those whose needed it the most.

What is next? If you extend the logic of this amendment, what might be next might be those Catholic hospitals not being able to accept Medicare patients. What might be next might be the Baptist hospitals not being allowed to participate in our State's Medicaid program.

We are not asking for special treatment. All we are saying is let us build on a bipartisan precedent, a precedent set in the Civil Rights Act, a precedent reaffirmed under President Clinton under four different bills. Let us build on that bipartisan precedent of opening the doors and allowing faith-based groups to participate as equal partners.

People of faith pay taxes as well in this country. We are not arguing for special treatment; we are just arguing for a level playing field.

Four different times this Congress saw fit to open those doors to faith-based groups. Four different times President Clinton signed into law four different measures designed to protect the interests and rights of faith-based groups.

Today this bill that we are going to approve later on the floor today simply takes another step forward. It simply says to the faith-based community, we will not discriminate against you. We will not require you to give up your employment rights guaranteed or granted to you by the 1964 Civil Rights Act.

To quote Members from the other side, Senator KERRY and Senator CLINTON, those that have stood before for freedom and plurality, they themselves say, Senator CLINTON in her own words says, ''There is no contradiction between support for faith-based initiatives and upholding our constitutional principles.'' Senator KERRY says, ''I know there are some that say that the first amendment means faith-based organizations can't help government. I've never accepted that. I think they are wrong.''

In this instance, I find myself in agreement with both Senator KERRY and Senator CLINTON. The first amendment is not designed to protect government, not designed to protect us from faith; it is rather designed to separate church and State. It is, rather, designed to protect faith from government, not the other way around.

So I think we need to stop closing the door to people of faith. We need to stop discriminating against those groups that are motivated by their religious beliefs to help the weakest in society. I rise in opposition to this amendment.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, we keep hearing that we are discriminating against religious organizations in terms of participation in government contracts. That is not true. The fact is that they can participate. When you talk about a barrier, say what the barrier is. The barrier is, there is a level playing field; you cannot discriminate.

We have also heard a lot about the 1964 Civil Rights Act. What has not been said is since 1965 there has been a specific prohibition against discrimination in Federal contracts. You have not been able to discriminate in a job training program since 1965. In fact, for defense contracts, you have not been able to discriminate since 1941.

We also heard, Mr. Chairman, about the hiring for Planned Parenthood, I believe, and what your position is on abortion or gun control or something. In the 1960s, Mr. Chairman, we passed civil rights laws to respond to our sorry history of bigotry, and we designated specific protected classes where you could not discriminate in employment, race, color, creed, national origin and sex; and you cannot discriminate against those protected classes.

There is a difference between telling somebody they cannot get a job because I do not like your position on gun control and we do not hire blacks or Jews. Race and religion are protected classes; positions on gun control and abortion are not, and there is a difference.

Mr. Chairman, I yield 6 minutes to the gentleman from Texas (Mr. EDWARDS).

Mr. EDWARDS. Mr. Chairman, this debate is about one question that each Member and each American should ask himself or herself. This is the question: Should any American citizen have to pass someone else's private religious test to qualify for a tax-funded job? I think the vast majority of Americans would answer that question, absolutely not.

Should the gentleman from Ohio (Mr. BOEHNER), who is the author of this bill, have to come to me if I get a $5 million job computer training grant from the Federal Government under this bill, should the gentleman from Ohio (Mr. BOEHNER) have to come to me and answer a 20-point religious questionnaire? Should the gentleman from Ohio (Mr. BOEHNER) have to say whether or not he believes in Jesus Christ, whether or not he believes in evolution, whether or not he believes in the literal interpretation of the New Testament?

I do not think the gentleman from Ohio (Mr. BOEHNER) should have to answer those kinds of questions to me as a recipient of a $5 million job training grant. And without the Scott amendment, that is exactly what could happen under this bill.

For those who oppose the Scott amendment, let me say what you are endorsing. You are saying it is okay for a church associated with Bob Jones University, at least based on its past philosophy, it can take a $1 million job training grant and pay for a sign that says, No Jews Or Catholics Need Apply Here For a Federally Funded Job. Do you really think that is right?

What the opponents of the Scott amendment are saying is that the members of a white church who received a $1 million job training grant can say to an African American applicant, You do not belong to our church. Even though you are totally qualified for this federally funded job, we are not going to hire you.

What this bill would say, without the Scott amendment, is that someone could say to a single mom trying to find a job in our religious faith, We do not believe single mothers should work, so we are not going to hire you, even though you are fully qualified for this job.

Religious discrimination is wrong. To subsidize it in the year 2005 I find unbelievable. It is unbelievable that on the very day American soldiers are risking their lives in Iraq, and perhaps some have given their lives today in Iraq to give the Iraqis religious freedom, we are debating a bill on the floor of this House that would say an American citizen can be denied a federally funded, tax-funded job for simply one reason, the exercise of your religious faith.

Religious freedom is not just any freedom; it is the first freedom. It is the first freedom enunciated in the Bill of Rights. It is the freedom upon which all other freedoms we cherish in this country are built.

The Founding Fathers thought so much about that freedom, about religious freedom, they put in the first 16 words of the first amendment these words: ''Congress shall pass no law respecting an establishment of religion, or prohibiting the free exercise thereof.''

If saying that someone has to lose a job to support his or her family because they are exercising their own deeply-felt religious faith, if that is not prohibiting the free exercise of religion, what is? If saying we are going to take away your ability to put food on the table for your children and a job that is paid for by taxpayers, to say that you cannot have that job because you do not pass my private religious test, if that is not prohibiting the free exercise of religion, what is?

The ninth commandment warns people to not bear false witness against thy neighbor. Yet repeatedly I have heard on this floor those say on this side of the floor that supporters of the Scott amendment are opposed to faith-based groups being involved in providing social services.

I would suggest perhaps they should not only preach the Ten Commandments; perhaps they should exercise and practice the ninth commandment, because to make that argument is to suggest that the Baptist Joint Committee, the American Jewish Committee, and numerous other religious groups are somehow opposing faith-based groups' involvement in Federal social service programs. You know that argument is simply not correct.

This amendment, the Scott amendment, is about one question and one question alone: Should any American citizen have to pass another American citizen's private religious test to qualify for a federally funded job? I hope the Members of this House will respect the Founding Fathers and the first amendment and the views of the vast majority of American citizens and say, no, you should not be denied a tax-funded job because of the exercise of your religious faith.

I urge Members on both sides of the aisle to put partisanship and politics aside. Vote for religious freedom. Vote for the Scott amendment.

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

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIRMAN (Mr. BASS). The gentleman from Virginia is recognized for 4 minutes.

Mr. SCOTT of Virginia. Mr. Chairman, this amendment does not propose any new initiative. The adoption of this amendment will simply keep the law the way it has been in job training programs since 1965.

Much has been said about court cases. None of those court cases involved Federal money. They involve church money and what the church can do with its church money; and whether it is religious or secular activities, it is still the church's money, not Federal money.

Since 1965 there has been no discrimination with Federal money, at least until these faith-based initiatives came along. In fact, since 1941 there has been no discrimination in defense contracts, without exception. So if you want to sell the Army some rifles, if you discriminate in employment, the Army will not buy those rifles from you.

Mr. Chairman, a lot has been said about the Clinton administration. Let me say I will be introducing into the RECORD statements made at the signing of those bills outlining the interpretation of the Clinton administration, outlining why there would be no discrimination in employment under the Clinton administration, notwithstanding the language in those various bills.

There has been no discrimination against faith-based organizations. Speakers have suggested that they cannot get contracts. The fact of the matter is that they can get contracts. In fact, anybody that can get funded under the underlying bill could be funded if the organization would simply agree not to discriminate in employment.

In 1964, a gentleman during the debate on the floor said in terms of whether or not you can get the money,

''Stop the discrimination, get the money; continue the discrimination, do not get the money.''

That is what we are talking about here. Telling somebody that they are not qualified for a federally paid-for job because of religion is wrong. Adopt my amendment and we will keep the law the way it has been since 1965.

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

Mr. BOEHNER. Mr. Chairman, I yield myself the balance of my time.

The Acting CHAIRMAN. The gentleman from Ohio is recognized for 8 minutes.

Mr. BOEHNER. Mr. Chairman, I think it is important that we keep our eye on the target here. The bill before us seeks to help Americans who need job training services or retraining services to help them have an opportunity to participate and succeed in the economy of the 21st century. The question is how best do we deliver those services.

Under the Workforce Investment Act, we set up these one-stop centers all over the country. They have in fact been wildly successful. But we also know that there are pockets of poverty, pockets of people in very dire straits, that are not going to come walking into a one-stop shop. We also know that there are organizations out there that as part of their faith, part of the mission of their faith, go out and help those in need.

□ 1815

Now, what we are trying to do is to make sure that these services get to the people that they need. So in this bill we include protections for those faith-based organizations who may want to participate in this program, give them the opportunity to do that without, without giving up their rights under the 1964 Civil Rights Act.

It is a very simple question that we are down to here. My friends on the other side of the aisle, by and large, want to say if you take one Federal dollar in the pursuit of helping others under this program, you have to give up your rights under the 1964 Civil Rights Act. That is the whole point here.

POINT OF ORDER

Mr. SCOTT of Virginia. Mr. Chairman, I have a point of order.

If it is true that they cannot discriminate with the Federal money, but can discriminate with the church money, is the statement that the gentleman mentioned, true or not?

The Acting CHAIRMAN (Mr. BASS). The gentleman is not stating a point of order.

The gentleman from Ohio (Mr. BOEHNER) will continue.

Mr. BOEHNER. Mr. Chairman, so the debate here boils down to one of two issues, you believe that if these faith-based organizations want to participate in these programs that they have to give up their rights under the 1964 Civil Rights Act.

We believe and the majority of this House has believed on a number of occasions as we have had this vote, that faith-based organizations who want to help the neediest of the needy should in fact be able to have their rights under the 1964 Civil Rights Act. It is just as simple as that.

So I would ask my colleagues as they look at this bill and look at this amendment to support the work that we have done, to allow these groups to participate. They do good work. There is no reason why that they cannot partner with the Federal Government to help us in our effort to help the neediest of the needy, and to help improve the prospects for job training and retraining to help all Americans participate in the 21st century economy and give them a chance to succeed at the American dream.

Mr. Chairman, I ask my colleagues to vote against the Scott amendment.

Ms. KILPATRICK of Michigan. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Virginia, Mr. SCOTT. As written, the underlying bill will make it legal for faith-based organizations that receive federal funds and run job-training programs to discriminate in their hiring practices.

Throughout my life, I have fought against discrimination wherever it is practiced in our social, cultural, political and economic life. The language contained in this bill goes against that core principle. The president and I have our disagreements, but the one concern we do share is that Sunday is generally regarded as the most segregated day of the week. The bill before us today encourages faith-based organizations to practice discrimination within their employment practices with Federal funds during the workday week.

I support the work of our religious institutions in sponsoring federal programs and delivering vital social and employment programs to our communities. I first sought elected office by the grace of our God and at the urging of my church. But supporters of this bill contend if you do not allow religious organizations to hire members of their own faith, we are denying religious institutions from participating in federal programs that deliver needed services to our local communities. In other words, they argue we are practicing religious bigotry.

Nothing can be further from the truth. In fact, I would suggest that this movement is reminiscent of the days of school desegregation when many parents withdrew their children from public school so they could attend so-called Christian academies for the purpose learning. Why does the federal government want to encourage that kind of action? This bill does just that.

I urge my colleagues to vote ''no.''

Mr. BOEHNER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia (Mr. SCOTT).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. SCOTT of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia (Mr. SCOTT) will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. 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 by the gentleman from Michigan (Mr. KILDEE), amendment by the gentlewoman from New York (Ms. VELÁZQUEZ), amendment by the gentleman from Virginia (Mr. SCOTT).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. KILDEE

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. KILDEE) 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 Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 200, noes 222, not voting 11, as follows:

[Roll No. 44]

AYES—200

Abercrombie	Delahunt	Kucinich
Ackerman	DeLauro	Langevin
Allen	Dicks	Lantos
Andrews	Dingell	Larsen (WA)
Baca	Doggett	Larson (CT)
Baird	Doyle	Leach
Baldwin	Edwards	Lee
Barrow	Emanuel	Levin
Bean	Engel	Lewis (GA)
Becerra	Eshoo	Lipinski
Berkley	Etheridge	Lofgren, Zoe
Berman	Evans	Lowey
Berry	Farr	Lynch
Bishop (GA)	Fattah	Maloney
Bishop (NY)	Filner	Markey
Blumenauer	Ford	Marshall
Boren	Frank (MA)	Matheson
Boswell	Gonzalez	McCarthy
Boucher	Gordon	McCollum (MN)
Boyd	Green, Al	McDermott
Brady (PA)	Green, Gene	McGovern
Brown (OH)	Grijalva	McIntyre
Brown, Corrine	Gutierrez	McKinney
Butterfield	Harman	McNulty
Capps	Hastings (FL)	Meehan
Capuano	Herseth	Meek (FL)
Cardin	Higgins	Melancon
Cardoza	Hinchey	Menendez
Carnahan	Hinojosa	Michaud
Case	Holden	Miller (NC)
Chandler	Holt	Miller, George
Clay	Honda	Mollohan
Clyburn	Hooley	Moore (KS)
Conyers	Hoyer	Moore (WI)
Cooper	Inslee	Moran (VA)
Costa	Israel	Murtha
Costello	Jackson (IL)	Nadler
Cramer	Jackson-Lee (TX)	Neal (MA)
Crowley	Jefferson	Oberstar
Cuellar	Johnson (CT)	Obey
Cummings	Johnson, E. B.	Olver
Davis (AL)	Kanjorski	Ortiz
Davis (CA)	Kaptur	Owens
Davis (FL)	Kennedy (RI)	Pallone
Davis (IL)	Kildee	Pascrell
Davis (TN)	Kilpatrick (MI)	Pastor
DeFazio	Kind	Paul
DeGette		Payne

Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—222

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Carson
Cleaver
Gillmor
Harris
Jones (OH)
McCrery
Meeks (NY)
Millender-McDonald
Napolitano
Reynolds
Ryan (OH)

□ 1845

Messrs. LATOURETTE, NEUGEBAUER, and WALDEN of Oregon, Mrs. MUSGRAVE, and Messrs. FITZPATRICK of Pennsylvania, PETRI, and OTTER changed their vote from ''aye'' to ''no.''

Messrs. SPRATT, POMEROY and SHAYS changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MS. VELÁZQUEZ

The Acting CHAIRMAN (Mr. BASS). The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from New York (Ms. VELÁZQUEZ) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 202, noes 221, not voting 10, as follows:

[Roll No. 45]

AYES—202

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Brown-Waite, Ginny
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Case
Chandler
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Fossella
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson (IL)
Johnson, E. B.
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Renzi
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Sweeney
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—221

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield

Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—10

Carson
Cleaver
Gillmor
Harris
Jones (OH)
McCrery
Meeks (NY)
Millender-McDonald
Napolitano
Reynolds

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (during the vote) (Mr. BASS). Members are advised that 2 minutes remain in this vote.

□ 1853

Mr. SHAYS changed his vote from ''aye'' to ''no.''

Mr. FOSSELLA changed his vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. SCOTT OF VIRGINIA

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment 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 Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 239, not voting 8, as follows:

[Roll No. 46]

AYES—186

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Case
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
McCarthy
McCollum (MN)
McDermott
McGovern
McKinney
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Michaud
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Sherman
Simmons
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—239

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chandler
Chocola
Coble
Cole (OK)
Conaway
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McIntyre
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reichert
Renzi
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Carson
Cleaver
Gillmor
Harris
Meeks (NY)
Millender-McDonald
Napolitano
Reynolds

□ 1903

Mr. BASS changed his vote from ''aye'' to ''no.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN (Mr. BASS). There being no further amendments, 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 Acting CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. HASTINGS of Washington) having assumed the chair, Mr. BASS, the Acting Chairman 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. 27) to enhance the workforce investment system of the Nation by strengthening one-stop career centers, providing for more effective governance arrangements, promoting access to a more comprehensive array of employment, training, and related services, establishing a targeted approach to serving youth, and improving performance accountability, and for other purposes, pursuant to House Resolution 126, 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.

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, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. KILDEE

Mr. KILDEE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. KILDEE. Yes, I am, Mr. Speaker, in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Kildee of Michigan moves to recommit the bill H.R. 27 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith with the following amendment:

After section 127, insert the following new section (and redesignate succeeding sections

and conform the table of contents accordingly):

SEC. 128. ASSISTANCE TO VETERANS RETURNING FROM ACTIVE DUTY AND WORKERS WHO LOSE JOBS DUE TO OFFSHORING.

The Workforce Investment Act of 1998 is amended by adding after section 174 the following new section:

"SEC. 175. ASSISTANCE TO VETERANS RETURNING FROM ACTIVE DUTY AND WORKERS WHO LOSE JOBS DUE TO OFFSHORING.

''(a) INCOME SUPPORT, JOB TRAINING, JOB SEARCH ASSISTANCE, RELOCATION ALLOWANCE.—

''(1) IN GENERAL.—From the amount authorized under subsection (d), the Secretary shall make grants to States to provide income support, job training assistance, job search assistance, and relocation allowances to—

''(A) individuals who have lost employment due to offshoring; and

''(B) a person who is unemployed and, while on active duty in the Armed Forces, was deployed overseas in support of Operation Enduring Freedom or Operation Iraqi Freedom.

''(2) VETERAN ELIGIBILITY FOR JOB TRAINING.—With respect to job training assistance under this subsection, a person who served on active duty in the Armed Forces and was deployed overseas in support of Operation Enduring Freedom or Operation Iraqi Freedom shall be eligible regardless of whether such person is employed.

''(b) ASSISTANCE.—The benefits provided under this section for such individuals shall be the same as the benefits for such individuals under the Trade Adjustment Assistance program (under subchapter II of the Trade Act of 1974 (19 U.S.C. 2271 et seq.)).

''(c) OFFSHORING OF JOBS.—For purposes of this section, the term 'offshoring' means any action taken by an employer the effect of which is to create, shift, or transfer work or facilities outside the United States.

''(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.''.

Mr. KILDEE (during the reading). Mr. Speaker, I ask unanimous consent that the motion to recommit be considered as read and printed in the RECORD.

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Michigan is recognized for 5 minutes.

Mr. KILDEE. Mr. Speaker, my motion to recommit is simple. It provides extra assistance to workers whose jobs have been outsourced and veterans who are returning from conflicts overseas.

Mr. Speaker, half a million jobs have been outsourced over the past 3 years. An additional 830,000 jobs are expected to be outsourced in 2005 and 3.3 million by 2015. Up to 6 million jobs may be sent overseas in the next 10 years. These statistics represent lost jobs for American workers. Fewer jobs means that American workers will struggle to provide for their families and fall further into debt. The administration has turned a deaf ear to the needs of these workers. American workers who lose their jobs due to outsourcing need significant assistance and resources to obtain new employment. This motion would provide this help.

Likewise, many veterans returning from the conflicts in Afghanistan and Iraq may need skills and training to obtain or retain their jobs. Reservists who have spent a year or more overseas have put their careers on hold to serve our country. This amendment would provide the help they need.

Mr. Speaker, I urge Members who want to help our veterans and those who have lost their jobs to outsourcing to support this motion.

Mr. Speaker, I yield 1½ minutes to the gentlewoman from South Dakota (Ms. HERSETH).

Ms. HERSETH. Mr. Speaker, I would like to thank the gentleman from Michigan for offering this motion to recommit.

Mr. Speaker, we have asked literally hundreds of thousands of our best and brightest, many of them National Guard and Reservists from South Dakota, to serve overseas in Operations Iraqi Freedom and Enduring Freedom. We owe these brave men and women and their families a great deal for their sacrifice during these difficult times. What we owe them is the opportunity to make good on the American Dream that they have fought to defend.

This motion would create an economic transition benefit, similar to Trade Adjustment Act assistance, for service members returning from Iraq and Afghanistan who find themselves without employment. Additionally, too many of the brave men and women who are serving in the National Guard and Reserve forces have returned home to find their jobs gone and their families struggling to make ends meet. While our military personnel are risking their lives in Iraq and Afghanistan, they should not be worrying if their jobs will be there for them when they return home or what they will do if they are not.

This motion to recommit would provide unemployed veterans of Iraq and Afghanistan with income support and intensive employment training and job relocation assistance so that they can successfully transition back into civilian life.

I ask my colleagues to support this motion to recommit. Our returning servicemembers from Iraq and Afghanistan deserve no less.

Mr. KILDEE. Mr. Speaker, I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. Mr. Speaker, the outsourcing of good-paying American jobs to other countries is a crisis that touches every community in the United States. Up to half a million jobs have been outsourced over the past 3 years to countries like China, India, and Mexico. This at a time when there are 8 million Americans out of work.

Americans now understand that outsourcing negatively impacts every segment of our economy. Not only have 2.7 million jobs been lost in our once-vibrant manufacturing sector since the beginning of this administration but white collar jobs are being offshored as well. According to one report, 181,000 computer jobs will be moved offshore by the end of 2005. Last year, State and local governments outsourced $10 billion of public projects.

What we are witnessing today is a full-scale erosion of the American workforce, with millions seeking skills to improve their current employment situation. This bill undermines our job training system and our economy alike. This motion seeks to provide assistance to veterans, provide workers who lost their jobs to outsourcing with job training assistance, allowances to relocate to where they can find work and other forms of income support. This bill destroys the functioning elements of our job training system. It does not, quote, improve our delivery of these vital services for unemployed Americans.

I urge my colleagues to support this motion to recommit.

Mr. KILDEE. Mr. Speaker, I urge support for this motion which will address a very urgent problem.

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

Mr. BOEHNER. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from Ohio is recognized for 5 minutes.

Mr. BOEHNER. Mr. Speaker, let us tell the truth about what has happened in job creation in America. Over the last 17 months, 2.7 million new jobs have been created in America. Our economy is strong and our economy is getting stronger. If we look at the underlying bill that we have before us, veterans have a preference to services above all others.

What the gentleman from Michigan proposes here is a brand new program similar to a trade adjustment program that provides up to 2 years of unemployment-type benefits and provides unlimited access to training. But the fact is that unemployed workers have access today, people coming back from Iraq who are unemployed have access to services, and those who may have their jobs lost through outsourcing have, in fact, access to services.

But what also happens under the gentleman's amendment is that they get a preference in this bill. The gentleman creates a new preference here above other types of people who may have lost their jobs. The underlying bill, in fact, will provide more services to more unemployed workers and workers who want to increase their skills who may not be unemployed.

But when we look at this, this is a new program. This is an authorization. There is no appropriation. We all know it will probably take 2 to 5 years for this type of program to be implemented. The fact is I think it is a cruel hoax on those who may be unemployed, who may fall into one of these categories to think that they are going to be eligible for unemployment-type assistance or be eligible for unlimited

training when, in fact, there is no appropriation and the fact is the program will take years to implement.

I urge my colleagues to vote against the motion to recommit and support the underlying bill.

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

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

There was no objection.

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

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

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 197, noes 228, not voting 8, as follows:

[Roll No. 47]

AYES—197

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Case
Chandler
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOES—228

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—8

Bonner
Carson
Cleaver
Gillmor
Harris
Meeks (NY)
Millender-McDonald
Napolitano

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. HASTINGS of Washington) (during the vote). Members are advised 2 minutes remain in this vote.

□ 1933

Mr. GARRETT of New Jersey changed his vote from ''aye'' to ''no.''

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

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

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

RECORDED VOTE

Mr. KILDEE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 224, noes 200, not voting 9, as follows:

[Roll No. 48]

AYES—224

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehlert
Boehner
Bonilla
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cox
Cramer
Crenshaw
Cubin
Culberson
Cunningham
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Hall
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Herger
Hobson
Hoekstra
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marshall
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Pearce
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Portman
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schwarz (MI)
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Sweeney

Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOES—200

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Case
Chandler
Clay
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Duncan
Edwards
Emanuel
Engel
Eshoo
Etheridge
Evans
Farr
Fattah
Filner
Flake
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Harman
Hastings (FL)
Hensarling
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matheson
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Melancon
Menendez
Michaud
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tancredo
Tanner
Tauscher
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wamp
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—9

Bonner
Carson
Cleaver
Gillmor
Harris
Meeks (NY)
Millender-McDonald
Napolitano
Pelosi

□ 1942

Mr. ROYCE changed his vote from ''no'' to ''aye.''

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

CONTINUATION OF NATIONAL EMERGENCY BLOCKING PROPERTY OF PERSONS UNDERMINING DEMOCRATIC PROCESSES OR INSTITUTIONS IN ZIMBABWE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–12)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency blocking the property of persons undermining democratic processes or institutions in Zimbabwe is to continue in effect beyond March 6, 2005. The most recent notice continuing this emergency was published in the *Federal Register* on March 5, 2004 (69 FR 10313).

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies pose a continuing unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency blocking the property of persons undermining democratic processes or institutions in Zimbabwe and to maintain in force the sanctions to respond to this threat.

GEORGE W. BUSH.
THE WHITE HOUSE, *March 2, 2005.*

UNITED STATES ASSISTANCE FOR INTERDICTION OF AIRCRAFT ENGAGED IN ILLICIT DRUG TRAFFICKING—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109–13)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Consistent with the authorities relating to official immunity in the interdiction of aircraft engaged in illicit drug trafficking (Public Law 107–108, 22 U.S.C. 2291–4), and in order to keep the Congress fully informed, I am providing a report prepared by my Administration. This report includes matters relating to the interdiction of aircraft engaged in illicit drug trafficking.

GEORGE W. BUSH
THE WHITE HOUSE, *March 2, 2005.*

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

WHAT IT MEANS TO SUPPORT AMERICA'S TROOPS

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, what does it mean to support America's troops? Does it mean placing a yellow ribbon on the bumper of your car? Does it mean blindly supporting the wars in which they fight? Or does it mean something else entirely?

I believe that supporting our Nation's brave soldiers means honoring, above all else, the promise to never place them in harm's way unless the safety and security of our Nation depends on it. It also means that we properly equip them in battle and then fully care for them once they are home.

□ 1945

Sadly, the war in Iraq has violated all three of the ways that we must support our troops. The very premise of this war violates the trust that our military places in the government. It actually violates the trusts that we will only vote to go to war under circumstances of dire national emergency when our fate as a Nation depends on it.

The war in Iraq was never about a national emergency or America's security. It was about the Bush administration's callous manipulation of the 9/11 tragedy. In the end, it was about promoting the administration's own political causes using the tactic of ridding Iraq of weapons of mass destruction and now, installing their version of a democracy in the Middle East.

The sad irony is that Iraq is now less stable than ever before. And it has never posed a bigger threat to our security here at home. Iraq has become the breeding ground for terrorists of all nationalities whose most common trait is their hatred of the United States.

This war was fought for the worst reasons, not for the security of our country, but to promote the Bush administration's political goals. The fact that the Bush administration has the audacity to label anyone who does not support this false war as being unsupportive of the troops is nothing short of hypocritical.

Mr. Speaker, I hope that the President does not confuse my opposition to

this war for a lack of support for those who fight it. In fact, the Bush administration and his team at the Pentagon have demonstrated a potent lack of support for the troops through poor planning, poor planning for the long military operation of Iraq. And by neglecting to provide every soldier with the life-saving body armor needed to survive military combat.

Hundreds of lives could have been saved if our troops had not been left as sitting ducks on the battlefield without the body armor, without the plated armor for Humvees and without what would have saved their lives during battle.

Finally, the Bush administration and the Republicans in Congress have clearly neglected to support the soldiers once they come home. Veterans health care continues to suffer under this administration's reckless fiscal policies, and America has not kept its promise to properly provide for the health care of our soldiers once they have returned from the war.

In fact, one of the champions of veterans in the Republican party, the gentleman from New Jersey (Mr. SMITH) was stripped of his Veterans Affairs Committee chairmanship precisely because he advocated for full support of our veterans. And then, after losing his chairmanship, he was removed from the committee.

What kind of message does that send to our troops currently stationed in Iraq and Afghanistan?

If they think their lives are tough on the battlefield, just wait till they come back home and wait till they need services for either physical or mental health or whatever else they are going to need from us when they return.

Mr. Speaker, I introduced H. Con. Res. 35 with the support of 28 of my colleagues in the House. This legislation will help secure Iraq by withdrawing our troops, which will ensure that America's role in Iraq actually does not make our troops sitting ducks. H. Con. Res. 35 is part of a larger national security strategy that I call SMART security. SMART is a sensible multilateral American response to terrorism. And it will ensure America's security by relying on smarter policies, policies that encourage a commitment to diplomacy, a committee to international cooperation and a commitment to nuclear security. Smart security will actually make our country safer.

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentleman from Kansas (Mr. MORAN) is recognized for 5 minutes.

(Mr. MORAN of Kansas addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

ORDER OF BUSINESS

Mr. FORTUÑO. Mr. Speaker, I ask unanimous consent to take my special order at this time.

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

There was no objection.

88th ANNIVERSARY OF U.S. CITIZENSHIP FOR PUERTO RICANS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Puerto Rico (Mr. FORTUÑO) is recognized for 5 minutes.

Mr. FORTUÑO. Mr. Speaker, at the end of the Spanish American War in 1898, Puerto Rico was ceded to the United States and became a territory under the Territorial Clause of the U.S. Constitution. It was not until 1917, by virtue of the passage of the Jones Act, that people born in Puerto Rico were granted the privilege of becoming citizens of this great Nation.

On March 2, 1917, exactly 88 years ago, Puerto Ricans became U.S. citizens. We value our citizenship dearly, and over the years, Puerto Ricans have honored their citizenship by making major contributions to our great Nation. We have distinguished ourselves in the arts, the sciences and sports. But most important of all, courageous Puerto Rican men and women have served their Nation proudly defending our valued principles of freedom around the world.

Puerto Ricans have served with honor and distinction in the Armed Forces of the United States in all wars and conflicts since 1917 to this day, where 3,400 of our men and women are active in our Nation's war on terrorism, including 825 soldiers currently serving in Iraq.

Four Puerto Ricans have received the Congressional Medal of Honor, the highest award given for valor on the battlefield. Today I want to again honor these four Puerto Rican heroes: Private First Class Fernando Garcia, who fought in the Korean War; Private First Class Carlos Lozada, who fought in the Vietnam War; Captain Euripides Rubio, who fought in the Vietnam War; and Specialist Hector Santiago-Colon, who also fought in the Vietnam War.

18,000 Puerto Ricans served in World War I. During World War II, 65,034 Puerto Ricans, including 200 Puerto Rican women, served in the Armed Forces. More than 61,000 Puerto Ricans served in the Korean War during which the 65th Infantry Regiment, comprised mostly of Puerto Rican soldiers, distinguished themselves for bravery.

Actually, I would like to quote tonight General Douglas MacArthur who said in Tokyo on February 12, 1951, and I quote, ''The Puerto Ricans forming the ranks of the gallant 65th Infantry on the battlefields of Korea are writing a brilliant record of achievement in battle, and I am proud indeed to have them in this command. I wish that we may have many more like them,'' and I close the quote.

More than 48,000 Puerto Ricans served in Vietnam. Of these, over 430 were killed and over 3,000 were wounded.

Close to 2,600 Puerto Rico National Guard volunteers and U.S. Army Reserve soldiers were mobilized for Desert Storm.

Puerto Ricans have always responded to the call of defending our Nation and have had no qualms in shedding their blood on the battlefields to defend the cause of liberty.

On February 15 of this year, I visited Private First Class Emanuel Melendez-Diaz from Comerio, Puerto Rico, who is in intensive care in Walter Reed Army Medical Center from injuries suffered in Iraq as part of our global war against terrorism. I was deeply moved by the intense pride his parents show in their son and in the sacrifice he made for our Nation. And yet, I could not help but think that Private First Class Emanuel Melendez-Diaz had not been able to vote for his Commander-in-Chief because he is Puerto Rican. That is morally wrong.

Today we commemorate the 88th anniversary of Congress granting US citizenship to the people of Puerto Rico. Yet we still cannot vote for our President, cannot vote in this Chamber, cannot vote on legislation that affects us. Congress has an unfinished agenda with Puerto Rico. The 4 million U.S. citizens that live in Puerto Rico should finally be given the opportunity to make an educated, fair and democratic choice regarding their final status preference. After 106 years of territorial status, and 88 years of being U.S. citizens, we are tired of waiting. The people of Puerto Rico deserve better. We have earned our right to be heard.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO) addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

TEXAS INDEPENDENCE DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. GENE GREEN) is recognized for 5 minutes.

Mr. GENE GREEN of Texas. Mr. Speaker, today, March 2 marks Texas Independence Day, and this morning at the Texas State Cemetery in Austin, Texas, Texans paid tribute with a musket volley salute in full costume to the Texas veterans who are buried there.

Texas cities and towns across the State are holding many important Memorial events in honor of the fact that 169 years ago today, the Texas Declaration of Independence was ratified by the Constitutional Convention of 1836 at Washington-on-the-Brazos.

Less than 100 years after American patriots declared independence from the tyrannical British Empire's military domination, Texas declared its independence from Mexico. After July 4, 1776, democratic government became a birthright for the people of the new

world, but one that we would have to fight for.

Like the American patriots driven to revolution by heavy-handed British intervention, Texas declared its independence after many years of living peacefully as part of the Mexican federal republic because Mexico became dominated by military dictatorships.

The seeds of Texas independence were sown in 1824, when a military dictatorship abolished the Mexican constitution.

In the words of the Texas declaration of independence, the Texas people's government have been forcibly changed without their consent from a restricted federative republic composed of sovereign states to a consolidated central military despotism.

The Texas Declaration of Independence also based the justification for revolution on the grounds that the government of Mexico had ceased to protect the lives and liberty and property of the people.

The military dictatorships that had unfortunately captured the Mexican government also did not provide for trial by jury, freedom of religion or public education.

Failure to provide these essential services violates the sacred contract between government and the people.

It is important to remember that the struggle for Texas independence was a political struggle, not an ethnic conflict. In fact, many Texas Hispanics consider themselves Tejanos and not Mexicanos.

Tejanos lived in Texas long before Mexico existed and they moved there for the same reasons Anglos later moved there, freedom to run their own affairs and a wild but productive landscape.

So we are inspired by so many Tejanos that joined the fight for independence when the Mexican government became an exploitive military regime, including Captain Juan Sequin, Lorenzo de Zavala, a future republic of Texas vice president.

When Texans and Tejanos protested the undemocratic changes to Mexico's government, they were thrown in jail and the Mexican Army marched to war on Texas to enforce the decrees of the military dictatorship at the point of a bayonet.

While future President Sam Houston and other delegates signed the Texas Declaration of Independence, Santa Anna's army was besieging the Texans and Tejanos at the Alamo in San Antonio.

The Alamo fell on the morning of March 6, 1836 when Lt. Colonel William Barrett Travis, Tennesseean congressman David Crockett and approximately 200 other Texan and Tejano defenders were killed in action a heroic sacrifice for Texan freedom. On March 27, this same Army massacred over 300 unarmed Texans at Goliad.

Fortunately, Texans and Tejanos achieved their independence several weeks later on April 21, 1836 when approximately 900 Texans and Tejanos of the Texas Army overpowered a much larger Mexican army in the surprise attack at the Battle of San Jacinto.

Texas Independence Day is important to all Americans because it is the event that show the brotherhood of freedom can be stronger than the brotherhood of ethnicity or nationality, as Tejanos proved at Gonzalez, Bexar, Goliad and the Alamo and along the banks of the San Jacinto River and the government of the republic of Texas.

People sometimes wonder what makes Texas and Texans so different and I believe part of that answer is the passion for freedom that gave us the first Texas Independence Day is still alive today. Something about being raised in Texas or even living there for an extended period of time makes Texans less willing to put up with the infringement on our rights, more willing to fight for them. I believe part of that passion comes from knowing Texas history.

Today we give thanks to the many Texans of all backgrounds that sacrificed for the Texas freedom we enjoy. God bless Texas and God bless America.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

FREE TRADE AGREEMENTS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. BROWN) is recognized for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, 12 years ago I came to this house in January 1993 and during that year this Congress debated whether or not to pass the North American Free Trade Agreement. The promises made during NAFTA in 1993 from its supporters were it would create jobs in the U.S., it would raise living standards in Mexico by raising wages, it would encourage and enable Mexicans to buy more American products. It would increase our balance of trade with Canada and Mexico, positively. Those were the promises made by NAFTA.

We have heard those same promises when we passed the PNTR with China. We have heard those same promises on trade agreement after trade agreement. But look what has happened to our trade deficit in that period. Starting in 1992, the year I first ran for Congress our trade deficit was $38 billion. You can see it passes $100 billion in the early 1990s. Almost $200 billion in the mid 1990s. President Bush took office. Goes up to 400 billion, 450 billion, 500 billion. This year our trade deficit was $617 billion. That means that we are buying $617 billion more in products than we are selling. So, what is the President's response? The President's response is the Central American Free Trade Agreement. More of the same, followed he hopes by something called free trade area of the Americas. CAFTA and FTAA will double the population of NAFTA, Mexico, the U.S. and Canada and quadruple the number of low income workers.

□ 2000

They say that the definition of insanity is doing the same thing over and over and over again and expecting a different result. We are hearing the same promises about CAFTA, that it will raise living standards and raise wages in Central America, that it will create jobs in the United States, that we will export more and more to Central America, that it will reduce our trade deficit. It is the same old song.

It was the same song for NAFTA. It is the same song for NAFTA's dysfunctional cousin CAFTA, the Central American Free Trade Agreement. This President is going to come to Congress and again ask us to pass another free trade agreement that hemorrhages American jobs that costs us, especially manufacturing jobs.

My State under President Bush has lost hundreds of thousands of manufacturing jobs; this country has lost around 2 million manufacturing jobs in the 4 years that George Bush has been President; yet he continues to do the same thing, tax cuts for the wealthiest people in our country, trade agreements that hemorrhage jobs overseas.

Mr. Speaker, just look at the facts. Look at what has happened with our trade deficit. Again, it was $38 billion the year I ran for Congress in 1992. Today it is almost 20 times higher, $617 billion trade deficit. We had a trade surplus with Mexico in 1992. Today we have a $40 billion trade deficit with Mexico.

Again, Mr. Speaker, the President looks at these numbers and he says, let us do more of the same. Clearly our trade policy is not working. Clearly the President is taking the country in the wrong direction on trade. Every trade agreement this Congress has passed from President Bush has been signed by the President and then passed within Congress by about 60 days.

President Bush signed the Central American Free Trade Agreement on May 28. He has yet to try to push it through Congress because he knows the American people oppose the Central American Free Trade Agreement, and he knows the United States Congress opposes this Central American Free Trade Agreement.

Fully 90 percent of Democrats in the House of Representatives plan to vote against CAFTA because Democrats understand, and I hope enough of my Republican colleagues come along, understand that the Central American Free Trade Agreement is bad for our community. It is bad for our families. It is bad for our workers. It simply does not

work for our country. It betrays American values of hard work, of being rewarded for hard work. It hurts the poor in both countries. It hurts working people in both countries. It clearly does not promote the right set of moral values for our Nation.

I ask my colleagues to oppose the Central American Free Trade Agreement. It is clear these trade agreements are not working for our country.

MARK ALAN WILSON, HERO OF SMITH COUNTY, TEXAS

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentleman from Texas (Mr. GOHMERT) is recognized for 5 minutes.

Mr. GOHMERT. Mr. Speaker, last Thursday, February 24, 2005, in the city of Tyler, Texas, gun fire erupted outside the Smith County courthouse. An estranged and enraged ex-husband, irate over a domestic hearing, lay in wait outside the courthouse for his ex-wife and one of his sons who was 23. The courthouse was well secured inside while also having a metal detector inside its entrance. Such security measures probably prevented the soon-to-be murderer from carrying his rifle inside the courthouse and shooting not only his ex-wife and son, but also the many witnesses, jurors, parties and personnel who would have been inside, as had occurred in another courthouse some years ago and miles away.

As the ex-wife left the courthouse, the murderer opened fire hitting her and also her own son. Mark Wilson, a nearby Good Samaritan and hero, immediately without hesitation and without thought for his own safety went into action. He pulled his concealed weapon that he was lawfully carrying and accurately shot the murderer more than once. He could tell he was hitting the murderer, but what he did not know was that that murderer was wearing extensive body armor. That fact allowed the murderer to turn and fire fatal shots at our selfless hero Mark Wilson.

In the process of Mark's firing such accurate shots, he not only hurt the murderer, he also distracted him from the many innocent bystanders in the area.

When hearing the shorts being fired outside the courthouse, two deputies and a Tyler police detective responded by running to the source. Parenthetically, the Army teaches us that the only way to have a chance of surviving an ambush is to turn and run into the source of the ambush. As a trainee, sometimes we wondered if we would actually have the courage to do that when there were real bullets flying.

We do not have to wonder about what Mark and our courageous law enforcement officers at the Smith County courthouse would do when faced with a life-threatening attack. They respond and they respond with courage and clear thinking for the safety of others.

Mark Wilson's heroic actions disrupted the murderer's pattern and provided time for the protective law enforcement officers to respond. As Deputy Sherman Dollison attempted to intervene, he was also hit by the murderer and left for dead and he remains in critical condition at a local hospital.

Smith County and other friends thought mighty highly of Deputy Marlin Suel and Tyler police detective Clay Perrett. They are personal friends and they were both wounded in the ensuing exchange that sent the murderer into his car and fleeing the scene. He was chased by extremely responsive law enforcement as he continued to shoot during the chase. However, the murderer was killed before he could yet kill again.

There was an evil act of anger last Thursday, but there were heroes watching out, ready to act for the salvation of others. It is quite possible that Mark's actions prevented those in the area from becoming a trail of lifeless bodies in addition to saving the life of the murderer's own downed son.

According to the investigation, the rifle the murderer used was not automatic so he had to consciously pull the trigger over and over again to inflict the death and violence that he did.

Mark Wilson himself was able to apply for and receive his concealed handgun permit because the law allowing such was passed in Texas after a callous killer went into a cafeteria years ago and began firing randomly, hitting so many. Back at that time no civilians were there who were legally allowed to have a gun so the killer caused prolonged devastation. To receive a permit for carrying a concealed weapon in Texas, a person has to prove himself consummately law abiding. That described Mark. He was trained and he trained others in self-defensive weaponry. He was 52 years old. He had been a patriot who served all of us in the United States Navy. He was a community volunteer. He loved life to the maximum which included a deep abiding appreciation for Monty Python, all while he worked to make others' lives better in the process.

Yes, he knew how to make friends laugh. He had overcome tough times. He had been entrepreneurial, and he had worked to create good times for himself and others. He had many friends because of his community involvement and his very can-do attitude.

As a tribute to Mark and his courageous heroism, hundreds of people filled the downtown square in Smith County to commemorate his life, his times, and his goodness on Sunday, February 27.

As a member of the United States Navy, he had sworn to defend the Nation against all enemies foreign and domestic. Last Thursday he gave his life while once again defending against an enemy, this time domestic.

For many of us reflecting on Mark's death the words of Jesus of Nazareth capture Mark's spirit: ''Greater love hath no man than this; that a man lay down his life for his friend.''

Those words came from someone who knew and Mark Wilson's love is what was praised. He stepped up that love a notch by going and laying down his life for people he did not even know. This country, this institution need a memorializing of such a courageous hero as Mark Wilson. His loving parents and dear friends deserve to hear his praises sung once more for the record, and may the retelling of Mark's bravery bring them comfort, bring them hope, and to the hopeless who think there is no one out there who cares. Mark cared and I would be willing to bet his caring will be perpetuated into posterity for others that he has touched.

PROTECT SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York (Mr. RANGEL) is recognized for 5 minutes.

Mr. RANGEL. Mr. Speaker, I am here because the President has challenged this body and the other to deal with the problem of Social Security. And while the President no longer considers it a crisis, obviously when it reaches the point that you are spending more money than you are taking in, you do have a problem and you do have a challenge and we do have a responsibility.

So I think the President has changed the crisis which would occur according to the Congressional Budget Office out to 2052 and even then it remains a challenge and not really a crisis.

But we do not have a bill so we do not know specifically what the President would want to do. We do know that these types of problems you either have to cut the benefits, extend the age or raise the taxes; but the President has taken all of these things off the table and said we should deal with the question of privatization. I guess the more people in the district that looked at privatization and the more economists that studied it have caused the President to admit that privatization and private accounts and personal accounts has little or nothing to do with the question of solvency, which is basically what we are talking about.

We Democrats know how good this program has been for America. We know that it has been an insurance policy that most working people cannot afford. We know that in addition to the benefits that you get when you retire that we have survivor benefits, we have disability benefits, and we are prepared to take a look at anything as long as these benefits are not cut.

Now, the President would have us to believe that if you are over 55 your benefits would not be cut. To me, a guy from Harlem, it means that if you are under 55 you can depend on your benefits being cut. But still since we do not have a bill we really do not know exactly what we are fighting, but we do know what we want to protect.

It is too unfortunate that many minorities and women because of the inequities of the system, which we hope will be corrected, find themselves more dependent than the rest of the population. This is especially so when we do have a disparity between the life expectancies of men and women which means that for 3 or 4 years women sometimes have to go it alone and many sometimes their working spouses did not have pensions. And so it is abundantly clear that if you take a look at the women that sometimes have to totally survive with their families, Social Security gave them the base, gave them the independence, and gave them the will to move forward.

It is so hard for me who is so proud of having gone to school as a disabled veteran to talk about the G.I. Bill. What has been amazing is that even I had no idea how many people even in this body went to school under the Social Security Disability Act or under the benefits of Social Security. And it is something that you do not say, guess how I went to school, because it was unfortunate financial circumstances.

But now that they see that this program may be in jeopardy because just by changing the formula from a wage formula to a cost-of-living formula, Republicans and Democrats and impartial economists say that the benefits, and that is all of benefits, survivor, retirement, their disability, would be cut by at least 40 percent.

The President has attempted to polarize sometimes the young against the old by saying they are getting a bad deal, or the black males against the white males saying that we have a disparity. But one thing is clear: we cannot openly discuss this until the President fulfills his responsibility and at least brings to us what the heck he is talking about so we are not fighting against things that may never happen.

We know that Republicans are having a difficult time in defining how they would want to assist the President. But I am just saying until the day comes where minorities and women are really equal, this has been a cushion to provide some type of independence.

I close by saying that my beloved mother, who I lost several years ago, worked in a factory and received a small retirement pension check from the International Labor Garment Workers Union, but she also received her Social Security check.

□ 2015

And she would be there every month waiting for the mailman, who knew her, for her Social Security check. She felt so proud that she was independent; that she did not have to ask her children for anything.

Seeing that pride in her, I can see it in so many older women. And I hope that before the President makes this a crises, that he brings us a bill so we can work together on it.

TEXAS INDEPENDENCE DAY

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

Mr. POE. Mr. Speaker, I rise today to honor the unique history of the great State of Texas. Today, March 2, marks Texas Independence Day. On this day, 169 years ago, Texas declared its independence from Mexico and its dictator, Santa Anna, the 19th century Saddam Hussein.

In 1836, in the small farm village of Washington-on-the-Brazos, 54 Texians, as they called themselves in those days, gathered to do something bold and courageous: Sign the Texas Declaration of Independence and once and for all ''declare that the people of Texas do now constitute a free, sovereign, and independent republic.''

As these determined delegates met to declare independence, Santa Anna and 6,000 enemy troops were marching on an old beat-up Spanish mission that we now call the Alamo, where Texas defenders stood defiant, stood determined. They were led by a 27-year-old lawyer by the name of William Barrett Travis. The Alamo and its 186 Texans were all that stood between the invaders and the people of Texas. And behind the cold, dark, damp walls of that Alamo, Commander William Barrett Travis sent the following appeal to Texas requesting aide.

This appeal read in part: ''To all the people of Texas and Americans in the world, I am besieged by a thousand or more of the enemy under Santa Anna. I have sustained a continual bombardment and cannon fire for over 24 hours and have not lost a man. The enemy has demanded surrender at its discretion, otherwise the fort will be put to the sword. I have answered that demand with a cannon shot, and the flag still waves proudly over the walls. I shall never surrender or retreat. I call upon you in the name of liberty, patriotism, and everything dear to our character to come to our aid with all dispatch. If this call is neglected, I am determined to sustain myself for as long as possible and die like a soldier who never forgets what is due to his own honor and that of his country. Victory or death. William Barrett Travis, Commander of the Alamo.''

After 13 days of glory at the Alamo, Commander Travis and his men sacrificed their lives on the altar of freedom. Those lives lost would not be in vain. Their determination paid off. And because heroes like William Barrett Travis, Davy Crockett, and Jim Bowie held out for so long, Santa Anna's forces took such great losses they became battered, demoralized, and diminished. As Travis said, ''victory will cost them more dearly than defeat.''

General Sam Houston, in turn, had the time he needed to devise a strategy to rally other Texas volunteers to ultimately defeat Santa Anna at the Battle of San Jacinto on April 21, 1836. The war was over, and the Lone Star flag was visible all across the broad, bold, brazen plains of Texas.

The Alamo defenders were from every State in the United States and 13 foreign countries. They were black, brown, and white, ages 16 through 67, and they were all volunteers. They were mavericks, revolutionaries, farmers, shopkeepers, and freedom fighters. They came together to fight for something they believed in: Freedom.

Freedom has a cost. It always does. It always will. And as we pause to remember those who lost their lives so that Texas could be a free Nation, we cannot forget those Americans that are currently fighting in lands across the seas for the United States' continued freedom and liberty today.

Texas Independence Day is a day of pride and reflection in the Lone Star State. It is a day we remember to pay tribute to heroes like William Barrett Travis, Jim Bowie, Davy Crockett, Jim Bonham, Sam Houston, and the rest of those volunteers who fought the evil tyrant and terrorist Santa Anna. It was an effort to make Texas free, and that effort was successful.

On this Texas Independence Day, let us not forget those brave men and women in our military that are fighting to preserve and uphold our freedom from a new world threat of terrorism.

Mr. Speaker, I hope that the Congress and the country will join me in celebrating this Texas Independence Day. In Colonel Travis' final letter and appeal for aid, he signed off with three words that I leave with you now: ''God and Texas.'' ''God and Texas.'' ''God and Texas.'' And the rest, as they say, is Texas history.

PRESIDENT BUSH'S SOCIAL SECURITY PRIVATIZATION PROPOSAL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, this Friday, President Bush plans to take his traveling White House to New Jersey in the hope of convincing New Jersey workers to support his Social Security privatization proposal. For 6 weeks, the President has been working to build support for his plan, but it has fallen flat with the American people and it will fall flat also in New Jersey.

Mr. Speaker, the American people simply do not believe the President wants to strengthen Social Security. President Bush keeps on talking about a crisis, but even he has admitted his own privatization plan does nothing to fix the problem Social Security faces 40 years from now.

The problem is that private accounts eliminate the guaranteed benefits of Social Security and leave benefits to the vagaries of the stock market. Since the money is taken out of the Social Security trust fund to pay for private accounts, the shortfall results in benefit cuts to Social Security recipients,

and the Federal Government has to borrow more money and go further in debt to try to make up for the shortfall.

Last week, I held two Social Security town hall forums in different parts of the State. First, I talked with senior citizens in Smithville, just outside of Atlantic City, and next I visited with more than 70 college students in Brookdale, at Brookdale Community College in Monmouth County. Here too the forum was open to all members of the college's political science and history club. I would assume some of the participants were Republicans, but that does not really matter.

The bottom line is that as Members of Congress, Senators, and senior organizations hold forums around the country and explain the President's privatization plan, there is more and more opposition to it. While the President still seems to think his privatization plan is catching on, Congressional Republicans brave enough to have town hall forums heard an earful from supporters of the current Social Security System.

Mr. Speaker, let me just give some examples. From the February 23 edition of the Philadelphia Inquirer: ''At two stops, morning at Drexel University; afternoon at Widener University, the Pennsylvania Republican Senator SANTORUM encountered skepticism and hostility as he voiced his support for the White House plan to allow privatization of personal accounts using payroll taxes. He was heckled by protesters, called a liar, and told that his views were unconscionable. Those sentiments ranged across the spectrum.''

That is from the Philadelphia Inquirer. From the February 22 Washington Post: ''At every stop, Representative PAUL Ryan faced skeptics. Nancy McDonald, 66, who sells securities and insurance, complained in Darien that health care for the uninsured needs to be addressed before Social Security. 'Slow down! Slow down!' She scolded the lawmaker at one point.''

And finally, Mr. Speaker, I take a quote from the February 22 Savannah Morning News. ''At Armstrong Atlantic State University, the subject of Social Security caused a crowd of 200 to become rowdy. Questions were shouted out. The congressman,'' Congressman KINGSTON, ''was interrupted. And one of Congressman KINGSTON's assistants was booed when she announced an end to the hour-long discussion.''

These are just examples. In meeting after meeting Republicans got a chilly reception to the President's Social Security plan. Maybe that is why we heard today that Senate majority leader BILL FRIST thinks the Senate may not be able to take up the President's Social Security privatization plan until next year.

Mr. Speaker, many of my constituents are concerned about the President's plan. Unfortunately, they will not have the opportunity to voice those concerns to the President this Friday morning in Westfield, New Jersey. But we are going to be heard anyway. I have chartered a bus, and I am taking several dozen of my constituents to join people from all over New Jersey at a rally in support of truly strengthening Social Security.

We are going to go with the bus to Westfield, New Jersey, where the President is going to be, and maybe the President will send some of his staffers over so they can really hear from us how their plan is being received outside the White House. It is not being received well, because Americans are finally waking up to the fact that the President's privatization plan is bad for them, bad for Social Security, and bad for America.

TRIBUTE TO MS. CLARA JENKINS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Georgia (Mr. GINGREY) is recognized for 5 minutes.

Mr. GINGREY. Mr. Speaker, I rise today in honor of an extraordinary member of my community, Clara Jenkins. In the 1950s, Clara helped advance the Civil Rights movement in Georgia by breaking down color barriers at a local hospital.

On August 20, 1951, Clara was hired as the first black nurse at Kennestone Hospital in Cobb County. Now, 1951 was not an easy time to be a black nurse among all-white colleagues. The Brown v. Board of Education ruling, that mandated separate but equal was inherently unequal, was still 3 years away. In 1951, Kennestone Hospital was segregated by floor and ward. Black patients and white patients received their care separately and in unequal surroundings.

But Clara did not let segregation deter her goal of providing care for the sick and the needy. Through her determination and talent, she proved to her colleagues that skill, not skin color, was what mattered most.

Despite having earned a nursing degree right here in Washington, D.C., Clara was not initially allowed to work with white patients. However, over time, doctors and nurses noticed her skill, especially her ability to insert IVs into patients with thin or hard-to-find veins. Clara said her work on parents with darker skin made her adept at finding veins by touch, not sight, a skill the other nurses lacked. Increasingly, white doctors and nurses began asking for Clara's help.

After the 1954 Brown versus Board ruling desegregated Kennestone Hospital, Clara was assigned to several special hospital units. She was asked to head up Kennestone's very first IV team, and later became the only black nurse on the hospital's first coronary team. These were amazing feats for a woman who only a few years earlier had not been allowed to even care for white patients.

As a physician, I had the privilege of working with Clara at Kennestone Hospital. And let me tell you, she is just as respected and beloved now as she was then. In fact, she was one of my favorite nurses. And working with her on the floor, and later when she was a supervisor, always gave me confidence in her ability, her compassion, and her leadership.

I am inspired by Clara Jenkins' ability to prove herself in the face of segregation and discrimination. Clara had a sense of determination and courage that should serve as an inspiration for us all. By asking others to judge her based on skill, not race, she helped break down color barriers for black professionals in Cobb County.

Clara also opened doors for other black nurses. She was once offered a position as head pediatric nurse at Kennestone. But when she turned down the job, another black nurse was selected to head that unit. She brought a greater equality to our hospital.

Clara Jenkins is a skilled nurse and an important member of the Cobb community. Mr. Speaker, I ask that you join me in honoring her legacy.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

(Mr. DAVIS of Illinois addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

EXCHANGE OF SPECIAL ORDER TIME

Ms. KILPATRICK of Michigan. Mr. Speaker, I ask unanimous consent to take the time of the gentleman from Illinois (Mr. DAVIS).

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

There was no objection.

PRESIDENT'S PROPOSAL FOR PRIVATIZATION OF SOCIAL SECURITY

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Michigan (Ms. KILPATRICK) is recognized for 5 minutes.

Ms. KILPATRICK of Michigan. Mr. Speaker, March is Women's History Month, and we are proud to celebrate the contributions that women have made to American society. As mothers, as caregivers, as teachers, as providers, we honor the women in America this month of March.

While home last week, I had an opportunity to hold two town hall meetings. My first meeting was in Wyandotte, Lincoln Park, River Rouge, and Ecorse communities, where we had hundreds of people who came out to hear about the Social Security proposals. My first point to them was that we have no bill. What we are hearing are discussion points, and right now we have no legislation that has come to the House or the Senate. What we are

hearing are proposals being made by the President. Mr. Speaker, that calmed a lot of people down, many of whom were women.

As we went on to discuss the problem of Social Security, I advised them that the Social Security trustees have said now that the trust fund is good until the year 2042 at least.

□ 2030

I also told them that per the Congressional Budget Office, the Social Security fund is good until at least 2052, so to calm down, make sure you are okay and do not send anyone the $1 or the $2 that they ask you to save your Social Security. Your Social Security is good.

At our town hall meetings, first in the communities that I mentioned, and then moving on to Detroit, hundreds of citizens, many women, because 24 million women in America right now receive Social Security. Of that number, 7.5 million women disabled receive Social Security. And over 2.7 million children under 18, many of them receive Social Security, and many 18 and under are women. So when we talk about the Social Security issue in our town hall meetings, which were very successful, not combative, giving information, using some of the professors at Wayne State University, such as Professor Dankowski, a professor of gerontology and the aged at the university, we exchanged information.

What my constituents found out at our town hall meetings was that more than 85 percent of Social Security funds that come into Social Security go right back out to beneficiaries. Over 85 percent, and that 14-plus percent is set aside for the trust fund. If we set up private accounts as being proposed by the President and take money out of Social Security, then those people who are current beneficiaries who have paid into the system will have their benefits cut, or we will have to borrow money to make that up.

At a time when we are in deficit spending in this country, it is not the time to borrow. As we discussed Social Security and what is happening with it, good until the year 2042 if you use the Social Security trustees' projections, or 2052 if we use the Congressional Budget Office, we calmed them down and were able to exchange information.

Social Security is the most successful program this country has seen since 1935 when President Roosevelt signed the bill. In 1936, payroll deductions began to be made, and in 1940 the first checks went out to beneficiaries who had been paying into the system. As we know now, many disabled, widowers, and survivors also use their Social Security.

Mr. Speaker, town hall meetings, we have to get out into America. We found that is the best way of communicating to give them the facts so they have the information they need. Without Social Security, women in particular would be living in poverty.

Let us not throw out a good program. Yes, it needs fixing. As a Member who spoke earlier said, there are only three or four options. Either we raise the age, raise the deduction, which is if you make up to $90,000, your Social Security FICA comes out. If you make over $90,000, you do not pay any. I am not advocating that at this point, but that is one of the options, raise the age, increase the limit from which we make the payroll deductions, or cut benefits.

There are not a lot of options, but we have time to do what is right for American citizens. Social Security is a good program. It was never intended to be the end all. It was a tripod: Social Security, pensions, and if you were able to save, then those three sides of the triangle would give Americans a comfortable life in their retirement.

My constituents say do not mess with our Social Security. They want it, they have paid into it, and they believe they are entitled to it. As we continue our discussion, let us remember it is the people of America who we serve who we represent and who have paid in. Keep Social Security sound. Let us tweak it and not throw it out.

HECKLING IS NOT A SOLUTION

The SPEAKER pro tempore (Mr. FORTENBERRY). Under a previous order of the House, the gentleman from Arizona (Mr. FLAKE) is recognized for 5 minutes.

Mr. FLAKE. Mr. Speaker, it has been an interesting experience to be here and listen to the debate tonight on Social Security. I found it interesting in particular to listen to the gentleman from New Jersey read accounts from town hall meetings where Republicans have been attempting to explain the problems that we are facing with Social Security and how many groups, moveon.org, AARP, and others have come to disrupt those meetings.

I do not know if liberals or the Democrats are proud of that, that their supporters are going in to heckle and boo. It seems they are. What does that contribute to the debate? Not much in my opinion. There is a saying that you are entitled to your own opinions, but not to your own facts.

If we look at the facts on Social Security, there are the following: when Social Security started in the 1930s, there were some 42 workers per retiree. In the 1950s, that went to 16 workers per retiree. Today we are down to three workers per retiree. By the time I retire, there will be probably two workers per retiree. You cannot argue with the demographics, and that is where we are headed. Those are the facts. With those facts you have to understand we have got to do something different. This pay-as-you-go system simply is not a model that is going to work with demographics like that.

Fact number two, it was just mentioned a few minutes ago there is a trust fund that is going to pay out until the year 2042. Where is that trust fund and what does it contain? It is a couple of file cabinets in West Virginia that contain a couple of IOUs. There is no trust fund; there is no money. It is just IOUs. As soon as we start taking out more than we are paying in, we are simply going to incur more debt upon debt we already have. You can talk about the year 2042 and we do not have to worry until then, that is assuming there is money in a trust fund. If somebody knows where that money is hidden, please tell us because it simply is not there. It is a file cabinet with IOUs in it.

Fact number three, there is no easy fix. I just heard one so-called solution that we simply lift the earnings cap so people like Bill Gates who make millions of dollars every year would pay more than just Social Security on the first $90,000 of income. That sounds good; but upon review, if we included all of the millionaires and others making more than $90,000 a year, we asked the actuaries what it would do, and it would postpone insolvency just 6 years. So we are just talking on the margins.

Raising the payroll tax, we have done that since the 1930s 19 times. We simply cannot continue to go down that road. I would like to hear somebody seriously propose that. What do we set it at? How much more do we want to tax people?

We have to harness the power of compound interest. We need a new model. That is what the President is proposing. I think it was Albert Einstein who said the most powerful force in the universe is that of compound interest. We have to allow individuals to harness that.

I commend the President for taking the position he has taken. The difference between being a leader and a follower is when you are a leader, you recognize that the people may not be with you and you may need to persuade them and convince them and go out and tell them there is a problem.

There are formidable foes out there, the AARP and others, who will put out information and say there is no problem, there is a trust fund somehow and we do not have to deal with this issue for another 40 years or so. So there is a lot of educating that has to be done. That is what a leader does. A follower says that is where the people are, I do not have to convince them, I just have to join them, and we will just heckle and boo anybody who proposes a solution. That is not leadership, and I am glad the President is actually leading on this, and I commend my colleagues for leading on it as well.

Mr. Speaker, this is a serious issue. There is no more serious debate that we will have in this coming decade domestically than how to deal with this issue. How do we give individuals the freedom to be more secure in their own retirement. I tend to believe that in the end if you present Americans out there two politicians, one who will stand and say, yes, there is a problem,

we need a fix, and the other who will say there is no problem, there is a trust fund somewhere that will fix it, I think in the end Americans will believe the politician who fesses up to the fact that there is a problem. Demographics do not lie, and we have to deal with it in the future. I commend the President and those moving towards a real solution and who are presenting actual proposals that will move us in the direction we need to go.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.

(Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. MEEHAN) is recognized for 5 minutes.

(Mr. MEEHAN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. BOUSTANY) is recognized for 5 minutes.

(Mr. BOUSTANY addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONFISCATED PROPERTY IN ETHIOPIA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. ROHRABACHER) is recognized for 5 minutes.

Mr. ROHRABACHER. Mr. Speaker, I am introducing a bill today concerning the Ethiopian Government's confiscation of property owned by U.S. citizens and the Ethiopian Government's arrogance and intransigence in the face of efforts to rectify the situation.

Mr. Speaker, the Berhane family are constituents and friends. They are black African immigrants who fled the establishment of a communist regime in Ethiopia in the 1970s. They now live in Huntington Beach, California. At one time the Berhane family owned the National Alcohol and Liquor Factory, NALF, in the capital of Ethiopia. The Marxist regime that took over Ethiopia expropriated their property and drove the Berhane family into exile. Well, that Marxist government fell more than a decade ago.

The current government agreed in principle to return all illegally expropriated property, but it has steadfastly refused to return the Berhane family's factory, or offer them just compensation. It seems the distillery is one of the confiscated properties that the heavy-handed rulers of Ethiopia refuse to return to its rightful owners. Perhaps that is because this factory is one of the few businesses that makes a profit. The smell of corruption at the highest levels of the Ethiopian Government is hard to miss.

Mr. Speaker, this matter should have been settled long ago. This property should have been returned to the Berhane family or just compensation should have been offered. The Berhane family claim is supported by a finding of the Overseas Private Investment Corporation, which is part of the United States Government. So this is not a matter of determining whether or not the Berhane family has a just claim; it is a matter of arrogance and probably corruption on the part of the Ethiopian hierarchy.

Mr. Speaker, I am introducing legislation today that will prevent Ethiopia from receiving any benefit from U.S. Government sources until it deals honestly and fairly with the claim of these American citizens. It is a tragedy that the Ethiopian Government is risking the well-being of its people because of its intransigence in dealing with a just claim of an American family.

Mr. Speaker, this act withholds all appropriated U.S. Federal dollars to the Federal Democratic Republic of Ethiopia until property claims of American citizens are either returned or the U.S. citizens are justly compensated. With the exception of emergency humanitarian aid, this prohibition on funding includes economic support funds, the Export-Import Bank, foreign military financing, the Global AIDS Initiative, Millennium Challenge Account, and the Overseas Private Investment Corporation. This bill further directs international organizations to be required to oppose aid to Ethiopia under these same conditions.

Mr. Speaker, this type of officially sanctioned rip-off that we see in Ethiopia is outrageous. However, it is not just limited to the gang that rules Ethiopia.

□ 2045

Mr. Speaker, there are other governments, be they Cuba or Iran, that are equally guilty of this type of theft. I intend to introduce similar legislation in a broader bill denying aid to all of these foreign governments who deny the proper reimbursement to American citizens who have just property claims against them. Part of that bill, which will include Ethiopia as well, will provide that U.S. citizens with legitimate claims against a government like that in Ethiopia will be able to put a legal hold on the American property and assets owned by the government officials of that government.

Mr. Speaker, it is time for us to stand up for justice, especially for the justice of American citizens. These African immigrants who came here fleeing communism had their property confiscated. The government of Ethiopia has time and again suggested that they would return all property that was illegally confiscated. Yet the Berhane family has not had its property returned. They deserve the rights of protection of the United States Government.

We will struggle for this legislation, we will pass this legislation, we will keep this fight up until this family gets justice, this family gets their property returned or gets just compensation.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H. Con. Res. 5. Concurrent resolution providing for the acceptance of a statue of Sarah Winnemucca, presented by the people of Nevada, for placement in National Statuary Hall, and for other purposes.

H. Con. Res. 63. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

SOCIAL SECURITY

The SPEAKER pro tempore (Mr. FORTENBERRY). Under the Speaker's announced policy of January 4, 2005, the gentleman from Connecticut (Mr. LARSON) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. LARSON of Connecticut. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my Special Order today.

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

There was no objection.

Mr. LARSON of Connecticut. Mr. Speaker, it is my great privilege this evening to be able to address a vital subject to all of America, that of preserving and strengthening Social Security. Many of us have had the opportunity over the break to go back to our districts and hold public forums and hearings and town hall meetings, and the input that we received from our citizens has been extraordinary and insightful.

This evening, we will be joined by distinguished members of our caucus, the gentleman from Michigan (Mr. LEVIN), the gentlewoman from Illinois (Ms. SCHAKOWSKY), the gentlewoman from California (Ms. WOOLSEY), and hopefully others who will be joining us as well as we seek to report back to America about what is going on.

We are most fortunate to have the man who has followed in the footsteps of the dearly departed Bob Matsui who was a champion on Social Security. The gentleman from Michigan (Mr. LEVIN) is the leading expert in our caucus and on the Committee on Ways and Means in matters of Social Security and has held these forums and hearings not only in his State but has been on

shows and appeared all across this great Nation. I yield to the gentleman from Michigan.

Mr. LEVIN. I thank the gentleman from Connecticut for yielding.

Mr. Speaker, we held three town hall meetings and so many of our colleagues held many, many. It is interesting that our Republican colleagues in Michigan as far as I know during the break held no town hall meetings on Social Security. I think the main reason is it has become increasingly clear that the diversion of Social Security moneys for privatization is a bad deal for everyone, for seniors, for younger workers, for men and for women.

I am glad that the gentleman from Arizona preceded us, because I want to say just a few words. The facts really are allies here of those who are defending Social Security and the facts really are the antagonists of those who want to dismantle it. For example, the gentleman who preceded us from Arizona said that people who are coming to the Republican meetings are coming to heckle. First of all, I do not think there are that many meetings held by our Republican colleagues. Secondly, when the President goes out and holds Social Security forums, the people who can come have to have tickets. They have to be people who are proponents of the President's position. And I just would like to say to everybody, let everybody into the forums that are held by the President as is true of our forums.

Mr. LARSON of Connecticut. So these forums that the President is conducting are not open to the public, that you have to be invited by the President's people? Carl Rove?

Mr. LEVIN. As far as I know, that has been true. There may have been an exception, but I do not think so. So the gentleman is right. These are staged meetings and people who come are screened. For those of us who speak tonight, yourself, myself and others who have held our town hall meetings, there is no screening. We notify the public at large and whoever comes, comes. We have people who have differences of opinion. That was one statement of his that is very, very inaccurate. It is really an insult to the people who want to come to the President's meetings, saying that they come to heckle. The answer is they cannot get in. And they would love to participate in the discussion.

He also mentioned another allegation about the number of workers per retiree, and I think he mentioned 15 to 1 or 16 to 1. That is a figure that existed before Social Security began to make payments. The truth of the matter is that when Social Security began to make payments to retirees, the ratio was 6 to 1. Higher than today, it is true. There is a shortfall that would exist either in 2042 or 2052. After that, according to the CBO, the payments would be 78 percent of the scheduled benefits and according to the actuaries, 72 percent. So the notion that it is headed for bankruptcy, this is the path for bankruptcy, is inaccurate.

Then another thing that the gentleman from Arizona said, it is just a bunch of IOUs. The President of the United States will not say it is just a bunch of paper and I am sure the Secretary of the Treasury will not, or better not. Why? Because the trillions of dollars held in bonds by our creditors, foreign governments and also individuals, have a bond and those are the same bonds held by the Treasury of the United States to cover Social Security payments. The full faith and credit is behind those bonds. There has never been a default. Actually the bonds have been redeemed for Social Security over the years 11 times. So this notion it is just a bunch of paper is really a serious mischaracterization, and I hope that our leaders will never repeat it.

Let me say a word about this compound interest argument. The privatization proposal would do nothing to address the shortfall.

Mr. LARSON of Connecticut. When the gentleman says the privatization proposal, this is the so-called plan that perhaps the President may submit to us?

Mr. LEVIN. There is no comprehensive plan, but what has happened is that the President or his spokespeople have come forth with some proposals. So we have proposals, for example, in the commission report which was called a good blueprint by the President. We have a proposal that would shift from wage indexing to price indexing, would lead to a cut in benefits over time of over 40 percent.

Mr. LARSON of Connecticut. So this privatization plan will lead to a cut of more than 40 percent in benefits. We heard the gentleman from New York (Mr. RANGEL) say earlier that it does not even solve the gap or the supposed problem that the gentleman from Arizona was alluding to. Is that correct?

Mr. LEVIN. This proposal would not address the shortfall, and $1.5 trillion would be diverted from Social Security the first 10 years and a total of $5 trillion over 20 years of privatization.

Mr. LARSON of Connecticut. This is confusing to some of our citizens. The gentleman from Michigan is an expert on this. He has served on the committee. Why does this transfer have to take place? Seniors are asking about this. Some have said, this is like taking a credit card of your own and trying to go out and purchase stock with your credit card in the hope that the stock's returns will exceed both the interest you are paying on that credit card. This is hard to understand for a generation that has relied on Social Security as a guarantee. What actually happens?

Mr. LEVIN. I am glad the gentleman raised that point, because we are going to spend some time talking about the impact of this privatization proposal on women. In future times, you are going to be talking about its impact on other segments of our population. Let me say just a word about this notion, borrow $1.5 trillion the first 10 years, another $3.5 trillion the second 10 years, what this all means and how it would impact on people.

What has Social Security meant? It has meant independence. There are just a couple of facts I want to mention, and they show what Social Security has meant in this case, specifically for women. Four out of 10 widows in our country rely on Social Security for 90 percent or more of their income. So those who want to play around with or really dismantle Social Security are really affecting the lives of people. Another thing, it is not the income alone, but the meaning of that income, because research has shown that Social Security income is key to so many people deciding they continue to live independently. When you compare the life of people before Social Security went into effect and when it did, the number of older women who are widows who are living independently increased the first 25 years of Social Security almost three times. So as was true for my beloved mother has been true for millions and millions of women. Social Security has not been a source of dependence; it has been a source of independence.

Let me just say a few other things about the impact potentially of privatization on women. As we know, women on the average earn less than men, on the average. Social Security has a progressive element to it. And so that means that for women in terms of the replacement of their wages, Social Security is even more important on the average than for men. And also because life expectancy is greater for women than men on the average, if there were private accounts, it would have an especially adverse impact on women.

The gentleman says there is not a comprehensive plan, but there are proposals. In the State of the Union briefing that was done by the White House, they talked about annuitization. There would be a requirement for millions of people to annuitize their private accounts if they existed. So it is not a nest egg that is their own. There would be a requirement of annuitization. And because women on the average live longer, the annuities would cost more.

These are just some of the reasons why when we go to meetings and people can come, they are not screened, men and women, younger and older; and we are going to be talking another day about the deleterious impact on younger workers, but so many of the people who come, women on Social Security, they just say, look, this has meant I can continue to live my own life. That is what is at stake here. And so what we say to everybody is, the gentleman from Arizona said fix it. Yes, they would fix it by dismantling it. The fix would be in for Social Security.

What we say is, we have fought to keep Social Security strong, we did 20 years ago here, and we will continue to fight to keep it strong. The President

said, and I close with this, we need to keep Social Security strong, we need to keep it safe, we need to strengthen it. What they would do is to weaken it and dismantle it.

□ 2100

So I thank the gentleman for letting me participate, and I am glad that others can continue with this. We are determined to go everywhere in this country and tell the truth.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, I thank the gentleman from Michigan (Mr. LEVIN) again for his insight and his outstanding service to the Committee on Ways and Means in this United States Congress.

I think Roosevelt said it best when referring to our distinguished colleagues on the other side of the aisle. With regard to Social Security and its impact and the plight that so many citizens go through, he said, they are frozen in the ice of their own indifference, the indifference to what ordinary Americans face on a daily basis.

No one understands that better than the gentlewoman from Illinois (Ms. SCHAKOWSKY), who works on their behalf every single day and fights for them and has done an outstanding job in her district and beyond and also held public hearings and is here this evening to add to this dialogue.

Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank the gentleman from Connecticut for yielding and giving me the opportunity to speak today.

And I also wanted to particularly emphasize why Social Security has been so important and will continue to be to women. Like many of my colleagues on the Democratic side of the aisle, I had an open forum, a town meeting, on Social Security. Nearly 1,000 people showed up. We could not believe it. We had a room set for about 350. We hoped to fill it at 10 o'clock in the morning on a Monday. I did it along with my two Senators from Illinois, Senators DURBIN and OBAMA, and then we had an overflow room and then an overflow for the overflow room and still had to turn people away, young people, older people, persons on disabilities.

I want to tell my colleagues one story. It may not be obvious at first why this is a story about why Social Security is important to women. A friend of mine, someone I have known for a very long time, a gentleman, middle-aged, got up and talked about something I never knew before. And he was telling about how his first wife died at the age of 35 and left him with their three children, three young children. And he said how Social Security and those benefits made it possible for them to hold the family together and for those children to go on to college. But the other thing that he added, which was so poignant, was that that Social Security benefit enabled his wife, his deceased wife, to keep the promise that she had made to their children to always take care of them. And even now it brings tears to my eyes when I think of that.

So that they could feel it was their mother that was helping enable them to go on to college to be the second generation. They are African-American, and for that family to go on to college. And I thought that was really moving.

In Illinois, we have looked at some of the statistics about how women rely on Social Security more than men do. This is a little bit dryer but important nonetheless. In Illinois, 19 percent of adults receive Social Security benefits. Think of that. Nearly one in five adults, including 21 percent of women and 16 percent of men. About almost a million women and 718,000 men and 116,000 children rely on Social Security benefits. Women represent 5 percent of all the people 65 and older in Illinois who rely on Social Security benefits. And without those benefits, 55 percent of elderly women in Illinois would be poor.

The typical recipient of a Social Security widow's benefit in Illinois, the widow that is left, receives $921 per month. But if we calculate out what we know of the President's proposal, the plan he prefers, and we look down the future at what would the typical widow in Illinois get, that amounts to, instead of the $921 per month, $506 per month or a 45 percent cut in benefits.

So it is no wonder that so many people, young people and older people, came out to this hearing because they are worried. And it was significant to me when young women stood up and said, Do you know who could reap the worst of this privatization plan, it is me, it is us. It is the young women. It is the young people. Because it is we who will see our benefits cut, who will see the debt that is mounting have to be paid off by us.

At the same time we are looking for the jobs that have the benefits, that have the pension plans right now, trying to figure out how we are going to pay off those college loans, and we do not know what our future is going to be if that guaranteed benefit of Social Security is changed into a gamble.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, that is an excellent point, and the gentlewoman from Michigan (Ms. KILPATRICK) made it earlier as well when she stated quite succinctly and clearly, Social Security was never intended to be in and of itself the retirement vehicle. It was, as she pointed out, the third leg of a three-legged stool, having pensions, which we know are under stressed everywhere; personal savings, where it is so difficult for people to save; but the thing that people could count on.

The reason that it came into existence was to provide, as the gentlewoman has pointed out, an absolute guarantee, the full faith and credit of the United States of America standing behind its commitment to its citizens. It is as simple and as fundamental as that and more eloquently stated by our citizens and the young women who have come to forums and hearings and town hall meetings like the gentlewoman's all across this country.

Ms. SCHAKOWSKY. Mr. Speaker, will the gentleman yield?

Mr. LARSON of Connecticut. I yield to the gentlewoman from Illinois.

Ms. SCHAKOWSKY. Mr. Speaker, let me just say that it is no wonder, then, that the women's organizations, bipartisan women's organizations, are opposing this privatization plan. The American Association of University Women, the League of Women Voters, who go through a very rigorous process in order to come to a position. They are raising all kinds of concerns and say that diverting money from the Social Security trust fund into private accounts could hasten the insolvency of the fund. The result could include a substantial increase in the deficit and significant cuts in some or all of the Social Security's retirement and disability and survivor benefits. The National Women's Law Center, the National Council of Women's Organizations, the Older Women's League, all these organizations are opposed to these risky privatization plans.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, I thank the gentlewoman from Illinois for her insightful comments and for her continued diligent work in this area on behalf of all of our citizens, but especially for all women across this great country of ours.

Mr. Speaker, speaking of a leader on those issues, we are also most fortunate to have the gentlewoman from California with us here this evening who also has done an outstanding job in the caucus and on committee in terms of focusing on the needs of women and children and families all across this great country of ours.

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

Ms. WOOLSEY. Mr. Speaker, I thank the gentleman from Connecticut (Mr. LARSON) for having this late night Special Order on something as absolutely important as Social Security for our seniors, but not just for our seniors. It is actually an insurance for every single American that they could not afford if it were not under the Social Security program, and that is survivor benefits and disability benefits.

Young people just need to step back and think what it would cost them to pay for that insurance on a month-by-month basis. First of all, they would not buy it. It would be too expensive. Then when they needed it, it would not be there, and it is there now.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, did most of the individuals who attended the gentlewoman's forums and public hearings understand that Social Security

benefits were not just retirement benefits, that they also provided survivor benefits?

Ms. WOOLSEY. Mr. Speaker, will the gentleman yield.

Mr. LARSON of Connecticut. I yield to the gentlewoman from California.

Ms. WOOLSEY. Actually, Mr. Speaker, I scheduled two town halls. We scheduled two town halls. We ended up having three because the second one was out to the street and we just could not pack another person in. So we committed to a third right after the second. And 80 people stayed and they waited to come in and be there for an entire third of the hearing or town hall. Who I had on my panel, I had the representative of AARP, who has not been a friend to seniors since Medicare reauthorization and the prescription drug plan. And he really redeemed himself in my community, actually.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, the gentlewoman may have heard what the gentleman from Arizona (Mr. FLAKE) said earlier.

Ms. WOOLSEY. They are mad at him now, Mr. Speaker.

Mr. LARSON of Connecticut. Mr. Speaker, it is interesting that they were friends during the Medicare debate but now that they have spoken out against Social Security, they are now a special interest group.

Ms. WOOLSEY. Right, Mr. Speaker. And they are being discounted entirely.

If the gentleman will continue to yield, then we had a representative from the Commission to Save Social Security and Medicare. And then, finally, I had a representative from Rock the Vote, and this young man was so wonderful. All three of them were. It was a perfect panel. And they were in both of my communities with me.

And what I do, because I cannot have one person stand up and talk for 15 minutes, is I give everybody 1 minute. They can give a 1-minute speech. They can ask a very short question and get a 1-minute response, or they can ask a long question and get a short response. But they get a minute. That is all they get. And at first they are all so uncomfortable with it. Then they are so glad that that is how I set it up because they all want to speak. And we would have gone into the wee hours of the night if it had been up to everybody to have their 15-minute speech.

But what they are saying to me is: I am a senior citizen, the majority of people who were there. This is not about me. This is about my kids and their kids. They deserve to have the safety net that we have. And, yes, they need to save on top of it and we all do and that is what is missing in this country. We do not have a savings plan in this country that incentivizes particularly low-income workers to save. But that does not mean they do not need the safety net of Social Security.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, the gentlewoman raises a very excellent point, and, again, it is the same point that was raised earlier by the gentlewoman from Michigan (Ms. KILPATRICK) and also the gentlewoman from Illinois (Ms. SCHAKOWSKY). What we need, and the guarantee that we have provided every American through Social Security, is, as the gentlewoman pointed out, a safety net, a floor from which they cannot fall through. And, as the gentlewoman pointed out, our pension systems are already overstressed. We have gone from defined benefit to defined contribution to companies pulling out, wholesale, from providing benefits, to people's personal savings where, again, the gentlewoman points out the difficulty that people have, the lack of incentives that are there for them to save.

So the question that a lot of the people at my forums ask is why would we introduce an element of risk in the only guarantee that we have on that three-legged stool that prevents us from falling through the floor and into the depths of poverty, which for a woman in this country is so vitally important.

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

Mr. LARSON of Connecticut. I yield to the gentleman from California.

Ms. WOOLSEY. Mr. Speaker, women comprise the majority of Social Security beneficiaries. They are much less likely than a man to receive pensions or have a retirement savings. And there are more than 24 million women receiving Social Security benefits. And if these were taken away, most of these women would be left in poverty. I mean what they are talking about on the other side, what the President is talking about, first of all, he does not have a plan. He just has privatization that he is talking about that does nothing to reform and save Social Security, but what he is talking about is insecurity, social insecurity. It is a gamble instead of a sure thing. And the people in the United States of America get it, and they do not like it. And I predict that they are going to pull back from it and they will not reach beyond what the people in their district are telling them.

□ 2115

Their people are booing them. I did not get any boos in my town hall. Did the gentleman?

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, no, I did not. But I think the gentleman from New York (Mr. RANGEL), our distinguished leader on the Committee on Ways and Means, said earlier that clearly the President has asked us to wait until he brings forward a plan. He has withdrawn the fact that this is a crisis, but points out there are problems.

Everyone recognizes that there are problems with Social Security and Social Security needs to be strengthened. But the President further goes on to now admit, as well as the gentleman from New York (Mr. RANGEL) points out, when the actuaries and the financial people have a chance to look at the proposed plan, that it does nothing to solve the problems that the President has spelled out in Social Security.

So one has to come away with thinking as to why would they possibly then want to privatize or introduce risk in the most successful governmental program in the history of this country.

Ms. WOOLSEY. Mr. Speaker, if the gentleman will yield further, who will benefit from a private plan that invests through Wall Street? The President's buddies. It would be great if his buddies could make everybody in this country wealthy, but that will not happen. And when there is a bubble in the economy, like we had the bubble burst 2 years ago, who is going to be holding the problem? It is going to be right here, the Federal Government. Who is going to pay for it? It is going to be the taxpayers. They are not going to let all these seniors who lose their life savings in the stock market go on the streets with no food and no health care and no way to pay their rent. Absolutely we would never do that in this country, or I hope we would not, anyway. So we will do the bailouts.

But in the meantime, there are going to be a lot of people making a lot of money, and those are stockbrokers and securities bankers, and that is not what Social Security is supposed to be about. It is supposed to be a safety net.

In my town halls I was asked, Well, what would you do, Congresswoman? Why do the Democrats not have a plan? Well, actually our plan is knowing that we have got 30 or 40 years, but we can start right now. We can take a look at raising the caps, or removing the caps.

We stop paying on our Social Security as Members of Congress when we reach the $90,000 earnings level. I see no reason why we should not pay throughout the entire year. I see no reason why Bill Gates should not be paying on his billions of dollars the same percentage of those dollars that a middle-income worker pays on what they earn.

I do not see any reason why we should not have a savings plan on top of that, like we have. People say, We want the same kind of plan you have. First of all, a lot of people think that we do not buy into Social Security. That needs to be cleared up right away. Members of Congress have Social Security and we pay into the system, and we then have a savings plan on top of it that would be a plan that I would think every person in this country could have, every working person. And I think the Federal Government should match low-income savings to a point where then the savings will not be matched after you earn enough money. But, by then, do you know what? You would be used to saving. But we do not know how to save in this country. We are spenders. We do not save.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, it might

surprise a number of our viewers, because I believe the gentleman from Arizona was talking before about the need to get the facts straight. I believe that the gentleman is correct about that, and there should be an open and honest and frank debate about this issue, and all the various proposals should be laid on the table. The gentleman from New York (Mr. RANGEL) has asked for that, where we still have not seen any plan. We are told by Secretary Bolton and others that it is a ''work in progress,'' that we may see it in the future.

In the meantime, I think a number of our listeners would be interested to know that in 2000, Social Security lifted 7 million senior women out of poverty. This means that without that safety net, without that floor which they cannot fall through because it has the full faith and credit of the American Government, it is the social contract we have with our people who have paid in to this system, that it is there for them. It is a guarantee.

Ms. WOOLSEY. Mr. Speaker, if the gentleman will yield further, it is also a benefit. The formula actually ensures that people at the lower wage earnings get a larger percentage of their wages back than people at the higher end. It is very progressive. It is intended to keep people out of poverty. It is not intended to make rich people richer.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, it might also surprise people too, when we are talking about Social Security, I know for many people, from Hoover to Landon to Friedman to Stockman, that Social Security is anathema. It is something that they would just as soon do away with. Mr. Stockman said it is ''a beast that needs to be starved.''

When we look at the policies emanating from this administration, you wonder if this is not still the plan that they are marching forward with, to privatize and to further starve the moneys that are needed.

How much money do people receive on average? What does someone get who has worked hard and played by the rules and sacrificed all their life, whether they be people that are currently serving in Afghanistan or Iraq, or whether they are firefighters or our police, or whether they are in the hospitals as nurses or other people?

Ms. WOOLSEY. They do not make a lot.

Mr. LARSON of Connecticut. The monthly retirement benefit for a woman is $798. In America, could you live on $798 a month? This is what the guarantee is. But it does prevent these people from falling into the depths of poverty. It is what Franklin Delano Roosevelt promised to the American people.

Ms. WOOLSEY. Mr. Speaker, if the gentleman will yield further, the reason it is a majority of women at that low wage is that women earn 77 cents to the dollar that a man earns. Women are out of the workforce for a great part of their earning career because they are having the children and raising the children and taking care of their parents and their husband's parents. They are the caregivers. They are not in the workforce as long and they earn less, so they are at the very bottom. But it keeps them out of poverty; and to risk that that would not be there at all, it would throw the whole burden on their children.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, many have said to me in my forums as well, and I am sure the gentlewoman heard the same thing, and I am pleased to announce we have been joined by two distinguished Members from the Great State of California as well to contribute to this dialogue, but many have said at the hearings that I have conducted how Social Security for so many of them is their only source of income, and they look out and they see their pensions disappearing, they see cuts that are being made on a regular basis, and so they ask aloud for the government to please honor, honor, what it has promised and guaranteed them and what they have worked so hard for throughout all of their life.

I think it is important, as the gentleman from Arizona said, that we get the facts out there and expose the myths that have been put forward.

Ms. WOOLSEY. Mr. Speaker, if the gentleman will yield further, this will be my final thought because I think the gentlewomen from California that are here need to take up some of this time, but these are Social Security benefits that cannot be outlived. They are inflation-proof and they can be relied upon, and that is what would change if the system was privatized, and it is women that it would affect to the greatest degree.

Mr. LARSON of Connecticut. Mr. Speaker, I thank the gentlewoman for articulating that point.

I am pleased now to turn to the gentlewoman from California (Mrs. CAPPS), who also has spoken and held hearings in her district and is here this evening to contribute to this very important dialogue about the strengthening of Social Security and pointing out the direct impact that it has on women who rely so heavily on Social Security.

Mrs. CAPPS. Mr. Speaker, I thank my colleague from Connecticut for this time that we can share together. Now the gentleman has been joined by two colleagues who have been engaged with some of our leaders in the community.

Women's Policy, Incorporated, is a nonprofit organization that provides resources in the way of information and policy awareness and opportunities for us as women to pool our resources intellectually and our moral courage, if you will, to join with Members of the House.

We were recognized this evening, along with one of our pioneer women, Shirley Chisholm, in memory of her, and also today the knowledge that our former colleague, Tillie Fowler, is no longer with us on Earth, people who have paved the way for us as women Members of Congress to join with our colleagues who are of the other gender, but who together recognize that we are speaking on a social program, Social Security, which has now a 70-year history with us.

I am going to ask the gentleman to yield first to my colleague, the gentlewoman from California (Ms. SOLIS), who is the newly elected cochair of the Women's Caucus from our side of the aisle, to join with the gentlewoman from Florida (Ms. GINNY BROWN-WAITE) on the Republican side, to lead our women Members in voicing our concern about women's issues, one of which has got to be Social Security, which impacts women to a greater degree than it does men for the reasons we will state.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, let me echo the sentiments of the gentlewoman and commend the outstanding leadership that has been provided by the gentlewoman from California (Ms. SOLIS).

I yield to the gentlewoman.

Ms. SOLIS. Mr. Speaker, I thank the gentleman so much. I would be remiss if I did not first off thank the gentleman from Connecticut (Mr. LARSON) for being so outstanding and helping us provide this special hour here tonight.

As you know, we were at another engagement honoring women, new Members of Congress as well, and also to be joined with other distinguished Members of our California delegation and our cochair for the Women's Bipartisan Caucus, as well as the Democratic Caucus.

Mr. LARSON of Connecticut. Mr. Speaker, reclaiming my time, I know the gentleman from New York (Mr. RANGEL) left here and spoke earlier, eloquently as always, left here so he could be with you and share remarks with you over there as well.

Ms. SOLIS. Mr. Speaker, if the gentleman will yield further, the gentleman from New York (Mr. RANGEL) did a wonderful job.

I want to thank the gentleman. I cannot think of a more important issue that needs to be discussed at this time in our history than Social Security, and the fact that this administration would lead you to believe that there is a crisis occurring in our country with respect to Social Security.

As the gentleman and I know, some of us held some forums in our district this last week and a half, and we happened to have 15 of those in my districts, and we found resoundingly that people are saying wait a minute, stop the clock; who says there is a crisis here, when we know that this system has been working for so many people.

In my district, I represent 59,000 people who right now receive Social Security, the majority of them being elderly women. It is unfortunately in the district I represent in Southern California, the majority there are minority

women, women of color, Hispanic-Latino women.

This is something that I want to talk about, because people do not understand that women work very hard, those that have the ability and chance and sometimes have to for no other reason. If they take time out of that career to raise their children or to care for someone in the family household who is ill, those quarters are missed; they do not pay into the Social Security system. So on the whole, women tend not to be able to obtain the same kind of financial privileges that most males do, and in fact women only get 70 cents on the dollar. So that also adds to the frustration of women not being able to have the full benefits as others in our society, and it hurts.

I want to point this chart out here, if we might, to just go over what some of the myths and maybe realities that need to be pointed out.

Women, as you know, rely more heavily on income from Social Security. That is probably true across the board. Social Security provides well over half, 50.8 percent, of the income of women 65 and older, and just over one-third, 35 percent, for older men's income. So that is a substantial difference there.

□ 2130

Women have to rely on that source. Social Security provides 90 percent or more of the total income for 44 percent of all nonmarried, 44 percent. In these categories, widowed, divorced and never married. So we are talking about single women. Women 56 and older, 74 percent of the older non married African American women rely on this source. 66 percent of older nonmarried Hispanic women rely on this source. Without Social Security over half of all women 65 and older and 40 percent of older men would be poor. Social Security was invented 70 years ago to be that, Social Security, that protection so people could live their lives out of poverty and it is something that we have to keep talking about to educate the public.

Mr. LARSON of Connecticut. The gentlewoman is absolutely correct. And I thank her for pointing that out. I would like to yield to both the gentlewomen from California to finish off the remainder of our time and focus on the specific needs and concerns that you both articulate so well Mrs. CAPPS.

Mrs. CAPPS. Thank you. And thank you to my colleague, the gentlewoman from California (Ms. SOLIS), both of us serving on the Health Subcommittee of Energy and Commerce, where this issue has particular relevance for women and thinking about the health priorities that women always hold dear. We thank our colleague from Ways and Means Committee, the gentleman from Connecticut (Mr. LARSON) for organizing this with us to focus on the effect that Social Security has on womens' lives.

I speak from a public health perspective as someone who is engaged with families in our communities on public health and the devastating effect that privatizing Social Security would have on the majority of its women, recipients who are women.

As has been mentioned already, but I do not think we can say it often enough, women on average earn 77 cents to the dollar, to every dollar that a man makes. Yet, they live longer and rely more heavily. This is a demonstrated fact that women rely more heavily on Social Security to support them in their later years.

Women are more likely to interrupt their careers to stay at home to care for children, therefore are significantly less likely than men to receive a pension. And for those women who do receive a pension, their benefits are about one-half of the benefit that men receive.

Fortunately, Social Security is more than just a retirement program. It is a social insurance program structured to help women such as those Ms. SOLIS and I know very well, to overcome the hurdles that they face after raising families, caring for their parents, working, but not as much as men do, most likely because they have interrupted their careers, then to face widowhood. And I am a widow. I know very well some of the challenges that widows face, to overcome the hurdles of older years.

For example, lower earning workers earn higher benefits relative to what they have paid into Social Security taxes. Social Security also has spousal benefits. For example, a wife gets half of her husband's benefit at age 65 and the full benefit should he die before her as is often the case. But oftentimes this is the sole life support for such a woman in her older years.

Social Security also has survivor benefits that help families when the primary owner has died prematurely. Sometimes and often that primary worker is a man, is the husband, and the provider for the family. So that young widow who is raising now by herself her children and is engaged in all of the other responsibilities that she has, now she is left to live on the Social Security benefit provided her as a survivor. In these cases, benefits are paid to the surviving spouse and dependent children. These are all critically important benefits, important to millions of women and these are all benefits which are at risk of being lost in a privatized system. And I will yield back now for further comment from my colleague from California (Ms. SOLIS).

Ms. SOLIS. Thank you so much. Again, I want to also reiterate as we said earlier, women earn 70 cents on every dollar earned by a man. On the average, that is about $11,000 less income earned each year compared to men. So that is something that we have to put in perspective. And as a result, women have less money to invest in private accounts, so there goes that theory about, gee, we have disposable income to put away to put in a private account. That is not necessarily the case for many people that I represent in my home district. And I know we are hearing a lot from our constituents right now. In fact, in my office alone, we have received well over 300 correspondence saying no privatization. Privatization, what does that mean?

In my opinion, it means that there is going to be money that is actually going to be taken out of their benefits, and in the long run, our young people that are paying, say, would pay into something like that are not going to receive the same return once they are eligible for that. And, in fact, those people that choose not to set up a private account are also going to be penalized. So over the long haul, I do not think that privatizing Social Security is actually going to end what the President is saying is a crisis because it is bankrupt. In fact, it will not do anything to make it solvent. Privatization will not do that. So I think we need to keep this discussion going.

And I would like to point out in this graph here we are talking about women's issues tonight because it is appropriate. This is Women's History Month, the month of March. And why not? Is it fitting to talk about the reality of how women fit into this figure of Social Security and how that piece of pie is divvied up.

And retired workers, for women basically represent 33 percent. Very different from a pie chart that you would see for males. Widows and mothers, 20 percent. Disabled adult children, 1 percent. Wives, 11 percent. Dually eligible, 24 percent. Disabled workers, 10 percent. This is how money is divvied up for these different categories of women who are affected and how the funds are distributed.

I can tell you now this would change dramatically if this whole new privatization effort came in and we changed the criterion formula. I do not want to tinker with it. I have parents right now who are on Social Security and I also have a family member who benefits right now from survivor relief because she also lost her spouse and had three children to raise. They were teenagers and one was a younger child. Two have now gone on to get married. One is still with her. And if it was not for that small check that still helps her out, she probably would have had to sell her home, change her lifestyle, would not be living the comfort life that she does, and I do not mean comfort by being extreme and wealthy or anything. I just mean by being able to hold a family together. And most people do not see that face. They think that it is somebody else

Mrs. CAPPS. If my colleague would yield, thank you. Your numbers and your graph, the pie chart are graphic and significant, and I would like to put a face on that so that I can give you an example from one of the non retirees that I met this past week in my district who are one of the one-third of

the Social Security benefits who are not seniors.

Last week, I held discussions with my constituents to hear their thoughts on the President's plan to privatize Social Security. I heard from many women, several in very different circumstances, yet each of them depending on Social Security in order to make ends meet in their lives.

I heard for example from a 54-year old woman from San Luis Obispo County in California who receives Social Security disability payments due to a work-related injury which occurred 8 years ago. At that time, she earned a considerable salary and she and her husband had invested 15 percent of their income to save for retirement. One could point to them as a model for the kind of American family that we like to hold up as an example of people who work hard, earn a good salary, and then are also saving for retirement.

However, an injury prevented her from returning to work so that she and her husband subsequently divorced and her investments that she had carefully set aside plummeted during the market turndown a few years ago. And here she was, ready, she said, to be turned out on to the street after living what she called an exemplary life. As a divorcee with a chronic injury, she is now forced to rely on disability payments. She said to the group, she said, I never thought I would be in the position where that Wednesday of every month that that check comes is like a birthday, it is a big celebration in my life to know that that Social Security check is there for me. She said I never even dreamed about how I would be dependent on this.

And these are the disability payments she and her young daughter now are receiving that are the essential platform for how she is able to live. Though she does gets some income from disability insurance, these payments, these disability payments will end when she turns 65. And when she turns 65, that is just 10 years in the future for her, she is going to have to further rely on Social Security because the majority of her retirement investments were lost in the unstable markets, and that is why she knows very well how important keeping Social Security, that covenant, that trust between generations, because of what the difference is that it has meant in her life. It is designed to be the one thing that is not a risk in the inevitable ups and downs of the market of the stock market.

We cannot afford to jeopardize this critical safety net. Too many of our fellow citizens rely upon it. So we must get the word out that our constituents are telling us and not be fooled by the rhetoric of an administration which is really seeking to gut Social Security.

Social Security, as we know it, has been the cornerstone of American life for the past 70 years. And I believe that my children, daughters and sons, and my grandchildren should be able to enjoy that which we believe in so much. And I know that my colleague has some concluding remarks as well.

Ms. SOLIS. I just want to say how grateful I am to our colleagues in the House for allowing us the opportunity this special hour to have this special presentation on how Social Security, the proposed Social Security changes that the administration is proposing, the Bush administration, would affect our constituents. And, in fact, women are going to be disproportionately affected, and especially if you come from communities of color or you have not had a long history because of maybe illness or because you were raising your children and took time out of the workforce to do that. You are going to be penalized.

And I just want to make it clear for the very young people or those that are looking to put money away and that this privatization is going to help them, they need to understand it is not the same thing as a 401(k). What they put in is not what they are going to bring out. And they need to understand that if we go forward, if the President moves forward with this plan, we are going to have to give up $2 trillion over 10 years that will be paid out. Somebody is going to have to pay that back and it is going to come back in the form of lower benefits for people who go into these private accounts and those that do not.

So I am not for it and I am telling my constituents to call us, to let Members of Congress as well as the administration know where they stand. And I am hearing that there are not quite a few members on the other side of the aisle that are convinced that the plan that the President has is one that truly will address the shortages, the so-called shortages or bankruptcy that might be occurring.

So I am very pleased that we have an opportunity and we will be back as much as we can in the next few weeks to talk more about this very important issue that we know thousands and thousands, if not millions of people rely on a source of income and livelihood.

Just as you said, I have several constituents whose only sole source of income is that one check that comes in. And maybe 2 or $3 out of that check that can give them a chance to get out of the house to go and have a meal with another friend or to go visit the senior center and pay $1.50 to get a reduced meal to share with others, knowing that they are all in the same kind of situation and they are horrified to hear that someone wants to take it away. So with that, I believe our hour might be up. If not, any concluding remarks?

Mrs. CAPPS. I think the gentlewoman is right, that this is a message that we are echoing here on the floor of the House, that we have been hearing from our constituents. Their voices need to be heard as we debate one of most, if not the most important program that we have as a country determined is important within our values framework, what we believe in, that it is to be an American, that we are going to look out for those who are elders and those who are frail and have disabilities, widows and orphans living among us. There are lots of scripture texts that reinforce the importance of doing this. So we will use the opportunity that we have for Special Orders to do this. And I believe we now will yield back any remainder of the time that we might have.

Mrs. MALONEY. Mr. Speaker, I'd like to thank my Democratic colleagues on the Ways and Means Committee and the Democratic Women's Caucus for organizing this Special Order on this critical topic.

As I have said before the Administration's proposal to cut Social Security in half is bad for every American and is particularly bad for women.

Today, 24 million women get Social Security. Because women tend to live longer and earn less than men, they tend to rely more on Social Security for financial security in their old age.

Women are 60 percent of all recipients at retirement and 75 percent—three quarters of recipients over age 85.

There remains a real wage gap between women and men in this country and that translates into a real pension gap.

According to the Social Security Administration the median earnings of women working full time are only 75 percent of those of men.

The wage gap is much bigger when one looks at it over a working lifetime. Over a 15 year span, women only earn 38 percent of what men earn.

Social Security reduces the poverty rate among women by about 80 percent and is the only source of income for almost 30 percent of retired unmarried women.

For all unmarried women and widows, Social Security makes up over half of their income whereas for unmarried men and couples Social Security only makes up a bit more than a third of their retirement income.

In addition, women rely more than men on spousal benefits, survivor benefits, and disability benefits. Over 80 percent of those receiving disability or survivor benefits are women and children.

Private accounts would hurt women more because of the huge benefit cuts that they entail and because women have less earnings to put in private accounts than men do.

Effectively, private accounts erase the benefits of Social Security in providing financial dignity to older women and would take us back to a time when the majority of widows and orphans lived below the poverty line.

The Administration refuses to show us the numbers on how its proposal would cut benefits to retirees. But we know these cuts are built in.

The Administration's privatization plan cuts benefits more than 40 percent to future generations.

The cuts to spouses, survivors, and recipients of disabled worker benfits would be even deeper. And workers who become disabled or die young would not have worked long enough to build up a private account to help support them or their surviving spouse and children.

In the Town Hall meetings that I held during the recess women were particularly concerned

over the loss of benefits that the Administration's proposal would entail. They were right to be concerned. Women have more to lose here.

But we can fight back. We are making progress. Just today, the distinguished Majority Leader of the other body suggested that the Administration might not be able to get a vote on this this year and might have to drop private accounts from any proposal.

This is no time to rest. We must speak out in Special Orders Town Hall meetings and otherwise to make sure Social Security is protected or our mothers for our daughters—and for every American.

Thank you again for organizing this Special Order.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to address the devastating impact that privatizing Social Security will have on women, especially African American Women.

Social Security is particularly important to women, especially in my home state of Texas. Without these vital retirement benefits, 564,000 women in the Lone Star State would be classified as poor, according to a report released by the Center for Budget and Policy Priorities.

Currently, Social Security benefits are progressive; that is, those with low wages receive a larger percentage of benefits relative to their earnings than higher income individuals do. This system of progressivism, combined with a cost-of-living adjustment that increases benefits every year, strengthens the safety net for those who are the most economically disadvantaged.

Privatization flows from concerns that many people have about the future of Social Security. Some of those concerns are founded and some are not. We are all well aware that as the post-war baby boom generation ages; the number of retirees relative to the number of workers will increase. These are facts that cannot be changed. However, modest changes, implemented immediately, can give people time to plan for the future and would take us a long way toward resolving the issue.

Privatizing social security is the most radial change, and it assumes that there is magic in diverting some portion of the current social security payroll tax into the private markets. Most privatization plans propose to strip a few percentage points off the Social Security payroll tax and divert them to private individual investment accounts. Most people happily focus on the vision of a few dollars a month growing into millions of dollars over time. Unfortunately, this is a dream and not reality, as we have witnessed in the current stock market.

There are three very important things that should be considered when privatizing Social Security benefits. First, the huge cuts in benefits which would be required under the privatization plans—most as large as a 60% cut in Social Security benefits. For people with large savings from other sources, which may not seem like much, but for most Americans, it would be a drastic reduction in the protections they have to come to rely on.

Next, privatization would be a major change in who bears the risk of saving for retirement. Privatization would shift nearly all the risk to the individual. People who are unwise or unlucky in their investments would suffer. We saw many examples of this in recent stock market falls.

Finally, privatization would increase the Federal deficit by more than a trillion dollars over the next ten years. Taking a mere two percent of payroll away from the Trust Fund could double or triple the size of the deficit. This effect is what some people trivialize as "transition costs." I do not believe it is trivial, and given the other concerns which privatization raises, I think we should look long and hard before we leap in this direction.

How do African-American women fare in privatization proposals currently floating around in Congress? Not good at all.

Although Black women typically live longer lives, their lifetime earnings are usually much lower than their white counter-parts. Under privatization, this lower level would mean black women would be forced to live longer on a smaller amount of money.

Hugh Price, President of the National Urban League and Julian Bond, Chair of the National Association for the Advancement of Colored People, wrote an editorial in the New York Times, on July 26, 2001 addressing African American women and social security. They found that guaranteed government assistance is essential to the African American community. While African Americans make up only 12 percent of the general population, they make up 17 percent of all Americans receiving Social Security benefits and 22 percent of all children's survivors benefits. However, the Administration has been unclear on how disability and survivor benefits would continue to be funded.

A study by the National Urban League counters assertions made by the Administration that African Americans will benefit from private accounts bequeathed to their relatives. According to the study, the typical African American man dying in his thirties would only have enough in his private account to cover less than two percent of the survivor's benefits under current law. This also has a devastating impact on African American women as survivors.

Members of Congress must be fiscally responsible when it comes to making decisions regarding Social Security. Fiscal responsibility entails looking at the whole picture and seeing the effect it may have on ALL individuals in society. I urge my colleagues to make this the inclusive America we continue to represent to the world and ensure that Social Security proposals give everyone some comfort in life.

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

DIALOG ON SOCIAL SECURITY

The SPEAKER pro tempore (Mr. KUHL). Under the Speaker's announced policy of January 4, 2005, the gentleman from Arizona (Mr. KOLBE) is recognized for 60 minutes as the designee of the majority leader.

Mr. KOLBE. Mr. Speaker, I take the time this evening to rise on a subject that we have just heard a great deal about this last hour, and I certainly invite my colleagues from the Democratic side to stay around. I would be happy to yield part of my time to them so maybe we could begin this dialogue that we heard about in the last hour that is much needed here because I do believe that we do need to have a dialogue.

I have actually been conducting a dialogue on this for a long time. 10 years ago, 10 years ago this spring, Congressman Charlie Stenholm of Texas and I formed the Public Pension Reform Caucus in the House of Representatives to begin to educate members of the House and the American public and staff here in the House about some of the issues, the looming issues of Social Security.

□ 2145

Ten years ago it was as obvious as it is today or perhaps today it is even more obvious, but it was obvious even then because of the demographics that we were facing a problem with Social Security. And we thought that it was time for us to start addressing and to talk about what ought to be done. So tonight we are here to talk about strengthening Social Security.

I heard the word ''gutting'' Social Security used by the other side a few minutes ago. Nothing could be further from the truth. Nothing could be more like gutting Social Security than to do absolutely nothing. That truly is the way to hollow out Social Security and say to the next generation and the generations that follow that there will not be Social Security. But there is a way that we can strengthen Social Security, make sure that that benefit is there for the women and children that we heard about here, for the low-income person, for the retiree that does not have much else.

We can make sure that it is there. We can do it by coming together, reasoning together and making some suggestions and ideas, coming up with ideas about how we can strengthen Social Security, how we can protect it for the future, how we can protect it for current retirees and how we can make sure that the next generations of retirees have a Social Security benefit.

Now, it is not certainly just our side on the aisle that has been talking about this. We seem to agree on this idea that there is a problem. And even before we began this discussion this year on this, I am delighted to see that there are previous high-ranking Democrats that have been talking about this.

President Clinton in 1998 talked about Social Security and said that, Of all of these achievements, the economic achievements, and our increasing social coherence and cohesion, our increasing efforts to reduce poverty among our younger generation, all of them are threatened by the looming fiscal crisis in Social Security.

That is 7 years ago. President Clinton identified that there was a looming fiscal crisis in Social Security. He did not say Social Security was in danger of going away. He did not say Social Security was in danger of being gutted. He said there was a fiscal crisis, and that is exactly what we face today. It was a cash-flow crisis.

Senator HILLARY CLINTON while she was still first lady, she said that one of

the most critical challenges of our time is preserving and strengthening Social Security for future generations.

That is exactly what we are talking about here tonight. We are talking about how can we make sure that Social Security is preserved for those who need it today, how can we make sure it is strengthened for those who will need it in the next generations. That is precisely what we are talking about.

Now, we will look a little bit at some of the dimensions of the problem as to why we do have a problem. And by the way, problem, crisis: there is a lot of talk around here. It is not a crisis. In fact, we are hearing it is not a problem at all. Obviously, President Clinton did not agree with that. Obviously, Senator CLINTON did not agree with that. I have never used the term ''crisis,'' but it is a problem.

You know what happens when you have a problem and you do not do something about it: it becomes a crisis. If you ignore it, the problem becomes a crisis. It is not a crisis today, but we can see the crisis looming in the future. And I can tell you from having introduced the only bipartisan and the only comprehensive Social Security reform bill for these last 8 years, that Former Congressman Stenholm and I introduced and the current Congressman, the gentleman from Florida (Mr. BOYD), and I have introduced it this year, still a bipartisan bill that covers every detail of strengthening Social Security. I can tell you that if you do not work on strengthening and if you do not work on fixing it now, it becomes more difficult in the future.

Every 2 years when we introduce our bill in the next Congress, we have to go back, of course, and recalculate the figures for the fact that 2 years have passed by, the demographics have changed a bit, and it becomes more difficult. It becomes more expensive. It becomes more costly. It becomes harder for the next generation, and it becomes harder for the current generations.

What is the problem? What is the basic problem that we have in Social Security? It is a problem of demographics, that people are living longer. We have more people who are retiring. They are living a longer life. And at the other end we have families that are smaller. They are being started later. And so we have fewer people coming into the workforce.

I have heard here this evening the talk about how this is a social insurance program. It is social insurance. It is social insurance, but the insurance program, the insurance that we have here is a contract between generations because Social Security, and let us make no mistake about this. If we do nothing else this evening, I hope we can convey one thought: Social Security is a pay-as-you-go program.

Taxes are collected today that are paid out in benefits at the end of the month. The contract is between generations, that when the next generation gets ready to retire that there will be somebody there to pay their benefits.

Let me go through this chart and let me yield to my distinguished colleague here because this is the fundamental problem that we face.

In 1950, there were 16 workers paying their taxes for every single person that was receiving Social Security benefits, 16 people working, for every one receiving their benefits. Today there is only 3, 3⅓ people working for every one that is receiving their benefits. When the younger workers retire in 20 years, that is not so young actually, but when people start retiring in 20 years, there will only be two workers that are going to be paying for the taxes for every single beneficiary. That is two people are going to have to pay their taxes each month to equal the benefit that is going to one retiree. That is a huge tax that people are going to have to pay.

The reason is quite simple, as we just said. All the baby boomers begin retiring in the year 2008, and then we have those people living a lot longer, and a smaller number of people coming into the workforce to cover those taxes. That is the essence of the problem that we have got. That is why working together here, Republicans and Democrats, both sides of the aisle here, we need to work together to find a way to strengthen Social Security, to make sure that it is strengthened for the next generation, that we preserve it for the current retirees, but that the young people will have some hope that there will be something there for them.

I know the gentleman from Minnesota (Mr. KLINE) has worked very hard on this issue. I know he has conducted some town halls, which I want to talk about some that I have done recently; and I would like to yield to the gentleman from Minnesota (Mr. KLINE).

Mr. KLINE. Mr. Speaker, I thank the gentleman for yielding to me.

Before we move further in this discussion, which I am looking forward to this evening, I just wanted to touch on a couple of subjects that my distinguished colleague from Arizona has brought up and some of the things we heard from our colleagues on the other side of the aisle.

First of all, I know that the gentleman from Arizona (Mr. KOLBE) and all of my colleagues on both sides of the aisle really would like to see a strong Social Security program. I have been telling folks, in fact, I was talking to high school students in Minnesota this last week that it is very important to me that Social Security be in place for my 84-year-old mother, and it will be in place for my 84-year-old mother. But I want Social Security to be in place, to be strong, to provide the kind of retirement safety net that our colleagues have been talking about for my 35-year-old son, my 38-year-old daughter, my 3-year-old granddaughter.

The demographics that my colleague has just put up there start to show the problem. And we are going to get into that some more this evening; but I am disheartened, frankly, I am disheartened to hear some of the language that we were listening to earlier.

Our colleagues ascribed some motives that I think are out of place. One of them, for example, said that the President wanted to reward his buddies with his proposal, and that is simply not true. It is not fair and it ascribes a motive that is not there. One of our colleagues said that we want to gut Social Security. That is not true.

I know that the gentleman has been trying year after year after year to, in fact, strengthen Social Security and make sure that not only do the current retirees not lose benefits, but that my daughter, my son, and my grandchildren do not lose benefits either. And I just hope that my colleagues would all understand that our motives are to strengthen Social Security. We should be working together in a bipartisan way as my colleague has been doing to do just that, and I hope that we can move away from some of the harsh rhetoric that we unfortunately have heard tonight and I am afraid that we are going to be hearing in the future.

Mr. KOLBE. Mr. Speaker, I appreciate the comments of the gentleman here, and I think they are on point. I think the gentleman is absolutely correct.

It really does not serve anyone very well to have the kind of harsh rhetoric that we have been hearing about this issue. It is too important to carry on in that kind of a partisan nature.

I remember sitting on this floor when the President of the United States, President Bill Clinton, talked about Social Security reform in 1998 and standing and applauding when he had the courage to get up there and talk about it. In fact, the President then followed up with only one major effort, out-reach effort that he did, and he happened to do it in my congressional district.

I flew with him on Air Force One to Tucson in order to talk about this issue, and I was struck by the amazing grasp of the detail that President Clinton had about the nature of the problem that we were facing. It is exactly the things that we have been talking about and that we will continue to talk about and that President Bush is talking about today.

We have a problem. We need to find a way to fix it. We need to find a way to strengthen Social Security so it will be there for the next generations as well as for current retirees. So we are not talking about taking it away. These kinds of scare tactics, they are not only bogus but they are disheartening as the gentleman from Minnesota (Mr. KLINE) said, but they are also very destructive.

They do not help us find a solution. And if ever we needed to have a bipartisan reach-out to find the solution to this problem, it is on this issue. The

American people are watching us to see whether Congress really can reach out to find some way to fix this.

Mr. KLINE. Listening to the debate, the arguments earlier this evening, it was clear that our colleagues recognize that something needs to be done. I know that the gentleman from Connecticut, I believe, said everybody knows that we have got to do something to strengthen Social Security, and other Members have said everybody knows we have to do something. And we heard a couple of proposals and increasing taxes was proposed by the gentleman from California, I believe; but if we know that something has to be done, we ought to be able to move forward and engage in the debates and engage in the discussion about what we are going to actually do to strengthen Social Security.

But I know that not everyone understands the nature of the problem and how quickly it is going to arrive, and, unfortunately, if we do not do something, how quickly it will turn into a crisis. I ask the gentleman to continue the explanation.

Mr. KOLBE. Mr. Speaker, I thank the gentleman from Minnesota (Mr. KLINE) for his comments, and I hope he will continue to engage in this discussion here tonight.

I do want to take a few moments to talk about this particular chart up here because I think it expresses better than anything I could say verbally what the nature of the problem is that we are facing.

Going back, thinking back to the last chart where we talked about how the fewer numbers of people are paying the taxes to support the beneficiaries, the people getting the benefits, this illustrates exactly what that means in terms of the cash that is coming into the Social Security trust fund. The reforms, the changes that were made in 1983 went a long way towards fixing Social Security in the short and the median term; but for the long term, it just kicked the problem down the road. It did not make a permanent fix to it. It just postponed the day of reckoning, postponed the day of reckoning because it increased the taxes. And gradually we are in the process now of raising the retirement age. It made some other things.

So since the late 1980s and early 1990s, we have been collecting more in revenues from Social Security tax than we have been paying out in benefits. That means the Social Security trust fund has been reaping this windfall, if you will. It has had this extra money which we all know really is one arm of the Federal Government that is the Social Security trust fund taking the money and then turning around and loaning it to the Federal Government for part of the operations of the Federal Government. It is really paying part of the deficit, if you will, the operations of the rest of the government.

Now, the trust fund gets some IOUs and some Treasury bills in its name in there, and those are earning some interest. But here is what we have got right now. There are more benefits coming in. But as you can see here this black part up here which is the revenues exceeding the benefits being paid out, it takes a downturn here in just 3 years.

Now, that is the first critical date we need to focus on, the year 2008. It is in the year 2008 where the revenues start to decline and the excess revenues start to decline. And so the deficit, instead of masking more of the deficit each year, it will start masking less and less of the deficit each year.

□ 2200

So we will be doing more borrowing in order to cover the rest of the deficit.

Then, in the year 2018, you can see where these lines cross and the black turns to red. That is where the benefits being paid out exceed the revenues; the taxes that are actually being collected. So the Social Security trust fund has to go back to the Treasury, they have to go and cash in those IOUs they are holding, which means that the Federal Government has to give them cash and replace that borrowing with massive amounts of borrowing over here to cover the deficit.

At that point, they not only have the annual amounts they are covering for each month to cover the benefits, but they also are going to have to be covering the replacement of the IOUs. So the deficit really starts to balloon at that point. And within just a very few short years, up to 2018, the deficit being caused by the Social Security Trust Fund cashing in those IOUs is in the hundreds of billions of dollars a year.

We are going to be faced with a Titanic, a major, a simply major problem that we are going to have to confront at that point. How much do we borrow? How can we keep on borrowing those amounts of money, just to cover the shortfall in Social Security? And this is not saying anything about the shortfall in Medicare or the other kinds of entitlement programs that we have.

We are talking just about Social Security. It is going to be a massive shortfall that we are facing. That is why it behooves us to start thinking about this now.

Now, the third and last date that is currently projected is the year 2042. That is when the IOUs are gone. They have cashed in all the IOUs. Somehow we have managed to borrow the money from the Chinese or Japanese or the Germans, or whoever, to replace that borrowing, and we have managed to get the cash to pay the benefits. But in 2042, the IOUs are gone. There is nothing more for the trust fund to go out and use, except the money that is coming in each month.

At that point, assuming we have done nothing, as some people I have heard tonight over on this side suggest that we do, do absolutely nothing, if we do absolutely nothing, at that point the Social Security benefits would be cut by 27 percent.

Now, is there anybody listening this evening, and my colleague can answer this for himself, is there anybody that really thinks politically, with all the retirees we will have in the year 2042, we could realistically say, gee, your benefits just got cut 27 percent this month. Take it or leave it. That is it.

Obviously, that cannot happen and will not happen, which is why we have to think now about how we will fix this so that it is strengthened for future generations.

Mr. Speaker, I will be happy to yield to the gentleman again.

Mr. KLINE. Mr. Speaker, I thank the gentleman for yielding to me. I think it is a terrific graph. The problem is clearly outlined with that big red area that says cash deficits.

I just want to reinforce what the gentleman said about the trust fund; the trust fund not actually having any money in it, having IOUs, having bonds that have to be redeemed through the general fund. And the gentleman, I know, understands full well that it is highly unlikely without some major change that we could reach that 2042 date when the IOUs run out. The impact to all of America between 2018 and 2042, if we do not do something now, would just be catastrophic.

To get back to the gentleman's opening comment about problem or crisis. Certainly it is a problem today, but clearly a crisis when you get into that big red area that says cash deficits. That is why it is so important we should have this debate today; that the American people understand that we are facing a problem which is going to turn into a crisis. We need to get this debate engaged and agree on a solution which will strengthen Social Security.

I know there are many proposals out there. The gentleman has a bipartisan proposal, the President has put forth an outline of a proposal. Our colleague, the gentleman from Wisconsin (Mr. RYAN), and Senator SUNUNU have a proposal, and others, and that debate, that discussion is the one we need to have. If there are others who think that simply the solution is to raise taxes, which was suggested here tonight, then, fine, let us put that discussion into the debate as well. But let us recognize that that red area, that sea of cash deficits is something that is looming.

Now, I am part of that leading edge, or maybe 1 year behind it, of those baby boomers, and it is a rapidly approaching demographic shift that we need to address.

Mr. Speaker, I yield back to the gentleman.

Mr. KOLBE. I thank the gentleman again for his comments. The gentleman is a bit younger than I am. I am afraid I got ahead of the baby boomers on this.

Mr. KLINE. You are one of the few.

Mr. KOLBE. One of the few left around here.

Mr. Speaker, I agree with what my colleague has just said, and I think he

is exactly on target. We do need to be thinking about all the different ways in which we could fix this. Certainly taxes is one of the ways we can fix this. Certainly we can do some reduction of benefits. But, really, if you think about it, there are really only three ways you can have a fix or do something to really reform Social Security.

One is increase the revenues. That is increase the amount of taxes you collect; whether you increase the amount of wages subject to the taxation, or whether you raise the rate of taxation, that is the rate of the Social Security tax we are paying today.

The second, of course, is to make some reductions in the benefits. You can make the reductions for future retirees, or whatever, what ever other retirees we are talking about. But you can reduce the benefits.

The third thing is to increase the rate of return on the investment. And that really gets us to the personal accounts, which I want to talk about in just a moment.

But before I do, I thought maybe it might be useful for us to talk a little bit about the town halls that I have been holding, and I know a number of my colleagues have been holding about Social Security. Of course, for me, having had a proposal, a complete proposal introduced in Congress for the last 8 years, and having been talking about this for at least the last 10 years on the floor of this House and in every single town hall I have done, we have been talking about this. And I am talking about in my retirement communities, where everyone who comes to the town hall is 65 and over, I have been talking about this for a long, long time.

So I am not fazed by the fact that a handful of people show up at my most recent town hall and they are, well, let us say fairly vitriolic. They have a few unkind words to say because they have not been there before. And I know these people are coming as a result of some e-mails that were received from different organizations. But by and large, the vast majority of the people that have come to my town halls during this last recess that we had were interested in seriously hearing about the nature of the problem and what kind of fixes we could have.

I think on that score, by the way, the President has won the first round of this battle. My colleagues on the other side that want to deny that there is a problem have lost that battle. Because the polls now show by an overwhelming margin that the American people do think there is a problem with Social Security, and they think Congress needs to fix it, and they think it needs to be the highest priority of Congress to strengthen Social Security. So we have reached over that first hurdle.

Okay, there is a problem. Now, let us get to talking about what are the solutions. What are the things we might do that could make Social Security a better program for the future.

Coming back to my town halls, I just wanted to share this one story. And I do not know if the gentleman from Minnesota has some others that he might want to share, some of the experiences he has had in talking about this, but I had a town hall down in Sierra Vista, which is one of the communities in my district. There is a large military facility down there and we talked about Social Security for 1 hour of the meeting.

I had two women who came up to me after the town hall was over and they both said they were Democrats. And they said they had come to the meeting as a result of an e-mail they had gotten and they had come opposed to reform and very much opposed to the concept of personal accounts. But after hearing the facts and the data, and we did have a real debate because there were plenty of people in the audience that were trying to dispute the things I was saying, so we had a real discussion about it. But they said after hearing the facts, the data, and the reason why reform is essential, they told me they were supporters of the concept of personal accounts, and that they were going to go away and explain to their Democratic friends why personal accounts are necessary and why we really ought to be doing something to reform Social Security now.

So I say that there is no doubt that if we talk about this issue with our constituents, with the people we represent at home, I think there is no doubt that they will understand that there is a need to do something to strengthen it. I think there is still a lot of uncertainty about what the reform should be. How should we fix it? How should we make it better? How should we strengthen it? But I think there is a growing awareness that we do have a real problem there.

Mr. Speaker, I would be happy to yield again to the gentleman.

Mr. KLINE. I thank the gentleman for yielding once again, and I just want to underscore the point the gentleman made that increasingly our constituents understand that something needs to be done.

This sort of anecdote has been put forth many times before, but just this last week when I was back in my district, I was visiting one of the high schools. I had a group of students, about three classes, and we were discussing a large number of subjects, everything from the war to taxes to education, and one of the subjects was Social Security.

I asked the question, which I am sure many of my colleagues have asked, to those students. I said, how many of you believe that Social Security is going to be there when you retire. Just asked the basic question. Not a hand went up. I thought, well, maybe they are just a little shy and do not want to raise their hand. So I reversed the question. I said, how many of you believe that Social Security will be gone when you retire? And about a third of the hands went in the air.

Now, as the gentleman knows, sometimes when talking to high school students, or Members of Congress for that matter, not everybody is paying full attention, but it was clear to me the young people in my district, and I think across the country, just have no confidence that the Social Security that their grandparents are using and enjoying is going to be there for them. And the gentleman has shown us very graphically what that demographic problem is. I believe that underscores our purpose here to strengthen Social Security. Not to destroy it, not to weaken it, and certainly not to gut it.

I know many of the proposals that have been put forward, the President and many of our colleagues, call for including the personal accounts, which the gentleman is going to talk about and taking advantage of the enormous power of compound interest to create a nest egg which they will have in conjunction with the Social Security program and that will provide the benefits that we were hearing about earlier tonight that women particularly require. We want to make sure that the program is there. We are looking for a way to strengthen it.

Again, I just thank the gentleman for his persistence on this issue and his continued leadership as we move forward in the debate.

Mr. KOLBE. Again, Mr. Speaker, I thank the gentleman from Minnesota for his participation in this discussion here tonight.

Just moving forward a little bit, and I do want to respond to what my colleague said, it reminds me of some experiences I have had. I have been, as I mentioned, talking about this for a lot of years. And I go into high school audiences, where there are seniors that are old enough to kind of understand the issues involved here, or go into college classes and I ask the same questions every time: How many of you think Social Security will be there when you get ready to retire? I almost never have a single hand that goes up. Never a single hand. So they do sense that there is a problem with it.

And they are exactly right, because the numbers we just ran through, Social Security will not be there for them in the same way that it is today. There is no possible way when they get ready to retire that Social Security will be there in the same form. Something will have changed about it. Their benefits will have been reduced, taxes will be increased, or we will come to some other conclusion about a way to reform Social Security.

So they understand what the issue is. And I think, generally speaking, the American people are coming to understand that.

Mr. Speaker, I am happy to yield to the gentleman once again.

Mr. KLINE. I believe that is true.

As I said in my remarks just a moment ago, I know that that was an anecdote that many of our colleagues have expressed, because they have had the same experience of asking young

people, high school seniors, college students, others, if they think Social Security is going to be there when they retire. I have never had a hand, I have had the same experience as the gentleman, I have not been asking the question for as many years, but never a hand goes up where they believe it is going to be there.

And what a shame, because they ought to have a system, all Americans ought to have a system that they can count on and that they believe is going to be there. And until we do something to really strengthen the system, they will not have faith that it is there. And they should not, because without that fix it just will not be there in that manner.

Mr. KOLBE. I appreciate the gentleman's comments, and I think what his experience illustrates, as a newer Member of the Congress, is that if you are out there talking about this issue candidly and honestly with the people you represent, your constituents, they are willing to listen to what you have to say. They will not reject out of hand what you are saying.

So I hope we have been able to dispel the notion that there is no problem out there. I hope we have been able to dispel the idea that we need to do absolutely nothing. We do need to do something to strengthen Social Security to make sure it is there for this generation as well as for the next generation.

So that brings us to the ideas of what can we do to make it work.

□ 2215

Now, as I mentioned earlier, there are three things or variations on three things: raise taxes, decrease benefits, or increase the rate of return on investment that we have in Social Security. I happen to believe that we ought to do a little bit of all of those. If you are going to strengthen Social Security, you need to do a little bit of each of those things.

But the heart of that strengthening is increasing the rate of return on the investment we have, and that is why personal accounts are so important. Now, I have heard it said personal accounts do not fix it, and that is accurate. That is right. I have never said personal accounts fix it. Personal accounts are your link to the next generation because you are going to say to the next generation, look, you are going to have to pay just a little bit more to support this defined benefit, and you are going to get a little bit less.

And so the younger person is going to say, what is in it for me. So we can say there is a chance to have a greater return on investment through a personal account. Even though you are paying a little more taxes and getting a little less benefit from the defined benefit part of Social Security, you are going to have a part of it set aside, and it will grow as the country grows, grows as the economy grows, grows as the world economy grows; and that will yield a retirement that is better even with the reductions we are going to have to force. It is going to be better than what we have today.

So the first principle we have to agree on is we do not do anything to change the benefits of people today who are retired or near retirement get. I do not know of a single plan offered by anybody on this side of the aisle or the plan that I have offered along with that side, the only bipartisan bill which has been introduced in Congress, none change it for anybody who is over 55. To everybody that is watching this, if they are over the age of 55, you can turn the television set off because this does not affect you. We are not talking about anything that changes your benefits.

Mr. KLINE. Mr. Speaker, I think that it is critical that all of America understands what the gentleman said is accurate. I have a table that my staff keeps updated almost daily as we start to engage in this debate. I do not know of a single proposal, certainly no serious proposal, that alters in any way, in any way the Social Security program for those my age, or 55 and up. It does not change it a bit. It is the same. You get the same check, the same increases. The program is exactly the same. My 84-year-old mother is going to continue to get her checks in exactly the same way she has been getting them for the last 20 years. The program does not change for her.

I think that is a key piece of this overall picture that we are talking about as we move forward in the debate. There are different programs, and the gentleman from Arizona (Mr. KOLBE) has a program he has been working, others have other proposals. Most of those on this side of the aisle correctly create some sort of a personal account, an account that our younger workers can own, that grows, that has the opportunity to give them a greater return than the current system gives them. It gives them something that they own that they can leave to their heirs. No proposal affects the benefits of any current senior whatsoever.

I think it is important that we understand that as we debate the details of the proposals such as the one that my colleague has, and we have that basic understanding that we are talking about no changes for seniors, an opportunity to increase the return, to take advantage of that interest, increase the rate of return for our younger workers. That is the position we are starting from, not the position that we heard earlier in the evening of gutting Social Security, of trying to do something to help the President's buddies and those other unfortunate things we heard earlier. This is about making sure the program is there for our grandkids like it has been there for our parents.

Mr. KOLBE. Mr. Speaker, the gentleman is exactly correct and on target. Obviously, when we talk about personal accounts, it has not always been that Democrats have opposed that. In fact, when President Clinton in the last 2 years of his term, second term in office, was talking about Social Security reform, talking about it honestly and openly, Democrats began to embrace the concept that maybe there ought to be a greater return on investment; maybe some of the money ought to go into a personal account.

Senator REID, now the minority leader in the United States Senate said, ''Most of us have no problem with taking a small amount of the Social Security proceeds and putting it into the private sector.'' He said that on Fox News in 1999. I think the Senator was correct about that. There are similar kinds of things that have been said by other leaders.

The ranking Democrat on the Committee on Ways and Means said at a press conference at the same time, this was the same time the President was talking about Social Security reform, he said, ''I am one Democrat who truly believes that Democrats will not benefit by doing nothing on Social Security.'' So he recognized the problem, and he believed we should do something.

I say if they do not like the plans that are out there, the plan that the gentleman from Florida (Mr. BOYD) and I have introduced, or other plans introduced by the gentleman from Wisconsin (Mr. RYAN) and the gentleman from Florida (Mr. SHAW) and others, fine, but bring something to the floor that we can start this dialogue, that we can begin this debate.

Coming back to the topic of personal accounts, we just heard a few moments ago the gentlewoman from California talk about how Social Security is so important for women, and she is absolutely right. Social Security is important for women, but Social Security is not very good for women right now. One of the reasons it is not so good, it is because they tend to drop out of the workforce at a certain point, when they are raising children, and so they get less from the system when they get ready to retire.

There are a lot of single women who raised their children. I like to use the analogy of the 48-year-old single mother. She got her kids through school and college, worked herself to the bone, and now they are both over the age of 21, and she drops dead of a heart attack at the age of 48. What does Social Security provide? Zero. Not one dime, because her children are over 21. She is not married; there is no spouse. There is not one dime from Social Security.

Now, if a portion of what she had been paying in those taxes had been put into a personal account, she would have owned something. She would have owned something that she could leave to her heirs; and if she forgot to write that will, it still would have gone to her heirs, which would have been her children. That is the magic of personal accounts. They not only provide a

greater retirement benefit, but it is an asset that people own. They own it. They can manage it and figure out what to do with it. They can leave it to their heirs. That is the magic of personal accounts.

As I said, it is the link to the next generation because as I said, personal accounts do not fix the problem. Indeed, if we are going to take a carve-out as I think we should because to add it on is to say just a huge new tax on Social Security, a tax to be added as a burden on the people, if we are going to carve it out of the current amount being paid in retirement taxes, we are going to have in a sense a bigger problem, so we have to do something to make it all balance.

Guess what, you can do it, but you have to make some tough choices, and that is what nobody has been willing to do. Particularly as I listened over here, I do not hear anybody willing to make some of those tough choices. What do we do?

Well, the legislation we have introduced does a little bit of everything. We would make some modest reduction to the Consumer Price Index on which the annual cost-of-living adjustment is made, and that is justified by the superlative index which accounts for durable goods lasting longer today. Alan Greenspan has talked about it. It is a little complicated economic issue, but basically the Consumer Price Index today is a little bit out of whack with the reality of where the inflation rate is actually going.

In our bill, we would increase the amount of income subject to taxes, not increase the wage rate because we do not want to say to the person earning $25,000 we are going to increase your Social Security tax, too; you are going to have less take-home pay. But we are going to say to the person who currently makes over $100,000, you are going to pay more tax because we are going to increase the amount of wages subject to taxation. That is legislation that the gentleman from Florida (Mr. BOYD) and I have introduced. This is not necessarily the President's plan or any official plan on this side of the aisle, but I use it only to illustrate if you make some of these choices, you can fix some of these things.

We would also accelerate the retirement age so we take out that 10-year gap from 65 to 67, we take that out so it goes to 67 a little faster. We do not change the retirement age; we just accelerate the speed at which it goes.

We would make some changes to the benefit structure for younger people, people with personal accounts, make some reduction in their benefits; and you can make Social Security solvent not for 10 years, not for 20 years, not for 40 years, and not even for 70 years, which is the only horizon that the Social Security Administration will look at. But economists have looked at ours and the CBO has looked at ours, and they say it goes as far as the eye can see as being solvent. So we can say to younger people, yes, you are going to pay a bit more in taxes, and, yes, you are going to get a little less benefit; but you are going to have retirement that nobody else has had up to this time. That is what personal accounts do, and that is why I think personal accounts are a critical part of any reform of Social Security.

It is not the be-all, it is not the end-all, it does not answer all of the problems; but it gives some confidence to younger people that there is going to be something in it for them when they get ready to retire. That is why I think the personal accounts are so very important.

Before we wrap up here, let me outline a couple of other ideas.

Again, we are looking at what President Clinton said in that State of the Union address in 1998 where he said, ''We are going to hold a White House conference on Social Security in December, and one year from now I will convene the leaders of Congress to craft bipartisan legislation to achieve a landmark for our generation, a Social Security system that is strong in the 21st century.''

I am sorry to say because of personal things that occurred after that, we never got around to that. The President's clout here in Congress was diminished, his clout with the American people was diminished. He was not able to carry that off. There is no doubt it takes a great deal of Presidential leadership to carry that out, but President Clinton knew what the problem was, and he identified it at that time.

Much more recently, in fact just today, just today in testimony before the Committee on the Budget, Alan Greenspan, the chairman of the Federal Reserve Board, said, ''In my view, a retirement system with a significant personal account component would provide a more credible means of ensuring that the program actually adds overall saving and in turn boosts the Nation capital stock.'' That is a little bit of economic legalese there, but he is basically saying it is a better way and it adds on the total savings that the United States has if you have personal accounts.

The thing that is important about personal accounts is they belong to every individual and they can be tailored. They can change as circumstances change.

The gentleman from Minnesota (Mr. KLINE) knows this. As Members of Congress, we have exactly what we are talking about doing for Social Security. It is called the Thrift Savings Plan, and all Federal employees have it.

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It is a piece of our retirement and it is money that we put in out of our wages that is matched in part by our employer, which in this case is the House of Representatives, and it goes into a personal account that belongs to us and we get a statement every year that tells how much we have invested and we have some choices about where we invest that. No, we do not go out and have to ponder every night looking over the stock pages and deciding which stock to buy because it goes into index funds. We can choose a stock index fund where it buys every stock in that index, we can choose a bond index fund where it buys every bond in that index, or we can choose a Treasury bill.

Want low risk? You have got to assume that Treasury bills are probably the safest thing. The government is not going bankrupt. I think we believe that. The government is not going bankrupt. So you can buy a Treasury bill index fund where it buys all the Treasury bills, medium, short, long-term Treasury bills. It has a lower rate of return, but it is absolutely safe. The nice thing is that as you get close to retirement, you can start to shift that from one account to the other. That is exactly what I have done with mine. I want less volatility. I am getting closer to the age of retirement. I want less volatility, so I moved some of it out of the stock index fund into the Treasury bill fund. That is the beauty of this is it gives you some choices to plan for your own retirement. Social Security does not give you that.

Mr. KLINE. If the gentleman will yield, I would like to take this opportunity to go back to the point that the gentleman made earlier in his example of the 48-year-old single mother. The gentleman from Arizona and I are paying in to Social Security. We are in the Social Security retirement system.

We also have the Thrift Savings Plan that he just described. Should I die today, I would not be able to leave for my children or my grandchildren anything out of the money that I have paid for many years, not quite as many as the gentleman but many years into Social Security, but I can leave and I will leave the money that is in that Thrift Savings Plan because I own it. And it underscores the point that the gentleman made earlier, that one of the terrific benefits about having a system that strengthens Social Security, that has a personal account as a component of that is that that money is absolutely yours, and I believe that in all the proposals that we are going to be debating put forward by the gentleman that we have talked about earlier, that account is owned by the individual and they can leave it to their heirs when they die.

It is a major difference between this proposal and the current system. While it is providing wonderful paychecks for my mother, she does not own that. And I want my children and my grandchildren to own something that is part of their retirement system. Unfortunately, as we said earlier, for those that are 55 and up, we cannot strengthen that program for them. Nothing in the system is going to change for them. Nothing. It is not going to get better. It is not going to get worse. It is exactly the same. But for my kids and

my grandkids, what a wonderful thing to have as part of their Social Security an account that they will own like the one that the gentleman was describing, the Thrift Savings Plan that can be tailored to their needs and their age and they will own. They can use it in their retirement or they can leave it to their heirs. I just wanted to step in at that moment to see if we could not underscore the important difference between having an account that you own and one that you do not.

Mr. KOLBE. This discussion about the personal accounts and the kinds of index funds they might be invested in leads me to the two kind of final points that I wanted to make here tonight. We heard on the other side, and the gentleman talked about this a moment ago, the comment that was made tonight saying this is being done for the President's buddies on Wall Street. The truth of the matter is, I have been working at this thing for 8 years with a bill. I have never heard from Wall Street on this. The reason is simple. There really is not much in it for Wall Street. Why? Because you are investing in index funds. My colleague may not know this, and I certainly know that a lot of the American people do not understand this, but the Thrift Savings Plan, the one that he and I are a member of, the management fee for that is two basis points. That is two hundredths of 1 percent. That is what the Wall Street manager gets, two one-hundredths of 1 percent of the assets for management of that.

Why is it so low? That is obviously a fraction of what any IRA or any mutual fund that most people have some kind of an investment in, it is a fraction of that. Why is it so low? Because it is an index fund. You are not doing research. You are not making choices about investments. You are buying every stock in the index fund and so each month when more money comes into the fund, you simply execute buy orders for the funds and as you have to sell it for retirement benefits, you execute sell orders for it. It is very simple in that sense. That is why the management cost is so very, very low. I know we are going to continue to hear that bogus argument, but it is absolutely bogus. It is absolutely false. The one other argument that I wanted to address is the gentleman said earlier on the other side, made this point, why introduce risk in the only guarantee that we have. Well, Social Security has undergone more than 50 changes. I think it is actually a lot more than that, but I know it is more than 50 changes since we introduced it in the 1930s. Fifty times Congress has come along and made changes to it, changed the taxes, changed the benefits. We have changed it and added disability. We have changed it in one way or the other.

So if you want to talk about risk in Social Security, then talk about leaving it in the hands of Congress. That is why the personal savings account eliminates that risk, because it belongs to you. Congress cannot take it away. You have ownership of it and we cannot take it away from you. That is why I think the personal savings accounts are so very, very important. So if we want to talk about risk and we want to talk about reducing risk, let us talk about ways in which we can make sure that people have control over some part and we are only talking about a very small part of the total amount being paid in Social Security taxes, because if I have not made this clear this evening, all the plans we are talking about leave the vast majority of the taxes in the current system, so that it pays beneficiaries today and is going to pay beneficiaries in the future the same kinds of defined benefit that we now get from Social Security.

Mr. Speaker, I appreciate this opportunity this evening to have this dialogue with my friend from Minnesota. I appreciate his comments and I appreciate the passion with which he approaches this issue. I think we both know this is one of the most significant debates I think we will ever have in our lives in this legislative body, because I think it says a great deal not just about the future of Social Security, but it says a great deal about whether we as a Congress are going to have the will to tackle the really tough problems which face us. Social Security, believe it or not, is one of the easier ones. We have to get to Medicare to really look at the very difficult problems that we are facing. But if we can show we have the will to come together and find solutions to strengthening and making Social Security a better retirement system, then I think we can go on to finding ways to strengthen and make Medicare a better health care system for our senior citizens. That is why I know the gentleman from Minnesota is down here tonight, because he believes that and he believes that is exactly what we must do and I believe it very strongly.

In my heart of hearts, I believe that what we are doing here today is to help preserve this system for those who are already retired but also to say to the next generation, we believe that you too should be able to benefit from a retirement system, a Social Security system that will be there for you when you get ready to retire. I believe that this dialogue needs to continue. We have started it this evening, we have joined this debate, and I hope we can have more discussion of these issues, not just with Republicans on one side of the aisle, not just with Democrats on the other side of the aisle but coming together here to carry on these debates and this discussion together and perhaps we can find some kinds of ways in which we can have the solution. I thank the gentleman for his participation.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KUHL of New York). Members are reminded to direct their remarks to the Chair and not to the television audience.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. GENE GREEN of Texas) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. GENE GREEN of Texas, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. MEEHAN, for 5 minutes, today.

Ms. KILPATRICK of Michigan, for 5 minutes, today.

(The following Members (at the request of Mr. GOHMERT) to revise and extend their remarks and include extraneous material:)

Mr. GINGREY, for 5 minutes, today.

Mr. FLAKE, for 5 minutes, today.

Mr. BOUSTANY, for 5 minutes, today.

Mr. ROHRABACHER, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. RANGEL, for 5 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. MCDERMOTT, and to include extraneous material, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost $1,919.

ADJOURNMENT

Mr. KOLBE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Thursday, March 3, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

960. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b), Table of Allotments, FM Broadcast Stations (Pittsfield and Easthampton, Massachusetts, and Malta, New York) [MB Docket No. 04-67; RM-10856] received February 9, 2005, pursuant to 5

U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

961. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Nevada City, California) [MB Docket No. 04-338; RM-11061] received February 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

962. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.202(b) Table of Allotments, FM Broadcast Stations (Clayton and Raton, New Mexico) [MB Docket No. 04-220; RM-10861] received February 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

963. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Medical Lake, Washington) [MB Docket No. 04-250; RM-11006] received February 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

964. A letter from the Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Amendment of Section 73.622(b), Table of Allotments, Digital Television Broadcast Stations (Great Falls, Montana) [MB Docket No. 04-182; RM-10963] received February 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

965. A letter from the Senior Legal Advisor to the Bureau Chief, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule—Children's Television Obiligations Of Digital Television Broadcasters [MM Docket No. 00-167] received February 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

966. A letter from the Deputy Bureau Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule—Rules and Regulations Implementing the Telephone Consumer Protection Act of 1991 [CG Docket No. 02-278] received February 9, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

967. A letter from the Secretary, Department of Agriculture, transmitting the semiannual report of the Inspector General for the 6-month period ending September 30, 2004, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

968. A letter from the Assistant Secretary for Administration and Management, Department of Labor, transmitting the report listing the amount of acquisitions made by the Department from entities that manufacture articles, materials, or supplies outside of the United States for FY 2004, pursuant to Public Law 108–199, section 645; to the Committee on Government Reform.

969. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Strategic Plan of the Federal Deposit Insurance Corporation for the years 2005 through 2010, in accordance with the Government Performance and Results Act of 1993; to the Committee on Government Reform.

970. A letter from the Executive Director, National Council on Disability, transmitting the Council's Annual Performance Report to the President and Congress Fiscal Year 2002, as required by the Government Performance and Results Act, pursuant to 31 U.S.C. 1116; to the Committee on Government Reform.

971. A letter from the President and Chief Executive Officer, Little League Baseball, transmitting the Annual Report of Little League Baseball, Incorporated for the fiscal year ending September 30, 2004, pursuant to 36 U.S.C. 1084(b); to the Committee on the Judiciary.

972. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations: Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [CGD01-05-008] received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

973. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations: Fore River, ME [CGD01-05-007] received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

974. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations: Raritan River, NJ [CGD01-05-013] received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

975. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Sacramento River, Sacramento, CA [CGD11-05-009] received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

976. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Mitchell River, MA [CGD01-05-006] (RIN: 1625-AA09) received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

977. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; Gulf Intracoastal Waterway, Cypremort, LA [CGD08-04-042] (RIN: 1625-AA09) received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

978. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulation; St. Croix River, MN [CGD08-04-036] (RIN: 1625-AA09) received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

979. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Drawbridge Operation Regulations; Mantua Creek, Paulsboro, NJ [CGD05-04-179] (RIN: 1625-AA09) received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

980. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Upper Chesapeake Bay and its tributaries and the C&D Canal, Maryland, Virginia, and Washington, D.C. [CGD05-05-008] (RIN: 1625-AA00) received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

981. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zones; Gulf of Alaska, Narrow Cape, Kodiak Island, AK [COTP Western Alaska-05-002] (RIN: 1625-AA00) received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

982. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Gulf of Alaska, Sitkinak Island, Kodiak Island, AK [COTP Western Alaska-05-001] (RIN: 1625-AA00) received February 24, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

983. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757-200, -200PF, -200CB, and -300 Series Airplanes [Docket No. 2001-NM-74-AD; Amendment 39-13861; AD 2004-23-06] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

984. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce plc RB211 Trent 875, 877, 884, 884B, 892, 892B, 895 Series Turbofan Engines [Docket No. 2001-NE-17-AD; Amendment 39-13940; AD 2005-01-15] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

985. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasiliera de Aeronautica S.A. (EMBRAER) Model EMB-135 and -145 Series Airplanes [Docket No. FAA-2004-19050; Directorate Identifier 2004-NM-139-AD; Amendment 39-13900; AD 2004-25-12] received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

986. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT8D-200 Series Turbofan Engines [Docket No. 92-ANE-15-AD; Amendment 39-13916; AD 2004-26-04] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

987. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A319 and A320-200 Series Airplanes [Docket No. 2003-NM-135-AD; Amendment 39-13925; AD 2005-01-01] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

988. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 747-100, -100B, -100B SUD, -200B, -200C, -200F, and -300 Series Airplanes; and Model 747SP and 747SR Series Airplanes; Equipped with Pratt & Whitney JT9D-3 and -7 (except -70) Series Engines or General Electric CF6-50 Series Engines with Modified JT9D-7 Inboard Struts [Docket No. FAA-2004-19200; Directorate Identifier 2003-NM-195-AD; Amendment 39-13927; AD 2005-01-03] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

989. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Lockheed Model 1329

Series Airplanes [Docket No. FAA-2004-18557; Directorate Identifier 2003-NM-174-AD; Amendment 39-13926; AD 2005-01-02] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

990. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. FAA-2004-18773; Directorate Identifier 2002-NM-312-AD; Amendment 39-13889; AD 2004-25-02] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

991. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757-200 and -200PF Series Airplanes [Docket No. FAA-2005-20009; Directorate Identifier 2003-NM-220-AD; Amendment 39-13937; AD 94-01-10 R2] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

992. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company (Raytheon) Beech 200 Series Airplanes [Docket No. FAA-2004-19078; Directorate Identifier 98-CE-17-AD; Amendment 39-13946; AD 98-20-38 R1] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

993. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Empresa Brasiliera de Aeronautica S.A. (EMBRAER) Model EMB-135 and EMB-145 Series Airplanes [Docket No. FAA-2004-18752; Directorate Identifier 2004-NM-107-AD; Amendment 39-13929; AD 2005-01-05] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

994. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-300 and 767-300F Series Airplanes Equipped with General Electric or Pratt & Whitney Engines [Docket No. 2003-NM-186-AD; Amendment 39-13918; AD 2004-26-06] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

995. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Rolls-Royce Corporation (formerly Allison Engine Company, Allison Gas Turbine Division, and Detriot Diesel Allison) 250-B and 250-C Series Turboprop and Turboshaft Engines [Docket No. FAA-2004-18515; Directorate Identifier 2004-NE-12-AD; Amendment 39-13921; AD 2004-26-09] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

996. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A320 Series Airplanes [Docket No. FAA-2004-18771; Directorate Identifier 2002-NM-313-AD; Amendment 39-13890; AD 2004-25-03] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

997. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; McDonnell Douglas Model MD-10-10F, MD-10-30F, MD-11F, DC-10-10F, and DC-10-30F Airplanes [Docket No. FAA-2005-20117; Directorate Identifier 2004-NM-248-AD; Amendment 39-13949; AD 2005-02-04] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

998. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL-215-6B11 (CL215T Variant) and CL-215-6B11 (CL415 Variant) Series Airplanes [Docket No. FAA-2004-19496; Directorate Identifier 2003-NM-181-AD; Amendment 39-13920; AD 2004-26-08] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

999. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-200, -300, -300F Series Airplanes [Docket No. FAA-2004-18786; Directorate Identifier 2004-NM-26-AD; Amendment 39-13947; AD 2005-02-02] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1000. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bell Helicopter Textron Canada Model 222, 222B, 222U, 230, and 430 Helicopters [Docket No. FAA-2004-19969; Directorate Identifier 2004-SW-43-AD; Amendment 39-13923; AD 2004-26-11] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1001. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The Lancair Company Models LC40-550FG and LC42-550FG Airplanes [Docket No. FAA-2005-20048; Directorate Identifier 2005-CE-01-AD; Amendment 39-13945; AD 2005-02-01] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1002. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Raytheon Aircraft Company Beech 100, 200, and 300 Series Airplanes [Docket No. 2004-CE-01-AD; Amendment 39-13943; AD 2005-01-18] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1003. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-200, -300, and -300F Series Airplanes [Docket No. 2000-NM-409-AD; Amendment 39-13853; AD 2004-22-25] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1004. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Airbus Model A310 Series Airplanes; and Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4 605R Variant F Airplanes (Collectively Called A300-600) [Docket No. FAA-2004-19527; Directorate Identifier 2004-NM-71-AD; Amendment 39-13932; AD 2005-01-08] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1005. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; EXTRA Flugzeugbau GmbH Model EA-300 and EA-300/S Airplanes [Docket No. FAA-2004-19443; Directorate Identifer 2004-CE-32-AD; Amendment 39-13942; AD 2005-01-017] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1006. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; The New Piper Aircraft, Inc. Models PA-23-235, PA-23-250, and PA-E23-250 Airplanes [Docket No. FAA-2004-18597; Directorate Identifier 2004-CE-21-AD; Amendment 39-13934; AD 2005-01-10] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1007. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Gulfstream Aerospace LP Model Gulfstream 100 Airplanes; and Model Astra SPX and 1125 Westwind Astra Series Airplanes [Docket No. FAA-2004-19138; Directorate Identifier 2004-NM-102-AD; Amendment 39-13888; AD 2004-25-01] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1008. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; GARMIN International Inc. GTX 33, GTX 33D, GTX 330, and GTX 330D Mode S Transponders [Docket No. FAA-2004-18743; Directorate Identifier 2004-CE-23-AD; Amendment 39-13944; AD 2005-01-19] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1009. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 757-200, -200PF, and -200CB Series Airplanes [Docket No. 2003-NM-166-AD; Amendment 39-13936; AD 2005-01-12] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1010. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Boeing Model 767-300 Series Airplanes [Docket No. FAA-2005-20010; Directorate Identifier 2003-NM-224-AD; Amendment 39-13938; AD 2005-01-13] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1011. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier-Rotax GmbH Type 912 F, 912 S, and 914 F Series Reciprocating Engines [Docket No. 2002-NE-33-AD; Amendment 39-13939; AD 2005-01-14] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1012. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pratt & Whitney JT8D-200 Series Turbofan Engines; Correction [Docket No. 92-ANE-15-AD; Amendment 39-13916; AD 2004-26-04] (RIN: 2120-AA64) received February 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1013. A letter from the Secretary, Department of Health and Human Services, transmitting a report on the effects of allowing high deductible insurance plans combined

with tax favored Medical Savings Account (MSAs) under Medicare, as mandated by the Balanced Budget Act of 1997; jointly to the Committees on Energy and Commerce and Ways and Means.

1014. A letter from the Acting Inspector General, Department of Health and Human Services, transmitting a report on the study of the appropriateness of alternative Medicare payment methodologies for the costs of training medical residents in nonhospital settings together with recommendations as determined by the Inspector General to be appropriate, pursuant to Public Law 108—173; jointly to the Committees on Energy and Commerce and Ways and Means.

1015. A letter from the Special Inspector General for Iraq Reconstruction, transmitting the combined Quarterly Report and Semiannual Report to Congress, pursuant to Section 3001(i) of Title III of the 2004 Emergency Supplemental Appropriations for Defense and for the Reconstruction of Iraq and Afghanistan (Pub. L. 108-106) as amended by Pub. L. 108-375, and the Inspector General Act of 1978 (Pub. L. 95-452); jointly to the Committees on International Relations and Appropriations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. SMITH of Texas (for himself and Mr. BERMAN):

H.R. 1036. A bill to amend title 17, United States Code, to make technical corrections relating to copyright royalty judges; to the Committee on the Judiciary.

By Mr. SMITH of Texas (for himself and Mr. BERMAN):

H.R. 1037. A bill to make technical corrections to title 17, United States Code; to the Committee on the Judiciary.

By Mr. SENSENBRENNER:

H.R. 1038. A bill to amend title 28, United States Code, to allow a judge to whom a case is transferred to retain jurisdiction over certain multidistrict litigation cases for trial, and for other purposes; to the Committee on the Judiciary.

By Mr. PICKERING (for himself, Mr. BERRY, Mr. NUNES, Mr. HOLDEN, Mr. MORAN of Kansas, and Ms. HERSETH):

H.R. 1039. A bill to suspend temporarily new shipper bonding privileges; to the Committee on Ways and Means.

By Mr. BURGESS (for himself, Mr. HALL, Mr. BONILLA, Mr. SCOTT of Georgia, and Mr. MCCAUL of Texas):

H.R. 1040. A bill to amend the Internal Revenue Code of 1986 to provide taxpayers a flat tax alternative to the current income tax system; to the Committee on Ways and Means.

By Mr. WELLER (for himself and Mr. BROWN of Ohio):

H.R. 1041. A bill to amend the Social Security Act to provide each American child with a KidSave Account, and for other purposes; to the Committee on Ways and Means.

By Mr. BACHUS (for himself, Mr. SANDERS, Mr. ROYCE, Mr. KANJORSKI, Mr. LATOURETTE, Mr. GUTIERREZ, Mrs. KELLY, Mrs. MALONEY, Mr. RENZI, Mrs. MCCARTHY, Mr. SHERMAN, Mr. NEY, Mr. FEENEY, Ms. HOOLEY, Ms. GINNY BROWN-WAITE of Florida, and Mr. MOORE of Kansas):

H.R. 1042. A bill to amend the Federal Credit Union Act to clarify the definition of net worth under certain circumstances for purposes of the prompt corrective action authority of the National Credit Union Administration Board, and for other purposes; to the Committee on Financial Services.

By Mr. BILIRAKIS (for himself and Ms. DEGETTE):

H.R. 1043. A bill to provide additional authority to the Office of Ombudsman of the Environmental Protection Agency; to the Committee on Energy and Commerce.

By Mrs. CAPITO:

H.R. 1044. A bill to amend title 23, United States Code, to permit the State of West Virginia to allow the operation of certain vehicles for the hauling of coal and coal by-products on Interstate Route 77 in Kanawha County, West Virginia; to the Committee on Transportation and Infrastructure.

By Mr. COSTELLO:

H.R. 1045. A bill to extend the filing deadline for certain Medicare claims to account for a delay in processing adjustments from secondary payor status to primary payor status; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CUBIN:

H.R. 1046. A bill to authorize the Secretary of the Interior to contract with the city of Cheyenne, Wyoming, for the storage of the city's water in the Kendrick Project, Wyoming; to the Committee on Resources.

By Mr. TOM DAVIS of Virginia (for himself, Mr. GOODE, Mr. MORAN of Virginia, Mr. GOODLATTE, Mr. BOUCHER, Mr. CANTOR, Mrs. DRAKE, Mr. WOLF, and Ms. NORTON):

H.R. 1047. A bill to require the Secretary of the Treasury to mint coins in commemoration of the tragic loss of lives at the Pentagon on September 11, 2001, and to support construction of the Pentagon 9/11 Memorial in Arlington, Virginia; to the Committee on Financial Services.

By Mr. EMANUEL (for himself and Mr. COOPER):

H.R. 1048. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to split refunds and make deposits electronically among certain accounts; to the Committee on Ways and Means.

By Mr. ENGLISH of Pennsylvania (for himself, Mr. DAVIS of Tennessee, Mr. LEWIS of Kentucky, and Mr. SOUDER):

H.R. 1049. A bill to amend the Internal Revenue Code of 1986 to exclude certain truck tractors from the Federal excise tax on heavy trucks and trailers sold at retail; to the Committee on Ways and Means.

By Ms. LEE:

H.R. 1050. A bill to establish a living wage, jobs for all policy for all peoples in the United States and its territories, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on the Budget, Armed Services, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FALEOMAVAEGA:

H.R. 1051. A bill to authorize the extension of the supplemental security income program to American Samoa; to the Committee on Ways and Means.

By Mr. FRANK of Massachusetts:

H.R. 1052. A bill to amend titles XVIII and XIX of the Social Security Act to provide for coverage under the Medicare and Medicaid Programs of incontinence undergarments; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself, Ms. HARMAN, Mr. WELDON of Pennsylvania, Mr. KENNEDY of Minnesota, Ms. KAPTUR, and Mr. BURTON of Indiana):

H.R. 1053. A bill to authorize the extension of nondiscriminatory treatment (normal trade relations treatment) to the products of Ukraine; to the Committee on Ways and Means.

By Mr. GREEN of Wisconsin:

H.R. 1054. A bill to establish the Office of Faith-Based and Community Initiatives; to the Committee on Government Reform.

By Ms. HOOLEY:

H.R. 1055. A bill to provide for the designation and funding of high intensity methamphetamine abuse and trafficking areas; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. HOOLEY:

H.R. 1056. A bill to amend the Controlled Substances Act with respect to the distribution of pseudoephedrine, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mrs. MALONEY, Mr. TOM DAVIS of Virginia, and Mr. ENGEL):

H.R. 1057. A bill to award a congressional gold medal on behalf of all government workers and others who responded to the attacks on the World Trade Center and the Pentagon and perished and people aboard United Airlines Flight 93 who helped resist the highjackers and caused the plane to crash, to award a duplicate in silver of such gold medals to the personal respresentative of each such person, to require the Secretary of Treasury to mint coins in commemoration of the Spirit of America, recognizing the tragic events of Sepetember 11, 2001, and for other purposes; to the Committee on Financial Services.

By Mrs. MCCARTHY (for herself, Mr. ANDREWS, Ms. WOOLSEY, and Mr. KILDEE):

H.R. 1058. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure that employees are not improperly disqualified from benefits under pension plans and welfare plans based on the misclassification or reclassification of their status; to the Committee on Education and the Workforce.

By Mr. MEEHAN (for himself, Mr. ABERCROMBIE, Mr. ACKERMAN, Ms. BALDWIN, Mr. BECERRA, Mr. BERMAN, Ms. BERKLEY, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mrs. CAPPS, Mr. CROWLEY, Mr. DAVIS of Illinois, Ms. DEGETTE, Mr. DELAHUNT, Ms. DELAURO, Mr. ENGEL, Mr. FARR, Mr. FRANK of Massachusetts, Ms. HARMAN, Mr. HINCHEY, Ms. NORTON, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON-LEE of Texas, Mr. KUCINICH, Mr. LANGEVIN, Mr. LANTOS, Mr. LEWIS of Georgia, Ms. LEE, Ms. ZOE LOFGREN of California, Ms. MCCOLLUM of Minnesota, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. MORAN of Virginia, Mr. NADLER, Mr. OBERSTAR, Mr. OLVER, Mr. PALLONE, Ms. ROYBAL-ALLARD, Ms. LINDA T. SÁNCHEZ of California, Mr. SANDERS,

Ms. SCHAKOWSKY, Mr. SHAYS, Ms. SOLIS, Mr. STARK, Mrs. TAUSCHER, Mr. UDALL of Colorado, Mr. VAN HOLLEN, Ms. WATERS, Ms. WATSON, Mr. WAXMAN, Mr. WEXLER, and Ms. WOOLSEY):

H.R. 1059. A bill to amend title 10, United States Code, to enhance the readiness of the Armed Forces by replacing the current policy concerning homosexuality in the Armed Forces, referred to as ''Don't Ask, Don't Tell'', with a policy of nondiscrimination on the basis of sexual orientation; to the Committee on Armed Services.

By Ms. NORTON:

H.R. 1060. A bill to amend the Elementary and Secondary Education Act of 1965 to encourage the implementation or expansion of prekindergarten programs for students 4 years of age or younger; to the Committee on Education and the Workforce.

By Mr. ROHRABACHER:

H.R. 1061. A bill to prohibit United States assistance to the Federal Democratic Republic of Ethiopia until the Ethiopian Government returns all property of United States citizens and entities that has been nationalized, expropriated, or otherwise seized by the Ethiopian Government in contravention of international law, and for other purposes; to the Committee on International Relations, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHAW (for himself, Mr. HERGER, Mr. RAMSTAD, Mr. SAM JOHNSON of Texas, Mr. ENGLISH of Pennsylvania, Mr. HAYWORTH, Mr. FOLEY, and Mr. SESSIONS):

H.R. 1062. A bill to amend the Internal Revenue Code of 1986 to provide a shorter recovery period for the depreciation of certain improvements to retail space; to the Committee on Ways and Means.

By Mr. SHAW (for himself, Mr. TAYLOR of Mississippi, Mr. PUTNAM, Mr. BOSWELL, Mr. RYAN of Wisconsin, and Mr. KIND):

H.R. 1063. A bill to amend the Internal Revenue Code to restore equity and complete the transfer of motor fuel excise taxes attributable to motorboat and small engine fuels into the Aquatic Resources Trust Fund, and for other purposes; to the Committee on Ways and Means.

By Mr. SIMPSON:

H.R. 1064. A bill to remove the authority of the Ninth Circuit Court of Appeals to sit en banc with fewer than all circuit judges in regular active service; to the Committee on the Judiciary.

By Mr. STEARNS (for himself, Ms. SCHAKOWSKY, and Mr. BROWN of Ohio):

H.R. 1065. A bill to establish the United States Boxing Commission to protect the general welfare of boxers and to ensure fairness in the sport of professional boxing; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SANDERS (for himself and Mr. PAUL):

H.J. Res. 27. A joint resolution withdrawing the approval of the United States from the Agreement establishing the World Trade Organization; to the Committee on Ways and Means.

By Mr. JACKSON of Illinois (for himself, Mr. BISHOP of Georgia, Ms. CORRINE BROWN of Florida, Mr. BUTTERFIELD, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. FATTAH, Mr. FORD, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHEY, Ms. JACKSON-LEE of Texas, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Ms. KAPTUR, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK of Michigan, Mr. KUCINICH, Ms. LEE, Mr. LEWIS of Georgia, Mr. MEEK of Florida, Mr. MEEKS of New York, Mrs. NAPOLITANO, Ms. NORTON, Mr. OWENS, Mr. PAYNE, Mr. RANGEL, Mr. RUSH, Mr. SANDERS, Mr. SCOTT of Georgia, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. STARK, Mr. THOMPSON of Mississippi, Mr. TOWNS, Ms. VELÁZQUEZ, Ms. WATERS, Ms. WATSON, Mr. WATT, Ms. WOOLSEY, Mr. WYNN, Ms. MCKINNEY, Mr. CLEAVER, Mr. DAVIS of Illinois, and Ms. SCHAKOWSKY):

H.J. Res. 28. A joint resolution proposing an amendment to the Constitution of the United States regarding the right to vote; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois (for himself, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLAY, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. FATTAH, Mr. FORD, Mr. GUTIERREZ, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Ms. KILPATRICK of Michigan, Mr. KUCINICH, Mr. LEWIS of Georgia, Mr. MEEK of Florida, Mr. OWENS, Mr. RUSH, Mr. SCOTT of Georgia, Mr. SERRANO, Mr. THOMPSON of Mississippi, Ms. VELÁZQUEZ, Ms. WATERS, Ms. WATSON, Mr. WATT, Ms. MCKINNEY, and Mr. CLEAVER):

H.J. Res. 29. A joint resolution proposing an amendment to the Constitution of the United States regarding the right of all citizens of the United States to a public education of equal high quality; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois (for himself, Mr. STARK, Ms. CARSON, Mrs. CHRISTENSEN, Mr. CLYBURN, Mr. CONYERS, Mr. CUMMINGS, Mr. FATTAH, Mr. GUTIERREZ, Mr. JEFFERSON, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. JONES of Ohio, Mr. KENNEDY of Rhode Island, Mr. KUCINICH, Mr. MEEK of Florida, Mr. OWENS, Mr. RUSH, Mr. SERRANO, Mr. THOMPSON of Mississippi, Ms. VELÁZQUEZ, Ms. WATERS, Ms. WATSON, Mr. WATT, Ms. MCKINNEY, Mr. CLEAVER, and Ms. SCHAKOWSKY):

H.J. Res. 30. A joint resolution proposing an amendment to the Constitution of the United States regarding the right of citizens of the United States to health care of equal high quality; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 31. A joint resolution proposing an amendment to the Constitution of the United States relating to equality of rights and reproductive rights; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 32. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to decent, safe, sanitary, and affordable housing; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 33. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to a clean, safe, and sustainable environment; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 34. A joint resolution proposing an amendment to the Constitution of the United States relative to taxing the people of the United States progressively; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois:

H.J. Res. 35. A joint resolution proposing an amendment to the Constitution of the United States respecting the right to full employment and balanced growth; to the Committee on the Judiciary.

By Mr. JACKSON of Illinois (for himself and Mr. FRANK of Massachusetts):

H.J. Res. 36. A joint resolution proposing an amendment to the Constitution of the United States to abolish the Electoral College and provide for the direct election of the President and Vice President by the popular vote of all citizens of the United States regardless of place of residence; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Ms. ROS-LEHTINEN, Mr. LANTOS, Mr. LINCOLN DIAZ-BALART of Florida, Mr. MARIO DIAZ-BALART of Florida, Mr. SMITH of New Jersey, Mr. BURTON of Indiana, and Mr. HYDE):

H. Con. Res. 81. Concurrent resolution expressing the sense of Congress regarding the two-year anniversary of the human rights crackdown in Cuba; to the Committee on International Relations.

By Mr. NEY:

H. Res. 133. A resolution providing amounts from the applicable accounts of the House of Representatives for continuing expenses of standing and select committees of the House from April 1, 2005, through April 30, 2005; to the Committee on House Administration.

By Mr. GEORGE MILLER of California:

H. Res. 134. A resolution requesting the President to transmit to the House of Representatives certain information relating to plan assets and liabilities of single-employer pension plans; to the Committee on Education and the Workforce.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

6. The SPEAKER presented a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 23 memorializing the Congress of the United States to award the Congressional Medal of Honor to Major Richard D. Winters; to the Committee on Armed Services.

7. Also, a memorial of the Senate of the Commonwealth of Pennsylvania, relative to Senate Resolution No. 5 memorializing the Congress of the United States to award the Medal of Honor to Major Richard D. Winters; to the Committee on Armed Services.

8. Also, a memorial of the House of Representatives of the Commonwealth of Pennsylvania, relative to House Resolution No. 59 memorializing the President and Congress of the United States to increase the military death gratuity payment and the SGLI maximum benefit and to require the Federal Government to pay the SGLI premiums for members of the armed forces; jointly to the Committees on Armed Services and Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. MEEHAN:

H.R. 1066. A bill for the relief of Toan Duc Le; to the Committee on the Judiciary.

By Mr. ROHRABACHER:

H.R. 1067. A bill for the relief of John Castellano; to the Committee on the Judiciary.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 3: Mr. WU.

H.R. 8: Mr. BOUSTANY, Mr. PICKERING, Mr. PAUL, Mrs. JO ANN DAVIS of Virginia, Mr. RENZI, Mr. SIMPSON, Mr. HYDE, Mr. MACK, Mr. LATOURETTE, Mr. NUSSLE, Mr. BOEHLERT, Mr. HAYES, Mr. SIMMONS, Miss MCMORRIS, Mrs. KELLY, Mr. ROGERS of Michigan, Mr. KIRK, and Mr. RAMSTAD.

H.R. 13: Mr. CANNON, Mr. MCHENRY, Mr. CUMMINGS, Ms. ZOE LOFGREN of California, Mr. EVANS, and Mr. WAMP.

H.R. 21: Ms. LORETTA SANCHEZ of California, Ms. HERSETH, Mr. MEEK of Florida, Mr. BECERRA, Mr. REYES, Mrs. MALONEY, Mr. MEEHAN, Mr. LEWIS of Georgia, Ms. PELOSI, Mr. BRADY of Pennsylvania, Ms. DEGETTE, Mr. PASTOR, Mr. PETERSON of Minnesota, Mr. SABO, Mr. GORDON, Mr. LARSON of Connecticut, Mr. LEVIN, Mr. STUPAK, Mr. TIERNEY, Ms. WOOLSEY, and Mr. WELDON of Florida.

H.R. 22: Mr. BOOZMAN, Ms. ROYBAL-ALLARD, Mr. BLUMENAUER, Mr. ROSS, Mr. BACA, Ms. WOOLSEY, Ms. ZOE LOFGREN of California, Mr. ROTHMAN, Mr. LANTOS, Mr. HONDA, Mr. BERMAN, and Ms. MILLENDER-MCDONALD.

H.R. 25: Mr. NEY.

H.R. 32: Mr. RYAN of Ohio, Ms. WATSON, and Mr. FITZPATRICK of Pennsylvania.

H.R. 34: Mr. MCCOTTER, Mr. PENCE, Mr. BURGESS, Mr. WELDON of Florida, Mr. MOORE of Kansas, Mr. BARTLETT of Maryland, Mr. SMITH of New Jersey, Mr. ANDREWS, Mr. ROHRABACHER, and Mr. HUNTER.

H.R. 65: Mr. MOLLOHAN and Mr. HULSHOF.

H.R. 68: Mrs. TAUSCHER and Mr. WYNN.

H.R. 113: Mr. NEY and Mr. OXLEY.

H.R. 115: Mr. PAYNE, Mr. SNYDER, Mr. OWENS, and Mr. OBERSTAR.

H.R. 136: Mr. GINGREY.

H.R. 179: Mr. GARRETT of New Jersey.

H.R. 180: Mr. GARRETT of New Jersey.

H.R. 181: Ms. FOXX and Mr. AKIN.

H.R. 197: Mr. FORD.

H.R. 198: Mr. PASTOR, Mr. SCOTT of Virginia, Mr. WEINER, Mr. RANGEL, and Mrs. MCCARTHY.

H.R. 224: Mr. GORDON.

H.R. 227: Ms. SLAUGHTER and Mr. WALSH.

H.R. 230: Mr. LATHAM and Mr. CASE.

H.R. 239: Mr. INGLIS of South Carolina, Mr. WICKER, and Mr. SOUDER.

H.R. 274: Mr. WOLF, Mrs. MILLER of Michigan, Mrs. DRAKE, and Mr. CANTOR.

H.R. 284: Mr. ALLEN and Mr. PAYNE.

H.R. 302: Mr. GUTIERREZ and Ms. SOLIS.

H.R. 303: Mr. EDWARDS, Mr. BOYD, Mr. LOBIONDO, Mr. LANGEVIN, Mr. BOSWELL, Ms. ZOE LOFGREN of California, Mr. MCGOVERN, Mr. ABERCROMBIE, and Ms. PELOSI.

H.R. 305: Mr. CONAWAY, Mr. NEUGEBAUER, Mr. MILLER of North Carolina, Mr. REYNOLDS, Mr. SNYDER, and Mr. GREEN of Wisconsin.

H.R. 341: Mr. HOLDEN, Mr. LARSEN of Washington, and Mr. MCHUGH.

H.R. 354: Mr. MCCAUL of Texas.

H.R. 358: Mr. EDWARDS, Mr. FORBES, Mr. SHUSTER, Mr. KLINE, Mr. ISRAEL, Mr. MCINTYRE, Mr. WELDON of Florida, Mr. HOSTETTLER, Mr. RENZI, Mr. SHERWOOD, Mr. PUTNAM, Mr. DUNCAN, Mr. BILIRAKIS, Mr. BONILLA, Mr. TOWNS, Mr. BARTLETT of Maryland, Mr. WAMP, Mr. KOLBE, Mr. PETRI, Mr. LINDER, Mr. PASCRELL, Mr. TANNER, Mr. MATHESON, Mr. BAKER, Mr. RUPPERSBERGER, Mr. HEFLEY, Mr. COBLE, Mr. BOUCHER, Mr. MCCOTTER, Mr. PITTS, Mr. CARNAHAN, Mr. UDALL of New Mexico, Mr. HIGGINS, Ms. MCKINNEY, Mr. OBERSTAR, Mr. LARSEN of Washington, Mrs. LOWEY, Mr. MCHUGH, and Mr. PENCE.

H.R. 364: Mr. SESSIONS.

H.R. 376: Ms. LORETTA SANCHEZ of California, Mr. KANJORSKI, Mr. LEVIN, Mr. CARNAHAN, Mr. TIERNEY, Mr. WOLF, Ms. ESHOO, Mr. VAN HOLLEN, Mr. COOPER, Mr. UDALL of New Mexico, Mrs. MALONEY, Mr. MEEHAN, Mr. CASE, Mr. DINGELL, Ms. ROYBAL-ALLARD, Mr. BRADY of Pennsylvania, Mr. LANGEVIN, Mr. FILNER, Mr. WEXLER, Mr. ORTIZ, Ms. JACKSON-LEE of Texas, and Ms. KAPTUR.

H.R. 380: Mr. LATHAM.

H.R. 389: Mr. GARY G. MILLER of California, Mr. LAHOOD, Ms. GINNY BROWN-WAITE of Florida, and Mr. CAPUANO.

H.R. 420: Mr. NEY.

H.R. 442: Mr. GRIJALVA, Ms. MCCOLLUM of Minnesota, and Ms. SLAUGHTER.

H.R. 454: Mr. CONAWAY.

H.R. 459: Ms. LINDA T. SÁNCHEZ of California, Mr. DEFAZIO, Mr. NEAL of Massachusetts, Mr. DELAHUNT, Mr. FARR, Ms. KAPTUR, Mr. LEWIS of Georgia, Mr. CLYBURN, and Mr. BISHOP of Georgia.

H.R. 499: Ms. LEE.

H.R. 500: Mr. INGLIS of South Carolina, Mr. BARRETT of South Carolina, Mr. HASTINGS of Washington, Mr. FRANKS of Arizona, Mr. HERGER, and Mr. PITTS.

H.R. 503: Mr. RUSH, Mr. TAYLOR of Mississippi, Mr. TIERNEY, Mr. FILNER, Mr. MENENDEZ, Mr. SIMMONS, Mr. WU, Mr. SHAW, Mr. WILSON of South Carolina, Mr. NADLER, Mr. ROTHMAN, Mr. LARSEN of Washington, Mr. KENNEDY of Rhode Island, and Ms. MCCOLLUM of Minnesota.

H.R. 513: Mr. BOYD.

H.R. 524: Mr. PORTER.

H.R. 530: Mr. MILLER of Florida.

H.R. 535: Mr. ISSA.

H.R. 550: Mr. DAVIS of Florida, Mr. UDALL of New Mexico, Mrs. LOWEY, Mr. ACKERMAN, Mr. BOYD, Mr. MEEK of Florida, Mr. MCNULTY, Ms. DEGETTE, Ms. JACKSON-LEE of Texas, Mr. ROTHMAN, and Mr. DAVIS of Illinois.

H.R. 554: Mr. BAKER, Mr. MCCOTTER, and Ms. FOXX.

H.R. 556: Mr. LAHOOD and Mrs. CAPPS.

H.R. 558: Mr. VAN HOLLEN, Mr. MICHAUD, Mr. BRADY of Pennsylvania, Mr. RYAN of Ohio, Mr. HOLDEN, Mr. BOSWELL, and Mr. CUMMINGS.

H.R. 559: Mr. KUCINICH, Mr. RUSH, Ms. MCCOLLUM of Minnesota, Ms. WATSON, and Mr. WEXLER.

H.R. 581: Mr. FLAKE and Mr. EMANUEL.

H.R. 583: Mr. PLATTS, Mr. CUMMINGS, Mr. LAHOOD, Ms. WOOLSEY, and Mr. JACKSON of Illinois.

H.R. 588: Mr. WEINER, Mr. OTTER, Mr. STEARNS, Mr. GARRETT of New Jersey, and Mr. FOLEY.

H.R. 601: Mr. MORAN of Virginia, Mr. PETERSON of Minnesota, Mr. SOUDER, and Mr. GREEN of Wisconsin.

H.R. 602: Mr. CONYERS, Mr. EVANS, Mr. MILLER of North Carolina, and Mrs. CAPITO.

H.R. 606: Mr. GUTIERREZ and Mr. COSTA.

H.R. 613: Mr. CALVERT.

H.R. 615: Mr. HAYES, Mr. BROWN of Ohio, Mr. GALLEGLY, Mr. PORTER, and Mr. EVANS.

H.R. 625: Mr. BEAUPREZ.

H.R. 626: Mr. ENGLISH of Pennsylvania, Mr. CARDIN, and Mr. TANNER.

H.R. 650: Mr. GINNY BROWN-WAITE of Florida and Mr. SOUDER.

H.R. 651: Mr. REHBERG.

H.R. 669: Mr. ETHERIDGE, Mr. LAHOOD, and Mrs. CAPPS.

H.R. 670: Mr. ALEXANDER and Ms. GINNY BROWN-WAITE of Florida.

H.R. 692: Mr. GORDON.

H.R. 759: Mr. MCGOVERN, Mr. KENNEDY of Rhode Island, Mr. HOLT, Mrs. CAPPS, and Mr. LANTOS.

H.R. 761: Mrs. MALONEY, Mr. BLUMENAUER, Mr. NEUGEBAUER, and Ms. DEGETTE.

H.R. 771: Mrs. MCCARTHY.

H.R. 778: Mr. MILLER of Florida.

H.R. 783: Mr. GERLACH, Mr. FORD, Mr. CLAY, Mr. BARRETT of South Carolina, Mrs. JO ANN DAVIS of Virginia, Mr. SOUDER, and Ms. SCHWARTZ of Pennsylvania.

H.R. 791: Mr. EMANUEL, Mr. HOLT, Mr. SMITH of Washington, Mr. TIERNEY, Ms. MCCOLLUM of Minnesota, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Mrs. MCCARTHY, Mr. WEXLER, Mr. OWENS, Mr. MCGOVERN, Mr. COOPER, Mr. ABERCROMBIE, Mr. LANTOS, Mr. MORAN of Virginia, Mr. PAYNE, Mr. PALLONE, Mr. WAXMAN, and Mr. SHAYS.

H.R. 793: Mrs. MILLER of Michigan and Mr. MOORE of Kansas.

H.R. 798: Mr. COSTA, Mr. HONDA, Ms. JACKSON-LEE of Texas, Mr. GENE GREEN of Texas, and Mr. BOREN.

H.R. 799: Mr. FILNER.

H.R. 810: Mr. BRADY of Pennsylvania, Mr. THOMPSON of California, Mr. TIERNEY, Mr. SANDERS, Mr. MILLER of North Carolina, and Ms. MOORE of Wisconsin.

H.R. 817: Ms. DEGETTE, Mr. INSLEE, Mr. CROWLEY, Mr. ROTHMAN, Mr. FRELINGHUYSEN, Mr. PASCRELL, Mr. MOORE of Kansas, and Mr. NADLER.

H.R. 818: Mr. OWENS.

H.R. 834: Mr. MORAN of Virginia and Ms. ESHOO.

H.R. 840: Mr. SMITH of New Jersey and Mr. BROWN of Ohio.

H.R. 845: Mr. NEUGEBAUER and Mr. KUHL of New York.

H.R. 870: Mr. CUMMINGS and Mr. ISRAEL.

H.R. 871: Mr. DEFAZIO and Ms. ESHOO.

H.R. 888: Mr. BARRETT of South Carolina.

H.R. 895: Mr. PORTER.

H.R. 897: Mr. ROGERS of Michigan and Mr. EMANUEL.

H.R. 899: Mr. LINCOLN DIAZ-BALART of Florida.

H.R. 911: Mr. SAM JOHNSON of Texas and Mr. GOODLATTE.

H.R. 920: Mr. KENNEDY of Minnesota, Ms. GINNY BROWN-WAITE of Florida, and Mr. GORDON.

H.R. 923: Mr. GOODE and Mrs. MCCARTHY.

H.R. 924: Mr. PAYNE.

H.R. 963: Mr. MCCAUL of Texas.

H.R. 986: Mr. MCHUGH, Mr. PUTNAM, and Mr. MCCAUL of Texas.

H.R. 987: Mr. ISRAEL.

H.R. 997: Mr. LAHOOD, Mr. CAMP, and Mr. RYUN of Kansas.

H.R. 1002: Mr. ABERCROMBIE, Mrs. BIGGERT, Mr. BISHOP of Georgia, Mr. COSTELLO, Mr. CUMMINGS, Mr. GOODE, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HOLDEN, Ms. NORTON, Ms. JACKSON-LEE of Texas, Mr. MCDERMOTT, Mr. MEEKS of New York, Ms. MILLENDER-MCDONALD, Mr. PALLONE, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, and Ms. WOOLSEY.

H.R. 1006: Ms. LEE.

H.J. Res. 10: Mrs. CAPITO, Mr. ROTHMAN, and Mr. PORTER.

H. Con. Res. 27: Mr. BRADY of Pennsylvania, Ms. WATSON, Mr. ABERCROMBIE, Mr. GEORGE MILLER of California, Mr. RUSH, Mr. GRIJALVA, Mr. PALLONE, Mr. NEAL of Massachusetts, Ms. WOOLSEY, Mr. STRICKLAND, Mr. OBERSTAR, Mr. OWENS, Mr. RANGEL, Mr. DOYLE, Mr. DINGELL, Mr. BERMAN, Mr. DAVIS of Illinois, Mr. SMITH of Washington, Mr. SANDERS, Mr. MCGOVERN, Mr. MCNULTY, Mr. AL GREEN of Texas, Mr. HIGGINS, Mr. ISRAEL, and Mr. CROWLEY.

H. Con. Res. 32: Mrs. MILLER of Michigan.

H. Con. Res. 34: Ms. LORETTA SANCHEZ of California, Mrs. MALONEY, Ms. KAPTUR, Ms. BALDWIN, Mr. DAVIS of Illinois, Mr. ROTHMAN, Ms. WOOLSEY, and Mr. FRANK of Massachusetts.

H. Con. Res. 42: Mr. ALEXANDER.

H. Con. Res. 65: Mr. ENGLISH of Pennsylvania and Mr. CHANDLER.

H. Res. 22: Mr. GARRETT of New Jersey.

H. Res. 67: Ms. HARMAN, Mr. HINCHEY, Ms. MOORE of Wisconsin, Mr. VAN HOLLEN, Mr. EVANS, and Mr. ROTHMAN.

H. Res. 84: Mr. BARRETT of South Carolina.

H. Res. 101: Mr. BERMAN, Mr. HASTINGS of Florida, Mr. MCCOTTER, Ms. SCHAKOWSKY, Mr. CARDOZA, Mr. FORD, Mr. BARRETT of South Carolina, Mr. ISRAEL, Mr. CLEAVER, Mr. WELLER, Mr. BUTTERFIELD, and Mr. ETHERIDGE.

H. Res. 108: Mr. MCCOTTER, Mrs. DAVIS of California, Mr. BURTON of Indiana, Mr. GEORGE MILLER of California, Mr. PALLONE, Mrs. JONES of Ohio, Mr. LANTOS, Mr. HASTINGS of Florida, Mr. WELDON of Pennsylvania, Mr. KING of New York, and Mr. BERMAN.

H. Res. 115: Mr. BROWN of Ohio.

H. Res. 120: Mr. MCCAUL of Texas, Mr. ETHERIDGE, Mr. SMITH of Washington, Ms. ROS-LEHTINEN, and Mr. SMITH of New Jersey.

PETITIONS, ETC.

Under clause 3 of rule XII,

8. The SPEAKER presented a petition of the City Council of Atlanta, Georgia, relative to Resolution 04-R-1724 supporting the District of Columbia's right to have its elected Representative have full voting rights in the United States House of Representatives and the District of Columbia is the permanent seat of government for the United States and voting rights in our capital is a national concern; and for other purposes; which was referred to the Committee on the Judiciary.