

Ms. SEWELL. Today I rise to express my condolences and heartfelt wishes for the family of Reverend Fred Shuttlesworth, who passed this morning.

Reverend Fred Shuttlesworth was an icon of the civil rights movement. I know that in Birmingham, Alabama, we hold him in high esteem, and today I just wanted to make sure that my colleagues knew that Reverend Shuttlesworth passed this morning.

I know in the days and weeks to come we will celebrate his life and memorialize him in proper form, but today I rise just to acknowledge his wonderful work and to make sure that his family knew that we as Americans truly appreciate their sacrifice and his wonderful accomplishments to making this country as great as it can be, and making sure that this country upholds its ideals of equality and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. WOMACK). 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 incurs objection under clause 6 of rule XX.

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

RETURNING RECLAIMED BROADBAND STIMULUS FUNDS TO U.S. TREASURY

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1343) to return unused or reclaimed funds made available for broadband awards in the American Recovery and Reinvestment Act of 2009 to the Treasury of the United States, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1343

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ACCOUNTABILITY FOR BROADBAND STIMULUS FUNDS.

(a) *IN GENERAL.*—Notwithstanding any other provision of law, the Administrator of the Rural Utilities Service or the Assistant Secretary of Commerce for Communications and Information shall take prompt and appropriate action to terminate for cause any award made under the Broadband Initiatives Program or the Broadband Technology Opportunities Program, respectively, established pursuant to the American Recovery and Reinvestment Act of 2009, if the Administrator or Assistant Secretary determines that cause exists to terminate the award. Such cause may include an insufficient level of performance, wasteful spending, or fraudulent spending.

(b) *DEOBLIGATION AND RETURN OF FUNDS TO TREASURY.*—

(1) *DEOBLIGATION.*—Upon terminating an award under subsection (a), the Administrator or the Assistant Secretary shall immediately deobligate an amount equivalent to such award, less allowable costs, to the extent funds with re-

spect to such award are available in the account relating to the Broadband Initiatives Program or the Broadband Technology Opportunities Program, respectively. If the Administrator or the Assistant Secretary subsequently recovers any additional amounts from such award, the Administrator or the Assistant Secretary shall deobligate such additional amounts immediately upon receipt.

(2) *RETURN TO TREASURY.*—Not later than 30 days after deobligating an amount under paragraph (1), the Administrator or the Assistant Secretary shall, without exception, return such amount to the general fund of the Treasury of the United States.

(3) *NO EXPENDITURES DURING TERMINATION PROCESS.*—The Administrator or the Assistant Secretary shall promptly pursue available corrective measures to ensure that funds received through an award terminated under subsection (a) are not expended during the termination process.

(4) *ACCOUNTING BY AWARD RECIPIENT.*—The Administrator or the Assistant Secretary shall direct the recipient of an award terminated under subsection (a) to provide to the Administrator or the Assistant Secretary a complete and accurate accounting, which may include an independent accounting, for any award funds that, as of the date of termination, the recipient has received but has not expended on allowable costs.

SEC. 2. DISPOSITION OF UNUSED FUNDS.

The Administrator of the Rural Utilities Service or the Assistant Secretary of Commerce for Communications and Information shall return to the general fund of the Treasury of the United States an amount equivalent to any award, less allowable costs, made under the Broadband Initiatives Program or the Broadband Technology Opportunities Program, respectively, established pursuant to the American Recovery and Reinvestment Act of 2009, if such award has been returned to the Administrator or Assistant Secretary or disclaimed by the award recipient at any time after the date of enactment of such Act.

SEC. 3. OVERSIGHT AND REPORTING REQUIREMENTS.

(a) *ACTION ON INFORMATION FROM OIG OR GAO.*—If the Administrator of the Rural Utilities Service or the Assistant Secretary of Commerce for Communications and Information receives information from an official described in subsection (b) with respect to an award made under the Broadband Initiatives Program or the Broadband Technology Opportunities Program, respectively, established pursuant to the American Recovery and Reinvestment Act of 2009, and such information pertains to material non-compliance with the award terms or provisions or improper usage of award funds, the Administrator or the Assistant Secretary shall—

(1) immediately review such information; and
(2) not later than 30 days after receiving such information, determine whether cause exists to terminate such award under section 1(a), unless the official who provided such information recommends that the Administrator or the Assistant Secretary limit or not make such a determination.

(b) *OFFICIALS DESCRIBED.*—The officials described in this subsection are the following:

(1) With respect to the Broadband Initiatives Program, the Inspector General of the Department of Agriculture.

(2) With respect to the Broadband Technology Opportunities Program, the Inspector General of the Department of Commerce.

(3) The Comptroller General of the United States.

(c) *CONGRESSIONAL NOTIFICATION.*—

(1) *IN GENERAL.*—Not later than 3 days after making a determination described in subsection (a)(2), the Administrator or the Assistant Secretary shall provide a notification of such determination to—

(A) the Committee on Agriculture of the House of Representatives and the Committee on Agriculture of the Senate or the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate, respectively; and

(B) the official who provided the information described in subsection (a).

(2) *CONTENTS OF NOTIFICATION.*—The notification required by paragraph (1) shall include an explanation of—

(A) the determination described in subsection (a)(2); and

(B) any action taken as a result of the determination or why no action was necessary.

(3) *CONFIDENTIAL NOTIFICATION UNDER CERTAIN CIRCUMSTANCES.*—In the case of a determination by the Administrator or the Assistant Secretary under subsection (a)(2) that cause does not exist to terminate the award, the Administrator or the Assistant Secretary may make the congressional notification required by paragraph (1)(A) on a confidential basis, if the Administrator or the Assistant Secretary determines, after consultation with the official who provided the information described in subsection (a), that—

(A) there is no merit to such information; and

(B) notification on a public basis would cause irreparable harm to any person the information is regarding.

SEC. 4. CONFORMING AMENDMENTS.

Section 6001(i)(4) of the American Recovery and Reinvestment Act of 2009 (47 U.S.C. 1305(i)(4)) is amended—

(1) by striking “may” and inserting “shall”; and

(2) by striking “, and award these funds competitively to new or existing applicants consistent with this section”.

SEC. 5. AWARD DEFINED.

In this Act, the term “award” includes grants and loans.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentlewoman from California (Mrs. CAPPS) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD.

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

There was no objection.

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

First of all, I want to thank my colleague from New Hampshire, CHARLIE BASS, who has really worked hard on this issue to bring about greater accountability and oversight of how American taxpayer dollars are being allocated under the American Recovery and Reinvestment Act, especially to make sure that when the money comes back that it's really clear with these agencies that it goes back to pay down the deficit and doesn't end up in some sort of slush fund, and my colleague Mr. BASS has played a real leadership role in both crafting this legislation and making sure it comes to the House at this time.

Mr. Speaker, the American Recovery and Reinvestment Act allocated approximately \$7 billion in taxpayer