

to be able to experience this miracle, if they want to open their homes and raise children in an adoptive family. So increasing this tax credit from \$5,000 to \$10,000 is important. My Ways and Means colleague, NANCY JOHNSON, has played an important role on that one.

Now, for all the platitudes, and they were especially in commemorating the successes important to make, I know David doesn't feel like we have arrived and gotten the job done. I don't either. We have more to do. There are 118,000 foster children today waiting to be adopted. To find a loving home for every waiting child, we should focus more attention on recruiting adoptive parents and on providing post-adoption services to help families with ongoing medical, counseling and referral needs.

In the passage of this resolution, I hope there is a bit of this vote that represents a recommitment to continuing to explore whatever we can do to unite families, parents who want to provide a loving home to innocent, precious children that so richly deserve it.

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

Mr. CAMP of Michigan. Mr. Speaker, I thank the gentleman from North Dakota for his comments, a distinguished member of the Ways and Means Committee.

Mr. Speaker, I yield 3 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise today in support of this resolution. The Adoption and Safe Families Act of 1997 has proven itself instrumental in increasing adoption in every month of the year. The legislation made it easier to adopt children across State lines, and it also provided some financial incentives to States to improve their foster care systems.

Prior to adoption of the bill, the number of children in foster care and the length of time that they spent in foster care was rapidly increasing. In just two decades prior to the mid-1990s, the number of children in the foster care system more than doubled. The crisis was threatening to overwhelm various State social services departments. More importantly, it was brutally unfair to hundreds and thousands of children.

However, since passage of the bill in 1997, the number of children adopted out of foster care has actually increased by some 65 percent. In 1996, only 31,000 children were adopted. By 2004, that number rose to 51,000. It is a start. We certainly need to have more adoptive families out there.

Moreover, not only are more children being adopted, but they are also spending less time in the foster care system. However, this Congress must not forget that hundreds of thousands of children still remain in the foster care system and more still remains to be done. This year alone, those older foster care children, some 19,000, will age out of the foster care system. Additionally, one in

five children will still languish in foster care for more than 5 years.

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I am a board member of the Congressional Coalition on Adoption Institutes, and it is a very, very worthwhile group out there to promote foster parents, good foster parents, as well as adoption.

I have two beautiful children I gave birth to and one child that I adopted. She was an older, hard-to-place child, and usually in the adoption system the older children, especially someone designated as hard to place, are the last ones to be adopted.

I certainly hope that this resolution will shine some light on the need for more people to step forward and consider adoption of children of all ages. In my heart of hearts, I have a very special place for my adoptive daughter who is now an adult. She was a special needs child. They do require more time, they require more love and certainly a lot of structure, and with that plan, they can become very productive members of society.

We must build on the success of the Adoption and Safe Families Act of 1997 by continuing to raise awareness about foster youth and adoption.

Mr. POMEROY. Mr. Speaker, I commend the preceding speaker, our colleague, for the personal commitment she has made in this area she indicated, and I yield 4 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I want to thank the gentleman for yielding.

First, I want to commend him and Mr. CAMP for their outstanding leadership and the passion with which they display relative to this issue and their personal involvement.

Mr. Speaker, I rise to recognize the significance of the Adoption and Safe Families Act of 1997. ASFA provided sweeping changes in Federal child welfare law designed to ensure children's safety and to quicken permanent placements in the event that a child could not return home.

By enacting the Adoption and Safe Families Act of 1997, Congress recognized the need to align Federal incentives with the desired goal of providing abused and neglected children safe, permanent homes. This law has helped move States to promote adoption and has helped moved children into permanent homes.

In praising ASFA, I want to take a moment to highlight the need to develop similar policies to promote permanency more broadly. ASFA has done much to promote adoption, but policymakers should extend ASFA's successes to other areas of permanency to address the needs of hundreds of thousands of children for whom adoption is not appropriate.

Using ASFA as a model, the bipartisan Pew Commission on Children in Foster Care recommended that Federal

policies create subsidized guardianship programs and State incentives to promote permanency more broadly, be it via reunification, adoption or guardianship.

Also, we must use our understanding of the implementation of ASFA to make it better. I am particularly concerned about the over 29,000 children who have entered our child welfare system due to parental incarceration, most often from nonviolent acts. The parameters set forth by ASFA do not align well with those of the criminal justice system, leading to a permanent separation of many children from their parents and family.

I encourage my colleagues to consult the wonderful policy brief by the Brennan Center for Justice at the New York University School of Law on the topic. "Rebuilding Families, Reclaiming Lives," draws attention to hurdles created by the lack of consistency in Federal policies with regard to children of incarcerated parents. It also offers policy recommendations to promote stability and well-being for the children.

Mr. Speaker, I also take this second to commend the One Church, One Family, One Child program in Illinois, who are indeed going to be here for the Angels in Adoption gala. They have developed a unique program of recruiting families to become foster parents to children coming out of correctional institutions. I commend them for that outstanding work and note Reverend Parks, Reverend Nelson and Ms. Hunt who have developed a fantastic program with the other members of their board.

Again, I commend the gentlemen for their outstanding work on this issue.

Mr. HERGER. Mr. Speaker, I rise today in strong support of H. Res. 959, which recognizes and supports the success of the Adoption and Safe Families Act of 1997 in increasing adoptions. I would like to thank the gentleman from Michigan, Mr. CAMP, for introducing this resolution and for his work to enact legislation to improve the lives of abused and neglected children.

The number of children adopted from our nation's foster care system has substantially increased since enactment of the Adoption and Safe Families Act from 31,000 in 1997 to over 51,000 in 2004. I applaud the judges, attorneys, state officials, and other adoption professionals who have worked tirelessly to move foster children more quickly into permanent, loving families. National Adoption Day in November 2005 finalized the adoptions of more than 3,300 children from foster care and I hope the November 2006 National Adoption Day is even more successful.

There are currently 118,000 foster children available for adoption and we must do more to find them loving families. Almost half of these children are aged 9 or older and therefore at risk of spending their entire childhood in foster care and aging out of the system without a permanent home. In 2003, President Bush signed the Adoption Promotion Act, which extended the availability of adoption incentive payments to the States while promoting the adoption of older children. We will continue to support policies that ensure children who cannot be safely reunified with their parents are

moved quickly into permanent, adoptive homes.

I also wish to recognize the many talented and hardworking staff at the Department of Health and Human Services for their outstanding work in this area. More than 6,000 children have been placed in adoptive homes since the launch of www.adoptuskids.org, a website which connects families with waiting children. We must do more to help connect would-be adoptive parents with these children to ensure every child grows up in a safe, loving family.

Again, I wish to thank the gentleman from Michigan for introducing this resolution. I'd like to personally thank the many child welfare professionals and most importantly all the adoptive families across America who have made a permanent commitment to improve the lives of these vulnerable children. They are the real heroes behind the many improvements we have seen in recent years.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise today to support H. Res. 959 recognizing and supporting the success of the Adoption and Safe Families Act of 1997 in increasing adoption and the efforts the Act has spurred including National Adoption Day, National Adoption Month, and encouraging adoption throughout the year.

As the Chair of the Congressional Children's Caucus, I especially understand the importance of providing a stable, safe, loving home for all of our children. Under the Adoption and Safe Families Act of 1997, the number of children adopted from foster care has increased significantly, with approximately 51,000 children from foster care in fiscal year 2004 alone.

This progress must be recognized, yet we know that there is much more work to be done to ensure that every child has a safe, permanent and loving home. On a daily basis, in America, children enter the foster care system as victims of abuse, neglect or abandonment. Most of them will wait at least five years before being adopted. Siblings will be separated from each other and most will have moved at least three times before being adopted. It is currently an unfortunate fact that one in five children will never be adopted, and will be forced out of the foster care system at the age of 18 with little or no family support.

Modeling the successes of the Adoption and Safe Families Act and National Adoption Day, states have significantly increased adoptions from foster care. National Adoption Day inspires a collective national effort to raise awareness to the 119,000 children in foster care awaiting permanent, loving families. For the last six years, National Adoption Day has seen the dreams of thousands of children come true by working with courts, judges, and attorneys to finalize adoptions and find permanent, loving homes for foster care children.

Let me add that I hope that before we recess, we may have the opportunity to make a further statement with H.R. 1704, Second Chance Act. This important legislation reauthorizes, rewrites, and expands crucial provisions regarding adult and juvenile offender re-entry demonstration projects, in order to address issues of recidivism and the effects of the criminal justice system and child welfare services on families.

The welfare of children must continue to be a priority for all Americans. Every child deserves a warm, safe, stable home environ-

ment. It is imperative that we support and recognize the success of the Adoption and Safe Families Act of 1997 of increasing adoption of foster care children. Because children are the future, we must support them in the present.

I urge my colleagues to support this important resolution.

Mr. POMEROY. Mr. Speaker, seeing no other speakers, I yield back the balance of our time.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CAMP) that the House suspend the rules and agree to the resolution, H. Res. 959.

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

A motion to reconsider was laid on the table.

STUDENT AND TEACHER SAFETY ACT OF 2006

Mr. KUHLMAN of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5295) to protect students and teachers, as amended.

The Clerk read as follows:

H.R. 5295

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 "Student and Teacher Safety Act of 2006".

SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States Department of Education's National Center for Education Statistics reported in the 2005 Indicators of School Crime and Safety that in 2003 seventeen percent of students in grades 9–12 reported they carried a weapon. Six percent reported having carried a weapon on school grounds.

(2) The same survey reported that 29 percent of all students in grades 9–12 reported that someone offered, sold, or gave them an illegal drug on school property within the last 12 months.

(3) The United States Constitution's Fourth Amendment guarantees "the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures".

(4) That while the Supreme Court affirmed the Fourth Amendment's application to students in public schools in *New Jersey vs. TLO* (1985), the Court held that searches of students by school officials do not require warrants issued by judges showing probable cause. The Court will ordinarily hold that such a search is permissible if—

(A) there are reasonable grounds for suspecting the search will reveal evidence that the student violated the law or school rules; and

(B) the measures used to conduct the search are reasonably related to the search's objectives, without being excessively intrusive in light of the student's age, sex, and nature of the offense.

(5) The Supreme Court held in *Board of Education of Independent Sch. Dist. 92 of Pottawatomie County vs. Earls* (2002) that random drug testing of students who were participating in extracurricular activities was reasonable and did not violate the

Fourth Amendment. The Court stated that such search policies effectively serve the School Districts interest in protecting its students' health and safety.

SEC. 3. SEARCHES BASED ON REASONABLE SUSPICION.

(a) IN GENERAL.—Each local educational agency shall have in effect throughout the jurisdiction of the agency policies that ensure that a search described in subsection (b) is deemed reasonable and permissible.

(b) SEARCHES COVERED.—A search referred to in subsection (a) is a search by a full-time teacher or school official, acting on any reasonable suspicion based on professional experience and judgment, of any minor student on the grounds of any public school, if the search is conducted to ensure that classrooms, school buildings, school property and students remain free from the threat of all weapons, dangerous materials, or illegal narcotics. The measures used to conduct any search must be reasonably related to the search's objectives, without being excessively intrusive in light of the student's age, sex, and the nature of the offense.

SEC. 4. ENCOURAGEMENT TO PROTECT STUDENTS AND TEACHERS.

(a) IN GENERAL.—A local educational agency that fails to comply with section 3 shall not, during the period of noncompliance, receive any Safe and Drug Free School funds after fiscal year 2008.

(b) DEFINITION.—In this section, the term "Safe and Drug Free School funds" includes any funds under Part A of Title IV of the Elementary and Secondary Education Act of 1965.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. KUHLMAN) and the gentleman from California (Mr. GEORGE MILLER) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. KUHLMAN of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on H.R. 5295.

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

There was no objection.

Mr. KUHLMAN of New York. Mr. Speaker, I yield myself such time as I may consume.

It gives me great pleasure to rise in support of H.R. 5295, the Student and Teacher Safety Act of 2006, of which I am a cosponsor. This bill is designed to help schools take actions to keep students and property safe from harm and destruction.

We have an obligation to make the learning environment in which our children attend free from weapons and drugs. By allowing school officials the ability to use their experience and intuition, we are eliminating these threats of violence before they have an opportunity to occur.

Specifically, this bill encourages local school agencies to establish policies that put parents and students on notice that weapons and drugs will not be tolerated within school bounds, and gives power to school officials and full-time teachers to enforce such policies. We all know that the threat of weapons