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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. WEBSTER).

DESIGNATION OF SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 11, 2012.

I hereby appoint the Honorable DANIEL WEBSTER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 17, 2012, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

9–11–01—11 YEARS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. POE) for 5 minutes.

Mr. POE of Texas. Mr. Speaker, on a cool September morning in Texas, I was driving my Jeep to the courthouse where I was a judge for a long time. I was listening to KILT radio, a country western station. Willie Nelson was singing ''Blue Eyes Crying in the Rain.'' All of the sudden, Robert B. McEntire, the newscaster for KILT radio, comes on and interrupts the program. He said that an airplane had crashed into the north tower of the World Trade Center, and that's about all we knew at that time. It was 8:46 a.m. eastern time, 7:46 a.m. in Texas.

Continuing my daily journey to the courthouse, a few minutes later he comes back on the radio and says that a second airplane had crashed into the second south tower of the World Trade Center in New York City. The world understood at that time this was serious. This was an attack on our Nation, on our country.

After I got to the courthouse, we learned that a third airplane flying over Washington, D.C., very close to the building we're in, the United States Capitol, went down the street less than a mile, and crashed into the Pentagon. That was at 9:37 eastern time. Then a fourth airplane we remember as Flight 93 was flying toward Washington, D.C., probably headed to the Capitol or the White House, where some good, right-thinking folks took control of the plane from hijackers, and they crashed in Pennsylvania in a field at 10:07 eastern standard time.

Mr. Speaker, on September 11, 2001, this Nation was attacked. Three thousand people were killed that day. It's interesting that the attackers decided to attack the World Trade Center because people from 90 nationalities were in the World Trade Center buildings, the south and the north. So it was more than an attack on America; it was an attack on the people of the world, freedom-loving people, people who believed in living life and liberty.

The murder was done by 19 radicals who murdered in the name of religion. Of the 3,000 people that were killed, 411 of them were emergency workers and 341 were members of the New York Fire Department. There were also two fire department members of New York who were paramedics that were killed that day, 23 officers from NYPD, 37 Port Authority officers from New York and New Jersey, and eight emergency medical technicians and paramedics killed that day.

In the aftermath of that morning, first responders from all over the United States later that week went to New York to help in the recovery and help restore what had happened at Ground Zero. Many of those first responders still suffer from toxins that they acquired while working Ground Zero, as many members of first responders from New York and New Jersey are still suffering. But today we remember all of those people that were killed that day on September 11.

Later that evening, I, like most Americans, was watching television, and saw the horror on video of what had occurred. I, like you, Mr. Speaker, saw those thousands of people in New York. When those planes crashed into the World Trade Center buildings, they were fleeing as fast as they could from the terror that came from the sky.

There was another group of people. Like the fire horses of old that charged to the smell of smoke and the roar of fire, those individuals charged to that terror from the sky. There weren't very many. There were a handful, but yet they were there. Who were they? They were the first responders. They were the firefighters. They were the emergency medical technicians. They were the paramedics. They were the peace officers. And many of them died that day.

While it's important that we remember those that were killed, it's equally important that we remember those that got to live, Mr. Speaker, because those first responders charged to that terror from the sky. Many of them gave up their lives so others could live on that infamous day of September 11, 2001.

And that's just the way it is.

IN HONOR OF TROOPER BOBBY GENE DEMUTH

The SPEAKER pro tempore. The Chair recognizes the gentleman from

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North Carolina (Mr. BUTTERFIELD) for 5 minutes.

Mr. BUTTERFIELD. Mr. Speaker, I rise on this solemn day in the history of our Nation, the 11th anniversary of the terror attacks on 9/11, to honor and pay tribute to a North Carolina State Trooper who was killed in the line of duty this past Saturday morning. It was a tragic incident.

Trooper Bobby Gene DeMuth served the State of North Carolina proudly and honorably for 12 years. He was assigned to the Rocky Mount Troop C, District One Highway Patrol.

Trooper DeMuth loved his work. He loved his work as a law enforcement officer. He protected the good of our society from the bad, and he fought to make North Carolina a safer place. Trooper DeMuth's life was tragically cut short, and he was killed while in the line of duty. He was pursuing an individual suspected of some very serious crime. He was serving and protecting.

Following a 20-mile, 30-minute high-speed pursuit that began in our capital city of Raleigh, and ended by the heroic effort of Trooper Bobby Gene DeMuth, the suspect was apprehended.

Tomorrow, Trooper DeMuth will be laid to rest at Inglewood Baptist Church in Rocky Mount, North Carolina. It is a sad day indeed. Trooper DeMuth, like so many of the first responders who passed away 11 years ago, deserves our heartfelt thanks and appreciation for doing what only a select few can do, and that is to protect and defend the public against those who do it harm.

May God bless Trooper Bobby Gene DeMuth, his family, and each and every person that puts himself in harm's way to protect the greater good.

IN MEMORY OF THOSE WHO LOST THEIR LIVES SEPTEMBER 11, 2001

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Tennessee (Mrs. BLACK) for 5 minutes.

Mrs. BLACK. Mr. Speaker, 11 years ago today, our way of life, our freedom, and our fellow citizens came under attack in a series of ruthless and deliberate attacks. Today, we pause to remember and honor some 3,000 people—moms and dads, friends and neighbors—who lost their lives on that fateful day.

□ 1010

We honor the first responders who chose to run into the burning World Trade towers, putting their own lives at risk to save others, and we honor the lives of the heroes who fought the terrorists on board Flight 97 and successfully prevented the plane from hitting the White House or the U.S. Capitol.

None of us will ever forget that day. None of us will ever forget where we were the moment that we heard that a plane had hit the first World Trade tower, and none of us will ever forget seeing the second hit. America was shaken but not broken. In those dark hours ahead, Americans came together and responded with one voice.

Today we remember and reflect upon a day that brought us all together as Americans, a day that was our generation's Pearl Harbor, a day that made all of us stop and ask ourselves what's important in our own lives. While many of our Nation's leaders do not agree on how best to run our country, we are all in agreement with pausing to honor and remember those who gave their lives in this senseless attack.

Where there is freedom, there is strength. Terrorism will never triumph. September 11, 2001, reminded all of us of that, and this is a day that we will never forget.

SEPTEMBER 11, 2001

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Speaker, ''My country, 'tis of thee, sweet land of liberty.'' God bless America.

I'm glad that we have songs that can capture our spirits and the love that we have for our Nation. I'm reminded of being a child, singing the words, ''My country, 'tis of thee.'' I'm reminded of that day, 9/11, when Members of Congress gathered to stand on the steps of the United States Capitol to sing ''God Bless America.''

I rise today to pay tribute to Americans and a myriad of persons whose lives remain forever changed because of 9/11. We honor and mourn still those who fell on that day. It was the world, a potpourri of personalities, nationalities, languages, different descriptions, and life stories. It was the world that was in America, a country that welcomes all.

Then, of course, there are those of us who are reminded of the rushing in of heroes and ''sheroes,'' NYPD, civilian volunteers, firefighters, Park Police, Federal workers, all in some way helping to save someone's life, fellow office workers, dishwashers, restaurant workers. Some died so that others might live.

I remember very clearly where I was here in the United States Capitol, having a meeting with one of the Cabinet members of the President at that time, deeply involved in work regarding small businesses, going on with the normal daily responsibilities, Members who work on legislation, constituency issues, and oversight over the government.

There was a rattling outside and, of course, phones started ringing, with the technology of that time. We indicated that we were still in the meeting and did not answer until someone banged on the door and said, I don't know what is happening, but you must get out.

Without panic, but certainly with great concern, as you entered the hallways, people were rushing, rushing to come out of this building. As the rumors began to fly or the words began to fly about the White House, the State Department, then, of course, there was the billowing smoke that one could see from the Pentagon. It was real. It was something that we had never, ever seen. Maybe for those who had been in wars preceding us in far-away lands, but not in the 20th century on the soil of the United States of America, or the 21st century.

I stand today with great honor for those who died, those who died in trying to save others and those who did. I am grateful today that we have the opportunity to be able to say thank you, though sadly, to families who remain, to those who now stand in New York reading names, to those who are at the Pentagon who still have the piercing feeling of loss, and certainly those in Pennsylvania, the family members, the surrounding community.

I am grateful that in the last couple of days we finally acknowledged that there is something to those who breathed the smoke, and they are now going to be included for the entity that provides health care for those who were impacted by 9/11 toxic smoke. It took us too long. I'm glad we passed legislation to help the first responders, firefighters, police, and others who suffered catastrophic illnesses after they went in to help those who could not help themselves.

I remember drafting legislation and introducing legislation for the latchkey children, for many of us don't remember that so many children were left at home and no one came home to see them on that fateful day, 9/11. Children now read the names of their parents or loved ones, grandparents. Children grew up without a family member because of the heinous horror, hatred, contempt, and violence.

I hope this Nation on this day comes closer together, that we come together as independents, Republicans, Democrats, and nothing, that we stand as one Nation being able to be reminded of the greatest Nation in the world.

God bless America, for I will say that throughout my life whatever the ups and downs that we may have, this country is great. As I travel around on behalf of the United States of America, visiting those who fought in Iraq and who fought in Afghanistan, I see that they are great because they were willing to sacrifice at the call of the Commander in Chief and the call of their Nation.

Today I come on this floor to honor all of those who were touched by 9/11, and to remind all of us as Members of Congress and the Nation, never yield to the weakness that we are not great. Always our democracy, our love of God, makes us that.

God bless America.

SEPTEMBER 11, 2001

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, we return to Capitol Hill, ending the summer recess with strong conflicting emotions. Today is the 11th anniversary of 9/11, the horrific attacks that rocked the Nation and were especially poignant for us on Capitol Hill.

As representatives of the government we had sworn to uphold and defend, these senseless, despicable acts exposed a real vulnerability. We all remember what we felt as we were watching the Twin Towers collapse, the plane crashing into the Pentagon, and then yet another plane going down in a lonely field in Pennsylvania, destined for us here on Capitol Hill.

People came together in an outpouring of support for one another and for our Nation. There was a sense of resolve, unparalleled at any time since the cowardly attacks on Pearl Harbor.

The response of the government since then, however, has been somewhat mixed. We have protected the United States so far against any repeat attack, but at great cost. We have thrown money at the problem. We have had significant bureaucratic overreach, particularly in terms of personal liberties. We will be paying the costs of the horribly misguided war in Iraq for generations to come.

After an original, terrific response routing the Taliban in Afghanistan, we took our eye off the ball. We allowed Osama bin Laden almost another decade of life and mischief. Later, we were sucked back into Afghanistan on the terms of the Taliban and al Qaeda, not on our terms.

Now, this is not merely a Republican problem, although George Bush and Republicans were in charge and made some of the worst mistakes. There was much bipartisan support for the excesses.

□ 1020

To this day, there is bipartisan confusion about the best path forward to protect the Nation while protecting civil liberties and the budget for the situation today and not the conditions of September 10, 2001. My wish for Congress and for the candidates span out on the campaign trails, is that we mark this anniversary with a commitment to allow a little common sense and good will to enter into the political discourse.

This can be an emotional job. I was thinking about the emotions that I expressed, having a chance 15 years ago to go through the hectoring and interfering military on Aung San Suu Kyi's compound in Burma, where she was held under house arrest by the dictatorship. My son, daughter, and I spent an amazing afternoon with this extraordinary woman. I could scarcely imagine then, what will happen next week when we will be awarding that courageous woman the Congressional Medal of Honor here in the Capitol and then she will return to Burma as a member of their nation's parliament.

The success of this woman, together with the steely resolve of the American public after 9/11, ought to give us all pause and, hopefully, a renewed commitment to do our job right. Since 9/11, the challenges and circumstances have evolved. We have greater challenges in terms of security, climate instability, natural disaster, and our own economic vulnerability. It's a tall order to deal with them; but, hopefully, we will all be inspired by the example of Aung San Suu Kyi standing up to the Burmese dictatorship and ultimately gaining a measure of success—and, of course, by the American public in their response to horrific attacks of 9/11.

It's time today, for the politicians to do their job: to listen, to speak the truth, and to lead.

SMART SECURITY: LEADING WITH OUR COMPASSION, NOT OUR MILITARY FIREPOWER

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Mr. Speaker, a few minutes from now, Members of the House and the Senate will head to the Capitol steps. We're going to the Capitol steps for a moment of remembrance to honor those who were killed in the attacks on September 11, 2001—September 11, 2001, a day that will forever be seared into the memory of American citizens and the world.

Eleven years later, Mr. Speaker, spouses still grieve; children still feel the void; parents are still devastated by the loss of their children. It was a tragedy for individual families and for the entire Nation. One of the lingering tragedies of that day is that it led to policy decisions with terrible consequences that we're still living with today. Over the last decade-plus, violence and mayhem have just led to more violence and mayhem.

Our continued military occupation of Afghanistan has not brought the stability. It has not brought security. It has not brought a strong democracy to that country. Afghanistan remains one of the poorest and most dangerous places on Earth. The Taliban has not been driven into oblivion. The terrorist threats continue. And according to a New York Times article this past weekend, even U.S. commanders are admitting that the Taliban remains ''resilient'' while al Qaeda is ''evolving'' and ''adapting.''

Mr. Speaker, while we in the House adjourned for the month of August, there was no recess for our troops. In fact, since we were last in session, another 60 U.S. servicemembers died in Afghanistan. Countless more suffered wounds to the body and to the brain. And then there are the Afghan civilians, many of them children, who are being killed every single day. How do we tell the families of these children that this is all for a good and just cause? We can't.

Mr. Speaker, it's time to stop conducting national security policy on the principles of revenge and retaliation and on the false hope that we are making it better. The right way to secure and ensure security is to put America's best foot forward, to lead with our compassion and not our military power.

That's what my SMART Security platform is all about. It puts development and diplomacy front and center, and it makes war a last resort. It is based on a commitment to improving the lives of Afghan people, alleviating power, creating economic opportunity, rebuilding infrastructure, improving education, and attacking public health problems in that area.

We can't do this with the military surge. We can only do it with a civilian surge—a surge of experts, of aid workers, of technical experts, from engineers to midwives. Of course, our development agencies are doing this kind of work, and they're doing the best they can possibly do, but not nearly the scale that's necessary to make this possible. Compared to billions of dollars every month that we spend on the war, we're investing just a tiny fraction of that on humanitarian work that is so badly needed.

Public opinion has turned dramatically against this war, and yet our most visible leaders continue to lag behind the people that elected them. The President of the United States says he will end this war in 2014, which is a good goal, but it is not nearly soon enough. His opponent, on the other hand, in the most important speech of his life a few weeks ago, didn't see fit to even mention Afghanistan—not even once.

So, Mr. Speaker, when we gather on the steps of the Capitol, as I bow my head, it will be in remembrance of those who died 11 years ago today, and it will also be with a fervent prayer of hope that we can honor their memory by finally ending the war in Afghanistan and finally bringing our troops home.

REMEMBERING 9/11

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. YODER) for 5 minutes.

Mr. YODER. Mr. Speaker, 11 years ago today, Americans found themselves under attack. We watched with shock and horror as hijacked passenger airplanes were flown both into the World Trade Center towers and the Pentagon. We all remember what we were doing that Tuesday morning when 2,996 innocent Americans were killed in those tragic and unthinkable acts. We also remember the heroic actions of the passengers aboard United Flight 93, who courageously fought the hijackers on their plane and, sacrificing their own lives, ultimately saved countless others. Courage and bravery have long been traits demonstrated by our fellow

Americans, from declaring our country's independence to fighting alongside our allies abroad in the name of freedom and liberty. Americans, though, are also resilient. We band together, we pick each other up when we're knocked down, and we endure.

In Kansas, we are extremely proud of the men and women in our military that serve our country and defend our freedom and liberty around the globe. Their willingness to pay the ultimate sacrifice for their country—their true heroism—is known firsthand only to a small number, but is yet, sadly, far, far too common.

The 3rd District of Kansas lost two such heroes this summer as a result of combat operations in Afghanistan. Army Sergeant Mike Knapp was deployed out of Joint Base Lewis-McChord out of Washington State. He was killed in mid-May while bravely serving his country, only 3 days before he was scheduled to return home to Overland Park, Kansas.

Also, Private First Class Cale Miller, deployed out of Joint Base Lewis-McChord, lost his life in early June when an improvised explosive device detonated near his vehicle. He was a 2007 graduate of Olathe Northwest, where he was a member of both the football and track teams. It breaks my heart each and every time I learn the news of a soldier who has lost his life so our country can continue to live in freedom.

As we remember this day, the 11th anniversary of September 11, Mr. Speaker, we remember it by honoring all those innocent lives lost on that tragic day. We also remember the first responders, the firefighters, and the policemen who charged the burning buildings to save lives, ultimately giving up their own in the process.

□ 1030

Let us also recall the steely resolve of American patriotism and unity as our country courageously responded against the terrorists responsible for this tragedy.

On this day, let us also honor and support all veterans who have served our country. We pay tribute to those fellow Americans who serve in our military, protecting us and ensuring acts, such as those of 11 years ago, never happen again. Our message of thanks is one that cannot be spoken strongly enough. To those who serve, those who lose their lives defending our country, and the families and friends who support them, we are eternally grateful.

RECESS

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

Accordingly (at 10 o'clock and 31 minutes a.m.), the House stood in recess.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer:

Loving and gracious God, we give You thanks for giving us another day and for a safe return to Washington.

Bless the Members of this assembly as they set upon the important work that faces them. Help them to make wise decisions in a good manner and to carry their responsibilities steadily, with high hopes for a better future for our great Nation.

May they be empowered by what they have heard during their home district visits to work together. May the energy they have derived from respective party conventions be merged into a common sense of hope for our great Nation.

On this day, which has become a day of national mourning, help us to remember as well the renewed sense of national courage and resolve that we need to work toward a better future. May we all be inspired by the heroism of so many 11 years ago to be the best that we can be this day.

May all that is done today in the people's House be for Your greater honor and glory.

Amen.

THE JOURNAL

The SPEAKER. 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. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

SARA ELIZABETH LOW 9/11 TRIBUTE

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

Mr. CRAWFORD. Mr. Speaker, September 11, 2001, is a day that will forever be etched in our Nation's memory. Today marks the 11th anniversary of the tragic terrorist attacks on the World Trade Center, Pentagon, and the crash of Flight 93 in Pennsylvania. Nearly 3,000 innocent people lost their lives that day.

For one family in my district, the tragedy of September 11 hits close to home. Batesville native Sara Elizabeth Low was a flight attendant on American Airlines Flight 11, the plane that hit the north tower of the World Trade Center 11 years ago today. Sara was just 29 years old, and she loved her job as a flight attendant.

The community of Batesville, Arkansas, may be small in population, but today they are enormous in heart and in remembrance of the life Sara Low lived. For 6 years now, the Batesville community has held a 5K run to remember Sara, and a memorial now stands in her honor at the junior high school.

Today, my thoughts and prayers are with Sara's parents, Mike and Bobbie Low, and all those in Batesville who were blessed to know her. May God bless the memory of Sara Low and all those who lost their lives on September 11, 2001.

IN REMEMBRANCE OF SEPTEMBER 11, 2001, TRAGEDY

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

Mr. CROWLEY. Madam Speaker, I rise today in remembrance of those who lost their lives on September 11, 2001, 11 years ago today.

For the Nation, September 11 marks the day that the course of history in the United States was changed forever. For New Yorkers, 9/11 was the day our great city suffered a grievous blow, leaving behind a hole in the heart of lower Manhattan, and an even bigger hole in all of our hearts.

While many of the structures destroyed or damaged by the attacks are being rebuilt or renewed, the families who lost their loved ones can never replace the husbands, the wives, the fathers, the mothers, the brothers, the sisters, and the children who perished. We can also never replace the brave first responders who rushed in to the burning buildings, giving their lives for others.

Not one single day goes by that families don't think of their loved ones who were lost, and we must ensure that 9/11's sacrifices are never, ever forgotten. Today, we stand together in honoring their memory and saluting their courage, which they so richly deserve.

Johnny, we miss you.

WE WILL NEVER FORGET SEPTEMBER 11, 2001

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

Mr. WILSON of South Carolina. Madam Speaker, 11 years ago today, our Nation was attacked by a group of Islamic terrorists who declared war on our country and the freedoms we cherish. The innocent civilians who were murdered by this act of terrorism will never be forgotten.

In order to protect American families, our country's military capabilities must remain the strongest in the world. Sadly, due to the President's policies and the looming threat of sequestration, our national security stands at risk. The budget reductions to defense will reduce the Navy to the smallest fleet since 1916, the smallest Army and Marine Corps since 1939, and the smallest Air Force since it was created.

House Republicans have passed legislation to save 2.14 million jobs by offering a replacement for sequestration. Unfortunately, the President has failed to show leadership and refused to act. It is my hope the liberal-controlled Senate will put aside party politics and work to prevent the weakening of our defense capabilities.

In conclusion, we will never forget the cowardly attacks of September the 11th on innocent civilians.

WELCOMING HOME SERGEANT MAJOR MARVIN L. HILL

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

Mr. COHEN. Madam Speaker, as we commemorate the 11th anniversary of the attacks on our country, we should recognize the men and women who have fought so bravely for our country over the last decade.

This weekend, I had the honor of holding a welcome home ceremony in my office for Sergeant Major Marvin L. Hill. Sergeant Major Hill enlisted in the Army on January 18, 1978, and served this country in a wide variety of roles for 35 years. Most recently, he was selected by General David Petraeus to serve as Command Senior Enlisted Leader for the International Security Assistance Force (ISAF) and United States forces in Afghanistan—a great honor and a very important job.

Command Sergeant Major Hill's numerous awards and decorations include the Bronze Star Medal, the Meritorious Service Medal, and the Joint Service Commendation Medal for Valor, among many others.

Our city is proud of Sergeant Major Hill and all the men and women who serve in our Armed Forces. I want to particularly express appreciation for all the noncommissioned officers who put their lives on the line every day and defend this Nation.

As we bring the operations in Iraq and Afghanistan to an end, I look forward to welcoming home all of our brave men and women serving to protect our freedoms.

SEPTEMBER 11TH—11 YEARS LATER

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

Mr. PAULSEN. Madam Speaker, we will never forget where we were on that fateful day 11 years ago on September 11. The images of two giants falling towards Earth will not only be remembered by those who lived through it, but will also be reborn anew with each generation of Americans through images of terror and countless stories of courage and sacrifice.

Today we come together to remember those who lost their lives on September 11 in New York City, at the Pentagon, and as part of Flight 93, and to reflect on more than a decade of a struggle to ensure future generations live free from terror.

We must also pay special tribute to our first responders and to those who have, since 9/11, donned the uniform of our Armed Forces and placed their own lives on the line to defend our country, and to the more than 6,500 who have paid the ultimate sacrifice.

So let us continue to keep those who've lost their loved ones in our hearts and prayers, and may we never forget September 11.

□ 1210

RECOGNITION OF NATIONAL CHILDHOOD CANCER AWARENESS MONTH

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

Mr. HIGGINS. Madam Speaker, I rise today to recognize September as National Childhood Cancer Awareness Month, and I'm proud to represent the Nation's first comprehensive cancer center, Roswell Park Cancer Institute, an amazing place that continues to turn kids into survivors.

Thirty years ago, less than 50 percent of those with childhood cancer lived beyond 5 years of their diagnosis. Today it's over 80 percent. According to the Centers for Disease Control, over the past 14 years, childhood leukemia deaths fell by 3 percent in each year.

We know that cancer research saves lives. The only failure in cancer research is when you quit or you're forced to quit because of lack of funding.

Last weekend, our community held a fund-raiser, along with the St. Baldrick's Foundation, in memory of Anna Rose Leavoy, a young girl who lost her battle with cancer only 2 weeks after her second birthday.

We must recognize the urgent need to fully fund cancer research, to raise awareness for children like Anna Rose, and to find a cure.

HONORING THE MEMORY OF VICTIMS OF THE SEPTEMBER 11, 2001, ATTACKS

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

Mr. LANCE. I rise on this somber anniversary to honor the memory of those lives lost in the attacks on September 11, 2001. For 11 years, I have stood at firehouses and schools, churches and veterans halls, and heard the stories of bravery and heroism from that terrible morning that changed America.

New Jersey lost more than 700 residents in the attacks, innocent people who were targeted in an act of war upon the Nation. Brave first responders courageously initiated rescues with their lives in danger. These stories are not new but need to be retold as a new generation comes of age and is taught of the determination of our country.

The lives lost in the ensuing battles abroad have continued to try the foundation of our will. We have proven steadfast in the commitment to our values. Our freedom and liberty have been protected by brave men and women who selflessly answer the call of service.

No matter the challenges we face, we must remember that our Nation is truly blessed. I ask all Americans today to pause and reflect on the tragedy of 9/11, and please pray for the victims and honor their memory, and please pay tribute to the men and women who serve and defend us today against the dangers we still face.

May God bless them all, and may God continue to bless the United States of America.

LET'S GET TO WORK

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

Mr. HOLT. Madam Speaker, on this day, as on every day, we should be working toward a better future for America. Yet, by almost any measure, days in session, committee markups held, bills voted on or signed into law, this is one of the least productive Congresses in more than half a century, by design.

Everyone knew last year times would be tough, but despite that, the House Republicans who control the schedule scheduled a year of congressional inaction. Their ideology dictates that Congress can and should do nothing.

There is work to be done. Where is the jobs agenda?

With just days left in this congressional session, let's get to work.

FACT-CHECKING PRESIDENT OBAMA'S JOBS RECORD

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

Mr. STEARNS. Madam Speaker, the Obama Administration has said that they have created 4.5 million new jobs in the last 4 years. But, my colleagues, CNN, along with another group of individuals, in fact, a host of other organizations, have really fact-checked this claim. They found that, despite a surge in temporary hiring for the 2010 census, there were actually 400,000 fewer—fewer—nonfarm payroll jobs today than when the President took office in January 2009.

But our job crisis is actually much, much worse because a large chunk of Americans have simply given up looking for work, and the jobs have not come back, and aren't the same ones that we lost.

Also, according to a study released by the National Employment Law Project, low-wage fields such as retail sales and food service are adding jobs nearly three times as fast as higher-paid occupations. But we need to add these higher-paying jobs.

The sad truth is that there are fewer people working now than when President Obama took office. And Madam Speaker, these are simply the facts.

REMEMBERING THE TRAGIC EVENTS OF 9/11

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

Mr. BARBER. Madam Speaker, I rise today to remember the tragic events of September 11, 2001. As we honor the nearly 3,000 lives lost that day, my thoughts remain with the loved ones of those who did not return to their families.

We also remember with pride the national unity that our country showed that horrible day and in the days that followed. In tragedy, we laid our differences aside and found common purpose. The legacy of 9/11 is our ability to say with certainty that no enemy or threat can change the values of our country and that which it stands for. I remain awed by the bravery and valor shown each day by our first responders and their brothers and sisters in uniform and by ordinary Americans.

In Tucson, we have a special connection to 9/11. Christina Taylor Green was a 9/11 baby. Today would have been her 11th birthday. She died in the tragic shooting on January 8, 2011, when she came to speak with her Congresswoman.

Just as on 9/11, we saw the spirit of the American people who came together in prayer, compassion, and unity on January 8, 2011, and in the days and weeks that followed. This is who we are as a people and who we always will be.

God bless all of us and this great country in which we are privileged to live.

FREE DR. AFRIDI

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

Mr. ROHRABACHER. Madam Speaker, as we commemorate the monstrous crime committed against America on 9/11, let us remember the plight of a heroic figure who helped us bring justice to those who murdered our fellow citizens on this day 11 years ago. I speak of Dr. Afridi, the man who risked his life to provide the intel our forces needed to locate and eliminate Osama Bin Laden, who now languishes in a jail in Pakistan.

There has been no resolution through this Congress nor public effort by the United States government to support Dr. Afridi in this, his hour of need. He has been tortured. His family has been attacked, and he is still in a desperate situation.

It behooves us as Americans to state in a unified and loud voice to his Pakistani captors, ''Dr. Afridi should be freed.'' The continued incarceration of Dr. Afridi affirms to all Americans that Pakistan is not our friend but instead is a partner in terrorism of especially those terrorists who are murdering our fellow Americans. Our motto today must be ''Free Dr. Afridi.''

Dr. Afridi was asked why he risked his life to help in the efforts to bring Bin Laden to justice. His answer was that he respects and loves us, the American people.

On this 9–11 commemoration we need to express our outrage that Pakistan has incarcerated and tortured this hero in the war against terrorists.

Certainly, not one cent should ever be given to Pakistan in American aid, now that they're exposed for their evil terrorist deeds.

Free Dr. Afridi should be our cry on this commemoration of 9–11.

THE 11TH ANNIVERSARY OF THE ATTACKS OF 9/11

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

Ms. CHU. It's been 11 years since blue skies over New York were blackened with soot, 11 years since the Pentagon sustained its only attack in history, and 11 years since the heroism of our countrymen over a quiet field in Pennsylvania. Today, we remember and honor all of the lives lost on this day 11 years ago.

In the aftermath of 9/11, we mourned those who lost their lives. What had seemed so far from possible just 1 day before was ever present from that moment on, and we will never forget.

From the ashes came stories of heartbreak, like twins born on September 15 who never knew their father. For them and so many others, it's not 11 years; it's every single day.

As we reflect on this anniversary of 9/11, let us remember those 3,000 people, the fathers and mothers, sons and daughters, and brave first responders, and the values of this country for which they lost their lives, our tolerance, our democracy, and our freedom.

HONORING THE MEMORIES OF THE VICTIMS OF 9/11

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

Mr. WALZ of Minnesota. Madam Speaker, as we reflect as a Nation on that tragic day 11 years ago, our thoughts and prayers go out to the families who lost loved ones. Out of the horror of the murders of thousands of innocent souls rose the selfless heroic spirit of America.

Thousands of first responders rushed into danger to help their fellow citizens, total strangers. Thousands of warriors have paid the ultimate price to defend us.

The sense of national unity that spontaneously arose was something none of us will ever forget. We, the living, must pledge not just in words but in deeds to never forget.

We in this body, as representatives of the American people, must work to see our colleagues first and foremost as Americans and as members of a political party a distant second. To truly honor the principles that this Nation stands for, we must see this other side of the aisle for what it truly is: a 3-foot space that's not so hard to reach across.

Let's honor the memories of those who gave so much on and after that fateful day by working together to truly create a more perfect Union.

□ 1220

9/11 ANNIVERSARY

(Mrs. MALONEY asked and was given permission to address the House for 1 minute.)

Mrs. MALONEY. Madam Speaker, today we mark the 11th anniversary of 9/11. The tragedy that day still burns in our hearts, and once again, we renew our pledge to ''never forget.'' The thousands who died and the thousands who rushed to rescue them truly deserve this moment of honor and remembrance; but today, there is also good news for those who became sick as a direct result of being exposed to the deadly toxins.

As part of the James Zadroga 9/11 Health and Compensation Act, which Speaker PELOSI and my colleagues in the House and especially the New York delegation fought so hard to pass, the World Trade Center Health Program ruled yesterday that 50 kinds of cancer will now be included under the Zadroga Act. This important step means that those who have developed cancer, often years after their exposure, will have the opportunity to receive the needed care and compensation that they justly deserve.

On 9/11, thousands lost their lives, and thousands more lost their health because of their exposure to the deadly toxins. Many are sick and dying. I am proud that the Zadroga Act can now include their needs, and I hope that they

accept, once again, the thanks of a grateful Nation.

IN HONOR OF NEIL ARMSTRONG

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

Mr. SCHIFF. Madam Speaker, I rise today to honor the life and legacy of a true American hero, the first human being to walk on the Moon—Neil Alden Armstrong.

I had the privilege of meeting Neil Armstrong and introducing him to my son, Eli, at an event commemorating the 40th anniversary of the Apollo 11 landing. It has been said ''we are all dreamers,'' but Neil Armstrong inspired generations of Americans to dream big and to reach for the stars both figuratively and literally. He believed that the yearning to explore is part of what makes us human, and his singular achievement on July 20, 1969, still inspires.

A reluctant hero, Mr. Armstrong never used his Apollo 11 achievement for personal gain. On more than one occasion he questioned his own notoriety, protesting that his walk on the Moon was the result of the dedication of more than 400,000 people—from engineers who designed the Lunar Module, to ground controllers who monitored every aspect of the mission, to seamstresses who stitched by hand the suit that kept him alive on the Moon.

The late 1960s was a time of tumult in America, when our Nation was riven by Vietnam, the struggle for civil rights and the emerging women's movement. In the midst of this, Armstrong's climb down the Lunar Module's ladder and his ''giant leap for mankind'' united not just Americans but people of all nations as they watched. That night, countless children looked up at the Moon and dared to dream.

9/11 ANNIVERSARY

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

Ms. HAHN. As we mark yet another anniversary of a September morning that dawned just as any other, we are first and foremost called to remember; but as we remember the fear and the grief of a day born of unfathomable hate, we remember, too, the impossible heroism of so many of our fellow Americans.

We remember the firefighters and the police officers who ran into the burning buildings to get others out. We remember the brave men and women of Flight 93, who, in learning of the attacks throughout the country, decided they would give their lives that others might live.

We remember those early days when we came out of our homes and joined together with our neighbors, with flags and candles, united as one American family and when bitter political adversaries stood on the steps of this Capitol and put their arms around each other and sang ''God Bless America.''

But we shouldn't have to look back to feel that again. For the sake of those who died, for the sake of all those living and for all those yet to be born, let's come together in this House. Let's not be the do-nothing Congress. In honor of all Americans, let's come together and work for the good of this country.

WEAKENED FROM WITHIN

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

Mr. MORAN. Madam Speaker, our governments and our people have successfully prevented the tragedy of 11 years ago from being repeated, but we need to be mindful of the fact that it does little good to protect ourselves from without if we allow ourselves to become weakened from within.

When our families aren't adequately employed, when our government isn't adequately funded, when our economic potential is so unfulfilled, we do a disservice to the people we were elected to serve and to protect. When the majority in this House refuses to take action on a real jobs bill or on any of the other important issues that we should be legislating, we have no business being out of business for 49 out of the next 56 days before the upcoming election.

AN AMERICAN JOBS ACT FOR OUR FIRST RESPONDERS

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

Ms. SCHAKOWSKY. Today, our hearts turn to the heroes and loved ones who lost their lives on 9/11.

We will never forget the sacrifices of the first responders who are appropriately receiving special honor today. Yet firefighters and police officers are being laid off around the country. Why? Because the Republicans have sabotaged all efforts to avoid those layoffs and to create jobs. It will be 1 year ago tomorrow that the President sent to Congress the American Jobs Act, which would put people to work in areas critical to our communities and our economy—cops and firefighters and teachers—and would prevent those layoffs.

Independent experts estimate that his bill would create up to 2.6 million jobs; but has the Republican do-nothing Congress even allowed a vote on the American Jobs Act? No. Instead, they've found time to vote repeatedly to end the Medicare guarantee, and next week, Republicans will leave town and leave America without a jobs bill. Our first responders deserve better.

9/11 ANNIVERSARY

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

Mr. FRELINGHUYSEN. Madam Speaker, I rise today to mark the 11th anniversary of the vicious attack on America. I appreciate the leadership scheduling a memorial service on the steps of the Capitol this morning, but more needs to be said as I fear time and events have dulled our memory. It was 11 years ago that our Nation changed forever as violent international extremists struck in the streets of Lower Manhattan and in the fields of Pennsylvania and at the Pentagon.

When that day was over and as we learned more about that tragedy and, yes, of the murderous attacks and the loss of nearly 3,000 Americans, including 700 New Jerseyans, who are from my home State, we witnessed neighbors and friends consoling one another, and we watched as Americans from all walks of life stood united—side by side—waving the Stars and Stripes and lighting candles to honor those lost or missing.

Today, this afternoon, I must remind our fellow Americans that we are still a Nation at war, largely because of those events. We remember those who lost their lives on that fateful day, but we also remember the sacrifices of those who serve in Iraq and Afghanistan to make sure that those responsible for those attacks pay that ultimate sacrifice.

IN MEMORY OF 9/11

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

Ms. HANABUSA. We all probably remember where we were when we learned about 9/11. We all probably had someone who came to mind immediately when we watched the horrific attacks on this Nation. For me, I thought of my friend General Eikenberry, who was at the Pentagon, on the side that the plane crashed into.

Though Hawaii is the State farthest away from the east coast, we were also touched. We knew of at least nine who had ties to our State who died on 9/11, and I want to honor them by reading their names: Georgine Corrigan, Richard Keane, Maile Hale, Ric Yee, Patti Colodner, David Laychak, Christine Snyder, Heather Ho. Heather is someone special to me. Her grandfather actually built the town that I grew up in.

We must also honor the brave men and women in uniform who gave their lives to this country in the wars following 9/11. Madam Speaker, we must never forget, and this country must never forget.

□ 1230

AMERICA NEEDS A FARM BILL

(Mr. WELCH asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. WELCH. Madam Speaker, America needs a farm bill. The Senate has passed a farm bill. The House Agriculture Committee on a bipartisan basis has passed a farm bill, and that is not being brought to the floor for a vote.

We have a drought. It's the worst that we've seen in 50 years. We've got nutrition programs that need to be funded. We have environmental and conservation programs that need to be revised and passed. We have farmers across this land whose goal is to feed America, and they need a farm bill.

Never in the history of the United States Congress has a farm bill passed by the House Agriculture Committee not been brought to the floor for a vote. There's no question that a farm bill is contentious. It always is. But with FRANK LUCAS and COLLIN PETERSON, Republican leader and Democratic leader, and the Agriculture Committee working together, we got a bipartisan vote. Why is this not being brought to the floor?

That it's difficult is not a reason not to do it. Bring a farm bill and pass it.

WORLD WAR II VETERAN WILLIAM ''BILL'' KLING

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

Mr. DEUTCH. Madam Speaker, the south Florida community recently lost a hero when World War II veteran William Kling passed away at the age of 84.

Bill Kling, a native New Yorker, served in the Navy during World War II. Throughout his life, he was an active member of the American Legion, Veterans of Foreign Wars, Jewish War Veterans, and the Disabled American Veterans. For me, he was an inspiration and a friend.

However, Bill is best known for his role as the president of the Broward County Veterans Council for 27 years. Bill's activism led to building of an outpatient VA clinic in Broward County, a veterans nursing home in Pembroke Pines, and the opening of the South Florida National Cemetery in 2007.

So even as we mourn the loss of an incredible advocate, we know that Bill Kling's contributions live on in every veteran cared for at the outpatient clinic he helped to build, in every family who visits an elderly veteran residing at the nursing home he helped to establish, and in every prayer spoken at the national cemetery that he helped make possible.

I join with Bill's family in mourning his loss; but on this anniversary of the 9/11 attacks, I express the gratitude of our entire south Florida community that will long benefit from Bill Kling's tireless efforts to honor those who so bravely served our Nation.

ACT TOMORROW TO PASS FISA AMENDMENTS

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Madam Speaker, today, September 11, 2012, is a beautiful day outside. The sun's in the cloudless sky, much like it was 11 years ago.

We remember those tragic criminal terrorist acts. We remember the heroism of those who responded. But there's something we can do more than just remember. There's something we can do in addition to the prayers that we offer. We can act tomorrow to pass the Foreign Intelligence Surveillance Act amendments which allow us to respond to the criticism rendered by the 9/11 Commission, that is, that we did not do enough to connect the dots of intelligence to warn us about that attack and future attacks.

The FISA amendments allow us to connect the dots so we can analyze those dots, so we can bring the intelligence to bear, so that we can protect our people with the courage and the bravery of those men and women who are in uniform, guided by the intelligence that we collect and that we apply. It is as strong a statement as we can make this week to ensure that we do not blind our eyes to that which is out there that may threaten us.

Let us work together in a bipartisan basis to pass that, and let us give those tools that are necessary to protect us.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Brian Pate, one of his secretaries.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). 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.

Record votes on postponed questions will be taken later.

GOVERNMENT SPENDING ACCOUNTABILITY ACT OF 2012

Mr. WALSH of Illinois. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4631) to amend title 5, United States Code, to institute spending limits and transparency requirements for Federal conference and travel expenditures, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4631

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 ''Government Spending Accountability Act of 2012'' or the ''GSA Act of 2012''.

SEC. 2. LIMITS AND TRANSPARENCY FOR CONFERENCE AND TRAVEL SPENDING.

(a) AMENDMENT.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

''§ 5712. Limits and transparency for conference and travel spending

''(a) CONFERENCE TRANSPARENCY AND SPENDING LIMITS.—

''(1) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the public website of that agency detailed information on any presentation made by any employee of that agency at a conference (except to the extent the head of an agency excludes such information for reasons of national security) including—

''(A) the prepared text of any verbal presentation made; and

''(B) any visual, digital, video, or audio materials presented, including photographs, slides, and audio-visual recordings.

''(2) LIMITS ON AMOUNT EXPENDED ON A CONFERENCE.—

''(A) IN GENERAL.—Except as provided in subparagraph (B), an agency may not expend more than $500,000 to support a single conference.

''(B) EXCEPTION.—The head of an agency may waive the limitation in subparagraph (A) for a specific conference after making a determination that the expenditure is justified as the most cost-effective option to achieve a compelling purpose. The head of an agency shall submit to the appropriate congressional committees a report on any waiver granted under this subparagraph, including the justification for such waiver.

''(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a private entity to pay or defray the costs of a conference the total cost of which exceeds $500,000.

''(b) INTERNATIONAL CONFERENCE RULE.—An agency may not pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference, unless the Secretary of State determines that attendance for such employees is in the national interest.

''(c) REPORT ON TRAVEL EXPENSES REQUIRED.—At the beginning of each quarter of each fiscal year, each agency shall post on the public website of that agency a report on each conference for which the agency paid travel expenses during the preceding 3 months that includes—

''(1) the itemized expenses paid by the agency, including travel expenses, and any agency expenditures to otherwise support the conference;

''(2) the primary sponsor of the conference;

''(3) the location of the conference;

''(4) the date of the conference;

''(5) a brief explanation of how the participation of employees from such agency at the conference advanced the mission of the agency;

''(6) the title of any employee, or any individual who is not a Federal employee, whose travel expenses or other conference expenses were paid by the agency;

''(7) the total number of individuals whose travel expenses or other conference expenses were paid by the agency; and

''(8) in the case of a conference for which that agency was the primary sponsor, a statement that—

''(A) describes the cost to the agency of selecting the specific conference venue;

''(B) describes why the location was selected, including a justification for such selection;

''(C) demonstrates the cost efficiency of the location;

''(D) provides a cost benefit analysis of holding a conference rather than conducting a teleconference; and

''(E) describes any financial support or other assistance from a private entity used to pay or defray the costs of the conference, and for each case where such support or assistance was used, the head of the agency shall include a certification that there is no conflict of interest resulting from such support or assistance.

''(d) FORMAT AND PUBLICATION OF REPORT.—Each report posted on the public website under subsection (c) shall—

''(1) be in a searchable electronic format; and

''(2) remain on that website for at least 5 years after the date of posting.

''(e) DEFINITIONS.—In this section:

''(1) AGENCY.—The term 'agency' has the meaning given that term under section 5701, but does not include the government of the District of Columbia.

''(2) CONFERENCE.—The term 'conference' means a meeting, retreat, seminar, symposium, or event to which an employee travels 25 miles or more to attend, that—

''(A) is held for consultation, education, discussion, or training; and

''(B) is not held entirely at a Government facility.

''(3) INTERNATIONAL CONFERENCE.—The term 'international conference' means a conference occurring outside the United States attended by representatives of—

''(A) the Government of the United States; and

''(B) any foreign government, international organization, or foreign nongovernmental organization.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

''5712. Limits and transparency for conference and travel spending.''.

(c) ANNUAL TRAVEL EXPENSE LIMITS.—

(1) IN GENERAL.—In the case of each of fiscal years 2013 through 2017, an agency (as defined under section 5712(e) of title 5, United States Code, as added by subsection (a)) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 70 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) IDENTIFICATION OF TRAVEL EXPENSES.—

(A) RESPONSIBILITIES.—Not later than December 31, 2012, and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(B) EXEMPTION FOR MILITARY TRAVEL.—The guidelines required under subparagraph (A) shall exclude military travel expenses in determining what expenses constitute travel expenses. Military travel expenses shall include travel expenses involving military combat, the training or deployment of uniformed military personnel, and such other travel expenses as determined by the Director of the Office of Management and Budget, in consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WALSH) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. WALSH of Illinois. Madam 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 the bill under consideration.

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

There was no objection.

Mr. WALSH of Illinois. Madam Speaker, I yield myself such time as I may consume.

The Government Spending Accountability Act, or GSA Act, will end the days of unnecessary boondoggles and lavish trips for Federal bureaucrats.

I think we're all aware of GSA's recent escapades in Las Vegas where the agency paid more than $44 a head for breakfast, $7,000 in sushi at a networking reception, and $75,000 to build bicycles.

I think we can all agree that all of this spending is outrageous and unacceptable. We can't continue to ask hardworking taxpayers to tighten their belts and make tough decisions when for years the GSA and other Federal agencies have thrown away those taxpayer dollars on lavish conferences like this.

The days of wasting taxpayer dollars on fancy junkets for government bureaucrats should soon be over. I introduced the GSA Act because, as stewards of taxpayer dollars, it is our responsibility to ensure that they are not wasted on lavish conferences and posh junkets.

The GSA Act requires that every quarter Federal agencies publish an open report that details every conference for which the agency paid travel and expenses. The bill also limits the amount that an agency can spend on any one conference to $500,000 and on travel annually to 70 percent of the amount the agency spent on travel in 2010.

I would like to thank Chairman ISSA, Ranking Member CUMMINGS, and my friends across the aisle for joining me in this effort. The bipartisanship displayed here shows what Congress can accomplish when both parties come together to tackle reckless spending.

We need to come together to fix Washington and start cultivating some respect for hard-earned taxpayer dollars. The GSA Act will help change the culture of waste in Washington and put us on a path to a sustainable future for our children and grandchildren.

Please join me in standing up for taxpayers. I support this measure and urge its adoption.

With that, I reserve the balance of my time.

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

Madam Speaker, I rise in support of H.R. 4631, the Government Spending Accountability Act, as amended.

This legislation will improve congressional oversight of Federal Government spending on meetings and conferences. It is modeled on similar reporting requirements contained in the DATA Act, which passed the House of Representatives earlier this year with bipartisan support.

This legislation will help rein in the type of wasteful spending of taxpayer dollars that we have witnessed over the past several months. In April, the committee held a hearing to examine the GSA's expenditure of $800,000 on a single conference in Las Vegas in 2010.

The gross abuse of Federal funds must not be repeated, and one way to avoid that is to monitor more closely how Federal agencies use their funds on such activities.

We are all aware that conferences are an important part of staff development and can help improve the quality of Federal Government work; however, we must make sure that they do not turn into resort vacations funded by taxpayers, many of whom are continuing to struggle to make ends meet.

□ 1240

Madam Speaker, the GSA incident tarnished the reputation of government workers who dedicate their lives to public service, which I believe is unfair. This legislation, as amended, would prevent a few reckless and selfish individuals from engaging in activities that discredit the entire Federal workforce.

Madam Speaker, I urge support for this bill, and I reserve the balance of my time.

Mr. WALSH. I continue to reserve the balance of my time.

Mr. CLAY. Madam Speaker, I yield 4 minutes to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my friend from Missouri.

Madam Speaker, I rise in opposition to H.R. 4631. I oppose this bill because it would make significant changes to Federal employees' ability to travel to conferences and meetings.

Although I appreciate the sponsors' efforts to ensure oversight on travel expenditures, I'm not sure they realize the impact that this legislation would have on science and technology, which is the engine of American innovation.

This bill institutes prohibitions and impediments that would hinder American scientists' ability to collaborate and communicate with scientists at other institutions and laboratories. Now, to be sure, they can probably get around these prohibitions and impediments, but we should not be putting these in place in the first matter.

As a scientist, I know firsthand how important scientific conferences and

meetings are. The informal conversations, as well as the formal presentations and poster sessions and everything else that goes into it between scientists from different institutions, lead to new collaborations that have the promise of new discoveries. These are not fancy junkets.

Now, people often ask students, well, what is science. What's so special about science? Why does it work? Well, it works because one of its fundamental tenets is communication.

To be sure, there are various ways to have communication, but scientific conferences are critically important. In a recent op-ed by the presidents of the American Chemical Society and the president of the American Physical Society, they discuss, for example, an anticancer drug that was the result of collaboration between a team of scientists from three laboratories that took place at conferences.

This bill would hinder that kind of collaboration. Just about any scientific society in this country can give you examples where large numbers of federally sponsored researchers go off to conferences. It happens in plasma physics. It happens in microbiology. It happens in AIDS policy and AIDS research.

In a time when the Federal Government should be making science a priority, passing a bill that would make scientists jump through hurdles and get around impediments would, in fact, weaken American scientists, weaken American science, and impede the ability of American scientists to innovate.

That is not wise. This is not the way to build our economy. We should be investing more in research and development, which means, of course, investing in scientists, but also investing in their ability to pursue science.

We should be spending more on international conferences. We should be spending more on national conferences. We should be spending more on national laboratories. We should be spending more on public and private research and development for the sake of jobs, for the sake of our economic vitality, for the sake of the quality of life of Americans. This is not the way to build our economy and to foster innovation.

I urge my colleagues to vote ''no.''

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

I appreciate the concerns of my colleague, and I would only note that new technology, I think, has made it easier to teleconference and communicate remotely. This not only would save money, which is important, but it has already and will continue to increase the amount of collaboration.

Mr. HOLT. Will the gentleman yield?

Mr. WALSH. I yield to the gentleman.

Mr. HOLT. Do you think that the Congress of the United States might do better if we don't meet in person, if we stay home and get on conference calls every once in a while and phone in?

I don't think so. I think the gains that are made in good legislation that come from conferences, as we gather here for votes, on the side between votes, is invaluable. The same can be said many times over for microbiology, for plasma physics, for—let's go through a long list.

Mr. WALSH. Reclaiming my time, again, I would say Congress, in today's day and age, where we hit $16 trillion in debt last week, Congress, like all institutions in this country, needs to figure out how to work more efficiently and save hard-earned taxpayer dollars.

Madam Speaker, I reserve the balance of my time.

Mr. CLAY. Madam Speaker, I also urge my colleagues to vote in favor of H.R. 4631, and I yield back the balance of my time.

Mr. WALSH. Madam Speaker, I urge all Members to join me in support of this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 4631, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GOVERNMENT CUSTOMER SERVICE IMPROVEMENT ACT

Mr. WALSH. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 538) to require the establishment of customer service standards for Federal agencies, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 538

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 ''Government Customer Service Improvement Act''.

SEC. 2. DEVELOPMENT OF PERFORMANCE MEASURES AND STANDARDS FOR CUSTOMER SERVICE PROVIDED BY FEDERAL AGENCIES.

(a) REQUIREMENT.—

(1) PERFORMANCE MEASURES AND STANDARDS.—The Director of the Office of Management and Budget shall develop—

(A) performance measures to determine whether Federal agencies are providing high-quality customer service and improving service delivery to their customers; and

(B) standards to be met by Federal agencies in order to provide high-quality customer service and improve service delivery to their customers.

(2) REQUIREMENT TO TAKE INTO ACCOUNT CERTAIN INFORMATION.—The standards under paragraph (1) shall be developed after taking into account the information collected by Federal agencies under subsection (b).

(b) CUSTOMER SERVICE INPUT.—The head of each Federal agency shall collect information from its customers regarding the quality of customer services provided by the agency. Each Federal agency shall include this information in its performance report submitted under section 1116 of title 31, United States Code.

(c) ANNUAL PERFORMANCE UPDATE.—The Director of the Office of Management and Budget shall include achievements by Federal agencies in meeting customer service performance measures and standards developed under subsection (a) in each update on agency performance required under section 1116 of title 31, United States Code.

SEC. 3. IMPLEMENTATION OF CUSTOMER SERVICE STANDARDS.

(a) CUSTOMER RELATIONS REPRESENTATIVE.—The head of each Federal agency shall designate an employee to be the customer relations representative of the agency. Such representative shall be responsible for implementing the customer service standards developed under section 2 and the agency requirements under subsection (b).

(b) AGENCY REQUIREMENTS.—

(1) GUIDELINES AND CONTACT INFORMATION.—The head of each Federal agency, acting through its customer relations representative, shall—

(A) issue guidelines to implement the customer service standards developed under section 2 within the agency, including specific principles of customer service applicable to that agency; and

(B) publish customer service contact information, including a mailing address, telephone number, and e-mail address.

(2) AVAILABILITY.—The guidelines and the customer service contact information required under this subsection shall be available on the agency's public website.

SEC. 4. PERFORMANCE APPRAISAL.

Compliance with customer service standards developed under this Act shall be included in the performance appraisal systems referred to in sections 4302(a) and 4312 of title 5, United States Code.

SEC. 5. DEFINITIONS.

In this Act:

(1) The term ''customer'', with respect to a Federal agency, means any individual or entity, including a business, State or local government, other Federal agency, or Congress, to which the agency provides services or information.

(2) The term ''Federal agency'' has the meaning given the term ''Executive agency'' by section 105 of title 5, United States Code, except that the term does not include an agency if the President determines that this Act should not apply to the agency for national security reasons.

SEC. 6. DEFICIT REDUCTION.

Any savings or reductions in expenditures resulting from this Act shall be used to offset the costs of implementation of this Act, and any additional savings shall be used to reduce the deficit.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WALSH) and the gentleman from Missouri (Mr. CLAY) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. WALSH. Madam 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 the bill under consideration.

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

There was no objection.

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

Madam Speaker, the private sector has raised the bar for customer service, and citizens expect the same from their government.

The American people rely on Federal agencies to provide important services and information, but these agencies often fall short of providing the customer service taxpayers deserve. H.R. 538 ensures the Federal Government keeps pace with the public's expectations and delivers better value to the taxpayers.

Agencies currently have discretionary authority to include ''courtesy demonstrated to the public'' in employee performance appraisals and to reward superior performance. While some agencies have incorporated customer service standards in employee performance expectations, they do not always require good customer service to the public.

Under this bill, OMB and agencies will develop performance measures and standards for agency customer service, with employees at all levels held accountable for achieving results.

Taxpayers should have high expectations of government. Agencies must deliver services efficiently and at low cost. Federal employees must provide effective service to customers. H.R. 538 will help ensure agencies streamline service delivery and improve the customer experience.

CBO has said there are no costs associated with this bill and, in fact, any savings incurred are due to be put toward paying down the Federal deficit. The Oversight and Government Reform Committee worked on a bipartisan basis to advance this legislation. I supported it when it passed by voice vote in committee, and I urge its adoption today.

I reserve the balance of my time.

□ 1250

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

I rise in support of H.R. 538, the Government Customer Service Improvement Act. This is a good-government bill that will improve the way Federal agencies interact with the people they serve.

I yield 5 minutes to my friend, the gentleman from Texas, the author of the bill, Mr. CUELLAR.

Mr. CUELLAR. Again, the gentleman from Missouri, I thank you so much for the leadership. And I certainly want to thank also Mr. WALSH from Illinois, who actually called me before this, which it is rare to have somebody from the other side call and say, How can I help you on this bill? So I find that refreshing and I want to say thank you for working with us and folks on this side of the aisle.

This bill, the Customer Service Improvement Act, is a bipartisan bill that has folks like MCCAUL, DUNCAN, GOODLATTE, and other folks supporting this particular bill. I certainly want to thank Chairman ISSA and Ranking Member CUMMINGS for their work, as well as the members of the committee, and for passing it from the Oversight and Government Reform Committee unanimously in April.

The primary goal of the Federal Government is to serve the taxpayers. This commonsense, bipartisan bill seeks to establish, monitor, and improve customer service across Federal agencies. It ensures that taxpayers get the quality of service that they deserve when interacting with Federal agencies. Too often we hear that veterans are waiting for months to get critical medical services or that seniors are waiting for months to get their retirement benefits. These are just two examples where millions of Americans that rely on Federal agencies have to wait on vital services, which is why we must usher in a new chapter to accelerate response time and overall performance for a better customer experience. With a sweeping 79 percent of Americans dissatisfied with Federal Government service, according to the 2011 Federal Customer Service Experience Study, we must all work together to make sure that Uncle Sam and Americans work together.

This bill is simple and necessary. First, H.R. 538 improves customer service standards across the board. It does this by requiring the Office of Management and Budget to develop performance standards to determine whether Federal agencies are providing high-quality customer service and improving service delivery to agency customers. According to a 2010 GAO report, Federal agency customer service standards were often not made easily available for customers to find and access or were not made available to the public at all. In other words, we provide customer service; and if somebody wants to know how that agency is providing the service and the standards, it must be made available.

Second, the bill raises the bar for enhancing quality and access to customer service. This is accomplished by requiring agencies to collect information from the customers regarding the quality of the service. Again, this must be a way that we raise that standard.

Third, it puts a face on accountability. The bill requires that each agency designate an employee to be its customer relations representative. So when somebody is dealing with a Federal agency, we must know who they can complain to, who they must talk to in order to provide that customer service. Just like in the private sector that strives to provide excellent customer service that they bring in order to get more business, the Federal Government must do the same thing.

As the gentleman from Illinois said, there's no cost on this according to the nonpartisan Congressional Budget Office. And, again, I would ask that we all work together to provide better service.

Mr. WALSH of Illinois. Madam Speaker, I urge all Members to support me in support of this bill, and I yield back the balance of my time.

Mr. CLAY. Madam Speaker, again, I urge the House to adopt H.R. 538, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 538, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO CERTAIN TERRORIST ATTACKS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–138)

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, referred to the Committee on Foreign Affairs 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, within the 90-day period 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. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2012, the national emergency with respect to the terrorist threat.

BARACK OBAMA.

THE WHITE HOUSE, *September 11, 2012.*

CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO PERSONS WHO COMMIT, THREATEN TO COMMIT, OR SUPPORT TERRORISM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 112–139)

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, referred to the Committee on Foreign Affairs and ordered to be printed:

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for the automatic termination of a national emergency unless, within the 90-day period 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 with respect to persons who commit, threaten to commit, or support terrorism is to continue in effect beyond September 23, 2012.

The crisis constituted by the grave acts of terrorism and threats of terrorism committed by foreign terrorists, including the terrorist attacks on September 11, 2001, in New York and Pennsylvania and against the Pentagon, and the continuing and immediate threat of further attacks on United States nationals or the United States that led to the declaration of a national emergency on September 23, 2001, has not been resolved. These actions pose a continuing unusual and extraordinary threat to the national security, foreign policy, and economy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency declared with respect to persons who commit, threaten to commit, or support terrorism, and maintain in force the comprehensive sanctions to respond to this threat.

BARACK OBAMA.

THE WHITE HOUSE, *September 11, 2012*.

□ 1300

PROVIDING FOR CONSIDERATION OF H.R. 5544, MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 5949, FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

Mr. NUGENT. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 773 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 773

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. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment in the nature of a substitute recommended by the Committee on Natural Resources now printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 112-30, modified by the amendment printed in part A of the report of the Committee on Rules accompanying this resolution, shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part B of the report of the Committee on Rules. Each such further 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 further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill, as amended, and on any further amendment thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. Upon the adoption of this resolution it shall be in order to consider in the House the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years. All points of order against consideration of the bill are waived. The amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary and 20 minutes equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. Madam Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS) pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. NUGENT. Madam Speaker, I rise today in support of this rule, which provides for consideration of two different pieces of legislation.

The first of these bills transfers lands within the State of Minnesota to the benefit of the State's public school system. The rule provides for consideration of each and every amendment offered by Members to the Rules Committee by the amendment deadline.

The next measure this rule allows for consideration of is H.R. 5949, the FISA Amendments Act Reauthorization Act of 2012. Also called the FAA Reauthorization, this legislation would reauthorize programs that are critically important to our national security.

First passed in 2008, FAA has enjoyed a history of strong bipartisan support. Now, President Obama and his administration have made it clear that a clean, long-term extension of FAA is their number one intelligence priority. That's exactly what H.R. 5949 does.

Recognizing that our Nation's security cannot and should not wait until an emergency, the 11th hour, or rushed reauthorization, the Select Intelligence and Judiciary Committees have had hearings on the FAA's reauthorization, they've marked up the bill, and they've sent it to us months ahead of the expiration deadline. I congratulate both of these committees on their timely and dedicated work for the sake of our own safety.

It is with the tools that the FAA provides to our intelligence community that we're able to monitor our Nation's enemies overseas. Without this authority, the ability to track those individuals who aren't American citizens and want to do harm to this country would return to the state it was in before September 11 of 2001.

I really want to stress that the FISA Amendments Act applies to targeting non-U.S. citizens living outside of the United States.

The FAA also enhances civil liberty protections for Americans. The government cannot target an American overseas without first obtaining an individualized court order from the FISA Court. Prior to FAA, the government was not required to obtain an individualized court order to target U.S. persons outside of the United States. This is an expansion of the civil liberties made possible by the FISA Amendments Act.

As a former law enforcement officer, I know how important it is to get the information that we need to work on a case. Without good, reliable information, you can't do your job and protect the citizens, but the information must be obtained in the right way.

□ 1310

FAA is a critical tool at our international community's disposal in our war against terrorism.

I encourage my colleagues to join me in supporting our national security by voting for the FISA Amendments Act Reauthorization Act.

With that, I reserve the balance of my time.

Mr. POLIS. I thank the gentleman for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Madam Speaker, I rise in opposition to the rule and the underlying bills—H.R. 5544, the Minnesota Education Investment and Employment Act, and H.R. 5949, the FISA Amendments Act Reauthorization Act. There are significant problems in both pieces of legislation. However, both bills are, nevertheless, being brought forward under a restrictive process, despite the efforts of my colleague, Mr. MCGOVERN, to amend the rule to allow for an open rule on amendments on both debates. Unfortunately, that motion failed in the Rules Committee. Instead, this rule is a restrictive process that limits debate and discussion that can improve this legislation.

Let me briefly address the lands law before getting to the FISA bill, which is of great concern to our civil liberties.

We have before us a bill that allows for the exchange of 86,000 acres of Minnesota's school trust lands within the Boundary Waters Canoe Area Wilderness for unidentified Forest Service lands. The wilderness is a critical asset for northeastern Minnesota's tourism and recreation industry, as well as the most popular wilderness area in our Nation's wilderness system. But since the bill doesn't even give details about what public land would be lost, we can't even say how bad a deal this is for the American people. It is simply bad policy to push through a controversial land swap bill without adequate public involvement and participation.

I strike that in contrast to a bill that I recently introduced, H.R. 6370, the Conveyance of the Forest Service Lake Hill Administrative Site. This bill does have accompanying maps that will be made available to the committee so that people can see where the land in question is. It is land that no longer fits the characteristics of forest land, having been deforested near the highway, about 40 acres, and it should not be a controversial bill.

In direct contrast to this bill, the bill I introduced today has support from the counties, towns, and local environmental community, and no local opposition to that bill. On the other hand, Mr. CRAVAACK's bill doesn't even identify what Forest Service parcels would be sold by the Federal Government and acquired by Minnesota. This kind of ambiguity in a land exchange bill is unprecedented for a land exchange bill and is not providing the adequate information to the Members of this body to make an informed decision on the underlying bill.

Now, let me address FISA—I take issue with a number of elements of FISA—which extends the sweeping electronic surveillance network established under the FISA Amendments Act of 2008 for 5 years. I did not support the bill when it came before the House Judiciary Committee on which I serve, and I do not support this bill now.

Now, of course everybody in our country understands the serious threat our Nation faces from terrorist organizations and foreign nations, but we can't give up what makes it special for us to be Americans in the name of defending our country. Our privacy rights should not be eviscerated in the name of national security.

Many of these concerns are addressable, but unfortunately the bill fails to strike an appropriate balance between protecting our liberties and security. Some of its many shortcomings include giving the U.S. Government the ability to intercept U.S. residents' international phone calls and email communications without having to even name the people or groups it's monitoring or show its targets who are suspected of wrongdoing or terrorism. The target could even be a human rights activist, a media organization, a country, a region, an ethnicity. Nothing requires the government to identify its surveillance targets at all, nor are there sufficient parameters around making sure that they are narrowly tailored to our national security needs.

In addition, this bill unfortunately allows the U.S. to intercept communications without having to identify the location, the phone lines, the email addresses to be monitored. In essence, the government can use this new law to collect all phone calls between the U.S. and abroad simply by saying to the FISA court that it was targeting someone abroad and that a purpose of the new surveillance program is to collect foreign intelligence information.

The lack of judicial oversight is also startling. While the FISA courts have a limited role, it's limited to overseeing the government surveillance activities rather than reviewing individualized surveillance applications, including whether they are sufficiently broad or not.

Yesterday, the chair of our committee, Mr. DREIER, also mentioned that Congress itself has an oversight role in making sure that the broad powers given to the Federal Government under FISA are not abused. However, this Congress—and myself, personally—have not had any briefing with regard to the use of FISA.

Now, yesterday, representatives of the Intelligence Committee offered to make those briefings available, but I think the proper order to go about things, if Members of Congress are to make an informed decision about whether these vast powers given to the Federal Government are being used appropriately, would be to have the classified briefing first before bringing a 5-year extension bill to the floor so that Members of Congress, in a classified setting, have access to the information that we need—the information that I need, the information my colleagues need—to make an informed decision about whether the proper controls are in place and the extent of the use and/or abuse of the vast powers given under FISA.

In addition, there are no real limits on how the government uses, keeps, or disseminates the information it collects. The law doesn't say what government can keep and has to get rid of. Potentially, this could lead to the archiving of material over decades. It fails to place real limits on how and to whom information can be disseminated. Whether it's our U.S. intelligence partners in other countries, whether it's contractors to our own government, we need to have the right controls around where private information is shared.

Finally, I want to address another element of the bill in my initial remarks, and that is the indemnity that is given to companies that violate their own terms of service and allow the government to trample the privacy rights of thousands of Americans.

Effectively, telecom companies and others that provide the government with enormous amounts of information are effectively completely indemnified, so there is no way to hold any of these companies accountable for their activities in violation of their own user agreement signed by two parties, themselves and their customer. There remains no way to enforce the violation of that user agreement because there is complete indemnity for those organizations.

I think there needs to be a way, through the regular court system, to hold companies accountable for their activities. Letting them off the hook entirely only invites widespread abuse and disregard of their own customer agreements. Why bother even having to post or have a privacy policy if, at the whim of the company—not the government, the whim of the company—it can be completely shared with the government in disregard to their own privacy policy because that is the most effective way for the company to receive a blanket indemnification to any civil liability that might arise from violating privacy laws and/or its own terms of use.

Again, national security is a critical imperative. We need to make sure that our agencies charged with keeping us safe have the right tools at their disposal to do so. But in the process of making sure that Americans are safe, we need to make sure we don't give up what makes it special to be an American.

I reserve the balance of my time.

Mr. NUGENT. Madam Speaker, a number of issues that my good friend from Colorado brought up cover both bills, actually. One, obviously, is the Minnesota bill as relates to public education. That was passed by the Minnesota State Legislature in a bipartisan way, and it was also signed by the

Democratic Governor of Minnesota in regards to this particular issue on this particular bill as it relates to Minnesota.

With that, I'm going to yield 7 minutes to the gentleman from Minnesota (Mr. CRAVAACK).

Mr. CRAVAACK. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of the rule and the underlying bill, H.R. 5544, the Minnesota Education Investment and Employment Act. This bill will support the teachers and schoolchildren in the State of Minnesota, create well-paying jobs in northern Minnesota, and make the Boundary Waters Canoe Area, for the first time in its existence, whole.

We have to have a bit of context here.

When Minnesota became a State in 1858, sections 16 and 36 of every township in Minnesota were set aside in trust for the benefit of schools. The State could use, lease, or sell the land to raise money for education.

In the beginning, the State leaders decided to sell the more valuable parcels of the school trust lands, but around the turn of the century they realized they needed a more sustainable plan and began putting the school trust lands to productive use for timber and mining. This has been the goal of the State for over 100 years, and it has produced dividends for generations for our school kids.

As DFL State Representative Denise Dittrich has so ably educated me on, these lands are not so much owned by the State as held in trust by the State and owned by the schoolchildren of Minnesota. It is the responsibility of the school trust fund trustees to maximize the return on these lands for the benefit of this fund. This is a critical point. This is part of the Minnesota Constitution.

But in the 1970s, the Federal Government created the Boundary Waters Canoe Area Wilderness. These lands within the Boundary Waters cannot be logged, leased, or mined in order to preserve the unique wilderness character of this pristine land. Thousands of visitors from around the country come to enjoy this beautiful area. But as a result of its creation, Minnesota and its students have been faced with an 86,000-acre problem for over 30 years.

□ 1320

Eighty-six thousand acres of State-owned school trust lands have been locked within the borders of the Boundary Waters Canoe Area, unable to produce critical funding for Minnesota public education. It is imperative we resolve this longstanding problem. Our goal is to preserve and protect the Boundary Waters and allow State-owned school trust lands to raise revenue for Minnesota education.

Unfortunately, Minnesota school kids have been cheated out of public education funding for over 34 years now. In the past, there have been a number of working groups, studies, and resolutions. Finally, after years of inaction, stalling and dilatory tactics by special interest groups, Republicans and Democrats together in Minnesota said enough is enough.

It's been referred to as Mr. CRAVAACK's bill. That is not, in fact, the case. This is Minnesota's bill.

On March 22 of this year, an overwhelming majority of Democrats and Republicans from the State senate passed senate file 1750 on a vote of 53–11. On April 3, the house followed suit, passing a bipartisan bill 90–41. On April 27, our Democratic Governor, Governor Mark Dayton, signed the bill into law.

H.R. 5544 executes a bipartisan State plan that Governor Dayton signed into law earlier this year. H.R. 5544 would exchange State-owned school trust lands trapped in the Boundary Waters Canoe Area Wilderness to the Federal Government in exchange for Federal Government-owned land outside the Boundary Waters Canoe Area Wilderness.

This bill includes important provisions that would ensure Minnesotans can maintain their existing hunting and fishing rights within the Boundary Waters. In addition, the bill exempts the land exchange process from NEPA.

The land exchange itself would have no environmental impact on any future development and would still be subject to strict State and Federal regulations.

Intuitively, a land swap is merely a redrawing of maps and has no environmental impact in and of itself. The mentioned activities, mining and logging, do, in fact, have environmental impact and would be subject to the full Federal and State review. Not one environmental protection is lost in the execution of this bill.

I want to be very transparent here. One of the hopes of my constituents is to have a bill to create good-paying jobs in the timber and mining industries. The lands listed in S.F. 1750 are rich in natural resources. Many of them lie in portions of the Superior National Forest that are already being successfully mined for iron ore and harvested for timber. It's a working and managed forest.

These activities employ thousands of workers and support tens of thousands of other ancillary jobs in the region. Northern Minnesotans want these and need these opportunities, and every American benefits from the steel and lumber that goes into our cars and into our homes.

While I generally support the aims of NEPA, the State of Minnesota has some of the strictest environmental standards in the country and a track record of successful regulation of mining and logging.

On the other hand, obstructionist special interest groups have a track record of abusing the NEPA process to sue and delay. I do not want these groups to continue to delay this land exchange, preventing Minnesota schools from receiving the funding that they need and, quite frankly, they deserve.

The State of Minnesota cannot afford to be sued by environmental groups for years. Some of those arguing for NEPA are, in fact, arguing that defending lawsuits is an appropriate use of the taxpayer dollars and that it's okay to transfer wealth from State coffers to special interest groups. Interesting to note, many of these special groups aren't even from Minnesota.

Make no mistake. This will be passed and a bipartisan land exchange is going to get done. I will not allow special interest groups, acting in bad faith, to abuse the NEPA process and use frivolous lawsuits to block and derail a land exchange. If I could trust special interest groups to act in good faith and if I could trust the Federal bureaucracy to act promptly, I would include NEPA in this legislation.

The teachers and schoolkids in Minnesota can't wait years, if not decades. Currently, some of the schools in Minnesota have classrooms with over 40 kids, and some school districts, like mine in North Branch, have been reduced to a 4-day school week. I ask, is that progress?

This legislation will generate a lot of funding for our schools and create good-paying jobs. Importantly, the Minnesota Education Investment Employment Act will not eliminate a single acre of Boundary Waters land. In fact, it would include wilderness acres to the existing Boundary Waters Canoe Area Wilderness boundaries while giving Minnesota's children land that rightfully and constitutionally belongs to them.

I urge my colleagues to support this rule and the underlying bill.

Mr. POLIS. Remarkably, the underlying bill produced by Mr. CRAVAACK actually uncovered a permanent earmark that the CBO found provides $6 million a year to three Minnesota counties. I think that in a Congress that is supposed to move past earmarks it's not a good precedent to include that earmark in the transition.

I'd also like to clarify that Governor Dayton, while, of course, asking for the land to be exchanged—and there doesn't seem to be disagreement about that—did not ask for NEPA to be short-circuited, nor do they ask to bypass the normal appraisal process.

With that, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT), the ranking member of the Judiciary Committee Subcommittee on Crime, Terrorism, and Homeland Security.

Mr. SCOTT of Virginia. Madam Speaker, I oppose this rule because it does not allow consideration of amendments to the FISA bill that would strengthen the underlying bill by providing for greater accountability to the public of an otherwise wholly secretive process.

Operations of the government must be held accountable to the people. The problem with holding operations under

the existing FISA law is that most of the activities under it are conducted in secrecy. The fact that I or other Members of Congress have access to classified information regarding those secret activities is not sufficient for public accountability.

Even if I were satisfied by my access to classified information, that only reasonable and constitutionally justified actions are being taken by officials in secret, I would still feel the need to give greater assurances to the public other than simply, trust me, I'm satisfied, so should you. Curiously, if I'm not satisfied, there's nothing I could say because it's classified information.

The Foreign Intelligence Surveillance Act was passed in 1978 to curb abuses in collection and use of intelligence information, foreign and domestic. Under the original provisions of FISA, procedures for collection of foreign intelligence required the government to show not only that there was probable cause to believe that the target of the intelligence surveillance is an agent of a foreign power, but also that foreign intelligence-gathering is the primary purpose of the collection.

Under the USA PATRIOT Act of 2002 and beyond, the government now only needs to show the probable cause of the target is an agent of the Federal government, and that the foreign intelligence-gathering is merely a significant purpose of that collection. When foreign intelligence collection is not the primary purpose for the collection of information, we are left to wonder what the primary purpose of that action might be.

The FISA Act of 2008 went a step further, authorizing the collection of massive amounts of information about foreign persons reasonably believed to be outside of the United States without a warrant. With such massive amounts of information being collected, invariably information involving U.S. persons in the United States whose information may not be the target is also being collected.

The FAA of 2008 requires the executive branch to design targeting procedures which limit the scope of the collection before the government acts and minimization procedures which limit the use of information before the government collects it, and the FISA court reviews these procedures for legal sufficiency. However, with nearly all of this oversight being conducted in secret, the public has no choice but to take the government at its word.

We can do better. My amendment would simply require the executive branch to provide at least some documentation that it uses this authority narrowly, responsibly, and exclusively for foreign intelligence-gathering purposes, while protecting the material that would be classified. So we should reject this rule in favor of one that allows amendments to strengthen public accountability over the surveillance of Americans.

Mr. NUGENT. Madam Speaker, I certainly do appreciate the gentleman's comments because, as a former law enforcement officer, I want to make sure that we protect Americans. But I'm not so sure I want to protect those in foreign countries that are not Americans, those in foreign countries that would do harm to America, like they did on this day 11 years ago.

You know, FISA—our good friend mentioned about 2008, but prior to 2008, Americans could be entrapped within the FISA context.

□ 1330

In 2008, that changed. What it said is that, if Americans become involved in a FISA investigation in which their names come up, the information comes up, it has to be minimized. Then they have to go to a Federal judge and to the FISA court to get an authorization to do what they need to do as it relates to a warrant in order to receive and recover that information. That's what 2008 did. What the President has asked is that we just continue to do what we did since 2008. The protections that were put in place for American citizens that were not there prior to 2008 are to be extended. That's the intent of the reauthorization act of the FAA.

I reserve the balance of my time.

Mr. POLIS. I yield myself such time as I may consume.

Madam Speaker, Congress will soon leave town again for a long district work period. We believe it is essential that before we go home we must extend tax cuts for the middle class. If we defeat the previous question here today, we will amend the rule to say that Congress needs to stay here to vote on the Middle Class Tax Cut Act and not go home until we've made sure the middle class tax cut extension becomes law and that tax rates do not increase for millions of American families.

To speak about the previous question, I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

There is agreement in this Congress that we've got to create jobs in this economy. There is 100 percent agreement that we should extend tax cuts for 98 percent of the American people. If there is 100 percent agreement among the 435 Members of Congress to provide a continuing benefit to 98 percent of the people, why don't we do it? That's pretty good. The election will allow each side to make its argument about the tax cuts for the 2 percent. Incidentally, that 2 percent would be included. They'd get their tax cuts on the first $250,000 of income. So what we really have is 100 percent agreement that 100 percent of the people will get a tax cut, and we have a disagreement about whether 2 percent of the people will have their tax cuts stopped at $250,000.

We know that extending those Clinton-era tax rates is very important in order to maintain what is a fragile recovery. If we can step back from our political posturing and acknowledge that, in fact, we do agree that it is essential to the economy to extend those Clinton-era tax rates, why not do it sooner rather than later? Number one, there is no guarantee after the election that it will be easier to do then than it will be now. It's a roll of the dice on both sides.

It would be one thing if the only thing at stake were our political futures, our political careers. That's not a big deal. Yet what's at stake is the American economy. It's about whether people have jobs, whether they have security, whether they can depend on what they need to raise their families. Some of those provisions are really important to students—a tax credit if you have a kid in college. Some of those are important as to whether you're going to be able to continue to itemize your deductions if you're a middle class family. Some of those are about the rates of tax that you pay.

We agree on all of this, but it is solely within the power of the majority to decide whether to bring this bill to the floor for a vote. We are asking that it be done on behalf of the American people.

Mr. NUGENT. I yield myself such time as I may consume.

Madam Speaker, we have heard a lot, particularly as it relates to FISA. I want to clarify and make sure everyone understands that the FAA authorizes the targeting of non-U.S. citizens who are overseas. They are not citizens of the United States. Thus, they don't have the protections under the United States Constitution—nor should they.

If an American becomes a target during the investigation, just as in a criminal investigation when I was sheriff and someone became a target during a wiretap, we then have to identify that person. If we want to go after him, if we want to eavesdrop on his conversations, we have to get a separate order to allow us to do that. Back in 1978, when this was first put in place—guess what?—if an American were picked up in one of these wiretap operations, there was no requirement to go back and get a separate authorization to go after that American citizen. But 2008 changed that. 2008 put in a particular protection for American citizens who may get caught up in a FISA investigation in regards to the collection of data or voice transmissions. That's the difference.

So, when people start talking about it as it relates to civil liberties, if you live in a foreign country, you don't have civil liberties with us if you're plotting against the United States. That's the whole identification reference to this: that it's a foreign country and a non-U.S. citizen.

With that, I reserve the balance of my time.

Mr. POLIS. I would like to inquire of the gentleman from Florida how many speakers he has remaining.

Mr. NUGENT. I have none.

Mr. POLIS. Then I am prepared to close, and I yield myself the balance of my time.

Madam Speaker, at a time when millions of Americans continue to struggle to find work, our Federal deficit continues to mount. Here we are in Congress after a 5-week recess—doing what?—considering, one, a faulty land swap deal that is a bad deal for the general public, that contains a hidden earmark and is controversial among local communities in Minnesota, and, two, a major reauthorization bill under a closed process that significantly curtails our liberties as Americans without there being any opportunities for Members of either party to offer suggestions about how to reconcile liberty with security.

Look, Congress' ''to do'' list remains long, and it's steadily growing. The American public is upset that Congress isn't tackling the deficit or the debt. Congress isn't tackling jobs, infrastructure, moving forward and investing in our future economic growth. Among Congress' unfinished business is a tax increase that will hit the middle class unless Congress acts.

If we defeat the previous question, we will make sure that Congress does not go home before making sure that middle class taxes do not go up. In fact, according to the House Clerk's Office, only 61 bills have become law in 2012. That's the fewest number of bills in 60 years. We only have 7 days that this House of Representatives is working here in Washington in September, yet this Congress continues to refuse to make the hard choices needed to get our economy moving.

It's time to roll up our sleeves and get to work in making sure that we have the ability to protect Americans from threats. Let's do so in an open way that encourages ideas from both sides and that has a classified briefing at which Members of Congress can receive the information we need to suggest how or if FISA needs to be changed before it's authorized for a carte blanche 5 additional years.

It is important to reject both of these underlying rules and these underlying bills. It is time to focus on job creation, deficit reduction, and tax reform, not on trying to rush to the floor an earmark land swap with no map for Minnesota, for what can only be taken to be purely political reasons, as well as there being under a closed process a bill about which many of us have grave concerns and that undermines our right to privacy as Americans.

I urge a ''no'' vote on the rule and the two flawed underlying bills, and I ask unanimous consent to insert into the RECORD the text of my amendment to the rule, along with extraneous material, immediately prior to the vote on the previous question.

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

There was no objection.

Mr. POLIS. Madam Speaker, I urge my colleagues to cast a thoughtful vote and to vote ''no'' on the rule and the bills and to defeat the previous question.

I yield back the balance of my time.

Mr. NUGENT. I yield myself the balance of my time.

Madam Speaker, I've heard my good friend from Colorado. Maybe he wasn't serving on the Judiciary Committee this summer, but prior to this being vetted within the Judiciary Committee, all the members there were offered a classified briefing as it relates to FISA. Every member had the opportunity to attend that. As I said, I'm not sure if Mr. POLIS was a member of that Judiciary Committee at the time it was offered to all. As a matter of fact, yesterday, at the Rules Committee, the ranking Democratic member of the Intelligence Committee, Mr. RUPPERSBERGER, pointed out to the Rules Committee that, at any time, any Member of this House can request a classified briefing—any Member.

□ 1340

He wanted to make sure that this didn't become a political football. He admonished all of us not to make this a political statement, but to do what's right for this country.

I hear time and time again from my good friend as this relates to civil liberties of Americans. If you look back to 2008, that was rectified. Prior to that I would tell you that the civil liberties of Americans were in jeopardy, but in 2008, that was corrected, and it's continued on in this reauthorization of 2012.

Once again, the FISA court is comprised of U.S. District Federal judges, and they also have a right to appeal to a court of review made up of Federal judges. The information, as Mr. RUPPERSBERGER said, is if you want a briefing requested, if you want additional information in a classified setting requested, every Member has that opportunity. As a matter of fact, in the Intelligence Committee, there wasn't one opposing vote. Democrats and Republicans alike came together and said this is what's important to keep America safe. They don't want to have another 9/11 on their watch. At the same time, we want to protect all Americans.

When people start throwing this around and saying this is an assault on American civil liberties, that's just not right, it's not correct, and it's wrong because this bill does everything to protect Americans from intrusion into their private lives. It forces the Federal Government to go back to court if it uncovers through these surveillance techniques activities by an American citizen who's doing something wrong as it relates to terrorism against this country. It gives them a process to do it because, prior to 2008, they could do it without abandon. They could wind up collecting any information on U.S. citizens. In 2008, that changed and rightfully so. There should be constraints on the Federal Government.

I heard also there's no checks and balances. That's just not true. Every 60 days there's a report done in reference to FISA in regards to the intercepts. Twice a year, there's an automatic report that has to be generated that goes to Congress. And at any time, the Judiciary Committee and the Intelligence Committee can hold hearings—and they do—as it relates to classified information, as it relates to FISA. That's oversight. That's what we're supposed to do.

And the reason they say this is secret—well, guess what, it's not secret, but it's kept under wraps because of this: if we tell our techniques to our enemies, then guess what? They'll figure out a way to circumvent so they can get the information, pass the information, and conspire against this country. That's the reason in law enforcement we don't give up our techniques because the bad guys will figure it out. They're pretty smart folks. They have time on their hands. What we don't want to do is give them time on their hands to assault the United States of America, kill our citizens, kill and injure those first responders, and then put our military at risk.

This is directed to those that live outside of this country, those that are not American citizens. Let me make this perfectly clear. Besides all the rhetoric of those who would love to inflame different people as it relates to this, this has nothing do with American citizens, except if they do get caught up in a conversation with someone who is a foreign national that it does have to go back to court to get that specific authorization to record or transmit that information as it relates to them.

Madam Speaker, I encourage my colleagues on both sides of the aisle to support this rule and bring these two very important pieces of legislation to the House floor for a vote. If there's one duty that is inherently part of our Federal Government's core mission, it's to provide for our national security. None is more important than making sure that this Republic survives.

The FISA Amendments Act Reauthorization is a key tool in keeping our Nation safe. We heard it from both sides of the aisle who testified in front of the Rules Committee yesterday. As we continue to fight terrorists around the world who want nothing more than to harm our Nation, the FAA gives our intelligence community the tools they need to track these enemies overseas. That's the important word, ''overseas.'' We can't give up that fight, which is why we need to keep using the information we have access to. The FISA Amendments Act Reauthorization balances this need for security with civil liberty protections for Americans living abroad. It keeps us safe at home while protecting Americans living around the world.

I encourage my colleagues on both sides of the aisle to continue the bipartisan tradition of supporting the FAA and to vote for this bill.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 773 OFFERED BY MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

Sec. 3. Upon completion of consideration of House Resolution 746 the Speaker shall, 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. 15) to amend the Internal Revenue Code of 1986 to provide tax relief to middle-class families. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill 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. 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. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 3 of this resolution.

Sec. 5. Immediately upon adoption of this resolution, the House shall proceed to the consideration in the House of the resolution (H. Res. 746) prohibiting the consideration of a concurrent resolution providing for adjournment or adjournment sine die unless a law is enacted to provide for the extension of certain expired or expiring tax provisions that apply to middle-income taxpayers if called up by Representative Slaughter of New York or her designee. All points of order against the resolution and against its consideration are waived.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308–311), describes the vote on the previous question on the rule as ''a motion to direct or control the consideration of the subject before the House being made by the Member in charge.'' To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that ''the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition'' in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: ''The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.''

Because the vote today may look bad for the Republican majority they will say ''the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.'' But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: ''Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.''

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled ''Amending Special Rules'' states: ''a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.'' (Chapter 21, section 21.2) Section 21.3 continues: ''Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.''

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. NUGENT. With that, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

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

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, 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 for a period of less than 15 minutes.

Accordingly (at 1 o'clock and 46 minutes p.m.), the House stood in recess.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. WESTMORELAND) at 2 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: ordering the previous question on House Resolution 773; adopting House Resolution 773, if ordered; and suspending the rules and passing H.R. 4264.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

PROVIDING FOR CONSIDERATION OF H.R. 5544, MINNESOTA EDUCATION INVESTMENT AND EMPLOYMENT ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 5949, FISA AMENDMENTS ACT REAUTHORIZATION ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on the resolution (H. Res. 773) providing for consideration of the bill (H.R. 5544) to authorize and expedite a land exchange involving National Forest System land in the Laurentian District of the Superior National Forest and certain other National Forest System land in the State of Minnesota that has limited recreational and conservation resources and lands owned by the State of Minnesota in trust for the public school system that are largely scattered in checkerboard fashion within the Boundary Waters Canoe Area Wilderness and have important recreational, scenic, and conservation resources, and for other purposes, and providing for consideration of the bill (H.R. 5949) to extend the FISA Amendments Act of 2008 for five years, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The vote was taken by electronic device, and there were—yeas 232, nays 177, not voting 20, as follows:

[Roll No. 560]

YEAS—232

Adams	Benishek	Brady (TX)
Aderholt	Berg	Brooks
Alexander	Biggert	Buchanan
Amash	Bilbray	Bucshon
Amodei	Bilirakis	Buerkle
Austria	Bishop (UT)	Burgess
Bachmann	Black	Burton (IN)
Bachus	Blackburn	Calvert
Barletta	Bonner	Camp
Bartlett	Bono Mack	Campbell
Barton (TX)	Boren	Canseco
Bass (NH)	Boustany	Cantor

Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

NAYS—177

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hochul
Holden
Holt
Honda
Hoyer
Jackson Lee (TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)
Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—20

Akin
Broun (GA)
Cicilline
Gallegly
Gonzalez
Harper
Hayworth
Herger
Hinojosa
Hirono
Israel
Jackson (IL)
King (NY)
Lewis (CA)
Lowey
Napolitano
Ryan (WI)
Speier
Towns
Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1426

Messrs. DOYLE, CARSON of Indiana, HONDA, DAVIS of Illinois, JONES, and Ms. BERKLEY changed their vote from ''yea'' to ''nay.''

So the previous question was ordered.

The result of the vote was announced as above recorded.

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.

RECORDED VOTE

Mr. HASTINGS of Florida. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 179, not voting 17, as follows:

[Roll No. 561]

AYES—233

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Franks (AZ)
Frelinghuysen
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harris
Hartzler
Hastings (WA)
Heck
Hensarling
Herrera Beutler
Hochul
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (OH)
Johnson, Sam
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—179

Ackerman
Altmire
Andrews
Baca
Baldwin
Barber
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Jackson Lee (TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Neal
Olver
Owens
Pallone
Pascrell
Pastor (AZ)

Paul
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth

NOT VOTING—17

Akin
Broun (GA)
Cicilline
Gallegly
Harper
Hayworth
Herger
Hirono
Israel
Jackson (IL)
King (NY)
Lewis (CA)
Lowey
Napolitano
Ryan (WI)
Speier
Towns

□ 1434

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.

FHA EMERGENCY FISCAL SOLVENCY ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 4264) to help ensure the fiscal solvency of the FHA mortgage insurance programs of the Secretary of Housing and Urban Development, and for other purposes, as amended, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Illinois (Mrs. BIGGERT) that the House suspend the rules and pass the bill, as amended.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 7, not voting 20, as follows:

[Roll No. 562]

YEAS—402

Ackerman
Adams
Aderholt
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Denham
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Filner
Fincher
Fitzpatrick
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Heck
Heinrich
Hensarling
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris Rodgers
McNerney
Meehan
Meeks
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Nadler
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Pastor (AZ)
Paulsen
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schock
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
Welch
West
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—7

Amash
Flake
Foxx
Paul
Price (GA)
Sensenbrenner
Westmoreland

NOT VOTING—20

Akin
Broun (GA)
Cicilline
Crowley
Gallegly
Gutierrez
Harper
Hayworth
Herger
Hirono
Hochul
Israel
Jackson (IL)
King (NY)
Lewis (CA)
Lowey
Napolitano
Ryan (WI)
Speier
Towns

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1441

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Ms. HOCHUL. Mr. Speaker, I was detained and missed rollcall vote No. 562, H.R. 4264. Had I been present, I would have voted "yea" on rollcall vote No. 562.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GARDNER). 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.

Record votes on postponed questions will be taken later.

CHILD AND ELDERLY MISSING ALERT PROGRAM

Mr. CHABOT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4305) to authorize the Attorney General to provide a grant to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing individuals, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4305

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 "Child and Elderly Missing Alert Program".

SEC. 2. PROGRAM TO ASSIST FEDERAL, STATE, TRIBAL, AND LOCAL LAW ENFORCEMENT AGENCIES IN THE RAPID RECOVERY OF MISSING CHILDREN, THE ELDERLY, AND DISABLED INDIVIDUALS.

Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd) is amended—

(1) in subsection (b)—

(A) in paragraph (16), by striking ''and'' after the semicolon;

(B) in paragraph (17), by striking the period and inserting ''; and''; and

(C) by adding at the end the following new paragraph:

''(18) to permit eligible nonprofit organizations to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing children, elderly individuals, and disabled individuals through the use of a rapid telephone and cellular alert call system, in accordance with subsection (l).''; and

(2) by adding at the end the following new subsection:

''(l) CHILD AND ELDERLY MISSING ALERTS.—

''(1) IN GENERAL.—The Attorney General is authorized to award grants to eligible nonprofit organizations to assist Federal, State, tribal, and local law enforcement agencies in the rapid recovery of missing children, elderly individuals, and disabled individuals through the use of a rapid telephone and cellular alert call system.

''(2) SPECIFIED USE OF FUNDS.—The grants awarded under this subsection shall be used to—

''(A) provide services to Federal, State, tribal, and local law enforcement agencies, in response to a request from such agencies, to promote the rapid recovery of a missing child, an elderly individual, or a disabled individual by utilizing rapid telephone and cellular alert calls;

''(B) maintain and expand technologies and techniques to ensure the highest level of performance of such services;

''(C) provide both centralized and on-site training and distribute information to Federal, State, tribal, and local law enforcement agency officials about missing children, elderly individuals, and disabled individuals and use of a rapid telephone and cellular alert call system;

''(D) provide services to Federal, State, tribal, and local Child Abduction Response Teams;

''(E) assist Federal, State, tribal, and local law enforcement agencies to combat human trafficking through the use of rapid telephone and cellular alert calls;

''(F) share appropriate information on cases with the National Center for Missing and Exploited Children, the AMBER Alert, Silver Alert, and Blue Alert programs, and appropriate Federal, State, tribal, and local law enforcement agencies; and

''(G) assist appropriate organizations, including Federal, State, tribal, and local law enforcement agencies, with education and prevention programs related to missing children, elderly individuals, and disabled individuals.

''(3) ELIGIBILITY.—To be an eligible nonprofit organization for purposes of a grant under this subsection, a nonprofit organization shall have experience providing rapid telephone and cellular alert calls on behalf of Federal, State, and local law enforcement agencies to find missing children and elderly adults.

''(4) GRANT PERIOD AND RENEWAL.—The Attorney General shall determine an appropriate grant period for grants awarded under this subsection. Such grants may be renewed at the discretion of the Attorney General.

''(5) EVALUATION.—The Attorney General shall require each grantee under this subsection to annually submit the results of the monitoring and evaluations required under subsections (a) and (b) of section 1705, and shall publish an annual report regarding such results and the effectiveness of the activities carried out under each such grant.

''(6) INAPPLICABLE PROVISIONS.—The following provisions of this part shall not apply to grants awarded under this subsection:

''(A) Subsection (j) of this section (relating to grants to Indian tribes).

''(B) Section 1703 (relating to renewal of grants).

''(7) DEFINITIONS.—In this subsection:

''(A) CHILD.—The term 'child' means an individual under 21 years of age.

''(B) DISABLED INDIVIDUAL.—The term 'disabled individual' means—

''(i) an individual with 1 or more disabilities (as defined in section 3 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12102)); or

''(ii) an individual who has been diagnosed by a physician or other qualified medical professional with Alzheimer's disease or a related dementia.

''(C) ELDERLY INDIVIDUAL.—The term 'elderly individual' means an individual who is 60 years of age or older.

''(D) MISSING.—The term 'missing', with respect to a child, an elderly individual, or a disabled individual, means such a child or individual who has been reported to law enforcement as missing and whose whereabouts are unknown to Federal, State, tribal, and local law enforcement agencies.

''(E) RAPID TELEPHONE AND CELLULAR ALERT CALL SYSTEM.—The term 'rapid telephone and cellular alert call system' means an automated system with the ability to place at least 1,000 telephone and cellular calls in 60 seconds to a specific geographic area determined by law enforcement—

''(i) based on the last known whereabouts of a missing individual; or

''(ii) based on other evidence and determined by such law enforcement agency to be necessary to the search for the missing individual.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Ohio (Mr. CHABOT) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio.

GENERAL LEAVE

Mr. CHABOT. 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 materials on H.R. 4305, as amended, currently under consideration.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded not to traffic the well.

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

I rise in support of H.R. 4305, a commonsense, bipartisan bill which would increase resources for local law enforcement to aid in the recovery of missing children and elderly adults. I would also like to thank my colleague, the gentleman from Florida (Mr. DEUTCH), for his diligent work on this bill.

Every 40 seconds, a child goes missing. Throughout the United States, an average of 2,000 children under the age of 18 are reported missing every day, and as many as 800,000 each year are reported missing. Although many of our children are at risk, the risk for children living with autism is even greater. About one in four parents of children living with autism spectrum disorders have reported that their children have gone missing long enough to cause significant concern about their safety. In addition, health care reports show three out of five Americans living with Alzheimer's disease will sometimes wander from their locations and may be unable to find their way back home.

The need to locate missing children and seniors in some instances in the first hours of the disappearance is vital. Unfortunately, most law enforcement agencies lack the appropriate resources to knock on every door in the community in every unfortunate crisis.

□ 1450

Further, although the Amber Alert and Silver Alert are sometimes successful alert programs, there remains a crucial lapse of time between the point when a child or elderly adult is first reported missing and when one of these services can be utilized. This important legislation would help solve this problem by employing targeted telephone and cellular alerts within minutes of a missing person report to residents and businesses in the area where the person was last seen. In fact, as many as 1,000 calls can be made in merely 60 seconds, a vital asset in reaching the greatest number of neighbors in the early, critical moments of a search.

Targeted alert programs are typically available to law enforcement nationwide, and they're multilingual. The regional databases used for alerts can take years to build and contain an accumulation of public residential telephone numbers, as well as volunteered cellular phone numbers. These programs are able to utilize computer mapping and enhanced satellite imagery to select the targeted calling area.

To date, as many as 8,500 law enforcement agencies have received training with targeted alert programs. My legislation would support these programs which assist Federal, State, and local law enforcement agencies in the rapid recovery of missing children and elderly persons while saving tax dollars. The automated alert systems are free for local law enforcement to use, saving thousands of dollars on a traditional search which could require as many as 10 officers on the ground at any one time.

A recent success story in my district highlights the value of a targeted telephone and cellular alert program. On February 1 of this year, a 9-year-old girl was reported missing from her home after she went to walk her dog and did not return. Sergeant Beavers of the Hamilton County Sheriff's Department in Cincinnati contacted A Child is Missing and provided the girl's description to be distributed via a telephone alert. Nearly 1,700 alert calls were made asking that anyone with information contact the police. According to the case follow-up report after the alert was activated, several calls were received immediately, some containing valuable tips. The police used these tips to locate the girl safely approximately one-half mile away from her home in less than an hour after the activation of the alert.

When it comes to protecting the most vulnerable among us, it's important that we first equip our law enforcement at the local level. H.R. 4305 would facilitate the partnership of privately run programs with law enforcement and members of the community to safely recover missing individuals, whether they're minors or whether they be, in the case of Alzheimer's, for example, senior citizens.

I urge my colleagues to support this straightforward, bipartisan legislation.

Once again, I would like to thank Mr. DEUTCH for his leadership on this issue, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 4305, the Child and Elderly Missing Alert Program. This important measure will assist law enforcement agencies to address the terrifying experience of when a child, elderly person, or other family member or friend goes missing.

The number of individuals that go missing each year is staggering. For example, a child goes missing almost every 40 seconds in the United States. That's about 800,000 children reported missing every year.

The adults suffering from Alzheimer's disease and other forms of dementia also become missing persons. These diseases cause many of their suffers to become disoriented and lost; and because of their condition, these individuals are often unable to assist first responders in finding their way back to their caregivers. It is currently estimated that about 5½ million Americans suffer from Alzheimer's disease. In about 2050, that number may go up to 16 million.

Locating a missing individual must be done quickly. Research has shown that time is of the essence with missing persons. The first hours of disappearance are the most vital. According to a study by the attorney general of Washington State and the U.S. Department of Justice, 74 percent of children abducted and murdered were killed within the first 3 hours. Half of the elderly adults who wander from their homes suffer serious injury or death if not found within 24 hours. Accordingly, alerts to law enforcement in those crucial first few hours after a person goes missing is obviously very critical.

H.R. 4305 facilitates targeting telephone and cellular alerts to residents and businesses in the area where the person was last seen. The residents and businesses are able to opt out if they choose to, but most of the people obviously want this information.

H.R. 4305 will help provide meaningful aid to law enforcement in recovering missing children, elderly people, and the disabled. I urge my colleagues to support the legislation, and I reserve the balance of my time.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my time. We have no additional speakers at this time.

Mr. SCOTT of Virginia. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. DEUTCH).

Mr. DEUTCH. Mr. Speaker, I thank the gentleman from Virginia.

I rise today to urge passage of H.R. 4305, the Child and Elderly Missing Alert Program Act of 2012.

This bill, which I had the pleasure of introducing with my friend, Mr. CHABOT of Ohio, will help law enforcement agencies nationwide safely recover missing children and elderly adults.

As Mr. CHABOT highlighted, every 40 seconds a child goes missing in America, with over 800,000 children reported each and every year. The panic that takes over when a child cannot be found is a feeling that every parent hopes and prays they will never have to experience.

We know that every second is precious. In fact, in tragic cases involving abducted and murdered children, research supported by the Department of Justice shows that 74 percent were slain within the first 3 hours. Likewise, the families of adults suffering from Alzheimer's disease or another form of dementia feel that same anxiety when a loved one goes missing. They're not just in danger of injury, but of going too long without medications that they rely on. In fact, half of elderly adults who wander from their residences suffer serious injuries or death if not located within 24 hours.

Though the Amber Alert and Silver Alert programs are invaluable tools for law enforcement to alert communities of missing persons, too often they're not activated until precious time has passed. Whether young or old, we know that the ability to locate missing persons within the first few hours of their disappearance is vital.

By passing H.R. 4305, we can help law enforcement agencies nationwide employ technology pioneered by Sherry Friedlander, a south Florida woman who started an organization called A Child is Missing. A Child is Missing helps police and rescue teams get the word out fast. It is the only organization that assists in all types of missing cases, including abductions, runaways, or individuals that lose their way.

When a person is reported missing to law enforcement, A Child is Missing utilizes the latest satellite technology to place 1,000 emergency phone calls every 60 seconds to residents and businesses in the area where the person was last seen. In fact, just this year, A Child is Missing marked its 1,000th successfully assisted recovery. This proven technology works, and it saves lives. By passing this legislation, we can help law enforcement successfully recover missing persons nationwide.

Mr. CHABOT. Mr. Speaker, I continue to reserve the balance of my time.

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

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

I would just like to conclude by saying that this is, I think, a very important program. Every parent I think is always afraid of that potential nightmare that one of their children goes missing. All of us that have senior grandparents, for example, know how prevalent Alzheimer's can be in the senior community. This is a program that can help those at a very early age and those later in their lives. I think it's a great program. I urge my colleagues to support it.

With that, I yield back the balance of my time.

Mr. SMITH of New Jersey. Mr. Speaker, I would like to thank Chairman LAMAR SMITH and Ranking Member JOHN CONYERS for advancing this bill through the Judiciary Committee. And, I'd like to offer my appreciation and thanks to my friend Congressman STEVE CHABOT for introducing the Child and Elderly Missing Alert Program Act.

This is a very innovative and timely program, utilizing telephone and cellular alerts to help in the rapid recovery of missing children, elderly individuals, and the disabled. The bill specifically includes within the definition of disabled those diagnosed with Alzheimer's disease. As we know cellular phones are ubiquitous and expanding the use of that technology in missing persons programs promises to greatly increase the programs' effectiveness.

As a co-chairman of congressional caucuses for both Alzheimer's disease and autism, I am familiar with the widespread occurrence and the dangers of wandering for these populations. Sixty percent of the millions of Alzheimer's sufferers wander at some point in their illness, many are habitual wanderers. Most of us are also well aware of the skyrocketing rates of autism, and again wandering is a serious concern.

But this bill will assist Federal, State, local, and tribal law enforcement in their efforts to help so many other individuals including victims of family abduction and victims of abduction for sexual exploitation. As the author of the first federal law to combat human trafficking, I am grateful that Mr. CHABOT's legislation specifically provides for grants to combat human trafficking. Human trafficking is a multibillion dollar industry that touches every country in the world, including the United States. Victims, primarily women and children are stripped of their dignity, robbed of their human rights, and forced into bondage and sexual servitude.

This legislation increases the likelihood that the disabled wanderer will be found and reunited safely with his or her loved ones. It will help runaways to be reunited with their families or at least to be provided a safe environment. And it will make it much more difficult for family abductors and human traffickers to avoid detection and to rescue their victims.

I thank Mr. CHABOT, and I encourage all of my colleagues to vote for this legislation.

Mr. SMITH of Texas. Mr. Speaker, H.R. 4305, the Child and Elderly Missing Alert Program, was introduced by my Judiciary Committee colleague, Mr. CHABOT. I thank him for his work on this issue.

A child goes missing in this country every 40 seconds. Almost 800,000 children are reported missing each year and 500,000 go missing without ever being reported.

In many cases of missing children, the AMBER Alert system is activated to help law enforcement and community search efforts.

However, in order to issue an AMBER Alert for a missing child, law enforcement officials must have a description of the child, the suspect, the vehicle if there is one and how the abduction took place. Additionally, they must be able to confirm that the child has in fact been abducted and did not simply wander off on their own.

Without evidence of an abduction, law enforcement officers cannot issue an AMBER Alert. This is where programs like the Child and Elderly Missing Alert Program step in.

Experience shows that time is of the essence when searching for missing persons—particularly young children and the elderly.

H.R. 4305 would allow funding under the Justice Department's Community Oriented Policing Services (COPS) grant program to go toward rapid recovery phone call and alert systems that can be deployed when children and elderly persons are missing.

Such programs complement the AMBER Alert program by quickly disseminating information about missing persons within targeted geographic areas even when the information available is minimal.

Having a child, elderly or disabled loved one go missing is any family's worst nightmare. H.R. 4305 provides a critical tool in the efforts to find missing persons.

I again thank the gentleman from Ohio for his work on this issue and I urge my colleagues to join me in support of this bill.

The SPEAKER pro tempore (Mr. WESTMORELAND). The question is on the motion offered by the gentleman from Ohio (Mr. CHABOT) that the House suspend the rules and pass the bill, H.R. 4305, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1500

MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM REAUTHORIZATION ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2800) to amend the Violent Crime Control and Law Enforcement Act of 1994 to reauthorize the Missing Alzheimer's Disease Patient Alert Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2800

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 ''Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012''.

SEC. 2. REAUTHORIZATION OF THE MISSING ALZHEIMER'S DISEASE PATIENT ALERT PROGRAM.

Section 240001 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 14181) is amended—

(1) by amending subsection (a) to read as follows:

''(a) GRANT.—Subject to the availability of appropriations to carry out this section, the Attorney General, through the Bureau of Justice Assistance, shall award competitive grants to nonprofit organizations to assist such organizations in paying for the costs of planning, designing, establishing, and operating locally based, proactive programs to protect and locate missing patients with Alzheimer's disease and related dementias.'';

(2) in subsection (b), by inserting ''competitive'' after ''to receive a'';

(3) by amending subsection (c) to read as follows:

''(c) PREFERENCE.—In awarding grants under subsection (a), the Attorney General shall give preference to national nonprofit organizations that have experience working with patients, and families of patients, with Alzheimer's disease and related dementias.''; and

(4) by amending subsection (d) to read as follows:

''(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $1,000,000 for each of the fiscal years 2013 through 2017.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. WATERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Mr. Speaker, I ask that all Members have 5 legislative days within which to revise and extend and include extraneous materials on H.R. 2800, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012, is sponsored by the gentlewoman from California (Ms. WATERS). I thank her for her work on this issue.

Alzheimer's disease is a serious condition that is becoming more and more prevalent. The disease affects as many as 5 million people in this country, or one in eight older Americans, and a new person develops Alzheimer's every 69 seconds. This pace is expected to increase with time.

It is estimated that more than half of the people with Alzheimer's or other types of dementia will become lost from their families or caretakers at some point. Many of these people cannot remember their name, their family members or their address. This makes returning home safely difficult for law enforcement officers and Good Samaritans.

As is true whenever a person goes missing, time is of the essence when attempting to locate a lost Alzheimer's patient. One study found an almost 50 percent mortality rate for Alzheimer's patients who are not found within 24 hours of becoming lost.

To address the problem of missing Alzheimer's patients, Congress created the Missing Alzheimer's Disease Patient Alert Program in 1996. This Justice Department program provides grants to locally based organizations to protect and locate missing patients with Alzheimer's disease and related dementia. Congress has appropriated money for this every year since its creation.

The Justice Department has provided grants to several programs, including the Alzheimer's Association's Safe Return program. In this program, people with Alzheimer's and dementia are registered in a data base and receive a bracelet that indicates the individual is memory impaired. The bracelet also includes a 24-hour emergency response number to call if the person is found wandering or has a medical emergency.

The Alzheimer's Association reports a 99 percent success rate for reuniting enrolled missing individuals with their caretakers through the Safe Return program.

H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act of 2012, reauthorizes this program at $1 million a year for 5 years. This authorization level reflects the fiscal year 2012 appropriations level. H.R. 2800 helps to ensure that people with Alzheimer's disease and other forms of dementia are returned safely home when they become lost.

Again, I want to thank the gentlewoman from California (Ms. WATERS) for her leadership on this issue, and I encourage my colleagues to join me in support of this bill.

I reserve the balance of my time.

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

I thank Chairman LAMAR SMITH for his support for H.R. 2800, the Missing Alzheimer's Disease Patient Alert Program Reauthorization Act. This bill reauthorizes a small, but effective, program that assists local law enforcement and protects vulnerable people with Alzheimer's disease. I appreciate the chairman's willingness to work with me and move this bill forward.

Alzheimer's disease currently affects an estimated 5.3 million Americans, and that number will multiply in the coming decades as our population grows. The Alzheimer's Association estimates that 7.7 million Americans will have Alzheimer's by the year 2030, and 11 to 16 million Americans will have the disease by the year 2050.

One great risk for Alzheimer's patients is wandering away from home. According to the Alzheimer's Association, more than 60 percent of Alzheimer's patients are likely to wander. Wanderers are vulnerable to dehydration, weather conditions, traffic hazards, and individuals who prey on vulnerable seniors. Up to 50 percent of Alzheimer's patients who wander will become seriously injured or die if they

are not found within 24 hours of their departure from home. Wanderers often cannot remember who they are or where they live and cannot assist law enforcement officials and other first responders who try to help them.

The Missing Alzheimer's Disease Patient Alert Program is a Department of Justice program that provides competitive grants to nonprofit organizations to assist in paying for the cost of planning, designing, establishing, and operating programs to protect and locate missing patients with Alzheimer's disease and related dementias. These grants help local communities and public safety agencies quickly identify persons with Alzheimer's disease who wander or who are missing and reunite them with their families.

The program was originally authorized in 1996, but has been operating under an expired authorization since 1998. H.R. 2800 reauthorizes the program and authorizations $1 million per year in appropriations for fiscal years 2013 through 2017. This authorization level will allow the program to operate at the funding year 2012 funding level for the next 5 years.

This program is extremely cost effective. An annual appropriation of simply $1 million would easily result in millions more in savings for the Federal Government by allowing more Alzheimer's patients to remain at home with their families, thereby reducing nursing-home utilization and saving Medicare and Medicaid expenses.

H.R. 2800 is cosponsored by 18 Members of Congress, including Congressman CHRIS SMITH and Congressman ED MARKEY, the cochairs of the Bipartisan Congressional Task Force on Alzheimer's Disease. The bill is also supported by both the Alzheimer's Association and the Alzheimer's Foundation of America.

This program saves law enforcement officials valuable time and allows them to focus on other security concerns. It also reduces unintentional injuries and deaths among Alzheimer's patients, brings peace of mind to their families, and thus allows more patients to remain at home with people who love them.

I urge my colleagues to support this bill, and I yield back the balance of my time.

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

Mr. SMITH of New Jersey. Mr. Speaker, I would like to thank Chairman LAMAR SMITH and Ranking Member JOHN CONYERS for advancing this bill through the Judiciary Committee. And, I especially want to thank Congresswoman MAXINE WATERS for her commitment and hard work over the years in support of the Missing Alzheimer's Disease Patient Alert Program.

Alzheimer's disease robs millions of individuals in the U.S. of their ability to recognize once familiar places and faces or even to remember their names and addresses.

Not everyone with Alzheimer's wanders, but an estimated 60% wander at some point in the disease, and many of those wander repeatedly. They easily become disoriented and lost, even in their own neighborhood. While wandering is common, it also can be extremely dangerous, particularly for the unprotected and the mentally and physically vulnerable. If not found within 24 hours, up to half of those who wander risk serious injury or death. And their friends and familieis are beside themselves with worry.

Since its inception in FY1996 and the awarding of a grant to the Alzheimer's Association, the Missing Alzheimer's Disease Patient Alert Program has been a literal life-line, helping in the safe return of many thousands of wanderers.

The program has been funded every year since 1996 and funding has been used to establish a nationwide emergency response service for individuals with Alzheimer's or another dementia who wander or have a medical emergency, including an identification and enrollment system.

H.R. 2800 reauthorizes for five years this Department of Justice Program that provides grants to nonprofit organizations to operate programs designed to help local communities and law enforcement officials quickly identify wandering dementia patients and reunite them with their families.

The program has a 98% success rate for safely returning program enrollees who were reported missing. The program also assists individuals with dementia who are not enrolled, with an 88% success rate. I encourage all of my colleagues to vote for this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 2800, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

LOCAL COURTHOUSE SAFETY ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6185) to improve security at State and local courthouses, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6185

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 ''Local Courthouse Safety Act of 2012''.

SEC. 2. SECURITY TRAINING.

Part D of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3741 et seq.) is amended by adding at the end the following:

''SEC. 403. PREVENTING VIOLENCE AGAINST LAW ENFORCEMENT AND ENSURING OFFICER RESILIENCE AND SURVIVABILITY.

''The Director may carry out a training and technical assistance program designed to teach employees of State, local, and tribal law enforcement agencies how to anticipate, survive, and respond to violent encounters during the course of their duties, including duties relating to security at State, county, and tribal courthouses. If the Director offers a training program specifically designed to train participants on courthouse security issues, preference for admission into such program shall be given to employees of jurisdictions that have magnetometers available for use at their courthouses.''.

SEC. 3. STATE JUSTICE INSTITUTE.

The State Justice Institute Act of 1984 is amended—

(1) in section 203(b)(1) (42 U.S.C. 10702(b)(1)), in the matter preceding subparagraph (A), by inserting '', safe,'' after ''a fair''; and

(2) in section 206 (42 U.S.C. 10705)—

(A) in subsection (c)—

(i) in paragraph (14)—

(I) by inserting ''to'' before ''conduct''; and

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

(ii) by redesignating paragraph (15) as paragraph (16); and

(iii) by inserting after paragraph (14) the following:

''(15) to improve the safety and security of State and local courts; and''; and

(B) by adding at the end the following:

''(g) MAGNETOMETERS.—In the case of a grant awarded under this section to be used as described in subsection (c)(15), if the State or local court applying for the grant does not have magnetometers available for use, not less than $300 nor more than $1,000 of the matching fund required under subsection (d) of the State or local court shall be used to acquire a magnetometer.''.

SEC. 4. SECURITY EQUIPMENT.

(a) IN GENERAL.—Subchapter III of chapter 5 of title 40, United States Code, is amended by adding after section 559 the following:

''§ 560. Surplus security equipment for State and local courts

''(a) DEFINITIONS.—In this section—

''(1) the term 'surplus security equipment' means surplus property that is used to detect weapons, including metal detectors, wands, and baggage screening devices; and

''(2) the term 'qualifying State or local courthouse' means a courthouse of a State or local government that has less security equipment than the security needs of the courthouse require.

''(b) DISPOSAL OF SURPLUS SECURITY EQUIPMENT.—

''(1) IN GENERAL.—Notwithstanding any other provision of this subchapter, the Administrator of General Services shall ensure that a qualifying State or local courthouse has an opportunity to request to receive surplus security equipment for use at the qualifying State or local courthouse before the surplus security equipment is made available to any other individual or entity under this subchapter.

''(2) DISPOSAL.—

''(A) IN GENERAL.—Subject to subparagraph (B), upon request by a qualifying State or local courthouse for surplus security equipment for use at the qualifying State or local courthouse, the surplus security equipment shall be made available to the qualifying State or local courthouse without cost, except for any costs of shipping, handling, and maintenance.

''(B) MULTIPLE REQUESTS.—If more than 1 qualifying State or local courthouse requests a particular piece of surplus security equipment, the surplus security equipment shall be distributed based on need, as determined by the Administrator of General Services, with priority given to a qualifying State or local courthouse that has no security equipment.''.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 5 of title 40, United States Code, is amended by inserting after the item relating to section 559 the following:

''560. Surplus security equipment for State and local courts.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. 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 materials on H.R. 6185, as amended, currently under consideration.

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

There was no objection.

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

Mr. Speaker, first of all, I would like to thank our Judiciary Committee colleague, Mrs. ADAMS of Florida, for her work on this issue to make America's courthouses safer. This bipartisan, bicameral bill passed the Senate Judiciary Committee by unanimous consent last May.

□ 1510

Before I yield to her, I do want to urge my colleagues to support this bill and thank Mrs. ADAMS again for all of her work that brought us to this point we are here today.

Mr. Speaker, I'd like to thank my Judiciary Committee colleague, Mrs. ADAMS of Florida, for her work on this issue to make America's courthouses safer. This bipartisan, bicameral bill passed the Senate Judiciary Committee by unanimous consent last May.

State and local courthouses are the workplace for many people. Judges, secretaries, custodians, clerks and attorneys are there every workday. Police officers, litigants and the public go to these courthouses for many reasons. Many of us are called upon to report there for jury duty.

Often in these courthouses, the stakes, and emotions, are high when defendants confront their accusers and victims confront there perpetrators.

Threats against judges and acts of violence in courthouses and courtrooms are occurring throughout the country with greater frequency than ever before. The number of threats and violent incidents that target the judiciary has increased dramatically in recent years.

At the federal level, the U.S. Marshals Service's Center for Judicial Security reports the number of judicial threat investigations has more than doubled to over 1,200 in the past nine years. At the state and local levels, data collected by the Center for Judicial and Executive Security shows that the number of violent incidents in state courthouses has gone up every decade since 1970.

Since 2010, there has been about one shooting per month at local courthouses across the country. In September 2011, for example a defendant opened fire in the Crawford County Courthouse in Arkansas, killing a judge's secretary.

In December 2011, a defendant retrieved a gun from his car, walked into the Cook County Courthouse in Minnesota and shot the prosecuting attorney, a witness and the bailiff.

So far in 2012, there have been at least five courthouse shootings, including a fatal attack in my home State of Texas.

Security at many local courthouses is lax, particularly in rural and suburban areas where access to equipment, training and resources is especially scarce. Law enforcement officers, court personnel and members of our communities are in harm's way as a result.

One Minnesota judge put it well in a recent correspondence to his colleagues: ''I'm no longer willing to risk my life, the life of court staff, [and] the life of the public who have no choice about going to court.''

This bill accomplishes three objectives. First, the bill gives State and local courthouses direct access to security equipment that the Federal Government no longer uses.

This provision is modeled after a Defense Department program that allows the Pentagon to give its excess equipment to local police and firefighters. This legislation gives State and local authorities access to excess metal detectors, wands and baggage screening machines.

Second, this bill gives States the flexibility they need to make courthouse security improvements, but requires modest matching funds.

The bill does not require any new spending and it does not impose any new mandates. States can use existing federal resources for courthouse security upgrades if they so choose.

Lastly, through existing programs and funding authorizations, training and technical assistance will be provided to local law enforcement officers to teach them how to anticipate and survive violent encounters.

The identical Senate bill has broad bipartisan support and its ten co-sponsors come from both sides of the aisle.

This bill has been endorsed by six organizations, including: the National Sheriffs Association, the National Association for Court Management, the Conference of Chief Justices, the Conference of State Court Administrators, the American Judges Association and the National Court Reporters Association.

The Congressional Budget Office scored this bill at zero cost.

This bill is a cost-effective approach to provide safety training and technical assistance to local law enforcement agencies. It improves security at State and local government courthouses, which are most in need of basic safety equipment and training.

Our State and local law enforcement officers need support to ensure the security of our courthouses. This bill does that as it recycles excess Federal security equipment and protects Americans at the same time.

I again thank Mrs. ADAMS for her work on this issue and I urge my colleagues to support this bipartisan, bicameral bill.

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, September 10, 2012.

Hon. LAMAR SMITH,
House of Representatives,
Washington, DC.

MR. CHAIRMAN: On August 1, 2012, the Committee on the Judiciary ordered H.R. 6185, the ''Local Courthouse Safety Act of 2012,'' reported to the House. Thank you for consulting with the Committee on Oversight and Government Reform with regard to H.R. 6185 on those matters within the Committee's jurisdiction. I am writing to confirm our mutual understanding with respect to the consideration of H.R. 6185.

In the interest of expediting the House's consideration of H.R. 6185, I will forego consideration of the bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice the Committee on Oversight and Government Reform's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my Committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Oversight and Government Reform should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on H.R. 6185 and in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

DARRELL ISSA,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 10, 2012.

Hon. DARRELL ISSA,
Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN ISSA: Thank you for your letter of even date herewith regarding H.R. 6185, the ''Local Courthouse Safety Act of 2012,'' which the Judiciary Committee reported favorably to the House, as amended, today.

I am most appreciative of your decision to forego consideration of H.R. 6185, as amended, so that it may move expeditiously to the House floor. I acknowledge that although you are waiving formal consideration of the bill, the Committee on Oversight and Government Reform is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this letter in the Congressional Record during floor consideration of H.R. 6185.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. SMITH of Texas. I yield such time as she may consume to the gentlewoman from Florida (Mrs. ADAMS).

Mrs. ADAMS. I rise today in support of H.R. 6185, the Local Courthouse Safety Act of 2012, because it will give local courthouses the resources to enhance their security, and to do so at no cost to the Federal taxpayer. My bill would allow for surplus metal detectors to be provided to local courthouses to enhance security.

Like other regions throughout our Nation, central Florida has seen its share of courthouse attacks. Shortly before I joined the Orange County Sheriff's Office as a deputy sheriff, a courthouse shooting occurred. An armed gunman by the name of Thomas Provenzano walked into the Orange County Courthouse with a 12-gauge shotgun, an assault rifle, and a .38 revolver, all loaded with live ammunition. Bailiff William Wilkerson, a 60-

year-old veteran who retired from the Navy as a lieutenant commander, was killed on that day. Bailiff Harry Dalton, a 53-year-old father of six, was shot in the face and left paralyzed from the shooting. He died 7 years later. Correctional Officer Mark Parker was only 19 years old at the time of the shooting. He survived the shooting but was paralyzed from the shoulders down and had to spend the rest of his life confined to a wheelchair.

I introduced the Local Courthouse Safety Act because the things this bill does are important to me and to most Americans. I know the families of Bailiff Dalton and Bailiff Wilkerson, who lost their lives as a result of the violence that day in the Orange County Courthouse, and remained friends with Officer Parker until he passed away a few years ago. I am deeply aware of the grief they've had to live with all of these years.

Since September of 2010, there has been about one shooting per month at a local courthouse. So even though the shooting in Orange County happened 30 years ago, courthouse shootings are still happening all over this country and innocent people are still dying.

Those who are exercising their constitutional right of seeking justice in our courtrooms should not have to fear for their safety, and neither should our law enforcement officers, judges, advocates, and court personnel. It is my hope that this bill will help to prevent horrific and senseless incidents of violence like this from happening in our local courthouses.

I want to thank my colleagues on the Judiciary Committee for recognizing that we need to take courthouse security seriously and for joining me in this bipartisan effort to help prevent violence in local courthouses across this country. We need to give sheriffs and local courthouses access to the training, equipment, and resources they need to improve security, so I urge support for the bill.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 6185, the Local Courthouse Safety Act. This measure will provide critical assistance to State and local governments to provide courthouse security.

To begin with, many State and local courthouses face serious security challenges. Serious violence often occurs in these facilities, but many courthouses across the Nation still lack basic security protections such as metal detectors. H.R. 6185 responds to this critical problem by giving sheriffs, as well as State and local courthouses, access to training, equipment, and other resources to help them improve security.

H.R. 6185 accomplishes these goals by making use of existing resources. This legislation requires the General Services Administration to make available to State and local courts—at no cost, except for shipping, handling, and maintenance—surplus security equipment that is used to detect weapons, such as metal detectors, wands, and baggage screening devices. To qualify to receive such security equipment, a State or local courthouse must have less security equipment than necessary to meet the security needs of that courthouse. Because these devices are surplus and not otherwise being utilized by any Federal agencies, it is a wise use of taxpayer money to allow this equipment to be put into service at the State and local level.

Another important aspect of the bill is that it expands the scope of the grants awarded by the State Justice Institute to include the improvement of the safety and security of State and local courts. As a result, H.R. 6185 strengthens the Institute's current authority to award grants to support education, training, and technical assistance projects to improve the administration of justice in the State courts. This measure addresses, in a meaningful way, the serious security challenges that State and local courthouses face.

Not surprisingly, H.R. 6185 enjoys a broad range of support, including the National Sheriffs' Association, the National Association for Court Management, the Conference of Chief Justices, the Conference of State Court Administrators, American Judges Association, the National Court Reporters Association, and the Center for Judicial and Executive Security.

I commend my colleague, the gentlelady from Florida (Mrs. ADAMS) for her work in developing the bill, and I urge my colleagues to support the legislation.

I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, we 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 Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6185, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

STOLEN VALOR ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1775) to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1775

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 ''Stolen Valor Act of 2012''.

SEC. 2. FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.

(a) IN GENERAL.—Section 704 of title 18, United States Code, is amended—

(1) in subsection (a), by striking ''wears,''; and

(2) so that subsection (b) reads as follows:

''(b) FRAUDULENT REPRESENTATIONS ABOUT RECEIPT OF MILITARY DECORATIONS OR MEDALS.—Whoever, with intent to obtain money, property, or other tangible benefit, fraudulently holds oneself out to be a recipient of a decoration or medal described in subsection (c)(2) or (d) shall be fined under this title, imprisoned not more than one year, or both.''.

(b) ADDITION OF CERTAIN OTHER MEDALS.—Section 704(d) of title 18, United States Code, is amended—

(1) by striking ''If a decoration'' and inserting the following:

''(1) IN GENERAL.—If a decoration'';

(2) by inserting ''a combat badge,'' after ''1129 of title 10,''; and

(3) by adding at the end the following:

''(2) COMBAT BADGE DEFINED.—In this subsection, the term 'combat badge' means a Combat Infantryman's Badge, Combat Action Badge, Combat Medical Badge, Combat Action Ribbon, or Combat Action Medal.''.

(c) CONFORMING AMENDMENT.—Section 704 of title 18, United States Code, is amended in each of subsections (c)(1) and (d) by striking ''or (b)''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. 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 materials on H.R. 1775, as amended, currently under consideration.

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

There was no objection.

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

Mr. Speaker, H.R. 1775, the Stolen Valor Act of 2011, was introduced by the gentleman from Nevada (Mr. HECK). I want to thank him for his dedication to protect the honor bestowed on our Nation's military heroes.

Mr. Speaker, H.R. 1775, the Stolen Valor Act of 2011, was introduced by the gentleman from Nevada (Mr. HECK). I thank him for his dedication to protect the honor bestowed on our nation's military heroes.

In 2006, a man who had created several false identities fraudulently claimed to be a seriously injured Marine captain who suffered from post traumatic stress disorder and a recipient of the Purple Heart and Silver Star.

His tangled web of lies earned him credibility among other veterans, law enforcement officials and politicians. He told these false stories and used them for his own benefit, disrespecting those who had honorably earned these awards for their service.

This is an example of a man who did not simply lie about receiving a military award. He lied to defraud others and benefit himself, discrediting those veterans who actually deserve recognition.

H.R. 1775 prevents similar fraud in the future and reaffirms Congress' respect and gratitude for our Armed Forces. It ensures that those who seek to exploit these medals for fraudulent gain are held accountable.

We have a long-standing commitment to protect the status of military decorations awarded to our military heroes who sacrifice greatly for us in service.

The first honorary badges of distinction for military service date back to George Washington's presidency. Washington stated that anyone with the ''insolence to assume'' a badge that he did not earn would be severely punished.

It has been a federal crime for nearly a century to wear, manufacture, sell or fraudulently produce military decorations or medals without authorization. In 2006, Congress enacted the Stolen Valor Act after a rise in number of fraudulent claims of receipt of military decorations, particularly the Medal of Honor.

This past June, the Supreme Court, in U.S. v. Alvarez, held that the Stolen Valor Act wrongly criminalized speech protected by the First Amendment. Simply put, lying about receiving a Medal of Honor, although it may be offensive, is in fact protected free speech.

The Court did acknowledge that false claims about military decorations, such as the Medal of Honor, demean the value of the award and may offend the true holders of these decorations.

H.R. 1775, the ''Stolen Valor Act of 2011,'' clarifies the law to make it a crime to fraudulently hold oneself out to be a recipient of the Congressional Medal of Honor or other enumerated military decoration with the intent to obtain money, property or other tangible benefit.

The term ''fraudulently'' incorporates the necessary knowledge requirement. Black's Law Dictionary defines ''fraud'' as ''a knowing misrepresentation of the truth or concealment of a material fact to induce another to act to his or her injury.'' It clarifies that there must be specific intent to engage in the crime, namely that the fraud is committed for money, property or other tangible benefit.

The term ''tangible benefit'' is intended to cover those ''valuable considerations'' beyond money or property, such as offers of employment, which Justice Kennedy identified as appropriately prohibited benefits to a fraud.

H.R. 1775 clarifies the Stolen Valor Act to protect the right to free speech but also ensures that those whose speech is intended to defraud and do not enjoy First Amendment protection will be held responsible.

I again thank the gentleman from Nevada (Mr. HECK) for his leadership on this issue. And I urge my colleagues to support this bill.

Mr. Speaker, I yield such time as he may consume to the gentleman from Nevada (Mr. HECK), the sponsor of this legislation.

Mr. HECK. I thank the gentleman for yielding.

Mr. Speaker, I rise today to urge my colleagues to join with me in protecting the honor and valor of our military heroes by passing H.R. 1775, the Stolen Valor Act of 2011.

On June 28, 2012, the U.S. Supreme Court struck down the Stolen Valor Act of 2005, concluding that the broad nature of the law infringed upon the guaranteed protection of free speech provided by the First Amendment of our Constitution. The Court determined that the act ''sought to control and suppress all false statements on this one subject without regard as to whether the lie was made for the purpose of material gain.''

However, in concurring with the decision of the plurality, Justice Breyer stated that a ''more finely tailored statute that shows the false statement caused specific harm or was at least material could significantly reduce the threat of First Amendment harm while permitting the statute to achieve its important protective objective.''

Mr. Speaker, this is exactly what my legislation does. The Stolen Valor Act of 2011 resolves these constitutional issues by clearly defining that the objective of the law is to target and punish those who misrepresent their alleged service with the intent of profiting personally or financially. Defining the intent helps ensure that this law will pass constitutional scrutiny while at the same time achieving its primary objective, which is to preserve and protect the honor and integrity of military service and awards.

In 2006, every Member of both the House and Senate clearly understood the need for this legislation and demonstrated that by unanimously passing the prior Stolen Valor Act in each Chamber. Mr. Speaker, the need to protect the honor, service, and sacrifice of our veterans and military personnel is just as strong today as it was in 2006.

□ 1520

This House has the opportunity to once again show our servicemembers and veterans that we value the magnitude of their sacrifice while at the same time protecting the constitutional rights that they fought so hard to protect.

H.R. 1775 enjoys broad bipartisan support with 107 cosponsors and is supported by numerous veteran service organizations, including the Veterans of Foreign Wars, the Association of the U.S. Navy, the Fleet Reserve Association, the National Association for Uniformed Services, the National Guard Association of the United States, the Association of the United States Army, the Military Officers Association of America, the Military Order of the Purple Heart, and AMVETS.

I would like to thank Chairman SMITH and Ranking Member CONYERS for helping to move this important legislation that was reported unanimously out of the Judiciary Committee. I would also like to thank my colleague from Arkansas (Mr. GRIFFIN) for sponsoring this substitute amendment during committee consideration.

Mr. Speaker, it is only fitting that we pass this bill on the 11th anniversary of the attacks of 9/11 in recognition of the brave servicemen and women who have fought and died in the war to bring the perpetrators of these attacks to justice. I urge my colleagues to support H.R. 1775.

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1775, the Stolen Valor Act. It has long been a tradition in the United States to recognize those in our armed services who stand out among their peers for service to our Nation by awarding them special military medals and declarations. Recipients of these special honors have often been wounded in the line of duty or have made the ultimate sacrifice.

Military medals and declarations constitute a tribute, as well as tangible manifestation of our Nation's deep and abiding recognition and appreciation to our servicemembers.

There are, however, those who falsely claim to be recipients of these special honors. Such malicious actions denigrate the integrity of those honors to those who have legitimately received them.

In response, a law was enacted with the laudable purpose of ensuring the integrity of military honors by punishing those who make such false representations.

Unfortunately, the scope of the law was recently found by the Supreme Court to be unconstitutional as an abridgement of the First Amendment's right to free speech because the First Amendment even protects despicable speech.

Justice Kennedy, however, writing for the court set out certain guidelines that Congress could follow in remedying the statute's constitutional flaw. He wrote:

Where false claims are made to effect a fraud or secure moneys or other valuable considerations, say offers of employment, it is well-established that the government may restrict speech without affronting the First Amendment.

So, as reported by the Judiciary Committee, this bill adheres to this suggested construct by amending the current law to prohibit individuals from fraudulently representing themselves as recipients of these honors in order to obtain money, property, or other tangible benefits. This will actually cover most of the incidences of false claims.

As a result, this measure will, in full compliance with the Constitution, ensure that no one will financially benefit or receive other tangible rewards from falsely representing that they have been awarded these honors and this will cover all of the despicable cases of false claims that the Constitution will allow.

H.R. 1775 will protect the honor and integrity of our Nation's military medals and decorations as well as respect the rights accorded to Americans under the First Amendment.

Accordingly, Mr. Speaker, I urge my colleagues to support the legislation, and I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I will yield as much time as he might

consume to the gentleman from Arkansas (Mr. GRIFFIN) who is an active member of the Judiciary Committee.

Mr. GRIFFIN. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in support of H.R. 1775, the Stolen Valor Act of 2011, and urge its passage.

I would like to thank Congressman JOE HECK for his leadership on this issue as well as Judiciary Committee Chairman SMITH, also Ranking Member CONYERS, for their bipartisan cooperation passing this bill out of committee.

As a proud cosponsor of the Stolen Valor Act, I offered a substitute amendment during committee consideration in response to the recent Supreme Court decision in U.S. v Alvarez. The court instructed that, however despicable, a false claim about receiving a military award is protected by the First Amendment. The substitute amendment, which was adopted unanimously by the Judiciary Committee on August 1, 2012, incorporates the Supreme Court's opinion and recommendations in Alvarez.

The bill we consider today ensures that the Medal of Honor, Purple Heart, and other military awards will be protected from fraud and that those who make false claims of military service or awards will face criminal penalties. I believe that protecting the integrity and valor of American servicemembers who have distinguished themselves in defense of this Nation is critically important. We must ensure that the Medal of Honor and other military awards are protected from fraud, and the Stolen Valor Act helps in that effort.

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

Mr. SMITH of Texas. Mr. Speaker, I yield back the balance of our time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 1775, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SCOTT of Virginia. 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.

TRADEMARK ACT OF 1946 AMENDMENT RELATING TO REMEDIES FOR DILUTION

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6215) to amend the Trademark Act of 1946 to correct an error in the provisions relating to remedies for dilution, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6215

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

SECTION 1. REMEDIES FOR DILUTION.

(a) IN GENERAL.—Section 43(c)(6) of the Act entitled ''An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes'', approved July 5, 1946 (commonly referred to as the ''Trademark Act of 1946''; 15 U.S.C. 1125(c)(6)), is amended by striking subparagraphs (A) and (B) and inserting the following:

''(A) is brought by another person under the common law or a statute of a State; and

''(B)(i) seeks to prevent dilution by blurring or dilution by tarnishment; or

''(ii) asserts any claim of actual or likely damage or harm to the distinctiveness or reputation of a mark, label, or form of advertisement.''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply to any action commenced on or after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from North Carolina (Mr. WATT) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. 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 materials on H.R. 6215, as amended, currently under consideration.

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

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

Mr. Speaker, the purpose of the Federal Trademark Dilution Act of 1995 is to protect famous trademarks from uses that blur the distinctiveness of the trademark or tarnish or disparage it. Dilution does not rely upon the standard test of infringement, that is, likelihood of confusion, deception, or mistake. Rather, it applies when the unauthorized use of a famous trademark reduces the public's perception that the trademark signifies something unique, singular, or particular.

Dilution can result in the loss of the trademark's distinctiveness and possibly the owner's rights in it.

Congress enacted amendments to the original dilution statute in 2006. Last year, two law professors discovered a technical problem with one of the 2006 changes.

During Senate consideration of the House bill, the section that provides a Federal registration defense to a dilution action was reorganized. This produced an unexpected and unintended change to the law.

As originally drafted in the House, the provision was designed to encourage Federal registration of trademarks. This is a worthy policy goal that prevents State laws from interfering with federally protected trademarks and ensures that registered trademarks are protected nationwide.

The House version promoted this goal and barred a State action for dilution against a federally registered trademark. However, the Senate reformatted the House text in such a way as to create a bar against State action for dilution as well as a State or Federal action based on a claim of actual or likely damage or harm to the distinctiveness or reputation of a trademark. This means the Federal registration defense is available to both State sand Federal dilution claims.

□ 1530

Congress did not intend such an outcome. If all dilution claims, including Federal claims, are barred by registration, it becomes difficult to cancel a diluting trademark that is registered. This encourages illegitimate trademark holders to register diluting trademarks, which forces legitimate trademark holders to expend greater resources to monitor registrations, as well as other trademarks being used in commerce. That is why I introduced H.R. 6215 to amend the Federal Trademark Dilution Act.

This bill simply reformats the affected provision to clarify that Federal registration only constitutes a complete bar to a State claim based on dilution, or actual or likely damage or harm to the distinctiveness or reputation of a trademark. The change applies prospectively.

This bill ensures that the trademark community is protected from those who seek to use this loophole as a way to disparage legitimate trademarks and cost their owners time and money.

The only change to the bill, as reported, is a technical correction to a boilerplate reference regarding the date of enactment of the Trademark Act of 1946. The reported version inaccurately identifies the date of enactment as July 6, 1946. The correct date is July 5, 1946.

I urge my colleagues to support H.R. 6214, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 6215, which is necessary to correct a technical error in the Trademark Dilution Revision Act of 2006 that inadvertently allowed the registration of a Federal trademark to be a complete bar to Federal trademark dilution claims.

The concept of dilution was initially a creature of State law. Massachusetts was the first State to enact a dilution statute in 1947. The purpose of the dilution law is to protect the value and uniqueness of the plaintiff's trademark without requiring evidence about the likelihood of confusion.

Over 50 years after the passage of the Massachusetts statute, the 1996 Federal Trademark Dilution Act provided nationwide injunctive relief ''against a use that causes dilution of the distinctive quality of the famous mark.'' In

2003, however, the Supreme Court in Moseley v. Victoria's Secret Catalog, Inc., considered the question of whether objective proof of actual injury to the economic value of a famous mark—that is, actual dilution—is required to obtain relief under the Federal Trademark Dilution Act. The Court decided that evidence of actual dilution was required, not simply a showing of likely dilution.

The Trademark Dilution Revision Act of 2006 amended the law in an attempt to reverse the Victoria's Secret decision and to expand the scope of State dilution claims banned under the Federal statute. During consideration of the Trademark Dilution Revision Act, however, the provision allowing a Federal registration defense to dilution claims brought under State law was reorganized in such a way as to result in an unintended substantive change in the provision. As a result, the Federal registration defense is available not only against State dilution claims, but also against Federal dilution claims.

The legislative history makes clear that Congress did not intend to allow a Federal trademark registration to bar a Federal dilution claim. H.R. 6215 corrects this error and has broad support in the intellectual property community and bipartisan support on the Judiciary Committee.

I urge my colleagues to support the legislation that ensures that the will of the Congress, as originally intended, is not undermined by an inadvertent drafting error.

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

Mr. SMITH of Texas. 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 Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6215, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

REPORTING EFFICIENCY IMPROVEMENT ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6189) to eliminate unnecessary reporting requirements for unfunded programs under the Office of Justice Programs, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6189

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 ''Reporting Efficiency Improvement Act''.

SEC. 2. ELIMINATION OF REPORTS FOR UNFUNDED PROGRAMS UNDER THE OFFICE OF JUSTICE PROGRAMS.

(a) DNA IDENTIFICATION GRANTS.—Section 2406 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796kk–5) is amended—

(1) by striking ''(a) REPORTS TO ATTORNEY GENERAL.—''; and

(2) by striking subsection (b).

(b) POLICE CORPS PROGRAM.—

(1) REPEAL OF REPORT REQUIREMENT.—Section 200113 of the Police Corps Act (42 U.S.C. 14102) is repealed.

(2) CONFORMING AMENDMENT.—The Violent Crime Control and Law Enforcement Act of 1994 is amended by striking the item relating to section 200113 in the table of contents contained in section 2 of such Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. 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 materials on H.R. 6189, as amended, currently under consideration.

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

There was no objection.

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

Mr. Speaker, I join the ranking member, Congressman CONYERS, in cosponsoring this commonsense, bipartisan bill, the Reporting Efficiency Improvement Act, and I thank him for introducing this legislation.

The Government Performance and Results Modernization Act of 2010 requires Federal agencies to identify reports that may be outdated or duplicative. Then the executive branch must consult with Congress to determine if these reports can be eliminated. Here, the administration suggests that Congress repeal the two reports eliminated by this bill. Both of these reports are prepared by the Office of Justice Programs and the Department of Justice, but the underlying grant programs have not been funded by Congress for many years. Adopting this commonsense bill is a simple step that Congress can take to help Federal agencies work more efficiently. I hope this bill sets a precedent for many similar bills in the future.

I again thank Mr. CONYERS for his initiative on this issue. I would urge my colleagues to support this bill, and I reserve the balance of my time.

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

H.R. 6189, the Reporting Efficiency Improvement Act, eliminates two reporting requirements that the Department of Justice deems no longer needy or useful to the Congress.

Under the Government Performance and Results Modernization Act, the Department of Justice conducts an annual review of statutory reporting requirements that are outdated, duplicative, or otherwise no longer useful. In this review, the Department identified two reports that are the subject of the bill before us now. The first of the two stems from the DNA Analysis Backlog Elimination Act, under which the Attorney General is required to report to Congress on various grants made to States to perform DNA analysis. Because Congress has not appropriated any funding for these specific grants since fiscal year 2003, this statutory reporting requirement has been obsolete for almost a decade.

The second report is based on the Police Corps Act, originally a part of the Violent Crime Control Act of 1994. The Director of the Office of the Police Corps is required to make an annual report to Congress on the program's status. However, Congress hasn't appropriated any funds for the office since fiscal year 2005.

So, H.R. 6189 is a simple cleanup of the Federal code. There is no need to have these reporting requirements on the books if there's no activity for the Department of Justice or the Office of Justice Programs to report, and none planned at any time in the near future.

It's important to note that this legislation doesn't make changes to the relevant programs; it merely eliminates discrete reporting requirements that are no longer useful.

I want to thank LAMAR SMITH, the chairman of the Judiciary Committee, for his support and eagerness in moving this legislation through the committee.

I urge my colleagues to support the measure. And having no other requests for additional speakers on this side, I yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I first want to thank the ranking member, the gentleman from Michigan (Mr. CONYERS), for his nice comments, and I'll yield back the balance of my time as well.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6189, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1540

MAKING IMPROVEMENTS IN ENACTMENT OF TITLE 41

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6080) to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6080

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

SECTION 1. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Sec. 1. Table of contents.
Sec. 2. Purpose.
Sec. 3. Title 2, United States Code.
Sec. 4. Title 5, United States Code.
Sec. 5. Title 6, United States Code.
Sec. 6. Title 7, United States Code.
Sec. 7. Title 8, United States Code.
Sec. 8. Title 10, United States Code.
Sec. 9. Title 12, United States Code.
Sec. 10. Title 14, United States Code.
Sec. 11. Title 15, United States Code.
Sec. 12. Title 16, United States Code.
Sec. 13. Title 18, United States Code.
Sec. 14. Title 19, United States Code.
Sec. 15. Title 20, United States Code.
Sec. 16. Title 21, United States Code.
Sec. 17. Title 22, United States Code.
Sec. 18. Title 23, United States Code.
Sec. 19. Title 24, United States Code.
Sec. 20. Title 25, United States Code.
Sec. 21. Title 26, United States Code.
Sec. 22. Title 28, United States Code.
Sec. 23. Title 29, United States Code.
Sec. 24. Title 30, United States Code.
Sec. 25. Title 31, United States Code.
Sec. 26. Title 33, United States Code.
Sec. 27. Title 35, United States Code.
Sec. 28. Title 38, United States Code.
Sec. 29. Title 40, United States Code.
Sec. 30. Title 41, United States Code.
Sec. 31. Title 42, United States Code.
Sec. 32. Title 43, United States Code.
Sec. 33. Title 44, United States Code.
Sec. 34. Title 45, United States Code.
Sec. 35. Title 46, United States Code.
Sec. 36. Title 48, United States Code.
Sec. 37. Title 49, United States Code.
Sec. 38. Title 50, United States Code.
Sec. 39. Title 50 Appendix, United States Code.
Sec. 40. Title 51, United States Code.

SEC. 2. PURPOSE.

The purpose of this Act is to make improvements in the enactment of title 41, United States Code, into a positive law title and to improve the Code.

SEC. 3. TITLE 2, UNITED STATES CODE.

(1) Section 117 of Public Law 97–51 (2 U.S.C. 61f–8) is amended by striking ''section 5'' and substituting ''section 6101''.

(2) Section 195(b) of the Supplemental Appropriations Act, 1985 (2 U.S.C. 61g–7(b)) is amended by striking ''section 5 of title 41'' and substituting ''section 6101 of title 41, United States Code,''.

(3) Section 202(i)(2) of the Legislative Reorganization Act of 1946 (2 U.S.C. 72a(i)(2)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(4) Section 1 of the Act of March 3, 1931 (2 U.S.C. 135a), is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(5) The paragraph under the heading ''GENERAL PROVISION, THIS CHAPTER'' in chapter 5 of title II of division B of the Omnibus Consolidated and Emergency Supplemental Appropriations Act, 1999 (2 U.S.C. 141a) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(6) Section 114 of the Legislative Branch Appropriations Act, 1996 (Public Law 104–53, 2 U.S.C. 471 note) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(7) Section 6(a) of the Technology Assessment Act of 1972 (2 U.S.C. 475(a)) is amended—

(A) in paragraph (2), by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''; and

(B) in paragraph (3), by striking ''section 3648 of the Revised Statutes (31 U.S.C. 529)'' and substituting ''section 3324(a) and (b) of title 31, United States Code''.

(8) Section 119(a)(6) of the John C. Stennis Center for Public Service Training and Development Act (2 U.S.C. 1108(a)(6)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(9) Section 3011(b)(4)(B) of the 1999 Emergency Supplemental Appropriations Act (Public Law 106–31, 2 U.S.C. 1151 note) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code,''.

(10) Section 1308(a) of the Legislative Branch Appropriations Act, 2008 (2 U.S.C. 1816a(a)) is amended by striking ''section 303M of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253m)'' and substituting ''section 3309 of title 41, United States Code,''.

(11) Public Law 96–558 (2 U.S.C. 1816b) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(12) Section 1201(a)(1) of the Legislative Branch Appropriations Act, 2003 (2 U.S.C. 1821(a)(1)) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(13) Section 308(b) of the Legislative Branch Appropriations Act, 1996 (2 U.S.C. 1964(b)) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(14) Section 1(d) of Public Law 102–330 (2 U.S.C. 2021 note) is amended by striking ''section 3709 of the Revised Statutes of the United States'' and substituting ''section 6101 of title 41, United States Code''.

(15) Section 307E(b)(3) of the Legislative Branch Appropriations Act, 1989 (2 U.S.C. 2146(b)(3)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

SEC. 4. TITLE 5, UNITED STATES CODE.

(1) Section 3(d)(2)(B) of the Administrative Dispute Resolution Act (Public Law 101–552, 5 U.S.C. 571 note) is amended by striking ''section 6(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(a))'' and substituting ''section 1121(b) of title 41, United States Code''.

(2) Section 595(c)(10) of title 5, United States Code, is amended by striking ''title III of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 251–260)'' and substituting ''the provisions referred to in section 171(c) of title 41''.

(3) Section 206 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (Public Law 107–174, 5 U.S.C. 2301 note) is amended—

(A) in subsection (c)(1)(B), by striking ''section 13 of the Contract Disputes Act of 1978 (41 U.S.C. 612)'' and substituting ''section 7108 of title 41, United States Code,''; and

(B) in subsection (d)(1)(B), by striking ''the Contracts Dispute Act of 1978 (41 U.S.C. 601 note; Public Law 95–563)'' and substituting ''chapter 71 of title 41, United States Code''.

(4) Section 3109(b)(3) of title 5, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(5) Section 1110(e)(2)(G) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84, 5 U.S.C. 3702 note) is amended by striking ''section 27 of the Office of Federal Procurement Policy Act'' and substituting ''chapter 21 of title 41, United States Code''.

(6) Section 4105 of title 5, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(7) Section 8709(a) of title 5, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(8) Section 8714a(a) of title 5, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(9) Section 8714b(a) of title 5, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(10) Section 8714c(a) of title 5, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(11) Section 8902(a) of title 5, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(12) Section 8953 of title 5, United States Code, is amended—

(A) in subsection (a)(1), by striking ''section 6101(b) to (d)'' and substituting ''section 6101''; and

(B) in subsection (d)(3)—

(i) before subparagraph (A), by striking ''the Contract Disputes Act of 1978'' and substituting ''chapter 71 of title 41'';

(ii) in subparagraph (A), by striking ''(after appropriate arrangements, as described in section 8(c) of such Act)''; and

(iii) in subparagraph (B), by striking ''section 10(a)(1) of such Act'' and substituting ''section 7104(b)(1) of title 41''.

(13) Section 8983 of title 5, United States Code, is amended—

(A) in subsection (a)(1), by striking ''section 6101(b) to (d)'' and substituting ''section 6101''; and

(B) in subsection (d)(3)—

(i) before subparagraph (A), by striking ''the Contract Disputes Act of 1978'' and substituting ''chapter 71 of title 41'';

(ii) in subparagraph (A), by striking ''(after appropriate arrangements, as described in section 8(c) of such Act)''; and

(iii) in subparagraph (B), by striking ''section 10(a)(1) of such Act'' and substituting ''section 7104(b)(1) of title 41''.

(14) Section 9003(a) of title 5, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

SEC. 5. TITLE 6, UNITED STATES CODE.

(1) Section 309(b)(6) of the Homeland Security Act of 2002 (6 U.S.C. 189(b)(6)) is amended by striking ''section 303(b)(1)(C) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(b)(1)(C))'' and substituting ''section 3303(a)(1)(C) of title 41, United States Code,''.

(2) Section 833 of the Homeland Security Act of 2002 (6 U.S.C. 393) is amended—

(A) in subsection (b)(1), by striking ''section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428) the amount specified in subsections (c), (d), and (f) of such section 32'' and substituting ''section 1902 of title 41, United States Code, the amount specified in subsections (a), (d), and (e) of such section 1902'';

(B) in subsection (b)(2)(A), by striking ''section 32(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 428(c))'' and substituting ''section 1902(d) of title 41, United States Code'';

(C) in subsection (c)(1), by striking ''section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))'' and substituting ''section 134 of title 41, United States Code,''; and

(D) in subsection (d)(2), by striking ''section 31(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(2)) and section 303(g)(1)(B) of the Federal Property and

Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(B))'' and substituting ''sections 1901(a)(2) and 3305(a)(2) of title 41, United States Code,''.

(3) Section 851 of the Homeland Security Act of 2002 (6 U.S.C. 421) is amended by striking ''section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))'' and substituting ''section 133 of title 41, United States Code''.

(4) Section 853(b) of the Homeland Security Act of 2002 (6 U.S.C. 423(b)) is amended—

(A) in paragraph (1), by striking ''Section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))'' and substituting ''Section 134 of title 41, United States Code''; and

(B) in paragraph (2), by striking ''Section 309(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(d))'' and substituting ''Section 153 of title 41, United States Code''.

(5) Section 854 of the Homeland Security Act of 2002 (6 U.S.C. 424) is amended—

(A) by striking ''section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)'' and substituting ''section 1902 of title 41, United States Code,''; and

(B) by striking ''subsections (c), (d), and (f) of such section 32'' and substituting ''subsections (a), (d), and (e) of such section 1902''.

(6) Section 855 of the Homeland Security Act of 2002 (6 U.S.C. 425) is amended—

(A) in subsection (a)(2)—

(i) in subparagraph (A), by striking ''Sections 31 and 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 427, 430)'' and substituting ''Sections 1901 and 1906 of title 41, United States Code''; and

(ii) in subparagraph (C), by striking ''Section 303(g) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g))'' and substituting ''Section 3305 of title 41, United States Code''; and

(B) in subsection (b)(1)—

(i) by striking ''section 31(a)(2) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(2))'' and substituting ''section 1901(a)(2) of title 41, United States Code''; and

(ii) by striking ''section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(B))'' and substituting ''section 3305(a)(2) of title 41, United States Code,''.

(7) Section 856(a) of the Homeland Security Act of 2002 (6 U.S.C. 426(a)) is amended—

(A) in paragraph (1)—

(i) in the heading, by striking ''FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949'' and substituting ''PROVISIONS REFERRED TO IN SECTION 171(C) OF TITLE 41, UNITED STATES CODE'';

(ii) before subparagraph (A), by striking ''title III of the Federal Property and Administrative Services Act of 1949'' and substituting ''the provisions referred to in section 171(c) of title 41, United States Code'';

(iii) in subparagraph (A)—

(I) by striking ''Paragraphs (1), (2), (6), and (7) of subsection (c) of section 303 (41 U.S.C. 253)'' and substituting ''Paragraphs (1), (2), (6), and (7) of section 3304(a) of title 41, United States Code''; and

(II) by striking ''(subject to subsection (e) of such section)'' and substituting ''(subject to section 3304(d) of title 41, United States Code)''; and

(iv) in subparagraph (B), by striking ''Section 303J (41 U.S.C. 253j)'' and substituting ''Section 4106 of title 41, United States Code''; and

(B) In paragraph (3)—

(i) in the heading, by striking ''OFFICE OF FEDERAL PROCUREMENT POLICY ACT'' and substituting ''PROVISIONS REFERRED TO IN SECTION 172(B) OF TITLE 41, UNITED STATES CODE''; and

(ii) by striking ''Paragraphs (1)(B), (1)(D), and (2) of section 18(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(c))'' and substituting ''Paragraphs (1)(B), (1)(D), and (2)(A) of section 1708(b) of title 41, United States Code''.

(8) Section 604(g) of the American Recovery and Reinvestment Act of 2009 (6 U.S.C. 453b(g)) is amended by striking ''section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)'' and substituting ''section 1906 of title 41, United States Code''.

(9) Section 692(c) of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 792(c)) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 134 of title 41, United States Code''.

(10) Section 695 of the Post-Katrina Emergency Management Reform Act of 2006 (6 U.S.C. 794) is amended—

(A) in subsection (a), by striking ''paragraph (2) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))'' and substituting ''paragraph (2) of section 3304(a) of title 41, United States Code,''; and

(B) in subsection (c), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 134 of title 41, United States Code''.

SEC. 6. TITLE 7, UNITED STATES CODE.

(1) Subsection (f)(1)(G) of the United States Cotton Futures Act (7 U.S.C. 15b(f)(1)(G)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''.

(2) Section 5(a) of the United States Cotton Standards Act (7 U.S.C. 55(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''.

(3) Section 7(c) of the United States Grain Standards Act (7 U.S.C. 79(c)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''.

(4) Section 10(a) of the Act of June 29, 1935 (ch. 338, 7 U.S.C. 427i(a)) is amended by striking ''section 3709, Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(5) Section 386 of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1386) is amended by striking ''section 3741 of the Revised Statutes (U.S.C., 1934 edition, title 41, sec. 22)'' and substituting ''section 6306 of title 41, United States Code,''.

(6) Section 514(f) of the Agricultural Adjustment Act of 1938 (7 U.S.C. 1514(f)) is amended by striking ''section 3741 of the Revised Statutes, as amended (41 U.S.C., section 22)'' and substituting ''section 6306 of title 41, United States Code,''.

(7) Section 205(a) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1624(a)) is amended by striking ''section 3648 (31 U.S.C., sec. 529) and section 3709 (41 U.S.C., sec. 5) of the Revised Statutes'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code,''.

(8) Section 407(c)(2) of the Agricultural Trade Development and Assistance Act of 1954 (7 U.S.C. 1736a(c)(2)) is amended by striking ''Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code,''.

(9) Section 335(c)(4) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1985(c)(4)) is amended by striking ''Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code,''.

(10) Section 716(a) of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1998 (Public Law 105–86, 7 U.S.C. 2208 note) is amended—

(A) in the heading, by striking ''BUY AMERICAN ACT'' and substituting ''CHAPTER 83 OF TITLE 41, UNITED STATES CODE''; and

(B) by striking ''sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the 'Buy American Act')'' and substituting ''chapter 83 of title 41, United States Code''.

(11) Section 921 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C. 2279b) is amended—

(A) in subsection (h)(4), by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''; and

(B) in subsection (i), by striking ''Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code''.

(12) Section 1472(e) of the National Agricultural Research, Extension, and Teaching Policy Act of 1977 (7 U.S.C. 3318(e)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5), and the provisions of section 3648 of the Revised Statutes (31 U.S.C. 529)'' and substituting ''section 6101 of title 41, United States Code, and the provisions of section 3324(a) and (b) of title 31, United States Code''.

(13) Section 6201(b)(2) of the Farm Security and Rural Investment Act of 2002 (Public Law 107–171, 7 U.S.C. 5901 note) is amended by striking ''Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code,''.

SEC. 7. TITLE 8, UNITED STATES CODE.

(1) Section 602(c)(4) of the Afghan Allies Protection Act of 2009 (Public Law 111–8, 8 U.S.C. 1101 note) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 133 of title 41, United States Code''.

(2) Section 1248(c)(3) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181, 8 U.S.C. 1157 note) is amended by striking ''section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))'' and substituting ''section 133 of title 41, United States Code''.

(3) Section 241(g)(1) of the Immigration and Nationality Act (8 U.S.C. 1231(g)(1)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(4) Section 285(a) of the Immigration and Nationality Act (8 U.S.C. 1355(a)) is amended by striking ''section 3709 of the Revised Statutes, as amended (41 U.S.C. 5),'' and substituting ''section 6101 of title 41, United States Code,''.

(5) Section 294(a)(1) of the Immigration and Nationality Act (8 U.S.C. 1363a(a)(1)) is amended—

(A) in subparagraph (B), by striking ''section 3732(a) of the Revised Statutes (41 U.S.C. 11(a))'' and substituting ''section 6301(a) and (b)(1) through (3) of title 41, United States Code'';

(B) in subparagraph (C), by striking ''section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255)'' and substituting ''chapter 45 of title 41, United States Code'';

(C) in subparagraph (F), by striking ''section 3741 of the Revised Statutes (41 U.S.C.

22)'' and substituting ''section 6306 of title 41, United States Code''; and

(D) in subparagraph (G), by striking ''subsections (a) and (c) of section 304 of the Federal Property and Administrative Services Act of 1949 (63 Stat. 395; 41 U.S.C. 254(a) and (c))'' and substituting ''section 3901 of title 41, United States Code''.

SEC. 8. TITLE 10, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(b) of Public Law 111–350 (124 Stat. 3842) is amended—

(A) in paragraph (34), by striking ''2461(c)(1)'' and substituting ''2461(d)(1)'';

(B) in paragraph (44)—

(i) by striking ''2667(f)(1)'' and substituting ''2667(g)(1)''; and

(ii) by striking ''(a)(3)'' and substituting ''(a)(2)'';

(C) in paragraph (47), by striking ''2696(a)'' and substituting ''2696(b)''; and

(D) in paragraph (50), by striking ''2878(d)(2)'' and substituting ''2878(e)(2)''.

(2) Section 722(b)(2) of the National Defense Authorization Act for Fiscal Year 1997 (Public Law 104–201, 10 U.S.C. 1073 note) is amended by striking ''section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c))'' and substituting ''section 1303(a) of title 41, United States Code''.

(3) Section 847 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181, 10 U.S.C. 1701 note) is amended—

(A) in subsection (a)(5), by striking ''section 27(e) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(e))'' and substituting ''section 2105 of title 41, United States Code'';

(B) in subsection (c)(1), by striking ''section 4(16) of the Office of Federal Procurement Policy Act'' and substituting ''section 131 of title 41, United States Code''; and

(C) in subsection (d)(1), by striking ''section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)'' and substituting ''chapter 21 of title 41, United States Code''.

(4) Section 2013(a)(1) of title 10, United States Code, is amended by striking ''section 6101(b)–(d)'' and substituting ''section 6101''.

(5) Section 2194(b)(2) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''section 171(b) and (c)''.

(6) Section 2302 of title 10, United States Code, is amended—

(A) in paragraph (7), by striking ''section 4 of such Act'' and substituting ''section 134 of title 41''; and

(B) in paragraph (9)(A)—

(i) by striking ''section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)'' and substituting ''chapter 15 of title 41''; and

(ii) by striking ''such section'' and substituting ''such chapter''.

(7) Section 866 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b)(4)(A), by striking ''section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)'' and substituting ''chapter 15 of title 41, United States Code''; and

(B) in subsection (e)(2)(A), by striking ''section 4(13) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(13))'' and substituting ''section 110 of title 41, United States Code''.

(8) Section 893(f)(2) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383, 10 U.S.C. 2302 note) is amended by striking ''section 26 of the Office of Federal Procurement Policy Act (41 U.S.C. 422)'' and substituting ''chapter 15 of title 41, United States Code''.

(9) Section 862 of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b)(1), by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting ''section 1303 of title 41, United States Code''; and

(B) in subsection (d)(1), by striking ''section 6(j) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(j))'' and substituting ''section 1126 of title 41, United States Code''.

(10) Section 832(d)(3) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364, 10 U.S.C. 2302 note) is amended by striking ''section 8(b) of the Service Contract Act of 1965 (41 U.S.C. 357(b))'' and substituting ''section 6701(3) of title 41, United States Code''.

(11) Section 821 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398, §1 [H.R. 5408], 10 U.S.C. 2302 note) is amended—

(A) in subsection (a), by striking ''sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421)'' and substituting ''sections 1121 and 1303 of title 41, United States Code''; and

(B) in subsection (e)(2), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41, United States Code''.

(12) Section 822 of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106, 10 U.S.C. 2302 note) is amended—

(A) in subsection (d)(1)(B), by striking ''section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))'' and substituting ''section 1502(a) and (b) of title 41, United States Code'';

(B) in subsection (e)(3)(B)(iii), by striking ''section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))'' and substituting ''section 1502(a) and (b) of title 41, United States Code'';

(C) in subsection (f)—

(i) by striking ''section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))'' and substituting ''section 1502(a) and (b) of title 41, United States Code''; and

(ii) by striking ''such section 26(f)'' and substituting ''such section 1502(a) and (b)''; and

(D) in subsection (g)(2)(A), by striking ''section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)'' and substituting ''section 1906 of title 41, United States Code''.

(13) Section 326(c)(2) of the National Defense Authorization Act for Fiscal Year 1993 (Public Law 102–484, 10 U.S.C. 2302 note) is amended by striking ''section 25(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c))'' and substituting ''section 1303(a) of title 41, United States Code''.

(14) Section 806 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (Public Law 102–190, 10 U.S.C. 2302 note) is amended—

(A) in subsection (b), by striking ''section 4(12) of the Office of Federal Procurement Policy Act'' and substituting ''section 103 of title 41, United States Code''; and

(B) in subsection (c)—

(i) by striking ''section 25(a) of the Office of Federal Procurement Policy Act'' and substituting ''section 1302(a) of title 41, United States Code''; and

(ii) by striking ''section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))'' and substituting ''section 1303(a)(1) of title 41, United States Code''.

(15) Section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101–510, 10 U.S.C. 2302 note) is amended—

(A) by striking ''(1) DEFINITIONS'' and substituting ''(l) DEFINITIONS''; and

(B) in subsection (l)(8), as amended by subparagraph (A), by striking ''the first section of the Act of June 25, 1938 (41 U.S.C. 46; popularly known as the 'Wagner-O'Day Act')'' and substituting ''section 8502 of title 41, United States Code''.

(16) Section 9002(c) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 10 U.S.C. 2302c note) is amended by striking ''section 18(a)(3)(B) of the Office of Federal Procurement Policy Act'' and substituting ''section 1708(e)(1)(B) of title 41, United States Code''.

(17) Section 821(b)(2) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181, 10 U.S.C. 2304 note) is amended by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41, United States Code''.

(18) Section 848(e)(1) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, 10 U.S.C. 2304 note) is amended by striking ''section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)'' and substituting ''section 1902 of title 41, United States Code''.

(19) Section 4202(e) of the Clinger-Cohen Act of 1996 (Public Law 104–106, div. D, 10 U.S.C. 2304 note) is amended by striking ''section 2304(g)(1) of title 10, United States Code, section 303(g)(1) of the Federal Property and Administrative Services Act of 1949, and section 31(a) of the Office of Federal Procurement Policy Act, as amended by this section'' and substituting ''section 2304(g)(1) of title 10, United States Code, as amended by this section, and sections 1901(a) and 3305(a) of title 41, United States Code, as in effect on February 10, 1996, and amended by this section''.

(20) Section 834 of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364, 10 U.S.C. 2304b note) is amended—

(A) in subsection (b)—

(i) in paragraph (1), by striking ''section 303I of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253i)'' and substituting ''section 4105 of title 41, United States Code,'';

(ii) in paragraph (2), by striking ''section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a))'' and substituting ''section 1702(a) and (b)(1) and (2) of title 41, United States Code''; and

(iii) in paragraph (3)(A), by striking ''section 303I(i) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253i(i))'' and substituting ''section 4105(a) of title 41, United States Code''; and

(B) in subsection (d)(2)(B), by striking ''section 303I(i) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253i(i))'' and substituting ''section 4105(a) of title 41, United States Code''.

(21) Section 2306a(b)(3)(B) of title 10, United States Code, is amended by striking ''section 4(12)(C)(i) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(C)(i))'' and substituting ''section 103(3)(A) of title 41''.

(22) Section 817(e)(1)(B) of the Bob Stump National Defense Authorization Act for Fiscal Year 2003 (Public Law 107–314, 10 U.S.C. 2306a note) is amended by striking ''section 26(f)(5)(B) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)(5)(B))'' and substituting ''section 1502(b)(3)(B) of title 41, United States Code''.

(23) Section 803 of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261, 10 U.S.C. 2306a note) is amended—

(A) in subsection (a)(1), by striking ''sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405, 421)'' and substituting ''sections 1121 and 1303 of title 41, United States Code'';

(B) in subsection (a)(2)(D), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41, United States Code''; and

(C) in subsection (d), by striking ''subsection (b)(1)(B) of section 304A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b)'' and substituting ''section 3503(a)(2) of title 41, United States Code''.

(24) Section 2314 of title 10, United States Code, is amended by striking ''Sections 6101(b)–(d)'' and substituting ''Sections 6101''.

(25) Section 1075(b)(3) of the National Defense Authorization Act for Fiscal Year 1995 (Public Law 103–337, 10 U.S.C. 2315 note) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 111 of title 41, United States Code''.

(26) Section 2321(f)(2) of title 10, United States Code, is amended by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and substituting ''section 104 of title 41''.

(27) Section 811(d)(2) of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160, 10 U.S.C. 2323 note) is amended by striking ''section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)'' and substituting ''section 1707 of title 41, United States Code''.

(28) Section 804(d) of the Strom Thurmond National Defense Authorization Act for Fiscal Year 1999 (Public Law 105–261, 10 U.S.C. 2324 note) is amended by striking ''section 306(l) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C.256(l))'' and substituting ''section 4301(2) of title 41, United States Code,''.

(29) Section 852(b)(2)(A)(ii) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364, 10 U.S.C. 2324 note) is amended by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41, United States Code''.

(30) Section 805(c)(1) of the National Defense Authorization Act for Fiscal Year 2008 (Public Law 110–181, 10 U.S.C. 2330 note) is amended—

(A) in subparagraph (A), by striking ''section 4(12)(E) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(E))'' and substituting ''section 103(5) of title 41, United States Code''; and

(B) in subparagraph (C)(i), by striking ''section 4(12)(F) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12)(F))'' and substituting ''section 103(6) of title 41, United States Code''.

(31) Section 801(f)(1) of the National Defense Authorization Act for Fiscal Year 2002 (Public Law 107–107, 10 U.S.C. 2330 note) is amended by striking ''section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))'' and substituting ''section 1702(c)(1) and (2) of title 41, United States Code''.

(32) Section 1601(c) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136, 10 U.S.C. 2358 note) is amended—

(A) in paragraph (1)(A), by striking ''section 32A of the Office of Federal Procurement Policy Act, as added by section 1443 of this Act'' and substituting ''section 1903 of title 41, United States Code''; and

(B) in paragraph (2)(B), by striking ''Subsections (a) and (b) of section 7 of the Anti-Kickback Act of 1986 (41 U.S.C. 57(a) and (b))'' and substituting ''section 8703(a) of title 41, United States Code''.

(33) Section 2359a(h) of title 10, United States Code, is amended by striking ''section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))'' and substituting ''section 1702(c) of title 41''.

(34) Section 2359b(k)(4)(A) of title 10, United States Code, is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 110 of title 41''.

(35) Section 845 of the National Defense Authorization Act for Fiscal Year 1994 (Public Law 103–160, 10 U.S.C. 2371 note) is amended—

(A) in subsection (a)(2)(A), by striking ''section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))'' and substituting ''section 1702(c) of title 41, United States Code'';

(B) in subsection (d)(1)(B)(ii), by striking ''section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))'' and substituting ''section 1702(c)(1) and (2) of title 41, United States Code'';

(C) in subsection (e)(2)(A), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41, United States Code''; and

(D) in subsection (h), by striking ''section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)'' and substituting ''chapter 21 of title 41, United States Code''.

(36) Section 8304(5) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 10 U.S.C. 2375 note) is amended by striking ''the Javits-Wagner-O'Day Act (41 U.S.C. 46–48c)'' and substituting ''chapter 85 of title 41, United States Code''.

(37) Section 2379 of title 10, United States Code, is amended—

(A) in subsection (a)(1)(A), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41'';

(B) in subsection (b), by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and substituting ''section 104 of title 41'';

(C) in subsection (b)(2)(A), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41'';

(D) in subsection (c)(1), by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and substituting ''section 104 of title 41''; and

(E) in subsection (c)(1)(B)(i), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41''.

(38) Section 2382 of title 10, United States Code, is amended—

(A) in subsection (c)(2)(B), by striking ''sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)'' and substituting ''sections 4101, 4103, 4105, and 4106 of title 41''; and

(B) in subsection (c)(3)(A), by striking ''section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))'' and substituting ''section 1702(c) of title 41''.

(39) Section 810(b)(2)(A) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, 10 U.S.C. 2405 note) is amended by striking ''the Contract Disputes Act of 1978'' and substituting ''chapter 71 of title 41, United States Code''.

(40) Section 8025(c) of the Department of Defense Appropriations Act, 2004 (Public Law 108–87, 10 U.S.C. 2410d note) is amended by striking ''the Javits-Wagner-O'Day Act (41 U.S.C. 46–48)'' and substituting ''chapter 85 of title 41, United States Code''.

(41) Section 2410m(b)(1)(B)(ii) of title 10, United States Code, is amended by striking ''section 7 of the Contract Disputes Act of 1978'' and substituting ''section 7104(a) of title 41''.

(42) Section 2461(d)(1) of title 10, United States Code, is amended by striking ''section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47)'' and substituting ''section 8503 of title 41''.

(43) Section 812(b)(2) of the National Defense Authorization Act for Fiscal Year 2004 (Public Law 108–136, 10 U.S.C. 2501 note) is amended by striking ''section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))'' and substituting ''section 1122(a)(4)(A) of title 41, United States Code''.

(44) Section 8118 of the Department of Defense Appropriations Act, 2005 (Public Law 108–287, 10 U.S.C. 2533a note) is amended by striking ''section 34 of the Office of Federal Procurement Policy Act (41 U.S.C. 430)'' and substituting ''section 1906 of title 41, United States Code''.

(45) Section 2533b of title 10, United States Code, is amended—

(A) in subsection (h)(1), by striking ''sections 34 and 35 of the Office of Federal Procurement Policy Act (41 U.S.C. 430 and 431)'' and substituting ''sections 1906 and 1907 of title 41'';

(B) in subsection (h)(2), by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and substituting ''section 104 of title 41'';

(C) in subsection (m)(2), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 105 of title 41'';

(D) in subsection (m)(3), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 131 of title 41''; and

(E) in subsection (m)(5), by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and substituting ''section 104 of title 41''.

(46) Section 846(a) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111–383, 10 U.S.C. 2534 note) is amended—

(A) by striking ''the Buy American Act (41 U.S.C. 10a et seq.)'' and substituting ''chapter 83 of title 41, United States Code''; and

(B) by striking ''that Act'' and substituting ''that chapter''.

(47) Section 2545(1) of title 10, United States Code, is amended by striking ''section 4(16) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(16))'' and substituting ''section 131 of title 41''.

(48) Section 2562(a)(1) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions of section 171(b) and (c)''.

(49) Section 2576(a) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions of section 171(b) and (c)''.

(50) Section 2664(a) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''the provisions of section 171(b) and (c) of title 41''.

(51) Section 2667(g)(1) of title 10, United States Code, is amended by striking ''subsection (a)(2) or subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (to the extent subtitle I and title III are inconsistent with this subsection)'' and substituting ''chapter 5 of title 40 (to the extent such chapter is inconsistent with this subsection) or subsection (a)(3)''.

(52) Section 2905(b)(2)(A)(i) of the Defense Base Closure and Realignment Act of 1990 (Public Law 101–510, div. B, title XXIX, part A, 10 U.S.C. 2687 note) is amended by striking

''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(53) Section 204(b)(2)(A)(i) of the Defense Authorization Amendments and Base Closure and Realignment Act (Public Law 100–526, 10 U.S.C. 2687 note) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(54) Section 2691(b) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''section 171(b) and (c)''.

(55) Section 2696(b) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''chapter 5 of title 40''.

(56) Section 2854a(d)(1) of title 10, United States Code, is amended by striking ''Subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''Section 171(b) and (c)''.

(57) Section 2878(e)(2) of title 10, United States Code, is amended by striking ''Subtitle I of title 40 and title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''chapter 5 of title 40''.

(58) Section 7305(d) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions of section 171(b) and (c)''.

(59) Section 7312(f) of title 10, United States Code, is amended by striking ''Section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''Section 6101 of title 41''.

(60) Section 3412(k) of the National Defense Authorization Act for Fiscal Year 1996 (Public Law 104–106, 10 U.S.C. 7420 note) is amended by striking ''paragraph (7) of section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))'' and substituting ''section 3304(a)(7) of title 41, United States Code''.

(61) Section 9444(b)(1) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions of section 171(b) and (c)''.

(62) Section 9781(g) of title 10, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions of section 171(b) and (c)''.

SEC. 9. TITLE 12, UNITED STATES CODE.

(1) Section 5153 of the Revised Statutes (12 U.S.C. 90) is amended by striking ''Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code''.

(2) Section 4(7) of the Agricultural Marketing Act (12 U.S.C. 1141b(7)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code,''.

(3) Section 502(c)(2) of the Housing Act of 1948 (12 U.S.C. 1701c(c)(2)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(4) Section 108(d) of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701z(d)) is amended—

(A) by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 title 40, United States Code''; and

(B) by striking ''such Act'' and substituting ''such chapter''.

(5) Section 502 of the Housing and Urban Development Act of 1970 (12 U.S.C. 1701z–2) is amended —

(A) in subsection (c)—

(i) by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''; and

(ii) by striking ''such Act'' and substituting ''such chapter''; and

(B) in subsection (e), by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(6) Section 2(c)(2) of the National Housing Act (12 U.S.C. 1703(c)(2)) is amended by striking ''Section 3709 of the Revised Statutes'' and substituting ''Section 6101 of title 41, United States Code''.

(7) Section 204(g) of the National Housing Act (12 U.S.C. 1710(g)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(8) Section 207(*l*) of the National Housing Act (12 U.S.C. 1713(*l*)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(9) Section 604(g) of the National Housing Act (12 U.S.C. 1739(g)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(10) Section 708(h) of the National Housing Act (12 U.S.C. 1747g(h)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code,''.

(11) Section 712 of the National Housing Act (12 U.S.C. 1747k) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(12) Section 904(f) of the National Housing Act (12 U.S.C. 1750c(f)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(13) Section 208(b) of the Federal Credit Union Act (12 U.S.C. 1788(b)) is amended—

(A) by striking ''Federal Property and Administrative Services Act of 1949'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code''; and

(B) by striking ''Section 3709 of the Revised Statutes of the United States'' and substituting ''Section 6101 of title 41, United States Code''.

(14) Section 17(g) of the Federal Deposit Insurance Act (12 U.S.C. 1827(g)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(15) Section 1316(h)(3) of the Federal Housing Enterprises Financial Safety and Soundness Act of 1992 (12 U.S.C. 4516(h)(3)) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(16) Section 319 of the Enhancing Financial Institution Safety and Soundness Act of 2010 (12 U.S.C. 5416) is amended by striking ''Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code''.

(17) Section 1017(a)(5)(C) of the Consumer Financial Protection Act of 2010 (12 U.S.C. 5497(a)(5)(C)) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

SEC. 10. TITLE 14, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(c) of Public Law 111–350 (124 Stat. 3847) is amended—

(A) in paragraph (2), by striking ''93(h)'' and substituting ''93(a)(8)''; and

(B) by striking paragraph (4).

(2) Section 92(d) of title 14, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41'' and substituting ''chapter 5 of title 40''.

(3) Section 93(a)(8) of title 14, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41'' and substituting ''chapter 5 of title 40''.

(4) Section 576(2) of title 14, United States Code, is amended by striking ''section 16 of the Office of Federal Procurement Policy Act (41 U.S.C. 414)'' and substituting ''section 1702 of title 41''.

(5) Section 641(a) of title 14, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41'' and substituting ''chapter 5 of title 40''.

SEC. 11. TITLE 15, UNITED STATES CODE.

(1) Section 4 of the Metric Conversion Act of 1975 (15 U.S.C. 205c) is amended—

(A) in paragraph (5), by striking ''section 403(6) of title 41, United States Code'' and substituting ''section 107 of title 41, United States Code''; and

(B) in paragraph (8), by striking ''has the meaning given such terms in section 304A of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254b)'' and substituting ''has the meaning given the term 'cost or pricing data' in section 3501(a) of title 41, United States Code''.

(2) Section 7(4) of the Metric Conversion Act of 1975 (15 U.S.C. 205f(4)) is amended by striking ''Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code''.

(3) Section 14(a) of the Metric Conversion Act of 1975 (15 U.S.C. 205*l*(a)) is amended—

(A) by striking ''title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''the provisions referred to in section 171(c) of title 41, United States Code'';

(B) by striking ''section 314B(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 264b(c))'' and substituting ''section 3307(d) of title 41, United States Code'';

(C) by striking ''section 314B of the Federal Property and Administrative Services Act of 1949'' and substituting ''subsections (b) through (d) of section 3307 of title 41, United States Code''; and

(D) by striking ''2377 or 314B'' and substituting ''section 2377 or subsections (b) through (d) of section 3307''.

(4) Section 2 of the Act of June 16, 1948 (ch. 483, 15 U.S.C. 313 note), is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(5) Section 417(a) of the Small Business Reauthorization Act of 1997 (Public Law 105–135, 15 U.S.C. 631 note) is amended by striking ''section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)'' and substituting ''section 1707 of title 41, United States Code''.

(6) Section 3 of the Small Business Act (15 U.S.C. 632) is amended—

(A) in subsection (m), by striking ''section 4(11) of the Office of Federal Procurement

Policy Act (41 U.S.C. 403(11))'' and substituting ''section 134 of title 41, United States Code''; and

(B) in subsection (v)(1), by striking ''sections 303H through 303K of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h through 253k)'' and substituting ''sections 4101, 4103, 4105, and 4106 of title 41, United States Code''.

(7) Section 5 of the Small Business Act (15 U.S.C. 634) is amended—

(A) in subsection (b)(4), by striking ''Section 3709 of the Revised Statutes, as amended (41 U.S.C., sec. 5),'' and substituting ''Section 6101 of title 41, United States Code,''; and

(B) in subsection (c), by striking ''section 3709 of the Revised Statutes, as amended (41 U.S.C., sec. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(8) Section 8 of the Small Business Act (15 U.S.C. 637) is amended—

(A) in subsection (d)(4)(F)(ii), by striking ''the Contract Disputes Act of 1978 (41 U.S.C. 601–613)'' and substituting ''chapter 71 of title 41, United States Code'';

(B) in subsection (d)(12)(E)—

(i) by striking ''section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))'' and substituting ''section 1302(a) of title 41, United States Code,''; and

(ii) by striking ''section 25 of such Act'' and substituting ''section 1303(a) of title 41, United States Code,'';

(C) in subsection (e)(2)(A)(i), by striking ''section 18(a)(7) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(a)(7))'' and substituting ''section 1708(d) of title 41, United States Code''';

(D) in subsection (g)(2), by striking ''section 303(c) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c))'' and substituting ''section 3304(a) of title 41, United States Code,'';

(E) in subsection (h)(1)—

(i) in subparagraph (A)(iii), by striking ''section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))'' and substituting ''section 1702(c)(1) and (2) of title 41, United States Code,''; and

(ii) in subparagraph (B), by striking ''title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''the provisions referred to in section 171(c) of title 41, United States Code,'';

(F) in subsection (h)(2)—

(i) by striking ''section 303(f)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f)(2))'' and substituting ''section 3304(e)(3) and (4) of title 41, United States Code,''; and

(ii) by striking ''section 303(f)(1) of such Act or section 2304(f)(1) of such title'' and substituting ''section 3304(e)(1) of title 41, United States Code, or section 2304(f)(1) of title 10, United States Code,'';

(G) in subsection (j), by striking ''section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))'' and substituting ''section 133 of title 41, United States Code''; and

(H) in subsection (m)(1)(A), by striking ''section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))'' and substituting ''section 2101(1) of title 41, United States Code''.

(9) Section 1321 of the Small Business Jobs Act of 2010 (Public Law 111–240, 15 U.S.C. 637 note) is amended—

(A) by striking ''section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))'' and substituting ''section 1302(a) of title 41, United States Code,''; and

(B) by striking ''section 25 of such Act'' and substituting ''section 1303(a) of title 41, United States Code,''.

(10) Section 304(b) of the Business Opportunity Development Reform Act of 1988 (Public Law 100–656, 15 U.S.C. 637 note) is amended by striking ''section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)'' and substituting ''section 1707 of title 41, United States Code''.

(11) Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(A) in subsection (e)(8), by striking ''section 35(c)(1) of the Office of Federal Procurement Policy Act'' and substituting ''section 1303(a)(1) of title 41, United States Code''; and

(B) in subsection (n)(2)(A), by striking ''section 25(c)(1) of the Office of Federal Procurement Policy Act'' and substituting ''section 1303(a)(1) of title 41, United States Code''.

(12) Section 15 of the Small Business Act (15 U.S.C. 644) is amended—

(A) in subsection (c)(1)(A), by striking ''the first section of the Act entitled 'An Act to create a Committee on Purchases of Blind-made Products, and for other purposes', approved June 25, 1938 (41 U.S.C. 46)'' and substituting ''section 8502 of title 41, United States Code'';

(B) in subsection (c)(2)(B), by striking ''section 2 of the Act entitled 'An Act to create a Committee on Purchases of Blind-made Products, and for other purposes', approved June 25, 1938 (41 U.S.C. 47)'' and substituting ''section 8503 of title 41, United States Code'';

(C) in subsection (q)(2)(A)—

(i) by striking ''section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 4219(a))'' and substituting ''section 1302(a) of title 41, United States Code,''; and

(ii) by striking ''section 25 of such Act'' and substituting ''section 1303(a) of title 41, United States Code,''; and

(D) in subsection (r)(2), by striking ''section 303J(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(b))'' and substituting ''section 4106(c) of title 41, United States Code''.

(13) Section 2353 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 15 U.S.C. 644 note) is amended—

(A) in subsection (a)(2), by striking ''the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)'' and substituting ''chapter 71 of title 41, United States Code''; and

(B) in subsection (b), by striking ''the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)'' and substituting ''chapter 71 of title 41, United States Code''.

(14) Section 133(c) of the Small Business Administration Reauthorization and Amendment Act of 1988 (Public Law 100–590, 15 U.S.C. 644 note) is amended by striking ''the first section of the Act entitled 'An Act to create a Committee on Purchases of Blind-made Products, and for other purposes', approved June 25, 1938 (41 U.S.C. 46)'' and substituting ''section 8502 of title 41, United States Code''.

(15) Section 31(b) of the Small Business Act (15 U.S.C. 657a(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A), by striking ''section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))'' and substituting ''section 2101(1) of title 41, United States Code''; and

(ii) in subparagraph (B), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 107 of title 41, United States Code''; and

(B) in paragraph (4), by striking ''the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.)'' and substituting ''chapter 85 of title 41, United States Code''.

(16) Section 604(d) of the Veterans Entrepreneurship and Small Business Development Act of 1999 (Public Law 106–50, 15 U.S.C. 657b note) is amended by striking ''section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))'' and substituting ''section 1122(a)(4)(A) of title 41, United States Code,''.

(17) Section 36 of the Small Business Act (15 U.S.C. 657f) is amended—

(A) in subsection (c), by striking ''the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.)'' and substituting ''chapter 85 of title 41, United States Code''; and

(B) in subsection (e), by striking ''section 27(f)(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 423(f)(5))'' and substituting ''section 2101(1) of title 41, United States Code''.

(18) Section 44(a) of the Small Business Act (15 U.S.C. 657q(a)) is amended—

(A) in paragraph (1), by striking ''section 16(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(a))'' and substituting ''section 1702(a) of title 41, United States Code''; and

(B) in paragraph (3), by striking ''section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))'' and substituting ''section 1702(c) of title 41, United States Code''.

(19) Section 4(h) of the Commodity Credit Corporation Charter Act (15 U.S.C. 714b(h)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(20) Section 14 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714*l*) is amended by striking ''section 1 of the Act of February 27, 1877, as amended (41 U.S.C., 1940 edition, 22)'' and substituting ''section 6306(a) of title 41, United States Code,''.

(21) Section 21(b)(1) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2218) is amended by striking ''section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(22) Section 8 of the Electric and Hybrid Vehicle Research, Development, and Demonstration Act of 1976 (15 U.S.C. 2507) is amended—

(A) in subsection (c), by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''; and

(B) in subsection (e), by striking ''title III of the Act of March 3, 1933 (47 Stat. 1520; 41 U.S.C. 10a–10c)'' and substituting ''chapter 83 of title 41, United States Code''.

(23) Section 10 of the Toxic Substances Control Act (15 U.S.C. 2609) is amended—

(A) in subsection (a), by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 14 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''; and

(B) in subsection (b)(2)(B), by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(24) Section 27(b) of the Toxic Substances Control Act (15 U.S.C. 2626(b)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(25) Section 208 of the High-Performance Computing Act of 1991 (15 U.S.C. 5528) is amended—

(A) in subsection (b)(1)(B), by striking ''title III of the Act of March 3, 1933 (41 U.S.C. 10a–10d; popularly known as the Buy American Act) as amended by the Buy American Act of 1988'' and substituting ''chapter 83 of title 41, United States Code''; and

(B) in subsection (c)—

(i) in the heading, by striking ''BUY AMERICAN ACT'' and substituting ''CHAPTER 83 OF TITLE 41, UNITED STATES CODE''; and

(ii) by striking ''title III of the Act of March 3, 1933 (41 U.S.C. 10a–10d; popularly known as the Buy American Act), as amended by the Buy American Act of 1988,'' and substituting ''chapter 83 of title 41, United States Code''.

SEC. 12. TITLE 16, UNITED STATES CODE.

(1) Section 3(g) of the National Park System General Authorities Act (16 U.S.C. 1a–2(g)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended,'' and substituting ''chapter 5 of title 40, United States Code''.

(2) Section 3 of the Act of May 26, 1930 (ch. 324, 16 U.S.C. 17b), is amended by striking ''section 3709 of the Revised Statutes of the United States'' and substituting ''section 6101 of title 41, United States Code''.

(3) Section 10 of the Act of May 26, 1930 (ch. 324, 16 U.S.C. 17i), is amended by striking ''sections 3709 and 3744 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(4) Section 3 of Public Law 90–545 (16 U.S.C. 79c) is amended—

(A) in subsection (b)(2), by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''; and

(B) in subsection (c), by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40''.

(5) Section 201(a) of Public Law 91–661 (16 U.S.C. 160b(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(6) Section 2 of the Act of December 22, 1944 (ch. 674, 16 U.S.C. 343b), is amended by striking ''section 355, as amended, section 1136, as amended, and section 3709 of the Revised Statutes (except the last paragraph of said section 355, as amended'' and substituting ''sections 3111 and 3112 of title 40, United States Code, and section 6101 of title 41, United States Code (except said section 3112''.

(7) Section 317 of Public Law 98–146 (16 U.S.C. 396f) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(8) Section 9102(e) of the Department of Defense Appropriations Act, 1990 (Public Law 101–165, 16 U.S.C. 396f note) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''section 102 of title 40, United States Code''.

(9) Section 102(d) of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r–6(d)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat. 377)'' and substituting ''chapter 5 of title 40, United States Code''.

(10) Section 2 of Public Law 86–62 (16 U.S.C. 430a–2) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(11) Section 102(c) of Public Law 101–442 (16 U.S.C. 430h–7(c)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(12) Subparagraph (D) of the introductory provisions of section 3 of Public Law 90–468 (16 U.S.C. 441*l*) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(13) Section 2(a) of the Act of May 17, 1954 (ch. 204, 16 U.S.C. 450jj–1(a)), is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(14) Public Law 87–313 (16 U.S.C. 459a–4 note) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(15) Section 2(a) of the Land and Water Conservation Fund Act of 1965 (16 U.S.C. 460*l*–5(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(16) Section 2(a) of Public Law 92–237 (16 U.S.C. 460m–9(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat 377; 40 U.S.C. 471 et seq.), as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(17) Section 8(a) of Public Law 91–479 (16 U.S.C. 460x–7(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''.

(18) Section 3(a) of Public Law 92–589 (16 U.S.C. 460bb–2(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(19) Section 108(c)(1) of the Water Resources Development Act of 1974 (16 U.S.C. 460ee(c)(1)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat. 377; 40 U.S.C. 471 et seq.), as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(20) Section 2(d) of Public Law 93–555 (16 U.S.C. 460ff–1(d)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(21) Section 2(a) of Public Law 94–235 (16 U.S.C. 460hh–1(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(22) Section 102(b) of Public Law 95–344 (16 U.S.C. 460ii–1(b)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''.

(23) Section 545(d)(1)(B) of The Land Between the Lakes Protection Act of 1998 (16 U.S.C. 460*lll*–45(d)(1)(B)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''.

(24) Section 308(b)(2) of the National Historic Preservation Act (16 U.S.C. 470w–7(b)(2)) is amended by striking ''the Federal Property Administrative Services Act of 1949 (40 U.S.C. 472(e))'' and substituting ''section 102(3) of title 40, United States Code''.

(25) The proviso relating to open purchase, without advertising, of seeds, cones, and nursery stock under the heading ''GENERAL EXPENSES, FOREST SERVICE'' under the heading ''FOREST SERVICE.'' under the heading ''DEPARTMENT OF AGRICULTURE.'' in the Act of June 30, 1914 (ch. 131, 16 U.S.C. 504), is amended by striking ''section 3709, Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(26) The first section of the Act of July 26, 1956 (ch. 736, 16 U.S.C. 505a), is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(27) Section 3 of the Act of April 24, 1950 (ch. 97, 16 U.S.C. 580c), is amended by striking ''section 3709, Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(28) Section 302(b) of the Department of Agriculture Organic Act of 1944 (16 U.S.C. 590q–1) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(29) Section 5(c) of the Act of August 11, 1939 (ch. 717, 16 U.S.C. 590z–3(c)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(30) Section 9(d)(2)(A) of the Pittman-Robertson Wildlife Restoration Act (known as the Federal Aid in Wildlife Restoration Act) (16 U.S.C. 669h(d)(2)(A)) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 132 of title 41, United States Code''.

(31) Section 209(d) of the Sikes Act (16 U.S.C. 670*o*(d)) is amended by striking ''title III (other than section 304) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251–260)'' and substituting ''the provisions referred to in subsection 171(c) (except sections 3901 and 3905) of title 41, United States Code''.

(32) Section 3 of the Act of May 11, 1938 (ch. 193, 16 U.S.C. 757) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(33) Section 9(d)(2)(A) of the Dingell-Johnson Sport Fish Restoration Act (16 U.S.C. 777h(d)(2)(A)) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 132 of title 41, United States Code''.

(34) Section 2 of the Federal Power Act (16 U.S.C. 793) is amended by striking ''Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''the provisions referred to in section 171(b) and (c) of title 41, United States Code''.

(35) Section 14 of the Whaling Convention Act of 1949 (16 U.S.C. 916*l*) is amended—

(A) in paragraph (2)(e), by striking ''section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), and section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)'' and substituting ''section 501 of title 44, United States Code, and section 6101 of title 41, United States Code''; and

(B) in paragraph (2)(f), by striking ''section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(36) Section 12 of the Tuna Conventions Act of 1950 (16 U.S.C. 961) is amended—

(A) in subsection (c), by striking ''section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), or section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)'' and substituting ''section 501 of title 44, United States Code, or section 6101 of title 41, United States Code''; and

(B) in subsection (d), by striking ''section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(37) Section 2(b)(1) of Public Law 87–758 (16 U.S.C. 1052(b)(1)) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(38) Section 114(a) of the Department of the Interior, Environment, and Related Agencies Appropriations Act, 2012 (Public Law 112–74, 125 Stat. 1009) is amended—

(A) by striking ''section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c)'' and substituting ''section 3903 of title 41, United States Code''; and

(B) by striking ''5-year term restriction in subsection (d)'' and substituting ''5-year term restriction in subsection (a)''.

(39) Section 8(f)(2) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2104(f)(2)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(40) Section 347(c)(2) of the Department of the Interior and Related Agencies Appropriations Act, 1999 (Public Law 105–277, division A, section 101(e), 16 U.S.C. 2104 note) is amended by striking ''section 304B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c)'' and substituting ''section 3903 of title 41, United States Code''.

(41) Section 10(c) of the Cooperative Forestry Assistance Act of 1978 (16 U.S.C. 2106(c)) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(42) Section 4(e)(1) of the Coastal Barrier Resources Act (16 U.S.C. 3503(e)(1)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code,''.

SEC. 13. TITLE 18, UNITED STATES CODE.

(1) Section 443 of title 18, United States Code, is amended by striking ''section 103 of Title 41'' and substituting ''section 3 of the Contract Settlement Act of 1944 (ch. 358, 58 Stat. 650)''.

(2) Section 819(c) of the Omnibus Crime Control and Safe Streets Act of 1968 (Public Law 90–351, 18 U.S.C. 1761 note) is amended by striking ''the first section of the Act of June 30, 1936 (49 Stat. 2036; 41 U.S.C. 35), commonly known as the Walsh-Healey Act'' and substituting ''section 6502 of title 41, United States Code''.

(3) Section 3287 of title 18, United States Code, is amended by striking ''section 103 of title 41'' and substituting ''section 3 of the Contract Settlement Act of 1944 (ch. 358, 58 Stat. 650)''.

(4) Section 3672 of title 18, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(5) Section 118 of the Department of Justice Appropriations Act, 2001 (Public Law 106–553, section 1(a)(2), 18 U.S.C. 4013 note) is amended by striking ''section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d))'' and substituting ''section 6707(d) of title 41, United States Code''.

(6) Section 637 of division H of the Consolidated Appropriations Act, 2005 (Public Law 108–447, 18 U.S.C. 4124 note) is amended by striking ''section 25(c)(1) of the Office of Federal Procurement Act (41 U.S.C. 421(c)(1))'' and substituting ''section 1303(a)(1) of title 41, United States Code,''.

SEC. 14. TITLE 19, UNITED STATES CODE.

(1) Section 3131(a)(1) of the Anti-Drug Abuse Act of 1986 (19 U.S.C. 2081(a)(1)) is amended by striking clauses (ii) through (v) of subparagraph (A) and substituting the following:

''(ii) sections 6301(a) and (b)(1) through (3) and 6306 of title 41, United States Code,

''(iii) chapter 45 of title 41, United States Code,

''(iv) section 8141 of title 40, United States Code, and

''(v) section 3901 of title 41, United States Code, and''.

(2) Section 302(c)(2)(B) of the Trade Agreements Act of 1979 (19 U.S.C. 2512(c)(2)(B)) is amended by striking ''title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.), commonly referred to as the Buy American Act'' and substituting ''chapter 83 of title 41, United States Code''.

(3) Section 303 of the Trade Agreements Act of 1979 (19 U.S.C. 2513) is amended by striking ''title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.), popularly referred to as the Buy American Act,'' and substituting ''chapter 83 of title 41, United States Code''.

(4) Section 1376(b)(1) of the Telecommunications Trade Act of 1988 (19 U.S.C. 3105(b)(1)) is amended—

(A) in subparagraph (D), by striking ''title III of the Act of March 3, 1933 (41 U.S.C. 10a, et seq.)'' and substituting ''chapter 83 of title 41, United States Code,''; and

(B) in subparagraph (E), by striking ''title III of the Act of March 3, 1933 (41 U.S.C. 10a, et seq.)'' and substituting ''chapter 83 of title 41, United States Code,''.

SEC. 15. TITLE 20, UNITED STATES CODE.

(1) Section 6(a) of the Act of March 4, 1927 (20 U.S.C. 196(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.) and section 321 of the Act of June 30, 1932 (40 U.S.C. 303b)'' and substituting ''section 1302 of title 40, United States Code, and the provisions referred to in section 171(b) and (c) of title 41, United States Code''.

(2) Section 142 of the Higher Education Act of 1965 (20 U.S.C. 1018a) is amended—

(A) in subsection (d)(2)(A), by striking ''section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416)'' and substituting ''section 1708 of title 41, United States Code'';

(B) in subsection (d)(3)(A), by striking ''sections 303A and 303B of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253a and 253b)'' and substituting ''sections 3306(a) through (e) and 3308, chapter 37, and section 4702 of title 41, United States Code'';

(C) in subsection (f)(1)(A), by striking ''section 18 of the Office of Federal Procurement Policy Act (41 U.S.C. 416)'' and substituting ''section 1708 of title 41, United States Code,'';

(D) in subsection (g)(5)(C), by striking ''section 18(b) of the Office of Federal Procurement Policy Act (41 U.S.C. 416(b))'' and substituting ''section 1708(c) of title 41, United States Code'';

(E) in subsection (g)(6), by striking ''section 303(f) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(f))'' and substituting ''section 3304(e) of title 41, United States Code'';

(F) in subsection (l)(1), by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41, United States Code'';

(G) in subsection (l)(2), by striking ''section 309(b) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 259(b))'' and substituting ''section 152 of title 41, United States Code'';

(H) in subsection (l)(4), by striking ''section 303(g)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)) and section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427)'' and substituting ''sections 1901 and 3305(a) of title 41, United States Code''; and

(I) in subsection (l)(5), by striking ''section 303(g)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A)) and section 31(a)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 427(a)(1))'' and substituting ''sections 1901(a)(1) and 3305(a)(1) of title 41, United States Code''.

(3) Section 401(i) of the Higher Education Act of 1965 (20 U.S.C. 1070a(i)) is amended by striking ''subtitle D of title V of Public Law 100–690'' and substituting ''chapter 81 of title 41, United States Code''.

(4) Section 402A(b)(1) of the Higher Education Act of 1965 (20 U.S.C. 1070a–11(b)(1)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(5) Section 13(a)(6) of the Harry S Truman Memorial Scholarship Act (20 U.S.C. 2012(a)(6)) is amended by striking ''section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(6) Section 7(a)(7) of the American Folklife Preservation Act (20 U.S.C. 2106(a)(7)) is amended by striking ''section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(7) Section 415(a) of the Department of Education Organization Act (20 U.S.C. 3475(a)) is amended by striking ''of the Federal Property and Administrative Services Act of 1949'' and substituting ''referred to in section 171(b) and (c) of title 41, United States Code''.

(8) Section 814(a)(6) of the James Madison Memorial Fellowship Act (20 U.S.C. 4513(a)(6)) is amended by striking ''section 5 of title 41'' and substituting ''section 6101 of title 41, United States Code''.

(9) Section 1411(a)(6) of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4710(a)(6)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(10) Section 12(a)(6) of the Morris K. Udall and Stewart L. Udall Foundation Act (20 U.S.C. 5608(a)(6)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(11) Section 429(a)(6) of the Christopher Columbus Fellowship Act (20 U.S.C. 5708(a)(6)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(12) Section 1022(1) of the Goals 2000: Educate America Act (20 U.S.C. 6067(1)) is amended by striking ''sections 2 through 4 of the Act of March 3, 1993 (41 U.S.C. 10a–10c, popularly known as the 'Buy American Act')'' and substituting ''chapter 83 of title 41, United States Code''.

(13) Section 505(a) of the Workforce Investment Act of 1998 (20 U.S.C. 9275(a)) is amended—

(A) in the heading, by striking ''BUY AMERICAN ACT'' and substituting ''CHAPTER 83 OF TITLE 41, UNITED STATES CODE''; and

(B) by striking ''the Buy American Act (41 U.S.C. 10a et seq.)'' and substituting ''chapter 83 of title 41, United States Code''.

SEC. 16. TITLE 21, UNITED STATES CODE.

(1) Section 505(k)(4)(H) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(k)(4)(H)) is amended by striking ''section 4(5) of the Federal Procurement Policy Act'' and substituting ''section 132 of title 41, United States Code''.

(2) Section 520(k) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360j(k)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529, 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(3) Section 532(b)(3) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360ii(b)(3)) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(4) Section 502(b) of the Controlled Substances Act (21 U.S.C. 872(b)) is amended by

striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(5) Section 709(g) of the Office of National Drug Control Policy Reauthorization Act of 1998 (21 U.S.C. 1708(g)) is amended—

(A) in paragraph (1), by striking ''section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)'' and substituting ''section 4706 of title 41, United States Code''; and

(B) in paragraph (2), by striking ''section 306 of such Act (41 U.S.C. 256)'' and substituting ''chapter 43 of title 41, United States Code''.

SEC. 17. TITLE 22, UNITED STATES CODE.

(1) Section 2(b)(1) of the Joint Resolution of June 30, 1948 (ch. 756, 22 U.S.C. 272a(b)(1)), is amended by striking ''section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended'' and substituting ''section 501 of title 44, United States Code, and section 6101 of title 41, United States Code''.

(2) Section 103 of the American-Mexican Treaty Act of 1950 (22 U.S.C. 277d–3) is amended by striking ''sections 3679, 3732, and 3733 of the Revised Statutes'' and substituting ''sections 1341, 1342, and 1349 through 1351 and subchapter II of chapter 15 of title 31, United States Code, and sections 6301(a) and (b) and 6303 of title 41, United States Code''.

(3) Section 103 of the American-Mexican Boundary Treaty Act of 1972 (22 U.S.C. 277d–36) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(4) Section 804(c)(2)(N) of the Tijuana River Valley Estuary and Beach Sewage Cleanup Act of 2000 (22 U.S.C. 277d–44(c)(2)(N)) is amended by striking ''title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''the provisions referred to in section 171(c) of title 41, United States Code''.

(5) The Act of August 27, 1935 (ch. 763, 22 U.S.C. 277e), is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(6) Section 3(b) of the Joint Resolution of January 28, 1948 (ch. 38, 22 U.S.C. 280b(b)), is amended by striking ''section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended'' and substituting ''section 501 of title 44, United States Code, and section 6101 of title 41, United States Code''.

(7) Section 2(b) of the Joint Resolution of March 4, 1948 (ch. 97, 22 U.S.C. 280i(b)), is amended by striking ''section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended'' and substituting ''section 501 of title 44, United States Code, and section 6101 of title 41, United States Code''.

(8) Section 2(b) of the Joint Resolution of June 28, 1948 (ch. 686, 22 U.S.C. 280k(b)), is amended by striking ''section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended'' and substituting ''section 501 of title 44, United States Code, and section 6101 of title 41, United States Code''.

(9) Section 8 of the United Nations Participation Act of 1945 (22 U.S.C. 287e) is amended by striking ''section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(10) Section 6 of the Joint Resolution of July 30, 1946 (ch. 700, 22 U.S.C. 287r) is amended—

(A) in clause (f), by striking ''section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)'' and substituting ''section 6101 of title 41, United States Code''; and

(B) in clause (k), by striking ''section 11 of the Act of March 1, 1919 (U.S.C., title 44, sec. 111), and section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)'' and substituting ''section 501 of title 44, United States Code, and section 6101 of title 41, United States Code''.

(11) Section 4(a) of the Joint Resolution of July 1, 1947 (ch. 185, 22 U.S.C. 289c(a)) is amended by striking ''sections 3709 and 3648 of the Revised Statutes, as amended (U.S.C., 1940 edition, title 41, sec. 5, and title 31, sec. 529)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(12) Section 3(b)(1) of the Joint Resolution of June 14, 1948 (ch. 469, 22 U.S.C. 290b(b)(1)), is amended by striking ''section 11 of the Act of March 1, 1919 (44 U.S.C. 111), and section 3709 of the Revised Statutes, as amended'' and substituting ''section 501 of title 44, United States Code, and section 6101 of title 41, United States Code''.

(13) Section 802(a)(2) of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1472(a)(2)) is amended by striking ''section 3741 of the Revised Statutes (41 U.S.C. 22)'' and substituting ''section 6306 of title 41, United States Code''.

(14) Section 5(c)(2) of the International Health Research Act of 1960 (22 U.S.C. 2103(c)(2)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes of the United States'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(15) Section 219(c) of the Foreign Assistance Act of 1961 (22 U.S.C. 2179(c)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes of the United States (31 U.S.C. 529 and 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(16) Section 608 of the Foreign Assistance Act of 1961 (22 U.S.C. 2358) is amended—

(A) in subsection (a)—

(i) by striking ''the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''; and

(ii) by striking ''the Federal Property and Administrative Services Act of 1949, as amended,'' and substituting ''chapter 5 of title 40, United States Code''; and

(B) in subsection (b), by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(17) Section 632(e)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2392(e)(1)) is amended by striking ''the Assignment of Claims Act of 1940, as amended (second and third paragraphs of 31 U.S.C. 203 and 41 U.S.C. 15)'' and substituting ''section 3727(b) (last sentence) and (c) of title 31, United States Code, and section 6305(b)(1) through (7) of title 41, United States Code''.

(18) Section 636(g)(3) of the Foreign Assistance Act of 1961 (22 U.S.C. 2396(g)(3)) is amended by striking ''section 3733 of the Revised Statutes (41 U.S.C. 12)'' and substituting ''section 6303 of title 41, United States Code,''.

(19) Section 10(d) of the Peace Corps Act (22 U.S.C. 2509(d)) is amended by striking ''section 3709 of the Revised Statutes of the United States, as amended, section 302 of the Federal Property and Administrative Services Act of 1949'' and substituting ''sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41, United States Code''.

(20) Section 401(a) of the Arms Control and Disarmament Act (22 U.S.C. 2581(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(21) Section 2(h) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2669(h)) is amended by striking ''section 303(c)(2) of the Federal Property and Administrative Services Act of 1949'' and substituting ''section 3304(a)(2) of title 41, United States Code''.

(22) Section 9 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2676) is amended by striking ''section 3741 of the Revised Statutes (41 U.S.C. 22)'' and substituting ''section 6306 of title 41, United States Code''.

(23) Section 565(a)(1) of the Anti-Economic Discrimination Act of 1994 (22 U.S.C. 2679c(a)(1)) is amended by striking ''section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))'' and substituting ''section 134 of title 41, United States Code)''.

(24) Section 41(b)(2) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2713(b)(2)) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(25) Section 3101(c)(2) of the Panama Canal Act of 1979 (22 U.S.C. 3861(c)(2)) is amended—

(A) in subparagraph (A), by striking ''section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)'' and substituting ''chapter 21 of title 41, United States Code''; and

(B) in subparagraph (B), by striking ''the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.), other than section 10(a) of such Act (41 U.S.C. 609(a))'' and substituting ''chapter 71 (other than section 7104(b)) of title 41, United States Code''.

(26) Section 3102 of the Panama Canal Act of 1979 (22 U.S.C. 3862) is amended—

(A) in subsection (a)(1)—

(i) by striking ''section 8 of the Contract Disputes Act of 1978 (41 U.S.C. 607)'' and substituting ''sections 7105(a), (c) through (e), and (g), 7106(a), and 7107(a) of title 41, United States Code'';

(ii) by striking ''the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)'' and substituting ''chapter 71 of title 41, United States Code''; and

(iii) by striking ''that Act'' and substituting ''that chapter''; and

(B) in subsection (b)—

(i) by striking ''section 10(a)(1) of the Contract Disputes Act of 1978 (41 U.S.C. 609(a)(1))'' and substituting ''section 7104(b)(1) of title 41, United States Code''; and

(ii) by striking ''section 8(d) of such Act (41 U.S.C. 607(d))'' and substituting ''section 7105(e) of title 41, United States Code''.

(27) Section 704(a)(5) of the Foreign Service Act of 1980 (22 U.S.C. 4024(a)(5)) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5) and section 302 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252)'' and substituting ''sections 3101(a) and (c), 3104, 3106, 3301(b)(2), and 6101 of title 41, United States Code''.

(28) Section 202(c)(1) of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5422(c)(1)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 and following)'' and substituting ''chapter 5 of title 40, United States Code''.

(29) Section 101(3) of the Comprehensive Iran Sanctions, Accountability, and Divestment Act of 2010 (22 U.S.C. 8511(3)) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 133 of title 41, United States Code''.

SEC. 18. TITLE 23, UNITED STATES CODE.

(1) Section 140 of title 23, United States Code, is amended—

(A) in subsection (b), by striking ''section 6101(b) to (d)'' and substituting ''section 6101''; and

(B) in subsection (c), by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(2) Section 502(c)(5) of title 23, United States Code, is amended by striking ''Section 6101(b) to (d)'' and substituting ''Section 6101''.

SEC. 19. TITLE 24, UNITED STATES CODE.

(1) Section 11 of the Saint Elizabeths Hospital and District of Columbia Mental Health Services Act (24 U.S.C. 225h) is amended—

(A) in subsection (a), by striking ''the Buy American Act of 1933, as amended'' and substituting ''chapter 83 of title 41, United States Code'';

(B) in subsection (b)(1), by striking ''the Buy American Act'' and substituting ''chapter 83 of title 41, United States Code,'';

(C) in subsection (b)(2), by striking ''the Buy American Act'' and substituting ''chapter 83 of title 41, United States Code,'';

(D) in subsection (c), by striking ''the Buy American Act'' and substituting ''chapter 83 of title 41, United States Code,''; and

(E) by striking subsection (d) and redesignating subsections (e) and (f) as subsections (d) and (e), respectively.

(2) Section 2(a) of Public Law 86–571 (24 U.S.C. 322(a)) is amended by striking ''section 3709 of the Revised Statutes, as amended (41 U.S.C. 5),'' and substituting ''section 6101 of title 41, United States Code''.

(3) Section 4(a) of Public Law 86–571 (24 U.S.C. 324(a)) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

SEC. 20. TITLE 25, UNITED STATES CODE.

(1) The Act of April 12, 1924 (ch. 93, 25 U.S.C. 190) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code,''.

(2) The fourth paragraph on p. 973 (39 Stat.) in the first section of the Act of March 2, 1917 (ch. 146, 25 U.S.C. 293) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code,''.

(3) Section 105(a)(3) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450j(a)(3)) is amended—

(A) in subparagraph (A)—

(i) by striking ''of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)'' and substituting ''referred to in section 172(b) of title 41, United States Code,''; and

(ii) by striking ''such Act'' and substituting ''such provisions,'';

(B) in subparagraph (C)(ii)(I), by striking ''Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''provisions referred to in section 171(b) and (c) of subtitle I of title 41, United States Code'';

(C) in subparagraph (C)(ii)(II), by striking ''Section 3709 of the Revised Statutes'' and substituting ''Section 6101 of title 41, United States Code'';

(D) in subparagraph (C)(ii)(VIII), by striking ''Sections 1 through 12 of the Act of June 30, 1936 (49 Stat. 2036 et seq. chapter 881)'' and substituting ''Chapter 65 of title 41, United States Code''; and

(E) in subparagraph (C)(ii)(IX), by striking ''The Service Control Act of 1965 (41 U.S.C. 351 et seq.)'' and substituting ''Chapter 67 of title 41, United States Code''.

(4) Section 107(a)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450k(a)(1)) is amended by striking ''the Contract Disputes Act of 1978 (41 U.S.C. 601 et seq.)'' and substituting ''chapter 71 of title 41, United States Code''.

(5) Section 110(d) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450m–1(d)) is amended—

(A) by striking ''The Contract Disputes Act (Public Law 95–563, Act of November 1, 1978; 92 Stat. 2383, as amended)'' and substituting ''Chapter 71 of title 41, United States Code,''; and

(B) by striking ''Interior Board of Contract Appeals established pursuant to section 8 of such Act (41 U.S.C. 607)'' and substituting ''Civilian Board of Contract Appeals established pursuant to section 7105(b) of title 41, United States Code''.

(6) Section 403(e)(1) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458cc(e)(1)) is amended by striking ''of the Office of Federal Procurement Policy Act'' and substituting ''referred to in section 172(b) of title 41, United States Code''.

(7) Section 509(h) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa–8(h)) is amended by striking ''of the Office of Federal Procurement Policy Act'' and substituting ''referred to in section 172(b) of title 41, United States Code''.

(8) Section 510 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 458aaa–9) is amended by striking ''of the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)'' and substituting ''referred to in section 172(b) of title 41, United States Code''.

(9) The first section of Public Law 85–186 (25 U.S.C. 463d note) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (Act of June 30, 1949; 63 Stat. 378), as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(10) Section 310 of the Indian Health Care Improvement Act (25 U.S.C. 1638b) is amended—

(A) in subsection (a), by striking ''the Buy American Act'' and substituting ''chapter 83 of title 41, United States Code'';

(B) in subsection (b), by striking ''the Buy American Act'' and substituting ''chapter 83 of title 41, United States Code''; and

(C) by striking subsection (d).

SEC. 21. TITLE 26, UNITED STATES CODE.

Section 301(b)(3) of the James Zadroga 9/11 Health and Compensation Act of 2010 (Public Law 111–347, 26 U.S.C. 5000C note) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 133 of title 41, United States Code''.

SEC. 22. TITLE 28, UNITED STATES CODE.

(1) The last sentence of section 524(c)(1) of title 28, United States Code, is amended by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41, section 6101(b) to (d) of title 41,'' and substituting ''the provisions referred to in section 171(c), and section 6101, of title 41''.

(2) Section 115(a)(2) of the Department of Justice Appropriations Act, 1999 (Public Law 105–277, division A, section 101(b), 28 U.S.C. 524 note) is amended by striking ''Office of Federal Procurement Policy Act'' and substituting ''provisions referred to in section 172(b) of title 41, United States Code''.

(3) Section 102(b)(1)(A) of the Department of Justice and Related Agencies Appropriations Act, 1993 (Public Law 102–395, 28 U.S.C. 533 note) is amended—

(A) by striking ''section 3732(a) of the Revised Statutes (41 U.S.C. 11(a)), section 305 of the Act of June 30, 1949 (63 Stat. 396; 41 U.S.C. 255), the third undesignated paragraph under the heading of 'Miscellaneous' of the Act of March 3, 1877 (19 Stat. 370; 40 U.S.C. 34)'' and substituting ''chapter 45 and section 6301(a) and (b)(1) through (3) of title 41 of the United States Code, section 8141 of title 40 of the United States Code''; and

(B) by striking ''section 3741 of the Revised Statutes (41 U.S.C. 22), and subsections (a) and (c) of section 304 of the Federal Property and Administrative Service Act of 1949 (63 Stat. 395; 41 U.S.C. 254(a) and (c))'' and substituting ''and sections 3901 and 6306(a) of title 41 of the United States Code''.

(4) Section 310(a)(2) of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (Public Law 99–554, 28 U.S.C. 581 note) is amended by striking ''the Federal Property and Administrative Services Act of 1949, the Office of Federal Procurement Policy Act, and title 31 of the United States Code'' and substituting ''title 31 of the United States Code and the provisions referred to in sections 171(b) and (c) and 172(b) of title 41 of the United States Code''.

(5) Section 604 of title 28, United States Code, is amended—

(A) in subsection (a)(10)(C), by striking ''section 6101(b) to (d)'' and substituting ''section 6101 of title 41''; and

(B) in subsection (g)(4)—

(i) in subparagraph (A), by striking ''section 253*l* of title 41, United States Code'' and substituting ''section 3902 of title 41'';

(ii) in subparagraph (B), by striking ''section 254c of title 41, United States Code'' and substituting ''section 3903 of title 41''; and

(iii) in subparagraph (C), by striking ''section 255 of title 41, United States Code'' and substituting ''chapter 45 of title 41''.

(6) Section 624(3) of title 28, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(7) Section 753(g) of title 28, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(8) Section 1491(a)(2) of title 28, United States Code, is amended by striking ''section 6 of that Act'' and substituting ''section 7103 (except subsection (c)(2)) of title 41''.

SEC. 23. TITLE 29, UNITED STATES CODE.

(1) Section 6(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 206(e)) is amended—

(A) in paragraph (1), by striking ''the Service Contract Act of 1965 (41 U.S.C. 351–357)'' and substituting ''chapter 67 of title 41, United States Code,''; and

(B) in paragraph (2), by striking ''the Service Contract Act of 1965'' and substituting ''chapter 67 of title 41, United States Code,''.

(2) Section 13(d) of the Portal-to-Portal Act of 1947 (29 U.S.C. 262(d)) is amended—

(A) by striking ''The term 'Wash-Healey Act' means the Act entitled 'An Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes', approved June 30, 1936 (49 Stat. 2036), as amended'' and substituting ''The term 'Walsh-Healey Act' means chapter 65 of title 41, United States Code''; and

(B) by striking ''the Act entitled 'An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings', approved August 30, 1935 (49 Stat. 1011), as amended'' and substituting ''sections 3141 through 3144, 3146, and 3147 of title 40, United States Code''.

(3) Section 4(b)(2) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653(b)(2)) is amended—

(A) by striking ''the Act of June 30, 1936, commonly known as the Walsh-Healey Act (41 U.S.C. 35 et seq.), the Service Contract Act of 1965 (41 U.S.C. 351 et seq.)'' and substituting ''chapter 65 of title 41, United States Code, chapter 67 of title 41, United States Code''; and

(B) by inserting ''chapters or'' after ''such other''.

(4) Section 22(e)(7) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 671(e)(7)) is amended by striking ''section 3709 of the Revised Statutes, as amended (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(5) Section 147(a)(2)(A) of the Workforce Investment Act of 1998 (29 U.S.C. 2887(a)(2)(A)) is amended by striking ''subsections (c) and (d) of section 303 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253)'' and substituting ''section 3304(a) through (c) of title 41, United States Code''.

SEC. 24. TITLE 30, UNITED STATES CODE.

(1) Section 2 of the Act of February 25, 1919 (ch. 23, 30 U.S.C. 4) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code,''.

(2) Section 6(b) of the Act of August 31, 1954 (ch. 1156, 30 U.S.C. 556(b)) is amended by striking ''section 3709, Revised Statutes (41 U.S.C., sec. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(3) Section 206 of the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 846) is amended by striking ''the Walsh-Healey Public Contracts Act, as amended'' and substituting ''chapter 65 of title 41, United States Code''.

(4) Section 101(c)(2) of the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1711(c)(2)) is amended by striking ''Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252)'' and substituting ''provisions referred to in section 171(b) and (c) of title 41, United States Code''.

SEC. 25. TITLE 31, UNITED STATES CODE.

(1) Section 743(i) of the Financial Services and General Government Appropriations Act, 2010 (Public Law 111–117, division C, 31 U.S.C. 501 note) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 133 of title 41, United States Code''.

(2) Section 326 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84, 31 U.S.C. 501 note) is amended by striking ''section 303B(f) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b(f))'' and substituting ''section 3705 of title 41, United States Code''.

(3) Section 321(a) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417, 31 U.S.C. 501 note) is amended by striking ''section 16A of the Office of Federal Procurement Policy Act (41 U.S.C. 414b)'' and substituting ''subchapter II of chapter 13 of title 41, United States Code,''.

(4) Section 739(a)(2)(C) of the Financial Services and General Government Appropriations Act, 2008 (Public Law 110–161, division D, 31 U.S.C. 501 note) is amended—

(A) in clause (i), by striking ''section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47)'' and substituting ''section 8503 of title 41, United States Code''; and

(B) in clause (ii), by striking ''that Act'' and substituting ''chapter 85 of title 41, United States Code''.

(5) Section 647(f) of the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Public Law 108–199, division F, 31 U.S.C. 501 note) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 133 of title 41, United States Code''.

(6) Section 1501(d) of the Legislative Branch Appropriations Act, 2008 (Public Law 110–161, division H, 31 U.S.C. 702 note) is amended—

(A) by striking ''The Contract Disputes Act of 1978 (Public Law 95–563, 41 U.S.C. 601 et seq.), as amended'' and substituting ''Chapter 71 of title 41, United States Code'';

(B) by striking ''section 4, subsections 8(a), (b), and (c), and subsection 10(a)'' and substituting ''sections 7102(d), 7104(b), and 7105(a), (c), (d), and (e)(1)(C) of title 41, United States Code,'';

(C) by striking ''subsection 6(c)'' and substituting ''subsections (b) and (f) of section 7103 of title 41, United States Code,''; and

(D) by striking ''the Contract Disputes Act of 1978'' and substituting ''chapter 71 of title 41, United States Code''.

(7) Section 781(c)(1) of title 31, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(8) Section 1(17) of Public Law 107–74 (31 U.S.C. 1113 note) is amended by striking ''Section 303(c)(7) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(7))'' and substituting ''Section 3304(a)(7) of title 41, United States Code''.

(9) Section 1031(13) of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65, 31 U.S.C. 1113 note) is amended by striking ''Section 3732 of the Revised Statutes, popularly known as the 'Food and Forage Act' (41 U.S.C. 11)'' and substituting ''Section 6301(a) and (b) of title 41, United States Code''.

(10) Section 865(d)(1) of the Duncan Hunter National Defense Authorization Act for Fiscal Year 2009 (Public Law 110–417, 31 U.S.C. 1535 note) is amended by striking ''section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))'' and substituting ''section 133 of title 41, United States Code''.

(11) Section 2(h)(2)(C)(i) of the Improper Payments Elimination and Recovery Act of 2010 (Public Law 111–204, 31 U.S.C. 3321 note) is amended by striking ''section 605(a) of the Contract Disputes Act of 1978 (41 U.S.C. 605(a))'' and substituting ''section 7103(a), (c)(1), (d), and (e) of title 41, United States Code''.

(12) Section 3718(b)(1)(A) of title 31, United States Code, is amended by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

(13) Section 11 of the Prompt Payment Act Amendments of 1988 (Public Law 100–496, 31 U.S.C. 3903 note) is amended—

(A) in subsection (b)(1)(C), by striking ''section 303(g)(2) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(2))'' and substituting ''section 3305(b) of title 41, United States Code''; and

(B) in subsection (c), by striking ''section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)'' and substituting ''section 1707 of title 41, United States Code,''.

(14) Section 5114(a)(3) of title 31, United States Code, is amended by striking ''title III of the Act of March 3, 1933 (41 U.S.C. 10a et seq.; commonly referred to as the Buy American Act)'' and substituting ''chapter 83 of title 41''.

(15) Section 2(b)(1) of the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109–282, 31 U.S.C. 6101 note) is amended by striking ''Office of Federal Procurement Policy Act (41 U.S.C. 403 et seq.)'' and substituting ''provisions referred to in section 172(b) of title 41, United States Code''.

(16) Section 2455(c)(1) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 31 U.S.C. 6101 note) is amended by striking ''section 35(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 431(c))'' and substituting ''section 104 of title 41, United States Code''.

(17) Section 9703(b)(3) of title 31, United States Code, as added by section 638(b)(1) of the Treasury Forfeiture Fund Act of 1992 (Public Law 102–393, 106 Stat. 1779), is amended—

(A) by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''; and

(B) by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

SEC. 26. TITLE 33, UNITED STATES CODE.

(1) Section 108(a) of the River and Harbor Act of 1960 (33 U.S.C. 578(a)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended,'' and substituting ''chapter 5 of title 40, United States Code''.

(2) Section 14 of the Act of May 15, 1928 (ch. 569, 33 U.S.C. 702m) is amended by striking ''section 3741 of the Revised Statutes being section 22 of title 41 of the United States Code'' and substituting ''section 6306(a) of title 41, United States Code''.

(3) Section 606(a)(1) of the NOAA Fleet Modernization Act (33 U.S.C. 891d(a)(1)) is amended by striking ''United States Code and section 3732 of the Revised Statutes of the United States (41 U.S.C. 11)'' and substituting ''United States Code, and section 6301(a) and (b) of title 41, United States Code''.

(4) Section 41(b)(5) of the Longshore and Harbor Workers' Compensation Act (33 U.S.C. 941(b)(5)) is amended by striking ''section 5 of the Act of June 30, 1936 (ch. 881, 49 Stat. 2036), as amended,'' and substituting ''section 6507(b) through (f) of title 41, United States Code''.

(5) Section 204(c)(4)(D) of the National Sea Grant College Program Act (33 U.S.C. 1123(c)(4)(D)) is amended by striking ''section 5 of title 41'' and substituting ''section 6101 of title 41, United States Code''.

(6) Section 104 of the Federal Water Pollution Control Act (33 U.S.C. 1254) is amended—

(A) in subsection (b)(4), by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''; and

(B) in subsection (g)(3)(A), by striking ''sections 3648 and 3709 of the Revised Statutes'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(7) Section 508(f)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1368(f)(2)) is amended by striking ''section 4(12) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(12))'' and substituting ''section 103 of title 41, United States Code''.

SEC. 27. TITLE 35, UNITED STATES CODE.

(1) Section 10102 of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101–508, 35 U.S.C. 1 note) is amended by striking ''Federal Property and Administrative Services Act of 1949 and the Office of Federal Procurement Policy Act'' and substituting ''provisions referred to in sections 171(b) and (c) and 172(b) of title 41, United States Code''.

(2) Section 2(b)(4)(A) of title 35, United States Code, is amended by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

SEC. 28. TITLE 38, UNITED STATES CODE.

(1) Section 1966(a) of title 38, United States Code, is amended by striking ''section 6101(b) to (d) of title 41'' and substituting ''section 6101 of title 41''.

(2) Section 2412(c)(1) of title 38, United States Code, is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41''.

(3) Section 3720(b) of title 38, United States Code, is amended by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and

4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

(4) Section 7317(f) of title 38, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(5) Section 7802(f) of title 38, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(6) Section 8122(a)(1) of title 38, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(7) Section 8201(e) of title 38, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

SEC. 29. TITLE 40, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(*l*)(23) of Public Law 111-350 (124 Stat. 3852) is amended by striking ''Statutes'' and substituting ''Statues''.

(2) The item for section 111 in the analysis for chapter 1 of title 40, United States Code, is amended by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

(3) The matter before paragraph (1) in section 102 of title 40, United States Code, is amended by striking ''and in division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41''.

(4) Section 111 of title 40, United States Code, is amended—

(A) in the heading, by striking ''**division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I**'' and substituting ''**the provisions referred to in section 171(c)**''; and

(B) in the matter before paragraph (1), by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

(5) Section 113(b) of title 40, United States Code, is amended—

(A) in the heading, by striking ''DIVISION B (EXCEPT SECTIONS 1704 AND 2303) OF SUBTITLE I'' and substituting ''THE PROVISIONS REFERRED TO IN SECTION 172(b)''; and

(B) by striking ''division B (Except Sections 1704 and 2303) of subtitle I'' and substituting ''the provisions referred to in section 172(b)''.

(6) Section 311 of title 40, United States Code, is amended—

(A) in subsection (a), by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''; and

(B) in subsection (b), by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

(7) Section 501(b)(2)(B) of title 40, United States Code, is amended by striking ''Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)'' and substituting ''provisions referred to in section 172(b) of title 41''.

(8) Section 506(a)(1)(D) of title 40, United States Code, is amended by striking ''Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)'' and substituting ''provisions referred to in section 172(b) of title 41''.

(9) Section 503(b)(3) of title 40, United States Code, is amended—

(A) in the heading, by striking ''SECTION 6101(b) TO (d)'' and substituting ''SECTION 6101''; and

(B) by striking ''Section 6101(b) to (d) of title 41'' and substituting ''Section 6101 of title 41''.

(10) Section 545(f) of title 40, United States Code, is amended by striking ''Section 6101(b)–(d)'' and substituting ''Section 6101''.

(11) Section 1427(b) of division A of the Services Acquisition Reform Act of 2003 (Public Law 108–136, 40 U.S.C. 1103 note) is amended by striking ''sections 303H and 303I of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253h and 253i)'' and substituting ''sections 4103 and 4105 of title 41, United States Code,''.

(12) Section 1305 of title 40, United States Code, is amended by striking ''this subtitle and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41'' and substituting ''chapter 5 of this title''.

(13) Section 1308 of title 40, United States Code, is amended by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

(14) Section 3148 of title 40, United States Code, is amended by striking ''section 6101(b) to (d) of title 41'' and substituting ''section 6101 of title 41''.

(15) Section 3304(d)(2) of title 40, United States Code, is amended by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

(16) Section 3305(a) of title 40, United States Code, is amended—

(A) in paragraph (1), by striking ''subtitle I of this title and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41'' and substituting ''chapter 5 of this title''; and

(B) in paragraph (2), by striking ''subtitle I of this title and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I of title 41'' and substituting ''chapter 5 of this title''.

(17) Section 3308(a) of title 40, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(18) Section 3313(g) of title 40, United States Code, is amended—

(A) in the heading, by striking ''BUY AMERICAN ACT'' and substituting ''CHAPTER 83 OF TITLE 41''; and

(B) by striking ''the Buy American Act (41 U.S.C. 10c et seq.)'' and substituting ''chapter 83 of title 41''.

(19) Section 6111(b)(2)(D) of title 40, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(20) Section 8711(d) of title 40, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(21) Section 813 of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (Public Law 106–398, section 1 [H.R. 5408], 40 U.S.C. 11302 note) is amended—

(A) in subsection (a), by striking ''sections 6 and 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 405 and 421)'' and substituting ''sections 1121 and 1303 of title 41, United States Code''; and

(B) in subsection (d)(1), by striking ''section 4(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(1))'' and substituting ''section 133 of title 41, United States Code''.

(22) Subtitle V of title 40, United States Code, is amended as follows:

(A) Chapter 1, which begins with section 15101, is renumbered as chapter 151.

(B) Chapter 2, which begins with section 15301, is renumbered as chapter 153.

(C) Chapter 3, which begins with section 15501, is renumbered as chapter 155.

(D) Chapter 4, which begins with section 15701, is renumbered as chapter 157.

SEC. 30. TITLE 41, UNITED STATES CODE.

(1) Effective January 4, 2011, section 7(b) of Public Law 111–350 (124 Stat. 3855) is amended—

(A) in the item relating to title III, §4 of the Act of March 3, 1933 (ch. 212), temporarily renumbered §5 by section 7002(1) of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100–418, 102 Stat. 1545), by striking ''10b–1'' and substituting ''10c note'';

(B) by deleting the item relating to section 1 of the Act of March 8, 1946 (ch. 80, 60 Stat. 37);

(C) by deleting the items relating to the Act of May 11, 1954 (ch. 199, 68 Stat. 81); and

(D) by deleting the items relating to sections 1 and 16 of the Act of November 1, 1978 (Public Law 95–563, 92 Stat. 2383, 2391).

(2) Effective January 4, 2011—

(A) insert after section 7109 of title 41, United States Code, the following:

''**CHAPTER 73—LIMITATION ON JUDICIAL REVIEW OF ADMINISTRATIVE DECISIONS**

''Sec.

''7301. Applicability.

''7302. In general.

''7303. Prohibition of contract provision relating to finality on a question of law.

''**§ 7301. Applicability**

''This chapter applies to public contracts not subject to chapter 71 of this title.

''**§ 7302. In general**

''(a) LIMITATION ON PLEADING.—No provision of a contract the United States enters into that relates to the finality or conclusiveness of a decision by the head of an agency, a representative of the head of the agency, or a board in a dispute involving a question arising under the contract shall be pleaded in a civil action as limiting judicial review of the decision to cases where fraud by the official, representative, or board is alleged.

''(b) FINALITY AND CONCLUSIVENESS OF DECISION.—A decision referred to in subsection (a) is final and conclusive unless it is fraudulent, capricious, arbitrary, or so grossly erroneous as necessarily to imply bad faith or is not supported by substantial evidence.

''**§ 7303. Prohibition of contract provision relating to finality on a question of law**

''No Government contract may contain a provision making final on a question of law the decision of an administrative official, representative, or board.''; and

(B) the analysis for subtitle III of title 41, United States Code, is amended by inserting after the item for chapter 71 the following:

''**73. Limitation on Judicial Review of Administrative Decisions** ..... **7301**''.

(3) The analysis for chapter 1 of title 41, United States Code, is amended by inserting after the item for section 153 the following:

''154. Additional definitions.

''SUBCHAPTER IV—REFERENCES TO PROVISIONS FORMERLY CONTAINED IN OTHER LAWS

''171. References to provisions formerly contained in the Federal Property and Administrative Services Act of 1949.

''172. References to provisions formerly contained in the Office of Federal Procurement Policy Act.''.

(4) Chapter 1 of title 41, United States Code, is amended by inserting after section 153 the following:

''**§ 154. Additional definitions**

''In the provisions referred to in section 171(c), the terms 'executive agency', 'Federal agency', and 'property' have the same meanings given in section 102 of title 40.

''SUBCHAPTER IV—REFERENCES TO PROVISIONS FORMERLY CONTAINED IN OTHER LAWS

''**§ 171. References to provisions formerly contained in Federal Property and Administrative Services Act of 1949**

''(a) TRANSLATION OF OBSOLETE REFERENCES.—This section provides a convenient form for references to provisions formerly contained in the Federal Property and Administrative Services Act of 1949.

''(b) PROVISIONS FORMERLY CONTAINED IN FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949 (OTHER THAN TITLE III).—Provisions formerly contained in the Federal Property and Administrative Services Act of 1949 (other than title III) are restated in chapters 1 through 11 of title 40.

''(c) PROVISIONS FORMERLY CONTAINED IN TITLE III OF FEDERAL PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949.—Provisions formerly contained in title III of the Federal Property and Administrative Services Act of 1949 are restated in the following provisions of this title:

''(1) Sections 102, 103, 105 through 116, and 151 through 153.

''(2) Chapter 31.

''(3) Sections 3301, 3303 through 3305, 3306(a) through (e), 3307(a) through (d), and 3308 through 3311.

''(4) Sections 3501(a) and 3502 through 3509.

''(5) Chapter 37.

''(6) Sections 3901 through 3903 and 3905.

''(7) Sections 4101, 4103, 4105, and 4106.

''(8) Chapter 43.

''(9) Chapter 45.

''(10) Sections 4701 through 4706 and 4709.

''**§ 172. References to provisions formerly contained in the Office of Federal Procurement Policy Act**

''(a) TRANSLATION OF OBSOLETE REFERENCES.—This section provides a convenient form for references to provisions formerly contained in the Office of Federal Procurement Policy Act.

''(b) PROVISIONS FORMERLY CONTAINED IN OFFICE OF FEDERAL PROCUREMENT POLICY ACT.—Provisions formerly contained in the Office of Federal Procurement Policy Act are restated in the following provisions of this title:

''(1) Sections 102 through 105, 107 through 116, and 131 through 134.

''(2) Sections 1101, 1102, 1121(a) through (c)(1) and (c)(3) through (f), 1122, 1124 through 1127, and 1130.

''(3) Chapter 13.

''(4) Chapter 15.

''(5) Sections 1701, 1702, 1703(a) through (h), (i)(2) through (8), and (k), 1705, and 1707 through 1712.

''(6) Sections 1901 through 1903, 1905 through 1907, and 1908(b)(1) and (2), (c)(1) and (2), and (d) through (f).

''(7) Chapter 21.

''(8) Sections 2301, 2302, 2305 through 2310, and 2312.''.

(5) Section 502 of the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1993 (Public Law 102–394, 41 U.S.C. 1101 note) is amended—

(A) by striking ''the Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)'' and substituting ''section 133 of title 41, United States Code''; and

(B) by striking ''such Act'' and substituting ''the provisions referred to in section 172(b) of title 41, United States Code''.

(6) Section 414(a) of the Small Business Reauthorization Act of 1997 (Public Law 105–135, 41 U.S.C. 1122 note) is amended by striking ''section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))'' and substituting ''section 1122(a)(4)(A) of title 41, United States Code,''.

(7) Section 10004 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 41 U.S.C. 1122 note) is amended—

(A) in subsection (a), by striking ''section 6(d)(4)(A) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(d)(4)(A))'' and substituting ''section 1122(a)(4)(A) of title 41, United States Code,''; and

(B) in subsection (b), by striking ''section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))'' and substituting ''section 134 of title 41, United States Code''.

(8) Section 808(g) of the National Defense Authorization Act for Fiscal Year 1998 (Public Law 105–85, 41 U.S.C. 1127 note) is amended—

(A) in paragraph (1), by striking ''section 306(l) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 256(l))'' and substituting ''section 4301(2) of title 41, United States Code''; and

(B) in paragraph (2), by striking ''section 306(m) of the Federal Property and Administrative Services Act of 1949'' and substituting ''section 4301 of title 41, United States Code''.

(9) Section 1303(a)(1) of title 41, United States Code, is amended by striking ''the National Aeronautics and Space Act of 1958 (42 U.S.C. 2451 et seq.)'' and substituting ''chapter 201 of title 51''.

(10) Section 802 of the National Defense Authorization Act for Fiscal Year 2000 (Public Law 106–65, 41 U.S.C. 1502 note) is amended—

(A) in subsection (c)(1), by striking ''section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))'' and substituting ''section 1502(a) and (b) of title 41, United States Code,'';

(B) in subsection (c)(2)(A)(ii), by striking ''section 26 of the Office of Federal Procurement Policy Act'' and substituting ''chapter 15 of title 41, United States Code,'';

(C) in subsection (g), by striking ''section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f)), as amended by this section'' and substituting ''section 1502(a) and (b) of title 41, United States Code, as in effect on February 10, 1996, and amended by this section'';

(D) in subsection (h), by striking ''section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))'' and substituting ''section 1502(a) and (b) of title 41, United States Code,''; and

(E) in subsection (i)(2), by striking ''section 26(f) of the Office of Federal Procurement Policy Act (41 U.S.C. 422(f))'' and substituting ''section 1502(a) and (b) of title 41, United States Code''.

(11) Section 1703(i)(6) of title 41, United States Code, is amended by striking ''Procurememt'' and substituting ''Procurement''.

(12) Section 821(c) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163, 41 U.S.C. 1703 note) is amended by striking ''section 37(h)(3)(D) of the Office of Federal Procurement Policy Act (as amended by subsection (a))'' and substituting ''section 1703(i)(5) of title 41, United States Code,''.

(13) Section 5051(c)(2)(A) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 41 U.S.C. 1703 note) is amended by striking ''section 313(b) of the Federal Property and Administrative Services Act of 1949, as added by subsection (a)'' and substituting ''section 3103(b) of title 41, United States Code''.

(14) Section 6002(b) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 41 U.S.C. 1709 note) is amended by striking ''section 25(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(a))'' and substituting ''section 1302(a) of title 41, United States Code,''.

(15) Section 1332 of the Small Business Jobs Act of 2010 (Public Law 111–240, 41 U.S.C. 1902 note) is amended by striking ''section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)'' and substituting ''section 1902 of title 41, United States Code''.

(16) Section 2313 of title 41, United States Code, is amended—

(A) in subsection (c)(1), by adding after subparagraph (D) the following:

''(E) In an administrative proceeding, a final determination of contractor fault by the Secretary of Defense pursuant to section 823(d) of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111–84, 10 U.S.C. 2302 note).''; and

(B) by amending subsection (e)(1) to read as follows:

''(1) AVAILABILITY—

''(A) TO GOVERNMENT OFFICIALS.—The Administrator of General Services shall ensure that the information in the database is available to appropriate acquisition officials of Federal agencies, other government officials as the Administrator of General Services determines appropriate, and, on request, the Chairman and Ranking Member of the committees of Congress having jurisdiction.

''(B) TO THE PUBLIC.—The Administrator of General Services shall post the information in the database, excluding past performance reviews, on a publicly available website.''.

(17) The analysis for chapter 31 of title 41, United States Code, is amended by striking the item relating to section 3103 and substituting the following:

''3103. Goals for major acquisition programs.''.

(18) Section 3103 of title 41, United States Code, is amended in the heading by striking ''**Acquisition programs**'' and substituting ''**Goals for major acquisition programs**''.

(19) Section 317(b)(3)(B) of the Federal Property and Administrative Services Act of 1949 (ch. 288, 41 U.S.C. note prec. 3901) is amended by striking ''this chapter'' and substituting ''the provisions referred to in section 171(c) of title 41, United States Code''.

(20) Section 2192(b)(2) of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 41 U.S.C. 4304 note) is amended by striking ''section 306(l) of the Federal Property and Administrative Services Act of 1949 (as added by section 2151)'' and substituting ''section 4301(2) of title 41, United States Code''.

(21) Section 6503(b) of title 41, United States Code, is amended—

(A) in paragraph (1), by striking ''and each incarcerated'' and substituting ''or each incarcerated''; and

(B) in paragraph (2), by striking ''each underpayment'' and substituting ''underpayments''.

(22) Section 6504 of title 41, United States Code, is amended—

(A) in subsection (a)—

(i) by striking ''each agency'' and substituting ''all agencies''; and

(ii) by inserting ''or firms'' after ''persons''; and

(B) in subsection (b), by striking ''described in section 6502 of this title''.

(23) Section 6506(b) of title 41, United States Code, is amended—

(A) by inserting ''rules and'' before ''regulations''; and

(B) by inserting ''may be'' before ''necessary''.

(24) Section 6507 of title 41, United States Code, is amended—

(A) in subsection (b), by striking ''included in a contract'' and substituting ''included in a proposal or contract''; and

(B) in subsection (d), by striking ''an impartial'' and substituting ''a''.

(25) Section 6508 of title 41, United States Code, is amended—

(A) in subsection (a), by striking ''an agency'' and substituting ''the contracting agency'';

(B) in subsection (b), by striking ''an agency'' and substituting ''the contracting agency''; and

(C) in subsection (c), by inserting ''rules and'' before ''regulations''.

(26) Section 6701(3)(A) of title 41, United States Code, is amended by inserting ''or the District of Columbia'' after ''Federal Government''.

(27) Section 6702(a) of title 41, United States Code, is amended—

(A) in paragraph (1), by inserting ''and'' after ''Columbia;'';

(B) by striking clause (2); and

(C) by renumbering paragraph (3) as paragraph (2).

(28) Section 6703 of title 41, United States Code, is amended—

(A) before paragraph (1), by inserting ''and involves an amount exceeding $2,500'' after ''section 6702 of this title'';

(B) in paragraph (1), by striking ''each class of service employee'' and substituting ''the various classes of service employees'';

(C) in paragraph (2)—

(i) by striking ''each class of service employee'' and substituting ''the various classes of service employees''; and

(ii) by inserting ''rules and'' before ''regulations''; and

(D) in paragraph (5), by striking ''each class of service employee'' and substituting ''the various classes of service employees''.

(29) Section 6705 of title 41, United States Code, is amended—

(A) in subsection (b)(1), by striking ''The total amount'' and substituting ''An amount'';

(B) in subsection (b)(2)—

(i) by striking ''a service employee'' and substituting ''all service employees''; and

(ii) by striking ''underpaid employee'' and substituting ''underpaid employees''; and

(C) in subsection (d)—

(i) by inserting ''rules and'' before ''regulations''; and

(ii) by striking ''a Federal agency'' and substituting ''the Federal agency''.

(30) Section 6706(b) of title 41, United States Code, is amended by striking ''a hearing examiner'' and substituting ''an administrative law judge''.

(31) Section 6707 of title 41, United States Code, is amended—

(A) in subsection (a)—

(i) by striking ''6507'' and substituting ''6507(b) through (f)''; and

(ii) by inserting ''rules and'' before ''regulations'';

(B) in subsection (b), by inserting ''rules and'' before ''regulations'';

(C) in subsection (c)—

(i) in paragraph (1), by striking ''the wages and fringe benefits the service employee would have received under the predecessor contract, including accrued wages and fringe benefits and any prospective increases in wages and fringe benefits provided for in a collective-bargaining agreement as a result of arm's-length negotiations'' and substituting ''the wages and fringe benefits provided for in a collective-bargaining agreement as a result of arm's-length negotiations to which the service employees would have been entitled if they were employed under the predecessor contract, including accrued wages and fringe benefits and any prospective increases in wages and fringe benefits provided for in the collective-bargaining agreement''; and

(ii) in paragraph (2), by striking ''under the predecessor contract'' and substituting ''established under the predecessor contract through collective bargaining''; and

(D) in subsection (d), by striking ''each class of service employee'' and substituting ''the various classes of service employees''.

(32) Section 7105 of title 41, United States Code, is amended—

(A) in subsection (b)(4)(A), by striking ''subsection (e)(1)(B)'' and substituting ''subparagraphs (B) and (D) of subsection (e)(1)''; and

(B) in subsection (e)(1)—

(i) by redesignating subparagraph (D) as subparagraph (E); and

(ii) by adding after subparagraph (C) the following:

''(D) CENTRAL INTELLIGENCE AGENCY CONTRACTS.—The Armed Services Board or the Civilian Board, as specified by a contracting officer of the Central Intelligence Agency as the agency board to which an appeal of a decision of that contracting officer relative to a contract made by the Central Intelligence Agency may be made, has jurisdiction to decide that appeal.''.

(33) Section 508(a) of the Energy and Water Development Appropriations Act, 1989 (Public Law 100–371, 41 U.S.C. 8301 note) is amended by striking ''title III of the Act of March 3, 1933 (47 Stat. 1520; 41 U.S.C. 10a–10c), commonly known as the Buy American Act'' and substituting ''chapter 83 of title 41, United States Code''.

(34) Section 856(a) of the John Warner National Defense Authorization Act for Fiscal Year 2007 (Public Law 109–364, 41 U.S.C. 8501 note) is amended—

(A) in paragraph (1)—

(i) in the heading, by striking ''JAVITS-WAGNER-O'DAY ACT'' and substituting ''CHAPTER 85 OF TITLE 41, UNITED STATES CODE''; and

(ii) by striking ''section 2 of the Javits-Wagner-O'Day Act (41 U.S.C. 47)'' and substituting ''section 8503 of title 41, United States Code''; and

(B) in paragraph (2)—

(i) in the heading, by striking ''JAVITS-WAGNER-O'DAY ACT'' and substituting ''CHAPTER 85 OF TITLE 41, UNITED STATES CODE'';

(ii) in subparagraph (A), by striking ''The Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.)'' and substituting ''Chapter 85 of title 41, United States Code,''; and

(iii) in subparagraph (B), by striking ''The Javits-Wagner-O'Day Act'' and substituting ''Chapter 85 of title 41, United States Code,''.

(35) Section 848(b) of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109–163, 41 U.S.C. 8501 note) is amended—

(A) by striking ''the Javits-Wagner-O'Day Act (41 U.S.C. 48)'' and substituting ''chapter 85 of title 41, United States Code,'';

(B) by striking ''those Acts'' and substituting ''the Randolph-Sheppard Act and chapter 85 of title 41, United States Code,''; and

(C) by striking ''each Act'' and substituting ''the Randolph-Sheppard Act or chapter 85 of title 41, United States Code''.

SEC. 31. TITLE 42, UNITED STATES CODE.

(1) Section 244(b)(1) of the Public Health Service Act (42 U.S.C. 238m(b)(1)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(2) Section 306(f) of the Public Health Service Act (42 U.S.C. 242k(f)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(3) Section 308(f) of the Public Health Service Act (42 U.S.C. 242m(f)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(4) Section 319F–1(b) of the Public Health Service Act (42 U.S.C. 247d–6a(b)) is amended—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking ''section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))'' and substituting ''section 134 of title 41, United States Code'';

(II) by striking ''section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a))'' and substituting ''section 3101(b)(1)(A) of title 41, United States Code'';

(III) in clause (i), by striking ''section 303(g)(1)(A) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A))'' and substituting ''section 3305(a)(1) of title 41, United States Code,''; and

(IV) in clause (ii), by striking ''section 302A(b) of such Act (41 U.S.C. 252a(b))'' and substituting ''section 3101(b)(1)(B) of title 41, United States Code,''; and

(ii) in subparagraph (B)—

(I) in clause (ii), by striking ''Subsections (a) and (b) of section 7 of the Anti-Kickback Act of 1986 (41 U.S.C. 57(a) and (b))'' and substituting ''Section 8703(a) of title 41, United States Code'';

(II) in clause (iii), by striking ''Section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)'' and substituting ''Section 4706 of title 41, United States Code''; and

(III) in clause (v), by striking ''Subsection (a) of section 304 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254(a))'' and substituting ''Section 3901 of title 41, United States Code'';

(B) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking ''section 303(c)(1) of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(1))'' and substituting ''section 3304(a)(1) of title 41, United States Code,''; and

(II) by striking ''such section 303(c)(1)'' and substituting ''such section 3304(a)(1)''; and

(ii) in subparagraph (C), by striking ''such section 303(c)(1)'' and substituting ''such section 3304(a)(1)''; and

(C) in paragraph (3)(A), by striking ''subsections (c), (d), and (f) of section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428)'' and substituting ''section 1902(a), (d), and (e) of title 41, United States Code,''.

(5) Section 319F–2(c)(7)(C) of the Public Health Service Act (42 U.S.C. 247d–6b(c)(7)(C)) is amended—

(A) in clause (ii)(VII), by striking ''section 303(c)(1) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(1))'' and substituting ''section 3304(a)(1) of title 41, United States Code'';

(B) in clause (iii)(I)—

(i) by striking ''section 4(11) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(11))'' and substituting ''section 134 of title 41, United States Code'';

(ii) by striking ''section 302A(a) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 252a(a))'' and substituting ''section 3101(b)(1)(A) of title 41, United States Code'';

(iii) in item (aa), by striking ''section 303(g)(1)(A) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(g)(1)(A))'' and substituting ''section 3305(a)(1) of title 41, United States Code,''; and

(iv) in item (bb), by striking ''section 302A(b) of such Act (41 U.S.C. 252a(b))'' and substituting ''section 3101(b)(1)(B) of such title'';

(C) in clause (iii)(II)—

(i) in item (bb), by striking ''Subsections (a) and (b) of section 7 of the Anti-Kickback

Act of 1986 (41 U.S.C. 57(a) and (b))'' and substituting ''Section 8703(a) of title 41, United States Code'';

(ii) in item (cc), by striking ''Section 304C of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254d)'' and substituting ''Section 4706 of title 41, United States Code''; and

(iii) in item (ee), by striking ''Subsection (a) of section 304 of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254(a))'' and substituting ''Section 3901 of title 41, United States Code'';

(D) in clause (iv)—

(i) in subclause (I)—

(I) by striking ''section 303(c)(1) of title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(1))'' and substituting ''section 3304(a)(1) of title 41, United States Code,''; and

(II) by striking ''such section 303(c)(1)'' and substituting ''such section 3304(a)(1)''; and

(ii) in subclause (III), by striking ''such section 303(c)(1)'' and substituting ''such section 3304(a)(1)''; and

(E) in clause (vii), by striking ''section 303A(a)(1)(B) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253a(a)(1)(B))'' and substituting ''section 3306(a)(1)(B) of title 41, United States Code,''.

(6) Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d–7e(c)(5)) is amended—

(A) in subparagraph (A)(ii)(II), by striking ''section 16(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(c))'' and substituting ''section 1702(c) of title 41, United States Code'';

(B) in subparagraph (C), by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''; and

(C) in subparagraph (F), by striking ''section 303(c)(3) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253(c)(3))'' and substituting ''section 3304(a)(3) of title 41, United States Code''.

(7) Section 413(b)(8) of the Public Health Service Act (42 U.S.C. 285a–2(b)(8)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(8) Section 421(b)(3) of the Public Health Service Act (42 U.S.C. 285b–3(b)(3)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(9) Section 464H(b)(9) of the Public Health Service Act (42 U.S.C. 285n(b)(9)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(10) Section 494(2) of the Public Health Service Act (42 U.S.C. 289c(2)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(11) Section 496(a) of the Public Health Service Act (42 U.S.C. 289e(a)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(12) Section 504 of the Public Health Service Act (42 U.S.C. 290aa–3) is amended—

(A) in subsection (a), by striking ''section 4(11) of the Office of Federal Procurement Policy Act'' and substituting ''section 134 of title 41, United States Code''; and

(B) in subsection (c), by striking ''section 4(11) of the Office of Federal Procurement Policy Act'' and substituting ''section 134 of title 41, United States Code''.

(13) Section 5101(f)(3) of the Patient Protection and Affordable Care Act (42 U.S.C. 294q(f)(3)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(14) Section 945(d) of the Public Health Service Act (42 U.S.C. 299c–4(d)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529 and 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(15) Section 1132(d) of the Public Health Service Act (42 U.S.C. 300c–22(d)) is amended by striking ''section 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(16) Section 1701(c) of the Public Health Service Act (42 U.S.C. 300u(c)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(17) Section 2354(a)(6) of the Public Health Service Act (42 U.S.C. 300cc–41(a)(6)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(18) Section 1805(d)(3) of the Social Security Act (42 U.S.C. 1395b–6(d)(3)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(19) Section 1860D–11(g)(1)(B)(iii) of the Social Security Act (42 U.S.C. 1395w–111(g)(1)(B)(iii)) is amended by striking ''section 4(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(5))'' and substituting ''section 132 of title 41, United States Code''.

(20) Section 1866B(b)(4)(B) of the Social Security Act (42 U.S.C. 1395cc–2(b)(4)(B)) is amended by striking ''section 5'' and substituting ''section 6101''.

(21) Section 1874A(b)(1)(B) of the Social Security Act (42 U.S.C. 1395kk–1(b)(1)(B)) is amended by striking ''section 5'' and substituting ''section 6101''.

(22) Section 1890(a)(4) of the Social Security Act (42 U.S.C. 1395aaa(a)(4)) is amended by striking ''section 4(5) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(5))'' and substituting ''section 132 of title 41, United States Code''.

(23) Section 1900(d)(3) of the Social Security Act (42 U.S.C. 1396(d)(3)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(24) Section 1902(a)(4)(D) of the Social Security Act (42 U.S.C. 1396a(a)(4)(D)) is amended—

(A) by striking ''section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)'' and substituting ''chapter 21 of title 41, United States Code,''; and

(B) by striking ''subsection (a)(2) of such section of that Act'' and substituting ''section 2102(a)(3) of such title''.

(25) Section 1932(d)(3) of the Social Security Act (42 U.S.C. 1396u–2(d)(3)) is amended by striking ''section 27 of the Office of Federal Procurement Policy Act (41 U.S.C. 423)'' and substituting ''chapter 21 of title 41, United States Code''.

(26) Section 510(a) of the Housing Act of 1949 (42 U.S.C. 1480(a)) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(27) Section 302(b) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592a(b)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(28) Section 305(a) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592d(a)) is amended by striking ''section 3709 of the Revised Statutes, as amended, section 322 of the Act of June 30, 1932 (47 Stat. 412), as amended, the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''the provisions referred to in section 171(b) and (c), and section 6101, of title 41 United States Code''.

(29) Section 309(a) of the Defense Housing and Community Facilities and Services Act of 1951 (42 U.S.C. 1592h(a)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(30) Section 4(a) of the Federal Food Donation Act of 2008 (42 U.S.C. 1792(a)) is amended by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting ''section 1303 of title 41, United States Code,''.

(31) Section 11(c) of the National Science Foundation Act of 1950 (42 U.S.C. 1870(c)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code''.

(32) Section 31 c of the Atomic Energy Act of 1954 (42 U.S.C. 2051(c)) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(33) Section 41 b of the Atomic Energy Act of 1954 (42 U.S.C. 2061(b)) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(34) Section 43 of the Atomic Energy Act of 1954 (42 U.S.C. 2063) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(35) Section 55 of the Atomic Energy Act of 1954 (42 U.S.C. 2075) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(36) Section 66 of the Atomic Energy Act of 1954 (42 U.S.C. 2096) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(37) Section 161 j of the Atomic Energy Act of 1954 (42 U.S.C. 2201(j)) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended, except section 207 of that Act'' and substituting ''chapter 5 (except section 559) of title 40, United States Code''.

(38) Section 170 g of the Atomic Energy Act of 1954 (42 U.S.C. 2210(g)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5), as amended'' and substituting ''section 6101 of title 41, United States Code''.

(39) Section 6(e) of the EURATOM Cooperation Act of 1958 (42 U.S.C. 2295(e)) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(40) Section 116 of the Atomic Energy Community Act of 1955 (42 U.S.C. 2310) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code,''.

(41) Section 120 of the Atomic Energy Community Act of 1955 (42 U.S.C. 2349) is amended by striking ''section 3709 of the Revised Statutes, as amended'' and substituting ''section 6101 of title 41, United States Code''.

(42) Section 62(d) of the Atomic Energy Community Act of 1955 (42 U.S.C. 2362(d)) is amended—

(A) by striking ''provisions of section 3709 of the Revised Statutes'' and substituting ''provisions of section 6101 of title 41, United States Code''; and

(B) by striking ''comply with section 3709 of the Revised Statutes'' and substituting

''comply with section 6101 of title 41, United States Code,''.

(43) Section 601(c) of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3211(c)) is amended by striking ''Section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''Section 6101 of title 41, United States Code,''.

(44) Section 7(i)(1) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(i)(1)) is amended by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code,''.

(45) Section 1345(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4081(b)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(46) Section 1346(c) of the National Flood Insurance Act of 1968 (42 U.S.C. 4082(c)) is amended by striking ''section 3709 of the Revised Statute (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(47) Section 1360(b) of the National Flood Insurance Act of 1968 (42 U.S.C. 4101(b)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(48) The proviso under the heading ''SCIENCE AND TECHNOLOGY'' under the heading ''ENVIRONMENTAL PROTECTION AGENCY'' in title III of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2003 (Public Law 108–7, div. K, 42 U.S.C. 4361c note) is amended by striking ''41 U.S.C. 5'' and substituting ''section 6101 of title 41, United States Code''.

(49) Section 203(e) of the Environmental Quality Improvement Act of 1970 (42 U.S.C. 4372(e)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code,''.

(50) Section 218 of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (42 U.S.C. 4638) is amended by striking ''the Federal Property and Administrative Services Act of 1949, as amended'' and substituting ''chapter 5 of title 40, United States Code''.

(51) Section 611(k) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5196(k)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 471 et seq.)'' and substituting ''chapter 5 of title 40, United States Code''.

(52) Section 306(a) of the Disaster Mitigation Act of 2000 (42 U.S.C. 5206(a)) is amended—

(A) in the subsection heading, by striking ''BUY AMERICAN ACT'' and substituting ''CHAPTER 83 OF TITLE 41, UNITED STATES CODE''; and

(B) by striking ''the Buy American Act (41 U.S.C. 10a et seq.)'' and substituting ''chapter 83 of title 41, United States Code''.

(53) Section 604(a)(2)(B) of the National Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5403(a)(2)(B)) is amended by striking ''section 4 of the Office of Federal Procurement Policy Act'' and substituting ''section 132 of title 41, United States Code''.

(54) Section 111(b) of Public Law 95–39 (42 U.S.C. 5903 note) is amended—

(A) by striking ''$10,000'' and substituting ''$25,000''; and

(B) by striking '', which are excepted from the requirements of advertising by section 252(c)(3) of title 41, United States Code,''.

(55) Section 207(c)(3) of the Presidential Science and Technology Advisory Organization Act of 1976 (42 U.S.C. 6616(c)(3)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(56) Section 433(c) of the Energy Independence and Security Act of 2007 (Public Law 110–140, 42 U.S.C. 6834 note) is amended by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting ''section 1302 of title 41, United States Code''.

(57) The first proviso in the paragraph under the heading ''ENERGY INFORMATION ADMINISTRATION'' under the heading ''DEPARTMENT OF ENERGY'' in title II of the Department of the Interior and Related Agencies Appropriations Act, 1996 (Public Law 104–134, title I, section 101(c), 42 U.S.C. 7135 note) is amended by striking ''section 4(d) of the Service Contract Act of 1965 (41 U.S.C. 353(d))'' and substituting ''section 6707(d) of title 41, United States Code,''.

(58) Section 104(i) of the Alaska Power Administration Asset Sale and Termination Act (Public Law 104–58, 42 U.S.C. 7152 note) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)'' and substituting ''sections 541 through 555 of title 40, United States Code,''.

(59) Section 103(b)(4) of the Clean Air Act (42 U.S.C. 7403(b)(4)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(60) Section 104(a)(2)(D) of the Clean Air Act (42 U.S.C. 7404(a)(2)(D)) is amended by striking ''sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(61) Section 112(r)(6)(N) of the Clean Air Act (42 U.S.C. 7412(r)(6)(N)) is amended by striking ''section 5'' and substituting ''section 6101''.

(62) Section 801 of the National Energy Conservation Policy Act (42 U.S.C. 8287) is amended—

(A) in subsection (a)(2)(D)(iii), by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting ''section 1303 of title 41, United States Code,'';

(B) in subsection (b)(1)(A), by striking ''section 25(a) of the Office of Federal Procurement Policy Act'' and substituting ''section 1302(a) of title 41, United States Code''; and

(C) in subsection (c)(2), by striking ''section 303J(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253j(d))'' and substituting ''section 4106(d) of title 41, United States Code''.

(63) Section 119(c)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9619(c)(3)) is amended by striking ''section 3732 of the Revised Statutes (41 U.S.C. 11)'' and substituting ''section 6301(a) and (b) of title 41 of the United States Code''.

(64) Section 2(a) of Public Law 95–84 (42 U.S.C. 10301 note) is amended by striking ''41 U.S.C. 504 et seq. (the Federal Grant and Cooperative Agreement Act of 1977; Public Law 95–224)'' and substituting ''chapter 63 of title 31, United States Code''.

(65) Section 104(h)(1)(C) of the Water Resources Research Act of 1984 (42 U.S.C. 10303(h)(1)(C)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41''.

(66) Section 104(c)(3) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12114(c)(3)) is amended by striking ''the Drug-Free Workplace Act of 1988 (41 U.S.C. 701 et seq.)'' and substituting ''chapter 81 of title 41, United States Code''.

(67) Section 501 of the National and Community Service Trust Act of 1993 (Public Law 103–82, 42 U.S.C. 12501 note) is amended by striking ''sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c, popularly known as the 'Buy American Act')'' and substituting ''chapter 83 of title 41, United States Code''.

(68) Section 184 of the National and Community Service Act of 1990 (42 U.S.C. 12644) is amended by striking ''sections 5153 through 5158 of the Anti-Drug Abuse Act of 1988 (41 U.S.C. 702–707)'' and substituting ''sections 8101 and 8103 through 8106 of title 41, United States Code''.

(69) Section 196(b) of the National and Community Service Act of 1990 (42 U.S.C. 12651g(b)) is amended by striking ''Federal Property and Administrative Services Act of 1949'' and substituting ''provisions of section 171(b) and (c) of title 41, United States Code''.

(70) Section 206(e)(7) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74, 42 U.S.C. 12701 note) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(71) Section 525(e)(7) of the Departments of Veterans Affairs and Housing and Urban Development, and Independent Agencies Appropriations Act, 2000 (Public Law 106–74, 42 U.S.C. 12701 note) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(72) Section 3021(a) of the Energy Policy Act of 1992 (42 U.S.C. 13556(a)) is amended by striking ''Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''provisions of section 171(b) and (c) title 41, United States Code''.

(73) Section 205(e) of the Help America Vote Act of 2002 (42 U.S.C. 15325(e)) is amended by striking ''section 3709 of the Revised Statutes of the United States (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code''.

(74) Section 1002(e)(3)(C) of the Energy Policy Act of 2005 (42 U.S.C. 16392(e)(3)(C)) is amended by striking ''section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1))'' and substituting ''section 1303(a)(1) of title 41, United States Code''.

(75) Section 136(j)(3) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013(j)(3)) is amended by striking ''section 31 of the Office of Federal Procurement Policy Act (41 U.S.C. 427)'' and substituting ''section 1901 of title 41, United States Code''.

(76) Section 435(c) of the Energy Independence and Security Act of 2007 (42 U.S.C. 17091(c)) is amended—

(A) in paragraph (1), by striking ''section 6(a) of the Office of Federal Procurement Policy Act (41 U.S.C. 405(a))'' and substituting ''section 1121(b) and (c)(1) of title 41, United States Code,''; and

(B) in paragraph (2), by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting ''section 1302(a) of title 41, United States Code,''.

(77) Section 1334(a)(1) of the Patient Protection and Affordable Care Act (42 U.S.C. 18054(a)(1)) is amended by striking ''section 5'' and substituting ''section 6101''.

SEC. 32. TITLE 43, UNITED STATES CODE.

(1) The last proviso in the paragraph under the heading ''ADMINISTRATIVE PROVISIONS'' under the heading ''UNITED STATES GEOLOGICAL SURVEY'' in title I of the Department of the Interior and Related Agencies Appropriations Act, 2000 (43 U.S.C. 50d), is amended by

striking ''41 U.S.C. 5'' and substituting ''section 6101 of title 41, United States Code''.

(2) Section 115 of the Department of the Interior and Related Agencies Appropriations Act, 2000 (Public Law 106–113, div. B, §1000(a)(3), 43 U.S.C. 1451 note), is amended by striking ''Federal Property and Administrative Services Act of 1949'' and substituting ''provisions of section 171(b) and (c) of title 41, United States Code''.

(3) Section 205 of the Energy and Water Development Appropriations Act, 1993 (43 U.S.C. 1475a) is amended by striking ''the Federal Procurement Integrity Act (41 U.S.C. 423 (1988))'' and substituting ''chapter 21 of title 41, United States Code,''.

(4) Section 12(b)(7)(v) of Public Law 94–204 (43 U.S.C. 1611 note) is amended—

(A) by striking ''the Federal Property and Administrative Services Act of 1949, 40 U.S.C. sec. 471 et seq.'' and substituting ''chapter 5 of title 40, United States Code'';

(B) by striking ''that Act'' and substituting ''that chapter''; and

(C) by striking ''40 U.S.C. 485(b), as amended'' and substituting ''40 U.S.C. 572(a)''.

(5) Section 306(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1736(a)) is amended by striking ''Federal Property and Adminstrative Services Act of 1949 (63 Stat. 377, as amended)'' and substituting ''provisions of section 171(b) and (c) of title 41, United States Code''.

SEC. 33. TITLE 44, UNITED STATES CODE.

(1) The item for section 311 in the analysis for chapter 3 of title 44, United States Code, is amended by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''.

(2) Section 311 of title 44, United States Code, is amended—

(A) in the section catchline, by striking ''**division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I**'' and substituting ''**the provisions referred to in section 171(c)**'';

(B) in subsection (a), by striking ''division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''the provisions referred to in section 171(c)''; and

(C) in subsection (c), by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(3) Section 210(i) of the E-Government Act of 2002 (Public Law 107–347, 44 U.S.C. 3501 note) is amended by striking ''(as added by subsection (b))'' and substituting ''(41 U.S.C. note preceding 3901, United States Code)''.

SEC. 34. TITLE 45, UNITED STATES CODE.

(1) Section 11(c) of the Railroad Unemployment Insurance Act (45 U.S.C. 361(c)) is amended—

(A) by striking ''section 3709 of the Revised Statutes (U.S.C., title 41, sec. 5)'' and substituting ''section 6101 of title 41''; and

(B) by striking ''section 3709 of Revised Statutes (U.S.C., title 41, sec. 5)'' and substituting ''section 6101 of title 41''.

(2) Section 613(b) of the Alaska Railroad Transfer Act of 1982 (45 U.S.C. 1212(b)) is amended by striking ''the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484)'' and substituting ''sections 541 through 555 of title 40, United States Code,''.

SEC. 35. TITLE 46, UNITED STATES CODE.

(1) Section 51703(b)(2) of title 46, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(2) Section 55305(d)(2)(D) of title 46, United States Code, is amended by striking ''section 25(c)(1) of the Office of Federal Procurement Policy Act (41 U.S.C. 421(c)(1)'' and substituting ''section 1303(a)(1) of title 41''.

SEC. 36. TITLE 48, UNITED STATES CODE.

Section 108 of the Interior Department Appropriation Act, 1953 (48 U.S.C. 1685) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code,''.

SEC. 37. TITLE 49, UNITED STATES CODE.

(1) Effective January 4, 2011, section 5(*o*)(1) of Public Law 111–350 (124 Stat. 3853) is amended by striking ''section 103(e)'' and substituting ''section 103(i)''.

(2) Section 103(i) of title 49, United States Code, is amended by striking ''subtitle I of title 40 and division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''section 171(b) and (c)''.

(3) Section 1113(b)(1)(B) of title 49, United States Code, is amended by striking ''section 6101(b) to (d)'' and substituting ''section 6101''.

(4) Section 123(a) of the Hazardous Materials Transportation Authorization Act of 1994 (Public Law 103–311, 49 U.S.C. 5101 note) is amended—

(A) in the heading, by striking ''BUY AMERICAN ACT'' and substituting ''CHAPTER 83 OF TITLE 41, UNITED STATES CODE''; and

(B) by striking ''sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a–10c; popularly known as the 'Buy American Act')'' and substituting ''chapter 83 of title 41, United States Code''.

(5) Section 5334(j)(2) of title 49, United States Code, is amended by striking ''Section 6101(b) to (d)'' and substituting ''Section 6101''.

(6) Section 10721 of title 49, United States Code, is amended by striking ''Section 6101(b) to (d)'' and substituting ''Section 6101''.

(7) Section 13712 of title 49, United States Code, is amended by striking ''Section 6101(b) to (d)'' and substituting ''Section 6101''.

(8) Section 15504 of title 49, United States Code, is amended by striking ''Section 6101(b) to (d)'' and substituting ''Section 6101''.

(9) Section 110(b) of the Amtrak Reform and Accountability Act of 1997 (Public Law 105–134, 49 U.S.C. 24301 note) is amended by striking ''Section 303B(m) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 253b(m))'' and substituting ''Section 4702 of title 41, United States Code,''.

(10) Section 40110(d) of title 49, United States Code, is amended—

(A) in paragraph (2)—

(i) in subparagraph (A), by striking ''Division C (except sections 3302, 3501(b), 3509, 3906, 4710, and 4711) of subtitle I'' and substituting ''Provisions referred to in section 171(c)''; and

(ii) in subparagraph (B), by striking ''Division B (except sections 1704 and 2303) of subtitle I'' and substituting ''Provisions referred to in section 172(b)''; and

(B) in paragraph (3)—

(i) in the heading, by striking ''OF DIVISION B (EXCEPT SECTIONS 1704 AND 2303) OF SUBTITLE I'' and substituting ''REFERRED TO IN SECTION 172(B)'';

(ii) in subparagraph (B), by striking ''Office of Federal Procurement Policy Act'' and substituting ''provisions referred to in section 172(b) of title 41'';

(iii) in subparagraph (C), by striking ''Office of Federal Procurement Policy Act'' and substituting ''provisions referred to in section 172(b) of title 41''; and

(iv) in subparagraph (D), by striking ''section 27(e)(3)(A)(iv) of the Office of Federal Procurement Policy Act'' and substituting ''section 2105(c)(1)(D) of title 41''.

(11) Section 351(b) of the Department of Transportation and Related Agencies Appropriations Act, 1997 (Public Law 104–205, 49 U.S.C. 40110 note) is amended by striking ''section 4(6) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(6))'' and substituting ''section 107 of title 41, United States Code''.

(12) Section 5063 of the Federal Acquisition Streamlining Act of 1994 (Public Law 103–355, 49 U.S.C. 40110 note) is amended—

(A) in subsection (f)(2), by striking subparagraphs (B) and (C) and substituting the following:

''(B) Sections 107, 1708, 3105, 3301(a), (b)(1), and (c), 3303 through 3306(e), 3308, and 3311, chapter 37, and section 4702 of title 41, United States Code.''; and

(B) in subsection (g), by striking ''section 4(12) of the Office of Federal Procurement Policy Act'' and substituting ''section 103 of title 41, United States Code''.

(13) Section 47305(d) of title 49, United States Code, is amended by striking ''Section 6101(b) to (d)'' and substituting ''Section 6101''.

(14) Section 305(b) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103–305, 49 U.S.C. 50101 note) is amended—

(A) in the heading, by striking ''BUY AMERICAN ACT'' and substituting ''CHAPTER 83 OF TITLE 41, UNITED STATES CODE''; and

(B) in paragraph (1), by striking ''sections 2 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a through 10c, popularly known as the 'Buy American Act')'' and substituting ''chapter 83 of title 41, United States Code''.

SEC. 38. TITLE 50, UNITED STATES CODE.

(1) Section 4(c)(2) of the Helium Act (50 U.S.C. 167b(c)(2)) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(2) Section 3(d) of the Act of August 9, 1954 (ch. 659, 50 U.S.C. 198(d)) is amended—

(A) by striking ''section 3709 of the Revised Statutes'' and substituting ''section 6101 of title 41, United States Code,''; and

(B) by striking ''said section 3709'' and substituting ''said section 6101''.

(3) Section 102A(q)(4)(B) of the National Security Act of 1947 (50 U.S.C. 403–1(q)(4)(B)) is amended by striking ''section 4(9) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 403(9))'' and substituting ''section 109 of title 41, United States Code''.

(4) Section 505(a)(2)(B)(i) of the National Security Act of 1947 (50 U.S.C. 415(a)(2)(B)(i)) is amended by striking ''Federal Property and Administrative Services Act of 1949'' and substituting ''provisions referred to in section 171(b) and (c) of title 41 of the United States Code''.

(5) Section 506C(e)(1) of the National Security Act of 1947 (50 U.S.C. 415a–5(e)(1)) is amended by striking ''section 4(10) of the Office of Federal Procurement Policy Act (41 U.S.C. 403(10))'' and substituting ''section 108 of title 41, United States Code''.

(6) Section 502(a) of the National Emergencies Act (50 U.S.C. 1651(a)) is amended—

(A) in paragraph (1), by striking ''Act of June 30, 1949 (41 U.S.C. 252)'' and substituting ''Provisions of law referred to in section 171(b) and (c) of title 41, United States Code''; and

(B) in paragraph (3), by striking ''Section 3737 of the Revised Statutes, as amended (41 U.S.C. 15)'' and substituting ''Section 6305 of title 41, United States Code''.

(7) The Sudan Accountability and Divestment Act of 2007 (Public Law 110–174, 50 U.S.C. 1701 note) is amended—

(A) in section 2(3), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 133 of title 41, United States Code''; and

(B) in section 6—

(i) in subsection (b)(4), by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting

''section 1303 of title 41, United States Code,''; and

(ii) in subsection (d), by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting ''section 1303 of title 41, United States Code,''.

(8) Section 6(b) of the Iran Sanctions Act of 1996 (Public Law 104–172, 50 U.S.C. 1701 note) is amended—

(A) in paragraph (1), by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting ''section 1303 of title 41, United States Code'';

(B) in paragraph (2)(B), by striking ''section 25 of the Office of Federal Procurement Policy Act (41 U.S.C. 421)'' and substituting ''section 1303 of title 41, United States Code''; and

(C) in paragraph (6), by striking ''section 4 of the Office of Federal Procurement Policy Act (41 U.S.C. 403)'' and substituting ''section 133 of title 41, United States Code''.

(9) Section 802(a)(4) of the David L. Boren National Security Education Act of 1991 (50 U.S.C. 1902(a)(4)) is amended by striking ''section 3709 of the Revised Statutes (41 U.S.C. 5)'' and substituting ''section 6101 of title 41, United States Code,''.

(10) Section 3212(c) of the National Nuclear Security Administration Act (50 U.S.C. 2402(c)) is amended by striking ''section 16(3) of the Office of Federal Procurement Policy Act (41 U.S.C. 414(3))'' and substituting ''section 1702(c)(1) and (2) of title 41, United States Code''.

(11) Section 3262 of the National Nuclear Security Administration Act (50 U.S.C. 2462) is amended by striking ''Office of Federal Procurement Policy Act (41 U.S.C. 401 et seq.)'' and substituting ''provisions referred to in section 172(b) of title 41, United States Code''.

(12) Section 4421(f) of the Atomic Energy Defense Act (50 U.S.C. 2601(f)) is amended by striking ''section 304B(d) of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 254c(d))'' and substituting ''section 3903(a) and (e) of title 41, United States Code''.

(13) Section 4801(b)(1) of the Atomic Energy Defense Act (50 U.S.C. 2781(b)(1)) is amended by striking ''section 22 of the Office of Federal Procurement Policy Act (41 U.S.C. 418b)'' and substituting ''section 1707 of title 41, United States Code''.

SEC. 39. TITLE 50 APPENDIX, UNITED STATES CODE.

(1) Section 8(b) of the Joint Resolution of December 30, 1947 (ch. 526, 50 App. U.S.C. 1918(b)) is amended by striking ''sections 3709 and 3648 of the Revised Statutes, as amended (U.S.C., title 41, sec. 5, and title 31, sec. 529)'' and substituting ''section 3324(a) and (b) of title 31, United States Code, and section 6101 of title 41, United States Code''.

(2) The Act of July 26, 1956 (ch. 738, 50 App. U.S.C. 1941i note) is amended by striking ''the Federal Property and Administrative Services Act of 1949'' and substituting ''chapter 5 of title 40, United States Code''.

(3) Section 107(b)(2)(B)(ii) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2077(b)(2)(B)(ii)) is amended by striking ''section 303(b)(1)(B) or section 303(c)(3) of the Federal Property and Administrative Services Act of 1949'' and substituting ''section 3303(a)(1)(B) or section 3304(a)(3) of title 41, United States Code''.

(4) Section 704(b) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2154(b)) is amended—

(A) by striking ''section 25 of the Office of Federal Procurement Policy Act'' and substituting ''section 1303 of title 41, United States Code''; and

(B) by striking ''section 6 or 25 of that Act'' and substituting ''section 1121(b) and (d) or 1303(a)(1) of that title''.

(5) Section 709(c) of the Defense Production Act of 1950 (ch. 932, 50 App. U.S.C. 2159(c)) is amended by striking ''section 22 of the Office of Federal Procurement Policy Act'' and substituting ''section 1707 of title 41, United States Code''.

SEC. 40. TITLE 51, UNITED STATES CODE.

(1) Section 20113(c)(4) of title 51, United States Code, is amended by striking ''chapters 1 to 11 of title 40 and in accordance with title III of the Federal Property and Administrative Services Act of 1949 (41 U.S.C. 251 et seq.)'' and substituting ''chapter 5 of title 40''.

(2) Section 30704(2) of title 51, United States Code, is amended by striking ''the Buy American Act (41 U.S.C. 10a et seq.)'' and substituting ''chapter 83 of title 41''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. 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 materials on H.R. 6080, currently under consideration.

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

There was no objection.

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

Mr. Speaker, the rules of the House entrust to the Judiciary Committee the responsibilities of revision and codification of the statutes of the United States. This power does not give our committee substantive legislative jurisdiction over all areas of law. It merely confers the authority to organize duly enacted laws into an efficient codification system.

The nonpartisan Office of Law Revision Counsel is responsible for properly codifying public laws into titles and sections of the United States Code. From time to time, that office provides the Judiciary Committee with advice as to how to enact a more user-friendly and cohesive statutory system.

This spring, Republican and Democratic committee staff worked cooperatively with the Office of Law Revision Counsel to develop H.R. 6080. The bill makes technical improvements to title 41 of United States Code, which contains Federal laws that govern public contracts. The bill makes no changes to substantive law.

I encourage my colleagues to support this bill. I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I'm pleased to join my colleague, Judiciary Committee Chairman LAMAR SMITH, in bringing this bill to the floor. This is a commonsense bill. As has been noted, it makes technical revisions to bipartisan legislation enacted during the 111th Congress that created the new title 41 to the U.S.C., which pertains to public contracts.

This bill was prepared by the Office of Law Revision Counsel as part of its ongoing responsibility to draft and submit to the Committee on the Judiciary, one title at a time, a complete compilation, restatement and revision of the general and permanent laws of the United States.

The bill makes conforming amendments to laws contained in title 41, corrects references that require more particular reference. In addition, the bill omits references to outdated or repealed laws, makes clarifying revisions to sections of title 41 that do not provide meanings for particular words for the purpose of clarity, and corrects two cross-references to public laws that may have been erroneously included.

The bill is not intended to make any substantive changes to the law. As is typical with the codification process, a number of nonsubstantive revisions are made, including the revision of sections into a more coherent overall structure; but these changes, as I've said, are not intended to have any substantive effect.

I urge my colleagues to support this legislation. And I would like to take this opportunity to thank the Office of the Law Revision Counsel for its good work. This makes the practice of law more coherent in the United States.

We have no speakers, and so I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 6080.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

REAUTHORIZING CERTAIN VISA PROGRAMS

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3245) to extend by 3 years the authorization of the EB–5 Regional Center Program, the E-Verify Program, the Special Immigrant Nonminister Religious Worker Program, and the Conrad State 30 J–1 Visa Waiver Program.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3245

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

SECTION 1. REAUTHORIZATION OF EB–5 REGIONAL CENTER PROGRAM.

Section 610 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1993 (8 U.S.C. 1153 note) is amended—

(1) by striking ''pilot'' each place such term appears; and

(2) in subsection (b), by striking ''September 30, 2012'' and inserting ''September 30, 2015''.

SEC. 2. REAUTHORIZATION OF E–VERIFY.

Section 401(b) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1324a note) is amended by striking ''September 30, 2012'' and inserting ''September 30, 2015''.

SEC. 3. REAUTHORIZATION OF SPECIAL IMMIGRANT NONMINISTER RELIGIOUS WORKER PROGRAM.

Section 101(a)(27)(C)(ii) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(27)(C)(ii)) is amended—

(1) in subclause (II), by striking ''September 30, 2012'' and inserting ''September 30, 2015''; and

(2) in subclause (III), by striking ''September 30, 2012'' and inserting ''September 30, 2015''.

SEC. 4. REAUTHORIZATION OF CONRAD STATE 30 J–1 VISA WAIVER PROGRAM.

Section 220(c) of the Immigration and Nationality Technical Corrections Act of 1994 (8 U.S.C. 1182 note) is amended by striking ''September 30, 2012'' and inserting ''September 30, 2015''.

SEC. 5. NO AUTHORITY FOR NATIONAL IDENTIFICATION CARD.

Nothing in this Act may be construed to authorize the planning, testing, piloting, or development of a national identification card.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. SMITH) and the gentlewoman from California (Ms. ZOE LOFGREN) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. 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 materials on S. 3245, currently under consideration.

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

There was no objection.

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

Mr. Speaker, first of all, I'd like to thank the Senate Judiciary Committee chairman and ranking member for introducing this legislation and for working with me to help ensure that four key immigration-related programs do not expire at the end of this month.

This Congress must ensure there is a national business climate that fosters the ability of private enterprise to create jobs for Americans and legal workers.

S. 3245, which extends for 3 years the E-Verify, EB–5 Regional Center Pilot, the Conrad 30 J–1 Visa Waiver, and the Special Immigrant Nonminister Religious Worker programs, helps achieve this goal in several ways.

First, the E-Verify program allows employers to electronically verify that newly hired employees are authorized to work in the United States. The program is free, quick, and easy to use. Nearly 400,000 American employers use E-Verify, and over 1,000 new businesses sign up for it every week.

The American public overwhelmingly supports E-Verify. Last year, a Rasmussen poll found that 82 percent of likely voters ''think businesses should be required to use the Federal Government's E-Verify system to determine if a potential employee is in the country legally.''

E-Verify has also received bipartisan congressional support in the past. In 2008, the House passed a 5-year extension of E-Verify by a vote of 407–2. And in 2009, the Senate passed a permanent E-Verify extension by voice vote.

Ensuring that businesses have access to E-Verify will help preserve jobs for the 23 million Americans who are currently unemployed or looking for full-time work.

The investor visa program also helps create jobs for Americans. Under this program, 10,000 immigrants can receive permanent residence each year if they engage in a new commercial enterprise, invest between $500,000 and $1 million in the business, and see that it creates 10 full-time jobs for American workers.

The Regional Center Pilot Project, which is almost two decades old, has reinvigorated the investor visa program. Investment through a regional center is especially attractive to potential investors because they are relieved of the responsibility of running a new business. They can also count indirect job creation towards the job creation requirement. Most investor visa petitions now involve regional centers.

It appears that investors may feel more confident about a regional center that is operated through a State or city government. In these hard economic times, many State and local governments have turned to regional centers as a method of generating economic growth.

The Association to Invest in the United States of America has estimated the regional center program has created or saved over 65,000 jobs in the U.S. and has led to the investment of over $3 billion in the U.S. economy.

S. 3245 also extends for 3 years a program that has successfully brought needed doctors to medically underserved areas in the U.S. This program was designed by Senator KENT CONRAD. It allows foreign doctors who have been in the U.S. on exchange programs to stay at the conclusion of their residencies if they agree to practice medicine for at least 3 years in health professional shortage areas. This is a valuable provision, and I support its reauthorization.

□ 1550

Finally, S. 3245 extends the Special Immigrant Nonminister Religious Worker Program. Under this program, 5,000 immigrant visas can be issued to nonminister individuals who have been members of the denomination and who have worked in the capacity for which they are applying for at least the 2 years immediately following the visa applications. Historically, the program has been plagued by fraud, but the Bush administration took steps to help prevent much of the fraud, and now many churches and religious organizations in the United States rely on these immigrant nonministers. I look forward to making statutory changes aimed at even more fraud prevention, and I support the program's extension.

Again, I want to thank Senator LEAHY and Senator GRASSLEY for their leadership on this bill. All four of these programs are important, and I urge my colleagues to support S. 3245.

I reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield myself such time as I may consume.

I do rise in strong support of this bill. Specifically, this bill extends until September 30, 2015, these four longstanding immigration programs that are set to expire otherwise at the end of this month. They are valuable programs, and they serve different purposes.

The one, the Special Immigrant Nonminister Religious Worker Program, allows religious workers to enter the United States to do important work. There are 5,000 religious workers eligible for these visas each year when they are called to a vocation or are in a traditional religious occupation with a bona fide nonprofit religious organization. They are missionaries, counselors, instructors, and pastoral care providers. They really help our country.

The second program, the Conrad ''J Waiver,'' helps medically underserved communities attract highly skilled physicians. This program literally provides a lifeline for communities that desperately need doctors who received their medical training in the United States. It is absolutely necessary that this program continues to exist so that States can attract medical talent and can keep the doors of small town clinics open.

The third program, the EB–5 Immigrant Investor Pilot Program, allocates 3,000—out of the EB–5 category's 10,000—visas each year for EB–5 investors who invest in these designated regional centers. This pilot program is important to our Nation's economy as it represents, actually, billions of dollars in aggregate immigrant investment, and it creates more than 20,000 new direct and indirect jobs each year.

The final program that would be extended under the bill is E-Verify, the basic pilot program first authorized in 1996. Now, Chairman SMITH and I disagree on how effective this bill is. I don't believe it's ready for mandatory nationwide use because of errors in the system and, more broadly, because of major dysfunctions in our immigration system, but that doesn't mean I disagree that this program should be extended. I do. This program is voluntary, and by extending the E-Verify program as it currently exists, it will provide Congress additional time to work toward improving the program and fixing our Nation's immigration laws so that they work for American families, businesses, and the economy as a whole.

I should note that this bill received unanimous support in the Senate. Likewise, I hope that all of my colleagues in this Chamber will support this bipartisan legislation so that it can be quickly sent to the President's desk for his signature.

I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I continue to reserve the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, we do have two Members who would like to address this briefly. I yield 2 minutes to the gentleman from Washington (Mr. LARSEN).

Mr. LARSEN of Washington. Mr. Speaker, I rise today in support of S. 3245, which would, in part, reauthorize the EB–5 visa program for 3 years. This EB–5 program will create good American jobs.

Last year, I worked with Senator LEAHY to write H.R. 2972, the Creating American Jobs Through Foreign Capital Act. That legislation would have reauthorized EB–5 permanently. While the bill before us today extends the program for only 3 years, it is still an important job creator that we must pass. The program allows qualified foreign investors who invest in the U.S. and who create or save at least 10 full-time American jobs to seek U.S. visas. This program brings overseas capital to the U.S. to create jobs for people in my district and across America.

There are two projects in Everett, Washington, currently being financed through the EB–5 program. One is a college building. If this bill is not passed, our area will lose this building and the opportunities associated with it. The second investment is one for a building that houses a regional farmers' market, which is a project that has been in the works and is almost done. This project will help local farmers regionally and create jobs. If this bill is not passed, again, this project, which is set to be finished soon, will not be completed, and all finance and investments will be lost. In another part of my district, in Whatcom County, the local EB–5 center has leveraged more than $34 million from immigrant investors to create more than 800 good local jobs.

The EB–5 program is a real threefer: It's a win for American workers, who benefit from thousands of new jobs; it's a win for the taxpayer because it doesn't add one penny to the national deficit; third, it helps the U.S. compete on a global scale. The U.S. EB–5 visa program is one of more than 20 similar programs run by other important, growing economies like Hong Kong, New Zealand, Australia, and Singapore.

Our economy cannot afford to do without these investments or these jobs. If we don't keep this road open for foreign investment into the U.S., that investment will choose another country's road. Congress must extend the EB–5 program so that we can continue to create new jobs at a time when we need them most.

Ms. ZOE LOFGREN of California. Mr. Speaker, I yield 1½ minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlewoman from California, and I thank the gentleman from Texas.

This is terrific. The EB–5 program works. We're doing it together. We're working with the Senate, and we're getting something done. Let me tell you that the place we're getting something done includes the Sugarbush Valley and the Mad River Valley in Vermont, in the Northeast Kingdom, where we've had, among other jobs created, two ski areas that have been able to take advantage of the EB–5 program—to get investor money and to build the infrastructure that is so essential to the tourist economy that we have in Vermont. So this is a program that works, and it is delightful to me to be able to participate in reinstating this program so that it can continue to help create jobs and promote economic development in my State of Vermont.

I thank the gentleman from Texas and the gentlewoman from California for their leadership on this and for the bipartisan team of Senator LEAHY and Senator GRASSLEY in the United States Senate.

Ms. ZOE LOFGREN of California. I have no additional speakers, and I would be happy to yield back the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, in closing, I just want to thank the gentlewoman from California (Ms. LOFGREN) for her continued interest and leadership in the subject of immigration, and I especially appreciate her support of this bill today.

I yield back the balance of my time.

COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES,
Washington, DC, September 10, 2012.

Hon. LAMAR SMITH,
Chairman, Committee on the Judiciary, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: I am writing to confirm our mutual understanding with respect to the consideration of S. 3245, a bill that reauthorizes certain immigration provisions. Thank you for consulting with the Committee on Education and the Workforce with regard to S. 3245 on those matters within the committee's jurisdiction.

In the interest of expediting the House's consideration of S. 3245, the Committee on Education and the Workforce will forgo further consideration on this bill. However, I do so only with the understanding that this procedural route will not be construed to prejudice the committee's jurisdictional interest and prerogatives on this bill or any other similar legislation and will not be considered as precedent for consideration of matters of jurisdictional interest to my committee in the future.

I respectfully request your support for the appointment of outside conferees from the Committee on Education and the Workforce should this bill or a similar bill be considered in a conference with the Senate. I also request that you include our exchange of letters on this matter in the Committee Report on S. 3245 and in the Congressional Record during consideration of this bill on the House floor. Thank you for your attention to these matters.

Sincerely,

JOHN KLINE,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON THE JUDICIARY,
Washington, DC, September 11, 2012.

Hon. JOHN KLINE,
Chairman, Committee on Education and the Workforce, Washington, DC.

DEAR CHAIRMAN KLINE, Thank you for your letter dated September 10, 2012 regarding S. 3245, a bill that reauthorizes certain immigration provisions. I am most appreciative of your decision to forego consideration of the bill so that it may move expeditiously to the House floor.

I acknowledge that although you are waiving formal consideration of the bill, the Committee on Education and the Workforce is in no way waiving its jurisdiction over the subject matter contained in the bill. In addition, if a conference is necessary on this legislation, I will support any request that your committee be represented therein.

Finally, I shall be pleased to include your letter and this reply letter memorializing our mutual understanding in the Congressional Record during floor consideration of S. 3245.

Sincerely,

LAMAR SMITH,
Chairman.

Mr. CALVERT. Mr. Speaker, I rise today in support of Chairman LAMAR SMITH and S. 3245 which reauthorizes the E-Verify program for an additional three years.

First, I would like to thank Chairman SMITH for his leadership and support of the E-Verify program. The Chairman has steadfastly supported E-Verify, helped expand the program and provided for several reauthorizations. I commend his leadership and value his hard work on E-Verify and immigration issues.

S. 3245 provides for a simple three year reauthorization of the popular E-Verify program. In 1996, when I first wrote the legislation that created the E-Verify pilot program, I had humble expectations. Now, 16 years after its inception it has 399,538 employers participating at 1.2 million employer sites. So far in FY 2012, there have been more than 19.6 million queries run through the system. Congress and the entire Federal Government is required to use the system and several states have made use of the program mandatory for their employers.

E-Verify continues to defy expectations: it is 99.5 percent accurate, free to employers and easy to use. It continues to develop new ways to combat illegal employment such as Photo Tool, Self Lock, and Fraud Alert.

The next step, which Chairman SMITH, Subcommittee Chairman GALLEGLY and I have been working on, is to make E-Verify mandatory for all employers in the U.S. With unemployment stuck above 8 percent for the 43rd consecutive month, it is time we ensure that American jobs are going to American workers and those legally authorized to work in the U.S. I am hopeful that the House will consider H.R. 2885 before the end of the year; the only way to truly gain control of our borders is to end the jobs magnet that brings people here illegally.

In the meantime, it is necessary that we reauthorize E-Verify for an additional three years and again, I commend Chairman SMITH and look forward to working with him on our efforts to make E-Verify mandatory.

Mr. SABLAN. Mr. Speaker, I rise today in support of S. 3245, extending authorization of the EB–5 Regional Center program another three years to September 2015. The EB–5 program provides conditional permanent resident status to foreign investors in economic units known as Regional Centers. In doing so, the program promotes economic growth, improves regional productivity, and creates jobs in the geographic area where a Center is located. This is exactly the kind of incentive needed in my district, the Northern Mariana Islands, which has seen gross domestic product decline from $1.2 billion in 2002 to $600 million in 2009. Already several proposals have come forward for the Northern Mariana Islands, predicated on the establishment EB–5 Regional Centers, that will inject foreign investment capital and create jobs. These Regional Centers do not just represent jobs and salary for their direct employees—they represent investments in our community. For every new job created, and for every additional dollar of salary paid, our workforce and pay scale are benefitted across the board. The extension of this program provided in S. 3245 will ensure that these opportunities can continue to benefit our economy. I commend Senator LEAHY and Senator GRASSLEY for introducing this bipartisan legislation and the bipartisan House leadership for bringing this bill to the floor for approval.

The SPEAKER pro tempore (Mr. CHAFFETZ). The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, S. 3245.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. SMITH of Texas. 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.

IMPROVING TRANSPARENCY OF EDUCATION OPPORTUNITIES FOR VETERANS ACT OF 2012

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4057) to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4057

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

SECTION 1. COMPREHENSIVE POLICY ON PROVIDING EDUCATION INFORMATION TO VETERANS.

(a) COMPREHENSIVE POLICY REQUIRED.—

(1) IN GENERAL.—Chapter 36 of title 38, United States Code, is amended by adding at the end the following new section:

''§ 3698. Comprehensive policy on providing education information to veterans

''(a) COMPREHENSIVE POLICY REQUIRED.—The Secretary shall develop a comprehensive policy to improve outreach and transparency to veterans and members of the Armed Forces through the provision of information on institutions of higher learning.

''(b) SCOPE.—In developing the policy required by subsection (a), the Secretary shall include each of the following elements:

''(1) The most effective way to inform individuals of the educational and vocational counseling provided under section 3697A of this title.

''(2) A centralized way to track and publish feedback from students and State approving agencies regarding the quality of instruction and accreditation, recruiting practices, and post-graduation employment placement of institutions of higher learning.

''(3) The merit of and the manner in which a State approving agency shares with an accrediting agency or association recognized by the Secretary of Education under subpart 2 of part H of title IV of the Higher Education Act of 1965 (20 U.S.C. 1099b et seq.) information regarding the State approving agency's evaluation of an institution of higher learning.

''(4) The manner in which information regarding institutions of higher learning is provided to individuals participating in the Transition Assistance Program under section 1144 of title 10.

''(5) The most effective way to provide veterans and members of the Armed Forces with information regarding postsecondary education and training opportunities available to the veteran or member.

''(c) POSTSECONDARY EDUCATION INFORMATION.—(1) The Secretary shall ensure that the information provided pursuant to subsection (b)(5) includes—

''(A) an explanation of the different types of accreditation available to educational institutions and programs of education;

''(B) a description of Federal student aid programs; and

''(C) for each institution of higher learning, for the most recent academic year for which information is available—

''(i) whether the institution is public, private nonprofit, or proprietary for-profit;

''(ii) the name of the national or regional accrediting agency that accredits the institution, including the contact information used by the agency to receive complaints from students;

''(iii) information on the State approving agency, including the contact information used by the agency to receive complaints from students;

''(iv) whether the institution participates in programs under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.);

''(v) the tuition and fees;

''(vi) the median amount of debt from Federal student loans under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.) held by students at institution;

''(vii) the cohort default rate, as defined in section 435(m) of the Higher Education Act of 1965 (20 U.S.C. 1085(m)), of the institution;

''(viii) the enrollment rates, graduation rates, and retention rates;

''(ix) for each program of education offered by the institution that is designed to prepare a student for an occupation that requires a licensure or certification test offered by a Federal, State, or local government or has other preconditions or requirements, the degree to which the program prepares the student for the particular occupation;

''(x) whether the institution provides students with technical support, academic support, and other support services, including career counseling and job placement; and

''(xi) whether the institution accepts academic credit by students who are transferring to the institution, including credits awarded by a proprietary for-profit institution.

''(2) To the extent possible, the Secretary shall provide the information described in paragraph (1) by including hyperlinks on the Internet website of the Department to other websites that contain such information in a form that is comprehensive and easily understood by veterans, members, and other individuals.

''(d) DEFINITIONS.—In this section:

''(1) The term 'institution of higher learning' has the meaning given that term in section 3452(f) of this title.

''(2) The term 'postsecondary education and training opportunities' means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by adding after the item relating to section 3697A the following new item:

''3698. Comprehensive policy on providing education information to veterans.''.

(b) PROHIBITION ON INDUCEMENTS.—Section 3696 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(e) The Secretary shall not approve an educational institution if the educational institution provides any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any persons or entities engaged in any student recruiting or admission activities or in making decisions regarding the award of student financial assistance.''.

(c) SURVEY.—In developing the policy required by section 3698(a) of title 38, United States Code, as added by subsection (a), the Secretary shall conduct a market survey to determine the availability of the following:

(1) A commercially available off-the-shelf online tool that allows a veteran or member of the Armed Forces to assess whether the veteran or member is academically ready to engage in postsecondary education and training opportunities and whether the veteran or member would need any remedial preparation before beginning such opportunities.

(2) A commercially available off-the-shelf online tool that provides a veteran or member of the Armed Forces with a list of providers of postsecondary education and training opportunities based on criteria selected by the veteran or member.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary shall submit to the Committees on Veterans' Affairs of the House of Representatives and the Senate, the Committee on Education and the Workforce of the House of Representatives, and the Committee on Health, Education, Labor, and Pensions of the Senate a report that includes—

(1) a description of the policy developed by the Secretary under section 3698(a) of title 38, United States Code, as added by subsection (a);

(2) a plan of the Secretary to implement such policy; and

(3) the results of the survey conducted under subsection (b), including whether the Secretary plans to implement the tools described in such subsection.

(e) DEFINITIONS.—In this section:

(1) The term ''commercially available off-the-shelf'' has the meaning given that term in section 104 of title 41, United States Code.

(2) The term ''postsecondary education and training opportunities'' means any postsecondary program of education, including apprenticeships and on-job training, for which the Secretary of Veterans Affairs provides assistance to a veteran or member of the Armed Forces.

SEC. 2. STATE CONSIDERATION OF MILITARY TRAINING IN GRANTING CERTAIN STATE CERTIFICATIONS AND LICENSES AS A CONDITION ON THE RECEIPT OF FUNDS FOR VETERANS EMPLOYMENT AND TRAINING.

(a) IN GENERAL.—Section 4102A(c) of title 38, United States Code, is amended by adding at the end the following:

''(9)(A) As a condition of a grant or contract under which funds are made available to a State in order to carry out section 4103A or 4104 of this title for any program year, the Secretary shall require the State to disclose to the Secretary in writing the following:

''(i) Criteria applicants must satisfy to receive a certification or license described in subparagraph (B) by the State.

''(ii) A description of the standard practices of the State for evaluating training received by veterans while serving on active duty in the Armed Forces and evaluating the documented work experience of such veterans during such service for purposes of approving or denying a certification or license described in subparagraph (B).

''(iii) Identification of areas in which training and experience described in clause (ii) fails to meet criteria described in clause (i).

''(B) A certification or license described in this subparagraph is any of the following:

''(i) A license to be a nonemergency medical professional.

''(ii) A license to be an emergency medical professional.

''(iii) Any commercial driver's license.

''(C) The Secretary shall share the information the Secretary receives under subparagraph (A)(ii) with the Secretary of Defense to help the Secretary of Defense improve training for military occupational specialties so that individuals who receive such training are able to receive a certification or license described in subparagraph (B) from a State.

''(D) The Secretary shall publish on the Internet website of the Department—

''(i) any guidance the Secretary gives the Secretary of Defense with respect to carrying out this section; and

''(ii) any information the Secretary receives from a State pursuant to subparagraph (A).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to a program year beginning on or after October 1, 2013.

SEC. 3. CONDITIONS ON THE AWARD OF PER DIEM PAYMENTS BY THE SECRETARY OF VETERANS AFFAIRS FOR THE PROVISION OF HOUSING OR SERVICES TO HOMELESS VETERANS.

(a) CONDITION.—

(1) IN GENERAL.—Paragraph (1) of section 2012(c) of title 38, United States Code, is amended to read as follows:

''(1) Except as provided in paragraph (2), a per diem payment may not be provided under this section to a grant recipient or eligible entity unless the entity submits to the Secretary a certification that the building where the entity provides such housing or services is in compliance with codes relevant to the operations and level of care provided, including the most current Life Safety Code or International Fire Code and all applicable State and local housing codes, licensing requirements, fire and safety requirements, and any other requirements in the jurisdiction in which the project is located regarding the condition of the structure and the operation of the supportive housing or service center.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to an application for a per diem payment under section 2012 of title 38, United States Code, submitted on or after the date of the enactment of this Act.

(b) ANNUAL REPORT.—Section 2065(b) of title 38, United States Code, is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following new paragraph (6):

''(6) The Secretary's evaluation of the safety and accessibility of facilities used to provide programs established by grant recipients or eligible entities under section 2011 and 2012 of this title, including the number of such grant recipients or eligible entities who have submitted a certification under section 2012(c)(1).''.

(c) TREATMENT OF CURRENT RECIPIENTS.—In the case of the recipient of a per diem payment under section 2012 of title 38, United States Code, that receives such a payment during the year in which this Act is enacted, the Secretary of Veterans Affairs shall require the recipient to submit the certification required under section 2012(c)(1) of such title, as amended by subsection (a)(1), by not later than two years after the date of the enactment of this Act. If the recipient fails to submit such certification by such date, the Secretary may not make any additional per diem payments to the recipient under such section 2012 until the recipient submits such certification.

SEC. 4. ESTABLISHMENT OF OPEN BURN PIT REGISTRY.

(a) ESTABLISHMENT OF REGISTRY.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(1) establish and maintain an open burn pit registry for eligible individuals who may have been exposed to toxic chemicals and fumes caused by open burn pits;

(2) include any information in such registry that the Secretary of Veterans Affairs determines necessary to ascertain and monitor the health effects of the exposure of members of the Armed Forces to toxic chemicals and fumes caused by open burn pits;

(3) develop a public information campaign to inform eligible individuals about the open burn pit registry, including how to register and the benefits of registering; and

(4) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with exposure to toxic chemicals and fumes caused by open burn pits.

(b) REPORT TO CONGRESS.—

(1) REPORT BY INDEPENDENT SCIENTIFIC ORGANIZATION.—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to develop a report containing the following:

(A) An assessment of the effectiveness of actions taken by the Secretaries to collect and maintain information on the health effects of exposure to toxic chemicals and fumes caused by open burn pits.

(B) Recommendations to improve the collection and maintenance of such information.

(C) Using established and previously published epidemiological studies, recommendations regarding the most effective and prudent means of addressing the medical needs of eligible individuals with respect to conditions that are likely to result from exposure to open burn pits.

(2) SUBMITTAL TO CONGRESS.—Not later than 18 months after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress the report developed under paragraph (1).

(c) DEFINITIONS.—In this section:

(1) The term ''open burn pit'' means an area of land located in Afghanistan or Iraq that—

(A) is designated by the Secretary of Defense to be used for disposing solid waste by burning in the outdoor air; and

(B) does not contain a commercially manufactured incinerator or other equipment specifically designed and manufactured for the burning of solid waste.

(2) The term ''eligible individual'' means any individual who, on or after September 11, 2001—

(A) was deployed in support of a contingency operation while serving in the Armed Forces; and

(B) during such deployment, was based or stationed at a location where an open burn pit was used.

SEC. 5. PERFORMANCE AWARDS IN THE SENIOR EXECUTIVE SERVICE.

For each of fiscal years 2013 through 2017, the Secretary of Veterans Affairs may not pay more than $1,000,000 in performance awards under section 5384 of title 5, United States Code.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentleman from California (Mr. FILNER) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. BILIRAKIS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to include any extraneous material they may have on H.R. 4057, as amended.

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

There was no objection.

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

H.R. 4057, as amended, is another bipartisan product of the Committee on Veterans' Affairs' work to improve the effectiveness of several different benefits and health programs for veterans.

I want to express my appreciation to my good friend Chairman MILLER and to my other good friend Ranking Member BOB FILNER, along with each of the subcommittee chairs—MARLIN STUTZMAN and ANN MARIE BUERKLE—as well as Ranking Members BRUCE BRALEY and MIKE MICHAUD, for bringing, of course, these provisions to the full committee and to the floor today.

□ 1600

The bill has five major sections, Mr. Speaker. Section 1 reflects a slightly modified version of the original text of my bill, H.R. 4057, which I introduced in February. This legislation would improve the ability of GI Bill users to choose the school that best meets their educational needs. As we commemorate September 11 today, it is appropriate that this Congress help this generation of post-9/11 veterans make informed choices by using their educational benefits.

Specifically, this legislation will require the VA to create a comprehensive policy that would meet this goal by informing veterans about their eligibility for educational counseling by creating a centralized complaint database on schools, requiring State approving agencies to better communicate with accrediting agencies, requiring VA to link to certain performance-related data points on the College Navigator and other appropriate Web sites, and identifying commercially off-the-shelf available software that would assist students in choosing a school and software that would evaluate their readiness to attend postsecondary education.

I want to thank the veteran service organizations and higher education associations for the support of this section and providing great feedback on ways to improve this bill.

Section 2 contains provisions originally introduced by Congressman STIVERS and my friend from across the aisle, Congressman TIM WALZ, to require States to take military training

into account in awarding licenses to work as medical technicians and other trades. I thank Mr. STIVERS, another good friend of mine, and Mr. WALZ, for their work on these provisions that will speed up servicemembers' transition to civilian life.

Section 3 contains a provision introduced by Congressman DAVID MCKINLEY which would require per diem payment recipients under VA's Homeless Grant and Per Diem Program to certify compliance with the Life Safety Code or the International Fire Code and other relevant fire safety and building codes. It would also require VA to include an accounting and evaluation of the safety and accessibility of facilities used to provide programs for homeless veterans in the annual report on assistance to homeless veterans.

I'm grateful for Mr. MCKINLEY's advocacy on behalf of our homeless veterans, and I thank him for his hard work to ensure that they are cared for in a safe and secure environment.

Section 4, which incorporates language originally introduced by Representative AKIN, would direct the VA to establish and maintain an open burn pit registry for veterans—very important—veterans of Iraq and Afghanistan who may have been exposed to toxic chemicals and fumes caused by open burn pits during deployment. It would require VA to develop a public information campaign to inform eligible veterans of the registry and periodically notify them of significant developments in the study and treatment of conditions associated with burn pit exposure. It would also direct the VA to contract with an independent scientific organization to develop a report on the effectiveness of actions taken to collect and maintain information on the health effects of burn pit exposure and submit the completed report to Congress.

Many of our servicemembers and veterans have returned from Iraq and Afghanistan with grave concerns about the possible long-term health effects of burn pit exposure. With this provision, I hope we will move one step closer to providing them answers which may lead to getting them more effective health care.

Finally, section 5, which incorporates language offered by Mr. STEARNS, a good friend of mine from the State of Florida, would limit the total amount of bonuses paid to senior VA employees to $1 million for fiscal years 2013 to 2017. On average, over the last several years, VA paid nearly $4 million a year to senior executives who are already paid very well. In a tight fiscal climate when so many improvements are needed for veterans, we must prioritize every dollar. Extravagant executive bonuses are to be the least of our priorities. I'm pleased this section would recognize that reality.

Mr. Speaker, I would also note that the cost of these sections are fully paid for.

I encourage all Members to support this bill, and I reserve the balance of my time.

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

I certainly thank the members of the committee and Mr. BILIRAKIS for working in such a bipartisan manner to protect servicemembers and protect veterans. I think Mr. BILIRAKIS gave a very comprehensive overview of the bill. Let me just make a couple of points here.

The Post-9/11 GI Bill, which a Democratic Congress passed a couple of years ago, was really a milestone for our current crop of veterans. Almost 800,000 veterans of Iraq and Afghanistan have now made use of the benefits that this bill provides. We ought to be, as a Congress, very proud of that kind of legislation.

With so many thousands of veterans using their Post-9/11 GI Bill, it's important, obviously, that they understand their benefits and eligibility and have all the information available to them. That's what H.R. 4057 does, which Mr. BILIRAKIS outlined quite nicely. Veterans are going to be able to get the kind of information that they need to get the best educational benefits that are suited to them.

Let me just say one thing about section 4 of the bill, which authorizes the Department of VA to establish a burn pit registry for eligible veterans.

Mr. Speaker, every time that we send men and women into combat, we have to make sure we understand the risks associated with exposures to toxic substances and take responsibility when we expose our own troops to these effects. We haven't done that in the past. We ought to learn more from history. Whether it was atomic testing in World War II, whether it was agent orange in the Vietnam War, whether it was depleted uranium, we've done the same thing over and over again. We've either denied or underestimated the risks. It took years, even decades, to admit the risks. When we finally did that, we still make our veterans undergo lots of bureaucratic hoops to get the benefits that come from exposure to the very substances that we put them at risk for.

Let's not repeat that pattern. This open pit registry will be part of that effort. We want to understand the risks. We want people to know where they have been exposed.

I requested the General Accountability Office to help us in our efforts to better understand health risks associated with the burn pits in Iraq and Afghanistan. We all know that the preliminary reports have shown that the fumes from these pits produce a considerable amount of contaminants that may cause short-term and long-term harm to our servicemembers.

Finally we're having a proactive measure and one which I hope will benefit veterans in an extremely positive way. I thank Mr. BILIRAKIS and his colleagues for working with our colleagues for the bill, and I reserve the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I'm happy to yield 3 minutes to a senior member of the Veterans Committee, my good friend from Florida (Mr. STEARNS).

Mr. STEARNS. I thank my distinguished chairman and colleague.

I rise today in support of H.R. 4057, the Improving Transparency of Education Opportunities for Veterans Act of 2012. It has been offered by my colleague from Florida, GUS BILIRAKIS.

My colleagues, this bill would provide veterans and servicemembers the resources that they need to make informed decisions when choosing the right institution or school for the career they wish to pursue. The other provisions included would help veterans with State certification credentials for skills acquired while on active duty. It ensures homeless veterans have access to shelters, in compliance with the State and local codes, and would require the Secretary to establish and maintain a burn pit registry program for individuals who may have been exposed to toxic chemicals.

During the committee markup, I offered an amendment that would limit the amount the VA would pay in performance awards to senior staff from fiscal year 2013 to 2017 to adequately cover the costs associated with H.R. 4057, along with the provisions included from the other three bills.

□ 1610

My colleagues, in the last 3 years, the worst economic climate this country has seen since the Great Depression, almost 800,000 VA employees received monetary awards totaling $1.1 billion. This limitation amendment I offered affects only the Senior Executive Service, the SES, as they are called, who are considered to be like the generals of the Federal workforce and make between $120- and $180,000 a year.

The VA has an agency that has underperformed, yet they continue to provide performance bonuses at the expense of taxpayers and the well-being of our veterans. Today's VA backlog stands at 840,000 claims, of which more than 55 percent have been pending for more than 125 days. It is unconscionable that these senior executive employees are receiving bonuses averaging $40,000 a year, on top of their six-figure salaries, when the number of backlog claims is close to the number of monetary awards given.

Today, September 11, is a day every American will never forget. I urge all my colleagues to support passage of this bill, and by doing so we honor our veterans and servicemembers by supplying them with these needed resources to help rebuild their lives. Mr. Speaker, today is a day we'll never forget. We'll always remember the sacrifices of those brave men and women, and in passage of this bill we will remind everybody of our appreciation for them.

Mr. FILNER. Mr. Speaker, I yield such time as he may consume to our ranking member of the Health Subcommittee, the gentleman from Maine, a fighter for Veterans' Affairs, Representative MICHAUD.

Mr. MICHAUD. I want to thank the gentleman for his strong support for veterans over the years and look forward to continuing to work with him through the rest of this Congress.

Mr. Speaker, I rise today as a cosponsor and a strong supporter of this bill. Each section of it makes important changes that will improve the care and services we provide our veterans. I'm especially proud that it creates a comprehensive educational outreach policy, recognizes that military service meets the standards of many civilian job certifications, and that it establishes an open burn pit registry.

All three of these provisions are the result of the hard work of veterans and their advocates. I had many meetings with veterans who not only identified these issues, but they also provided solutions for the issues as well.

In my time of serving on the House Veterans' Affairs Committee, I've always appreciated that it's one of the places in Congress where bipartisan efforts are working and things do get done. I'm pleased this is the tradition in this particular bill as well.

I want to thank all of my colleagues on the Veterans Affairs' Committee, Chairman MILLER of the full committee, Chairwoman BUERKLE of the Health Subcommittee, and TIM WALZ, who has also been a true advocate of veterans' issues, and I thank him for his service as well for this great Nation of ours.

I would encourage my colleagues to support H.R. 4057.

Mr. BILIRAKIS. Mr. Speaker, I yield as much time as she may consume to the chairwoman of the Subcommittee on Health, my good friend, the gentlewoman from New York (Ms. BUERKLE).

Ms. BUERKLE. Mr. Speaker, I rise today in support of H.R. 4057, as amended, the Improving Transparency of Education Opportunities for Veterans Act of 2012.

As we all know, 11 years ago this morning on September 11, 2001, our country was forever changed when terrorist attacks on American soil resulted in the deaths of over 3,000 innocent souls. Since that time we've been tested like never before, and thanks to the brave service and sacrifices of our Nation's Armed Forces, have emerged as a nation stronger, better, and more resolved to advancing the cause of freedom around the world.

We also have emerged a more grateful Nation, ever mindful of the simple truth that the security and freedoms we enjoy were bought and paid for by the blood, sweat, and tears of those in uniform. Caring for and honoring these heroes is one of our Nation's most sacred obligations and the primary purpose of this bill before us today.

H.R. 4057, as amended, includes two provisions originating from the Subcommittee on Health, of which I am honored to chair.

Section 3 of the bill would require per diem payment recipients under the Department of VA Homeless Grant and Per Diem program to provide VA with a certification of compliance with a Life Safety Code or the International Fire Code and other relevant fire safety building codes in their jurisdiction. This provision would also require the VA to include an accounting and evaluation of the safety and accessibility of facilities used to provide programs for homeless vets in the annual report on assistance to homeless veterans.

Current law requires the VA to ensure that entities receiving grants under the homeless grant and per diem program meet fire and safety codes. However, VA lacks a similar requirement to ensure per diem recipients are also compliant with these very important codes.

When one of our honored veterans finds him or herself homeless and makes the difficult decision to get help, we must ensure that they are provided the services they need in a safe, secure, and supportive environment. This section of the bill would allow us to do so in a much more comprehensive, effective, and efficient manner.

This provision was introduced by my good friend and colleague from West Virginia, DAVID MCKINLEY, and I thank him for his leadership and his advocacy on behalf of the homeless veterans struggling to rebuild their lives.

Section 4 of the bill would direct the VA to establish and maintain an open burn pit registry for veterans of Iraq and Afghanistan, who may have been exposed to toxic chemicals and fumes caused by open burn pits during deployment. This provision would also require the VA to develop a public information campaign to inform eligible veterans of their registry and periodically notify them of significant developments in the study and treatment of the conditions that may be associated with burn pit exposure.

Further, it would direct the VA to contract with an independent scientific organization to develop a report on the effectiveness of actions taken to collect and maintain information on the health effects of burn pit exposure and submit the completed report to Congress.

I have heard from countless veterans who returned home from a war consumed with concern about the air they breathed in the battle, which was often filled with smoke from the burning of solid waste and could affect their health and well-being. With this provision, we will take first steps towards recognizing and respecting these concerns of our veterans. Importantly, it will also allow us to gather data necessary to discovering new and better ways to care to for our veterans today and in future generations.

In closing, I would like to offer my sincere gratitude and appreciation to all of the Members who sponsored the provisions included in this legislation.

I also would like to thank the ranking member on the Health Subcommittee, Mr. MICHAUD of Maine, for his support and all of the work on behalf of our veterans.

I urge all of my colleagues to join me in supporting this legislation. On this day of all days, it is so very important that we support the servicemembers and veterans who have fought for the greatest Nation in the history of mankind, the United States of America.

Mr. FILNER. I yield 3 minutes to the gentleman from Minnesota, the sergeant major of the United States Congress, Mr. WALZ.

Mr. WALZ of Minnesota. I would like to thank the ranking member of Veterans' Affairs. I have had no greater friend since his time here, and we are grateful for the work he has done.

To Mr. BILIRAKIS and the entire committee for what has been said by several of my colleagues, it's fitting and appropriate today that we are passing legislation to serve those who have served us. It also is fitting and appropriate that we conduct ourselves in a manner fitting of their service.

This committee is one, as Mr. MICHAUD said and so many others have said. We are proud of the work we do together. This is just another example.

I would like to comment just briefly on section 2 of this that my good friend and friend of veterans from Ohio (Mr. STIVERS) has been an absolute, outspoken, untiring advocate of to make sure that we employ these veterans when they come home. Last month, President Obama signed in another bill of ours, the Veteran Skills to Jobs Act, that is now the law of the land, making it easier to credential our veterans when they come back.

This Nation spends $140 billion training our veterans. These are our best and brightest and most dedicated. When they come back home, they're not victims, but we certainly know there are barriers to employment that we should not be putting up in front of them.

□ 1620

If they've driven that truck and served this Nation in Afghanistan, why should we have to repay to get a CDL license? If they've saved their colleagues on the battlefield and passed the credentialing to be a medic, why can't they ride in an ambulance at the Mayo Clinic in my district? And this bill takes it to the next level and sets that credentialing in coordination between the Federal and State to make sure when our veterans return home that we're not putting barriers in front of them, and to be quite honest, that we're not spending precious resources, whether it's giving them unemployment insurance or retraining them through redundant trainings.

In my office, my veterans staffer was the SHAPE commander's Black Hawk pilot in Europe. And he was the top trainer in the military. If he came back out, civilian-wise, he would have to go

to a 48-month course to able to get through some of these things. That makes no sense, and it's putting our veterans at a disadvantage.

So I want to thank Mr. STIVERS for making this possible. The transition can be there. I also want to thank our States that have been so willing to work with us. There are eight States that have already implemented this proposal. It will make it easier. It's the right thing to do for our veterans. It will give employers great dependable employees, and it will make sure these veterans do what we know is best for their mental health, for their family, and for this country—get back to work and start doing the things that they want to do.

With that, I thank everyone involved for this great bill. I encourage my colleagues to support H.R. 4057.

Mr. BILIRAKIS. I am happy to yield 2 minutes to the gentleman from Ohio (Mr. STIVERS), a veteran of Operation Iraqi Freedom.

Mr. STIVERS. I would like to thank the gentleman for yielding, and I would like to thank my colleague, Mr. WALZ, for his help as we've tried to enact the Hire at Home Act, which has been rolled into this bill. The legislation came from a roundtable in my district of veterans last fall. And as veterans return home today with military training they've received, that training is not recognized by civilian authorities and States, and therefore they're forced to go through redundant training to do the job they were doing in the military.

However, if somebody can do a job while serving in a war zone, they can certainly do that same job at home in a safe environment.

With so many veterans returning home from Iraq and Afghanistan, we need to make sure we do everything we can to help get them back to work. It's shameful that the unemployment rate among post-9/11 veterans is 12.7 percent, according to a recent report of the Bureau of Labor Statistics. That's why we introduced the Hire at Home Act. It will help, as Representative WALZ said, remove barriers in front of these soldiers, sailors, airmen, and marines and get them the civilian certifications they need to get them to work as soon as they get home. It forces States to do this by ensuring that in order to receive certain workforce development grants, they have to streamline these certifications.

I would like to thank all those who have helped make this bill happen today: Representative WALZ, Representative BILIRAKIS, Representative MILLER, and Representative STUTZMAN. And I'd like to thank Senator PRYOR for his interest in the Senate. I would like to call on the United State Senate to pass this bill as soon as we get it done. I'd like to thank the Members of this body for their support and urge all the Members to support this legislation.

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

Mr. BILIRAKIS. Mr. Speaker, how much time do I have left?

The SPEAKER pro tempore. The gentleman has 6 minutes remaining.

Mr. BILIRAKIS. Mr. Speaker, I yield 3 minutes to the gentleman from West Virginia (Mr. MCKINLEY).

Mr. MCKINLEY. Thank you, Congressman BILIRAKIS and Chairman MILLER, for bringing this bill to the floor today.

Let me take this opportunity to highlight a segment of the portion dealing with safe housing for homeless veterans. I had previously sponsored this concern in a separate piece of legislation, and it was subsequently amended into this bill that's before us today.

Currently, there are 2,100 community-based homeless veterans service providers across the country and many other homeless assistance programs that have demonstrated impressive success reaching homeless veterans. I've visited some of the shelters in my home district in West Virginia and was struck by how many were not, unfortunately, in compliance with State, local, or Federal building and fire codes.

Consequently, we began to investigate how broad based this issue was across America. It was unsettling to learn about shelter fires where lives have been lost. There's stories of a homeless shelter fire where occupants were killed due to the fact that there was not a required sprinkler system at the facility or dozens were injured when a sprinkler system was not working properly or where doors were closed that needed to be opened.

All of these could have been avoided. Unfortunately, there is no law mandating a homeless shelter meet building and fire safety codes, only a policy within the VA. As a licensed professional engineer, I found this to be an egregious omission in the law concerning homeless shelters for veterans.

The language in this bill would require any organization that seeks funding for VA for services to homeless veterans have documentation that their building meets or exceeds all building codes. This is commonsense legislation that could ensure the well-being of veterans all across America who have fallen on hard times and are in need of the most assistance. As a Nation, it should be unacceptable for us to allow homeless veterans to be housed in potentially unsafe conditions.

I appreciate the support of this legislation and this provision from the American Legion, the Homeless Veterans Coalition, the International Code Council, and the Fire Marshals Association.

Thank you, Mr. Chairman, for including this language in the bill today and for your concern for the safety and the living environment of our veterans.

Mr. BILIRAKIS. I am happy to yield 2 minutes to the chairman of the Subcommittee on Economic Opportunity, the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. I thank the gentleman from Florida (Mr. BILIRAKIS) for yielding.

Mr. Speaker, I rise today in strong support of H.R. 4057, as amended. This is a bipartisan bill that at its core will help our youngest group of veterans make more informed choices about how to use their VA education benefits. I think it's very appropriate today that as we remember 9/11 and those who died that day and those who have died since defending our Nation that we are discussing this bill on the floor. The post-9/11 GI Bill is a wonderful benefit that thousands of veterans are using or have used to advance their education and training.

H.R. 4057 will further assist these veterans in making decisions on how to best use their GI Bill benefits through new, innovative online tools and by providing greater transparency on certain data from educational institutions. By helping these veterans make more informed choices, we are not only putting them on the path to successful careers, but we are saving taxpayer dollars that may have been misused at a training program that didn't suit the veteran's needs.

As chairman of the Subcommittee on Economic Opportunity, I'm proud of the work that Mr. BILIRAKIS, Mr. BRALEY, and the rest of the members of the subcommittee have done to improve this bill; and thanks to our colleagues on the Health Subcommittee for their provisions as well. I want to thank Chairman MILLER and the ranking member for their support of this legislation. I ask my colleagues to support the bill.

Mr. BILIRAKIS. Mr. Speaker, once again, I encourage all Members to support H.R. 4057, as amended, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. BILIRAKIS) that the House suspend the rules and pass the bill, H.R. 4057, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1630

PUBLIC TRANSIT SECURITY AND LOCAL LAW ENFORCEMENT SUPPORT ACT

Mr. TURNER of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3857) to amend the Implementing Recommendations of the 9/11 Commission Act of 2007 to require the Secretary of Homeland Security to include as an eligible use the sustainment of specialized operational teams used by local law enforcement

under the Transit Security Grant Program, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3857

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 ''Public Transit Security and Local Law Enforcement Support Act''.

SEC. 2. CLARIFICATION REGARDING USE OF GRANT FUNDS RELATING TO OPERATIONAL COSTS OF PUBLIC TRANSIT SECURITY.

(a) IN GENERAL.—Section 1406(b)(2) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135(b)(2)) is amended—

(1) by redesignating subparagraphs (E) through (H) as subparagraphs (F) through (I), respectively; and

(2) by inserting after subparagraph (D) the following new subparagraph (E):

''(E) specialized patrol teams, as defined by the Secretary in coordination with the recipients of grants under this section, including the sustainment of such teams without fiscal year limitation, as long as the eligible public transportation agency applying for grant funds to fund a specialized patrol team submits a sustainment plan for maintaining in future years the capability or capacity achieved with the grant funds;''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall take effect on the date of enactment of this Act and shall apply to grants made under section 1406 of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135) on or after such date.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 1406(m)(1) of the Implementing Recommendations of the 9/11 Commission Act of 2007 (6 U.S.C. 1135(m)(1)) is amended—

(1) in subparagraph (D) by striking ''and'' at the end;

(2) in subparagraph (E)—

(A) by striking ''10 percent'' and inserting ''50 percent''; and

(B) by striking the period and inserting ''; and''; and

(3) by adding at the end the following:

''(F) $400,000,000 for each of fiscal years 2012 and 2013, except that not more than 50 percent of such funds in each of such fiscal years may be used for operational costs under subsection (b)(2).''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TURNER) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

GENERAL LEAVE

Mr. TURNER of New York. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include any extraneous material on the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I rise today to urge the passage of H.R. 3857, the Public Transportation Security and Local Law Enforcement Support Act, which helps local law enforcement meet national security demands in a troubled economy.

Today, we solemnly remember the tragedy which took place 11 years ago at the Pentagon, in Shanksville, Pennsylvania, and New York City.

I am personally reminded when I travel from my home in New York to D.C., I look toward the southern tip of Manhattan where the Twin Towers once stood.

As we also remember the brave New York firefighters and police officers who ran into the inferno of the World Trade Center with no regard for their own safety, we should think about the brave spirit that lives on in every first responder. They are truly our last line of defense in an increasingly dangerous world, and we should make sure they are provided with access to all of the resources they need to keep us safe.

In large metropolitan areas, public transit systems are among the most vulnerable targets. In New York City, the MTA carries over 8 million people daily on its subways and buses throughout the five boroughs. The Transit Security Grant program provides funds to public transit agencies in high-risk areas for various security projects including the hiring of full-time personnel for specialized anti-terrorist teams, K–9 units, mobile screening, and public awareness campaigns.

The program is authorized by the Implementing Recommendations of the 9/11 Commission Act of 2007 and administered by the Federal Emergency Management Agency in consultation with the Transportation Security Administration.

Grant funds are used to create new specialized anti-terror teams, but until recently could not be used to sustain these teams unless the Department of Homeland Security provided a waiver. This forced law enforcement to face the uncertainty of the waiver process or risk losing vital security assets. Fortunately, the Secretary provided some relief last year so that a waiver was not required, but without this bill, there is nothing to stop the Department of Homeland Security from reinstating another bureaucratic waiver or process.

H.R. 3857 streamlines the grant program to make it easier for the specialized security teams to receive funding. It authorizes the Department of Homeland Security to provide transit security grant programs to sustain teams and also eliminate the bureaucratic steps of requiring eligible transit agencies to apply for a waiver. This will help avoid countless hours of request, preparation, and review.

I urge my colleagues to support this bill because there is nothing more important than protecting our citizens.

We must make it a priority to ensure that the brave men and women who work so hard to keep us safe have the resources they need as soon as they need it.

I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 3857, the Public Transit Security and Local Law Enforcement Support Act, and I yield myself such time as I may consume.

As the President stated in his weekly address, the anniversary of 9/11 is a time to honor and commemorate first responders, the victims of the attacks, and the members of the Armed Forces serving at home and abroad. It's unfortunate that the Republican majority has decided to discontinue the House's tradition of doing just that by considering a resolution honoring the fallen and commending our Nation's bravest on this date.

For years, majority leaders of both parties have introduced and scheduled consideration of a 9/11 resolution. Surely, if the House has the time to consider the 32 bills scheduled for consideration on the suspension calendar this week, it has the time to commemorate our Nation's first responders, the victims of 9/11, and our troops by considering a resolution doing just that.

Even if some politicians would prefer not to mention it, our Nation is still at war with Afghanistan. Our troops are still in harm's way, a half a world away, fighting a war that was the direct result of the terrorist attacks of 9/11. Accordingly, I would urge the Republican leadership of the House to reconsider their decision to forego consideration of a 9/11 resolution this day.

As to the legislation under consideration today, I support this bill that, thanks to an amendment offered by Representative JACKSON LEE during committee consideration, authorizes $400 million for the Transit Security Grant Program. The Transit Security Grant Program provides funds to State and local jurisdictions that need help keeping their transportation systems secure.

As State and local budgets continue to face the strain of recovering from the economic collapse that occurred during the previous administration, we have a responsibility to ensure that they have the funding needed to build and sustain the capacity to protect against a terrorist attack. As amended, H.R. 3857 does just that.

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

Mr. TURNER of New York. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield as much time as she may consume to the gentlelady from Houston, Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank Mr. TURNER and the ranking member, Mr. THOMPSON, for their courtesies of yielding to me and allow me to take this moment on the floor on 9/11 to again acknowledge the Members of Congress who this morning joined each other, if you will, two Houses, that came together, on the east steps to be able to acknowledge those who were lost, and I would like to say those

who still live in the backdrop of the tragedy, for many are still pained by the loss of their family members. As we know in New York the reading of the names, and, of course, the laying of the wreath that occurred today at the Pentagon.

We cannot get those lives back, and what we recognize is that those lives represented places around the world, but it also represented moms and dads. Children today have grown up without those loved ones because of the horrific and heinous tragedy, and some might say America's naiveté.

But I am glad to live in a country that believes in her freedom. I am glad to live in a country of which we claim democracy and understand it, understand the freedom of speech and freedom of access, freedom of association. I would not want to live anywhere else.

But we were pained on that day because they attempted to take our naiveté away from us, our innocence. But I am glad that we came together, both in terms of allowing people now still to travel from the east to the west, from the north to the south, to have summer vacations, to lay out in the open sun. This is our Nation.

I am grateful for having the privilege of serving on the Homeland Security Committee. I hold this flag just to indicate that this is a great Nation.

I'd like to thank our early persons who led this committee. Certainly, Mr. Chris Cox, Mr. Jim Turner, the Homeland Security Select Committee and members who were on that committee.

□ 1640

I want to acknowledge my outstanding ranking member, Mr. THOMPSON, who has been a great leader on these issues. He has been diligent; he has been patriotic; he has been loving of this country, along with the chairman, Mr. KING, who has worked for the common good as we have tried to work together. It has not been a perfect unity because we have had disagreements. Many of us disagree on the interpretation of democracy and civil liberties, but we all believe in one Nation under God, but more importantly, the security of this Nation. Mr. THOMPSON, I want to thank you for allowing me to serve with you and for your leadership.

It is in that spirit that I rise today to speak to H.R. 3857, which amends the Implementing Recommendations of the 9/11 Commission Act of 2007.

I might just say, Mr. TURNER, that there were those of us who were here—and you come from New York, and so I know that more than likely there were people in and around your area, the Queens area, who lost their lives, or family members. So we acknowledge the regions that were impacted, from Boston to New York to Pennsylvania. And certainly those families whose family members were on those airlines, we understand, but cannot feel, the deep pain that they have today.

The 9/11 Commission, of course, came about mainly through the many families that walked the halls. And let me, of course, acknowledge those families who even in their pain, again, came to the Halls of Congress and asked us to do something. So this particular legislation is amending the 9/11 Commission Act of 2007 to allow public transportation agencies to be eligible for grants for security improvements to be used for specialized patrol teams, including the sustainment of such teams without fiscal year limitation, as long as the agency applying for grant funds submits a sustainment plan for maintaining in future years the capability or capacity achieved with the funds. That is a good step. It allows local jurisdictions to expand their services as long as they're able to sustain it.

In January 2007, soon after Democrats took control of the House after being in the minority, I joined with my colleagues across both sides of the aisle and we passed the 9/11 Commission Act of 2007. This legislative landmark was critical in strengthening our Nation's homeland security efforts. Specifically, the 9/11 Act established the Transportation Security Grant Program, which provides a vital source of funding for our transportation systems across the United States.

Shortly thereafter, I remember a conference where the House and Senate came together, and I remember the opportunity to establish transportation security centers of excellence. I am grateful that we established one at Texas Southern University, among other Historically Black Colleges, where we looked at ways of improving transportation security.

Having just been briefed by Texas Southern University, I know that they are finishing their work, and I want to thank the team that led on that program. Those funds were truly used productively, efficiently, and effectively to provide new technology, new techniques and vetting procedures on how we can truly secure America.

Since the demise of Osama bin Laden—led by the outstanding military of the United States of America, guided, directed, of course, by the Commander in Chief, President Obama, and the excellent military leadership, the National Security Agency, that provided all of the guidance for this enormous task—it has been revealed in the public domain that terrorists continue to be interested in developing plots to sabotage mass transit systems, and of course the aviation system. This threat, however, is not new. Today, as I indicated, marks the 11th anniversary since the 9/11 attacks, and as such we must take every step to commemorate the men and women we lost on that day. We also have the responsibility to make sure that we do not allow another catastrophic loss of life like the one we faced that day.

In the course of the years since 9/11 we have seen incidents in London and Spain, we've seen incidents in Mumbai, tragic incidents on mass transit. We have also seen the individual efforts that have been made to bring down another airline over American soil, or certainly en route to the United States of America. Therefore, it is imperative that Congress examine how the Department of Homeland Security and the Transportation Security Administration are addressing the current and evolving threat to our transportation systems and continue to support programs that have yielded a positive security impact, such as TSA's Transportation Security Grant Program. I have seen in my own transit system the utilization of these funds. I've seen the utilization, as it has been very effective in canine units.

Let's come together around recognizing that the security of America is holistic—first, of course, the frontliners, meaning the United States military; then, of course, the men and women who overlap in jurisdiction under Homeland Security, the many different law enforcements that every day work on the border, work on internal enforcement, work at airports, coalesce and collaborate with the FBI and DEA and ATF, and others, around the question of security.

I am glad these programs are being expanded for security purposes, for efficiency purposes, for utilization of our tax dollars in the right way. That is why I am pleased to see that the majority and the ranking member, along with members of the Democratic part of the committee, at my request and submission of an amendment, accepted my amendment during committee consideration to authorize $400 million for the Transportation Security Grant Program for FY12 and FY13. This funding will ensure that transportation agencies have the resources needed to secure our public and mass transit system. I would argue that it complements what we're doing in aviation, which, together, maintains the nucleus, if you will, of transportation security.

So I'm hoping that this will move quickly through the United States Senate and find itself on the President's desk. It is crucial. I then hope that my colleagues can come together for us to put on the floor a Transportation Security Administration reauthorization. We've done it before; I know we can do it now. And I ask my colleagues to come together in the name not only of security, but of the families, the 9/11 Commission, who now bear the brunt of that tragic day, along with so many others.

Thank you to our first responders, and of course to the men and women who now serve around the world and those who have come home. I ask my colleagues to support H.R. 3857.

H.R. 3857, "Public Transit Security and Local Law Enforcement Support Act—Amends the Implementing Recommendations of the 9/11 Commission Act of 2007 to allow grants to eligible public transportation agencies for security improvements to be used for specialized patrol teams, including the sustainment of such teams without fiscal year

limitation, as long as the agency applying for grant funds submits a sustainment plan for maintaining in future years the capability or capacity achieved with the funds.''

TUESDAY, SEPTEMBER 11, 2012

Mr. Speaker, I rise in support of H.R. 3857, the Public Transit Security and Local Law Enforcement Support Act.

Mr. Speaker, In January 2007, soon after Democrats took control of the House, I, along with my colleagues across both sides of the aisles, championed the 9/11 Commission Act of 2007.

This legislative landmark was critical in strengthening our Nation's homeland security efforts. Specifically, the 9/11 Act established the Transportation Security Grant Program which provides a vital source of funding for our transportation systems across the United States.

Since the demise of Osama bin Laden, it has been revealed in the public domain that terrorists continue to be interested in developing plots to sabotage mass transit systems.

This threat, however, is not new.

Today marks the 11th anniversary since the 9/11 attacks. And as such, we must take every step to commemorate the men and women we lost on that day.

We also have the responsibility to make sure that we do not allow another catastrophic loss of life, like the one we faced that day.

Therefore, it is imperative that we, Congress, examine how the Department of Homeland Security and the Transportation Security Administration are addressing the current and evolving threat to our transportation systems and continue to support programs that have yielded a positive security impact, such as TSA's Transportation Security Grant Program.

Which is why I am pleased to see that the Majority, at my request, accepted my amendment during Committee consideration to authorize $400 million for the Transportation Security Grant Program (TSGP) for FY 12 and FY 13.

This funding will ensure that transportation agencies have the resources needed to secure our public and mass transit systems.

Mr. TURNER of New York. Mr. Speaker, I have no more speakers. If the gentleman from Mississippi has no further speakers, I am prepared to close once the gentleman does.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, on this day, above all others, we turn our thoughts to those who were lost in the tragic events of 9/11. It is unfortunate that the Republican leadership of the House has decided not to continue this body's tradition of considering a resolution to commemorate first responders, the victims of the attack, and members of the Armed Forces serving at home and abroad.

Mr. Speaker, I urge my colleagues to join me in calling for the consideration of a 9/11 resolution, and in support of H.R. 3857. H.R. 3857 authorizes funds critical to ensuring our Nation's transportation systems are secure. It does so to the tune of $400 million, dollars that State and local jurisdictions desperately need.

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

Mr. TURNER of New York. Mr. Speaker, I urge Members to support the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TURNER) that the House suspend the rules and pass the bill, H.R. 3857, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. THOMPSON of Mississippi. 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.

□ 1650

NO-HASSLE FLYING ACT OF 2012

Mr. WALSH of Illinois. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6028) to authorize the Assistant Secretary of Homeland Security (Transportation Security Administration) to modify screening requirements for checked baggage arriving from preclearance airports, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6028

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 ''No-Hassle Flying Act of 2012''.

SEC. 2. PRECLEARANCE AIRPORTS.

(a) IN GENERAL.—Section 44901(d) of title 49, United States Code, is amended by adding at the end the following new paragraph:

''(4) PRECLEARANCE AIRPORTS.—

''(A) IN GENERAL.—For a flight or flight segment originating at an airport outside the United States and traveling from an airport outside the United States where U.S. Customs and Border Protection has established preclearance operations, the Assistant Secretary (Transportation Security Administration) may, in coordination with U.S. Customs and Border Protection, determine whether such baggage must be re-screened in the United States by an explosives detection system before such baggage continues on any additional flight or flight segment.

''(B) LIMITATION.—The Assistant Secretary may not exercise the authority under subparagraph (A) unless an agreement is in effect between the United States and the country from which the flight originates requiring the implementation of security standards and protocols that are determined by the Assistant Secretary in coordination with U.S. Customs and Border Protection to be comparable to those of the United States and therefore sufficiently effective to enable passengers to deplane into sterile areas of airports in the United States.

''(C) REPORT.—The Assistant Secretary shall submit to the Committee on Homeland Security of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate an annual report on the re-screening of baggage under this paragraph. Each such report shall include the following for the year covered by the report:

''(i) A list of airports outside the United States from which a flight or flight segment traveled to the United States for which the Assistant Secretary determined, in accordance with the authority under subparagraph (A), that checked baggage was not required to be re-screened in the United States by an explosive detection system before such baggage continued on an additional flight or flight segment.

''(ii) The amount of Federal savings generated from the exercise of such authority.''.

(b) CONFORMING AMENDMENTS.—Section 44901 of title 49, United States Code, is amended by striking ''explosive'' each place it appears and inserting ''explosives''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. WALSH) and the gentleman from Mississippi (Mr. THOMPSON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. WALSH of Illinois. Mr. Speaker, I yield myself such time as I may consume.

GENERAL LEAVE

Mr. WALSH of Illinois. 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 the bill under consideration.

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

There was no objection.

Mr. WALSH of Illinois. Mr. Speaker, earlier this year I introduced H.R. 6028, the No-Hassle Flying Act, which is a very simple bill that streamlines baggage security measures for international flights.

Over the past decade, the U.S. Customs and Border Patrol has designated 14 international airports as preclearance airports. They are located in Canada, the Caribbean, and Ireland, and continue to exhibit comparable security standards to ours right here in the United States. When passengers originate from one of these airports and fly into the U.S., they are not required to go through security again because they have already been fully vetted. Unfortunately, an ambiguity in U.S. law does not exempt their bags as well.

U.S. law today requires all baggage entering the United States to be re-screened by a TSA agent, regardless of where it originates. That means that passengers, often on short or late-night layovers, must exit security, claim their bags from baggage claim, recheck them, and go through security again. This double security does not equal double safety. It equals missed flights, more hassles, and it wastes taxpayer dollars.

Therefore, all this bill does is give CBP and TSA the authority to exempt baggage coming from one of those 14 preclearance airports from being re-screened as well. This issue was brought to my attention by TSA, and H.R. 6028 has come together with a great deal of their help.

I would like to also especially thank the staffs of Representatives THOMPSON and SHEILA JACKSON LEE for helping improve upon this bill. With their help, H.R. 6028 has been redrafted to clarify the intent of the bill, which is that baggage originating only from preclearance airports can enter the United States without being re-screened.

As TSA and CBP gravitate toward more efficient risk-based security measures instead of 100 percent blanket checks, this type of bipartisan legislation will make that process easier. It will also save travelers time and allow security officers to focus on higher-risk baggage from overseas locations.

I also want to thank Subcommittee Chairman ROGERS and his staff for their assistance on this bill.

I urge Members to vote in support. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in support of H.R. 6028, the No-Hassle Flying Act of 2012, and yield myself such time as I may consume.

Mr. Speaker, while I support the legislation we are considering today, I'm concerned that on this, the anniversary of the terrorist attack of September 11, we are not considering a bipartisan package of legislation.

On this day, 11 years ago, our country was attacked and came together like never before to face the immense challenges of rebuilding and restructuring our security systems. With the creation of the 9/11 Commission, the Transportation Security Administration and, ultimately, the Department of Homeland Security, we demonstrated that homeland security is an American issue, not a partisan one.

Why then, I must ask, are we not considering a bipartisan package of legislative proposals that have previously received the unanimous support of the Committee on Homeland Security?

Why is this bill, which never received committee consideration, being put on the House floor ahead of H.R. 1165, the Transportation Security Administration Ombudsman Act? That bill, introduced by Representative JACKSON LEE, received the unanimous support of the Committee on Homeland Security. Despite that, it has sat idle on the Union Calendar for over 10 months.

Why are we not considering H.R. 6328, a thoughtful proposal introduced by Representative HOCHUL that would require TSA to transfer unclaimed clothing found at security checkpoints to veterans in need? With the wars in Iraq and Afghanistan that were fought in the aftermath of 9/11 over and coming to an end, respectively, I could think of no more appropriate legislation for this body to consider today than a bill aimed at supporting our veterans.

Mr. Speaker, I support the bill we are considering today because it is a commonsense proposal that will make air travel more convenient for a select few and has the potential to enhance efficiencies. When we can eliminate duplicative screening without compromising security, I will lend my support.

Accordingly, I support this legislation that the Obama administration proposed and the gentleman from Illinois, Representative WALSH introduced.

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

Mr. WALSH of Illinois. Mr. Speaker, I'm prepared to close. I reserve the balance of my time.

Mr. THOMPSON of Mississippi. Mr. Speaker, I yield for as much time as she may consume to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Let me thank the ranking member for his courtesies of extending the time, and let me acknowledge the gentleman from Illinois for the work on this bill and working with my office.

At the first glance, though, this has been proposed by the Obama administration, one would wonder why we were lessening any oversight over baggage. But this is a process that I think is in compliance with all of our commitment to safety and security.

And, in particular, on this day, I do appreciate the fact that there are certain airports which this will cover, that this responds in particular to friends to the north of us, Canada, which has the most sophisticated technology, and a number of other airports.

Also, I think, because of the oversight of the Secretary of Homeland Security, in case there is a need to review this particular process which allows for a bag of an entering person to continue on with them as they come into the country going on to their domestic location. This is, again, an item of trust, but also an item of technology and an item of oversight.

This is an administrative proposal that came by way of the White House in order to establish an administrative process to which the flying public can travel with minimum security disruption.

I always emphasize, however, the importance of ensuring in the most—the highest of responsibilities, the security of this Nation. I believe that we, as Congress, have the responsibility to ensure that aviation security is not compromised through any efforts that ease travel for the flying public.

The Obama administration has taken great strides in enhancing our transportation security, particularly that in aviation. Although Osama bin Laden, as I've repeated before on this floor, is dead, the threat to our aviation safety and security continues to evolve because we're well aware of franchise terrorism. Not only did the administration lead a successful attack to remove one of the most dangerous terrorists in the world, the Obama administration has also taken significant steps to enhance policies that protect the American flying public.

In December, the Department will successfully meet a Congressional cargo screening mandate of screening 100 percent cargo aboard passenger flights traveling in the United States and those inbound to the United States from foreign countries. This is a noteworthy accomplishment, since several in Washington, D.C., touted that it could not be done. It's a day of celebration. It's something that the 9/11 families welcome.

Today marks 11 years since we experienced the devastating loss of life, and 9/11 marked all of our lives by exposing doubts. But as I indicated in my earlier statement, this is a great country, and of course we continue to emphasize not only our democracy, but our rights, along with our security.

There's no doubt today that we are resilient and that we are survivors. Let's not forget the progress we've made in transportation security policies, and we must continue to support measures that take us forward.

That is why I support H.R. 6028 and ask that my colleagues do so, because not only does it help to expedite, it helps to be efficient, but it is in conjunction with security. That is the right step and a collaborative way that we can work together.

Again, I ask support for this legislation.

Mr. Speaker, H.R. 6028, The No-Hassle Flying Act of 2012. grants the Assistant Secretary of Homeland Security (Transportation Security Administration [TSA]) discretion to determine whether checked baggage on a flight or flight segment originating at an airport outside the United States must be re-screened in the United States for explosives before it can continue on any additional flight or flight segment if the baggage has already been screened in the foreign airport in accordance with an aviation security preclearance agreement between the United States and the country in which the airport is located.

TUESDAY, SEPTEMBER 11, 2012

Mr. Speaker, I stand here today in support of this legislation we are considering today.

H.R. 6028 came to this chamber as an administrative proposal by the White House in order to establish an administrative process through which the flying public can travel with minimal security disruption.

I believe that we, as Congress, have the responsibility to ensure that aviation security is not compromised through any efforts that ease travel for the flying public.

The Obama Administration has taken great strides in enhancing our transportation security, particularly that in aviation.

Although Osama bin Laden is dead, the threat to our aviation safety and security continues to evolve. Not only did this Administration lead a successful attack to remove one of the most dangerous terrorists in the world, the Obama Administration has also taken significant steps to enhance policies that protect the American flying public.

In December, the Department will successfully meet a Congressional cargo-screening mandate of screening 100% cargo aboard passenger flights traveling in the United States and those inbound to the United States from foreign countries.

This is a noteworthy accomplishment; since several in Washington, DC touted that this could not be done.

Today marks 11 years since we experienced a devastating loss of life.

9/11 marked all of our lives by surfacing doubts of our resiliency as a Country.

There is no doubt, today, that we are resilient and that we are survivors. Let's not forget the progress we have made in transportation security policies and we must continue to support measures that take us forward and provide a more safe and secure transportation for all Americans.

That is why I support H.R. 6028 and ask that my colleagues do the same.

□ 1700

Mr. THOMPSON of Mississippi. Mr. Speaker, I have no more speakers. If the gentleman from Illinois has no more speakers, then I am prepared to close.

Mr. WALSH of Illinois. I have no more speakers.

Mr. THOMPSON of Mississippi. I yield myself such time as I may consume.

Mr. Speaker, on this day above all others, we turn our thoughts to those who were lost in the tragic events of 9/11. It is unfortunate that the House has missed the opportunity today to consider noncontroversial Homeland Security legislation introduced by both Democrats and Republicans, thus showing that on 9/11 we put partisan politics aside and focused on doing the right thing.

Before closing, I would like to extend my congratulations to the gentleman from Illinois, Representative WALSH, for having bills on the floor for consideration for the first time today. I suspect that he is as surprised as I am that one of his first bills to reach the floor was proposed to Congress by the Obama administration.

With that, Mr. Speaker, I urge the passage of this proposal from the Obama administration, and I yield back the balance of my time.

Mr. WALSH of Illinois. I thank the ranking member.

I urge all Members, Mr. Speaker, to join me in support of this bipartisan bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. WALSH) that the House suspend the rules and pass the bill, H.R. 6028, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

HAZARDOUS WASTE ELECTRONIC MANIFEST ESTABLISHMENT ACT

Mr. MURPHY of Pennsylvania. Mr. Speaker, I move to suspend the rules and pass the bill (S. 710) to amend the Solid Waste Disposal Act to direct the Administrator of the Environmental Protection Agency to establish a hazardous waste electronic manifest system, as amended.

The Clerk read the title of the bill.

The text of the amendment is as follows:

Strike out all after the enacting clause and insert:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Hazardous Waste Electronic Manifest Establishment Act''.

SEC. 2. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

(a) IN GENERAL.—Subtitle C of the Solid Waste Disposal Act (42 U.S.C. 6921 et seq.) is amended by adding at the end the following:

''SEC. 3024. HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM.

''(a) DEFINITIONS.—In this section:

''(1) BOARD.—The term 'Board' means the Hazardous Waste Electronic Manifest System Advisory Board established under subsection (f).

''(2) FUND.—The term 'Fund' means the Hazardous Waste Electronic Manifest System Fund established by subsection (d).

''(3) PERSON.—The term 'person' includes an individual, corporation (including a Government corporation), company, association, firm, partnership, society, joint stock company, trust, municipality, commission, Federal agency, State, political subdivision of a State, or interstate body.

''(4) SYSTEM.—The term 'system' means the hazardous waste electronic manifest system established under subsection (b).

''(5) USER.—The term 'user' means a hazardous waste generator, a hazardous waste transporter, an owner or operator of a hazardous waste treatment, storage, recycling, or disposal facility, or any other person that—

''(A) is required to use a manifest to comply with any Federal or State requirement to track the shipment, transportation, and receipt of hazardous waste or other material that is shipped from the site of generation to an off-site facility for treatment, storage, disposal, or recycling; and

''(B)(i) elects to use the system to complete and transmit an electronic manifest format; or

''(ii) submits to the system for data processing purposes a paper copy of the manifest (or data from such a paper copy), in accordance with such regulations as the Administrator may promulgate to require such a submission.

''(b) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a hazardous waste electronic manifest system that may be used by any user.

''(c) USER FEES.—

''(1) IN GENERAL.—In accordance with paragraph (4), the Administrator may impose on users such reasonable service fees as the Administrator determines to be necessary to pay costs incurred in developing, operating, maintaining, and upgrading the system, including any costs incurred in collecting and processing data from any paper manifest submitted to the system after the date on which the system enters operation.

''(2) COLLECTION OF FEES.—The Administrator shall—

''(A) collect the fees described in paragraph (1) from the users in advance of, or as reimbursement for, the provision by the Administrator of system-related services; and

''(B) deposit the fees in the Fund.

''(3) FEE STRUCTURE.—

''(A) IN GENERAL.—The Administrator, in consultation with information technology vendors, shall determine through the contract award process described in subsection (e) the fee structure that is necessary to recover the full cost to the Administrator of providing system-related services, including—

''(i) contractor costs relating to—

''(I) materials and supplies;

''(II) contracting and consulting;

''(III) overhead;

''(IV) information technology (including costs of hardware, software, and related services);

''(V) information management;

''(VI) collection of service fees;

''(VII) reporting and accounting; and

''(VIII) project management; and

''(ii) costs of employment of direct and indirect Government personnel dedicated to establishing, managing, and maintaining the system.

''(B) ADJUSTMENTS IN FEE AMOUNT.—

''(i) IN GENERAL.—The Administrator, in consultation with the Board, shall increase or decrease the amount of a service fee determined under the fee structure described in subparagraph (A) to a level that will—

''(I) result in the collection of an aggregate amount for deposit in the Fund that is sufficient and not more than reasonably necessary to cover current and projected system-related costs (including any necessary system upgrades); and

''(II) minimize, to the maximum extent practicable, the accumulation of unused amounts in the Fund.

''(ii) EXCEPTION FOR INITIAL PERIOD OF OPERATION.—The requirement described in clause (i)(II) shall not apply to any additional fees that accumulate in the Fund, in an amount that does not exceed $2,000,000, during the 3-year period beginning on the date on which the system enters operation.

''(iii) TIMING OF ADJUSTMENTS.—Adjustments to service fees described in clause (i) shall be made—

''(I) initially, at the time at which initial development costs of the system have been recovered by the Administrator such that the service fee may be reduced to reflect the elimination of the system development component of the fee; and

''(II) periodically thereafter, upon receipt and acceptance of the findings of any annual accounting or auditing report under subsection (d)(3), if the report discloses a significant disparity for a fiscal year between the funds collected from service fees under this subsection for the fiscal year and expenditures made for the fiscal year to provide system-related services.

''(4) CREDITING AND AVAILABILITY OF FEES.—Fees authorized under this section shall be collected and available for obligation only to the extent and in the amount provided in advance in appropriations Acts.

''(d) HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM FUND.—

''(1) ESTABLISHMENT.—There is established in the Treasury of the United States a revolving fund, to be known as the 'Hazardous Waste Electronic Manifest System Fund', consisting of such amounts as are deposited in the Fund under subsection (c)(2)(B).

''(2) EXPENDITURES FROM FUND.—

''(A) IN GENERAL.—Only to the extent provided in advance in appropriations Acts, on request by the Administrator, the Secretary of the Treasury shall transfer from the Fund to the Administrator amounts appropriated to pay costs incurred in developing, operating, maintaining, and upgrading the system under subsection (c).

''(B) USE OF FUNDS BY ADMINISTRATOR.—Fees collected by the Administrator and deposited in the Fund under this section shall be available to the Administrator subject to appropriations Acts for use in accordance with this section without fiscal year limitation.

''(C) OVERSIGHT OF FUNDS.—The Administrator shall carry out all necessary measures to ensure that amounts in the Fund are used only to carry out the goals of establishing, operating, maintaining, upgrading, managing, supporting, and overseeing the system.

''(3) ACCOUNTING AND AUDITING.—

''(A) ACCOUNTING.—For each 2-fiscal-year period, the Administrator shall prepare and submit to the Committee on Environment and Public Works and the Committee on Appropriations of the Senate and the Committee on Energy and Commerce and the Committee on Appropriations

of the House of Representatives a report that includes—

''(i) an accounting of the fees paid to the Administrator under subsection (c) and disbursed from the Fund for the period covered by the report, as reflected by financial statements provided in accordance with—

''(I) the Chief Financial Officers Act of 1990 (Public Law 101–576; 104 Stat. 2838) and amendments made by that Act; and

''(II) the Government Management Reform Act of 1994 (Public Law 103–356; 108 Stat. 3410) and amendments made by that Act; and

''(ii) an accounting describing actual expenditures from the Fund for the period covered by the report for costs described in subsection (c)(1).

''(B) AUDITING.—

''(i) IN GENERAL.—For the purpose of section 3515(c) of title 31, United States Code, the Fund shall be considered a component of an Executive agency.

''(ii) COMPONENTS OF AUDIT.—The annual audit required in accordance with sections 3515(b) and 3521 of title 31, United States Code, of the financial statements of activities carried out using amounts from the Fund shall include an analysis of—

''(I) the fees collected and disbursed under this section;

''(II) the reasonableness of the fee structure in place as of the date of the audit to meet current and projected costs of the system;

''(III) the level of use of the system by users; and

''(IV) the success to date of the system in operating on a self-sustaining basis and improving the efficiency of tracking waste shipments and transmitting waste shipment data.

''(iii) FEDERAL RESPONSIBILITY.—The Inspector General of the Environmental Protection Agency shall—

''(I) conduct the annual audit described in clause (ii); and

''(II) submit to the Administrator a report that describes the findings and recommendations of the Inspector General resulting from the audit.

''(e) CONTRACTS.—

''(1) AUTHORITY TO ENTER INTO CONTRACTS FUNDED BY SERVICE FEES.—After consultation with the Secretary of Transportation, the Administrator may enter into 1 or more information technology contracts with entities determined to be appropriate by the Administrator (referred to in this subsection as 'contractors') for the provision of system-related services.

''(2) TERM OF CONTRACT.—A contract awarded under this subsection shall have a term of not more than 10 years.

''(3) ACHIEVEMENT OF GOALS.—The Administrator shall ensure, to the maximum extent practicable, that a contract awarded under this subsection—

''(A) is performance-based;

''(B) identifies objective outcomes; and

''(C) contains performance standards that may be used to measure achievement and goals to evaluate the success of a contractor in performing under the contract and the right of the contractor to payment for services under the contract, taking into consideration that a primary measure of successful performance shall be the development of a hazardous waste electronic manifest system that—

''(i) meets the needs of the user community (including States that rely on data contained in manifests);

''(ii) attracts sufficient user participation and service fee revenues to ensure the viability of the system;

''(iii) decreases the administrative burden on the user community; and

''(iv) provides the waste receipt data applicable to the biennial reports required by section 3002(a)(6).

''(4) PAYMENT STRUCTURE.—Each contract awarded under this subsection shall include a provision that specifies—

''(A) the service fee structure of the contractor that will form the basis for payments to the contractor; and

''(B) the fixed-share ratio of monthly service fee revenues from which the Administrator shall reimburse the contractor for system-related development, operation, and maintenance costs.

''(5) CANCELLATION AND TERMINATION.—

''(A) IN GENERAL.—If the Administrator determines that sufficient funds are not made available for the continuation in a subsequent fiscal year of a contract entered into under this subsection, the Administrator may cancel or terminate the contract.

''(B) NEGOTIATION OF AMOUNTS.—The amount payable in the event of cancellation or termination of a contract entered into under this subsection shall be negotiated with the contractor at the time at which the contract is awarded.

''(6) NO EFFECT ON OWNERSHIP.—Regardless of whether the Administrator enters into a contract under this subsection, the system shall be owned by the Federal Government.

''(f) HAZARDOUS WASTE ELECTRONIC MANIFEST SYSTEM ADVISORY BOARD.—

''(1) ESTABLISHMENT.—Not later than 3 years after the date of enactment of this section, the Administrator shall establish a board to be known as the 'Hazardous Waste Electronic Manifest System Advisory Board'.

''(2) COMPOSITION.—The Board shall be composed of 9 members, of which—

''(A) 1 member shall be the Administrator (or a designee), who shall serve as Chairperson of the Board; and

''(B) 8 members shall be individuals appointed by the Administrator—

''(i) at least 2 of whom shall have expertise in information technology;

''(ii) at least 3 of whom shall have experience in using or represent users of the manifest system to track the transportation of hazardous waste under this subtitle (or an equivalent State program); and

''(iii) at least 3 of whom shall be a State representative responsible for processing those manifests.

''(3) DUTIES.—The Board shall meet annually to discuss, evaluate the effectiveness of, and provide recommendations to the Administrator relating to, the system.

''(g) REGULATIONS.—

''(1) PROMULGATION.—

''(A) IN GENERAL.—Not later than 1 year after the date of enactment of this section, after consultation with the Secretary of Transportation, the Administrator shall promulgate regulations to carry out this section.

''(B) INCLUSIONS.—The regulations promulgated pursuant to subparagraph (A) may include such requirements as the Administrator determines to be necessary to facilitate the transition from the use of paper manifests to the use of electronic manifests, or to accommodate the processing of data from paper manifests in the electronic manifest system, including a requirement that users of paper manifests submit to the system copies of the paper manifests for data processing purposes.

''(C) REQUIREMENTS.—The regulations promulgated pursuant to subparagraph (A) shall ensure that each electronic manifest provides, to the same extent as paper manifests under applicable Federal and State law, for—

''(i) the ability to track and maintain legal accountability of—

''(I) the person that certifies that the information provided in the manifest is accurately described; and

''(II) the person that acknowledges receipt of the manifest;

''(ii) if the manifest is electronically submitted, State authority to access paper printout copies of the manifest from the system; and

''(iii) access to all publicly available information contained in the manifest.

''(2) EFFECTIVE DATE OF REGULATIONS.—Any regulation promulgated by the Administrator under paragraph (1) and in accordance with section 3003 relating to electronic manifesting of hazardous waste shall take effect in each State as of the effective date specified in the regulation.

''(3) ADMINISTRATION.—The Administrator shall carry out regulations promulgated under this subsection in each State unless the State program is fully authorized to carry out such regulations in lieu of the Administrator.

''(h) REQUIREMENT OF COMPLIANCE WITH RESPECT TO CERTAIN STATES.—In any case in which the State in which waste is generated, or the State in which waste will be transported to a designated facility, requires that the waste be tracked through a hazardous waste manifest, the designated facility that receives the waste shall, regardless of the State in which the facility is located—

''(1) complete the facility portion of the applicable manifest;

''(2) sign and date the facility certification; and

''(3) submit to the system a final copy of the manifest for data processing purposes.

''(i) AUTHORIZATION FOR START-UP ACTIVITIES.—There are authorized to be appropriated $2,000,000 for each of fiscal years 2013 through 2015 for start-up activities to carry out this section, to be offset by collection of user fees under subsection (c) such that all such appropriated funds are offset by fees as provided in subsection (c).''.

(b) CONFORMING AMENDMENT.—The table of contents of the Solid Waste Disposal Act (42 U.S.C. 6901) is amended by inserting at the end of the items relating to subtitle C the following:

''Sec. 3024. Hazardous waste electronic manifest system.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. MURPHY) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on S. 710.

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

There was no objection.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

The enactment of S. 710 will enable the EPA to employ current technology to sharply reduce paperwork regulatory requirements at the same time it makes crucial information more accessible for States, first responders, and the public.

When people create hazardous waste, we require them to carefully track the movement and disposition. That way we know that, when a drum full of some hazardous waste is removed from a factory, the same amount winds up where it belongs—in a proper disposal facility—and that none of it is tossed into a sewer or a vacant lot. But for years, guaranteeing this actually happened meant keeping up with the reporting requirement—filling out multiple copies of paper forms and mailing them to the EPA and State officials, as

well as keeping paper copies at each place of business.

The inefficiency of this system in today's electronic business-to-business world certainly stands out to anyone. In fact, we learned of a case when first responders arrived at the scene of a chemical plant fire and they needed to know what substances were inside the plant before they started fighting the fire. In the whole city, the only copies of the forms identifying the hazardous waste were inside the building and were consumed in the fire. Now, there has got to be a better way.

With an electronic system, instead of filling out long forms and mailing them, the critically needed data, with a few computer key strokes, can be sent wherever it is needed. State regulators, first responders, and others will be able to pull it up on their computers and track the materials in real time. The changeover will not only save millions of dollars for regulated businesses, but quite frankly, it will save lives. So, even though the e-manifest system in S. 710 is funded by user fees, I want to note it will not be a burden on small businesses. Users pay only when and to the extent they file manifests. Otherwise, the new system will work like the old paper system, where the process to identify discrepancies in shipments is preserved.

Mr. Speaker, S. 710 was a good bill when it arrived here from the other body, but we made it better. First, we converted it from so-called ''mandatory'' spending to ''discretionary.'' That will allow our colleagues on the Appropriations Committees an annual chance to review the program and make sure that money collected from users and money spent on the system is only enough to get the job done. Next, in working with our friends from the Committee on Transportation and Infrastructure, we added language to help the EPA harmonize its changeover to electronic filing with the Department of Transportation. The DOT also has its own requirements for handling and reporting hazardous materials, and we want the agencies to talk to each other and their computers to speak the same language.

So, Mr. Speaker, I urge the House to send S. 710, as amended, back to the other body, where we expect it to be approved without further amendment so that the President can sign it into law.

I reserve the balance of my time.

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

I rise in strong support of the Hazardous Waste Electronic Manifest Establishment Act, as amended by the Energy and Commerce Committee. This legislation will establish a centralized, Federal electronic manifest system for tracking hazardous waste for both the Federal Government and the States, and will pay for it through the collection of user fees.

Protecting the public from hazardous waste is certainly a critical mission of the Department of Transportation and the EPA. Both departments, in coordination with industry and State agencies, have been vigilant in the treatment and transport of hazardous waste because of the safeguards established by the hazardous waste manifest system. Paper manifests provide shipping information to help with the tracking of potentially dangerous materials and information about the contents of each shipment for emergency responders.

The requirements of the current system were established over 30 years ago. Since 2001, the EPA has proposed a nearly paperless manifest system, which would reduce the financial burden of paperwork on States and the industry. EPA Administrator Lisa Jackson described the adoption of an electronic system for manifests as ''an investment in modernizing the system that will pay off in efficiency later.'' That is why this legislation has wide support from hazardous waste generators, shippers, and processors, in that it reduces administrative and paperwork burdens.

The Congressional Budget Office estimates that this program will yield net annual savings for industry and the States of over $100 million per year. The CBO also estimates that about 114,000 shippers would use this new system in the year 2016, with shipping users almost doubling in later years to 227,000.

Environmental groups also support this legislation because it will lead to ''reductions in regulatory burden while simultaneously increasing the timeliness and availability of hazardous waste data'' and ''better protecting our environment.'' Those are their quotes.

I think the gentleman from Pennsylvania made reference to this a moment ago. In 2006, a fire erupted at a hazardous waste disposal facility in my home State of North Carolina. When first responders arrived on the scene, they could not access information about the hazardous chemicals inside of the facility because the paper manifests were inside the building that was burning.

We should bring this system, Mr. Speaker, into the 21st century. Technology has advanced. We all know that. There has been such advancement in technology over the last 32 years, and we should no longer be relying on carbon copies to track potentially dangerous shipments. Today's proposed legislation also maintains flexibility for small businesses by making participation in the electronic reporting program voluntary. It's not compulsory. It is a voluntary proposal. So, if any firm chooses, it can still use paper-based reporting methods.

As it passed the Senate, S. 710 embodied concepts that are widely supported, but it carried significant costs and direct spending, and deviated from the common practice of making the collection and utilization of user fees subject to appropriation.

□ 1710

But Chairman SHIMKUS worked closely with the Democratic members of the Environment and Economy Subcommittee to craft a substitute bill that addresses concerns while preserving the benefits of the legislation. The bill passed out of our subcommittee and the full Energy and Commerce Committee on voice votes with strong bipartisan support. I believe, Mr. Speaker, it has a high likelihood of being accepted by the Senate and the President. We will certainly give them that opportunity. I urge my colleagues to support this bill so we can finally see this significant improvement signed into law.

I want to thank Mr. MURPHY and all of the other Members who worked to expedite this legislation and get it to the floor today. I'm going to ask my colleagues to join with us in passing this bill.

With that said, Mr. Speaker, I reserve the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I have no more speakers on this bill, and I'm prepared to close if the gentleman from North Carolina is prepared to close, as well.

Mr. BUTTERFIELD. I don't have any more speakers, and I too am prepared to close.

Mr. Speaker, as the final speaker, I yield myself such time as I may consume.

Mr. Speaker, let me again thank Mr. MURPHY, the gentleman from Pennsylvania, and Mr. SHIMKUS, and the chair and the ranking member of all the committees of jurisdiction for their extraordinary work on this bill.

This is a critical piece of legislation. All of the stakeholders who are involved in disposing of chemicals and shipping chemicals are all in agreement that this is necessary. In fact, the time has passed that we pass this type of legislation. We live in a new age of technology now, so there's no excuse for us not automating these procedures. This bill today enables that to happen.

I want to thank all of my colleagues on both sides of the aisle for their spirit of bipartisanship in getting this to the floor. I ask my colleagues to please vote ''yes'' on this important legislation.

With that, I yield back the balance of my time.

Mr. MURPHY of Pennsylvania. Mr. Speaker, I ask that all Members support this bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. MURPHY) that the House suspend the rules and pass the bill, S. 710, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

U.S. SAFE WEB ACT OF 2006 EXTENSION ACT

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 6131) to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6131

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

SECTION 1. EXTENSION OF THE U.S. SAFE WEB ACT OF 2006.

Section 13 of the U.S. SAFE WEB Act of 2006 (Public Law 109–455; 15 U.S.C. 44 note) is amended to read as follows:

"SEC. 13. SUNSET.

''Effective September 30, 2020, this Act, and the amendments made by this Act, are repealed, and any provision of law amended by this Act shall be amended to read as if this Act had not been enacted into law.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. 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 on H.R. 6131.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as chairman of the House Subcommittee on Commerce, Manufacturing and Trade, I rise today in strong support of H.R. 6131, a bill to reauthorize the U.S. SAFE Web Act of 2006.

I would like to thank Energy and Commerce Committee Chairman UPTON for his leadership on this important issue, as well as Ranking Member WAXMAN. But a special thank you also goes out to my good friend and lead coauthor of H.R. 6131, our subcommittee's ranking member, Mr. BUTTERFIELD of North Carolina, for his strong bipartisan support.

When it comes to the future of electronic commerce, consumer trust and online privacy are trending topics that Americans care very deeply about. Today, the Internet serves billions of users worldwide with e-commerce in the U.S. topping $200 billion last year for the first time and up a remarkable 15 percent so far this year. But lurking online are hackers, cyberthieves, and even organized crime rings.

As someone who is deeply involved in online privacy issues, as well as consumer protection, I'm very concerned that e-commerce will cease to grow and flourish if Americans lose faith in their ability to be protected from online predators, jeopardizing future innovation, as well as our Nation's fragile economic recovery.

One important tool in combating crossborder fraud, spam, and spyware is this act, which is set to expire next year. H.R. 6131 reauthorizes important crime-fighting and consumer protection law for another 7 years.

By any measure, the U.S. SAFE Web Act has been extremely effective, allowing the Federal Trade Commission to better protect U.S. consumers from fraud, deception, spam and spyware, and crossborder cases involving threats originating both domestically and abroad. And to give you an idea of just how well it's working, no opposition to reauthorizing the law has been expressed from either the business community or by advocacy groups.

Most importantly, the U.S. SAFE Web Act enhances the FTC's investigative and enforcement functions by authorizing information sharing with foreign enforcement agencies, something the commission may not do without express authorization. The act only allows information sharing with countries whose law on data sharing is substantially similar to that governing the FTC, and the FTC may share data only under conditions where the information will be treated confidentially and a country will reciprocate information sharing with the FTC. Clearly, we would be fighting an uphill battle if these critically important consumer protections were not in place.

About a decade ago, the Federal Trade Commission began to highlight the growing problems that it encountered in effectively combating Internet scams and fraud directed at American citizens by foreign operators, oftentimes involving organized crime rings. By 2005, an estimated 20 percent of consumer complaints the FTC received involved fraud originating outside of the U.S., costing American consumers hundreds of millions of dollars each year.

In order to expand its ability to effectively fight online fraud, the FTC sent Congress legislative recommendations in 2005 seeking additional authorities. Without objection, Congress passed the U.S. SAFE Web Act on December 6, 2006, and it was signed into law 2 weeks later by President Bush. For American consumers, the U.S. SAFE Web Act has been a clear success to date, and it should be reauthorized before its expiration next year.

Mr. Speaker, I strongly urge the passage of H.R. 6131, and I reserve the balance of my time.

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

Mr. Speaker, I rise today in strong support of H.R. 6131, a bill that will reauthorize certain powers granted to the Federal Trade Commission under the U.S. SAFE Web Act that are set to expire very soon.

Congresswoman BONO MACK, the chair of the Commerce, Manufacturing and Trade Subcommittee of Energy and Commerce and I and our staffs worked together in a bipartisan manner to quickly get this very important reauthorization language out of the committee and onto the House floor.

When the bill was first authored in the 109th Congress, it was overwhelmingly supported by both Republicans and Democrats and passed the House under suspension of the rules. So I am happy to see that this reauthorization is proceeding in much the same way.

This law provides the Federal Trade Commission with expanded and enhanced authorities with the aim of combating crossborder spyware and spam attacks against the U.S., as well as helping protect consumers from phony Internet rip-offs and telemarketing scams. The enhanced authority has empowered the FTC to better protect American consumers through robust crossborder information sharing, investigative assistance, and coalition building with foreign consumer protection agencies.

In a 2009 report to Congress, the FTC noted the significant role the act has played in facilitating crossborder cooperation in investigations and enforcement proceedings, along with the growing need for continued cooperation to combat new and existing global fraud. Simply put, Mr. Speaker, the expanded authorities are working to protect the American people, and Congress needs to make sure they remain in place so the Federal Trade Commission can effectively combat crossborder scams.

The original SAFE Web Act passed in the 109th Congress included a sunset provision that will cause these enhanced authorities to expire in December of next year. H.R. 6131 will extend these authorities to September of the year 2020.

Mr. Speaker, I am a strong supporter of granting the FTC the powers it needs to effectively protect consumers against fraud, whether originating here or abroad.

□ 1720

So I joined my good friend, Congresswoman BONO MACK, in pushing the 7-year extension in this bill. It is important to highlight that each and every FTC Commissioner, all of them, of both political parties, have called for a permanent reauthorization.

I joined with the FTC in calling for the sunset clause in the U.S. SAFE WEB Act to be completely repealed, and it is still, it is still my opinion and the opinion of several in our committee that this is a better approach.

Nonetheless, Mr. Speaker, both parties can agree, and the FTC's enforcement record shows, that this has been a successful law, so we should not delay. We should not delay or disrupt the FTC's ability to protect the American people from those who want to take advantage of them. I hope my colleagues will agree with us and will join with us in supporting this measure.

Again, I want to thank the gentlelady from California for her friendship and her leadership on the committee. You have just been extraordinary. I also want to thank the chairman of the full committee, Mr. UPTON, the gentleman from Michigan, as well as my ranking member, Mr. WAXMAN, from California. All of us, all of us have worked together so diligently to make this happen, and I thank you so very much.

I will close by simply reiterating what I have said the last 3 or 4 minutes. This is a good bill. We have bipartisan support for this bill. It has been expedited to the House floor. I ask my colleagues to join with us and get it passed, and let's get it enacted into law.

I yield back the balance of my time.

Mrs. BONO MACK. Mr. Speaker, in closing, I just would like to say that today, with nearly 1.5 billion credit cards now in use in the U.S., nearly everyone has a stake in making certain that the FTC has the powers that it needs to combat cross-border fraud, spam, and spyware.

Rather than give the FTC more power, the U.S. SAFE WEB Act is simply giving the FTC the tools it needs to carry out its mission more effectively; and it's done so without increasing the cost to American taxpayers, without any new rulemaking, and without any new investigative authority. Reauthorizing the U.S. SAFE WEB Act as soon as possible will avoid disrupting ongoing investigations, allowing the FTC to continue to pursue cross-border fraud complaints and to continue important information-sharing agreements with foreign law enforcement agencies.

Again, let me just emphasize that this is a critically important consumer protection bill, it enjoys broad bipartisan support, it doesn't cost any additional money, and the clock is ticking. The law needs to be reauthorized now.

It's good for American consumers, and it's good for the future of e-commerce. It sends an important signal to the rest of the world that online crooks, no matter where they're located, will be tracked down and prosecuted.

Mr. Speaker, I urge the adoption of H.R. 6131, and I yield back the balance of my time.

Mr. STEARNS. Mr. Speaker, in 2006 when the original SAFE WEB Act was signed into law, I was Chairman of the Energy and Commerce Committee's Subcommittee on Commerce, Trade, and Consumer Protection. I believed then, as I believe now, that this bill provided needed authority to the Federal Trade Commission to address cross border fraud.

Essentially, the SAFE WEB Act ensures that the FTC can effectively combat Internet scams and fraud being perpetrated against U.S. citizens by foreign operators. Throughout my tenure in Congress I have worked to pass strong data security and cyber protections for consumers, and the SAFE WEB Act directly correlates with this mission.

Without reauthorization, the Act and its grant of authorities to the FTC will expire on December 22, 2013. I appreciate Chairman BONO MACK's attention to this issue and focus on reauthorizing this bill before it expires. Delay in reauthorization could threaten the strong relationships the FTC has been able to build with foreign countries, such as Canada, these past six years.

I am also pleased to see that while today's bill will extend the SAFE WEB Act for an additional seven years, it also makes clear that the law will sunset if not again reauthorized. While I applaud what the FTC has done so far, I support sun-setting laws that provide independent agencies with new authorities. Such action guards against bureaucratic overreach and preserves important Congressional oversight.

In conclusion, I believe this is an important bill and I encourage all my colleagues to support this bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 6131.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

AMERICAN MANUFACTURING COMPETITIVENESS ACT OF 2012

Mrs. BONO MACK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5865) to promote the growth and competitiveness of American manufacturing, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5865

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 ''American Manufacturing Competitiveness Act of 2012''.

SEC. 2. NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY.

Not later than June 1, 2014, and June 1, 2018, the President shall submit to Congress, and publish on a public website, a strategy to promote growth, sustainability, and competitiveness in the Nation's manufacturing sector, create well-paid, stable jobs, enable innovation and investment, and support national security.

SEC. 3. MANUFACTURING COMPETITIVENESS BOARD.

(a) IN GENERAL.—On the first day of each of the two Presidential terms following the date of enactment of this Act, there is established within the Department of Commerce an American Manufacturing Competitiveness Board.

(b) MEMBERS.—Members of the Board shall be appointed as follows:

(1) PUBLIC SECTOR MEMBERS.—The President shall appoint to the Board—

(A) the Secretary of Commerce;

(B) Governors of two States, from different political parties, after consulting with the National Governors Association; and

(C) two other members who are current or former officials of the executive branch of government.

(2) PRIVATE SECTOR MEMBERS.—

(A) CRITERIA.—Ten individuals from the private sector shall be appointed to the Board in accordance with subparagraph (B) from among individuals with experience in the areas of—

(i) managing manufacturing companies, including businesses with fewer than 100 employees;

(ii) managing supply chain providers;

(iii) managing labor organizations;

(iv) workforce development;

(v) finance;

(vi) analyzing manufacturing policy and competitiveness;

(vii) conducting manufacturing-related research and development; and

(viii) the defense industrial base.

(B) APPOINTMENT.—The Speaker of the House of Representatives and the majority leader of the Senate shall each appoint 3 members to the Board. The minority leader of the House of Representatives and the minority leader of the Senate shall each appoint 2 members to the Board.

(c) TERMINATION.—The Board shall terminate 60 days after submitting its final report pursuant to section 4(c)(3).

(d) CO-CHAIRMEN.—The co-chairmen of the Board shall be the Secretary of Commerce (or the designee of the Secretary) and a member elected by the private sector members of the Board appointed pursuant to subsection (b)(2).

(e) SUBGROUPS.—The Board may convene subgroups to address particular industries, policy topics, or other matters and to take advantage of the expertise of other individuals and entities in matters to be addressed by the Board. Such subgroups may include members representing any of the following:

(1) Other Federal agencies, as the co-chairmen determine appropriate.

(2) State, tribal, and local governments.

(3) The private sector.

(f) QUORUM.—Ten members of the Board shall constitute a quorum for the transaction of business but a lesser number may hold hearings with the agreement of the co-chairmen.

(g) MEETINGS AND HEARINGS.—

(1) TIMING AND FREQUENCY OF MEETINGS.—The Board shall meet at the call of the co-chairmen, and not fewer than 2 times.

(2) PUBLIC HEARINGS REQUIRED.—The Board shall convene public hearings to solicit views on the Nation's manufacturing sector and recommendations for the national manufacturing competitiveness strategy.

(3) LOCATIONS OF PUBLIC HEARINGS.—The locations of public hearings convened under paragraph (2) shall ensure the inclusion of multiple regions and industries of the manufacturing sector.

(h) APPLICATION OF FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.), other than section 14 of such Act, shall apply to the Board, including any subgroups established pursuant to subsection (e).

SEC. 4. DUTIES OF THE BOARD.

(a) IN GENERAL.—The Board shall—

(1) advise the President on issues affecting the Nation's manufacturing sector;

(2) conduct a comprehensive analysis in accordance with subsection (b); and

(3) develop a national manufacturing competitiveness strategy in accordance with subsection (c).

(b) COMPREHENSIVE ANALYSIS.—In developing a national manufacturing competitiveness strategy under subsection (c), the Board shall conduct a comprehensive analysis of the Nation's manufacturing sector, taking into consideration analyses, data, and other information previously compiled, as well as relevant reports, plans, or recommendations issued by Federal agencies, Federal advisory boards, and the private sector. Such analysis shall, to the extent feasible, address—

(1) the value and role of manufacturing in the Nation's economy, security, and global leadership;

(2) the current domestic and international environment for the Nation's manufacturing sector, and any subsector identified by the Board as warranting special study for competitiveness or for comparison purposes;

(3) Federal, State, tribal, and local policies, programs, and conditions that affect manufacturing;

(4) a summary of the manufacturing policies and strategies of the Nation's 10 largest trading partners, to the extent known;

(5) new, emerging, or evolving markets, technologies, and products for which the Nation's manufacturers could compete;

(6) the identification of redundant or ineffective government programs related to manufacturing, as well as any programs that have improved manufacturing competitiveness;

(7) the short- and long-term forecasts for the Nation's manufacturing sector, and forecasts of expected national and international trends and factors likely to affect such sector in the future;

(8) the manner in which Federal agencies share information and views with respect to the effects of proposed or active regulations or other executive actions on the Nation's manufacturing sector and its workforce;

(9) the recommendations of the Department of Commerce Manufacturing Council, whether such recommendations have been implemented, and the effect of such recommendations; and

(10) any other matters affecting the growth, stability, and sustainability of the Nation's manufacturing sector or the competitiveness of the Nation's manufacturing environment, particularly relative to that of other nations, including—

(A) workforce skills, gaps, and development;

(B) productivity and the extent to which national economic statistics related to manufacturing accurately measure manufacturing output and productivity growth;

(C) trade policy and balance;

(D) energy policy, forecasts, and developments;

(E) expenditures on basic and applied research related to manufacturing technology;

(F) programs to help small and mid-sized manufacturers become more competitive;

(G) the impact of Federal statutes and regulations;

(H) the impact of domestic and international monetary policy;

(I) the impact of taxation;

(J) financing and investment, including challenges associated with commercialization and scaling up of production;

(K) research and development;

(L) job creation and employment disparities;

(M) levels of domestic production;

(N) adequacy of the industrial base for maintaining national security;

(O) protections for intellectual property and the related policies, procedures, and law on technology transfer; and

(P) customs enforcement and counterfeiting.

(c) NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY.—

(1) DEVELOPMENT.—The Board shall develop a national manufacturing competitiveness strategy, based on—

(A) the results of the comprehensive analysis conducted under subsection (b); and

(B) any other information, studies, or perspectives that the Board determines to be appropriate.

(2) GOALS AND RECOMMENDATIONS.—

(A) GOALS.—The Board shall include in the national manufacturing competitiveness strategy short- and long-term goals for improving the competitiveness conditions of the Nation's manufacturing environment, taking into account the matters addressed in the comprehensive analysis conducted under subsection (b).

(B) RECOMMENDATIONS.—The Board shall include in the national manufacturing competitiveness strategy recommendations for achieving the goals provided under subparagraph (A). Such recommendations may propose—

(i) actions to improve manufacturing competitiveness to be taken by the President, Congress, State and local governments, and the private sector;

(ii) actions to improve government policies and coordination among entities developing such policies;

(iii) the consolidation or elimination of government programs;

(iv) actions to improve government interaction with the manufacturing sector and communication regarding the effects of proposed or active government regulations or other executive actions on the manufacturing sector and its workforce;

(v) the reform or elimination of regulations that place the United States manufacturing sector at a disadvantage relative to other nations; and

(vi) actions to reduce business uncertainty, including, where appropriate, finalization of regulations applicable to manufacturers.

(3) REPORT.—

(A) DRAFT.—Not later than 150 days before the date on which the President is required to submit to Congress a report containing a national manufacturing competitiveness strategy under section 2, the Board shall publish in the Federal Register and on a public website a draft report containing a national manufacturing competitiveness strategy. At the same time, the Board shall make available to the public the comprehensive analysis required by subsection (b) and any underlying data or materials necessary to an understanding of the conclusions reached.

(B) PUBLIC COMMENT; REVIEW AND REVISION.—A draft report published under subparagraph (A) shall remain available for public comment for a period of not less than 30 days from the date of publication. The Board shall review any comments received regarding such draft report and may revise the draft report based upon those comments.

(C) PUBLICATION.—Not later than 60 days before the date on which the President is required to submit to Congress a report containing a national manufacturing competitiveness strategy under section 2, the Board shall submit to the President for review and revision a final report containing a national manufacturing competitiveness strategy, and shall publish such final report on a public website.

(D) CONTENTS OF REPORT.—The final report submitted under subparagraph (C) shall, to the extent feasible, include—

(i) an estimate of the short- and long-term Federal Government outlays and revenue changes necessary to implement the national manufacturing competitiveness strategy and an estimate of savings that may be derived from implementation of the national manufacturing competitiveness strategy;

(ii) a detailed explanation of the methods and analysis used to determine the estimates included under clause (i);

(iii) recommendations regarding how to pay for the cost of implementation estimated under clause (i); and

(iv) a plan for how the recommendations included in the report will be implemented and who is or should be responsible for the implementation.

(d) CONSULTATION; NONDUPLICATION OF EFFORTS.—The Board shall consult with and not duplicate the efforts of the Defense Science Board, the President's Council of Advisors on Science and Technology, the Manufacturing Council established by the Department of Commerce, the Economic Security Commission, the Labor Advisory Committee for Trade Negotiations and Trade Policy, and other relevant governmental entities conducting any activities related to manufacturing.

SEC. 5. REQUIREMENT TO CONSIDER NATIONAL MANUFACTURING COMPETITIVENESS STRATEGY IN BUDGET.

In preparing the budget for each of the fiscal years from fiscal year 2016 through fiscal year 2022 under section 1105(a) of title 31, United States Code, the President shall include information regarding the consistency of the budget with the goals and recommendations included in the national manufacturing competitiveness strategy.

SEC. 6. DEFINITIONS.

In this Act:

(1) BOARD.—The term ''Board'' means—

(A) during the first Presidential term that begins after the date of enactment of this Act, the American Manufacturing Competitiveness Board established by section 3(a) on the first day of such term; and

(B) during the second Presidential term that begins after the date of enactment of this Act, the American Manufacturing Competitiveness Board established by section 3(a) on the first day of such term.

(2) PRIVATE SECTOR.—The term ''private sector'' includes labor, industry, industry associations, academia, universities, trade associations, nonprofit organizations, and other appropriate nongovernmental groups.

(3) STATE.—The term ''State'' means each State of the United States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from California (Mrs. BONO MACK) and the gentleman from North Carolina (Mr. BUTTERFIELD) each will control 20 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Mrs. BONO MACK. 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 on H.R. 5865.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Mrs. BONO MACK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5865, the American Manufacturing Competitiveness Act.

Throughout our Nation's long history, a growing and robust manufacturing sector has helped to make America great. It's been a driving force in our economy since the Industrial Revolution.

But as our Nation has moved from the atomic age to the space age, the information age, manufacturing has not kept up, losing nearly 6 million American jobs since the beginning of the

21st century. Aging, rusting, and abandoned factories litter the U.S. landscape.

Statistics show the manufacturing sector was the hardest hit in terms of job losses during the Great Recession. While manufacturing accounts for just one-tenth of our Nation's jobs, manufacturing has suffered a third of our Nation's job losses.

We have a chance now to reverse this trend, and I applaud the hard work of Mr. LIPINSKI and Mr. KINZINGER in developing a bipartisan plan for improving manufacturing in the U.S.

I would also like to thank Chairman UPTON, Ranking Member WAXMAN, and subcommittee Ranking Member BUTTERFIELD for their hard work in bringing this important bill to the floor for a vote.

The American Manufacturing Competitiveness Act calls for two Presidential reports to Congress outlining the strategy for promoting growth, sustainability, and competitiveness in the manufacturing sector. The reports are due in April of 2014 and again in 2018.

Now, why is this so important? Well, for one thing, manufacturing has the highest job multiplier of any industry in our economy, producing $1.35 for every $1 in direct spending. Just as importantly, manufacturing is responsible for two-thirds of all private R&D spending in the U.S., and it drives technology innovation. But on the flip side, for every manufacturing job lost in America, another 2.3 jobs are also lost throughout our economy.

Here's the bottom line: If America is going to continue to lead the world in innovation, we must foster a more conducive environment for manufacturing.

H.R. 5865 establishes a manufacturing competitiveness board made up of 15 members. Five public sector members are appointed by the President, and the remaining 10 private sector members are appointed by House and Senate leaders. That gives both the executive branch and the legislative branch a shared role as well as a shared stake in making sure that this process is ultimately successful.

Mr. Speaker, H.R. 5865 is a sound, bipartisan approach to improving manufacturing in America, and I strongly urge its passage.

With that, I reserve the balance of my time.

Mr. BUTTERFIELD. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 5865, the American Manufacturing Competitiveness Act of 2012.

The lead bipartisan cosponsors of this bill are two gentlemen from Illinois, Congressman DANIEL LIPINSKI and my colleague on the Energy and Commerce Committee, Congressman ADAM KINZINGER. I want to thank both of them for their work on this bill and, in particular, for working with me and Chairwoman BONO MACK to move this bill in a form that both sides can support.

H.R. 5865 aims to build upon the recent growth of the U.S. manufacturing sector with the end goal being the return of more and more individuals to stable and good-paying jobs.

Specifically, Mr. Speaker, the American Manufacturing Competitiveness Act requires the President to prepare and submit to Congress in 2014 and 2018 a national manufacturing strategy with assistance from the American Manufacturing Competitiveness Board established by the bill.

The board will be comprised of the Secretary of Commerce, State Governors, and officials from the executive branch, in addition to 10 individuals from the private sector appointed by the majority and minority leadership of the House and the Senate.

There is no more important issue to Americans than the ability to get and keep a job, provide for their families, and ensure that when their children grow up they too can succeed. This is the promise of the American Dream, and it's a promise that, despite the slow climb out of the deep recession caused by the reckless bets in Wall Street, that I and most Americans still believe in. Moreover, it's a promise that we here in Congress have been entrusted by our constituents to work towards by promoting initiatives and enacting policies that will lead to the creation of new jobs to replace and supplement those that have been lost.

This is something that the Obama administration has taken very seriously, and the administration has rightfully made growing the manufacturing sector a key element to getting Americans back to work. This has also been a priority of the House Democratic leadership through its Make It In America policy initiatives.

And we are seeing results, Mr. Speaker, we are seeing results. Over the past 2 years, the manufacturing sector has added more than 450,000 jobs.

□ 1730

That is worth repeating. Over the past 2 years, the manufacturing sector has added more than 450,000 jobs. Not since the Clinton administration has this sector seen such fast growth.

In my own State of North Carolina, we know all too well about the loss of manufacturing jobs, but those jobs have begun to return. And we are feeling it and we are seeing it. North Carolina is the fifth largest manufacturing State in the country and the largest in the Southeast. Our manufacturing sector provides about $80 billion to our GDP—roughly 20 percent of the total. The nearly 11,000 manufacturing companies in North Carolina employ almost 15 percent of the total workforce, and well over half a million of these jobs pay more than $65,000 annually.

American manufacturing is primed for a renaissance. The House Democrats' Make It in America agenda provides even greater opportunities for success. Several of these initiatives have already become law, including bills that cut taxes and create loans for small businesses, speed up the patent process, and lower the cost of raw materials and help to end tax loopholes so that companies are discouraged from shipping jobs overseas.

Mr. Speaker, in the 111th Congress, House Democrats led efforts to support American clean-energy firms, invest in job-training partnerships, and hold China accountable for unfair currency manipulation that cost us in America very precious jobs. When more products are made in America, more families can make it in America. The American Manufacturing Competitiveness Act promises to build on and complement the Obama administration's efforts and our efforts to grow manufacturing in the United States of America.

Mr. Speaker, I support this bill. I thank my colleagues on the other side of the aisle for their cooperation with bringing this to the floor and getting it for a vote today. I thank not only the chair and the ranking member of the full committee, but the chair of our subcommittee, who works with us on so many of these important issues.

I reserve the balance of my time.

Mrs. BONO MACK. Mr. Speaker, I yield 4 minutes to the coauthor of the legislation, a very hardworking member of the Subcommittee on Commerce, Manufacturing, and Trade, the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. I would like to thank Chairman BONO MACK for the time and her work in getting this bill to the floor.

Mr. Speaker, I rise today in support of the American Manufacturing Competitiveness Act. It's an honor to stand here with my colleague from Illinois (Mr. LIPINSKI) in support of this forward-thinking, bipartisan legislation, especially at a time when Americans feel like Republicans and Democrats are unable to work together.

Mr. Speaker, the world is becoming more competitive, as evidenced by the recent report from the World Economic Forum announcing that the U.S. has fallen from first to seventh in global competitiveness. And I tell you what actually really gets to me is the fact that I feel like many Americans are starting to accept the fact that we are just going to lose our competitive edge and we're going to lose our manufacturing power base to a country like China. And I don't think that's something that we have to accept.

We've heard from the manufacturing base in this country. They need a simpler Tax Code. They need an education system that prepares students in math and science, trade policies that are open and fair, and regulations that protect the health and welfare of our citizens with the lowest cost on business. The purpose of this legislation is to build on the consensus and ensure government policies promote a competitive environment for manufacturers in the decades to come.

Mr. Speaker, we are the biggest economy in the world because of our manufacturing resources. We produce 21 percent of global manufactured goods, with an estimated 18.6 million jobs. Manufacturing jobs are some of the highest paying in our economy, with the average job making upwards of $77,000 annually. With the right policies in place, we can usher in a manufacturing renaissance in this legislation, and this legislation will help ensure our global competitiveness for decades to come.

Mr. Speaker, in Illinois alone, over 600,000 people are employed in manufacturing. This is an industry that's vital to the health of our economy and our national security. This Nation is blessed to have some of the hardest working and most innovative people in the world. When I go home to Illinois and I speak directly to a small or large manufacturer, they're ready to compete on the global stage, and they're ready to compete with China. They only need government to ensure that they are playing on a level playing field. That means fair trade, a simple tax policy, educated students, and the least burdensome regulations possible.

This legislation will bring together private sector and government leaders to create a manufacturing strategy that both Congress and the President can implement. It's time to get politics out of supporting the middle class. The American people are tired of stalemates. They're ready for action. They're ready for both parties to focus their energy on the people who elected them. Now is the time to act before this window of opportunity for a manufacturing renaissance passes us by. I'm proud of this legislation. I think it's a strong first step in finding solutions to help our Nation's economy. And I urge my colleagues to support this legislation.

Mr. BUTTERFIELD. Mr. Speaker, I yield 4 minutes to the distinguished gentleman from Maryland (Mr. HOYER), who is also the minority whip of the House Democratic Caucus and is a great friend of the manufacturing sector.

Mr. HOYER. I thank the gentleman for yielding, and I want to congratulate DAN LIPINSKI for authoring this legislation. It is one of the key pieces of our Make It in America agenda, which my distinguished friend from North Carolina has discussed. I also want to thank my dear and good friend, MARY BONO MACK, for her leadership on this effort.

As the gentleman said, and I can adopt the remarks of the previous speaker, Mr. KINZINGER, we do need a manufacturing policy. We do need a manufacturing renaissance. And we do need a psychology that America is going to be number one and stay number one and create the kind of good-paying jobs for our people that manufacturing provides.

Andrew Liveris, who's the chief CEO of Dow Chemical, wrote a book. The name of that book is ''Make It in America.'' Manufacture it in America. Grow it in America. Sell it here and sell it around the world.

Mr. Speaker, I rise in support of Mr. LIPINSKI's bill, the American Manufacturing Competitiveness Act. This passed out of committee unanimously 4 months ago. This bill is a key part of House Democrats' Make It in America plan to strengthen American manufacturing. But it's not a Democratic plan. It's not a Republican plan. It's an American plan. All of us can resoundingly support this and take ownership of a renaissance in manufacturing.

For the past 2 years, our manufacturing sector was a bright spot in our economic recovery, seeing the first increase in manufacturing jobs since the nineties. But for the last 3 months that sector has begun to contract a little bit, a symptom of Congress' failure, in my opinion, to take serious action on legislation like Make It in America. And, yes, taxes and regulations. The gentleman was correct. That's why we need the American Manufacturing Competitiveness Act. This bill will bring the public and private sectors together with labor and other stakeholders to craft plans to develop comprehensive national manufacturing strategies in 2014 and 2018.

Ladies and gentlemen, none of you doubt that our competitors across this globe are doing this. We are late to this ball game. But the good news is we are the most able, productive economy in the world, and we can compete with anybody. All we need is a good plan. Other nations around the globe have strategies to increase the manufacturing to keep America competitive. It is imperative that we have a plan as well. Not to pick winners and losers, but to create the environment of which the gentleman spoke just before me about an environment that allows manufacturing to grow.

I want to thank, again, the ranking member for his very compelling statement that he made. The Obama administration focused on revitalizing the manufacturing sector, and Representative LIPINSKI's bill ensures that the U.S. Government will continue to pursue policies that bolster manufacturing and add jobs. I want to commend Representative LIPINSKI for his leadership on this issue, as well as Ranking Member WAXMAN, Ranking Member BUTTERFIELD, whom I've already referenced, and other Democrats on the Energy and Commerce Committee.

□ 1740

But I also want to commend those Republican leaders on the Commerce Committee, and Mr. MANZULLO, who is sitting here, my dear friend, who heads up the Small Business Committee, is focused on growing jobs in America. I also want to thank Chairman UPTON and I have already thanked Chairman BONO MACK, but she is my good friend so I'll thank her again, for their work to make sure this bill came to the floor with bipartisan support.

Mr. Speaker, the Energy and Commerce Committee reported this bill in June with a bipartisan vote. I am sure it will receive a bipartisan vote tonight.

I will tell you there is no place in America you can go—not the most conservative district, not the most liberal district, not the most Republican district or the most Democratic district. And you could talk about make it in America, and you'll get heads nodding in agreement.

This is not an issue of philosophy. It's a pragmatic issue of growing our economy, creating the kinds of jobs that our people need, jobs that pay well, give them good benefits, and a bright future for them, their families, and their children.

So I commend both the Republican and Democratic side for bringing this piece of legislation to the floor and urge its unanimous adoption by this Congress.

Mrs. BONO MACK. Mr. Speaker, I would like to yield 3 minutes to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, as the co-founder and co-chair of the House Manufacturing Caucus, I cannot overstate the importance of manufacturing in America and the need for this important legislation.

The U.S. is still the largest manufacturer in the world, churning out about $1.7 trillion in value annually, and one in six jobs is tied directly or indirectly to manufacturing.

Manufacturing drives innovation by conducting two-thirds of all research and development and creating the bulk of technology in our Nation and nearly 70 percent of all exported goods from the United States in 2011 originated from the manufacturing sector.

In the U.S., every one dollar in final sales in manufacturing goods supports $1.35 in output from other sectors of the economy. That multiplier effect is higher than any other economic sector. Many other jobs, such as those in financial services, depend on somebody else making a product. If no one makes anything in America anymore, than those service sector jobs disappear also.

I spend about two-thirds of my time in Congress studying and working on manufacturing issues, from raw materials and minerals all the way through export controls. In fact, earlier today, I co-hosted a bipartisan briefing with administrative officials on its export control reform initiative.

I have been in over 500 factories all over the world in China, Japan, Europe, and the United States. I've studied manufacturing schooling and the educational process in Switzerland and how important manufacturing is to that tiny country.

Every few years the manufacturing sector in the United States experiences a crisis. In response, various administrations have prepared strategy reports on how to best respond. The last report

was issued in 2004. This report was extremely helpful in identifying and reforming regulations that were unduly burdensome on the manufacturing sector that produced little or no public benefit.

The bill before us today will institutionalize this process by requiring a national manufacturing report so that we can keep the focus of our government on how to best help the strongest economic engine of our economy.

My office spent years developing a chart to identify the numerous Federal programs and agencies that support manufacturing. It is still difficult to have a central focal point to know who is manufacturing and who is doing research in a particular area. For example, if somebody wants to do research on machining titanium, there is no central portal through which that person can go to determine exactly what programs there are and who is doing the research. Fundamentally, it's very important to have this report. Why? Because Americans need to know the importance of manufacturing.

If we don't have manufacturing, agriculture, and mining in this country, we become a Third World nation. If we can't make things with our hands, then we become hindered in maintaining our status as a world leader.

I would call upon the House to vote affirmatively for this great bill, the American Manufacturing Competitiveness Act of 2012, H.R. 5865.

Mr. BUTTERFIELD. Mr. Speaker, at this time I yield 6 minutes to the author of this bill, Mr. LIPINSKI from the great State of Illinois, who has worked very hard on this bill not only in this Congress but in the previous bill as well.

Mr. LIPINSKI. Thank you, Ranking Member BUTTERFIELD, for yielding and for your support on this bill.

Mr. Speaker, I rise today in strong support of H.R. 5865, the American Manufacturing Competitiveness Act, a bipartisan bill that I introduced to boost American manufacturing.

This bill represents what the American people want us to be doing, working together in a bipartisan manner to advance policies that promote the creation of good-paying jobs for middle class Americans.

I want to thank Representative KINZINGER for being willing to work with me across the aisle to bring this bill to the floor. I also want to thank Chairwoman BONO MACK as well as Representative POMPEO for their work on this bill. Mr. MANZULLO was just on the floor. I want to thank him for the work he's done to advance manufacturing, the work we've done together in the 8 years that I've been in the Congress with him.

In addition, I want to thank Democratic Whip HOYER for his steadfast advocacy of Make It in America policies.

Manufacturing is a linchpin of our Nation's economy. It provides the American middle class with a source of quality jobs making everything from the goods we rely on for everyday needs, to the equipment that we need for national security.

But in the first decade of the century, American manufacturing took a hard hit. Almost one-third of American manufacturing jobs disappeared. After 110 years as the world's top manufacturing Nation, America got knocked off its perch by China.

I have seen the devastation in my district and across northeastern Illinois. And I get frustrated, just like countless other Americans do, when I go to the store and I cannot find the words ''made in the U.S.A.'' on any product.

Some say this is inevitable but it does not have to be. While we have been seeing signs of a resurgent American manufacturing sector, with jobs increasing by nearly half a million in the past few years, we still have a long way to go.

America relies on the entrepreneurial spirit of private enterprise. There is no doubt there would be no American manufacturing base without the innovators and the risk takers. The great growth in American manufacturing in the 20th century would have been impossible without the hard work of the middle class.

But it is also clear that the government interacts with and affects manufacturing in countless ways. From tax and trade, to regulation, to research, education, and workforce development, government policies have a significant effect on our manufacturers.

That is why we need a comprehensive, coordinated strategy promoting American manufacturing. While many other countries—China, India, Germany, to name a few—have developed manufacturing strategies, the United States manufacturing policy is uncoordinated and largely ad hoc. If we want American manufacturing to compete and succeed in a global economy, it is vital that we develop a strategy to coordinate our policies that impact manufacturers. And that is exactly what this bill does.

Based on the Quadrennial Defense Review, the Pentagon's policy planning process, this bill proposes that every 4 years we convene a group of manufacturing experts from the private and the public sectors. This group, assembled from appointments made by congressional leaders and the President, will analyze domestic and global economics and propose recommendations to Congress, the President, States, and industry, to pursue to make all the types of American manufacturing more competitive.

At the end of the day, this bill is about setting aside politics and implementing policies that will create an environment conducive to the flourishing of American manufacturing, which is vital for middle class American jobs and is vital for our national security.

□ 1750

If we continue to muddle through without a coordinated plan, government will still be impacting manufacturing, but in an uncoordinated, often inefficient, and sometimes wasteful manner.

After a couple of tough decades, I still have a number of small and medium-size manufacturers in my district in northeastern Illinois. One of these is Atlas Tool & Die of Lyons, Illinois, a 94-year-old family-owned business. The director of development for the company, Zach Mottl, said this about H.R. 5865:

As a business owner, I know planning is critical. When an organization doesn't operate with a plan, what occurs is a plan to fail. Right now, the United States is operating without a manufacturing strategy in a world where other countries are intensely focused on helping their manufacturers to compete. The American Manufacturing Competitiveness Act will bring all sides and stakeholders together to forge a strategy with broad support and the momentum needed to produce action.

Mr. Speaker, I urge my colleagues to come together today and help start forging this strategy by passing H.R. 5865, and we can all look forward to proudly seeing the ''Made in the USA'' label on more shelves and in more showrooms.

Mrs. BONO MACK. I reserve the balance of my time at this point. I have no further speakers.

Mr. BUTTERFIELD. I have no additional speakers, Mr. Speaker; therefore, I will ask my colleagues to join with us in passing this good legislation.

With that, I yield back the balance of my time.

Mrs. BONO MACK. Mr. Speaker, I just want to begin by thanking Mr. LIPINSKI for crossing the center aisle and coming to our side to offer his legislation and to work with us early on in the year, to stress to us how important it was for him. And I thank him for his willingness to work with us to make sure we could move this bill.

In closing, I just want to make one very important point, that this is not a top-down, government-knows-best approach to the problems facing manufacturing today. Instead, we're creating a public-private partnership that will help to develop a comprehensive, modern strategy—identifying impediments to manufacturing and providing much needed recommendations on how to create an environment that will once again allow American manufacturers to thrive.

While our goal is to produce an important economic blueprint for the future of America, these recommendations are not binding on Congress. H.R. 5865 will expand upon previous studies and reports on manufacturing by requiring a comprehensive analysis of factors affecting manufacturing. Those would include: the identification of redundant or ineffective government programs related to manufacturing; trade policy; energy policy; taxation; and the

impact of Federal regulations on manufacturing and job creation.

This legislation appropriately gives the Manufacturing Board the flexibility it needs to do its job efficiently and expeditiously. The Board is not required to reinvent the wheel and restudy every single subject already examined by other government agencies and nongovernmental bodies, but the Board is specifically directed to consult with other Federal entities to avoid duplication of efforts. In the end, the Board will develop and publish for public comment a draft manufacturing strategy based on its analysis and any other information the Board determines is appropriate. This strategy will include both short-term and long-term goals for improving competitiveness of U.S. manufacturing, as well as recommendations for action.

Mr. Speaker, considering the importance of manufacturing in the American economy and to the future of our Nation, I strongly urge the adoption of H.R. 5865, the American Manufacturing Competitiveness Act, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. LONG). The question is on the motion offered by the gentlewoman from California (Mrs. BONO MACK) that the House suspend the rules and pass the bill, H.R. 5865, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. BUTTERFIELD. 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.

VIETNAM HUMAN RIGHTS ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1410) to promote freedom and democracy in Vietnam, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1410

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''Vietnam Human Rights Act of 2012''.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Findings and purpose.
Sec. 3. Prohibition on increased nonhumanitarian assistance to the Government of Vietnam.
Sec. 4. United States public diplomacy.
Sec. 5. Annual report.

SEC. 2. FINDINGS AND PURPOSE.

(a) FINDINGS.—Congress finds the following:

(1) The relationship between the United States and the Socialist Republic of Vietnam has grown substantially since the end of the trade embargo in 1994, with annual trade between the two countries reaching over $20,000,000,000 in 2011.

(2) The Government of Vietnam's transition toward greater economic freedom and trade has not been matched by greater political freedom and substantial improvements in basic human rights for Vietnamese citizens, including freedom of religion, expression, association, and assembly.

(3) The United States Congress agreed to Vietnam becoming an official member of the World Trade Organization in 2006, amidst assurances that the Government of Vietnam was steadily improving its human rights record and would continue to do so.

(4) Vietnam remains a one-party state, ruled and controlled by the Communist Party of Vietnam (CPV), which continues to deny the right of citizens to change their Government.

(5) Although in recent years the National Assembly of Vietnam has played an increasingly active role as a forum for highlighting local concerns, corruption, and inefficiency, the National Assembly remains subject to the direction of the CPV and the CPV maintains control over the selection of candidates in national and local elections.

(6) The Government of Vietnam forbids public challenge to the legitimacy of the one-party state, restricts freedoms of opinion, the press, and association and tightly limits access to the Internet and telecommunication.

(7) Since Vietnam's accession to the WTO on January 11, 2007, the Government of Vietnam arbitrarily arrested and imprisoned numerous individuals for their peaceful advocacy of religious freedom, democracy, and human rights, including Father Nguyen Van Ly, human rights lawyers Nguyen Van Dai, Le Thi Cong Nhan, Cu Huy Ha Vu, and Le Cong Dinh, and bloggers Nguyen Van Hai and Phan Thanh Hai.

(8) The Government of Vietnam continues to detain, imprison, place under house arrest, convict, or otherwise restrict persons for the peaceful expression of dissenting political or religious views.

(9) The Government of Vietnam has also failed to improve labor rights, continues to arrest and harass labor leaders, and restricts the right to organize independently.

(10) The Government of Vietnam continues to limit the freedom of religion, restrict the operations of independent religious organizations, and persecute believers whose religious activities the Government regards as a potential threat to its monopoly on power.

(11) Despite reported progress in church openings and legal registrations of religious venues, the Government of Vietnam has halted most positive actions since the Department of State lifted the ''country of particular concern'' (CPC) designation for Vietnam in November 2006.

(12) Unregistered ethnic minority Protestant congregations, particularly Montagnards in the Central and Northwest Highlands, suffer severe abuses because of actions by the Government of Vietnam, which have included forced renunciations of faith, arrest and harassment, the withholding of social programs provided for the general population, confiscation and destruction of property, subjection to severe beatings, and reported deaths.

(13) There has been a pattern of violent responses by the Government to peaceful prayer vigils and demonstrations by Catholics for the return of Government-confiscated church properties. Protesters have been harassed, beaten, and detained and church properties have been destroyed. Catholics also continue to face some restrictions on selection of clergy, the establishment of seminaries and seminary candidates, and individual cases of travel and church registration.

(14) In May 2010 the village of Con Dau, a Catholic parish in Da Nang, faced escalated violence during a funeral procession as police attempted to prohibit a religious burial in the village cemetery; more than 100 villagers were injured, 62 were arrested, five were tortured, and at least three died.

(15) The Unified Buddhist Church of Vietnam (UBCV) suffers persecution as the Government of Vietnam continues to restrict contacts and movement of senior UBCV clergy for refusing to join the state-sponsored Buddhist organization, the Government restricts expression and assembly, and the Government continues to harass and threaten UBCV monks, nuns, and youth leaders.

(16) The Government of Vietnam continues to suppress the activities of other religious adherents, including Cao Dai and Hoa Hao Buddhists who lack official recognition or have chosen not to affiliate with the state-sanctioned groups, including through the use of detention, imprisonment, and strict Government oversight.

(17) During Easter weekend in April 2004, thousands of Montagnards gathered to protest their treatment by the Government of Vietnam, including the confiscation of tribal lands and ongoing restrictions on religious activities. Credible reports indicate that the protests were met with violent response as many demonstrators were arrested, injured, or went into hiding, and that others were killed. Many of these Montagnards and others are still serving long sentences for their involvement in peaceful demonstrations in 2001, 2002, 2004, and 2008. Montagnards continue to face threats, detention, beatings, forced renunciation of faith, property destruction, restricted movement, and reported deaths at the hands of Government officials.

(18) Ethnic minority Hmong in the Northwest Highlands of Vietnam also suffer restrictions, abuses, and persecution by the Government of Vietnam, and although the Government is now allowing some Hmong Protestants to organize and conduct religious activities, some Government officials continue to deny or ignore additional applications for registration, and to persecute churches and believers who do not wish to affiliate with Government-controlled religious entities.

(19) In 2007, the Government of Vietnam arrested, beat, and defrocked several ethnic Khmer Buddhists in response to a peaceful religious protest. The Government continues to restrict Khmer Krom expression, assembly, association, and controls all religious organizations and prohibits most peaceful protests.

(20) The Government of Vietnam controls all print and electronic media, including access to the Internet, jams the signals of some foreign radio stations, including Radio Free Asia, and has detained and imprisoned individuals who have posted, published, sent, or otherwise distributed democracy-related materials.

(21) People arrested in Vietnam because of their political or religious affiliations and activities often are not accorded due legal process as they lack full access to lawyers of their choice, may experience closed trials, have often been detained for years without trial, and have been subjected to the use of torture to admit crimes they did not commit or to falsely denounce their own leaders.

(22) Vietnam continues to be a source country for the commercial sexual exploitation and forced labor of women and girls, as well as for men and women legally entering into international labor contracts who subsequently face conditions of debt bondage or forced labor, and is a destination country for child trafficking and continues to have internal human trafficking.

(23) Although the Government of Vietnam reports progress in combating human trafficking, it does not fully comply with the minimum standards for the elimination of trafficking, and is not making substantial efforts to comply.

(24) United States refugee resettlement programs, including the Humanitarian Resettlement (HR) Program, the Orderly Departure Program (ODP), Resettlement Opportunities for Vietnamese Returnees (ROVR) Program, general resettlement of boat people from refugee camps throughout Southeast Asia, the Amerasian Homecoming Act of 1988, and the Priority One Refugee resettlement category, have helped rescue Vietnamese nationals who have suffered persecution on account of their associations with the United States or, in many cases, because of such associations by their spouses, parents, or other family members, as well as other Vietnamese nationals who have been persecuted because of race, religion, nationality, political opinion, or membership in a particular social group.

(25) While previous programs have served their purposes well, a significant number of eligible refugees from Vietnam were unfairly denied or excluded, including Amerasians, in some cases by vindictive or corrupt Vietnamese officials who controlled access to the programs, and in others by United States personnel who imposed unduly restrictive interpretations of program criteria. In addition, the Government of Vietnam has denied passports to persons who the United States has found eligible for refugee admission.

(26) The Government of Vietnam holds tens of thousands of people in government-run drug detention centers and treats them as slave laborers.

(27) To date, over 60,000 people have signed a petition calling on the Administration to not expand trade with communist Vietnam at the expense of human rights.

(28) Congress has passed numerous resolutions condemning human rights abuses in Vietnam, indicating that although there has been an expansion of relations with the Government of Vietnam, it should not be construed as approval of the ongoing and serious violations of fundamental human rights in Vietnam.

(b) PURPOSE.—The purpose of this Act is to promote the development of freedom and democracy in Vietnam.

SEC. 3. PROHIBITION ON INCREASED NONHUMANITARIAN ASSISTANCE TO THE GOVERNMENT OF VIETNAM.

(a) ASSISTANCE.—

(1) IN GENERAL.—Except as provided in subsection (b), the Federal Government may not provide nonhumanitarian assistance to the Government of Vietnam during any fiscal year in an amount that exceeds the amount of such assistance provided during fiscal year 2011 unless—

(A) the Federal Government provides assistance, in addition to the assistance authorized under section 4, supporting the creation and facilitation of human rights training, civil society capacity building, noncommercial rule of law programming, and exchange programs between the Vietnamese National Assembly and the United States Congress at levels commensurate with, or exceeding, any increases in nonhumanitarian assistance to Vietnam;

(B) with respect to the limitation for fiscal year 2012, the President determines and certifies to Congress, not later than 30 days after the date of the enactment of this Act, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period ending on the date of the certification; and

(C) with respect to the limitation for subsequent fiscal years, the President determines and certifies to Congress, in the most recent annual report submitted pursuant to section 5, that the requirements of subparagraphs (A) through (G) of paragraph (2) have been met during the 12-month period covered by the report.

(2) REQUIREMENTS.—The requirements of this paragraph are the following:

(A) The Government of Vietnam has made substantial progress toward releasing all political and religious prisoners from imprisonment, house arrest, and other forms of detention.

(B) The Government of Vietnam has made substantial progress toward—

(i) respecting the right to freedom of religion, including the right to participate in religious activities and institutions without interference, harassment, or involvement of the Government, for all of Vietnam's diverse religious communities; and

(ii) returning estates and properties confiscated from the churches and religious communities.

(C) The Government of Vietnam has made substantial progress toward respecting the right to freedom of expression, assembly, and association, including the release of independent journalists, bloggers, and democracy and labor activists.

(D) The Government of Vietnam has made substantial progress toward repealing or revising laws that criminalize peaceful dissent, independent media, unsanctioned religious activity, and nonviolent demonstrations and rallies, in accordance with international standards and treaties to which Vietnam is a party.

(E) The Government of Vietnam has made substantial progress toward allowing Vietnamese nationals free and open access to United States refugee programs.

(F) The Government of Vietnam has made substantial progress toward respecting the human rights of members of all ethnic and minority groups.

(G) Neither any official of the Government of Vietnam nor any agency or entity wholly or partly owned by the Government of Vietnam was complicit in a severe form of trafficking in persons, or the Government of Vietnam took all appropriate steps to end any such complicity and hold such official, agency, or entity fully accountable for its conduct.

(b) EXCEPTION.—

(1) CONTINUATION OF ASSISTANCE IN THE NATIONAL INTEREST.—Notwithstanding the failure of the Government of Vietnam to meet the requirements of subsection (a)(2), the President may waive the application of subsection (a) for any fiscal year if the President determines that the provision to the Government of Vietnam of increased nonhumanitarian assistance would promote the purpose of this Act or is otherwise in the national interest of the United States.

(2) EXERCISE OF WAIVER AUTHORITY.—The President may exercise the authority under paragraph (1) with respect to—

(A) all United States nonhumanitarian assistance to Vietnam; or

(B) one or more programs, projects, or activities of such assistance.

(c) DEFINITIONS.—In this section:

(1) NONHUMANITARIAN ASSISTANCE.—The term ''nonhumanitarian assistance'' means—

(A) any assistance under the Foreign Assistance Act of 1961 (including programs under title IV of chapter 2 of part I of that Act, relating to the Overseas Private Investment Corporation), other than—

(i) disaster relief assistance, including any assistance under chapter 9 of part I of that Act;

(ii) assistance which involves the provision of food (including monetization of food) or medicine;

(iii) assistance for environmental remediation of dioxin-contaminated sites and related health activities;

(iv) assistance to combat severe forms of trafficking in persons;

(v) assistance to combat pandemic diseases;

(vi) assistance for refugees; and

(vii) assistance to combat HIV/AIDS, including any assistance under section 104A of that Act; and

(B) sales, or financing on any terms, under the Arms Export Control Act.

(2) SEVERE FORM OF TRAFFICKING IN PERSONS.—The term ''severe form of trafficking in persons'' means any activity described in section 103(8) of the Trafficking Victims Protection Act of 2000 (Public Law 106 09386 (114 Stat. 1470); 22 U.S.C. 7102(8)).

(d) EFFECTIVE DATE.—This section shall take effect on the date of the enactment of this Act and shall apply with respect to the provision of nonhumanitarian assistance to the Government of Vietnam during fiscal year 2013 and subsequent fiscal years.

SEC. 4. UNITED STATES PUBLIC DIPLOMACY.

(a) RADIO FREE ASIA TRANSMISSIONS TO VIETNAM.—It is the sense of Congress that the United States should take measures to overcome the jamming of Radio Free Asia by the Government of Vietnam and that the Broadcasting Board of Governors should not cut staffing, funding, or broadcast hours for the Vietnamese language services of the Voice of America and Radio Free Asia, which shall be done without reducing any other broadcast language services.

(b) UNITED STATES EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS WITH VIETNAM.—It is the sense of Congress that any programs of educational and cultural exchange between the United States and Vietnam should actively promote progress toward freedom and democracy in Vietnam by providing opportunities to Vietnamese nationals from a wide range of occupations and perspectives to see freedom and democracy in action and, also, by ensuring that Vietnamese nationals who have already demonstrated a commitment to these values are included in such programs.

SEC. 5. ANNUAL REPORT.

(a) IN GENERAL.—Not later than 6 months after the date of the enactment of this Act and every 12 months thereafter, the Secretary of State shall submit to the Congress a report on the following:

(1) The determination and certification of the President that the requirements of subparagraphs (A) through (G) of section 3(a)(2) have been met, if applicable.

(2) Steps taken to carry out section 3(a)(1)(A), if applicable.

(3) Efforts by the United States Government to promote access by the Vietnamese people to Radio Free Asia transmissions.

(4) Efforts to ensure that programs with Vietnam promote the policy set forth in section 102 of the Human Rights, Refugee, and Other Foreign Policy Provisions Act of 1996 regarding participation in programs of educational and cultural exchange.

(5) Lists of persons believed to be imprisoned, detained, or placed under house arrest, tortured, or otherwise persecuted by the Government of Vietnam due to their pursuit of internationally recognized human rights. In compiling such lists, the Secretary shall exercise appropriate discretion, including concerns regarding the safety and security of, and benefit to, the persons who may be included on the lists and their families. In addition, the Secretary shall include a list of such persons and their families who may qualify for protections under United States refugee programs.

(6) A description of the development of the rule of law in Vietnam, including—

(A) progress toward the development of institutions of democratic governance;

(B) processes by which statutes, regulations, rules, and other legal acts of the Government of Vietnam are developed and become binding within Vietnam;

(C) the extent to which statutes, regulations, rules, administrative and judicial decisions, and other legal acts of the Government of Vietnam are published and are made accessible to the public;

(D) the extent to which administrative and judicial decisions are supported by statements of reasons that are based upon written statutes, regulations, rules, and other legal acts of the Government of Vietnam;

(E) the extent to which individuals are treated equally under the laws of Vietnam without regard to citizenship, race, religion, political opinion, or current or former associations;

(F) the extent to which administrative and judicial decisions are independent of political pressure or governmental interference and are reviewed by entities of appellate jurisdiction; and

(G) the extent to which laws in Vietnam are written and administered in ways that are consistent with international human rights standards, including the requirements of the International Covenant on Civil and Political Rights.

(b) CONTACTS WITH OTHER ORGANIZATIONS.—In preparing the report under subsection (a), the Secretary shall, as appropriate, seek out and maintain contacts with nongovernmental organizations and human rights advocates (including Vietnamese-Americans and human rights advocates in Vietnam), including receiving reports and updates from such organizations and evaluating such reports. The Secretary shall also seek to consult with the United States Commission on International Religious Freedom for appropriate sections of the report.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous materials into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 1410, the Vietnam Human Rights Act. The Socialist Republic of Vietnam remains a gross human rights violator even as its trade with the U.S. grows. The people of Vietnam continue to be oppressed by their Communist jailers, unable to change their government or enjoy any semblance of the rule of law. Indeed, the most recent elections of May 2011 were neither free nor fair. Much like those living under the ruthless Castro regime in my native Cuba, Vietnamese citizens are subject to brutal treatment from police, inhumane prison conditions, and denial of the right to a fair and speedy trial.

The judicial system is plagued by endemic corruption and inefficiency, and the Communist government has increasingly limited privacy rights and freedoms of the press, speech, assembly, movement, and association. Freedom of religion is subject to interpretation by Communist authorities, with significant problems occurring at provincial and village levels.

Violence and discrimination against women, as well as trafficking in persons, continue to torment the population. The sexual exploitation of children, as well as hate crimes and discrimination based on ethnicity, sexual orientation, and HIV/AIDS status, all persist. As is the case with all Communist regimes, police often act with impunity. Cowardly hiding this egregious brutality from the civilized world, the Communist government prohibits independent human rights organizations from operating within its borders. All of this occurs while the U.S. continues to broaden trade with the Vietnamese dictators, completing a Trade and Investment Framework Agreement, or TIFA, in 2007.

We have increased our trade with Vietnam every year and have held a trade deficit with Vietnam every year since 1997. Mr. Speaker, that is not the message that we should send to these thugs. We should not reward this Communist dictatorship until the Government of Vietnam has made substantial progress respecting political freedoms, media freedoms, and religion freedoms.

Vietnam must also protect its minorities, give access to U.S. refugee programs, act to end trafficking in persons, and release its approximately 4,000 political prisoners.

I urge my colleagues to join me in showing our solidarity and support for the people of Vietnam by passing this important bill today.

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

Mr. BERMAN. Mr. Speaker, I rise in support of H.R. 1410, as amended, and I yield myself such time as I may consume.

I'd like to thank the sponsor of this legislation, Mr. SMITH of New Jersey, and the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on human rights and on this particular issue.

Despite Vietnam's transition to a more open economy, political and religious freedoms for the people of Vietnam remain severely curtailed. The bilateral relationship between Washington and Hanoi has deepened since diplomatic ties were established over 15 years ago, but lack of greater progress in protecting basic rights and civil liberties will limit closer cooperation in the future.

In a speech last year on the Obama administration's Asia policy, Secretary of State Hillary Clinton stated:

> We have made it clear to Vietnam that if we are to develop a strategic partnership, as both nations desire, Vietnam must do more to respect and protect its citizens' rights.

The United States must use both diplomatic and economic leverage with Vietnam to promote political openness and improve human rights.

□ 1800

This bill, the Vietnam Human Rights Act of 2011, takes an important step in the right direction by prohibiting an increase in nonhumanitarian assistance to Vietnam above fiscal year 2011 levels unless Hanoi makes significant progress on these critical issues. The bill makes it clear to Vietnam that the only factor limiting aid is positive action by the Vietnamese Government on political, human, and religious rights.

The Government of Vietnam has an important choice to make. Will it protect human rights and provide religious and political freedom to its citizens, or will it shirk these responsibilities and forsake the closer relationship that it wants with the United States?

I urge my colleagues to support this legislation, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm so pleased to yield 6 minutes to the gentleman from New Jersey (Mr. SMITH), the chairman of the Foreign Affairs Subcommittee on Africa, Global Health, and Human Rights, who is the author of this important bill.

Mr. SMITH of New Jersey. Mr. Speaker, I want to thank the distinguished gentlelady, our good chairwoman, for her leadership on this important issue and so many human rights issues around the globe. Thank you, ILEANA ROS-LEHTINEN for again bringing to the floor a very important bill and series of bills, many of which are directed at human rights.

And to Mr. BERMAN, thank you for your kind comments and your strong support for this effort to try to bring freedom and hope to the people of Vietnam—who, while as you pointed out so rightly, have enjoyed some economic progress, regrettably, political rights, human rights, fundamental rights have gone in the opposite direction—and so thank you for that.

I want to thank the original cosponsors of the bill—Mr. ROYCE, Mr. WOLF, Ms. ZOE LOFGREN, and Ms. LORETTA SANCHEZ—for being original cosponsors of this legislation, and I hope the membership will roundly and soundly back its enactment or its passage today.

Mr. Speaker, many of us on both sides of the aisle have been trying for decades to help the Vietnamese people secure their fundamental human rights and their democratic institutions. From assisting the boat people in the 1970s and all of the human rights work that was done to help so many Vietnamese, individuals who were in reeducation camps and who were dealt with so severely by the dictatorship in Hanoi, Congress and the Presidents over the years have tried nobly to assist them, as have other human rights activists around the world.

As far back as 1996 I sponsored the Human Rights Restoration Act, PL 104–319, which included an important

provision directing the U.S. Information Agency to take steps to provide opportunities for human rights and democracy leaders of Vietnam to come here for educational and cultural exchange programs. We found that so often it was the communist leaders and their families and friends who were benefiting from these trips to the United States, not the people who were the best and the bravest and the brightest of Vietnam.

I visited Vietnam on several occasions, met with dissidents throughout the country in Quay, Ho Chi Minh City, as well as Hanoi; met with pastors—Catholic, Protestant, Evangelicals—and have met with, as some of my other colleagues have as well, the venerable Thich Quang Do, who's done a magnificent job speaking up for the Unified Buddhist Church of Vietnam, which has been outlawed by the dictatorship in Hanoi.

Regrettably, our efforts, and especially, those heroic efforts by the women and men in Vietnam itself, have not resulted in respect for fundamental human rights.

I would note, parenthetically, that Bloc 8406, a great group of individuals who signed on to this charter of human rights, one by one have been singled out after signing that charter, believing that an easing was taking place, signed on. It was just like Vaclav Havel's Charter 77 and many other great statements made by the East Bloc countries during the dictatorships of that era. Bloc 8406, that is to say, April 8, 2006, one by one those individuals have been hunted down, and many of them have found themselves in prison.

The Africa, Global Health, and Human Rights Subcommittee, which I chair, heard from witnesses at a hearing earlier this year that the Vietnamese Government remains an egregious violator of a broad array of human rights. Their testimony confirmed that religious, political, and ethnic persecution continue and in many cases is actually increasing, and that the Vietnamese officials are still laying out the welcome mat for forced labor and sex traffickers.

For example, we heard from Dr. Nguyen Dinh Thang, the executive director of Boat People SOS who had recently traveled to Thailand to investigate human rights trafficking violations and other violations in Vietnam. Dr. Thang testified that the Government of Vietnam has not investigated, let alone prosecuted, a single human trafficking violation by Vietnamese labor export companies, many of which are state owned. Instead, police have interrogated and threatened victims who have spoken out against this modern-day slavery.

Almost routinely, according to Dr. Thang—and his information comports with other information our subcommittee has received—the Vietnamese Government has sent its officials from Hanoi to trouble spots, including American Samoa, Jordan, and Malaysia, in order to silence the victims, take sides with the traffickers, or to impede justice.

The subcommittee also heard testimony of a Vietnamese woman who courageously fought for her own rights and those of her coworkers when they were trafficked to Jordan with the complicity of the Vietnamese Government officials. In addition, our witnesses provided deeply disturbing photographs, evidence of torture, and showed a video of the Vietnamese military destroying an entire village of Hmong Christians.

It is imperative that the U.S. Government send an unequivocal message to the Vietnamese regime that it must end its human rights abuses against its own citizens.

I would note, Mr. Speaker, that negotiators of the Trans-Pacific Partnership, which includes Vietnam, are currently meeting in nearby Leesburg, Virginia. Within the next 2 years, or a year or 2, Congress will likely be asked to approve a free trade agreement between the U.S. and Vietnam as part of this initiative. I hope the administration is using those negotiations to strongly encourage the Vietnamese Government to finally, at long last, respect human rights.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. ROS-LEHTINEN. I yield the gentleman an additional minute.

Mr. SMITH of New Jersey. I thank my colleague.

H.R. 1410 would institute effective measures toward improving human rights in Vietnam. As reported by our committee, the bill prohibits any increase in nonhumanitarian assistance to the Government of Vietnam above fiscal 2011 levels unless the government makes substantial progress in establishing freedom of religion, releasing political prisoners, respecting the rights of journalists, and the bill lays out a whole series of mutually reinforcing steps it must take and the people it must protect.

The bill does not prevent increased funding for the Vietnamese Government for certain humanitarian assistance—and I want to underscore that—such as food, medicine, agent orange remediation, and activities to combat human trafficking. The freeze on foreign assistance at 2010 levels can be waived if the President determines that increased nonhumanitarian aid to Vietnam would promote democracy and freedom or would otherwise be in the national interest.

Mr. Speaker, we've passed this bill twice in various forms before by huge majorities. It is time to pass it, and hopefully the Senate will take it up and get it to President Obama.

Ms. ROS-LEHTINEN. Mr. Speaker, I would like to yield 5 minutes to the gentleman from California (Mr. ROYCE), the chairman of our Subcommittee on Terrorism, Nonproliferation, and Trade of our Committee on Foreign Affairs.

Mr. ROYCE. Mr. Speaker, I'm an original cosponsor of this bill, H.R. 1410. This is the Vietnam Human Rights Act. And I guess it's no surprise to a lot of us that have followed what has happened in Vietnam, it denies its citizens basic human rights.

But here's the problem: The conditions there with respect to abuse of rule of law are getting worse and worse.

It used to be that we would watch show trials in terms of the abridgement of rights of the citizens of Vietnam; now they don't even have the show trials. Now the government just places those dissidents in police detention, and they do it without alerting the family, without alerting anyone. And at that point, you just have to say the rule of law has become nonexistent.

We received a really stark reminder recently. Human rights dissident Nguyen Quoc Quan was arrested by Vietnamese officials. He had attempted to enter the country at Ho Chi Minh City's airport, and the charge that he was held on was terrorism. Terrorism was the original charge.

□ 1810

He didn't come to Vietnam equipped with guns or explosives. What's the terrorism charge? Well, he came to Vietnam to meet with other grassroots organizations committed to peaceful discussions on human rights inside the country. To the Vietnamese Communist Government, that's terrorism. That really says it all.

The case of Nguyen Quoc Quan is not an isolated case. His treatment there has become the rule, not the exception for those who are trying to push for some modicum of free speech or religious freedom, and so you have a whole slew of dissidents who are treated like this or even worse. When I say ''worse,'' I want to give you another example.

It is that of Pastor Nguyen Cong Chinh, a pastor of an outlawed Mennonite church. He was recently sentenced to 11 years in prison during a 1-day trial for ''sowing division between the Communist government and its citizens.'' Now, this treatment is nothing new for this particular pastor. To date, he has been aggressively interrogated over 300 times. He has suffered dozens of beatings, and some of us have seen the photographs of the aftermath of some of those brutal beatings. He has been forcefully removed from his residence many times and has been thrown in jail.

That is why it is imperative, my friends, that we pass the Vietnam Human Rights Act. I think the important point here is that this kind of action can be an inspiration to the brave dissidents inside Vietnam who continue to be brutally repressed. Part of this is to provide for information from Radio Free Asia to better be able to broadcast into the country, to better be able to shed light on this kind of activity, to leverage for change, and to

bring objective news—to bring the truth—to be a surrogate-free radio station for the Vietnamese people. The spread of democratic values in Asia, frankly, is critical to our security interests as well.

I, myself, have met with some of the Vietnamese dissidents discussed here today, and I've been denounced by the Vietnamese Government for simply meeting with those whose only wish is the freedom to speak their minds. That tells me that the Vietnamese Government is sensitive to international criticism and that the United States must continue to speak out about this issue. I don't think silence is an option for us in the U.S.

In closing, I want to thank Chairwoman ROS-LEHTINEN for her focus on human rights. I want to thank the author here, CHRIS SMITH, for his efforts, and HOWARD BERMAN, Congressman from California, for his work on behalf of the Vietnamese people.

Mr. BERMAN. I am very pleased to yield 2 minutes to the gentlelady from California (Mrs. DAVIS).

Mrs. DAVIS of California. Thank you.

I rise today to express my strong support for H.R. 1410 and also for H. Res. 484. This bill and resolution really embody a great concern of many of my constituents at home as well as of Americans across this country.

As Americans, we often take for granted the rights and privileges that are guaranteed to each and every individual in this country. We can speak out at town halls, and we can protest in front of the Capitol steps. When all else fails, we can register our votes at the polls to make our voices heard. Those rights and privileges that we enjoy are being denied every single day to the people of Vietnam.

So, today, we vote on this bill and this resolution in order to send a clear message that these abuses will not be tolerated. We must make it clear that progress needs to be made on these issues before we can move forward on other issues that are important to both of our countries, including the issue of trade. Our efforts are aimed at bringing about a brighter future in Vietnam where citizens are not in prison for the songs they write and where individuals are not arrested for carrying books on nonviolent resistance. It's sad, but these remain to be the facts of life for the people of Vietnam. In the words of one of my constituents, We can make a difference if we come together.

Let's start by voting ''yes'' on H.R. 1410 and also on the resolution that we will next be talking about, H. Res. 484.

Ms. ROS-LEHTINEN. I would like to ask Mr. BERMAN if he has any other requests for time.

Mr. BERMAN. I have no further requests for time. If the gentlelady is prepared to close, I am prepared to relinquish my remaining time.

Mr. Speaker, I urge support for the legislation, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, in closing, our Nation has always served as a beacon of hope for all who are oppressed and suffer under regimes such as the one in Vietnam, which has shown a blatant disregard for fundamental human rights and universal freedoms. We must continue to serve as such a beacon. We must not waver in our commitment to standing with the oppressed and not with their oppressors. This bill serves as an important guidepost in doing that.

The Vietnam regime continues its oppression. On August 5, they arrested about 30 peaceful demonstrators who were protesting China's activities in the South China Sea. It included the arrest of an 81-year-old activist. Also, the threatened trial of three well-known human rights bloggers has been further postponed, thus extending their unjust legal limbo.

This human rights legislation is long overdue. It contains a provision prohibiting an increase in nonhumanitarian assistance to the Government of Vietnam unless certain human rights benchmarks are met. Of course, it has a Presidential waiver, but it authorizes the President to provide assistance through appropriate nongovernmental organizations and the Human Rights Defenders Fund for the support of individuals and organizations that are promoting internationally recognized human rights in Vietnam. This is an American principle. This should be a universal principle of human rights and respect for minority rights.

I hope that our colleagues will join us in passing Mr. SMITH's bill. The time for it is long overdue. With that, Mr. Speaker, I yield back the balance of my time.

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in support of H.R. 1410, the Vietnam Human Rights Act. I am an original co-sponsor of this legislation, and I thank Mr. SMITH for introducing it.

This bill would prohibit any increase in U.S. non-humanitarian aid to Vietnam until significant progress is made with regard to political and religious rights for the people of Vietnam, including the release of political and religious prisoners, and the repeal or revision of laws that criminalize peaceful dissent and otherwise impede democratic freedoms.

The human rights situation in Vietnam is dire, and shows no signs of improvement. Reporters Without Borders ranks Vietnam as 172nd of 179 in its Press Freedom Index (last in Southeast Asia, and only two spots above China) and an article in Foreign Policy magazine recently referred to Vietnam as ''the most repressive country in Southeast Asia.''

According to the U.S. Commission on International Religious Freedom's (USCIRF) 2012 Annual Report, ''The government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups viewed as challenging its authority . . . The U.S. government should use its diplomatic and political resources to advance religious freedom and related human rights in Vietnam.''

I agree. We need to send a message to the Vietnamese government and make it clear that we do not condone its repression of free speech and democracy. I also want to add that on April 17th, the American democracy activist Nguyen Quoc Quan was arrested in Vietnam and remains in detention. I urge the Vietnamese government to release Dr. Quan, and I urge my colleagues to stand up to the Vietnamese government and support this bill.

Mr. FALEOMAVAEGA. Mr. Speaker, as a Vietnam veteran, I rise in opposition to H.R. 1410.

In 1967, I was deployed to Vietnam and served my country in Nha Trang. My brother also served, and has since passed away.

On the matter of human rights, the U.S. cannot assume the moral high ground when it comes to Vietnam. From 1961 to 1971, the U.S. sprayed more than 11 million gallons of Agent Orange in Vietnam, subjecting millions of innocent civilians to dioxin—a toxic known to be one of the deadliest chemicals made by man. Despite the suffering that has occurred ever since, there seems to be no real interest on the part of the U.S. to clean up the mess we left behind.

Instead, we spend our time offering up language like this which fails to make anything right. While I appreciate that more than 1 million Vietnamese-Americans still have strong feelings about the Vietnam War, the fact is it is time for us to rebuild our relationship with Vietnam just like we did with Germany and Japan after WWII.

Regrettably, H.R. 1410 has an adverse impact on our efforts. H.R. 1410 purports to promote the development of freedom and democracy in Vietnam but fails in its purpose. As noted by the Congressional Research Service, ''the bill could chill the recent warming of bilateral political and security ties and could weaken economic reformers in ongoing domestic political battles inside Vietnam.''

Put another way, H.R. 1410 is not in the best interest of the United States or the Vietnamese-American community. H.R. 1410 is shortsighted in its approach, and contrary to the efforts of the Clinton, Bush, and Obama Administrations which have sought to strengthen our partnership with Vietnam.

Long after the Vietnam War, the U.S. is now about the business of coordinating a multi-country diplomatic push back against Chinese encroachment in the oil-rich and strategically important South China Sea. H.R. 1410 is not helpful to our cause.

In conversations with the Department of State, they share my concerns that measures in H.R. 1410 could adversely affect our security relationship with Vietnam as well as our ability to work with Vietnam on trafficking in persons. H.R. 1410 could also greatly reduce our chances of negotiating a roadmap on human rights.

Moreover, Section 3(a)(2)(G) significantly alters the standard by which the Government of Vietnam's efforts to combat Trafficking in Persons (TIP) are measured, and restricts non-humanitarian assistance to FY2011 levels pending certification in an annual report by the President of the United States.

The Trafficking Victims Protection Act (TVPA) created a set of minimum standards to assess a government's efforts to combat trafficking in persons (TIP). These standards are based on agreed upon international protocols. H.R. 1410 goes beyond the protocols and holds the Government of Vietnam to a higher standard.

By holding the Government of Vietnam to a higher standard that is not applicable to any other foreign government, or to the U.S. government's own efforts, the Act would have an adverse impact on our ability to conduct diplomacy with the Government of Vietnam on improving its anti-TIP efforts.

So while Vietnam may have work to do on improving its human rights record, we also have work to do. First and foremost, we need to work on being fair. We need to work on treating Vietnam the same as we treat other foreign governments. Simply put, it is wrong to hold Vietnam to a higher standard than the rest of the world.

Also, let us be clear about the sincere and measurable progress Vietnam has made. Let us not cherry-pick bits of truth and put forward old data. H.R. 1410 is based on old data—the same data that has been put forward over and over again by those who have never served in Vietnam or visited Vietnam or met with Vietnam's leaders. After serving in Vietnam in 1967, I returned some 40 years later after becoming Chairman of the Subcommittee on Asia and the Pacific. All I can say is the Vietnam I fought against is not the Vietnam I know today.

So, I encourage my colleagues to re-think Vietnam and pursue a path of cooperation that does not undermine the progress we are making. I also ask that the Embassy of Vietnam's statement and the following excerpts from the State Department's International Religious Freedom Report 2010 be made part of the record.

The Report notes, ''respect for religious freedom and practice improved in some regards,'' and that ''the government took further steps to implement its 2004 Ordinance on Religion and Belief and supplemental decrees on religious policy issued in 2005.'' The report also recognizes that the Vietnamese ''government also facilitated construction of new churches, prayer houses, pagodas, and training facilities for furthering the education of thousands of monks, priests, nuns, and pastors'' permitting ''the expansion of religious organizations'' charitable activities.''

The Report also made note of the meeting between President Nguyen Minh Triet and Pope Benedict XVI at the Vatican. ''Vietnam and the Holy See agreed to a Vatican appointment of a non-resident Representative for Vietnam as a first step toward the establishment of full diplomatic relations.'' The report also states that ''new congregations were registered in many of the 64 provinces, and one new religious group and two Protestant denominations received national registration or recognition.''

''The Catholic Church, Protestant congregations, and other smaller religious groups reported that their ability to gather and worship generally improved and that the government allowed registered religious groups to assign new clergy with limited restrictions. The government also permitted the Buddhist, Catholic, Cao Dai, Hoa Hao, and Protestant faiths to hold several historic large-scale religious services throughout the country, some with over 100,000 participants.''

The State Department also confirmed the Vietnam's Government assertion that ''some ethnic minorities in the Central Highlands were operating a self-styled ''Dega Church,'' which reportedly mixed religious practice with political activism and called for ''ethnic minority separatism.'' Regarding the Con Dau incident, the report notes that the arrested six Catholic parishioners ''reportedly started a physical altercation with police.''

In light of these facts and many more, it is my hope that the U.S. Senate will disregard H.R. 1410 and put forward an approach that allows us to strengthen our economic and security ties with Vietnam while negotiating a roadmap on human rights that is based on accurate information—not on misinformation intended to topple Vietnam's current government.

In the U.S. House of Representatives, I hope that the advocates of H.R. 1410—if they are truly sincere about human rights—will apply their efforts to assisting Vietnam with Agent Orange clean-up because the mess we left behind is a serious violation of human rights that needs to be corrected once and for all.

EMBASSY OF VIETNAM TO THE UNITED STATES ON RELIGIOUS FREEDOM IN VIET NAM

Viet Nam is a country of many faiths, with the presence of major world religions including Buddhism, Catholicism, Protestantism and Islam. It has the second largest Catholic community in Southeast Asia. Approximately 80 percent of the population are religious or spiritual believers. Of these, 22.3 million are followers of one religion or another, constituting one fifth of the population. There are 25,000 places of worship in Vietnam.

The government of Viet Nam pursues a consistent policy of respecting religious freedom and facilitating the practice of religion and faith by all citizens. Viet Nam attaches importance to the policy of religious solidarity and concord, ensuring equality and non-discrimination for all religions. Religious activities are protected by law but the abuse of religion to provoke hatred, division and conflict which threatens national security and stability is strictly prohibited.

Religious freedom and protection of religious freedom are provided for in Viet Nam's laws including the 1992 Constitution (Article 70), the Civil Code (Article 47), the 1999 Penal Code (Article 129), the Ordinance on Religion and Belief (''the Ordinance'') and Decree 22/2005/ND-CP dated 1st March, 2005 providing for implementation of the Ordinance.

Since the issuance of the Ordinance, religious freedom has been reinforced throughout the country. Religious life in Viet Nam has seen strong vitality in recent years, thus contributing significantly to national development. There are now 4 Buddhist institutes, 32 intermediate Buddhist schools, hundreds of elementary Buddhist courses, 6 Catholic Seminaries and one Protestant Institute of Bible and Theology in Viet Nam. Thousands of religious dignitaries are trained in those schools each year, of which 1,177 are engaging in governance, working as delegates in the National Assembly or People's Councils. The Evangelical Church of Viet Nam has organized theological courses. A series of religious websites are being operated by the Viet Nam Bishops' Council and the Spiritual Council of the Baha'i Community of Viet Nam. Places of worship have been built throughout the country with the government's sponsorship. These include the construction of the Khmer Theravada Buddhist University in Can Tho province and the expansion of the La Vang Parish in Quang Tri province.

Religious activities in Viet Nam are in full swing now. The 2,555th Buddhist Vesak Day was observed in many provinces. In May, 2011, a Vietnamese delegation participated in the United Nations' Vesak Day in Thailand. The Catholic Church's Jubilee Year in 2011 was prominently celebrated and its closing ceremony was attended by 1,000 priests, 2,000 clergies and 500,000 parishioners. The celebration was honoured by the presence of Cardinal Ivan Dias, Head of the Vatican's Missionary Department, Special Envoy of Pope Benedict XVI.

The year 2011 also marked the 100th anniversary of Protestantism in Viet Nam. Big celebrations were held in Ha Noi, Da Nang and Ho Chi Minh City, attended by Protestants from all provinces and cities.

Local authorities have made important contributions to these achievements of Vietnamese religious communities. However, progress has been slower in certain more distant areas of Vietnam due to poverty, low level of socio-economic development and geographical disadvantages. This is particularly true in mountainous and border provinces. In addition, the educational level and training of some local officials have been limited, making it more difficult for them to full realize our policy.

RECOGNITION AND REGISTRATION OF RELIGIOUS ORGANISATIONS

The registration of religious activities and the recognition of the legal entity of new religious organisations are the basis for religious organisations and congregations to be protected by law, rather than an administrative measure to hinder religious freedom and belief. Eligibility for legal recognition of a religious organization or congregation is clearly stipulated in the 2004 Ordinance on Religion and Belief.

To date, the State has recognized 18 religious organisations representing 9 religions, of which 6 are new ones. These include Baha'i, Tu An Hieu Nghia (Four Debts of Gratitude), Buu Son Ky Huong, The Pure Land Buddhist Home-Practice Association, Minh Su and Minh Ly. Seven other Protestant denominations also achieved recognition, bringing the total number of recognized religious organisations in Viet Nam up to 34. Prior to the introduction of the Ordinance, only 16 organisations representing 6 religions were recognized by our government.

Registration of Protestant groups has shown a particular increase: Upon the issuance and implementation of the Ordinance on Religion (2004) and Directive No. 01 on Protestantism, Protestantism has grown exponentially in Viet Nam in terms of the number of followers, congregations as well as the diversity of worship practices. In 2011, the number of Protestants in Viet Nam was roughly 1.17 million people, of which 110 thousand lived in the northwest region of Viet Nam, 360 thousand in the Central Highlands, and the remaining 700 thousand throughout the country. The number of registered places of worship has increased to over 1,700 groups and congregations (in the northwest: 258 groups, in the Central Highlands: 1,284 groups and 189 congregations). The government has organized 8 conferences to do outreach about our policies and laws concerning Protestantism to 1,600 participants who are the leaders of places of worship.

PROTESTANT REGISTRATION DATA (AS OF DECEMBER 2011)

	2009	2010	2011
Central Highlands			
1. Number of congregations of the General Confederation of Evangelical Churches of Vietnam (Southern) and United World Mission	164	178	189
2. Land right and church building licenses (including church and land)	50	60	80
3. Number of groups registered	.....	1210	1284
4. Appointments of pastors	325	336	NA
North West			
1. Number of groups registered	208	247	258

The registration of Protestant groups in the northwest region is making slow progress mainly due to socio-economic conditions in the local areas, which are the most disadvantaged regions in the country, with treacherous terrain, frequent natural disasters, and local social practices which hamper development. During the past period, the government of Viet Nam has invested in many projects and programs to promote economic, cultural and educational development in these regions. However, many difficulties remain in these regions. In addition, cultural conflicts between Protestantism and communities affiliated to other religions and faiths in this area need some time to be resolved.

In the near future, related ministries, agencies and localities will coordinate with each other to promote religious expression and ensure effective implementation of the Ordinance on Religion and the Prime Minister's Directive 01 on Evangelicalism in these regions.

Publication of the Bible in Latin—H'Mong language: The government has always paid attention to and facilitated the religious activities of national minority followers, including the publication of bilingual Bibles: Viet—Bahnar, Viet—Ede, Viet—Jarai. For the Bible in the H'Mong language, there are two types of H'Mong script, of which the traditional script has been stipulated by law as the sole script allowed in publications. Thus, the publishing the Bible in the H'Mong script will require resolution of this legal issue, as well as the consideration of a professional board from the Ministry of Education. Relevant Vietnamese agencies will continue to work together to expedite this project.

RESOLUTION OF LAND ISSUES RELATING TO RELIGIONS

The right to ownership of land is clearly stipulated in the Constitution and other laws of Viet Nam. The land belongs to the whole people. The State represents this ownership right and exercises unified management over the land. Thus, in Viet Nam, there is no private ownership of land. The State acts as the representative of the people in arranging and managing land use according to the legitimate needs of individuals and organisations.

The issue of land in Viet Nam is very complex since the country has experienced many ordeals stemming from history. Resolution No. 2312003/QH11 of the National Assembly, dated November 26th 2003 affirms: ''The State does not recognize any claims to take back lands that have been managed and put into use by the State. Thus, claims to take back lands, including lands which may have been historically used for religious practices, are not consistent with our law.

For religion-related lands which are now are being managed or allocated by State to the agencies/organisations, the latter must use the lands in full conformity with stipulated purpose and in an effective manner in order not to have any negative impact on the feelings of religious followers (Directive No. 1940/CT-TTg of the Prime Minister dated December 31st, 2008).

In the event that religious organisations have legitimate need for additional land or housing for religious purposes, the government may consider allocating appropriate areas for them. The consideration of land allocation for religious organisations must comply with the law and regulations.

Recently, the government has allocated large areas of land for religious organisations to use for religious purposes. For instance, Ho Chi Minh City has allocated over 10,000 m^2 to the Southern Evangelical Church of Vietnam for construction of the Evangelical Institute for Bible and Theology. Similarly, Dak Lak province allocated over 11,000 m^2 for the construction of the Archbishopric of Buon Ma Thuot. Da Nang City also allocated over 9,000 m^2 for the Da Nang Archbishopric. Quang Tri province re-allocated 20 hectares of the Shrine of the Lady of La Vang to the La Vang Parish. Likewise, Ha Noi City has recently allocated land for the Viet Nam Buddhist Association to build a Buddhism University.

RELIGIOUS ORGANISATIONS AND CHARITABLE ACTIVITIES

The government pursues a policy of facilitating and encouraging religious organisations' participation in philanthropic works in accordance with the law (Article 33 of the Ordinance on Religion). Many religious organisations in Viet Nam are very active in social and charitable activities such as free medical checkup and medical treatment, care for children in particularly difficult circumstances, and people living with HIV. Many religious officials have taken part in fundraising campaigns for natural disaster relief.

There are more than 80 religion-related international NGOs in Viet Nam.

ENSURING EQUALITY AND NON-DISCRIMINATION AMONG RELIGIONS

Vietnamese law provides that ''all religions are equal before the law.'' Missionary activities of religious groups are carried out customarily, according to Vietnamese law, without any discrimination.

The policy and law of Viet Nam guarantees equality among all citizens as a principle, regardless of their sex, religion, race or age. All citizens have the right to nominate themselves and, if elected, participate in the administration and leadership of society. In fact, a number of the current members of the National Assembly are representatives from different religions (19 religious followers and officials were nominated for the 13th National Assembly, 8 of whom were elected, 2 more than the 12th National Assembly). Many religious followers and officials are now members of the Viet Nam Fatherland Front or hold leadership positions in the government at every level.

THE HANDLING OF CASES INVOLVING RELIGIOUS BELIEVERS

Vietnamese law clearly states that no person may be arrested, imprisoned or sanctioned in any manner because of their exercise of their religious or spiritual beliefs. However, as in every country, those who commit crimes that violate the law cannot hide behind their religious affiliation to avoid the legal process. Those individuals are not subject to litigation because of their religious affiliation but because of their violation of the law that every Vietnamese citizen is expected to abide by. Their cases are handled in accordance with Vietnamese law in a country which follows the rule of law.

Below is some information on some specific cases:

Nguyen Van Ly: On March 30, 2007, the People's Court of Thua Thien Hue province sentenced Nguyen Van Ly to 8 years of imprisonment and 5 years of probation (according to Article 88 of the Penal Code). While serving his sentence, Nguyen Van Ly was put in a separate cell with access to TV, newspapers, religious materials, and provided with nutritious food and healthcare. His family and representatives of the Hue Archbishopric and Ambassadors of the U.S., Canada and the U.S. Commission on International Religious Freedom were allowed to visit him.

In March 2010, due to the condition of Nguyen Van Ly and our humanitarian approach, his imprisonment was suspended for 12 months starting on March 15, 2010. During the suspension, Ly continued to conduct provocative activities violating the law and disturbing order in his hometown. After that period, health improved and Nguyen Van Ly and his family did not file a request for further suspension. Thus, on July 25, 2011, he was sent back to prison to continue serving his sentence in accordance with Viet Nam's law on execution of court judgements.

After his return to prison, his sister Nguyen Thi Hieu, his nephew Nguyen Cong Hoang and representatives of the U.S., Canadian and Australian Embassies have visited him at Nam Ha prison. At this moment, his health is stable and he is living in good conditions and receiving the same treatment as other inmates, according to Vietnamese law.

Thich Quang Do: During the movement for the unification of Vietnamese Buddhism in 1981, while all other Buddhist organisations and denominations in the country came together in common purpose, the An Quang sect under the Viet Nam Unified Buddhist Church led by Thich Huyen Quang and Thich Quang Do failed to reach an agreement with other Buddhists.

In following years, Thich Huyen Quang and Thich Quang Do continued to act against the government by organizing their followers in an attempt to restore the Viet Nam Unified Buddhist Church. Thich Quang Do's activities have been supported by the Viet Nam Unified Buddhist groups in exile, who designated him as the Head of the ''Institute for the Dissemination of the Dharma''. Worse than that, Thich Quang Do and the so-called ''Viet Nam Unified Buddhist Church'' do not cease to distort the policies of the State of Viet Nam and continue to engage in provocative acts to undermine national unity and religious solidarity.

Thai Ha: In November 2011, some extremist clergymen from the Christ's Redemption branch of Thai Ha Parish took advantage of a land dispute to spread false and malicious slander against the government and incite people to gather, riot and trespassed in order to try to illegally take over the land. However the local authorities have been in full compliance with the law in designating the land for the construction of a drainage system for Dong Da Hospital in order to protect and keep the environment clean.

In early December 2011, some followers and priests of the Thai Ha Parish gathered in front of the Ha Noi People's Committee to submit a petition. They were sent to the place

designated for submitting petitions and returned home that same day. However, some people falsely characterized and distorted what happened, claiming that the government suppressed and detained the petitioners. At present, the land-related petition of the Thai Ha Parish is being handled by the responsible agency according to the law.

Muong Nhe: In late April and early May 2011, in the Muong Nhe district of Dien Bien province, some H'Mong extremists deceived, incited, displaced and even forced a number of H'Mong people from several localities to move to some villages in the Muong Nhe district of Dien Bien province. The extremists then called for the establishment of a H'Mong kingdom, to secede from Viet Nam Attempting to foment secession from the Vietnamese nation violates Vietnam's law and causes other threats to law and order. The actions of these extremists also negatively affected the people's lives and livelihood. Due to the bad weather and bad living conditions at the place where the extremists took people, some got sick and one child died.

After the bad experiences suffered by those tricked into following the extremists, the authorities and people's mass organisations in Muong Nhe district were easily able to explain to people how they were misled by the unscrupulous secessionists. The people returned home voluntarily, with local authorities providing them with transportation, food, medication and financial support to help in their resettlement. Only the extremists who broke the law were detained. Those who failed to ignite a split among our people have now spread false and malicious rumours about fighting between the army and demonstrators claiming 'many are wounded and dead'. Nothing could be further from the truth. Now that the people are back in their homes, peace and order has been restored.

In spite of economic difficulties, the Vietnamese government always cares about and supports people in mountainous and remote areas, including the H'Mong people. The government goes to great lengths to help stabilise their lives through socio-economic development programmes and poverty reduction projects as well as promoting their indigenous cultures and languages. In future, the Vietnamese government will continue to promote and fund programmes in housing, healthcare, education and development of production and infrastructure.

Viet Nam has facilitated the travel of foreign press, foreign diplomatic missions (including the U.S. Embassy, EU Delegation and Norwegian embassy) and international media to Muong Nhe to cover the news and learn about the reality there.

Cau Ram Parish: The current Cua Nam garden in Cua Nam ward of Vinh City was formerly the old Cau Ram church. This church was completely destroyed by U.S. bombing. At that time, the authorities of Nghe An allowed Cau Ram parish to build a new church on another plot of land, where the church still stands today. The former site of the church was allocated by the Nghe An People's Committee to the Vinh City People's Committee for the development of a public garden to provide 8 green space to city residents. Since the Cau Ram parish received land for its church to replace the site that was destroyed by U.S. bombs and its former site is now zoned for use as a public park, the request for the return of the former site is groundless.

Local authorities have handled the Cau Ram parish's and parishioners' request in accordance with the law. The Nghe An People's Committee sent an official note to the officials in charge of the Vinh diocese and Cau Ram parish responding to the proposal made by the Cau Ram parish, making clear the government's policy regarding use of public lands. Public opinion also supports the use of the land as a garden. The People's Committee collected public opinion in the newspapers regarding the location for a Martyrs' Memorial, and propose Cua Nam garden as one of 5 possible locations. However, the Nghe An People's Committee did not selected Cua Nam Garden as the place to build the Martyrs' Memorial

On August 17, 2011, the Cau Ram parish held a meeting to sum up its theological works and reward young parishioners. They then made a procession from Cau Ram church to Yen Dai Parish to attend a mass for the Blessed Virgin. As the procession went on, some parishioners violated traffic rules, causing public disorder. Following the mass, parishioners dispersed voluntarily. There was no such thing as building the Martyrs' Memorial as given in some news. No one was arrested or detained.

Con Dau: In Con Dau an urban planning project was implemented—a project that had been announced in advance and discussed with the public and was supported by most households, both religious and non-religious, in the area. To assure harmony, Catholic households who lost land due to eminent domain were given increased compensation by the Da Nang authorities. Despite the fact that this project was carried out in accordance with all laws and regulations, some persons with malicious intentions took advantage of a Christian funeral to incite people and cause chaos, cynically attempting to turn a sacred religious ceremony into a place to vent their hostility.

Ky Dong: In the past, the Redemptorist Church donated the house at No. 8 Ba Huyen Thanh Quan Street, which was just in front the house at No. 38 Ky Dong, District 3, Ho Chi Minh City, to the government to turn it into a school. Now the school has been renovated and has become 'Pre-school No. 9'. The Redemptorist Church would like to now change its mind and has asked for the building back. However, as the transfer was voluntary and accomplished in accordance with Vietnamese law and the building is now properly being used as a school for the education of the children of the district, the church has no legal or other claim as to the site.

CONCLUSION

Vietnam is a diverse country of many nationalities, cultures and religions. We treasure this diversity, including the many religions and faiths that arise from our history and shape our future. In recent years, our laws have developed in parallel with our commitment to freedom of religious expression and worship. As is the case with every country, not every law is always perfectly applied in practice in every instance. However Viet Nam aspires and is working to apply our laws in keeping with our policy of guaranteeing religious rights to our people.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1410, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

NORTH KOREAN REFUGEE ADOPTION ACT OF 2011

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1464) to develop a strategy for assisting stateless children from North Korea, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1464

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 ''North Korean Refugee Adoption Act of 2011''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) thousands of North Korean children do not have families and are threatened with starvation and disease if they remain in North Korea or as stateless refugees in surrounding countries;

(2) thousands of United States citizens would welcome the opportunity to adopt North Korean orphans living outside North Korea as de jure or de facto stateless refugees; and

(3) the Secretary of State and the Secretary of Homeland Security should make every effort to facilitate the immediate care, family reunification, and, if necessary and appropriate, the adoption of any eligible North Korean children living outside North Korea as de jure or de facto stateless refugees.

SEC. 3. DEFINITIONS.

In this Act:

(1) FOREIGN-SENDING COUNTRY.—The term ''foreign-sending country''—

(A) means—

(i) the country of the orphan's citizenship; or

(ii) if the orphan is not permanently residing in the country of citizenship, the country of the orphan's habitual residence; and

(B) excludes any country to which the orphan—

(i) travels temporarily; or

(ii) travels as a prelude to, or in conjunction with, his or her adoption or immigration to the United States.

(2) HAGUE COUNTRY.—The term ''Hague country'' means a country that is a signatory of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

(3) NON-HAGUE COUNTRY.—The term ''non-Hague country'' means a country that is not a signatory of the Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption, done at The Hague on May 29, 1993.

SEC. 4. STRATEGY ON ADOPTION OF NORTH KOREAN CHILDREN BY UNITED STATES CITIZENS.

(a) IN GENERAL.—The Secretary of State, in consultation with the Secretary of Homeland Security, shall develop a comprehensive strategy for facilitating the adoption of North Korean children by United States citizens.

(b) CONSIDERATIONS.—In developing the strategy under this section, the Secretary shall—

(1) consider the challenges that United States citizens would encounter in attempting to adopt children from North Korea who are currently living in Hague countries and non-Hague countries regardless of their legal status in such countries;

(2) propose solutions to dealing with the situation in which a North Korean refugee child does not have access to a competent authority in the foreign-sending country;

(3) propose solutions to dealing with North Korean refugee children who are not considered habitual residents of the countries in which they are located;

(4) evaluate alternative mechanisms for foreign-sending countries to prove that North Korean refugee children are orphans when documentation, such as birth certificates, death certificates of birth parents, and orphanage documentation, is missing or destroyed;

(5) provide suggestions for working with South Korea to establish pilot programs that identify, provide for the immediate care of, assist in the family reunification of, and assist in the international adoption of, orphaned North Korean children living within South Korea;

(6) provide suggestions for working with international adoption agencies and aid organizations in Asia to identify and establish pilot programs for the identification, immediate care, family reunification, and international adoption of North Korean orphans living outside North Korea as de jure or de facto stateless refugees;

(7) identify other nations in which large numbers of stateless, orphaned children are living who might be helped by international adoption; and

(8) propose solutions for assisting orphaned children with Chinese fathers and North Korean mothers who are living in China and have no access to Chinese or North Korean resources.

(c) REPORTING REQUIREMENT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall submit a written report to Congress that contains the details of the strategy developed under this section.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I kindly ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and to insert extraneous materials into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

I rise in strong support of H.R. 1464, the North Korean Refugee Adoption Act, of which I am a proud cosponsor.

I want to thank my good friend from California (Mr. ROYCE), who is the chairman of the Subcommittee on Terrorism, Nonproliferation, and Trade on our Foreign Affairs Committee and who is a longtime advocate on North Korean human rights and refugee issues, for introducing this important bill.

We are all too keenly aware of the extreme repression, the malnutrition, and the poverty suffered by so many inside North Korea today. Those threats often take the greatest toll on children.

□ 1820

Imagine what happens when a child's natural protectors—parents—are no longer in the picture. Imagine what happens when that child is born or orphaned inside China when the child lacks legal status or dependable access to social services: malnutrition, abuse, exploitation, lack of education. These are the horrors that are faced by orphans of North Korean origin who are effectively stateless and without protection.

Mr. Speaker, the United States is home to the largest ethnic Korean population outside of Northeast Asia, and many of the nearly 2 million Americans of Korean descent have family ties to North Korea. Numerous American families would like to provide caring homes to these stateless North Korean orphans. H.R. 1464 is a responsible first step toward making that possible.

This bill does not ignore the unique challenges involved with ensuring that North Korean adoptees are genuine orphans and not fraudulent victims of trafficking. It does not change U.S. immigration law, nor the legal standards for adoption. It does not reduce the need for China to begin abiding by its refugee convention obligations to vulnerable North Koreans within its borders. And it does not diminish our commitment to assisting intact refugee families or to reunifying families that are separated.

What it does do, Mr. Speaker, is require that our State Department take a broad look at the diplomatic and documentation challenges facing American families who would like to adopt North Korean orphans and report to Congress on potential strategies to address them.

Doing the right thing is not always easy.

I especially want to applaud those adoptive parents, both past and future, who invest their own lives and homes to provide loving families for some of the world's most endangered children. H.R. 1464 is a welcome step forward, Mr. Speaker, and deserves our unanimous support.

With that, I reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of H.R. 1464.

I would like to thank the sponsor of this legislation, the gentleman from California (Mr. ROYCE), as well as the chairman of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on this issue and for their work in supporting the plight of North Korean refugees.

Despite North Korea's efforts to appear ''strong and prosperous'' this year to celebrate the 100th birthday of the country's founder, vast numbers of its people live in dire conditions. Sadly, the North Korean regime's misguided priorities, pouring hundreds of millions of dollars into its so-called ''space program,'' its nuclear programs, and its massive military only underscore its cold-hearted callousness and blatant disregard for its own citizens.

Thousands of North Korean children do not have families to care for them and are threatened with starvation and disease if they remain in North Korea or as refugees in neighboring countries, especially China. Many of the children that have fled the north are hiding and live in mortal fear of being caught and sent back to North Korea where they would face severe punishment and even death. Equally terrifying is the prospect of being sold into bondage by human traffickers in China.

As a beacon of hope for the rest of the world, the United States must do all it can to help these vulnerable and destitute children. That's why I'm proud to be a cosponsor of Mr. ROYCE's legislation, H.R. 1464, the North Korea Refugee Adoption Act. This bill calls on the Secretaries of State and Homeland Security to formulate and report to Congress on a strategy for facilitating the adoption of North Korean children by U.S. citizens. Passage of this bill will be the first step in helping the thousands of North Korean child refugees living alone in foreign lands, and it would provide a glimmer of hope to the American families who would welcome the opportunity to adopt North Korean orphans.

The impending passage of this bill speaks to the broad bipartisan consensus in Congress regarding the atrocious human rights situation in North Korea. As innocent men, women, and children flee the repressive North Korean regime at great personal risk, we have a moral obligation to assist them. H.R. 1464 is not merely about adoption, but also an issue of human rights for the North Korean people. We must continue working to ensure that the North Korean people are not forgotten and that orphaned North Korean children will get the care and support they need.

I urge my colleagues to support this bill, and I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I'm so pleased to yield 6 minutes to the other gentleman from California (Mr. ROYCE), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation and Trade, and the author of this important bill.

Mr. ROYCE. I thank the gentlelady for yielding.

Mr. Speaker, this is the North Korean Refugee Adoption Act of 2011, and I want to thank Chairman ROS-LEHTINEN and Ranking Member BERMAN for their support of this bill, and also I think we should thank the numerous Korean American organizations

from around this country that tirelessly advocated on behalf of its passage. They are the groups that originally came to me with the heart-wrenching problem that these orphans face, and they suggested an idea for a solution. I would like to recognize the Defense Forum Foundation, the North Korea Freedom Coalition, the Korean Church Coalition for North Korea Freedom, the Korean American Coalition, the Korean Churches for Community Development, the 300 Pastoral Coalition, and the 318 Partners. These are the groups that suggested that with a lot of hard work we might get this legislation through. They put through countless phone calls and meetings and rallies up here on Capitol Hill and I think really helped generate the widespread support that this bill has today.

Of course, the bill stems from the problem that for over 50 years North Korea has been one of the world's most repressive regimes. Every imaginable freedom that we enjoy here—speech or assembly or association or worship, and actually oddly enough, even the right to smile—is denied in North Korea by one statute or another. Meanwhile, the regime's elites live in luxury. Of course, the people, especially in the rural areas of North Korea, starve.

It is little wonder why tens of thousands of North Koreans, many of them women and children, flee to China. For many, it's a last resort. It's a final chance to avoid starvation for those children and avoid unspeakable oppression. Yet that choice is not always an easy one. That path to freedom is very perilous. Those fleeing North Korea often make their journey during the winter, and they cross over that Tumen River as it's frozen. Those temperatures there are subzero, and the terrain is treacherous. It is an obstacle course of checkpoints and of informants, and they make that a very dangerous journey. Sadly, but not surprisingly, many refugees succumb to the elements. There are many bodies frozen along that bank.

Those that survive also face dangers from human traffickers. As one dissident told National Geographic, crossing the Tumen was easy compared to what happened next as she was tricked into getting into a car that belonged to a sex trafficker. For the next year, she remained locked in a room, forced into selling her body. The result of all of this is that many North Korean orphans are left in China. Worse yet, they are stateless and they are without identification. Estimates show that thousands of children are left stateless in the border region between North Korea and China, and there they suffer. If they're sent back to North Korea, they suffer unimaginably.

Mr. Speaker, this is why we need to pass this legislation. This bill is a good first step in responding to this human rights crisis. Specifically, this bill would have the State Department develop a strategy for assisting stateless children from North Korea.

□ 1830

While many American families would welcome the opportunity to adopt a North Korean orphan, many hurdles remain. For example, children must certify that they have lost their parents or legal guardians and that they have absolutely no one to rely on. A child orphan in North Korea would have a very hard time proving that attestation.

Most of these children have great difficulty proving this to their own understanding, and they have no death certificate of parents, and many have no proof that they truly are orphans. By passing this bill, we will be taking an important step towards solving these problems.

We are not committing to any particular policies, but we are committing to doing what we can to help these defenseless children. We are trying to create a win/win for these desperate young ones, orphans living in deplorable conditions and their potential new families.

Again, I thank you, Chairman ROS-LEHTINEN, I thank you for your support, and we thank the numerous American Korean organizations, and we thank Ranking Member BERMAN for all of this help. I urge my colleagues to support this important bill.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I urge support for the legislation.

I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I think Mr. ROYCE did a wonderful job in summing up our bipartisan position.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1464.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CALLING ON VIETNAM TO RESPECT BASIC HUMAN RIGHTS AND CEASE ABUSING VAGUE NATIONAL SECURITY PROVISIONS

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 484) calling on the Government of the Socialist Republic of Vietnam to respect basic human rights and cease abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code, which are often the pretext to arrest and detain citizens who peacefully advocate for religious and political freedom, as amended.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 484

Whereas article 79, which penalizes ''carrying out activities aimed at overthrowing the people's administration'', carries a maximum penalty of death and is used by the Government of the Socialist Republic of Vietnam to crack down on citizens advocating for political pluralism or associating with prodemocracy parties, including—

(1) Le Cong Dinh, Tran Huynh Duy Thuc, Nguyen Tien Trung, Le Thang Long, and Tran Anh Kim arrested in 2009;

(2) Cao Van Tinh, Duong Kim Khai, Nguyen Chi Thanh, Nguyen Thanh Tam, Pham Minh Hoang, Pham Ngoc Hoa, Pham Van Thong, and Tran Thi Thuy arrested in 2010; and

(3) Dang Xuan Dieu, Ho Duc Hoa, Ho Van Oanh, Nguyen Dinh Cuong, Nguyen Van Duyet, Nguyen Van Oai, Nguyen Xuan Anh, Nong Hung Anh, Paulus Le Son, Thai Van Dung, and Tran Minh Nhat arrested during the summer of 2011;

Whereas article 88, which penalizes ''conducting propaganda against the State'', carries a maximum sentence of 12 years imprisonment and is used by the Government of Vietnam to detain writers and bloggers, including—

(1) Father Nguyen Van Ly, Nguyen Phong, and Tran Quoc Hien arrested in 2007;

(2) Nguyen Van Hai (''Dieu Cay''), Nguyen Xuan Nghia, Pham Thanh Nghien, and Pham Van Troi arrested in 2008;

(3) Cu Huy Ha Vu, Phan Thanh Hai, and Vi Duc Hoi arrested in 2010; and

(4) Chu Manh Son, Dinh Dang Dinh, Dinh Van Nhuong, Do Van Hoa, Hoang Phong, Lu Van Bay, Nguyen Kim Nhan, Ta Phong Tan, Tran Huu Duc, and Viet Khang arrested in 2011;

Whereas Vietnam is a signatory to the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights; and

Whereas closer economic and security ties between the United States and Vietnam are ultimately contingent on the Government of Vietnam's respect for basic freedoms: Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns the continued and worsening crackdown in the Socialist Republic of Vietnam against community organizers, bloggers, and democracy activists;

(2) calls on the Government of Vietnam to repeal articles 79 and 88 of the Vietnamese penal code and similar vague national security measures used to persecute peaceful political opposition and dissent;

(3) calls on the Government of Vietnam to release all political prisoners, especially all activists, writers, and bloggers who have been detained or sentenced under articles 79 and 88 of the Vietnamese penal code; and

(4) urges the United States Department of State to monitor rule of law developments in Vietnam, to help ensure that Vietnamese laws are administered in ways that are consistent with Vietnam's international human rights commitments.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of House Resolution 484, a bipartisan resolution of LORETTA SANCHEZ, a bill of which I am a cosponsor.

This resolution calls on the Vietnamese authorities to ''respect basic human rights and cease abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code.'' These draconian legal measures are often used to arrest and detain citizens who peacefully advocate for political and religious freedom.

When the Bush administration signed the bilateral trade agreement with Vietnam in the year 2006, which paved the way for Vietnam joining the World Trade Organization the next year, the Congress was assured that trade liberalization with Hanoi would lead, inevitably, to political liberalization.

This proved, however, to be as spurious a promise as one made by the Clinton administration, which vowed that the liberalization of trade would open the door to democracy and human rights in China. The siren song that trade is the panacea for ending totalitarian oppression is directly contradicted by reports of deteriorating human rights conditions in both Vietnam and China.

As Hanoi comes increasingly to Washington seeking strategic support for its dispute with the Chinese in the South China Sea, one can only ask, why are we not using Hanoi's concerns in the South China Sea as leverage to win greater concessions on the dismal human rights conditions in Vietnam?

Why would we even consider helping Vietnam against Chinese bullying as long as Hanoi holds behind bars United States citizen Dr. Quan. Dr. Quan is a mathematician, and he has been detained in Vietnam since he returned there for a family visit in April.

This resolution spells out in great detail how Hanoi makes use of the security provisions contained in articles 79 and 88 to continue to detain such noted democracy advocates as Father Ly.

Article 88's provision regarding propaganda against the State gives Hanoi great leeway in detaining and imprisoning human rights activists, writers, those who advocate for democracy, journalists, Internet bloggers, the list goes on.

The repeal of articles 79 and 88, and the release of all political prisoners, as called for in this important resolution, would represent first steps away from the continued totalitarian oppression of the Vietnamese regime. Our State Department should not put concern for human rights and the protection of the rights of U.S. citizens on a back burner while we pursue commercial and strategic opportunities with the leaders in Hanoi.

We in Washington must be of one voice in strongly condemning the continuing crackdown on human rights and democracy in Vietnam. We should also remember that without the rule of law, it is not only democracy advocates who are put at risk, but also those whose special contracts will prove to be worthless pieces of paper.

Therefore, Mr. Speaker, I urge my colleagues to give their strong and unwavering support for this resolution.

With that, I reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I rise in support of H. Res. 484, as amended, and I yield myself such time as I may consume.

First, I want to thank the sponsor of the legislation, the gentlewoman from California (Ms. LORETTA SANCHEZ). For her entire time in this Congress she has been a passionate and eloquent spokesperson on behalf of the Vietnamese people and their right to have their political, individual, and religious rights. The same goes for the chair of the Foreign Affairs Committee, Ms. ROS-LEHTINEN, who in all human rights issues has been a true congressional leader.

This resolution calls on Vietnam's government to respect basic human rights for its people and to stop using vague national security laws as a pretext to arrest and detain citizens who peacefully advocate for religious and political freedom. This resolution demonstrates America's commitment to human rights, democracy, and the rule of law by calling on the Government of Vietnam to release all political prisoners, including activists, writers, and bloggers, who have been unfairly detained or sentenced. The names of over 40 of these political dissidents and activists who were peacefully expressing their views and posed no threat to Vietnam's national security are included in this resolution.

Vietnam must stop criminalizing free speech and peaceful political activism and begin upholding the universal declaration of human rights and the international covenant on civil and political rights to which it is a signatory.

As ties between the U.S. and Vietnam continue to develop and mature, Hanoi must understand that respect for the universal principles of democracy, freedom, and human rights remains a central part of our bilateral relationship. And more progress in these areas is needed before, as we have said before, that relationship can be taken to the next level. I urge my colleagues to support this resolution.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield 1 minute to my good friend from California (Mr. ROYCE), the chairman of the House Committee on Foreign Affairs Subcommittee on Terrorism, Nonproliferation, and Trade.

□ 1840

Mr. ROYCE. Mr. Speaker, I rise in support. As Human Rights Watch noted, last year saw a steady stream of political trials and arrests, likely spurred, in part, by Vietnamese Government concerns that the pro-democracy Arab Spring movement might reach Asia.

As they explained, there's at least 24 convictions right now under article 79 and article 88 of the penal code that have been handed down. Hence the need for this resolution to pass this Chamber. We should all support it.

Mr. BERMAN. I am pleased to yield such time as she may consume to the sponsor of this resolution, the gentlelady from California (Ms. LORETTA SANCHEZ).

Ms. LORETTA SANCHEZ of California. Thank you to Chairwoman ROS-LEHTINEN and to Ranking Member BERMAN and to the committee for bringing this resolution to the House floor.

Mr. Speaker, Dr. Nguyen Quoc Quan is a democracy activist, and he's also a member of a democracy activist organization here called Viet Tan. On April 17 of this year, an American citizen—yes, Dr. Nguyen is an American citizen—was arrested at Saigon Airport by the Vietnamese authorities, and he was charged with terrorism for 4 months for possessing educational documents on leadership skills and on nonviolent political activism. How can possession of educational documents be considered terrorism?

Last month, the Vietnamese Government decided to change Dr. Nguyen's crime from terrorism to subversion, despite having no grounds for either one of those two things. Democracy activists such as Paulus Le Son, Ho Duc Hoa, Dan Xuan Dieu all have been detained under article 79, which penalizes ''carrying out activities aimed at overthrowing the people's administration.'' When you're charged with article 79 in Vietnam, it carries a maximum of the death penalty.

Father Nguyen Van Ly; Nguyen Van Hai, more commonly known as blogger Dieu Cay; and Phan Thanh Hai are all charged, for example, with article 88, which penalizes conducting propaganda against the state. And that carries a maximum sentence of 12 years.

So what does House Resolution 484 do? It addresses these very vague national security provisions, and it calls on the Government of Vietnam to cease abusing provisions such as articles 79 and 88. Using those articles to arrest peaceful democracy advocates, I believe, is blatant human rights violations. Vietnam is a signatory to the Universal Declaration of Human Rights and the International Covenant on Civil Rights and Political Rights. However, Vietnam has yet to become a responsible member of the international community. Consistently, the Vietnamese Government has denied its citizens the freedoms of religion, of opinion, of speech, of assembly, of the right to counsel, of a fair trial. How does this government expect to gain the respect of the international community when they refuse to treat their citizens with the same respect?

House Resolution 484 condemns the Government of Vietnam for its continued crackdown against democracy activists and calls on Vietnam to repeal

articles 79 and 88. It also calls for release of all political prisoners, writers, and bloggers that the only thing they've asked is to have a more open process, to have some civil rights, to have some human rights, to be able to discuss with each other a new way forward.

As Americans, we pride ourselves on being a country that stands by freedom, by liberty, and by justice. And as Members of this United States Congress, we have a responsibility. Other countries are watching us. We have a responsibility to stand up and to take steps and to say enough is enough.

As the Government of Vietnam continues to criminalize individual rights, as it criminalizes basic freedoms, I believe this is an indication that Vietnam is not interested in being a responsible member of the international community. We, the United States, need to examine our economic and our military relationships with Vietnam. We must insist on changes to human rights in that country.

I urge my colleagues to vote for House Resolution 484 to protect the rights and the freedoms of the citizens of Vietnam; and in doing so, we protect the rights and freedoms of every citizen in this world.

Ms. ROS-LEHTINEN. Mr. Speaker, I continue to reserve the balance of my time.

Mr. BERMAN. Mr. Speaker, I have no further requests for time, and I'm prepared, if you're prepared to close, to yield back the balance of my time, and I will yield back the balance of my time.

Ms. ROS-LEHTINEN. Just in closing, I would hope some of these impassioned speakers on behalf of respect for human rights, democracy, and the rule of law for the people of Vietnam, as meritorious as they are, I hope that they're extended to my native homeland of Cuba as well. May we hear those voices on the House floor calling for those same characteristics for the people of Cuba.

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

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise today in support of H. Res. 484. I am proud to cosponsor this important resolution introduced by my good friend, fellow Californian, and co-chair of the Vietnam Caucus, Representative LORETTA SANCHEZ. This resolution calls on the Government of the Socialist Republic of Vietnam to respect basic human rights and to stop abusing vague national security provisions such as articles 79 and 88 of the Vietnamese penal code, articles which are frequently cited as the justification for the arrest and detention of citizens who peacefully advocate for religious and political freedom.

The use of these draconian laws to silence opposition and maintain one-party control is unacceptable and should not be tolerated. I strongly urge my colleagues to support this resolution, and to speak out for the activists whose voices have been silenced by the repressive regime in Vietnam.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 484, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

TAIWAN OBSERVER STATUS IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and concur in the concurrent resolution (S. Con. Res. 17) expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

S. CON. RES. 17

Whereas the Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, approved the establishment of the International Civil Aviation Organization (ICAO), stating ''The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport'';

Whereas, following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that ''a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system,'' and that there should be a commitment to ''foster international cooperation in the field of aviation security and harmonize the implementation of security measures'';

Whereas, the 37th ICAO Assembly in October 2010 adopted a Declaration on Aviation Security largely in response to the attempted sabotage of Northwest Airlines Flight 253 on December 25, 2009, which established new criminal penalties for the use of civil aircraft as a weapon, the use of dangerous materials to attack aircraft or other targets on the ground, and the unlawful transport of biological, chemical, and nuclear weapons and related materials, along with extradition arrangements that facilitate cooperation among nations in apprehending and prosecuting those who have undertaken these and other criminal acts;

Whereas, on October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of the Declaration on Aviation Security, but noted that ''because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world—and all nations must share the responsibility for securing that system'';

Whereas the Taipei Flight Information Region, under the jurisdiction of Taiwan, ROC, covers an airspace of 176,000 square nautical miles and provides air traffic control services to over 1,350,000 flights annually, with the Taiwan Taoyuan International Airport recognized as the 8th and 18th largest airport by international cargo volume and number of international passengers, respectively;

Whereas exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO;

Whereas the United States, in the 1994 Taiwan Policy Review, clearly declared its support for the participation of Taiwan in appropriate international organizations, in particular, on September 27, 1994, with the announcement by the Assistant Secretary of State for East Asian and Pacific Affairs that, pursuant to the Review and recognizing Taiwan's important role in transnational issues, the United States ''will support its membership in organizations where statehood is not a prerequisite, and [the United States] will support opportunities for Taiwan's voice to be heard in organizations where its membership is not possible''; and

Whereas ICAO rules and existing practices have allowed for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities through granting of observer status: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the International Civil Aviation Organization (ICAO) will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation;

(2) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO for the purpose of such participation; and

(3) the Department of State should provide briefings to or consult with Congress on any efforts conducted by the United States Government in support of Taiwan's attainment of observer status in the ICAO.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. BERMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

GENERAL LEAVE

Ms. ROS-LEHTINEN. I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and to insert extraneous material into the RECORD on this measure.

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

There was no objection.

Ms. ROS-LEHTINEN. I yield 3 minutes to the gentleman from California (Mr. ROYCE), who has a strong interest

in this issue related to Taiwan's status in the International Civil Aviation Organization.

Mr. ROYCE. I thank the gentlelady for yielding.

I do rise in support of this measure. For too long, Taiwan has been left out of international organizations at the demand of China. Taiwan was denied access to the World Health Organization. It was unable to participate as even an observer for over 40 years. Thankfully, though, that changed in 2009, when a Taiwanese delegation was allowed to observe meetings in Geneva. Infectious disease knows no borders. And it was only proper that that change was made. Congress had long pressed for this action through bills and resolutions.

□ 1850

So it is fitting that we once again take to the floor to press for Taiwan's inclusion in the International Civil Aviation Organization. Despite being home to the world's 18th busiest airport, Taiwan has been kept out of an organization that aims to keep passengers safe.

Indeed, as this resolution finds, Taiwan's exclusion from the ICAO has impeded Taiwan's government from keeping up-to-date with aviation standards and prevented the implementation of new systems and new procedures. The 35 million passengers that travel to and from Taiwan each year are done a great disservice by Taiwan's exclusion.

Mr. Speaker, in a relatively short period of time, Taiwan has gone from poverty to prosperity. It has gone from autocracy to democracy. We have a strong relationship that stretches back for over half a century. Today, our relations remain strong. Passage of this resolution will only serve to strengthen this relationship, and I urge my colleagues to support this measure.

Mr. BERMAN. Mr. Speaker, I rise in strong support of S. Con. Res. 17 and yield myself such time as I may consume.

I'd like to thank the sponsor of the legislation, the Senator from New Jersey (Mr. MENENDEZ), and the chairman of the House Foreign Affairs Committee, Ms. ROS-LEHTINEN, for their leadership on this issue.

This resolution expresses the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization, ICAO. Taiwan has made significant progress in its economic and political development. Today, Taiwan is a leading trade partner of the United States and stands as a beacon of democracy in Asia.

However, Taiwan has been excluded from meaningful participation in ICAO, an international organization which is dedicated to ensuring safe and efficient air transportation around the globe.

Taiwan clearly deserves to be brought into ICAO as an observer—a status specifically recognized under ICAO's own rules.

Taiwan has jurisdiction over airspace comprising 176,000 square nautical miles and provides air traffic control services to over 1.3 million flights each year. It has the eighth largest airport in the world by cargo volume, and the 18th largest by the number of international passengers.

Taiwan's exclusion from ICAO has impeded Taiwan's efforts to maintain civil aviation standards to keep up with rapidly evolving international standards. It is unable to even contact ICAO for up-to-date information on aviation standards and norms, nor can it receive ICAO's technical assistance implementing new regulations or participate in ICAO technical and academic seminars.

Despite these impediments, Taiwan has made every effort to comply with ICAO's standards, but their continued exclusion not only hurts Taiwan, it puts the entire international aviation system at risk. Indeed, Taiwan's exclusion has prevented ICAO from developing a truly global strategy to address security threats.

With this resolution, Congress calls on the international community to grant Taiwan observer status at ICAO, not only to help Taiwan, but to ensure ICAO can fulfill its own mission and address international threats to aviation security. We call on the United States government to take the leading role at ICAO to assist Taiwan in gaining that status and look forward to working with our administration officials to track the development of these efforts.

I urge my colleagues to support the resolution, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I will make some remarks, and then I will also yield back the remainder of our time.

I rise in strong support of this important resolution which calls upon the International Civil Aviation Organization, ICAO, to grant meaningful participation for Taiwan.

Is there any doubt in a post-September 11th world that air traffic safety constitutes one of the first lines of defense against those who would do harm to the United States or to our friends and allies? Are not the people of Taiwan deserving of the same level of protection against air assault as provided to the other peoples whose governments participate in ICAO?

The Taipei flight information region, under the jurisdiction of Taiwan, covers an airspace of 176,000 square nautical miles. Taiwan's main international airport is recognized as the eighth largest in the world in cargo traffic and the 18th in the number of international passengers who make use of its services.

Can there be any doubt, therefore, that Taiwan, which provides air safety control services for well over 1,350,000 flights annually needs meaningful participation in the international organization responsible for air safety and security?

Beijing, like some haughty overlord, condescendingly informed Taipei and the U.N. system in the year 2009 that it would allow, at least temporarily, Taiwan's participation in the World Health Assembly. Meaningful participation in international organizations for Taiwan represents too important an issue to be determined only by the whims of Beijing.

It is time to open the door to Taiwan's constructive and meaningful participation in ICAO, and that time is now.

The State Department, as this resolution suggests, should assume a leading role in providing an action plan to ensure that this happened as quickly as possible. We owe this, Mr. Speaker, to the people of Taiwan. We owe this to ensure as well for the air safety of those American passengers flying over the skies of the western Pacific.

And here I am not speaking just in theoretical terms, Mr. Speaker. Let us not forget that it was less than three decades ago when, due to a tragic confusion in air communications, a Soviet military fighter shot down a Korean Air Lines civilian flight as it left western Pacific and flew inadvertently over Soviet territory. As we know, this resulted in the death of all 269 people on board, including a Member of this House, Congressman Larry McDonald of Georgia's Seventh District. The Congressman was traveling to Seoul to commemorate the 30th anniversary of the United States-South Korea Mutual Defense Treaty.

So air safety control is, therefore, a very serious matter. Taiwan needs meaningful participation in ICAO not only for the safety and security in the air of its own citizens but also for all of the peoples of the vibrant Asia Pacific region.

ICAO will be holding its 12th Air Navigations Conference in November, and Taiwan should be, must be represented there in Montreal.

So, Mr. Speaker, I urge that my colleagues join Mr. BERMAN and me in expressing their overwhelming support for this important resolution.

With that, I yield back the balance of our time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and concur in the concurrent resolution, S. Con. Res. 17.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

COMMUNICATION FROM CHIEF OF STAFF, THE HONORABLE FRANK R. WOLF, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Daniel F. Scandling, Chief of Staff, the Honorable FRANK R. WOLF, Member of Congress:

SEPTEMBER 10, 2012.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for documents issued by the Fairfax County Circuit Court in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Sincerely,

DANIEL F. SCANDLING,
Chief of Staff.

□ 1900

COMMUNICATION FROM THE HONORABLE FRANK R. WOLF, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable FRANK R. WOLF, Member of Congress:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 10, 2012.

Hon. JOHN A. BOEHNER,
Speaker of the House, U.S. House of Representatives, Washington DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives that I have been served with a subpoena for documents issued by the Fairfax County Circuit Court in connection with civil litigation currently pending before that court.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is inconsistent with the privileges and precedents of the House.

Best wishes.

Sincerely,

FRANK R. WOLF,
Member of Congress.

CONGRATULATING RICHMOND, TEXAS, ON ITS 175TH ANNIVERSARY

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

Mr. OLSON. Mr. Speaker, I rise today to congratulate the city of Richmond, Texas, for its 175th anniversary. There would not be a State of Texas without Richmond.

In 1822, members of Stephen F. Austin's Old Three Hundred built a fort on a bend in the Brazos River. Stephen F. Austin is known as the ''Father of Texas.'' He built his colony around that fort where Richmond sits today.

In the wake of Texas independence, Richmond was incorporated by the Republic of Texas as Fort Bend County's seat of government in 1837. Richmond's current iconic mayor, Hilmar Moore, is the longest-serving mayor in American history, serving the people of Richmond since 1949.

Historically a center of commerce, the heart of an early livestock industry and a powerhouse of natural resources, the city continues to be something its people are darn proud of. It's an honor to share that pride with the people of Richmond, Texas. Congratulations on our 175th anniversary.

REMEMBERING 9/11

The SPEAKER pro tempore (Mr. MARINO). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 60 minutes as the designee of the majority leader.

Mr. GOHMERT. Mr. Speaker, 11 years ago today, the worst attack in American history on American soil occurred; more loss of life than Pearl Harbor. It was a day that those of us who are alive and old enough to know what was happening will never forget. It was a day of commitment as well that we would do whatever was necessary to protect our country, that we would do whatever was necessary to prevent future such attacks from occurring.

I recall there in east Texas where I live, I was a judge at the time. The day after, September 12, 2001, was an extraordinary day as well. It was a day that I also will not forget. I had never seen communities come together as we did across America on September 12, 2001, not in my lifetime. In World War II, from history, I've read accounts about some in America that felt like war with Germany was a bad idea, that we ought to be nice to them. There were even people that were divided in America back then. But the overall resolve was to protect democracy, make democracy safe—''Make the World Safe for Democracy'' was the slogan.

But we were so united on September 12, 2001. There in Tyler, Texas—and I know it happened all over east Texas the same way—people came together. It didn't matter what race anyone was. It didn't matter where they came from, their national origin—man, woman, religious preference didn't matter, we came together as one people. There were no hyphenated Americans that day—no Anglo-Americans, African-Americans, Asian-Americans. We were Americans. We stood united, and we wept together and we prayed together and we held hands and sang together.

Here in Washington, D.C., once again today we sang ''God Bless America'' without regard to party, without regard to House, Senate. I think there was less mention of the word God today. I'm grateful for Speaker PELOSI, who at the end of her remarks asked for God to bless and comfort those who lost loved ones on 9/11 and asked that God would still bless America. I'm grateful she did that. Other leaders did not.

Andy McCarthy—Andrew McCarthy—was the prosecutor of those who were involved in the 1993 World Trade Center bombing. He is a man that understands the Constitution. He understands the law. He is a fantastic prosecutor, a brilliant mind, and a great writer. And I won't read the entire article, but it's an article worth noting from Andrew C. McCarthy, entitled ''Remembering 9/11 . . . At Least for a Day.'' He says:

> It is difficult to say what's harder to believe: that it has been 11 years since the 9/11 atrocities, or that national security has become an irrelevant issue in the most consequential Presidential election in decades.
>
> The first observation reminds us that today is a day of remembrance: of the loss of nearly 3,000 of our fellow citizens; of the bravery of those who willingly gave their lives to save others; and of the heroism of the men and women who put on the line all that they have. That includes the love and well-being of their families, on whom the burden of American national security has been imposed while the rest of us go on with our lives—too often, without giving them a first thought, never mind a second.
>
> No matter which political party has been in power since 9/11, there has been a great deal of bloviating about the ''rule of law.'' It is as if we had evolved beyond anything so crude and benighted as armed force and national interest—especially national defense. Let's remember today that we have the luxury of living under something resembling the rule of law only because dedicated Americans sacrifice themselves to confront evil—in this case, the adherents of an evil ideology, Islamic supremacism, that is closer to the law of the jungle.

And for those who do not understand—I'm saying this parenthetically, it's not in the article—Islamic supremacism is not talking about all of those who worship and follow Islam and Islamic teachings. We have friends around the world who do not want to live under totalitarian, radical Islamic supremacism, such as the Taliban, such as al Qaeda. They don't want to live under that, and they're Muslims. They want to live their lives. They want to worship in their own religion without totalitarians telling them how they must.

□ 1910

Unfortunately, as in Afghanistan, those Muslim friends, and Pakistan, for that matter, Iran and Iraq as well, there are Muslims who have admired the United States until we abandoned them.

Going back to Andrew McCarthy's article:

> The rule of law has precious little to do with why we have gotten through 11 years without a reprise of 9/11. A better explanation is that terrorists who have been captured or killed cannot commit more terrorism.

I'll insert, parenthetically, there are terrorists who were captured, some confined at Guantanamo Bay, some confined at other facilities, who have been released and who have been found again on the battlefield killing Americans. They were captured, prevented from enacting further terrorism, and then released under some false notion that that would win friends and influence people, only to have other Americans killed by these same thugs.

Back to Andrew McCarthy's article. He says:

> On the matter of evil, it is good to remember that it exists. Evil is not a misunderstanding, a cultural gulf, or a natural reaction to political policies adopted in pursuit of American interests or Israeli self-defense. That brings us to the second observation: the

fact that national security concerns are absent from the 2012 campaign, even with tens of thousands of Americans at arms in distant hellholes, even with tens of millions of Americans enduring the increasingly overbearing government that has been the cost of heightened vigilance in an era where barbarism is met with political correctness.

The United States defeated the ideological threats of the 20th century because we were unafraid to see evil for what it was—to diagnose it and understand it. Today, we ignore it, rationalize it, and assume we are somehow to blame for it. For the bipartisan ruling class, 9/11 is about ''violent extremism''—as if irrational, wanton killers, seized by a ''psychological disorder,'' committed mass murder for no better reason than to visit on the world's most famous office buildings the most shocking case of ''workplace violence'' in history.

The ''violent extremism'' narrative is nonsensical. It defies reality as well as history. But it is a convenient fiction. It miniaturizes the enemy. With the killing of bin Laden, the President can now portray the enemy as defeated—even as al Qaeda resurges, even as Iraq has become an Iranian-influenced shari'a state that works against the United States and Israel.

He says parenthetically:

(Remember when ''victory'' was defined as a ''stable'' ''democracy'' that is a ''reliable ally''?); and even as Afghan Islamists turn their weapons on their American trainers, and the administration pleads with the Taliban to negotiate (remember when ''victory'' was defined as a ''stable'' ''democracy'' that ''prevents the Taliban from returning and giving safe haven to al Qaeda again''?). The ''violent extremism'' canard allows the administration to declare victory even as we are being humiliated.

That's an excerpt from Andrew McCarthy's article regarding today.

Mr. Speaker, it is tragic that around the world the United States has had allies who trusted us, who put their security in our hands, even to the extent of losing political power, losing political office, like some of the Polish leaders who trusted America to help them with a missile defense. It wasn't as much a defense against Russia; it was concern for potential missiles in the Middle East that this Nation has not done enough to stop. But those who staked their political careers on the trustworthiness of the United States came up empty in Poland.

Mubarak had agreements with this administration, met with this administration. Qadhafi had agreements with this administration, met with them, talked. We had Senators from both sides of the aisle, although one of our Republican Senators says he didn't send that message. It wasn't his tweet, he says now, that he was meeting with Qadhafi and that he was an interesting man.

But, regardless, we know that there were people from both sides of the aisle that went and met with Qadhafi because Qadhafi, after President Bush gave the order to invade Iraq, Qadhafi believed he was next if he didn't do something and end his nuclear proliferation, so he did. He became an ally, even though he was a murderer with blood on his hands. He reached agreements. He promised he would not attack Americans again. And, once again, someone who trusted agreement with the United States came up short.

Some of our allies in other parts of the world and other countries have to be wondering if they're next.

I visited with leaders in other countries who say the Chinese are constantly coming around saying, Have you figured out yet that you can't really trust the United States to keep their agreements? Hey, you can trust us. Well, whenever you come around, including in Israel, there are Chinese constantly there saying, When you figure out you can't trust the United States, we're ready to be your friend, your ally.

There should be no better ally in the world than the United States. But we have different administrations, and different administrations are better about keeping their words with allies than others.

The Northern Alliance in Afghanistan fought with us and for us to defeat the Taliban by early 2002. Over the years, they have buried family and friends who have been our cofighters against radical Islamists in Afghanistan. We abandoned them. This administration did not want to talk to them.

And I was told by some of the Northern Alliance leaders earlier this year that one of the leaders of the Taliban that this administration released for humanitarian purposes ended up announcing he's back leading the Taliban as one of their leaders. And he announced on Afghan national television that under shari'a law, if anyone in Afghanistan had not been supportive of the Taliban in the past, they need to come in and ask forgiveness and get the Taliban's protection, because, as the leader said, told people who watched the national television channel in Afghanistan, that everybody in the world knows the United States has lost in Afghanistan.

□ 1920

So all they have to do is wait until 2014 when this President has promised the United States will be out, and they'll be back in charge. Certainly, President Karzai has enough fear of them that he is giving them an awful lot of freedom and control in the area. Regardless of what anyone may say or prove about President Karzai, he's not stupid. He knows we won't be there to keep him protected. So it looks as if he may be trying to placate the Taliban. Why wouldn't he? The United States sure is.

I hear friends here on the floor talk about the lessons of Vietnam. The lessons of Vietnam are not that it was an unwinnable war. That's very clear. This came from one of the leaders at Hanoi Hilton as he told SAM JOHNSON as the Americans left the Hanoi Hilton, including JOHN MCCAIN. SAM says one of the most ruthless leaders was laughing, saying, You stupid Americans. We had just carpet-bombed them for 2 weeks after they'd walked out of the Paris peace talks. He said, You stupid Americans. Don't you know, if you had just bombed us for one more week, we would have had to have surrendered unconditionally?

To those who were sent to fight in Vietnam, this Nation owes an apology for leaving them over there to fight without an order to win and come home. That should be the lesson of Vietnam.

I was shocked to hear from the parents of one of the SEAL Team Six members who was killed on the Chinook—Billy and Karen Vaughn were the first ones to mention it. I'm embarrassed I didn't know—that two-thirds of the Americans killed in Afghanistan have been killed under President Obama as the Commander in Chief. I found that hard to believe, so we got the numbers directly from the Department of Defense. I've got a poster here. President Bush ordered Americans to war—or to go fight in Afghanistan. We found out that's where the terrorists were trained, where the plot was supposedly hatched to kill thousands of American innocent victims.

So we have a list from the Department of Defense, from their own Statistical Information Analysis Division. If you look at the number of American deaths—of our fantastic men and women in Afghanistan—from October of 2001 through the end of December of 2008, there were 625 American casualties, Americans killed—valiant, brave men and women of our armed services killed in Afghanistan—every one of them a treasure.

But when we get down to the just over 3½ years since, in the war that Candidate Obama called the ''good war''—a term I don't know of anybody who has ever been in the military would use about a war, but he called it the ''good war.'' Well, in President Obama's good war, though he has been Commander in Chief less than half the time of President Bush, it isn't two-thirds. Seventy percent of the American military men and women who have been killed in Afghanistan have been killed under the command of Commander in Chief Obama. It gets worse when you look at the total wounded in action. During the 7 years and 3 months that President Bush was President, or was Commander in Chief over the war in Afghanistan, 2,638 precious American men and women were wounded.

When you visit our incredible men and women who have been wounded—who have lost arms, legs, who are severely disabled—you end up walking away being the one who is uplifted with the incredible, incredible American spirit—with the spirit of our American men and women. They are such a blessing but not to the extent, you would think, that anyone in America would want to leave our military men and women in Afghanistan without a clear purpose, without rules of engagement that let them defend themselves. We'll be talking more about that in the days to come.

In the just over 3½ years that the Afghan war has been under the command of Commander in Chief Obama—as compared to the 2,638 precious American men and women who were wounded—during half the time, approximately, this President has been in command, over 14,817, or 84 percent, of the men and women have been wounded in Afghanistan.

Now, we have fantastic leaders in Afghanistan—some of our Nation's best—but when you get out into the field and you talk to the men and women, sometimes you get a little different story. There is a poll that came out last week indicating a massive lack of morale among our military men and women in Afghanistan. How could there not be? They've been told they're going to have to stay in Afghanistan. We're going to be there for 2 more years or so. They don't have a clear mission. It's basically to train people who may kill you during or after the training. You're not allowed under the rules of engagement to properly defend yourself. Then our men and women in our Armed Forces are supposed to hope and pray that they're not one of the last ones killed on the way out.

I would have thought people would have understood the lesson of Vietnam, not that there are wars such as Vietnam or Afghanistan that are not winnable. Vietnam was winnable. Afghanistan initially was won. We took our eye off the ball. President Obama did inherit a terrible situation in Afghanistan, and then he has more than doubled down on the men and women who have been sacrificed—giving their lives, their arms, their legs in service to this country. We should not allow those precious men and women's lives to go without proper consideration.

So many in our military have stepped up and said, I will go. I will defend America.

I called after 9/11. I was told I was too old. I said, I've got friends that I was in the Army with years ago. They're still in.

They said, Yes, that's because they're still in.

□ 1930

If you had stayed in, you could still be in, but you're too old to go back now.

Though I was too old to go back into the Army that I had served 4 years of my life in, I found another place of service, and I have to speak on behalf of our men and women in our military. I have to beg, Mr. Speaker, that our leaders in Washington, and in particular the leader, the Commander in Chief, either give our military a proper mission or get them out of Afghanistan. Give them proper rules of engagement or get them out now. Don't make them sit around for 2 years wondering if they're going to be the next one that leaves in a casket. Let them win and come home or bring them home now. They can win. They're that good.

With Pakistan, I kept talking to people that say most of the supplies are coming from Pakistan to supply the Taliban. Then cut off the supplies. We have the ability to do that; we just haven't had the will. Develop the will and cut off the supplies to the Taliban—cut them off—or bring our people home now. Don't let one more American lose an arm, a leg, both arms, both legs, or come home as another death. Give them the orders to defeat the Taliban. Come hell or high water, do it. Do it now and then come home or bring them home now. We owe them that much.

Is it any wonder the suicide rate is so high?

How are we treating our allies on this, the 11th anniversary of 9/11? From the Israel media, Haaretz, comes this report today. I'll read it verbatim.

The White House declined Israeli Prime Minister Benjamin Netanyahu's request on Tuesday to meet U.S. President Barack Obama during a U.N. conference in New York at the end of the month.

Parenthetically, I will insert that this is the same President who has told the Taliban, Look, we'll buy you offices in Qatar; we'll let the rest of your murdering thugs out of confinement if you'll just sit down and talk to us. Apparently, the President's schedule just doesn't allow a meeting with what has been a phenomenal ally, a believer in the value of life and liberty in Israel.

The article goes on:

An official in Jerusalem said the Prime Minister's office sent the White House a message stating that although Netanyahu will spend only 2½ days on U.S. soil, he is interested in meeting with Obama and is willing to travel to the U.S. Capitol specifically for that purpose. The official added that the White House rejected the request and said at this time Obama's schedule does not allow for a meeting.

The White House's response marks a new low in relations between Netanyahu and Obama, underscored by the fact that this is the first time Netanyahu will visit the U.S. as Prime Minister without meeting the President.

Israeli Defense Minister Ehud Barak reportedly tried smoothing things over, but Bibi—or Prime Minister Netanyahu—is having none of it.

''The world tells Israel, 'Wait. There's still time.' And I say, 'Wait for what? Wait until when?' Those in the international community who refuse to put red lines before Iran don't have a moral right to place a red light before Israel,'' Netanyahu told reporters on Tuesday.

''Now, if Iran knows that there is no red line, if Iran knows there is no deadline, what will it do? Exactly what it's doing. It's continuing, without any interference, towards obtaining nuclear weapons capability and from there, nuclear bombs,'' he said.

Relations between the U.S. and Israel have been strained during the entire Obama term. Obama's call for Israel to retreat to its 1967 borders was widely seen as a slap to our ally. Obama's support for ousting the late Hosni Mubarak from the Egyptian Presidency paved the way for what now looks like an Islamist takeover in Cairo, endangering the longstanding peace treaty between Israel and Egypt.

President Obama has also not visited Israel during his Presidency. Republican Presidential nominee Mitt Romney visited Israel in July 2012.

More news today. This is from Mohammed Abu Zaid with the AP, dated September 11, 2012:

Egyptian demonstrators climbed the walls of the U.S. Embassy in Cairo today and pulled down the American flag to protest a film that they say is insulting to the Prophet Mohammad.

This was updated 2:07 p.m. eastern time.

CNN reports that U.S. security guards fired a volley of warning shots as the crowd gathered outside the Embassy walls.

CNN adds that the Embassy has been expecting a demonstration and cleared all diplomatic personnel earlier from the facility.

The Associated Press reports that Embassy officials say there was no staff inside at the time.

Reuters reports that protesters tried to raise a black flag carrying the slogan: ''There is no God but Allah and Mohammad is his messenger.''

The news agency says about 2,000 protesters have gathered outside the Embassy and about 20 have scaled the walls.

The AP says the protesters were largely ultraconservative Islamists.

Iran's FARS news agency says the protest is aimed at a movie being produced by a group of ''extremist'' members of the Egyptian Coptic Church in the United States.

Parenthetically, I will mention that we've seen in recent days that this new government in Egypt that the United States has to bear partial responsibility for being in place has now seen the return of crucifixions in Egypt, the barbaric manner of killing people by making them suffer as much as possible before they breathe their last, just as Jesus, himself, did in laying down his life for others.

Also, it is remarkable that you have people who say, as they did with the insulting cartoon depicting Mohammad or someone appearing to be situated that way, as a violent person, and in response there were riots and people were killed, which kind of seems to make it not a cartoon but a prophecy.

□ 1940

Back to the article:

CNN says the film in question is a Dutch production.

The AP says clips of the film are available on YouTube, show the prophet having sex, and question his role as the messenger of God's words.

This would clearly be insulting, having sexual relations, it questions his role as a messenger of God's words—of course that would be insulting. It's ridiculous to have anything that resembles that, just as it is absolutely ridiculous and despicable to demean Christianity, to call it a hate group when it's bounded by Jesus, who showed the ultimate love for all humanity. It's despicable when someone burns a flag, but it's not illegal, it's not illegal to burn a Bible. It's despicable, but it's not illegal.

Yet, personally, I anticipate, if history shows what the radicals will do, they will follow the example. Unfortunately, there will be more rioting. Somebody will tragically be killed by these cutthroats. Then some will say, see, we need to change the law in America where you can burn Bibles,

you can burn the flag, you can desecrate any religion—just not Islam.

Then the goal, as found in the archives after a search warrant, showed one of the 10-year goals to be subjecting our Constitution to sharia law. And that will be a box that can be checked off.

Back to the article:

After the protest, the U.S. Embassy issued this statement on its Web site:

The embassy of the United States in Cairo condemns the continuing efforts by misguided individuals to hurt the religious feelings of Muslims, as we condemn efforts to offend believers of all religions.

How about the Christians in Egypt that are being barbarically killed for their religious beliefs? Wouldn't it be nice if this administration would condemn those activities and do what it takes to stop them?

Today, the 11th anniversary of the September 11, 2001, terrorist attacks on the United States, Americans are honoring our patriots and those who serve our Nation as the fitting response to the enemies of democracy. Respect for religious beliefs is a cornerstone of American democracy. We firmly reject the actions by those who abuse the universal right of free speech to hurt the religious beliefs of others.

The Grand Mufti of Egypt, Sheikh Ali Gomaa, strongly condemned the movie.

''Freedom of speech does not warrant desecrating sanctities,'' Gomaa said in a statement Sunday.

And he's right.

But those freedoms exist in America. The old adage that was attributed to Voltaire for most of the history since, including during the revolution—I disagree with what you say, but I will defend to the death your right to say it—used to mean something in this country.

Now, it's been subjected to ideological terms that would have it say more, something on the order of, I disagree with what you say, so I want you imprisoned, I want you to lose your business, I want you to have no friends, I want to take all your money, I want to destroy your life.

What a turn over the last 200-plus years from our Constitution's establishment and writing in 1787. Of course, it took longer than that to be ratified.

Eleven years after 9/11, what has gone wrong? You know, not only were there mistakes in Vietnam under both Democratic and Republican Presidents, our embassy was attacked in Tehran in 1979. Those of us at Fort Benning, I didn't know of anybody that was dying to go, but I knew an awful lot of people willing to go and die in defense of our country.

Under everybody's definition of international law, when you attack an embassy, you have attacked, you have committed an act of war against that country. If the host country cannot protect the embassy, then that country who owns that embassy, that uses that embassy, has every right to bring the full military power to bear to defend it.

I still carry the horrible realization, I believe, if we had defended our embassy in 1979, thousands and thousands and thousands of precious Americans would not have had to give their lives since.

Our embassy has been attacked in Egypt. If the government that the Secretary of State has promised $2.5 billion—I don't know, some of it may have already gone over there—if they're not going to be able to defend our embassy, then we need to take action to defend it.

I also think it's time to revisit the Carter-era idea that we should never take out government leaders. I think it's time to have this debate again.

Which is more immoral: to go to war with a country where at the time you go to war most of the people of that country like you and respect you, and yet are going to die, many of them; or to take a position, look, it's your country, you're free to establish whatever government you want. But if you put in place a government that declares war on the United States, that says we are the annihilation of the United States, their way, their people, then we will take that government out and we won't rebuild it. You'll be free to pick whatever kind of government you want.

It's time to have the debate. Wouldn't that have been better in Afghanistan rather than forcing a centralized government on a tribal region that has since become so corrupt that the money that we have spent, spent by the billions in Afghanistan, given to Afghanistan, has made its way to other places besides the intended objects.

Talking to some of our soldiers over there who have trained farmers. They said the billions that have been spent and sent to Afghanistan to create farming projects had not, any of it, made it to the region where they were training the farmers. It was wasted effort. So they would travel around over there wondering, will they be the next IED death, or will they be the next IED dismemberment?

The thing is, a good foreign policy says the enemy of our enemy is our friend. A good foreign policy says we will not try to buy off the bullies in the world to make them like us.

As I've said for years, you don't have to pay people to hate you; they'll do it for free. Save that money. Use it to rebuild relations with former allies that have been let down. But don't keep giving money to people who hate us. We don't need to be nation building. We need to let nations live in peace under their own discretion. But if they declare war or set as a goal our annihilation, shouldn't we at least talk about taking out the government rather than going to war with the people?

□ 1950

I think it's time to have the debate again. There's too much death and loss of life in Afghanistan. It's hard to believe 70 percent of American lives lost in Afghanistan of our military have occurred under Commander Obama. Eighty-four percent of all the wounded have been wounded under the command of Commander Obama. It's time to talk about these things whether the Presidential candidates want to talk about them or not. We owe that to the people we have put in harm's way.

As this is the anniversary of 9/11, it's another opportunity for me to recall the memory of Ross McGinnis. I hadn't gotten an email from Tom asking me not to forget. He knows I will never forget his son. But I went to his funeral at Arlington National Cemetery. I had become friends since then with the McGinnises. I have been to all the funerals of those who have died while in service in harm's way from my district. I have been to too many of those such funerals.

But this wasn't a person from my district in east Texas. It was a guy from Knox, Pennsylvania, a young man who graduated from high school and gotten into trouble at the end. Ross's mom doesn't want me to forget that. He was given a second chance. They let him graduate. He joined the Army, and Ross found his niche. I haven't seen any pictures anybody had of me during officer basic training at Fort Riley, Kansas, in 1974; but I don't think I was smiling, if somebody has them. It was a difficult time. It was hot, humid. But there are pictures of Ross going through basic with other soldiers, and he's got a big old smile. He had a beautiful smile. And the guys with him are not so smiling. There are pictures of him after he got to Iraq, and the heat was obviously wearing down his friends, fellow servicemembers. But he has a big old grin. His platoon sergeant told me that he was such a piece of enthusiasm in their midst. He was uplifting to the other soldiers.

Ross was a gunner on a Humvee, and as it was going through a town, whether shot or thrown, a grenade goes into the bed of the Humvee where there were four of our soldiers, including Ross's platoon sergeant from Long View, Texas, Cedric Thomas; a soldier from Tyler, my hometown, Sean Lawson; and two other soldiers. And they said that Ross yelled, Grenade, and he looked back, but Ross was the only one in a position to jump out and save himself. But when he looked back and he saw each of the four cringing in their corners, he obviously knew those four soldiers were going to die. So instead of jumping out and saving his own life and four soldiers being lost, he didn't jump out. He jumped in. He covered the grenade. Took the full blow himself. Gave his life. And four of our soldiers are alive today because of what Ross did.

Just as on the statue downstairs right below me, below where I stand, the statue of Father Damien, the Catholic priest from Hawaii, on the side of it is John 15:13, the words: Greater love has no one than this, that he lay down his life for his friends.

Ross had a lot of love.

The accounts after 9/11 after those planes flew into buildings here at the

Pentagon, there in New York, those incredible heroes on the fourth flight that went down in a field in Pennsylvania, those heroes went running in, willing to lay down their lives to save others, as Ross did.

There at Arlington National Cemetery the Army chaplain did a wonderful job. Taps was played. It always gets me. It got everybody there. A 21-gun salute is an emotional thing at a funeral. And as everyone stood to turn to go, Sergeant Thomas came up, knelt down before the remains of Ross, put his hand on the remains of Ross McGinnis, bowed his head in prayer. He was followed by two others that Ross had saved. The fourth was still in Iraq. They put their hands on Ross's remains, bowed at the knee, bowed in prayer. And it was obvious what they were doing.

Whether it's on Memorial Day, Veterans Day, the 9/11 anniversary, there cannot be too many occasions when we as a Nation stop and do what those three soldiers did: thank those who have laid down their lives for the rest of us, for our liberties; thank those who have sacrificed life or limb or suffered terrible disability for us and our lives and our liberty. And then, to thank God for people who are still willing to lay down their lives for us.

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

UNFINISHED BUSINESS IN THE 112TH CONGRESS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. TONKO) is recognized for 60 minutes as the designee of the minority leader.

Mr. TONKO. This evening we'll spend some time here in Special Order on the House floor to address a great bit of unfinished business that rests before the House. And we have just returned from what is a 5-week recess where Members of this House were back in their districts and addressing the events of this session. It has been labeled by many as a do-nothing Congress. This evening we're going to talk about that do-nothing agenda.

We have attempted in every which way to encourage the Congress, the House, to address legislation that speaks to job creation and economic recovery, continuing to build upon the achievements of the 111th Congress, and we're now serving in the 112th.

□ 2000

But for me, it's my second term in the House. The very first term for me, the 111th Congress, was deemed by several polls out there to be one of the most productive in decades where there were many things taken up by this House that responded to the needs of America, middle class Americans, Americans of all stripes, who required initiatives from this House.

We were in the midst of a very dark period, a recession that gripped this economy that put 8.2 million people at risk by their losing a job through no fault of their own. We were losing as many as 800,000 jobs a month.

So the devastation of that impact on the American economy, bringing America's economy to its knees, needed a response from government.

The President acknowledged an agenda that would move us not only into a response against the recession but putting us at the cutting edge of a modern economy. Investing in research, investing in science and technology, investing in an ideas economy, investing in an innovation economy—that's the sort of priming of the pump, if you will. That's essential for us to respond in substantive terms for us to utilize government as a tool that is productive and enabling and empowering the middle class, empowering our small business community, empowering our entrepreneurs.

That was the hope-for. And it happened in the 111th Congress.

But something drastically happened with the change in leadership in the 112th Congress. We now have been ranked in single-digit percentage approval. Below 10 percent is the approval rating for this Congress, some of the lowest points achieved, or earned, by this Congress in its history as a House.

That is a very telling statement. How do we go from the most productive in decades to most unfavorable in the history of the House?

We have a reactionary response from those who want to destroy the essence of government. They do not weave any sort of government program activity into the fabric of response to a very difficult period in our economic history. It is one that is unpopular and unproductive. It is one that is being rejected by people out there.

When I go back to my district, I hear it from Republicans, Democrats, Independents alike: Why can't something get done? There's a paralysis here. And it's because there's a rejection. There is a sense of partisanship rather than partnership. There is an outright attempt to deny anything coming to the House as a request to get productive and progressive policy done.

So there are things that languish. There is this crush of big tasks that rest before the House, work to produce a jobs bill, work to produce a response to the ag crisis, the reauthorization of our ag bill, work to invest in the middle class.

It's been this House, when controlled by the Democrats, that spoke to the opportunities, the ladders of success, if you will. The Democratic conference in this House was all about, has always been about, in my tenure here, about producing ladders of success. You know, we believe in that American principle that you work hard, act with responsibility, play by the rules, and expect to taste success.

Well, we haven't seen that sort of cooperative spirit from the new Republican majority in the House.

You know, we believe, as Democrats, that you produce those ladders of opportunity. You allow people to climb toward their American Dream. We enable people to utilize their gifts, their talents, their passions, their skills to empower themselves, their families, the small businesses. And so we stand for this wonderful three-legged stool that speaks to the empowerment of small business, forever the pulse of American enterprise, that looks to create jobs that are then tethered very strongly with small business citizenship into the local community grain.

Then we talk about investing in entrepreneurs, those dreamers, the movers, the shakers, the builders of society that have forever been the American spirit, the pioneer spirit.

I represent a district in upstate New York that is the donor area to the Erie Canal. And that canal produced not only a port out of a little town called New York City but gave birth to a necklace of communities that became the epicenters of invention and innovation.

The empowerment of the entrepreneur—another strong underlying principle of the agenda of Democrats in the House.

Finally, a thriving middle class—making certain that we utilize the policies that can be created in this House that will empower with tax fairness, empower with investment in the worker, in education, higher education, apprenticeship programs to empower the middle class and small businesses.

We have measures that we have asked to be brought to the floor. There is a denial of any sort of single jobs bill before the House. We have requested over and over again to invest in that agenda the empowerment of America through small business, entrepreneurs, a thriving middle class. It's been rejected.

Tonight I'm joined by a colleague from the State of Connecticut, JOSEPH COURTNEY. JOE COURTNEY is a strong believer in this government process. He's a strong believer that when we can prime the pump and when we can utilize government to make a difference, when we can create programs that speak to the honest-to-goodness agenda for all strata of America, but utilizing that middle class strata—small business, farming as a small business—making certain we utilize every strength, every sector of our economy and not just relying on a service sector, especially the financial services that we did that brought us into a crisis situation—we can incorporate all of the sectors of the economy.

One of those prime sectors? Agriculture.

Representative COURTNEY, it is great to have you joining us this evening in this colloquy.

The agriculture industry from coast to coast is a heavy-duty important industry. You sit on the Ag Committee. As a representative from Connecticut,

you know the importance of agriculture to your State. I know the importance of agriculture in upstate New York, throughout New York.

Reauthorization of an ag bill is fundamental, is it not, to go forward and create opportunities?

Mr. COURTNEY. It is. Thank you for, again, taking the time tonight to speak on the floor of the House.

This is a place where the eyes not only of the country but the world are on us right now in terms of whether or not this body is going to have the strength of will to act and deal with, again, all of the ticking clocks which you've mentioned earlier: the fiscal cliff at the end of this year; sequestration; and at the end of this month, a farm bill reauthorization.

Again, for those watching tonight, I think it's important to have a little context here, which is that up until this year, every 5 years since the end of World War II, Congress has acted to enact a farm bill which is a 5-year policy bill that sets up all of the ground rules for a vast array of issues that surround producers in this country, the folks who get up every morning and milk the cows and plant the crops and harvest the crops.

It deals with issues of rural development. Small-town America depends on USDA rural development funds and programs to build everything from sewers, hospitals, health clinics. Again, all of the infrastructure, which again, small towns by themselves really don't have the financial means to create.

Conservation programs, forestry, food policy, nutrition policy.

Again, the farm bill is a profoundly important measure that sets up both producer and production policies and agriculture but also consumer ends in terms of food safety, food security, et cetera.

Incredibly, we are at a point right now where at the end of this month, at the end of September, the last farm bill will expire. If Congress does not act, then farm policy will revert to what the state of the law was in this country in 1949. Again, that statutory construct is so completely disconnected from the reality of what farms and agriculture is today in the 21st century that it defies, really, the powers of any Secretary of Agriculture to implement.

But, again, as you point out, when you look at the U.S. economy today, agriculture is leading the way in terms of growth, in terms of exports, in terms of renewed activity even in New England, which is not viewed as sort of a big farm State. But the fact is that specialty crops, which I'm sure in upper State New York we're seeing again growing farmers markets, are really the renaissance and movement towards making sure that foods that we serve our kids in cafeterias are on the dinner tables in American homes.

□ 2010

Again, people have just a heightened interest in terms of making sure it's local and fresh, and the farm bill sets up the policies that make that movement continue to grow.

Well, where are we tonight? The Senate passed a farm bill. They passed a farm bill back in June. It was a bipartisan measure, hard-fought. It took 3 weeks to make its way to the Senate floor, getting through all the procedural hurdles. Yet Republicans and Democrats in the Senate came together with a farm bill which does great things in terms of reforming agriculture policy in this country. It eliminates direct payments to farmers, which saves the taxpayers $23 billion over the next 5 years. So it actually helps the deficit in this country by passing the Senate farm bill. It reforms dairy price supports, which is critically important right now because, again, the structure that is in place today really was shown to not be adequate in 2009 when milk prices crashed during the recession. It sets up a new risk insurance program, which will allow dairy farmers to actually have some confidence and security about their future.

It does, again, a great job in terms of protecting and maintaining the network of food supply for Americans who are struggling to put food on the table. It's a good, solid, bipartisan measure that really addresses all of the challenges of the 21st century.

In the House, we actually reported out a farm bill out of the House Agriculture Committee with a strong, bipartisan vote. It has problems. Frankly, it cuts too deeply into nutrition. But this is an issue which, again, people who are close to it are very confident can be worked out in a conference committee if the House floor will take up a farm bill. And the Speaker, to this moment, has refused to even signal that he will schedule a vote for a farm bill to move the process along.

So, literally, as the clock ticks towards the end of September, farmers and producers all across America are, in horror, looking at this Chamber, looking at this Speaker, and saying: Are you kidding me? You won't even schedule a vote so that we can work through a bill on the floor and send it to conference committee so that we can actually get real movement and get a farm bill passed?

A couple of hours ago I was with the National Farmers Union just down the block here, where, again, we've got farmers from California to Maine who are gathering here in Washington, D.C., the American Farm Bureau, specific commodity crop producers who are flooding the Halls of Congress saying we need a farm bill.

This should not be a partisan issue that should gridlock, again, one of the most vibrant and critical components of America's economy. And yet to this moment we have still gotten no signal from Speaker BOEHNER and the Republican leadership that they will even schedule a vote. It's incredible. I mean, the Agriculture Committee in the House produced a bipartisan bill. They did their work. Chairman LUCAS, Ranking Member PETERSON—I was there for the 13-plus-hour markup to get that bill through the floor—they did a great job in terms of navigating and getting a bill to the floor. This was done before the August recess. The Speaker refused to bring it up before we went home for 5 weeks. Five weeks have passed. Farmers all across America are demanding action. We're back in town, and yet nothing has been scheduled in this Chamber to bring up a farm bill that we can send to the conference committee and get some real action and results. Totally unacceptable.

Let me just finish before I throw the baton back to you. At the end of August, dairy price supports expired. Again, the last farm bill had a measure, it was called a Feed Adjuster Index, which would basically allow farmers who were facing high feed costs to get help and relief. Anybody who looks in the financial pages can see that corn prices are hitting record highs because of the drought out in the Midwest; feed costs have gone through the roof; fuel costs are going through the roof. All the input costs for running a dairy farm are at record highs, and yet, as of a couple of weeks ago or a week and a half ago, the dairy farmers of America had basically the rug pulled out from under them because this Chamber did not move and do its job back in July and get a farm bill passed out of this Chamber and sent to conference committee.

So they were sort of the first wave of victims of Republican inaction in this House to move a farm bill. At the end of this month, it will be the rest of American agriculture that will have the rug pulled out from under it and revert back a statutory structure to 1949, which is the state of the law, if we don't move forward and get a farm bill done.

So I'm glad you scheduled this session tonight, Congressman TONKO, because I think the American people need to hear that Democrats stand ready to roll up their sleeves, get to work on this floor, pass a farm bill, send it to the conference committee, work with the bipartisan majority in the Senate to pass a farm bill, and help the American farmers and producers who every single day are making sure that the system of food production and supply works. It is a very fragile system, as we're seeing with the drought out in Iowa, and people in this Chamber are treating it with just, in my opinion, outrageous neglect by not really doing their constitutional duty, showing some leadership, and bringing a farm bill up for a vote in this Chamber.

Mr. TONKO. Representative COURTNEY, you're a great friend. You're a great friend not only to me, but to this House, to the district you represent, and to the State of Connecticut. And you're such a good friend because of the academics that you put into the

job. I have watched you in action, and I know that you are about building consensus.

But what we have here, you talk about, doesn't this become even more urgent an item with the drought situation that we've had across this country? Grain prices are going to rise. So to have some stability and security—predictability—into the ag outcomes for many sectors of agriculture, it becomes even more critical. And to go back, to revert to a 1949 formula, is sinful. It's immoral.

People talk about the lack of sensitivity, the lack of productivity, but we're talking about immoral outcomes here that don't enable people to do their work. I mean, this is a small business—in many places large business—but agriculture runs that gamut. For many, it's small business, it's family business, it's a way of life, and we're denying that very fabric of this country.

I know groups have come together in atypical fashion—outside groups that are putting pressure here—they have come in partnership to say: Hey, look, get this done, as you're suggesting, get it done. You've done some of the basics. Why are you ignoring this number one industry for many States?

Mr. COURTNEY. And just to follow up on that point, again, the Senate farm bill included within it disaster relief assistance—not just for a short period of time, but for 5 years. Again, the House did bring up a so-called ''disaster relief'' bill right before the August break—something which the American Farm Bureau dismissed as inadequate in terms of actual agricultural policy in this country—used as a pay-for taking money out of conservation, which, again, as critical a priority as almost anything else in the farm bill. Again, it was just an almost pathetic attempt to provide political cover for people who knew that, again, with the catastrophe happening out in the Midwest, they couldn't possibly leave town without at least trying to make some small gesture towards acknowledging that that was actually happening.

But, again, the Senate measure includes a full disaster relief. The House committee bill which came out has full disaster relief. That's what, really, the American agriculture community is looking for.

Tomorrow, on the steps of the Capitol, there will be a huge rally with farm groups from all across America gathering on the steps. Senator STABENOW and Congressman COLLIN PETERSON from Minnesota are going to be out there leading the charge. We understand that some Republican Members are going to show some courage and get out there on those steps and join those farmers in saying we need a farm bill now to be voted on in the House of Representatives. And it's time for the Republican leadership to listen to the people who, again, are out there busting their tail every single day making sure that there's food on the table for this country.

Mr. TONKO. You know, I listen to you, and your State was tremendously impacted by Irene and Lee last summer. My State was tremendously impacted. We reached for those very pots—that we've emptied with the Republican solution—that served our communities so very well with disaster funds. We can't tamper with some of those legitimate set-asides because they're there, they're required by acts of Mother Nature or by manmade situations where we need to have disaster dollars available.

But you can't help but quantify. I mean, you just imagine the extrapolating out of jobs, the impact of jobs if you don't get this done, the ripple effect into those ancillary businesses that feed into the needs of agriculture. It is a tremendous opportunity for us to grow stability in the economy. And to not do this, this do-nothing Republican Congress is devastating the economy. We could have made major strides, we could have gone forward with a lot of attempts to do good.

Now, what I sense here, from what you've talked about with these poison pills that have been adopted or placed into their solutions, or the ignoring of agreed-upon legislation in committee, this is a recurring theme. I mean, we saw the FAA, the Federal Aeronautics Administration, impacted again by delays, games that were being played because they need the full loaf or they want it their way. There is no sense of consensus that is driving these outcomes. And so we delayed for months the FAA outcome, which challenged, put at risk hundreds of projects, tens of thousands of construction jobs that were going to speak to safety at our airports.

We saw it with student loans. You were so actively involved with that. You were outspoken in your criticism of perhaps doubling our students' interest on their loans. And they, again, inserted poison pills. We waited until the midnight hour to get something done—with a lot of unpredictability again.

□ 2020

We saw it with the payroll tax relief that we were trying to do for middle-income America and small businesses. Couldn't get it done. Waited till the last minute. Poison pills that delayed progress.

This is a recurring theme, is it not?

Mr. COURTNEY. It is of course. And again, another example of a measure that really is just teed up and ready for action in the House is the postal reform. We have a postal system right now which is both technically and substantively in bankruptcy. The obligations of the postal system in terms of its expenses and pension costs now exceed the revenue that's coming in.

And once again we have a situation where the Senate has already acted. They passed a bipartisan postal reform bill. My colleague from Connecticut, JOE LIEBERMAN, Senator JOE LIEBERMAN is the chair of the committee that put together, again, a significant bipartisan coalition to get a postal reform bill through which would provide stability in the finances of this system, which, again, is in bankruptcy.

Nothing has happened on this side of the campus, of the Capitol in terms of any action in terms of bringing a bill to the floor to make sure that, again, the postal system, which goes back to the birth of our country, is not going to capsize into hopeless bankruptcy. I mean, just totally inexcusable to have an issue like this, which, I challenge anyone to point to any time in American history where the postal service has become sort of a partisan political football. Yet this Republican leadership has done nothing to bring a postal reform bill to the floor.

Violence Against Women Act, again, a measure which is really a law enforcement measure in terms of giving our police and court systems and victim advocates the tools they need to eliminate the scourge of domestic violence in this country. My wife is involved, actually, in multidisciplinary teams back in Hartford, Connecticut, in terms of dealing with this issue as a pediatric nurse practitioner.

Again, the Senate passed a good, strong bipartisan bill. We had a partisan measure that just turned the clock back in terms of protecting victims who, again, are here on temporary visas, again, as some kind of statement, I guess, about immigration. And yet this is a measure which has not been sent to conference by this side of the Chamber, and we have a situation, a priority such as domestic violence which has traditionally been completely nonpartisan since it was first enacted back in the 1990s, and no action is being taken by this Republican leadership who seems intent on going home pretty soon and just basically leaving town until election time.

I mean, it's just stunning that, you know, farm bill, postal reform bill, violence against women, we should be able to do these things tonight and give this country some confidence.

Mr. TONKO. Representative COURTNEY, you talk about the reducing of VAWA, the Violence Against Women Act. If the spirit and letter of that law has been to protect women, why would you weaken certain protections?

There's this order of meanness and selectiveness and insensitivity that has abounded in this House, where they reduce efforts that have been championed over the decades, hard-fought efforts, bipartisan efforts, bicameral efforts, the executive branch working with the legislative branch, making certain that the heart and soul of this reform through the ages has been about making America stronger.

You know, it's we, the people, working toward a more perfect Union, a more perfect Union. We've made such wonderful progress. We have acknowledged the needs of women, where they were ignored in legislative or statutory concepts. We go forward. And now it's

like, as you suggest, rolling the clock back, being insensitive to so many needs out there and reducing the fabric of our government. It's like trying to speak to an archaic sort of quality that's driven by extreme thinking. It's the tail wagging the dog in the conference where this extreme thinking has taken over the majority and this do-nothing Republican Congress is not responding, not stepping up to the plate at a time that it's very, very critical.

We saw this economy challenged more greatly than perhaps the Depression of the past that really was a prime test, but in many of the lives of today's working Americans, this is the first-time greatest experience, a challenge before us. And when we should step up and be the champions, the fairness and justice and resolve to move forward with progressive policy, we're getting almost the reverse. It's the antithesis of what's required here.

Mr. COURTNEY. And I would just say that the inaction of this leadership—today we received an ominous warning from Moody's Investor Services which warned that basically that Congress's failure to strike a deal on the fiscal cliff some time within the next 6 months or so will lead to a downgrade of this country's financial rating. Again, Moody's preserved the Triple A status last August when we had the last self-induced crisis by the Republican majority on the default issue. And so the warning is out there. Incredibly, the Speaker, when he was asked about this later in the day today, basically said he has no confidence that we can strike a deal to avoid the fiscal cliff.

I mean, again, we're talking—it is September 11, a day when we should be coming together and reflecting on our unity as American people. And to have that kind of negativity at a time when we've been, the same day we were warned that the country could capsize into a downgrade, and just basically throw up his arms and say, well, he has no confidence we can put that deal together, I'm reminded of the old military saying, which is, you know, lead, follow, or get out of the way.

And really, for a Speaker to basically say, at this early stage, that he has no confidence that this body, which has gone through world wars, depressions, a civil war, and has always been able to really show that the genius of the Founding Fathers to create a structure where decisions can be made is somehow incapable of dealing with the issue that we're confronted with today is just a, really, just shocking admission of abdication of leadership. And really, it just—it signals that, you know, we need to have a change here in this Chamber, one way or another if we're going to deal with the problems that are looming on the horizon, which was your opening comments.

Mr. TONKO. And I agree with you. I think that the brinkmanship that was utilized in the debate and the development of a response to the debt ceiling crisis was an attachment of bells and whistles and all sorts of extraneous materials that were being applied in an inappropriate way. We needed to move forward and address an order of crisis. America knows that, they understand they play by the rules and you pay your bills.

But it was this attempt to weaken a process, and it was an attempt to stall and delay and make a political statement at the expense of having our then credit rating downgraded by S&P. So the outcome here was a devastating one.

And, you know, it is really unfortunate that we're not heeding the need out there. I believe the American public has been stating emphatically they want solutions. They want us to come up with a response to an economic crisis. They want to know how we're going to move forward with this idea economy, innovation economy, clean energy economy. They want to see us move toward energy independence. They want to see us addressing transformation of the economy. They want advanced manufacturing that requires training of workers that begins with education investments, all of these things. They want us to develop solutions.

They don't want paralysis. They don't want this divide, this great divide. They don't want the partisanship.

They want partnership. They want solutions.

We saw what happened when you can advance solutions in this House. You and I enjoyed the 111th Congress and the productivity of that Congress. And to have moved to this sort of paralysis is unacceptable.

And the do-nothing Republican Congress is being watched very carefully here, and I believe that this coming election will be a very telling statement about rejecting the sort of delay, the rejecting of the games being played, a rejecting of the disinvestment, a rejecting of the defunding and the dismissiveness of a role that government could and should play in very important areas.

You ask these other economies out there with which our American business is competing. We're in an international race on innovation. You know, much like the race, global race on space in the sixties, when this country came together in resolve after a Sputnik moment, when they dusted off their backside and said, Never again, and we're going to move forward and we're going to be the Nation to stake that flag on the Moon.

We won because we resolved to do it. We did it with great passion. We did it with intellect. We did it coming together as a people of all sorts of political stripes, and we worked together as one Nation.

□ 2030

You're right, on this given day of 9/11, when we reflect upon those tragedies and when our virtues as a Nation—our liberties, our freedoms, our opportunities—were challenged and threatened and numbed us for a moment, we came back with great resolve. Let's show the passion here that we did in the sixties to win that global race in space. Let's invest. Let's go forward. Let's make certain we don't tie the hands of America behind her back. Let's move forward and invest in an economy, in a race that is important to our efforts to maintain our leadership on the international scale.

Mr. COURTNEY. I think, as Moody's indicated, with the fiscal cliff at the end of this year and with the sequestration on January 1, there really is only one place where this can get resolved, and it's right here in this room. There are ideas that are on the table which, I think, clearly show a middle ground—in fact, more than a middle ground—as a way of solving these problems.

The President has put on the table an extension of the Bush tax cuts for 98 percent of Americans that would entirely protect their present tax status with no increase in taxes. Obviously, the cliff will cause middle class families all across America to pay more if there is no action in this Chamber. In fact, it provides for 100 percent of all Americans the extension of the Bush tax cuts on incomes up to $250,000. Any income above that would revert back to the Clinton era rates. That change would provide about $1 trillion of deficit reduction for our country at a time when the structural deficit that the Bush tax cuts created is obviously scaring investor services like Moody's.

This is a proposal which is not a 50/50 deal. It's a 98 percent deal in terms of protecting those existing tax cuts, and it's a 100 percent deal in terms of protecting people's taxes up to $250,000.

Mr. TONKO. A point oftentimes lost. Even millionaires and billionaires would get their tax breaks on a first order of income, $250,000.

Do you know what stands in the way? If we have to be totally frank here, they want to make certain that millionaires and billionaires continue to get their bonanza of a tax break. Well, do you know what? We know what got us into the economic crisis. We had a tax cut for millionaires and billionaires primarily that was never paid for. We fought two wars off line, off budget. So one of the first orders of business that the President wanted to address was putting together an honest budget. You didn't have the mechanism, the payment mechanism, for the millionaire-billionaire tax cut, and you have to bring that cost of the war into the budget.

We need to move forward with a sound and reasonable approach to economic relief. The middle class has taken it on the chin, and it's their turn. They need to be relieved, and we need to invest in those orders of comeback that will empower our middle class. What I think is, with the efforts

that have been made here in the House, the requests made in the House are very legit: Do what you can afford. Keep the economy going. To me, it's about aggregate demand for goods and services. So, if you relieve the middle class, if you strengthen their purchasing power, if we had that thriving middle class, someone needs to buy your product; someone needs to make your product. If you empower that middle class, it's a formula for success.

As you point out, Representative COURTNEY, it is 98 percent of the general public that will enjoy that empowerment and 97 percent of the small business community. There is a way to go forward with a reasonable approach that really speaks to that strata that needs the most assistance today.

Mr. COURTNEY. Six nights ago, we saw someone get on the floor of the convention in Charlotte, North Carolina, and very methodically and with great clarity explain exactly the points that we're talking about here tonight.

President Bill Clinton, someone who today enjoys a 69 percent approval rating, got on the floor of that convention. While he was President, the public finances of this country came into balance for the first time in over a generation, and 22 million new jobs were created under his watch. If anyone has credibility in terms of a perspective on economic and fiscal policy in this country, it's President Bill Clinton.

What we have talked about here tonight is about reverting to the Clinton era rates on incomes above $250,000. We know as a Nation that that does not smother and punish success. It will not smother and punish our economy. Those rates were in place when 22 million jobs were created in the U.S. economy in the 1990s.

Today, what's interesting is that Mr. Romney, the Republican Presidential candidate, is very careful not to criticize President Clinton. In fact, he tries indirectly sometimes to even embrace him. Well, he ought to embrace his positions on fiscal policy because, if he did, we could pass a bill on this floor in no time flat, solve the fiscal cliff, defuse sequestration, and get this country back on track with more than just policies: with a new infusion of confidence, both within our country and, frankly, in financial markets around the world, that this place is capable of actually making some decisions and that this place is actually capable of action.

The former President's comments in Charlotte obviously got a rock star reception all across the country because that's what people are hungry for—reasonable solutions coming from people who have demonstrated that they actually can administer and be good stewards of the U.S. economy. I think that, for the Republican leadership of this Chamber to ignore that type of compromise and reasonable approach to solving the fiscal problems we face today is politically very dangerous.

Again, if you really look closely at the Romney campaign, they are loath to even say anything negative about Bill Clinton or his time in the White House. Do you know what? They're very careful also to avoid talking about his policies, which basically President Obama and the minority here, even with some significant modifications to accommodate the other side, are prepared to move forward on. Let's really, I think, heed the advice that he gave this country six nights ago and move forward with these policies.

Mr. TONKO. Representative COURTNEY, you talk about that event. When he made his presentation, he did that long-term review and a rather shorter focus over the last couple of years—the first term of President Obama's. Yet, when he talked about the track record over the last decade, he talked about 28 years of Republican leadership versus 24 years of Democratic leadership. He talked about the outcome in jobs, and said, under the Republican watch, 22 million jobs, I believe, were created. Under the Democratic watch, there were 42. So, he said, let's look at the record. Let's check the scorecard. Then he did the short-term outcome of President Obama's administration. He was talking about the numbers of jobs created and gave a zero to what the Republicans were advancing in the House.

It's pretty obvious that there is this outcome of success. People constantly refer to the Clinton years now. What happened there? Well, we undid the surplus that was created. We spent down on a tax cut that wasn't paid for. We fought two wars that weren't on line with the budget. It's obvious we know what happened. Why would we give the keys back to someone who drove us into the ditch?

So this whole effort in this administration with 30 now consecutive months of private sector job growth and the President's asking for Congress to move forward with an agenda that has had obvious positive results and its being denied and held up, played with, entered in with poison pills is not what the American public wants. They want those solutions, and they are denying those solutions. I think the do-nothing Republican Congress has caused great pain and has denied progress for the comeback scenario that we so desperately require and that the middle class and all of America so rightfully deserve.

Mr. COURTNEY. Thank you for taking the time tonight to really set the record straight on a lot of these issues. I would note that Bloomberg News actually did a fact check of the Clinton speech the other night and basically came back and gave it a clean bill of health. Frankly, if you contrast that with the speeches that took place in Tampa and if you go to PolitiFact and go through some of the remarks that were analyzed by that Pulitzer Prize winning service and the number of pants-on-fire lies that they ascribed to some of the comments that were made on the floor of the Tampa convention, there is a sharp contrast.

Again, I just want to thank you for taking the time to remind the American people this evening about the fact that there are items that we can move forward on today. Literally, we could reconvene the House here at a quarter of nine on 9/11 and pass a farm bill, pass the postal reform bill, get moving on the Violence Against Women Act, and we could deal with the fiscal cliff if people with reasonable and nonpartisan scorched Earth partisanship came forward and saw what is obvious, which is that the tools are there to fix these problems. Thank you for your leadership and for holding this session this evening.

Mr. TONKO. Thank you, Representative COURTNEY. I thank you for your outstanding leadership. You've been there on the student loan issue. You've been there on the ag reauthorization measure. You've been there on the American Jobs Act.

□ 2040

We know that there has been a formula for success driven by the President for the American Jobs Act. He has asked for Congress to move forward. The Senate has, in a bipartisan way, moved forward with efforts to address a middle class tax cut. The President has asked us to complement that with the American Jobs Act that enables us to move forward with investments in educators, allowing for teachers and class size to be addressed, making certain that our young people, our workforce of the future are able to enjoy that self-discovery, that sense of identity that they require in the classroom. What are their gifts, their passions, their skills, their talents? How can they best contribute their fabric to the American scene?

That is part of the American Dream. That is part of the investment that provides those underpinnings of support, that builds an economy with capital investment, physical investment, human infrastructure investment, all of which are required in order to have the holistic response. With the American Jobs Act formula, the President is saying, Look, we've grown 30 months of consecutive private sector job growth. We've enabled the economy to come back powerfully. We're investing in that order of business.

He's also asked that that public sector element which has been reduced, that has offset some of the progress, has reduced some of the progress because of pain at those State capitols putting together their budgets, he said, Look, let's from a big picture point of view. Invest in educators, in public safety, in police officers, in firefighters, in emergency personnel.

On a day like today where we humbly reflect upon the pain this Nation endured, the loss of lives, nearly 3,000 people impacted by the acts at the Pentagon, in a lonely field in Pennsylvania, and, yes, in metropolitan New York, we are reminded most humbly, most sensitively, most lovingly of that

dreadful moment. And we saw how important our public safety elements are, our first responders, critical to that situation. It showcased a very noble measure in a very painful and dark moment in our history what those role models are, who they are. That's their everyday work. It was showcased in a very magnified way. But every day we reach to their skills, their talents, their strengths.

The President is saying invest in that public safety element, invest in our firefighters, in our police officers, in our emergency responders. He's asking for that in the American Jobs Act. We've done pieces of it, but we need to do the entire package to have the strength that this economy requires for its comeback.

He talks about infrastructure improvements through an infrastructure bank that is part and parcel to the outcome, making certain that our infrastructure is strong and able to move our situation of a comeback. Commerce requires the shipping of freight. It needs the infrastructure. Our communities require that investment in infrastructure; otherwise, they go it the way of a property tax or a less progressive tax structure.

We know what needs to be done, and the denial here by the do-nothing Republican Congress is not acceptable. It's painful. It's immoral. It's insensitive. It's un-American. To put partisanship ahead of partnership is unacceptable.

We know that the American spirit requires better than that, so we need to respond to America's working families. We need to respond to the hope that ought to be delivered to the doorsteps of families across this great Nation. Our history is replete with investment, investment to take us to new ages, new elements of success, new impacts on the world scene.

Earlier, I had spoken of the mill towns that became epicenters of invention and innovation. It was their product delivery coming out of the mill towns, out of those 24-hour-a-day operations that impacted the quality of life, not just in these United States, but in nations around the world. People were lifted by discovery and product development in this Nation. And as we move forward, we need to advance our manufacturing agenda, we need to invest in the research, and we need to invest in the innovation.

I'm reminded of some of the incubator outcomes at campuses within the 21st Congressional District in upstate New York in the capital region of Mohawk Valley that I represent, incubators at public and private sector institutions, clean room science activity going on in lab formats at community colleges, working with our nanotechnology industry, our semiconductor industry, advanced battery manufacturing. All of this requires a plan, a holistic plan that allows for the unleashing of talent and opportunity from the American public. Someone before our times invested in our future.

Throughout our noble history, throughout our growth as a Nation, there were those who believed in America and invested in her people. We can ill afford to go back. We can only go forward, as was made mention by the President and many of his administration that were speaking at the convention, many legislators who appeared at the convention and spoke about the agenda to constantly move forward, embracing the American Dream in the process. That American Dream is what inspired so many to journey to this Nation.

We are, in major fashion, a compilation of journeys. Other than our Native American sisters and brothers, it's the immigrant population that traveled to these shores embracing that American Dream, believing in a brighter tomorrow, understanding that if they put their mind and heart and soul to work, that better opportunities would be there, that they could climb the ladders of success, that they would not pull up those ladders when they reached the mountaintop, but extend additional ladders to everyone to climb that ladder of success until they reached that American Dream.

That has been the saga of this great Nation. That has been the profoundness of this Nation, the greatness of this Nation. Why would we change course now? We saw what ill effects came of some bad policy or lack of sound stewardship of our resources. Let's learn from that history, but let's also learn from the history of greatness where America struggled through tough times, faced immense challenges, but powerfully spoke in a way that engaged that American spirit and put it into policy format, resource advocacy, and budgets that spoke to a soundness of a future for America.

Our best days lie ahead if we pursue that agenda that shows its belief and its promise in America's children and working families. The undeniable progress that we can make speaks boldly to us. We've seen an administration reach out to this Congress asking for a partnership, a bipartisan response, one that will allow all of us to share in the great success that can follow. We've seen what happens when we go forward with some of the measures of progressivity.

We have a grid system that was challenged as early as 2003, where we know there is a need for investing in the capacity of that system that was designed for regional utility matters, and now we're wheeling electrons from region to region within States to States to States and from nations to nations. We know that we have to step up to the plate and invest in that utility infrastructure. We know that there are deficiencies in our routine, traditional infrastructure that require our investment.

□ 2050

We know that there's a need for energy transformation so that we can grow with the American intellect, that intellectual capacity that enables us to provide for the innovation, the American independence, the American security that can be dealt with through renewables, and energy efficiency as our fuel of choice and outstanding discoveries that can be made in a way that are most powerful, and research that equals jobs.

We see it happening all around us, and it's not like we have the luxury to decide not to do it. We're in the midst of an international competition.

And unlike the sixties, where it was U.S. versus U.S.S.R., we are now with many more competitors on the international scene. They are partnering with their governments. They are partnering in a way that provides research monies, incubator space, higher-ed communities that are growing in leaps and bounds while we languish with a do-nothing Republican Congress that wants to promote delay, insert poison pills, or just deny progress in a partisanship way that is not speaking to the American spirit that was imagined and planted by our Founding Parents.

You know, tonight, for this past hour, we as Democrats have enjoyed sharing our thoughts about what a productive Congress could be in terms of shaping our future, what a productive Congress could mean to fairness and justice and equitable opportunity for generations to come.

Our children are watching, they're measuring our actions much more than by our words, more so by the achievements that we can assess. They're watching carefully, and we need to move forward in a way that finds us working together to build consensus. When we insert the ''we'' in us, it is much more powerful than the ''me'' in us.

This House has had great moments when they've rolled up their sleeves as Members and have come to the table and said, America beckons. Her people need that sort of response. True leadership will move forward in a way that allows us to enjoy the taste of success.

You know, tonight, as we've talked about the paralysis that has gripped this House, as we talked about the denial that has been part of the outcome that has been demeaning and destructive at times, I reach to the assessment by very nonpartisan congressional scholars, in this case Thomas Mann and Norman Ornstein. They have been, over the years, very much bipartisan in their criticism and critiquing of the behavior in Congress.

I just want to quote from their report:

> In our past writings, we have criticized both parties when we believed it was warranted. Today, however, we have no choice but to acknowledge that the core of the problem lies with the Republican Party. The GOP has become an insurgent outlier in American politics. It is ideologically extreme; scornful of compromise; unmoved by conventional understanding of facts, evidence and science; and dismissive of the legitimacy of its political opposition.

Tonight I will close with that statement because I think it's a challenge. It's a challenge to us to forget about the unproductive nature of the last several months and move forward with a newfound order of resolve that will enable us to acknowledge that some of the greatest moments in American history came with some of her darkest hours where with that regard, that true American spirit we're able to rise to the occasion, reach to the best intellect and the best temperament of this Nation as she came together in an order of consensus and where our best days followed that sort of agreement.

We can build upon success. We can learn from history, the soundness of history that saw us respond and rise to the crushing situations that gripped this Nation and move forward with a sense of greatness, a sense of accomplishment, a sense of fairness and empowerment and, most importantly, a delivery of hope to the doorsteps of individuals and families across this great Nation. America's greatest moments are truly lying ahead if we can embark upon that challenge before us.

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

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. NAPOLITANO (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. TONKO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 55 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, September 12, 2012, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

7543. A letter from the Under Secretary, Department of Defense, transmitting a letter on the approved retirement of General Craig R. McKinley, Air National Guard of the United States, and his advancement to the grade of general on the retired list; to the Committee on Armed Services.

7544. A letter from the Deputy Director for Policy, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule — Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

7545. A letter from the Assistant Secretary, Energy Efficiency and Renewable Energy, Department of Energy, transmitting the Department's semi-annual Implementation Report on Energy Conservation Standards Activities, pursuant to Section 141 of the Energy Policy Act of 2005; to the Committee on Energy and Commerce.

7546. A letter from the Acting Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 9-12 informing of an intent to sign the Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

7547. A letter from the Acting Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 8-12 informing of an intent to sign the Memorandum of Understanding with Israel; to the Committee on Foreign Affairs.

7548. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting notification that effective July 29, 2012, the danger pay allowance for Mali was established based on civil insurrection and terrorism; to the Committee on Foreign Affairs.

7549. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting pursuant to section 3(d) of the Arms Export Control Act, as amended, certification regarding the proposed transfer of major defense equipment (Transmittal No. RSAT-12-2992); to the Committee on Foreign Affairs.

7550. A letter from the Assistant Secretary, Legislative Affairs, Department of State, transmitting a report pursuant to Section 804 of the PLO Commitments Compliance Act of 1989 (title VIII, Foreign Relations Authorization Act, FY 1990 and 1991 (Pub. L. 101-246)), and Sections 603-604 (Middle East Peace Commitments Act of 2002) and 699 of the Foreign Relations Authorization Act, FY 2003 (Pub. L. 107-228), the functions of which have been delegated to the Department of State; to the Committee on Foreign Affairs.

7551. A letter from the Secretary, Department of Housing and Urban Development, transmitting the Department's semiannual report from the office of the Inspector General for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7552. A letter from the Senior Counsel for Regulatory Affairs, Department of the Treasury, transmitting the Department's final rule — Department of the Treasury Acquisition Regulation; Internet Payment Platform (RIN: 1505-AC41) received August 14, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

7553. A letter from the Chairman, National Transportation Safety Board, transmitting the Board's annual report for FY 2011, amended, prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

7554. A letter from the General Counsel, Office of Management and Budget, transmitting four reports pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

7555. A letter from the Director, Office of Personnel Management, transmitting the Office's semiannual report from the office of the Inspector General and the Management Response for the period October 1, 2011 through March 31, 2012, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Oversight and Government Reform.

7556. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Winchester Engineering and Analytical Center in Winchester, Massachusetts, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7557. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Medina Modification Center in San Antonio, Texas, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7558. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from the Hanford Engineer Works in Richland, Washington, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7559. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's determination on a petition on behalf of workers from Titanium Alloys Manufacturing, to be added to the Special Exposure Cohort (SEC), pursuant to the Energy Employees Occupational Illness Compensation Program Act of 2000 (EEOICPA); to the Committee on the Judiciary.

7560. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter France Helicopters [Docket No.: FAA-2012-0766; Directorate Identifier 2012-SW-056-AD; Amendment 39-17133; AD 2012-15-04] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7561. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Honeywell International, Inc. Turbofan Engines [Docket No.: FAA-2012-0195; Directorate Identifier 2012-NE-08-AD; Amendment 39-17070; AD 2012-11-07] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7562. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2011-1165; Directorate Identifier 2011-NM-002-AD; Amendment 39-17030; AD 2012-08-13] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7563. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eurocopter Deutschland GmbH Helicopters [Docket No.: FAA-2012-0566; Directorate Identifier 2011-SW-008-AD; Amendment 39-17065; AD 2012-11-02] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7564. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2011-1066; Directorate Identifier 2011-NM-050-AD; Amendment 39-16917; AD 2012-01-05] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7565. A letter from the Program Analyst, Department of Transportation, transmitting

the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2010-1115; Directorate Identifier 2010-NM-221-AD; Amendment 39-17111; AD 2012-13-09] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7566. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; WACO Classic Aircraft Corporation Airplanes [Docket No.: FAA-2012-0578; Directorate Identifier 2012-CE-019-AD; Amendment 39-17071; AD 2012-11-08] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7567. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Airplanes [Docket No.: FAA-2011-1089; Directorate Identifier 2011-NM-110-AD; Amendment 39-17097; AD 2012-12-17] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7568. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0292; Directorate Identifier 2011-NM-056-AD; Amendment 39-16991; AD 2012-06-10] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7569. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce Corporation Turboshaft Engines [Docket No.: FAA-2011-0961; Directorate Identifier 2011-NE-22-AD; Amendment 39-17120; AD 2012-14-06] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7570. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Pratt & Whitney Canada Turboprop Engines [Docket No.: FAA-2012-0416; Directorate Identifier 2012-NE-332-AD; Amendment 39-17078; AD 2012-11-14] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7571. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Rolls-Royce plc Turbofan Engines [Docket No.: FAA-2010-0748; Directorate Identifier 2010-NE-13-AD; Amendment 39-17082; AD 2012-12-03] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7572. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Univair Aircraft Corporation Airplanes [Docket No.: FAA-2011-0360; Directorate Identifier 2010-CE-061-AD; Amendment 39-17032; AD 2012-08-06] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7573. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0802; Directorate Identifier 2012-NM-124-AD; Amendment 39-17145; AD 2011-19-01 R1] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7574. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Airplanes [Docket No.: FAA-2012-0490; Directorate Identifier 2012-NM-066-AD; Amendment 39-17159; AD 2012-16-12] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7575. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0291; Directorate Identifier 2011-NM-168-AD; Amendment 39-17158; AD 2012-16-11] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7576. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Embraer S.A. Airplanes [Docket No.: FAA-2012-0423; Directorate Identifier 2011-NM-095-AD; Amendment 39-17156; AD 2012-16-09] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7577. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Airplanes [Docket No.: FAA-2012-0185; Directorate Identifier 2011-NM-001-AD; Amendment 39-17143; AD 2012-15-14] (RIN: 2120-AA64) received August 28, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

7578. A letter from the Secretary, Department of Health and Human Services, transmitting the Medicare Competitive Acquisition Ombudsman 2010 Report to Congress for 2010; jointly to the Committees on Energy and Commerce and Ways and Means.

7579. A letter from the General Counsel, Office of Compliance, transmitting the Office's biennial report entitled ''Americans With Disabilities Act Inspections Relating to Public Services and Accommodations'' for the 111th Congress; jointly to the Committees on House Administration and Education and the Workforce.

7580. A letter from the Acting Assistant Attorney General, Department of Justice, transmitting third quarterly report of FY 2012 on the Uniformed Services Employment and Reemployment Rights Act; jointly to the Committees on the Judiciary and Veterans' Affairs.

7581. A letter from the Secretary, Department of Energy, transmitting the Department's ''2012 Annual Plan for the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources Research and Development Program''; jointly to the Committees on Science, Space, and Technology and Natural Resources.

7582. A letter from the Secretary, Department of Health and Human Services, transmitting the Department's report entitled, ''Report to Congress on Improving Medicare for Beneficiaries'' for 2011; jointly to the Committees on Ways and Means and Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ISSA: Committee on Oversight and Government Reform. H.R. 4631. A bill to require quarterly reports on agency conferences and meetings, and for other purposes; with an amendment (Rept. 112–664). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. POLIS:

H.R. 6370. A bill to provide for the conveyance of the Forest Service Lake Hill Administrative Site in Summit County, Colorado; to the Committee on Natural Resources.

By Mr. WALBERG:

H.R. 6371. A bill to amend title 40, United States Code, to transfer certain functions from the General Accountability Office to the Department of Labor relating to the processing of claims for the payment of workers who were not paid appropriate wages under certain provisions of such title; to the Committee on Education and the Workforce.

By Mr. COFFMAN of Colorado:

H.R. 6372. A bill to require the Department of Veterans Affairs to consider veterans before non-veterans with respect to employment in the competitive service at the Department, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Veterans' Affairs, 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. GIBSON (for himself, Mr. REED, and Mr. OWENS):

H.R. 6373. A bill to amend the Immigration and Nationality to simplify the petitioning procedure for H-2A workers, to expand the scope of the H-2A program, and for other purposes; to the Committee on the Judiciary.

By Mr. GINGREY of Georgia (for himself, Mr. WESTMORELAND, Mr. DAVID SCOTT of Georgia, Mr. LEWIS of Georgia, Mr. JOHNSON of Georgia, and Mr. KINGSTON):

H.R. 6374. A bill to designate the facility of the Department of Veterans Affairs located at 180 Martin Drive in Carrollton, Georgia, as the ''Trinka Davis Veterans Village''; to the Committee on Veterans' Affairs.

By Mr. MILLER of Florida:

H.R. 6375. A bill to authorize certain Department of Veterans Affairs major medical facility projects and leases, to amend title 38, United States Code, to extend certain authorities of the Secretary of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Budget, 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. SARBANES:

H.R. 6376. A bill to amend the Elementary and Secondary Education Act of 1965 to authorize competitive grants to prepare and train school principals on effective core competencies and instructional leadership skills; to the Committee on Education and the Workforce.

By Mr. CAMP (for himself, Mr. KLINE, and Mr. JORDAN):

H.J. Res. 118. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Office of Family Assistance of the Administration for Children and Families of the Department of Health and Human

Services relating to waiver and expenditure authority under section 1115 of the Social Security Act (42 U.S.C. 1315) with respect to the Temporary Assistance for Needy Families program; to the Committee on Ways and Means, 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. OLSON (for himself and Mr. TURNER of Ohio):

H. Res. 777. A resolution commemorating the 70th anniversary and commending the brave men of the 17th Bombardment Group (Medium) who became known as the ''Doolittle Tokyo Raiders'' for outstanding heroism, valor, skill, and service to the United States in conducting the bombing of Tokyo on April 18, 1942; to the Committee on Armed Services.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POLIS:

H.R. 6370.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress)

Article IV, Section 3, Clause 2,(relating to the power of Congress to dispose of and make all needful rules and regulations respecting territory or other property belonging to the United States).

By Mr. WALBERG:

H.R. 6371.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States

By Mr. COFFMAN of Colorado:

H.R. 6372.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12, 13, and 14 of the United States Constitution reserves to Congress the power to raise and support Armies, to provide and maintain a Navy, and to make Rules for the Government and Regulation of the land and naval Forces.

By Mr. GIBSON:

H.R. 6373.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 and 4, of Section 8, of Article I.

By Mr. GINGREY of Georgia:

H.R. 6374.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 of the Constitution

By Mr. MILLER of Florida:

H.R. 6375.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article 1 of the United States Constitution.

By Mr. SARBANES:

H.R. 6376.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. CAMP:

H.J. Res. 118.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution, to ''provide for the common Defence and general Welfare of the United States.''

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 139: Mr. PASTOR of Arizona.
H.R. 498: Mr. HUIZENGA of Michigan.
H.R. 615: Mr. PITTS.
H.R. 687: Mr. OLSON and Mrs. CAPPS.
H.R. 733: Mr. STEARNS.
H.R. 860: Mr. SENSENBRENNER, Mr. DANIEL E. LUNGREN of California, and Mr. AL GREEN of Texas.
H.R. 905: Mr. ROSKAM.
H.R. 941: Mr. SMITH of New Jersey.
H.R. 953: Mr. MICHAUD.
H.R. 955: Mr. MICHAUD.
H.R. 957: Mr. MICHAUD.
H.R. 1206: Mr. CRENSHAW, Mr. RIVERA, Mr. KLINE, Mr. CRAVAACK, and Mr. BISHOP of New York.
H.R. 1381: Mr. MCGOVERN, Mr. ANDREWS, and Mr. LEWIS of Georgia.
H.R. 1404: Mrs. NAPOLITANO.
H.R. 1489: Ms. HAHN and Mr. CUMMINGS.
H.R. 1564: Mr. COHEN and Mr. RUPPERSBERGER.
H.R. 1637: Mr. MCCAUL.
H.R. 1684: Mr. CICILLINE.
H.R. 1802: Mr. ALTMIRE.
H.R. 1831: Ms. BONAMICI.
H.R. 1860: Mr. KISSELL.
H.R. 1936: Mr. WESTMORELAND and Mr. HARPER.
H.R. 2020: Mr. GRIJALVA and Mr. SMITH of New Jersey.
H.R. 2088: Mr. LARSON of Connecticut, Mr. BECERRA, Mr. LANGEVIN, Ms. ZOE LOFGREN of California, Mr. PETERS, Mr. WELCH, Mr. PALLONE, Mr. CARNEY, Mr. MURPHY of Connecticut, Mr. HEINRICH, Mr. SIRES, Mr. LYNCH, Mr. TOWNS, Mrs. MCCARTHY of New York, Mr. RANGEL, and Mr. MICHAUD.
H.R. 2262: Mr. MICHAUD.
H.R. 2263: Mr. MICHAUD.
H.R. 2391: Mr. POLIS.
H.R. 2394: Mr. GRIJALVA.
H.R. 2505: Mr. SMITH of New Jersey.
H.R. 2639: Ms. JACKSON LEE of Texas and Mr. MILLER of North Carolina.
H.R. 2698: Mr. PETERSON.
H.R. 2746: Mr. BOSWELL, Mr. MCGOVERN, and Mr. PASTOR of Arizona.
H.R. 2787: Mr. RANGEL.
H.R. 2810: Mr. GRIFFIN of Arkansas.
H.R. 2866: Ms. SUTTON.
H.R. 2914: Ms. WILSON of Florida.
H.R. 2969: Mr. RENACCI and Ms. JACKSON LEE of Texas.
H.R. 3099: Mr. DIAZ-BALART.
H.R. 3207: Mr. MILLER of North Carolina.
H.R. 3238: Ms. LEE of California, Mr. TONKO, Ms. KAPTUR, Mr. RUSH, Mr. MCINTYRE and Ms. NORTON.
H.R. 3395: Mr. DESJARLAIS.
H.R. 3423: Mrs. MYRICK, Mrs. HARTZLER, Mr. RENACCI, Mr. REICHERT, Mrs. CAPITO, Mr. ALTMIRE, Mr. ANDREWS, Mr. LEWIS of Georgia, Mr. KELLY, and Mr. BILIRAKIS.
H.R. 3458: Mr. BRALEY of Iowa.
H.R. 3481: Mr. GOODLATTE and Mr. MARCHANT.
H.R. 3485: Ms. VELÁZQUEZ, Mr. REYES, Mr. JOHNSON of Georgia, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. RUSH, Mr. DEUTCH, Mr. DEFAZIO, Ms. LINDA T. SÁNCHEZ of California, Mr. LARSON of Connecticut, Mr. BECERRA, Mrs. LOWEY, Mr. PETERS, Mr. KIND, Mr. CARNEY, Mr. PALLONE, Mr. WALZ of Minnesota, Mr. SIRES, and Mrs. MCCARTHY of New York.
H.R. 3506: Mr. OWENS and Mr. MILLER of Florida.
H.R. 3586: Mr. SMITH of New Jersey.
H.R. 3594: Mr. GOODLATTE, Mr. GRIFFIN of Arkansas, and Mr. FINCHER.
H.R. 3595: Ms. WASSERMAN SCHULTZ.
H.R. 3612: Mr. DENT, Ms. EDWARDS, and Mr. THOMPSON of Mississippi.
H.R. 3643: Mr. KIND.
H.R. 4122: Mr. HONDA, Mr. HOLT, Ms. NORTON, Mr. SCHIFF, and Ms. WOOLSEY.
H.R. 4124: Mr. FARENTHOLD.
H.R. 4168: Mr. STARK.
H.R. 4169: Ms. TSONGAS.
H.R. 4202: Mr. WATT, Ms. SLAUGHTER, and Mr. HONDA.
H.R. 4215: Mr. AMODEI.
H.R. 4229: Mr. OLSON.
H.R. 4269: Mr. HUIZENGA of Michigan and Mr. OLSON.
H.R. 4309: Mr. WOLF.
H.R. 4336: Mr. PITTS, Mr. PETRI, Mr. DENT, and Mr. AMODEI.
H.R. 4405: Ms. EDWARDS.
H.R. 4847: Mr. CUELLAR.
H.R. 4972: Mr. YARMUTH and Mr. BACA.
H.R. 5381: Mr. PEARCE.
H.R. 5542: Mr. SCHRADER.
H.R. 5749: Ms. ESHOO.
H.R. 5787: Ms. LEE of California and Mr. CONYERS.
H.R. 5840: Mr. THOMPSON of California, Mr. BISHOP of Georgia, Mr. MCGOVERN, and Mr. JOHNSON of Georgia.
H.R. 5846: Mr. CRAVAACK, Mr. BENISHEK, and Mr. KISSELL.
H.R. 5850: Mr. YOUNG of Alaska.
H.R. 5870: Ms. ZOE LOFGREN of California.
H.R. 5893: Mr. SMITH of Washington.
H.R. 5911: Mr. GRIFFIN of Arkansas and Mr. ROKITA.
H.R. 5953: Mr. BUCHANAN.
H.R. 5969: Mr. HARPER.
H.R. 5970: Mr. HARPER.
H.R. 5977: Mr. RIBBLE and Mr. TIBERI.
H.R. 5993: Mr. MICHAUD.
H.R. 6043: Mr. SMITH of New Jersey.
H.R. 6086: Mr. LÚJAN.
H.R. 6101: Mr. KUCINICH, Ms. RICHARDSON, and Mr. POLIS.
H.R. 6107: Mr. MICHAUD, Mr. COOPER, and Ms. BROWN of Florida.
H.R. 6118: Mr. WALZ of Minnesota, Mr. DUFFY, and Mr. RIBBLE.
H.R. 6136: Mr. FORTENBERRY.
H.R. 6149: Mr. HIGGINS.
H.R. 6172: Mr. OLSON.
H.R. 6173: Mr. CHABOT and Mr. GIBBS.
H.R. 6174: Mr. GRAVES of Missouri, Mr. KINGSTON, Mrs. MYRICK, Mr. MICHAUD, Mr. MILLER of Florida, Mr. ROKITA, Mr. WOMACK, and Mr. MULVANEY.
H.R. 6188: Mrs. CAPPS.
H.R. 6211: Mr. WALZ of Minnesota, Mr. DOYLE, Mr. SIRES, and Mr. DOGGETT.
H.R. 6232: Mr. RYAN of Ohio.
H.R. 6251: Ms. HANABUSA.
H.R. 6283: Mr. THORNBERRY and Mrs. MCMORRIS RODGERS.
H.R. 6310: Ms. WOOLSEY and Mr. POLIS.
H.R. 6313: Mr. SHERMAN.
H.R. 6342: Mr. BURTON of Indiana.
H.R. 6348: Mr. RIBBLE.
H.R. 6352: Mr. LATHAM and Mr. MCGOVERN.
H.R. 6365: Mr. WILSON of South Carolina and Ms. GRANGER.
H.J. Res. 47: Mr. RYAN of Ohio, Ms. KAPTUR, Mr. DINGELL, Mr. LEVIN, and Mr. HEINRICH.
H.J. Res. 88: Ms. WILSON of Florida.
H. Con. Res. 116: Mrs. MCCARTHY of New York and Mr. NUGENT.

H. Con. Res. 129: Mr. LEWIS of California.
H. Res. 319: Ms. BONAMICI.
H. Res. 367: Mr. BILIRAKIS.
H. Res. 484: Ms. EDWARDS.
H. Res. 652: Ms. NORTON.
H. Res. 662: Mr. ROSS of Florida.
H. Res. 689: Mr. DONNELLY of Indiana.
H. Res. 734: Mr. CARSON of Indiana, Mr. OLVER, Mr. ANDREWS, and Mr. JOHNSON of Georgia.
H. Res. 760: Mr. NADLER, Mr. BUTTERFIELD, Mr. DOGGETT, Ms. WATERS, Mr. FATTAH, Mr. BACA, Mr. RANGEL, Mr. MORAN, Ms. NORTON, Ms. KAPTUR, Mr. LEVIN, Mr. CONYERS, Mr. DINGELL, Ms. CLARKE of New York, Ms. PINGREE of Maine, Mr. FARR, Mr. WAXMAN, Ms. LEE of California, Mr. GRIJALVA, Mr. CLARKE of Michigan, Ms. EDWARDS, Mr. RYAN of Ohio, Mr. DOYLE, Mr. CARSON of Indiana, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. TONKO, Mr. BRADY of Pennsylvania, Mr. CICILLINE, Mr. FILNER, Mr. LEWIS of Georgia, Mr. HINOJOSA, Ms. BONAMICI, Mrs. MCCARTHY of New York, Mr. OLVER, Mr. HASTINGS of Florida, Mr. LANGEVIN, Mr. TIERNEY, Ms. MCCOLLUM, Mr. HOLT, Mr. AL GREEN of Texas, Ms. RICHARDSON, Mr. DAVIS of Illinois, Mr. NEAL, Ms. ROYBAL-ALLARD, Ms. SCHAKOWSKY, Ms. WILSON of Florida, Mr. CUELLAR, Mr. GUTIERREZ, Mr. RUSH, Mr. MCDERMOTT, Mr. PALLONE, Mr. MARKEY, Mr. MEEKS, Ms. SEWELL, Mr. CAPUANO, Mr. SERRANO, Ms. MATSUI, Ms. SCHWARTZ, Ms. WOOLSEY, Mr. WELCH, and Mr. DEFAZIO.

H. Res. 763: Mr. SENSENBRENNER.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 6365, The National Security and Job Protection Act of 2012, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.