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House of Representatives

Pursuant to section 2 of House Resolution 479, 112th Congress, the House met at 2 p.m. and was called to order by the Speaker.

NOTICE OF REASSEMBLY

The SPEAKER laid before the House the text of the formal notification sent to Members on Thursday, December 27, 2012, of the reassembly of the House.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 27, 2012.

DEAR COLLEAGUE: Pursuant to section 2 of House Resolution 479, and after consultation with the Minority Leader of the House, I have determined that the public interest requires that the House reassemble at 2:00 PM on Sunday, December 30, 2012. Further announcements will be provided by the Majority Leader's office.

Thank you for your attention to this urgent matter.

Sincerely,

JOHN A. BOEHNER.

PRAYER

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

Loving God, we give You thanks for giving us another day.

The year, and the 112th Congress near completion, yet the work to be done remains. Bless the Members who regather in these waning days with wisdom, magnanimity, and a shared desire to serve our Nation at a pivotal time for us all.

Bless the efforts of all who have labored during these days to forge solutions to considerable problems facing our Nation.

In the end, may we continue to trust that You would not abandon those who put their trust in You.

May all that is done this day 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 Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas 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.

PULSE OF TEXAS—MIKE: ''CANNOT HAVE COOKIES WITHOUT THE MILK''

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

Mr. POE of Texas. Mr. Speaker, ''Can't have cookies without the milk. Tax reform and spending cuts, not one without the other.'' That was a comment on my Facebook page from Mike in Texas.

The American people get it. Why doesn't the government? Because Washington is addicted to spending somebody else's money. The House has already passed two bills that would avert the fiscal cliff, but as usual, the Senate is missing in action.

In August, we passed a bipartisan bill, an extension of current tax rates for all Americans through the end of 2013. Then, the week before Christmas, the House again passed legislation to avoid defense sequestration by cutting spending. But as usual, both bills lie in the graveyard of the Senate, where good bills go to die.

Mr. Speaker, it's time for the Senate and Senator REID to man up, consider these bills, and get serious about the root of the problem: spending. We got here by spending too much, not taxing too little.

And that's just the way it is.

AS IT WAS FOR THE ANASAZI, SO COULD IT BE FOR AMERICA

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

Mr. KUCINICH. The Anasazi were Native Americans whose culture dated back 2,000 years. They were the cliff dwellers who built into the sheer walls of canyons extraordinary places to live. Yet, in 1300 A.D., these cliff dwellers, these great architects of culture and civilization, mysteriously disappeared.

The people of this great Nation, the United States of America, are dwelling on real cliffs of fiscal insecurity: the cliffs of joblessness and low wages; the cliffs of mortgage foreclosure, homelessness; the cliffs of retirement insecurity; the cliffs of small business failure and investor uncertainty; the cliffs of violence at home and war abroad.

At a time when the government should be demonstrating its capacity to meet the practical aspirations of the American people for jobs, education, health care, and retirement security, the government instead would have America dwell at the edge of a fiscal cliff in a manufactured crisis to manufacture consent for a deal that would otherwise be unacceptable.

Leaders of both parties would do well to remember that the original cliff dwellers, as great as they were, disappeared.

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DEFICIT CRISIS

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

Mr. BURGESS. Mr. Speaker, our country is facing a crisis. I'm not talking about the made-for-TV crisis that's going on right now over the fiscal cliff. I'm talking about the deficit.

The national debt now stands at $16 trillion. At the end of this President's next term it will be close to $22 trillion. Both parties bear the blame for this. Both branches of the legislative branch bear the responsibility, multiple administrations. And just as everyone was involved in the creation of this problem, we need all hands on deck for a solution. But unfortunately, it doesn't seem to be so.

Mr. Speaker, growth is critical. The last quarter of this year likely will see growth at 1.2 to 1.3 percent. That's not going to cut it. As long as we continue to push a tax policy that punishes success rather than provides for a pro-growth strategy, we will never grow our way out of this problem.

And then on the spending side, when are we going to have the open congressional hearings where we focus on the waste, the favoritism, the duplication that occurs in our Federal agencies? It's far past time for us to focus on those areas and allow the public in and allow the public to see how their money is being spent.

Failure to act on the deficit will likely rend the very fabric of our Republic. I, for one, do not want to see that happen.

FISCAL CLIFF

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

Mr. ALTMIRE. Recent reports have said this Congress is the most unproductive in modern times. Those studies compare the number of rollcall votes and bills passed to previous sessions. But the most important comparison is whether each Congress rose to the challenges they faced and were able to do big things on behalf of their constituents and the country. By that measure, there truly is no comparison.

Whether or not you supported the actions of previous Congresses, there can be no doubt that those congressional leaders took bold and decisive action to address crises both imminent and still to come. Unfortunately, the same cannot be said—yet—for this Congress, which has to this point failed to address a fiscal cliff that could easily be avoided before the clock strikes midnight tomorrow.

Mr. Speaker, there is still time to change the way history will judge the action—or inaction—of this Congress. With crisis comes opportunity. We still have time to finish the job, so let's not squander this opportunity to remove this Congress from the ranks of the most infamous in history.

A TRIBUTE TO A GREAT AMERICAN, MIKE COATS

(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 wearing my space shuttle tie to honor my hero, my friend, Mike Coats. Tomorrow, Mike is retiring as Director of the Johnson Space Center of Houston.

Mike and I have a few things in common. We both are naval aviators who love Coach Bill Krueger and Clear Lake High School basketball. But Mike has done things I only dream of. He logged over 463 hours in space on three space shuttle missions. Most importantly, he fought to keep the Johnson Space Center the home of U.S. dominance in human spaceflight despite the retirement of the space shuttle and the cancellation of the Constellation program. When I grow up, I want to be Mike Coats.

Bravo Zulu, Mike. May you, Diane, your daughter, your son, and those two beautiful granddaughters, those twins, always have fair winds and following seas.

□ 1410

WE NEED A SHARED CONCERN FOR AMERICA

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

Ms. JACKSON LEE of Texas. Thank you for these words. I share a desire to serve the Nation in this pivotal time.

Mr. Speaker, I think it is enormously important that, as Starbucks said, we ''come together.'' And we can do so. We can do it in a rationality that takes a simple analysis. A simple analysis says that if I like a bag of potato chips, that's a luxury item, I can run in and get it. I don't have to think about it. Its cost is manageable. If I want to go in and get a high-end Cadillac, I'll think about it for a couple of days.

That should be the thought process for this fiscal cliff. Pass the $250,000 that will give 99 percent of Americans a tax break. Protect those who are unemployed who have worked and provide for their unemployment insurance. Protect those with the AMT—30 million taxpayers will fall over the cliff if we don't fix that, 222,000 Texans. And then if we have to deal with looking at how we address the question of reforming those benefits of Americans who work like Medicare and Social Security, we can do so. But I join the AARP, I join senior citizens: Leave Social Security alone. The changed CPI will not work, and that is not a time to deal with it in these waning hours.

We, Republicans, created this quagmire with the sequestration. We need to go and be able to address the immediacy. Get your bag of potato chips, cut the taxes for 99 percent of the American people and protect the unemployed.

We can do this. We don't have to go over the fiscal cliff. A shared concern for America, that's what we need today.

MIDDLE CLASS TAX CUTS

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

Ms. McCOLLUM. Mr. Speaker, this Republican-controlled House has less than 36 hours to pass an extension of middle class tax cuts. Count me in as a ''yes'' vote right now to protect 98 percent of taxpayers from a tax increase. There should be bipartisan support to protect middle class families from higher taxes as our economy recovers.

So I sincerely hope that this Republican House is not so broken, so dysfunctional, and so out of touch with the real lives of Americans that the majority simply refuses to stand with Democrats to immediately pass an extension of the middle class tax cuts.

Yes, the top negotiations on other fiscal cliff issues must continue, but, Mr. Speaker, do not deny this Congress the opportunity to vote on a clean bill protecting middle class Americans. Let's start the new year by passing a commonsense, bipartisan extension of the middle class tax cuts and show America that Congress still works.

INFRASTRUCTURE SPENDING

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

Mr. CURSON of Michigan. Mr. Speaker, more than 12 million Americans are still searching for work. The fiscal cliff and deficit reduction are important for our Nation's economic health in the long term, but we need to remember in the short term, we need job creation to get the economy moving again. We can do that by investing in our Nation's infrastructure.

By investing in our infrastructure, we put people to work and create revenue immediately. More people working lessens the strain on unemployment and family assistance programs and generates more employed persons paying taxes. Putting people back to work is a deficit-reduction plan.

The U.S. Department of Transportation estimates that $1 billion in highway investments can create nearly 28,000 well-paying construction jobs. Because infrastructure investment is not only a huge boost to the economy, it's critically needed. Historically, the issue has had bipartisan support because it's so critically important. If you need to get to the other side of a bridge, it doesn't matter if you're a Republican or a Democrat, you need to get to the other side.

Now is the time for America to invest in maintaining and upgrading our infrastructure. Let's put America back to work.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. HARRIS) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 28, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 28, 2012 at 10:45 a.m.:

That the Senate passed without amendment H.R. 5949.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 28, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 28, 2012 at 9:50 a.m.:

That the Senate passed without amendment H.R. 2338.

That the Senate passed without amendment H.R. 3892.

That the Senate passed without amendment H.R. 3869.

That the Senate passed without amendment H.R. 4389.

That the Senate passed without amendment H.R. 6260.

That the Senate passed without amendment H.R. 6379.

That the Senate passed without amendment H.R. 6587.

That the Senate passed S. 3667.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 30, 2012.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on December 30, 2012 at 1:00 p.m.

That the Senate passed S. 3454.

That the Senate passed with amendments H.R. 1.

That the Senate passed with amendments H.R. 1464.

That the Senate passed without amendment H.R. 6014.

That the Senate passed without amendment H.R. 6620.

That the Senate passed with amendment H.R. 6621.

With best wishes, I am
Sincerely,

KAREN L. HAAS.

RECESS

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

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

□ 1630

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HARRIS) at 4 o'clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken later.

IMPROVING TRANSPARENCY OF EDUCATION OPPORTUNITIES FOR VETERANS ACT OF 2012

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to 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

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

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) Effective and efficient methods to inform individuals of the educational and vocational counseling provided under section 3697A of this title.

"(2) A centralized mechanism for tracking and publishing feedback from students and State approving agencies regarding the quality of instruction, recruiting practices, and post-graduation employment placement of institutions of higher learning that—

"(A) allows institutions of higher learning to verify feedback and address issues regarding feedback before the feedback is published;

"(B) protects the privacy of students, including by not publishing the names of students; and

"(C) publishes only feedback that conforms with criteria for relevancy that the Secretary shall determine.

"(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) information regarding the State approving agency's evaluation of an institution of higher learning.

"(4) Description of the information provided to individuals participating in the Transition Assistance Program under section 1144 of title 10 relating to institutions of higher learning.

"(5) Effective and efficient methods 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 any 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 individuals upon completion of programs of education at the institution of higher learning (as determined from information collected by the Secretary of Education);

"(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 total enrollment, graduation rate, and retention rate, as determined from information collected by the Integrated Postsecondary Education Data System of the Secretary of Education;

"(ix) whether the institution provides students with technical support, academic support, and other support services, including career counseling and job placement; and

"(x) the information regarding the institution's policies related to transfer of credit from other institutions, as required under section 485(h)(1) of the Higher Education Act of 1965 (20

U.S.C. 1092(h)(1)) and provided to the Secretary of Education under section 132(i)(1)(V)(iv) of such Act (20 U.S.C. 1015a(i)(1)(V)(iv)).

''(2) To the extent practicable, the Secretary shall provide the information described in paragraph (1) by including hyperlinks on the Internet website of the Department to other Internet websites that contain such information, including the Internet website of the Department of Education, in a form that is comprehensive and easily understood by veterans, members of the Armed Forces, and other individuals.

''(3)(A) If the Secretary of Veterans Affairs requires, for purposes of providing information pursuant to subsection (b)(5), information that has been reported, or information that is similar to information that has been reported, by an institution of higher learning to the Secretary of Education, the Secretary of Defense, the Secretary of Labor, or the heads of other Federal agencies under a provision of law other than under this section, the Secretary of Veterans Affairs shall obtain the information the Secretary of Veterans Affairs requires from the Secretary or head with the information rather than the institution of higher learning.

''(B) If the Secretary of Veterans Affairs requires, for purposes of providing information pursuant to subsection (b)(5), information from an institution of higher learning that has not been reported to another Federal agency, the Secretary shall, to the degree practicable, obtain such information through the Secretary of Education.

''(d) CONSISTENCY WITH EXISTING EDUCATION POLICY.—In carrying out this section, the Secretary shall ensure that—

''(1) the comprehensive policy is consistent with any requirements and initiatives resulting from Executive Order No. 13607; and

''(2) the efforts of the Secretary to implement the comprehensive policy do not duplicate the efforts being taken by any Federal agencies.

''(e) COMMUNICATION WITH INSTITUTIONS OF HIGHER LEARNING.—To the extent practicable, if the Secretary considers it necessary to communicate with an institution of higher learning to carry out the comprehensive policy required by subsection (a), the Secretary shall carry out such communication through the use of a communication system of the Department of Education.

''(f) 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) SURVEY.—In developing the policy required by section 3698(a) of title 38, United States Code, as added by subsection (a), the Secretary of Veterans Affairs 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.

(c) REPORT.—Not later than 90 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the appropriate committees of Congress 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.

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Veterans' Affairs and the Committee on Health, Education, Labor, and Pensions of the Senate; and

(B) the Committee on Veterans' Affairs and the Committee on Education and the Workforce of the House of Representatives.

(2) COMMERCIALLY AVAILABLE OFF-THE-SHELF.—The term ''commercially available off-the-shelf'' has the meaning given that term in section 104 of title 41, United States Code.

(3) POSTSECONDARY EDUCATION AND TRAINING OPPORTUNITIES.—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. PROHIBITION ON CERTAIN USES OF INDUCEMENTS BY EDUCATIONAL INSTITUTIONS.

Section 3696 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(d)(1) The Secretary shall not approve under this chapter any course offered by 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.

''(2) To the degree practicable, the Secretary shall carry out paragraph (1) in a manner that is consistent with the Secretary of Education's enforcement of section 487(a)(20) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)(20)).''.

SEC. 3. DEDICATED POINTS OF CONTACT FOR SCHOOL CERTIFYING OFFICIALS.

Section 3684 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(d) Not later than 90 days after the date of the enactment of this subsection, the Secretary shall ensure that the Department provides personnel of educational institutions who are charged with submitting reports or certifications to the Secretary under this section with assistance in preparing and submitting such reports or certifications.''.

SEC. 4. LIMITATION ON AWARDS AND BONUSES TO EMPLOYEES OF DEPARTMENT OF VETERANS AFFAIRS.

For fiscal year 2013, the Secretary of Veterans Affairs may not pay more than $395,000,000 in awards or bonuses under chapter 45 or 53 of title 5, United States Code, or any other awards or bonuses authorized under such title.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and add any extraneous material that they may have on the Senate amendment to H.R. 4057.

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

There was no objection.

Mr. MILLER of Florida. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, the Senate amendment before us, H.R. 4057, is another bipartisan and bicameral product of the work of the House and the Senate Committees on Veterans' Affairs to improve the effectiveness of GI Bill benefits for our veterans.

I want to express my appreciation to the Subcommittee on Economic Opportunity Chairman MARLIN STUTZMAN, Ranking Member BRUCE BRALEY, and our new committee ranking member, MIKE MICHAUD, for working with us to bring this amended bill to the House floor today. I also want to thank the chairman and ranking member of the Senate Committee on Veterans' Affairs, Senators MURRAY and BURR, for their support of this legislation as well.

The Senate amendment responds to concerns about how to ensure that veterans make the best use of their hard-earned GI Bill benefits. Now, I think that by adding some very reasonable transparency requirements to information provided by schools we have met those concerns really without overburdening our colleges and universities with needless government regulations.

The bill, as amended, has four major sections. The first one reflects our vice chairman of the full committee Mr. BILIRAKIS' original legislation, slightly modified, which would improve the ability of GI Bill users to choose the school that best meets their own educational needs. These provisions will help this generation of veterans make informed choices about how to use those educational benefits.

I appreciate the bipartisanship manner in which our colleagues on both sides of the aisle have worked to reach an accord on the final provisions of this section. I also want to thank the veteran service organizations for their assistance, especially the Veterans of Foreign Wars, for they have been so supportive of this particular section. I also want to thank the higher education associations for their support as well.

Now, section 2 contains additional provisions from the original bill that will prohibit schools from paying or offering any type of inducement to employees or students for recruiting veterans. It would also require the Secretary of Veterans Affairs to carry out enforcement of this provision in a manner that is consistent with the Higher Education Act.

Section 3 would require VA to provide a point of contact dedicated to assisting schools with questions about VA education policy and processes.

The fourth section would limit the total amount of bonuses or awards paid to VA employees to $395 million total in fiscal year 2013, which fully pays for the provisions in the Senate amendment.

Finally, if properly implemented by VA, and if the multitude of Federal, State, and local agencies charged with overseeing the education industry properly enforce existing laws and regulations, there should be little need for further legislation in this area.

Regardless, the House Committee on Veterans' Affairs will continue to aggressively monitor the implementation of this legislation and the performance of the entire education industry to ensure that these provisions achieve the desired results.

I encourage all the Members of this body to support the bill, and I reserve the balance of my time.

Mr. MICHAUD. Mr. Speaker, I yield myself as much time as I may consume.

First of all, I would like to thank the chairman of the Veterans' Affairs Committee and the staff of both the majority and the minority for their work in putting these two bills together before us today.

I rise today in support of this bill, H.R. 4057, a bill requiring the Department of Veterans Affairs to develop a 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.

Mr. Speaker, our brave men and women of this country put their lives in harm's way to ensure that our freedom is protected. Their actions are without reservation or consideration to what may become of their lives. We must honor their service by ensuring that they have the opportunity to pursue the American Dream when they come home. This includes making it affordable for them to buy a home, protecting their employment while they are deployed, and allowing them to pursue a postsecondary education.

Our servicemembers are trained for the worst when they are deployed, ready to fight in combat, and, if necessary, make the ultimate sacrifice. But when they return home, the battle to transition to civilian life can be difficult and frustrating. With the passage of the post-9/11 GI Bill, which provided generous education benefits, many veterans and their dependents took this opportunity to pursue a higher education and a better life.

However, it is not enough to provide a benefit if the veterans do not have the proper information on the educational opportunities available to them. They need the right tools at the right time to help them determine which school is the best one for them. That is why I support strongly H.R. 4057.

This bill will provide our veterans with the necessary information to make an intelligent and informed decision when deciding to pursue a postsecondary education or vocational training opportunity.

Education is a key factor for a successful professional life, particularly for servicemembers that may have some difficulty translating their military skill to civilian employment. This bill requires a collective effort from agencies, institutions of higher learning, and Congress to help veterans succeed. Furthermore, this bill can help ensure a better, well-trained workforce for a more competitive America.

I ask my colleagues to join me in support of H.R. 4057, and I respectfully reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I'm now happy to yield as much time as he might consume to the vice chairman of the full committee, Tarpon Springs' favorite son, the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Mr. Speaker, I rise today in strong support of H.R. 4057, the Improving Transparency of Education Opportunities for Veterans Act, as amended by the Senate. I'm truly proud of my colleagues in both the House and the Senate for putting aside partisan differences and coming together to move this bill through both Chambers in the best interests of our true American heroes, our veterans.

As more and more servicemembers are leaving Active Duty and use their post-9/11 GI benefits, there is an increased need for information to help them choose institutions of higher learning which maximize their benefits and best meet their future career demands.

My bill, as amended, requires the Secretary of Veterans Affairs to create a comprehensive policy, which includes informing veterans about their eligibility for educational counseling, creating a centralized complaint database on schools, requiring State-approving agencies to better communicate with accrediting agencies, establishing how information will be presented in the transition assistance program, and identifying commercially off-the-shelf available software to assist students in choosing a school and evaluating their readiness to attend postsecondary institutions.

I want to express my sincere appreciation to my good friend, Chairman JEFF MILLER, a fellow Floridian, and also the ranking member, BOB FILNER, of course, Mr. MICHAUD, along with Senators MURRAY and BURR, for moving this legislation through both Chambers. I would like to thank also Representative BRALEY, the veterans service organizations, and higher education associations for providing feedback on ways to improve this bill and their continued support going forward.

Mr. Speaker, I urge passage of H.R. 4057.

□ 1640

Mr. MICHAUD. At this time, I yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank Mr. MICHAUD very much. I thank him for his leadership on this legislation. And I thank the chairman of the Veterans' Affairs Committee and the author of the bill, along with Mr. MICHAUD and Mr. BILIRAKIS, for their leadership.

Texas competes with many States for the number of returning soldiers from Iraq and Afghanistan and certainly is known for the presence of veterans from almost every single war. We are a State of military personnel and military bases, and Houston is known as well for the large numbers of veterans residing there.

I happen to represent the veterans cemetery and interact with veterans on a regular basis. We have Ellington Field, which we hope will some day hold one of the major commands. So we see veterans every day, and we have the opportunity to interact. And we know their dreams and aspirations and those of their family members.

I rise to support H.R. 4057 with the Senate amendment to particularly emphasize some very important points. I want veterans to be treated fairly. I want them to be able to build on the training and the amount of talent that they've built on in the United States military. This legislation protects them and acts to help them utilize the post-Iraq and Afghanistan GI Bill, one of the most unique initiatives in the Nation and one that we supported in a bipartisan way.

This legislation will allow the VA to conduct a market survey of online tools that allow veterans to assess their academic preparedness, to pursue postsecondary education training opportunities, and provide these veterans with a list of institutions that match the criteria. That is our Achilles' heel. Veterans come back, they see a lot of advertisements, they are attracted to a number of institutions; but they may not work for them. This kind of tracking and guidance will say, We really appreciate you; we want you to use these resources in the best way possible. In addition, the VA will then be required or will be able to secure information from other Departments, like the Department of Education, to know about these institutions and guide our veterans in the best way possible.

I see veterans, as I said, all the time. I see homeless veterans. I see veterans seeking services. I see veterans, as many of us do, in our offices. They want information. They want to be respected. They want to be able to contribute in today's society, to help their families, and to use those skills where they were serving their Nation in the best way possible.

I believe the gift that we've given them in education should be a guided gift to give them the kind of pathway, if you will, that will make sure that these resources are used in the best way possible. So I support this legislation.

I would finally say that I additionally support the bill coming up about dignified burial and other veterans benefits just to specifically say because of my district having the veterans cemetery, because of the many issues we have dealt with in the particular cemetery in Houston, this is great news to

know that no veteran will be undermined in their burial, no veteran will be in an undignified burial because of this legislation.

I thank my colleagues for moving forward on recognizing that our veterans have sacrificed for us. We need now to respect that and sacrifice for them.

With that, I ask my colleagues to support the legislation.

Mr. MILLER of Florida. Mr. Speaker, I would like to inquire as to whether my friend has any more speakers. If not, I reserve the balance of time, as we have no more speakers.

Mr. MICHAUD. I have no further speakers, and I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, I once again encourage all Members to support the Senate amendment to H.R. 4057, 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. MILLER) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4057.

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. MICHAUD. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

DIGNIFIED BURIAL AND OTHER VETERANS' BENEFITS IMPROVEMENT ACT OF 2012

Mr. MILLER of Florida. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3202) to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3202

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 ''Dignified Burial and Other Veterans' Benefits Improvement 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. Scoring of budgetary effects.

TITLE I—CEMETERY MATTERS

Sec. 101. Furnishing caskets and urns for deceased veterans with no known next of kin.
Sec. 102. Veterans freedom of conscience protection.
Sec. 103. Improved communication between Department of Veterans Affairs and medical examiners and funeral directors.
Sec. 104. Identification and burial of unclaimed or abandoned human remains.
Sec. 105. Exclusion of persons convicted of committing certain sex offenses from interment or memorialization in national cemeteries, Arlington National Cemetery, and certain State veterans' cemeteries and from receiving certain funeral honors.
Sec. 106. Restoration, operation, and maintenance of Clark Veterans Cemetery by American Battle Monuments Commission.
Sec. 107. Report on compliance of Department of Veterans Affairs with industry standards for caskets and urns.

TITLE II—HEALTH CARE

Sec. 201. Establishment of open burn pit registry.
Sec. 202. Transportation of beneficiaries to and from facilities of Department of Veterans Affairs.
Sec. 203. Extension of reduced pension for certain veterans covered by medicaid plans for services furnished by nursing facilities.
Sec. 204. Extension of report requirement for Special Committee on Post-Traumatic-Stress Disorder.

TITLE III—OTHER MATTERS

Sec. 301. Off-base transition training for veterans and their spouses.
Sec. 302. Requirement that judges on United States Court of Appeals for Veterans Claims reside within 50 miles of District of Columbia.
Sec. 303. Designation of Trinka Davis Veterans Village.
Sec. 304. Designation of William ''Bill'' Kling Department of Veterans Affairs Outpatient Clinic.
Sec. 305. Designation of Mann-Grandstaff Department of Veterans Affairs Medical Center.
Sec. 306. Designation of David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic.

SEC. 2. SCORING OF BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory Pay-As-You-Go-Act of 2010, shall be determined by reference to the latest statement titled ''Budgetary Effects of PAYGO Legislation'' for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

TITLE I—CEMETERY MATTERS

SEC. 101. FURNISHING CASKETS AND URNS FOR DECEASED VETERANS WITH NO KNOWN NEXT OF KIN.

(a) IN GENERAL.—Section 2306 of title 38, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively;

(2) by inserting after subsection (e) the following new subsection (f):

''(f) The Secretary may furnish a casket or urn, of such quality as the Secretary considers appropriate for a dignified burial, for burial in a national cemetery of a deceased veteran in any case in which the Secretary—

''(1) is unable to identify the veteran's next of kin, if any; and

''(2) determines that sufficient resources for the furnishing of a casket or urn for the burial of the veteran in a national cemetery are not otherwise available.''; and

(3) in subsection (h), as redesignated by paragraph (1), by adding at the end the following new paragraph:

''(4) A casket or urn may not be furnished under subsection (f) for burial of a person described in section 2411(b) of this title.''.

(b) EFFECTIVE DATE.—Subsections (f) and (h)(4) of section 2306 of title 38, United States Code, as added by subsection (a), shall take effect on the date that is one year after the date of the enactment of this Act and shall apply with respect to deaths occurring on or after the date that is one year after the date of the enactment of this Act.

SEC. 102. VETERANS FREEDOM OF CONSCIENCE PROTECTION.

(a) IN GENERAL.—Section 2404 of title 38, United States Code, is amended by adding at the end the following new subsection:

''(h)(1) With respect to the interment or funeral, memorial service, or ceremony of a deceased veteran at a national cemetery, the Secretary shall ensure that—

''(A) the expressed wishes of the next of kin or other agent of the deceased veteran are respected and given appropriate deference when evaluating whether the proposed interment or funeral, memorial service, or ceremony affects the safety and security of the national cemetery and visitors to the cemetery;

''(B) to the extent possible, all appropriate public areas of the cemetery, including committal shelters, chapels, and benches, may be used by the family of the deceased veteran for contemplation, prayer, mourning, or reflection; and

''(C) during such interment or funeral, memorial service, or ceremony, the family of the deceased veteran may display any religious or other symbols chosen by the family.

''(2) Subject to regulations prescribed by the Secretary under paragraph (4), including such regulations ensuring the security of a national cemetery, the Secretary shall, to the maximum extent practicable, provide to any military or volunteer veterans honor guard, including such guards belonging to a veterans service organization or other nongovernmental group that provides services to veterans, access to public areas of a national cemetery if such access is requested by the next of kin or other agent of a deceased veteran whose interment or funeral, memorial service, or ceremony is being held in such cemetery.

''(3) With respect to the interment or funeral, memorial service, or ceremony of a deceased veteran at a national cemetery, the Secretary shall notify the next of kin or other agent of the deceased veteran of funeral honors available to the deceased veteran, including such honors provided by any military or volunteer veterans honor guard described in paragraph (2).

''(4) The Secretary shall prescribe regulations to carry out this subsection.''.

(b) INTERIM IMPLEMENTATION.—The Secretary may carry out paragraphs (1) through (3) of section 2404(h) of such title, as added by subsection (a), before the Secretary prescribes regulations pursuant to paragraph (4) of such section, as so added.

(c) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the implementation of section 2404(h) of such title, as added by subsection (a). Such report shall include a certification of whether the Secretary is in compliance with all of the provisions of such section.

SEC. 103. IMPROVED COMMUNICATION BETWEEN DEPARTMENT OF VETERANS AFFAIRS AND MEDICAL EXAMINERS AND FUNERAL DIRECTORS.

(a) IN GENERAL.—Chapter 24 of title 38, United States Code, is amended by adding at the end the following new section:

"§ 2414. Communication between Department of Veterans Affairs and medical examiners and funeral directors

''(a) REQUIRED INFORMATION.—With respect to each deceased veteran described in subsection (b) who is transported to a national cemetery for burial, the Secretary shall ensure that the local medical examiner, funeral director, county service group, or other entity responsible for the body of the deceased veteran before such transportation submits to the Secretary the following information:

''(1) Whether the deceased veteran was cremated.

''(2) The steps taken to ensure that the deceased veteran has no next of kin.

''(b) DECEASED VETERAN DESCRIBED.—A deceased veteran described in this subsection is a deceased veteran—

''(1) with respect to whom the Secretary determines that there is no next of kin or other person claiming the body of the deceased veteran; and

''(2) who does not have sufficient resources for the furnishing of a casket or urn for the burial of the deceased veteran in a national cemetery, as determined by the Secretary.''.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 2413 the following new item:

''2414. Communication between Department of Veterans Affairs and medical examiners and funeral directors.''.

(c) EFFECTIVE DATE.—Section 2414 of title 38, United States Code, as added by subsection (a), shall take effect on the date of the enactment of this Act and shall apply with respect to deaths occurring on or after the date that is 180 days after the date of the enactment of this Act.

SEC. 104. IDENTIFICATION AND BURIAL OF UNCLAIMED OR ABANDONED HUMAN REMAINS.

(a) IDENTIFICATION OF UNCLAIMED OR ABANDONED HUMAN REMAINS.—The Secretary of Veterans Affairs shall cooperate with veterans service organizations to assist entities in possession of unclaimed or abandoned human remains in determining if any such remains are the remains of veterans or other individuals eligible for burial in a national cemetery under the jurisdiction of the Secretary.

(b) BURIAL OF UNCLAIMED OR ABANDONED HUMAN REMAINS.—

(1) FUNERAL EXPENSES.—Section 2302(a)(2) of title 38, United States Code, is amended by striking ''who was a veteran of any war or was discharged or released from the active military, naval, or air service for a disability incurred or aggravated in line of duty, whose body is held by a State (or a political subdivision of a State), and''.

(2) TRANSPORTATION COSTS.—Section 2308 of such title is amended—

(A) by striking ''Where a veteran'' and all that follows through ''compensation, the'' and inserting ''(a) IN GENERAL.—The'';

(B) in subsection (a), as designated by subparagraph (A), by inserting ''described in subsection (b)'' after ''of the deceased veteran''; and

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

''(b) DECEASED VETERAN DESCRIBED.—A deceased veteran described in this subsection is any of the following veterans:

''(1) A veteran who dies as the result of a service-connected disability.

''(2) A veteran who dies while in receipt of disability compensation (or who but for the receipt of retirement pay or pension under this title, would have been entitled to compensation).

''(3) A veteran whom the Secretary determines is eligible for funeral expenses under section 2302 of this title by virtue of the Secretary determining that the veteran has no next of kin or other person claiming the body of such veteran pursuant to subsection (a)(2)(A) of such section.''.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date that is one year after the date of the enactment of this Act and shall apply with respect to burials and funerals occurring on or after the date that is one year after the date of the enactment of this Act.

SEC. 105. EXCLUSION OF PERSONS CONVICTED OF COMMITTING CERTAIN SEX OFFENSES FROM INTERMENT OR MEMORIALIZATION IN NATIONAL CEMETERIES, ARLINGTON NATIONAL CEMETERY, AND CERTAIN STATE VETERANS' CEMETERIES AND FROM RECEIVING CERTAIN FUNERAL HONORS.

(a) PROHIBITION AGAINST.—Section 2411(b) of title 38, United States Code, is amended by adding at the end the following new paragraph:

''(4) A person—

''(A) who has been convicted of a Federal or State crime causing the person to be a tier III sex offender for purposes of the Sex Offender Registration and Notification Act (42 U.S.C. 16901 et seq.);

''(B) who, for such crime, is sentenced to a minimum of life imprisonment; and

''(C) whose conviction is final (other than a person whose sentence was commuted by the President or Governor of a State, as the case may be).''.

(b) CONFORMING AMENDMENTS.—Section 2411(a)(2) of such title is amended—

(1) by striking ''or (b)(2)'' each place it appears and inserting '', (b)(2), or (b)(4)''; and

(2) by striking ''capital'' each place it appears.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply with respect to interments and memorializations that occur on or after the date of the enactment of this Act.

SEC. 106. RESTORATION, OPERATION, AND MAINTENANCE OF CLARK VETERANS CEMETERY BY AMERICAN BATTLE MONUMENTS COMMISSION.

(a) IN GENERAL.—After an agreement is made between the Government of the Republic of the Philippines and the United States Government, Clark Veterans Cemetery in the Republic of the Philippines shall be treated, for purposes of section 2104 of title 36, United States Code, as a cemetery for which it was decided under such section that the cemetery will become a permanent cemetery and the American Battle Monuments Commission shall restore, operate, and maintain Clark Veterans Cemetery (to the degree the Commission considers appropriate) under such section in cooperation with the Government of the Republic of the Philippines.

(b) LIMITATION ON FUTURE BURIALS.—Burials at the cemetery described in subsection (a) after the date of the agreement described in such subsection shall be limited to eligible veterans, as determined by the Commission, whose burial does not incur any cost to the Commission.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Commission—

(1) $5,000,000 for site preparation, design, planning, construction, and associated administrative costs for the restoration of the cemetery described in subsection (a); and

(2) amounts necessary to operate and maintain the cemetery described in subsection (a).

SEC. 107. REPORT ON COMPLIANCE OF DEPARTMENT OF VETERANS AFFAIRS WITH INDUSTRY STANDARDS FOR CASKETS AND URNS.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report on the compliance of the Department of Veterans Affairs with industry standards for caskets and urns.

(b) ELEMENTS.—The report required by subsection (a) shall include the following:

(1) A description of industry standards for caskets and urns.

(2) An assessment of compliance with such standards at national cemeteries administered by the Department with respect to caskets and urns used for the interment of those eligible for burial at such cemeteries.

TITLE II—HEALTH CARE

SEC. 201. ESTABLISHMENT OF OPEN BURN PIT REGISTRY.

(a) ESTABLISHMENT OF REGISTRY.—

(1) IN GENERAL.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall—

(A) establish and maintain an open burn pit registry for eligible individuals who may have been exposed to toxic airborne chemicals and fumes caused by open burn pits;

(B) 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 airborne chemicals and fumes caused by open burn pits;

(C) 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

(D) periodically notify eligible individuals of significant developments in the study and treatment of conditions associated with exposure to toxic airborne chemicals and fumes caused by open burn pits.

(2) COORDINATION.—The Secretary of Veterans Affairs shall coordinate with the Secretary of Defense in carrying out paragraph (1).

(b) REPORT TO CONGRESS.—

(1) REPORTS BY INDEPENDENT SCIENTIFIC ORGANIZATION.—The Secretary of Veterans Affairs shall enter into an agreement with an independent scientific organization to prepare reports as follows:

(A) Not later than two years after the date on which the registry under subsection (a) is established, an initial report containing the following:

(i) An assessment of the effectiveness of actions taken by the Secretaries to collect and maintain information on the health effects of exposure to toxic airborne chemicals and fumes caused by open burn pits.

(ii) Recommendations to improve the collection and maintenance of such information.

(iii) 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.

(B) Not later than five years after completing the initial report described in subparagraph (A), a follow-up report containing the following:

(i) An update to the initial report described in subparagraph (A).

(ii) An assessment of whether and to what degree the content of the registry established under subsection (a) is current and scientifically up-to-date.

(2) SUBMITTAL TO CONGRESS.—

(A) INITIAL REPORT.—Not later than two years after the date on which the registry under subsection (a) is established, the Secretary of Veterans Affairs shall submit to Congress the initial report prepared under paragraph (1)(A).

(B) FOLLOW-UP REPORT.—Not later than five years after submitting the report under subparagraph (A), the Secretary of Veterans Affairs shall submit to Congress the follow-up report prepared under paragraph (1)(B).

(c) DEFINITIONS.—In this section:

(1) ELIGIBLE INDIVIDUAL.—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.

(2) OPEN BURN PIT.—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.

SEC. 202. TRANSPORTATION OF BENEFICIARIES TO AND FROM FACILITIES OF DEPARTMENT OF VETERANS AFFAIRS.

(a) IN GENERAL.—Chapter 1 of title 38, United States Code, is amended by inserting after section 111 the following new section:

''§ 111A. Transportation of individuals to and from Department facilities

''(a) TRANSPORTATION BY SECRETARY.—(1) The Secretary may transport any person to or from a Department facility or other place in connection with vocational rehabilitation, counseling required by the Secretary pursuant to chapter 34 or 35 of this title, or for the purpose of examination, treatment, or care.

''(2) The authority granted by paragraph (1) shall expire on the date that is one year after the date of the enactment of this section.''.

(b) CONFORMING AMENDMENT.—Subsection (h) of section 111 of such title is—

(1) transferred to section 111A of such title, as added by subsection (a);

(2) redesignated as subsection (b);

(3) inserted after subsection (a) of such section; and

(4) amended by inserting ''TRANSPORTATION BY THIRD-PARTIES.—'' before ''The Secretary''.

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 1 of such title is amended by inserting after the item relating to section 111 the following new item:

''111A. Transportation of individuals to and from Department facilities.''.

SEC. 203. EXTENSION OF REDUCED PENSION FOR CERTAIN VETERANS COVERED BY MEDICAID PLANS FOR SERVICES FURNISHED BY NURSING FACILITIES.

Section 5503(d)(7) of title 38, United States Code, is amended by striking ''September 30, 2016'' and inserting ''November 30, 2016''.

SEC. 204. EXTENSION OF REPORT REQUIREMENT FOR SPECIAL COMMITTEE ON POST-TRAUMATIC-STRESS DISORDER.

Section 110(e)(2) of the Veterans' Health Care Act of 1984 (Public Law 98–528; 38 U.S.C. 1712A note) is amended by striking ''through 2012'' and inserting ''through 2016''.

TITLE III—OTHER MATTERS

SEC. 301. OFF-BASE TRANSITION TRAINING FOR VETERANS AND THEIR SPOUSES.

(a) PROVISION OF OFF-BASE TRANSITION TRAINING.—During the two-year period beginning on the date of the enactment of this Act, the Secretary of Labor shall provide the Transition Assistance Program under section 1144 of title 10, United States Code, to eligible individuals at locations other than military installations to assess the feasibility and advisability of providing such program to eligible individuals at locations other than military installations.

(b) ELIGIBLE INDIVIDUALS.—For purposes of this section, an eligible individual is a veteran or the spouse of a veteran.

(c) LOCATIONS.—

(1) NUMBER OF STATES.—The Secretary shall carry out the training under subsection (a) in not less than three and not more than five States selected by the Secretary for purposes of this section.

(2) SELECTION OF STATES WITH HIGH UNEMPLOYMENT.—Of the States selected by the Secretary under paragraph (1), at least two shall be States with high rates of unemployment among veterans.

(3) NUMBER OF LOCATIONS IN EACH STATE.—The Secretary shall provide training under subsection (a) to eligible individuals at a sufficient number of locations within each State selected under this subsection to meet the needs of eligible individuals in such State.

(4) SELECTION OF LOCATIONS.—The Secretary shall select locations for the provision of training under subsection (a) to facilitate access by participants and may not select any location on a military installation other than a National Guard or reserve facility that is not located on an active duty military installation.

(d) INCLUSION OF INFORMATION ABOUT VETERANS BENEFITS.—The Secretary shall ensure that the training provided under subsection (a) generally follows the content of the Transition Assistance Program under section 1144 of title 10, United States Code.

(e) ANNUAL REPORT.—Not later than March 1 of any year during which the Secretary provides training under subsection (a), the Secretary shall submit to Congress a report on the provision of such training.

(f) COMPTROLLER GENERAL REPORT.—Not later than 180 days after the termination of the one-year period described in subsection (a), the Comptroller General of the United States shall submit to Congress a report on the training provided under such subsection. The report shall include the evaluation of the Comptroller General regarding the feasibility and advisability of carrying out off-base transition training at locations nationwide.

SEC. 302. REQUIREMENT THAT JUDGES ON UNITED STATES COURT OF APPEALS FOR VETERANS CLAIMS RESIDE WITHIN 50 MILES OF DISTRICT OF COLUMBIA.

(a) RESIDENCY REQUIREMENT.—

(1) IN GENERAL.—Section 7255 is amended to read as follows:

''§ 7255. Offices, duty stations, and residences

''(a) PRINCIPAL OFFICE.—The principal office of the Court of Appeals for Veterans Claims shall be in the Washington, D.C., metropolitan area, but the Court may sit at any place within the United States.

''(b) OFFICIAL DUTY STATIONS.—(1) Except as provided in paragraph (2), the official duty station of each judge while in active service shall be the principal office of the Court of Appeals for Veterans Claims.

''(2) The place where a recall-eligible retired judge maintains the actual abode in which such judge customarily lives shall be considered the recall-eligible retired judge's official duty station.

''(c) RESIDENCES.—(1) Except as provided in paragraph (2), after appointment and while in active service, each judge of the Court of Appeals for Veterans Claims shall reside within 50 miles of the Washington, D.C., metropolitan area.

''(2) Paragraph (1) shall not apply to recall-eligible retired judges of the Court of Appeals for Veterans Claims.''.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 72 is amended by striking the item relating to section 7255 and inserting the following new item:

''7255. Offices, duty stations, and residences.''.

(b) REMOVAL.—Section 7253(f)(1) is amended by striking ''or engaging in the practice of law'' and inserting ''engaging in the practice of law, or violating section 7255(c) of this title''.

(c) EFFECTIVE DATE.—

(1) IN GENERAL.—Subsection (c) of section 7255, as added by subsection (a), and the amendment made by subsection (b) shall take effect on the date that is 180 days after the date of the enactment of this Act.

(2) APPLICABILITY.—The amendment made by subsection (b) shall apply with respect to judges confirmed on or after January 1, 2012.

SEC. 303. DESIGNATION OF TRINKA DAVIS VETERANS VILLAGE.

(a) DESIGNATION.—The facility of the Department of Veterans Affairs located at 180 Martin Drive in Carrollton, Georgia, shall after the date of the enactment of this Act be known and designated as the ''Trinka Davis Veterans Village''.

(b) REFERENCES.—Any reference in any law, regulation, map, document, record, or other paper of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''Trinka Davis Veterans Village''.

SEC. 304. DESIGNATION OF WILLIAM "BILL" KLING DEPARTMENT OF VETERANS AFFAIRS OUTPATIENT CLINIC.

(a) DESIGNATION.—The facility of the Department of Veterans Affairs located at 9800 West Commercial Boulevard in Sunrise, Florida, shall after the date of the enactment of this Act be known and designated as the ''William 'Bill' Kling Department of Veterans Affairs Outpatient Clinic''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the ''William 'Bill' Kling Department of Veterans Affairs Outpatient Clinic''.

SEC. 305. DESIGNATION OF MANN-GRANDSTAFF DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER.

(a) DESIGNATION.—The Department of Veterans Affairs medical center in Spokane, Washington, shall after the date of the enactment of this Act be known and designated as the ''Mann-Grandstaff Department of Veterans Affairs Medical Center''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Department of Veterans Affairs medical center referred to in subsection (a) shall be deemed to be a reference to the ''Mann-Grandstaff Department of Veterans Affairs Medical Center''.

SEC. 306. DESIGNATION OF DAVID F. WINDER DEPARTMENT OF VETERANS AFFAIRS COMMUNITY BASED OUTPATIENT CLINIC.

(a) DESIGNATION.—The Department of Veterans Affairs community based outpatient clinic located in Mansfield, Ohio, shall after the date of the enactment of this Act be known and designated as the ''David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic''.

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other

record of the United States to the Department of Veterans Affairs community based outpatient clinic referred to in subsection (a) shall be deemed to be a reference to the ''David F. Winder Department of Veterans Affairs Community Based Outpatient Clinic''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. MILLER) and the gentleman from Maine (Mr. MICHAUD) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. MILLER of Florida. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and add any extraneous material that they may have on S. 3202.

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

There was no objection.

Mr. MILLER of Florida. I yield myself such time as I may consume.

S. 3202 is another bipartisan and bicameral product of the House and the Senate Committees on Veterans' Affairs. It's going to improve the lives of veterans and their families.

I want to again thank my colleague, the ranking member, Mr. MICHAUD, and all the members of the committee and the subcommittees for their advocacy of the provisions of this bill. I also want to thank from the other side of the Capitol complex Senator MURRAY and Senator BURR for their work on improving these provisions. It's great working with Members who show that, when it comes to veterans issues, both sides can really come together and agree on issues for the common good.

The first title of this bill pertains to cemetery matters, as one of my colleagues has already said. In June of this year, an indigent veteran with no next of kin was buried in a cardboard box in my home State of Florida. I, like many of my colleagues, was shocked and appalled to hear of this news. As a result, several sections of this legislation directly address that specific issue, and it will ensure that all eligible veterans, regardless of their personal or financial situation, will receive a dignified burial at a VA national cemetery. This would include providing VA with the authority to provide a casket, urn, or other acceptable burial container when a veteran has no known next of kin and the VA is unable to provide one.

This legislation would also provide for more efficient communication between VA and local medical examiners and other agencies to ensure that eligible veterans with no next of kin will be properly laid to rest in a national cemetery. It would also require the VA report to Congress on its compliance with industry standards for appropriate burial containers.

Another section of title I, authored by Mr. CULBERSON of Texas, would direct VA to ensure that any memorial service respects the wishes of a deceased veteran's family to include the use of religious symbols or volunteer honor guards. Given the numerous difficulties many families face when dealing with the death of a loved one, ensuring that their wishes can be honored with a VA memorial service is the least we can do to honor the memory of that veteran.

The bill would also protect the honor of those buried in America's national cemeteries by prohibiting anyone convicted of a tier III sex offense and sentenced to life in prison from being laid to rest there. Because VA national cemeteries are such sacred grounds, it is important that we preserve the honor of those buried there by excluding those convicted of the most heinous of crimes.

This legislation would provide a pathway toward the establishment of the Clark Veterans Cemetery, located in the Philippines, as a permanent cemetery restored, operated, and maintained by the American Battle Monuments Commission.

□ 1650

As the American Battle Monuments Commission currently operates and maintains other overseas veterans cemeteries, it is the most appropriate entity to accomplish the important task of honoring our fallen veterans who have been laid to rest at Clark.

Title II of this legislation contains provisions that will enhance our ability to provide for the health care needs of our veterans. It includes a measure which would direct VA, in coordination with the Department of Defense, 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.

Many of our servicemembers and veterans have returned home from combat in Iraq and Afghanistan with serious questions and grave concerns about the possible long-term health effects of burn pit exposure. It is my hope that by establishing this registry we can provide them the answers and assurances they seek and develop better ways to care for them and future generations of America's warriors.

Under this title, VA would also be authorized to provide transportation services to and from VA facilities for veterans with health care appointments and in connection with vocational rehabilitation or counseling. Veterans who live in rural communities, who are elderly, who are visually impaired, or who are immobile due to disease and disability often face significant challenges in traveling to access services that VA can provide. It is our intent that VA will use this authority to complement, and not replace, existing programs such as the valuable Disabled American Veterans Transportation Network; and as such, this authority is being provided for 1 year.

Title III of the bill would require the Department of Labor to conduct a 2-year pilot program offering Transition Assistance Program training at off-base facilities in three to five States with high rates of unemployment among veterans. With the permission of the Department of Defense, National Guard and Reserve, facilities could be used. Veterans and spouses would be eligible for the program, which would be designed to train those veterans who did not participate in the Active Duty Transition Assistance Program or who just need to refresh their job-hunting skills.

Additionally, this title would require that judges of the United States Court of Appeals for Veterans Claims reside within 50 miles of the Washington, D.C., metropolitan area during their service. Such a requirement would put the veterans court in line with other Federal courts located in the District, which already have a residency requirement in place.

Finally, this legislation includes four measures to name VA medical facilities in Georgia, Florida, Washington, and Ohio after prominent veterans or civilians who have performed outstanding services to veterans in the communities in which the VA facility is located.

I want to encourage all Members to support the bill as amended.

I reserve the balance of my time.

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

The bill before us today, the Dignified Burial and Other Veterans' Benefits Improvement Act of 2012, S. 3202, is a minibus collection of veterans measures that primarily focus on ensuring that our veterans receive proper burials that reflect and honor their service. The bill also establishes and expands several health care and transition assistance benefits, and it names four VA health facilities after Americans with distinguished honor.

I appreciate the hard work of all of our colleagues in the House and in the Senate and of our staffs on the measures that were included in this bill. We all share the same goal—helping our veterans and their families receive the benefits that they have earned and deserve. This bill advances that goal, and I support its passage.

Title I of this bill will allow the Secretary of the VA to provide a casket or urn to those veterans who die without a known next of kin, without identification or without financial means, thereby ensuring that these veterans are laid to rest with the utmost dignity.

Mr. Speaker, there is also an allocation of $5 million in this title to attempt to address the longstanding maintenance, operation, and ownership issues at Clark Veterans Cemetery in the Philippines. Along with soldiers and civilians of other nationalities, over 2,200 American veterans are buried at Clark. This provision will honor their sacrifices by setting up the process for Clark to become a permanent

cemetery administered by the American Battle Monuments Commission. Clark continues to accept burials, including those from the Iraq war; and to ensure a smooth transition, it is critical that an agreement is reached between the two governments before it can become a permanent cemetery. I am confident that the ABMC will bring this cemetery up to its impeccable standards and that Congress will provide it the resources to do so.

Title II of the bill contains a vital provision requiring the Department of Veterans Affairs, with help from the Department of Defense, to establish a burn pit registry. This registry would be for our men and women who may have been exposed to toxic airborne chemicals and fumes caused by open burn pits. Every time we send our men and women into combat, we need to do all that we can to properly assess their risks of exposure to toxins. It has been decades, and we still do not fully understand the risks associated with one's exposure to agent orange, an exposure causing many veterans to suffer without compensation. We should learn from this history, and this bill puts us on track to avoid repeating it again.

Title II would also enhance VA transportation services to help more veterans access VA health care, and it contains a very timely measure that would extend the reporting requirement for posttraumatic stress disorder through 2016. The rate of PTSD remains high in the veteran population, and we must continue to keep this issue at the top of our radar as well as before Congress and the public so that we can continue to provide the funding that's needed.

Finally, Mr. Speaker, title III of this bill contains an important section that would direct the Department of Labor to provide the Transition Assistance Program, TAP, at locations other than at military installations. This 2-year pilot program will benefit our servicemembers and their spouses by providing additional opportunity to attend TAP and to learn about their earned benefits. Too many returning servicemembers are unable to take advantage of TAP. This is especially true for members of the National Guard and Reserve who often return from war to find that they lack the support military communities provide them. The TAP program is critical to a servicemember's successful transition back into civilian life, and I am glad to see it expanded.

Again, I want to thank the members and Chairman MILLER for their leadership on this bill, and I urge all of my colleagues to support its passage.

I reserve the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, might I inquire of the time remaining.

The SPEAKER pro tempore. The gentleman from Florida has 14½ minutes remaining.

Mr. MILLER of Florida. Mr. Speaker, I yield such time as he may consume to the vice chairman of the full committee, the gentleman from Florida (Mr. BILIRAKIS).

Mr. BILIRAKIS. Thank you, Mr. Chairman.

Mr. Speaker, I rise today in strong support of S. 3202, the Dignified Burial of Veterans Act.

I appreciate my colleagues' diligence in moving this language through the Senate, and I am grateful for the work they have done on behalf of our veterans. I would also like to thank my good friend and fellow Floridian, Chairman JEFF MILLER, and Ranking Member BOB FILNER for the work they have done this Congress to improve the quality of services for our veterans—our true American heroes.

This truly bipartisan piece of legislation incorporates language similar to H.R. 6073, which is legislation that I introduced in the House after learning that Private Lawrence Davis, Jr., a World War II veteran, had been buried in a cardboard box in a veterans cemetery not far from my district. This legislation ensures that veterans with no next of kin and insufficient funds for proper and dignified burials will receive assistance from the Department of Veterans Affairs.

Our Nation's heroes deserve to be buried in the same way they served our great Nation—with dignity, honor, and respect. Private Davis deserved better. While we cannot go back and rewrite what has already happened, we can ensure that it doesn't happen again. This legislation is the right thing to do; and in the final hours of this Congress, I am very pleased that this Chamber is taking action on this important piece of legislation. Again, I urge the passage of S. 3202.

□ 1700

Mr. MICHAUD. Mr. Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. MILLER of Florida. Mr. Speaker, once again I encourage all Members to support this legislation.

I yield back the balance of my time.

Mr. GINGREY of Georgia. Mr. Speaker, I rise today in support of S. 3202, the Dignified Burial of Veterans Act and particularly section 303 of this bill, which designates the Department of Veterans Affairs facility in Carrollton, Georgia as the "Trinka Davis Veterans Village."

Katherine "Trinka" Davis was a businesswoman from Carroll County who founded the Trinka Davis Foundation in 2004 after realizing the struggles many service men and women faced upon return from Iraq and Afghanistan. Though not a veteran herself, through her generosity, Ms. Davis performed an outstanding service for the veterans of Northwest Georgia.

Mr. Speaker, Trinka made note of the reports of difficulties that many returning veterans and their respective families were facing: loss of limbs, traumatic brain injuries, PTSD, unemployment, and loss of their homes.

Although she is no longer with us, her memory lives on. Trinka left almost her entire estate—over $18 million—to the Foundation, which has used it to construct a first class health facility to aid our wounded warriors in their recovery and treatment.

Mr. Speaker, with a war in Afghanistan, a recent one in Iraq, and unrest around the globe, the United States has more than 196,000 active duty service men and women that put their lives on the line—night and day—to protect our families and our freedoms. These men and women accepted the call of duty, leaving behind their loved ones and life as they know it to protect the lives of others.

When our soldiers return from battle, sometimes they do not get the support and assistance that they deserve. Simply put, we owe them more. Just as they have answered the call to serve our country, we must answer the call to serve them. This is what Trinka Davis did.

Thanks to Trinka's generosity and the tireless dedication of her foundation, the new clinic was donated to the Department of Veterans Affairs in August. The doors were opened for veterans to receive outpatient treatment on September 24, and in the coming months the clinic will also include a 42 bed community living center.

While providing a variety of services including primary care, physical therapy, and outpatient mental health services, the facility will serve 3,000 veterans and will allow them to receive treatment closer to home.

Mr. Speaker, I believe that like our veterans, Ms. Davis is a hero. She recognized the needs of our veterans and worked tirelessly to meet them. The Trinka Davis Foundation ensured that Ms. Davis's commitment to the veterans and their families in the Carrollton community and beyond would be preserved through construction of the health facility.

I ask my colleagues to join me in recognizing Trinka's selfless actions and those who have bravely served our Nation by supporting S. 3202.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, S. 3202.

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. MILLER of Florida. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

CLOTHE A HOMELESS HERO ACT

Mr. BILIRAKIS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 6328) to amend title 49, United States Code, to direct the Assistant Secretary of Homeland Security (Transportation Security Administration) to transfer unclaimed clothing recovered at airport security checkpoints to local veterans organizations and other local charitable organizations, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

On page 2, line 20, after ''clothing to'' insert ''the local airport authority or other local authorities for donation to charity, including''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. BILIRAKIS) and the gentlewoman from New York (Ms. HOCHUL) 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 in which to revise and extend their remarks and include any extraneous material on this bill under consideration.

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.

Mr. Speaker, as vice chairman of the Veterans' Affairs Committee and a senior member of the Committee on Homeland Security, I rise in favor of H.R. 6328, the Clothe a Homeless Hero Act, which passed the House by voice vote last month and was approved by the Senate with an amendment.

According to estimates from the Department of Housing and Urban Development, in 2011 approximately 14 percent of all homeless adults were veterans, and with more than 67,000 veterans homeless on any given night. I know that you agree we must do all that we can to ensure that the veterans who have so courageously served our country are not forgotten and are receiving the care and services they deserve. VA Secretary Eric Shinseki has set a laudable goal of ending veterans' homelessness by 2015 and has established partnerships with other Federal agencies, such as HUD, to accomplish it.

The bill before us today will forge another important partnership in our efforts to serve homeless veterans, one with the Transportation Security Administration.

Each day as Americans travel through screening checkpoints, Mr. Speaker, operated by TSA at our Nation's airports, many articles of clothing are left behind. In fact, TSA reports that they collect between 500 and 1,000 garments per day. H.R. 6328 directs the TSA administrator to make every reasonable effort to donate this unclaimed clothing to local organizations that serve homeless or needy veterans.

I commend the House sponsor, Ms. HOCHUL, the gentlelady from New York, for this fine piece of legislation. I once again urge Members to support this legislation and in turn support homeless veterans.

I reserve the balance of my time.

Ms. HOCHUL. Mr. Speaker, I rise in support of the Senate amendment to H.R. 6328, Clothe a Homeless Hero Act, and I yield myself such time as I may consume.

Yesterday my hometown paper, The Buffalo News, ran an editorial that says, ''Homeless vets need our help: The reward for serving our country shouldn't be a life on the streets.''

Mr. Speaker, I couldn't agree more.

We are here today to aid and honor America's veterans, especially those who've fallen on hard times, are most in need, and all too forgotten.

As the American people rush through lines at airports with their shoes, gloves, hats, scarves, and coats, it's easy to forget that so many Americans go without these basic comforts during the cold winter months. I know this personally. I just flew in from Buffalo, New York, where we have about a foot and a half of snow on the ground, and it calls to mind the sense that there are a lot of people in need, particularly our veterans. As we rush through airports, it's easy to leave behind these kinds of garments. That's what happened to me when I left a scarf at the Buffalo airport while coming to Washington.

As you've heard, TSA has reported that as many as 1,000 articles of clothing, like mine, are left behind at airport checkpoints every day. This adds up to thousands of pounds of abandoned, unclaimed clothing. At the same time, tens of thousands of veterans are homeless on any given night.

This is unconscionable, Mr. Speaker. Veteran homelessness is nothing less than a national tragedy. We must fully embrace the President's call to end veteran homelessness by 2015. We must work to end homelessness for all Americans—especially those heroes who risked their lives for our freedom. But until we end veteran homelessness, we must do everything we can to aid these American heroes.

I am sure you'll agree there is no better purpose for unclaimed warm clothing than to help America's homeless veterans. That's why I was so proud to introduce the Clothe a Homeless Hero Act, and to work with my colleagues in the Homeland Security Committee and Senator GILLIBRAND and Senator TOOMEY to improve and advance this bipartisan legislation.

This simple bill directs unclaimed clothing left at checkpoints like this to go to charitable organizations for distribution to homeless veterans and others in need.

Mr. Speaker, this is probably my last speech on the floor of Congress. I can't think of a worthier cause to champion than to make sure that our homeless veterans get the clothing they need and deserve. This measure is a simple, commonsense example of an opportunity for all of us, Democrats and Republicans alike, to work together and find common ground. Clearly we need much more of that, particularly on a day like this. I know every one of us is proud of the work our men and women in uniform do every day, and we're proud of the veterans who come home. We need to ask ourselves: are they proud of us?

Let us make this bill be a template for the bipartisanship that our veterans, indeed our country, deserves from the people they send to Washington to represent them.

I thank Chairman BILIRAKIS and my colleagues on the Homeland Security Committee for supporting this legislation.

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

Mr. BILIRAKIS. Mr. Speaker, I have no further speakers. Does the gentlelady have further speakers?

Ms. HOCHUL. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Texas (Ms. JACKSON LEE), the ranking member of the Subcommittee on Transportation Security and Infrastructure Protection of the Committee on Homeland Security.

Ms. JACKSON LEE of Texas. Mr. Speaker, I want to thank the gentlelady from New York, and I want to first of all say this will not be the last we hear of your voice, and what a stupendous voice you have. Thank you so much for making this time on the floor a time that pays tribute to veterans but also recognizes the outstanding service that you've given to this Nation, to the Committee on Homeland Security and your other committees, but more importantly the passion that you've shown as a true American. I hope that we heed the voice that you just lifted up that we owe to veterans not only this great legislation, but also the ability to come together and work on their behalf and on behalf of all Americans.

□ 1710

Thank you again for allowing me to comment on this bill as the ranking member on the Homeland Security Transportation Committee.

I thank Mr. BILIRAKIS. We have worked together on a number of legislative initiatives, and I thank him as well for his service, along with the retiring chairman, Chairman KING, and our Democratic ranking member, Mr. THOMPSON, for their leadership. It gives me great comfort to be able to come on the floor today and say thank you.

Even though no one wants to see a homeless hero, a homeless veteran, I spent, over the holidays, time visiting a number of our centers where homeless veterans are, and I can tell you that they are the most giving and charitable persons.

Many of us will be able to recount on Thanksgiving Day, or during the holiday, being able to give or to share or to be able to distribute food or to serve veterans who, unfortunately, not of their own doing, have fallen upon hard times, do not have a place to live, and are coming to the various food pantries and food kitchens. It was one of great pleasure to me, not for their condition, but to be able to humbly just provide them with a warm meal. This is a commonsense legislative initiative that

says to homeless heroes, every day we're thinking of you.

As the ranking member on the Transportation Security Committee, I can assure you that Transportation Security officers are grateful to Ms. HOCHUL and to the Senate amendment for giving them this chance to further their service to the Nation.

There are many things that are left behind, and many times in the airport you hear that PA system saying, Come back, come back to the security checkpoint; you've left your iPad, your coat, your shoes. What else could you have left? Many times, unfortunately, those individuals are already on the airplane, and so we try our best, but we leave behind quality items that could be used for our veterans.

The Senate amendment expands this to other charities as well. But as the ranking member, I want to commend to our TSA officers and our officers that are supervisors across the Nation's airports, and to our airports, yes, you have the opportunity to give to veterans, charitable institutions and others, but I encourage you, because of the extensive number of homeless veterans, that you give these items so that we can have, not only resources, but clothing for homeless veterans of whom we hope that we will provide a pathway to be able to get out of the status of homelessness, but also while they're doing so, to provide them with this quality clothing.

So again, I rise to support H.R. 6328, as amended by the Senate, to thank the author of this legislation, Ms. HOCHUL, the gentlelady from New York; again, remind her that she will not have a silent voice, and this is a very grand and wonderful way to end at least your legislative service, your bill-writing service on this floor of the House and in this Congress where you are serving the Nation's veterans. We are forever grateful, and I ask my colleagues to support this legislation.

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

Mr. BILIRAKIS. Mr. Speaker, what I'd like to do is I'll reserve the balance of my time, and then I'll close once the gentlelady does.

Ms. HOCHUL. Mr. Speaker, again I simply want to thank on the Senate side Senator GILLIBRAND, Senator TOOMEY, and, of course, here my colleagues on the Homeland Security Committee led by PETER KING and our Ranking Member THOMPSON, and certainly Chairman BILIRAKIS and my dear friend Ranking Member JACKSON LEE for all their support for this commonsense legislation to assist America's homeless veterans.

With that, I urge the adoption of the Senate amendment to H.R. 6328 so this measure can be sent to the President for his signature.

I yield back the balance of my time.

Mr. BILIRAKIS. Mr. Speaker, I urge Members to support this commonsense piece of legislation and that the President promptly sign it into law.

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 concur in the Senate amendment to the bill, H.R. 6328.

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. BILIRAKIS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

DRYWALL SAFETY ACT OF 2012

Mr. TERRY. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 4212) to prevent the introduction into commerce of unsafe drywall, to ensure the manufacturer of drywall is readily identifiable, to ensure that problematic drywall removed from homes is not reused, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Drywall Safety Act of 2012''.

SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) the Secretary of Commerce should insist that the Government of the People's Republic of China, which has ownership interests in the companies that manufactured and exported problematic drywall to the United States, facilitate a meeting between the companies and representatives of the United States Government on remedying homeowners that have problematic drywall in their homes; and

(2) the Secretary of Commerce should insist that the Government of the People's Republic of China direct the companies that manufactured and exported problematic drywall to submit to jurisdiction in United States Federal Courts and comply with any decisions issued by the Courts for homeowners with problematic drywall.

SEC. 3. DRYWALL LABELING REQUIREMENT.

(a)LABELING REQUIREMENT.—Beginning 180 days after the date of the enactment of this Act, the gypsum board labeling provisions of standard ASTM C1264–11 of ASTM International, as in effect on the day before the date of the enactment of this Act, shall be treated as a rule promulgated by the Consumer Product Safety Commission under section 14(c) of the Consumer Product Safety Act (15 U.S.C. 2063(c)).

(b)REVISION OF STANDARD.—If the gypsum board labeling provisions of the standard referred to in subsection (a) are revised on or after the date of the enactment of this Act, ASTM International shall notify the Commission of such revision no later than 60 days after final approval of the revision by ASTM International. The revised provisions shall be treated as a rule promulgated by the Commission under section 14(c) of such Act (15 U.S.C. 2063(c)), in lieu of the prior version, effective 180 days after the Commission is notified of the revision (or such later date as the Commission considers appropriate), unless within 90 days after receiving that notice the Commission determines that the revised provisions do not adequately identify gypsum board by manufacturer and month and year of manufacture, in which case the Commission shall continue to enforce the prior version.

SEC. 4. SULFUR CONTENT IN DRYWALL STANDARD.

(a)RULE ON SULFUR CONTENT IN DRYWALL REQUIRED.—Except as provided in subsection (c), not later than 2 years after the date of the enactment of this Act, the Consumer Product Safety Commission shall promulgate a final rule pertaining to drywall manufactured or imported for use in the United States that limits sulfur content to a level not associated with elevated rates of corrosion in the home.

(b)RULE MAKING; CONSUMER PRODUCT SAFETY STANDARD.—A rule under subsection (a)—

(1) shall be promulgated in accordance with section 553 of title 5, United States Code; and

(2) shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

(c)EXCEPTION.—

(1)VOLUNTARY STANDARD.—Subsection (a) shall not apply if the Commission determines that—

(A) a voluntary standard pertaining to drywall manufactured or imported for use in the United States limits sulfur content to a level not associated with elevated rates of corrosion in the home;

(B) such voluntary standard is or will be in effect not later than two years after the date of enactment of this Act; and

(C) such voluntary standard is developed by Subcommittee C11.01 on Specifications and Test Methods for Gypsum Products of ASTM International.

(2)FEDERAL REGISTER.—Any determination made under paragraph (1) shall be published in the Federal Register.

(d)TREATMENT OF VOLUNTARY STANDARD FOR PURPOSES OF ENFORCEMENT.—If the Commission determines that a voluntary standard meets the conditions in subsection (c)(1), the sulfur content limit in such voluntary standard shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058) beginning on the date that is the later of—

(1) 180 days after publication of the Commission's determination under subsection (c); or

(2) the effective date contained in the voluntary standard.

(e)REVISION OF VOLUNTARY STANDARD.—If the sulfur content limit of a voluntary standard that met the conditions of subsection (c)(1) is subsequently revised, the organization responsible for the standard shall notify the Commission no later than 60 days after final approval of the revision. The sulfur content limit of the revised voluntary standard shall become enforceable as a Commission rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058), in lieu of the prior version, effective 180 days after the Commission is notified of the revision (or such later date as the Commission considers appropriate), unless within 90 days after receiving that notice the Commission determines that the sulfur content limit of the revised voluntary standard does not meet the requirements of subsection (c)(1)(A), in which case the Commission shall continue to enforce the prior version.

(f)FUTURE RULEMAKING.—The Commission, at any time subsequent to publication of the consumer product safety rule required by subsection (a) or a determination under subsection (c), may initiate a rulemaking in accordance with section 553 of title 5, United States Code, to modify the sulfur content limit or to include any provision relating only to the composition or characteristics of drywall that the Commission determines is reasonably necessary to protect public health

or safety. Any rule promulgated under this subsection shall be treated as a consumer product safety rule promulgated under section 9 of the Consumer Product Safety Act (15 U.S.C. 2058).

SEC. 5. REVISION OF REMEDIATION GUIDANCE FOR DRYWALL DISPOSAL REQUIRED.

Not later than 120 days after the date of the enactment of this Act, the Consumer Product Safety Commission shall revise its guidance entitled ''Remediation Guidance for Homes with Corrosion from Problem Drywall'' to specify that problematic drywall removed from homes pursuant to the guidance should not be reused or used as a component in production of new drywall.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Nebraska (Mr. TERRY) and the gentlewoman from New York (Ms. HOCHUL) each will control 20 minutes.

The Chair recognizes the gentleman from Nebraska.

GENERAL LEAVE

Mr. TERRY. 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 material in the RECORD on H.R. 4212.

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

There was no objection.

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

Mr. Speaker, I rise today in strong support of H.R. 4212, an important bipartisan bill to help fight the problem of defective Chinese drywall which hit many families as a second plague when their home was destroyed by a hurricane or other disaster and then rebuilt using contaminated drywall from China.

The House bill, which passed by voice vote last summer, attacks the problem in three ways:

First, it directs the Secretary of Commerce to engage Chinese leaders and push for the manufacturers of the contaminated drywall to step up and take responsibility for the damages caused by their shoddy product;

Second, the bill requires all drywall manufacturers in the future to label their product with their name and the date of manufacture. The lack of such basic identifying information was a major problem for the homeowners who were stuck with contaminated Chinese drywall but could not determine which manufacturer produced it;

Third, and finally, the House bill requires the Consumer Product Safety Commission to restrict elemental sulfur in drywall unless industry voluntarily adopts an acceptable limit first. Compliance with such a limit would be easy to check at the ports or elsewhere using simple handheld devices.

Mr. Speaker, the Senate amendment before us today preserves all of these key aspects of the House bill, making only a few minor changes. Notably, the Senate amendment provides that the CPSC may only enforce a voluntary sulfur limit if it is adopted by a specified standard-setting body. This responds to a concern that the voluntary sulfur limit be a true consensus standard; that is, the product of an open process that allows for participation of industry and consumers alike.

Mr. Speaker, the Senate amendment does not undercut the House-passed version of the bill, nor does it add any unnecessary government regulation. Therefore, I strongly urge the adoption of H.R. 4212.

I reserve the balance of my time.

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

I rise to speak about the amended version of H.R. 4212, the Drywall Safety Act of 2012 returned to this Chamber by the Senate.

The House approved its own version of H.R. 4212 this past September by a voice vote. That version was the result of bipartisan negotiations that involved the sponsors of this bill, Mr. RIGELL of Virginia and Mr. DEUTCH of Florida, along with the leadership from both sides of the aisle of the Energy and Commerce Committee and its Subcommittee on Commerce, Manufacturing, and Trade.

I believe the House produced a good bill that met Mr. RIGELL's and Mr. DEUTCH's goal of getting the U.S. Government to take action regarding a problematic drywall situation.

The Senate version we are considering today retains significant portions of the House language, so I intend to vote in favor of what the Senate has sent back to us. Just like the previously approved House version, this Senate version requires that all new drywall be marked with a permanent label that can be used to identify who manufactured a particular sheet of drywall and when it was manufactured.

A major problem many homeowners experienced was that they didn't know who made the drywall in their homes or when it was made. The labeling requirement should make it easier to pin down exactly who is responsible for producing any given sheet of drywall.

In addition, just like the previously approved House version, the Senate version requires all drywall used in the United States to be subject to a sulfur content limit. After extensive investigation by the CPSC, sulfur was the element found to be associated with the awful odor and metal corrosion homeowners were experiencing.

The Senate version specifies the American Society for Testing and Metals, or ASTM, international standard for gypsum board labeling as the labeling standard that must be complied with. The House version did not pick a particular voluntary standard.

□ 1720

Instead, CPSC would have specified the industry-generated voluntary standard to be complied with or, failing that, write its own rule on the matter. The Senate version also specifically grants responsibility for the standard on sulfur content to an ASTM committee. Both of these changes are made because one trade association believed that, under the House version, the CPSC could rely on a voluntary standard that was not developed through a process with safeguards for due process, the airing of diverse views, and consensus decisionmaking. There's not one instance that anyone can point to where the CPSC has relied on a voluntary industry standard that was not produced through a process that involved due process, the airing of diverse views, and consensus decisionmaking.

In addition to referencing the ASTM voluntary standard-setting body twice, the Senate tweaked the future rulemaking section. The House granted CPSC authority to ''reduce'' the sulfur content limit or set limits regarding the composition or characteristics of drywall that are reasonably necessary to protect public health or safety. We granted this authority in case later down the road it becomes apparent that there are other problems associated with drywall that we have not yet identified. The Senate's version replaces the word ''reduce'' with ''modify,'' so the CPSC has the authority to modify the sulfur content limit. The word ''modify'' encompasses reducing the limit, so we are willing to live with this change.

I continue to support this bill despite these changes, because the time to act has long past. As far back as late 2008, consumers have complained about homes that smelled like rotten eggs, health concerns that included irritated and itchy eyes and skin, breathing problems, asthma attacks, persistent coughs, bloody and running noses, and recurring headaches. Complaints also included reports of blackened and corroded metal components in the home. The CPSC received nearly 4,000 such complaints from residents in 43 States who believed these conditions related to the presence of Chinese drywall in their homes. Most of these complaints were concentrated in the South, where there was a construction boom in 2006 and 2007 due to hurricanes in 2004 and 2005.

To help bring some relief to these homeowners and to reduce the chance of something like this ever happening again, this legislation does a few other things in addition to the labeling and sulfur content requirements:

It asks the Secretary of Commerce to engage the Chinese Government to prod those companies that exported problematic drywall to the United States—some of which are partly owned by the Chinese Government—to meet with U.S. officials about providing some sort of remedy to homeowners affected by this defective product;

The bill also asks the Secretary of Commerce to engage the Chinese Government to try to get the government to direct these companies to submit to the jurisdiction of our courts and comply with judgments that have been entered against them;

It also calls on the CPSC to revise guidance it published on the removal of

problematic drywall from homes to specify that this drywall should not be reused or put back into the drywall production stream. Once this drywall is removed from one home, we need to make sure it does not end up in another.

Despite issues with why H.R. 4212 is back here on the House floor, the Democratic leadership of the Energy and Commerce Committee and its Subcommittee on Commerce, Manufacturing, and Trade, and I along with them, support this bill and urge my colleagues to do the same.

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

Mr. TERRY. At this time I yield 3 minutes to the gentleman from Virginia (Mr. RIGELL), who's the lead Republican sponsor. His dogged leadership on this is why it's back on the House floor again.

Mr. RIGELL. I thank Chairman TERRY very much for yielding and my friend and colleague, the gentlelady from New York, for your support of this good bill.

Mr. Speaker, I rise in strong support of the Drywall Safety Act of 2012, as amended. I urge my colleagues to vote ''yes'' on really what is much-needed and commonsense legislation that's going to come before the House tonight.

For nearly 4 years, families across the country have suffered from the harmful effects of defective Chinese-manufactured drywall. They're friends and neighbors, and they're families, Mr. Speaker, who worked hard and saved and really set out for that classic American Dream to own their own home or to finish their retirement years in a home, and yet that dream turned into a literal nightmare when their home was filled with a mysterious and foul rotten egg type of odor. I've been in these homes. It completely makes the home uninhabitable. It takes all the copper wiring in the home and basically turns it into black soot. They have to replace the compressors on the air conditioners. And even worse is that their health deteriorates.

They turn first to the builders. The builders are not covered by their insurance. Some were able to help out the homeowners and renovate the home on their own, but many are not able to do that, and some builders have gone out of business. They turned then to the manufacturer of the contaminated drywall in China, but really have no recourse there. It's a profoundly sad situation where Americans, through no fault of their own, are experiencing bankruptcy and terrible financial problems.

But tonight we have an opportunity to do what's right and to stand with our friends and neighbors and pass this legislation. It will hold China responsible in no uncertain terms for failing to require their manufacturers to rightly compensate Americans who have been damaged and victimized by those contaminated products.

We express the undivided sense of Congress, Republicans and Democrats working together, that we're going to make sure that China is held accountable for what they've done here. It requires labeling on all the drywall products to make sure that we can find out who's responsible for the manufacturer of each and every piece of drywall that's manufactured; it will limit the amount of sulfur in the drywall, which was the cause of all of this; and, as has been pointed out by my colleague from New York, it's a voluntary standard as opposed to just more massive government intervention. I think that's the right path to go.

So I thank my friends and colleagues from both sides of the aisle for making this possible. The underlying legislation passed the House unanimously in September. The amendment that has been made, I think, is very modest. I especially want to thank my friend and colleague from Florida, Mr. DEUTCH, for working with me as cochair of the Chinese Drywall Caucus. I thank the chairman for yielding and for your support on this piece of legislation.

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

Mr. TERRY. Mr. Speaker, in closing, let me make one very important point. Republicans and Democrats alike are united on this important health and safety issue. I urge all Members to pass this amendment today and get the needed consumer protections in place.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. TERRY) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4212.

The question was taken.

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

Ms. HOCHUL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

UNINTERRUPTED SCHOLARS ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3472) to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3472

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 ''Uninterrupted Scholars Act (USA)''.

SEC. 2. FAMILY EDUCATIONAL RIGHTS AND PRIVACY.

Section 444(b) of the General Education Provisions Act (20 U.S.C. 1232g(b)) (commonly known as the ''Family Educational Rights and Privacy Act of 1974'') is amended—

(1) in paragraph (1)—

(A) in subparagraph (J)(ii), by striking ''and'' after the semicolon at the end;

(B) in subparagraph (K)(ii), by striking the period at the end and inserting ''; and''; and

(C) by inserting after subparagraph (K), the following:

''(L) an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S. C. 450b)), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records.''; and

(2) in paragraph (2)(B), by inserting '', except when a parent is a party to a court proceeding involving child abuse and neglect (as defined in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note)) or dependency matters, and the order is issued in the context of that proceeding, additional notice to the parent by the educational agency or institution is not required'' after ''educational institution or agency''.

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

The Chair recognizes the gentleman from Tennessee.

GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on S. 3472.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 3472, the Uninterrupted Scholars Act. The bill amends the Family Educational Rights and Privacy Act of 1974, better known as FERPA, to give child welfare agency caseworkers access to the educational records of foster children. This is an important bill that will help improve the quality of education for children in foster care.

□ 1730

In 2008, Congress passed the Fostering Connections to Success and Increasing Adoptions Act, which tasked

child welfare agencies with ensuring that children in foster care are enrolled in school. In carrying out this important mission, agencies are required to consider educational stability when identifying foster care placements and coordinate with local school districts to ensure that young people stay in their current school when placed in foster care or are immediately enrolled in a new school if that is in their best interest.

Over the last 4 years, student privacy law has made it difficult to properly implement the educational stability provisions of the Fostering Connections law. For example, child welfare agents are unable to access student education records in a timely manner, if at all, to properly monitor student progress and coursework, or to get students enrolled in the proper courses if a transfer of schools is necessary.

The Uninterrupted Scholars Act will correct these challenges. By allowing direct—and limited—access to the education records of foster kids, caseworkers can follow the students' education in a timely manner and help ensure greater success in school.

The Committee on Education and the Workforce—and this Congress—understands the importance of maintaining strong student privacy protections and supports the provisions included in FERPA. It is our responsibility to ensure a student's personal information, such as academic progress, placement or disciplinary records, is not shared with anyone other than officials directly involved in the student's education.

For children in foster care, child welfare agents have a responsibility to look out for the education of their students and have a direct need to have access to these important records. The bill before us today narrowly grants caseworkers access to these important records.

Mr. Speaker, S. 3472 is a narrow, but critical, step in helping children in foster care receive a better education. I urge my colleagues to support this bill and reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of this bipartisan legislation to help foster children succeed in school.

The Uninterrupted Scholars Act will make a real and immediate difference in the lives of foster children across this country.

I want to thank Congresswoman BASS and Senator LANDRIEU for their support of this legislation, the Senate for sending this legislation back to the House, Chairman ROE for managing this on the floor, and Chairman KLINE for agreeing to have this legislation come to the House today.

In thanking Congresswoman BASS, I want to recognize her not only as the author of this legislation, but for her leadership both here in Washington and in the State legislature in our State of California when she served there on behalf of these young people to make sure that they would have a better opportunity at success.

Foster children are some of the most at-risk students. As a group, they miss more school than their peers, are more likely to drop out, and take longer to finish when they do graduate. Throughout their young lives, they may change care placements multiple times. Each placement means adjusting to a new family and often a new community, new friends, and a new school.

Each move can put their educational success in jeopardy. That's because the caseworkers who advocate for them as they move from one school to another often do so without critical information. Though current law rightly requires foster care caseworkers to include children's education records in their case plans, another Federal law limits the ability of caseworkers to access those records in a timely manner.

Without access to a foster child's school records, caseworkers are limited in their ability to advocate for the child's educational needs, especially as they move from one school to another or from one family to another. Without these records, caseworkers don't have the necessary information to make important and informed decisions about placement, wraparound services, and credit transfers among schools. That means that those vulnerable children do not get the services that they need. This red tape creates unnecessary hurdles for educational successes for many foster children. And if there's one thing foster children don't need in life, it's additional hurdles to jump. They have plenty of hurdles confronting them every day as they try to succeed within the system.

This legislation before us today makes narrow changes to FERPA to allow foster care caseworkers to do a better job on behalf of these young people. I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. ROE of Tennessee. I have no speakers at this time. I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. With that, I yield 5 minutes to Congresswoman BASS of California, one of the authors of this legislation, and again thank her for her advocacy on behalf of foster children and foster families.

Ms. BASS of California. Mr. Speaker, I rise today in strong support of S. 3472, the Uninterrupted Scholars Act, a bill that will help foster children achieve educational success.

First, I want to thank Chairman KLINE and Ranking Member MILLER for their support of this bill and their ongoing dedication to improving outcomes for foster youth throughout the Nation. I would also like to extend my sincere appreciation and respect to Senator LANDRIEU. I am proud to work alongside the Senator, who is a tireless advocate for foster youth and families both domestic and worldwide.

Throughout 2012, the Congressional Caucus on Foster Youth has traveled the country and visited five States on a nationwide listening tour. We heard from youth, families, and community leaders about the best practices and challenges facing the child welfare system.

In Miami, Florida, at the invitation of Congress Members ALCEE HASTINGS and FREDERICA WILSON, we learned about a commonsense, no-cost legislative fix that would have a significant and positive impact on hundreds of thousands of foster children across the country.

After we returned to Washington, I joined my fellow cochairs of the congressional caucus—Representatives MARINO, MCDERMOTT, BACHMANN, and a number of other members of the caucus—to introduce the bipartisan Uninterrupted Scholars Act. This bill will address the concerns raised in Florida by providing youth with the support they need to avoid problems like inappropriate course placement and lost credits upon changing schools. Specifically, it will simply allow caseworkers to access transcripts for foster youth while maintaining important privacy protections.

Children in foster care are among the most educationally at-risk of all student populations. Because of the abuse and neglect foster youth have experienced in their young lives, they often face physical and emotional challenges that interfere with their learning and negatively impact their educational outcomes. For example, the average child in foster care goes to three to five high schools.

Existing Federal law requires that child welfare agencies include educational records in their case plan and work with school districts to improve the educational experiences and outcomes for children in foster care. However, the Family Educational Rights and Privacy Act, or FERPA, unintentionally creates a harmful barrier that prevents child welfare caseworkers from being able to quickly access school records necessary to help meet the educational needs of students in foster care. This can lead to significant delays that contribute to inappropriate class placements, enrollment delays, repeated classes, delayed graduation, and even dropouts.

The story of young Jasmine is an example of stories we heard during the listening tour. When Jasmine was placed in foster care on an emergency basis, her mother's whereabouts were unknown and the child welfare agency caseworker was unable to obtain consent from any parent. Without timely access to the child's education records, the caseworker could not evaluate whether it would be in Jasmine's best interest to remain in the same school. Jasmine moved to a new school, which had different graduation requirements. She received no credits for her coursework from the prior school and had to repeat some of the same classes.

She fell a full year behind and eventually dropped out of the school.

In my district, the Los Angeles Department of Children and Family Services is currently responsible for the placement and care of over 15,000 foster youth. The sheer size of this youth population—larger than most States—as well as the 82 different school districts within L.A. County, make it particularly challenging to proactively address student needs without direct access to educational records.

Another example from the listening tour when we were in L.A. is Vanessa, a fifth grader who has a similar story. She was transferred from L.A. Unified to another school district over 50 miles away while relocating to a new foster home. Her records did not follow. Therefore, she was placed in a fourth grade classroom, a full grade level below her actual skill level and age. She consistently cried at meetings with teachers. She eventually advocated for herself and her classes were transferred, but in the meantime she missed 2 months of fifth grade. The Uninterrupted Scholars Act would help avoid situations faced by young Jasmine and Vanessa by allowing child welfare caseworkers, who have the legal responsibility for a foster child's care and welfare, timely access to their educational records.

□ 1740

At the same time, this bill protects and preserves the educational privacy rights of students and parents that we all want to safeguard. In the words of Mary Cagle, the director of Legal Services at the Florida Department of Children and Families, this bill ''fixes an existing conflict in Federal law. It's so simple, so easy, so clear.''

The Uninterrupted Scholars Act is endorsed by dozens of nationwide organizations, including the National Foster Parent Association, the National School Boards Association, the Child Welfare League of America, and many others. Today I stand with my bipartisan, bicameral colleagues in the Congressional Caucus on Foster Youth to ask for your support, as well.

We have a responsibility to foster youth, children whom we have removed from their parents' care, youth whom we promised to keep safe and help to succeed. The Uninterrupted Scholars Act will help us keep this promise.

Mr. GEORGE MILLER of California. I yield 4 minutes to the gentleman from Washington, Congressman MCDERMOTT, a strong supporter of this legislation and an advocate on behalf of foster children.

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

Mr. MCDERMOTT. Mr. Speaker, I urge my colleagues to endorse the amendments to S. 3472. But in talking about this, I want to talk about the process by which we got here. Nothing ever goes as fast in the House of Representatives as we want it to. And I want to commend my colleague, the ranking member on the Education committee, GEORGE MILLER, for his historic leadership on child welfare issues. He got here in the '70s, and there was nobody looking after kids. Nobody. There was no focus anyplace in the Congress. So he took it on. He had hearings and hearings and hearings and hearings. And that brought about the bill that passed in 1980. It was called the Adoption Assistance and Child Welfare Act of 1980.

Now when I got here as a child psychiatrist, I looked around and saw there was some stuff to do, and I wrote the Fostering Connections Act, which I authored and passed in the 2008 Congress with strong bipartisan support with the intent of improving the lives of kids in foster care. We continued to look for a way to make this system really function. And through the 1980 act, the law gave the power to shift resources from temporary out-of-home care toward either providing services to a child or his or her family or finding other permanent adoptive homes.

One of the key provisions of the Fostering Connections Act was to better provide for educational stability. What we found was that kids constantly were moved, their records were lost, and there were long delays. And the single thing that gives them a real chance to make it in society, that is, an education, was being denied by the bureaucracy that sort of thought, well, this is just, we'll get the records there when we get the records there.

So it's fitting that the ranking member on the Education and Workforce Committee is here to help guide this current legislation making it easier for foster kids to succeed academically through the House today.

Why is education important? Well, if you go to the same school, you know the people, you find a teacher, you find a teacher who might be interested in you when a parent wasn't interested in you, or you had no one else in the world that was interested in you, but you found a teacher, and that's what the educational system has done to hundreds and hundreds and hundreds of foster kids.

Now, we thought, well, we'll just write into Fostering Connections a change in Federal policy which would make sure that youth maintain some kind of continuity within their school when they're forced to move from home to home.

It says that a State welfare agency must coordinate with educational agencies to ensure that a child remains in the school in which he or she is enrolled at the time of placement. If remaining in the child's school of origin is not in his or her best interest, that State must ensure the child is immediately enrolled in a new school without waiting weeks or months for paperwork.

Now, with Fostering Connections, it seems like a simple thing to say that kids ought to continue in the same school. As with any law we pass, there is always this implementation period. As a result, it has taken us several years to figure out the problems and the barriers to successfully implementing this particular provision. Many teachers and school administrators are still unaware of these provisions. Many schools lack any coordinator or coordinating entity to facilitate cross-agency collaboration to serve the best interests of the child.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GEORGE MILLER of California. I yield the gentleman an additional 1 minute.

Mr. MCDERMOTT. In addition, we have evidence that the Family Education Rights and Privacy Act currently hinders child welfare agencies in their efforts to meet the educational needs of kids in their care. Child welfare agencies have difficulty in obtaining the school records of foster kids. Students miss school for long periods of time waiting for school records to be transferred.

We know that education is a predictor for future adult success. Yet too many children and foster youth are unable to get this start because of the barriers in our system. This piece of legislation is an attempt to break down those barriers and make it work more smoothly.

The passage of the Uninterrupted Scholars Act will help ensure that needed coordination and help to ensure foster care youth succeed academically. This bill will have enormous positive impact for thousands of children in the foster care system. I encourage my colleagues to support it.

Mr. GEORGE MILLER of California. I want to thank the gentleman from Washington for his leadership.

I would like to yield 4 minutes to the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I want to thank the gentleman from California both for his longstanding leadership and the history of his emphasis on how important our children are.

As a founder and chair of the Congressional Children's Caucus, I'm delighted to have joined with my colleague, Congresswoman BASS, and various cochairs of the Foster Care Caucus on the bipartisan legislation that the Uninterrupted Scholars Act is, and the bicameral legislation, and to also add appreciation to Chairman KLINE of Minnesota and to Senator LANDRIEU for her leadership and partnership. I know of her great interest on the issues of both domestic adoption and international adoption.

Certainly, unfortunately, the system of foster care has many times, when it has not been intended to, been, if you will, a place of hopelessness. This legislation wants to provide a lifeline to foster care children, particularly as they approach adolescence and high school and going on to college, so that they can be taken out of the abyss of hopelessness.

I've had the opportunity, of course, to be able to meet with foster care children both in my district and here when they've lobbied on the Hill, and their stories are both of passion and commitment to having a future, a commitment to serving the Nation, a commitment to making a difference. Why shouldn't they have the opportunity to make a difference? Why can't they be considered just like those who have different lifestyles, if you will, in terms of a family situation?

So this legislation says that they should have, as well, that kind of orderliness. And if their orderliness comes through a social worker or a caseworker who will have access to their records to be able to plan for them the best format, whether it is to remain in a school, to transfer to a school, when they cannot access that natural parent or any other relative that would stand in for that child. There's nothing more, if you will, desperate and disappointing than to be able to find a child that has no hope, no one to turn to, and really wants to do, wants to accomplish, wants to graduate from high school.

So I believe that the Uninterrupted Scholars Act is a very important provision that reflects the laws that have been passed dealing with privacy as it relates to records of children in post-secondary school and the protection of those school records. This, in particular, allows, let me say, an exception to release the student's education records to a caseworker, State or local child welfare representative, or tribal organization that has a right to access that student's case plans. Again, that helps those students be able to have a lifeline.

□ 1750

Just a week or so ago, there was an article in The New York Times on three young people from Galveston, Texas. They were not necessarily foster care children, but it is indicative of what happens to children of less means. Part of their lack of success was their inability to access the Internet, to get timely notices that they were supposed to apply for a scholarship, to have their parents know that they were supposed to modify their income sheet.

If you can imagine, we just went through Hurricane Ike, and this one child's parents had received aid through Hurricane Ike. Well, they were told that they didn't meet the scholarship standards because they made too much money, and they didn't modify it to say that it wasn't money that we made; it was aid because we were victims of Hurricane Ike.

This is similar to what happens to foster care children, and I am very delighted that we have legislation that is common sense and that we can attribute to the Foster Care Caucus, which we work closely with as a Congressional Children's Caucus.

I want to thank Mr. MILLER and Mr. KLINE for their dedication and commitment to the Nation's children. They are, in fact, a precious resource, and the Uninterrupted Scholars Act is one element of saying that they are important to us.

Let me again thank Congresswoman BASS and Senator LANDRIEU for their leadership, as well.

Mr. ROE of Tennessee. I continue to reserve the balance of my time.

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

The care and concern for foster children has been a bit of a relay race for myself back in the late seventies and eighties, to Senator Russell Long, to former Congressman Tom Downey, former Majority Leader Tom DeLay, to Senator LANDRIEU, now KAREN BASS from my State of California, and Congressman MCDERMOTT before her.

We've tried to make sure that these young people, with a lot of chaos in their life, far beyond any of their own doing, have a chance to succeed. Clearly, the best chance to succeed is to see that they get a good education and an opportunity to participate in American society and in America's economy. This act, the Uninterrupted Scholars Act, goes a long way toward helping their advocates make sure that they get the best shot at the best education.

So I want to thank all the supporters of this legislation, Congressman ROE and Congressman KLINE, for their support and their willingness to bring it to the floor of the House so we can send it to the President of the United States.

Just before I conclude my remarks, Mr. Speaker, I want to take a moment to recognize a cherished member of my staff who will be leaving the committee at the beginning of January.

Ruth Friedman began her career with me as a fellow in my personal office more than a decade ago. Because of her hard work and dedication and unparalleled expertise, she rose to become my education policy director on the committee.

Ruth holds a Ph.D. in clinical psychology and is one of the foremost experts in early childhood policy. I can tell you that the children of this country benefited every day from her work on the Education Committee.

Ruth has spent her career fighting for the most vulnerable children on issues like child welfare, juvenile justice, early learning, child care, child abuse prevention and treatment. She has worked on countless pieces of legislation successfully, including today's bill, and was instrumental is passing the 2007 Head Start Reauthorization Act.

I want to thank Ruth for her extraordinary service to me, to the committee, to the Nation, and to the Nation's children. Her advice and counsel have been invaluable, and she will be sorely missed, but we know that she has great accomplishments ahead of her.

Ruth, I want to wish you, Pete, and Dylan all of the best. Thank you so much for all of your service to our committee on both sides of the aisle, and certainly to this Nation's children.

With that, Mr. Speaker, I ask my colleagues to support this legislation, thank Congressman ROE for managing this bill on the floor, and I yield back the balance of my time

Mr. ROE of Tennessee. Mr. Speaker, I yield myself the balance of my time.

I wish to conclude by saying, Ruth, congratulations, and thank you for all the hard work that you have done for both sides of the aisle and for the work you've done for the children of this Nation.

I also want to thank Senator LANDRIEU and Congresswoman BASS, who is my next-door neighbor in the Cannon Office Building, and Ranking Member MILLER for the work you've done for many decades for the children of this country, and Chairman KLINE.

I will conclude by just saying I'm proud to sponsor the Uninterrupted Scholars Act, and I urge my colleagues a ''yes'' vote.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, S. 3472.

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. ROE of Tennessee. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

FOREIGN AND ECONOMIC ESPIONAGE PENALTY ENHANCEMENT ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 6029) to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Foreign and Economic Espionage Penalty Enhancement Act of 2012''.

SEC. 2. PROTECTING U.S. BUSINESSES FROM FOREIGN ESPIONAGE.

(a)FOR OFFENSES COMMITTED BY INDIVIDUALS.—Section 1831(a) of title 18, United States Code, is amended, in the matter after paragraph (5), by striking ''not more than $500,000'' and inserting ''not more than $5,000,000''.

(b)FOR OFFENSES COMMITTED BY ORGANIZATIONS.—Section 1831(b) of such title is amended

by striking ''not more than $10,000,000'' and inserting ''not more than the greater of $10,000,000 or 3 times the value of the stolen trade secret to the organization, including expenses for research and design and other costs of reproducing the trade secret that the organization has thereby avoided''.

SEC. 3. REVIEW BY THE UNITED STATES SENTENCING COMMISSION.

(a)IN GENERAL.—Pursuant to its authority under section 994(p) of title 28, United States Code, the United States Sentencing Commission shall review and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of offenses relating to the transmission or attempted transmission of a stolen trade secret outside of the United States or economic espionage, in order to reflect the intent of Congress that penalties for such offenses under the Federal sentencing guidelines and policy statements appropriately, reflect the seriousness of these offenses, account for the potential and actual harm caused by these offenses, and provide adequate deterrence against such offenses.

(b)REQUIREMENTS.—In carrying out this section, the United States Sentencing Commission shall—

(1) consider the extent to which the Federal sentencing guidelines and policy statements appropriately account for the simple misappropriation of a trade secret, including the sufficiency of the existing enhancement for these offenses to address the seriousness of this conduct;

(2) consider whether additional enhancements in the Federal sentencing guidelines and policy statements are appropriate to account for—

(A) the transmission or attempted transmission of a stolen trade secret outside of the United States; and

(B) the transmission or attempted transmission of a stolen trade secret outside of the United States that is committed or attempted to be committed for the benefit of a foreign government, foreign instrumentality, or foreign agent;

(3) ensure the Federal sentencing guidelines and policy statements reflect the seriousness of these offenses and the need to deter such conduct;

(4) ensure reasonable consistency with other relevant directives, Federal sentencing guidelines and policy statements, and related Federal statutes;

(5) make any necessary conforming changes to the Federal sentencing guidelines and policy statements; and

(6) ensure that the Federal sentencing guidelines adequately meet the purposes of sentencing as set forth in section 3553(a)(2) of title 18, United States Code.

(c)CONSULTATION.—In carrying out the review required under this section, the Commission shall consult with individuals or groups representing law enforcement, owners of trade secrets, victims of economic espionage offenses, the United States Department of Justice, the United States Department of Homeland Security, the United States Department of State and the Office of the United States Trade Representative.

(d)REVIEW.—Not later than 180 days after the date of enactment of this Act, the Commission shall complete its consideration and review under this section.

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 the matter 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 as much time as I may consume.

First of all, I want to thank Judiciary Committee Chairman-elect BOB GOODLATTE, Ranking Member JOHN CONYERS, and IP Subcommittee Ranking Member MEL WATT for their work on this bill.

Mr. Speaker, the Foreign and Economic Espionage Penalty Enhancement Act of 2012 deters and pushes criminals who target U.S. economic and security interests on behalf of foreign interests.

In a dynamic and globally connected information economy, the protection of intangible assets is vital, not only to the success of individual enterprises, but also to the future of entire industries.

In recent years, cybercriminals have shifted from the theft of personal information such as credit cards and Social Security numbers to the theft of corporate intellectual capital.

Our intelligence community has warned us that foreign interests place a high priority on acquiring sensitive U.S. economic information and technologies. In the U.S., the Economic Espionage Act serves as a primary tool the Federal Government uses to protect secret, valuable commercial information from theft.

Our intelligence community declares that there is a ''significant and growing threat to our Nation's prosperity and security'' posed by criminals both inside and outside our borders who commit espionage. Congress should also recognize and confront this increasing threat by adjusting our penalties so that we can enhance deterrents and provide appropriate punishments for those criminals who knowingly target our companies for espionage.

I urge my colleagues to support H.R. 6029 as it was amended by the Senate. The original bill was developed in a bipartisan manner and was unanimously reported by both the Judiciary Committee and this House. This is a commonsense and much-needed measure that deserves our full support.

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

I want to thank Judiciary Committee Chairman-Elect BOB GOODLATTE, Ranking Member JOHN CONYERS and IP Subcommittee Ranking Member MEL WATT for their work on this bill. It has been a privilege to serve with them during my tenure as Chairman and Ranking Member of the Judiciary Committee.

I look forward to continuing to explore areas where we can work together in the 113th Congress.

Mr. Speaker, the Foreign and Economic Espionage Penalty Enhancement Act of 2012 deters and punishes criminals who target U.S. economic and security interests on behalf of foreign interests.

In a dynamic and globally-connected information economy, the protection of intangible assets is vital not only to the success of individual enterprises but also to the future of entire industries.

A global study released last year by McAfee, the world's largest security technology company, and Science Applications International Corporation, concluded that corporate trade secrets and other sensitive intellectual capital are the newest ''currency'' of cybercriminals.

In recent years, cybercriminals have shifted from the theft of personal information such as credit cards and social security numbers to the theft of corporate intellectual capital.

Our intelligence community has warned us that foreign interests place a high priority on acquiring sensitive U.S. economic information and technologies.

We know that some individuals intentionally and persistently seek out U.S. information and trade secrets. The most recent report from the Office of the National Counterintelligence Executive specifically cited Chinese as ''the world's most active and persistent perpetrators of economic espionage.''

The report also described Russia's intelligence services as responsible for ''conducting a range of activities to collect economic information and technology from US targets.''

In the U.S., the Economic Espionage Act (EEA) serves as the primary tool the federal government uses to protect secret, valuable commercial information from theft.

On December 18, the House passed S. 3642, an important bill that clarifies the scope of protectable trade secrets.

Since enacting the EEA in 1996, Congress has not adjusted its penalties to take into account the increasing importance of intellectual property to the economic and national security of the U.S.

H.R. 6029, which the House unanimously passed this summer, increases the maximum penalties for an individual convicted of committing espionage on behalf of a foreign entity.

The bill the House passed increases the maximum penalty from 15 to 20 years imprisonment and increases the maximum fine from $500,000 to $5 million.

Several Senators wanted to give further consideration to the proposed statutory maximum increase from 15 to 20 years imprisonment.

The Senate amended H.R. 6029 by deleting this single provision. They then passed it unanimously on December 19, so that we may act again and send this bill directly to the desk of the President.

I thank Senators LEE and PAUL along with Senators LEAHY, KOHL and GRASSLEY for helping to resolve concerns and advancing this measure.

Our Intelligence community declares that there is a ''significant and growing threat to [our] nation's prosperity and security'' posed by criminals—both inside and outside our borders—who commit espionage.

Congress should also recognize and confront this increasing threat by adjusting our penalties so that we may enhance deterrence and provide appropriate punishments for those criminals who knowingly target our companies for espionage.

I urge my colleagues to support H.R. 6029 as it was amended by the Senate. The original bill was developed in a bipartisan manner and was unanimously reported by both the Judiciary Committee and this House. This is a common sense and much-needed measure that deserves our full support.

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

Mr. Speaker, I rise in support of the Senate amendment to H.R. 6029, the Foreign and Economic Espionage Penalty Enhancement Act of 2012. The House passed this legislation by voice vote in August, and the Senate recently passed a bill with amendment by unanimous consent.

Mr. Speaker, H.R. 6029 will increase the maximum fines that may be imposed for engaging in the Federal offense of economic espionage. The crime of economic espionage consists of knowingly misappropriating trade secrets with the intent or knowledge that the offense will benefit a foreign government.

As reported by the U.S. intellectual property enforcement coordinator, economic espionage is a serious threat to American businesses by foreign governments.

□ 1800

Economic espionage represents a significant cost to victim companies and threatens the economic security of the United States. This crime inflicts costs on companies, such as the loss of unique intellectual property, the loss of expenditures related to research and development, and the loss of future revenues and profits. Many companies are unaware when their sensitive data is pilfered, and those that find out are often reluctant to report the losses, fearing potential damage to their reputations with investors, customers, and employees.

The pace of the foreign collection of economic information and industrial espionage activities against major United States corporations is accelerating. For example, in fiscal year 2011, the Justice Department and the FBI saw an increase of 29 percent in economic espionage and trade secret theft investigations compared to those in fiscal year 2010.

Details related to recent Federal investigations and prosecutions suggest that economic espionage and trade secret theft on behalf of companies located in China is an emerging trend. For example, at least 34 companies were reportedly victimized by a set of attacks originating in China in 2010. In the attacks, computer viruses were spread via emails to corporate employees, allowing the attackers to have access to emails and sensitive documents.

Foreign hackers constantly target U.S. companies in such ways in order to get every piece of competitive intelligence information they can. We simply cannot allow this to continue to happen. In response to this growing threat, in her 2011 annual report, the U.S. Intellectual Property Coordinator called upon Congress to increase the penalties for economic espionage, and this bill is consistent with that recommendation.

I would like to commend Members on both sides of the aisle for their work on this bill, particularly the gentleman from Texas, the chair of the committee, Mr. SMITH; the ranking member, the gentleman from Michigan (Mr. CONYERS); the incoming chair of the Judiciary Committee, my colleague from Virginia (Mr. GOODLATTE); and the gentleman from North Carolina (Mr. WATT), who all worked very diligently on this bill. I also want to recognize the leadership of Senator LEAHY.

I urge my colleagues to support the Senate amendment to H.R. 6029, and 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 concur in the Senate amendment to the bill, H.R. 6029.

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, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

CORRECTING AND IMPROVING THE LEAHY-SMITH AMERICA INVENTS ACT

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 6621) to correct and improve certain provisions of the Leahy-Smith America Invents Act and title 35, United States Code.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

SECTION 1. TECHNICAL CORRECTIONS.

(a) ADVICE OF COUNSEL.—Notwithstanding section 35 of the Leahy-Smith America Invents Act (35 U.S.C. 1 note), section 298 of title 35, United States Code, shall apply to any civil action commenced on or after the date of the enactment of this Act.

(b) TRANSITIONAL PROGRAM FOR COVERED BUSINESS METHOD PATENTS.—Section 18 of the Leahy-Smith America Invents Act (35 U.S.C. 321 note) is amended—

(1) in subsection (a)(1)(C)((i), by striking ''of such title'' the second place it appears; and

(2) in subsection (d)(2), by striking ''subsection'' and inserting ''section''.

(c) JOINDER OF PARTIES.—Section 299(a) of title 35, United States Code, is amended in the matter preceding paragraph (1) by striking ''or counterclaim defendants only if'' and inserting ''only if''.

(d) DEAD ZONES.—

(1) INTER PARTES REVIEW.—Section 311(c) of title 35, United States Code, shall not apply to a petition to institute an inter partes review of a patent that is not a patent described in section 3(n)(1) of the Leahy-Smith America Invents Act (35 U.S.C. 100 note).

(2) REISSUE.—Section 311(c)(1) of title 35, United States Code, is amended by striking ''or issuance of a reissue of a patent''.

(e) CORRECT INVENTOR.—

(1) IN GENERAL.—Section 135(e) of title 35, United States Code, as amended by section 3(i) of the Leahy-Smith America Invents Act, is amended by striking ''correct inventors'' and inserting ''correct inventor''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective as if included in the amendment made by section 3(i) of the Leahy-Smith America Invents Act.

(f) INVENTOR'S OATH OR DECLARATION.—Section 115 of title 35, United States Code, as amended by section 4 of the Leahy-Smith America Invents Act, is amended—

(1) by striking subsection (f) and inserting the following:

''(f) TIME FOR FILING.—The applicant for patent shall provide each required oath or declaration under subsection (a), substitute statement under subsection (d), or recorded assignment meeting the requirements of subsection (e) no later than the date on which the issue fee for the patent is paid.''; and

(2) in subsection (g)(1), by striking ''who claims'' and inserting ''that claims''.

(g) TRAVEL EXPENSES AND PAYMENT OF ADMINISTRATIVE JUDGES.—Notwithstanding section 35 of the Leahy-Smith America Invents Act (35 U.S.C. 1 note), the amendments made by section 21 of the Leahy-Smith America Invents Act (Public Law 112–29; 125 Stat. 335) shall be effective as of September 16, 2011.

(h) PATENT TERM ADJUSTMENTS.—Section 154(b) of title 35, United States Code, is amended—

(1) in paragraph (1)—

(A) in subparagraph (A)(i)(II), by striking ''on which an international application fulfilled the requirements of section 371 of this title'' and inserting ''of commencement of the national stage under section 371 in an international application''; and

(B) in subparagraph (B), in the matter preceding clause (i), by striking ''the application in the United States'' and inserting ''the application under section 111(a) in the United States or, in the case of an international application, the date of commencement of the national stage under section 371 in the international application'';

(2) in paragraph (3)(B)(i), by striking ''with the written notice of allowance of the application under section 151'' and inserting ''no later than the date of issuance of the patent''; and

(3) in paragraph (4)(A)—

(A) by striking ''a determination made by the Director under paragraph (3) shall have remedy'' and inserting ''the Director's decision on the applicant's request for reconsideration under paragraph (3)(B)(ii) shall have exclusive remedy''; and

(B) by striking ''the grant of the patent'' and inserting ''the date of the Director's decision on the applicant's request for reconsideration''.

(i) IMPROPER APPLICANT.—Section 373 of title 35, United States Code, and the item relating to that section in the table of sections for chapter 37 of such title, are repealed.

(j) FINANCIAL MANAGEMENT CLARIFICATIONS.—Section 42(c)(3) of title 35, United States Code, is amended—

(1) in subparagraph (A)—

(A) by striking ''sections 41, 42, and 376,'' and inserting ''this title,''; and

(B) by striking ''a share of the administrative costs of the Office relating to patents'' and inserting ''a proportionate share of the administrative costs of the Office''; and

(2) in subparagraph (B), by striking ''a share of the administrative costs of the Office relating to trademarks'' and inserting ''a proportionate share of the administrative costs of the Office''.

(k) DERIVATION PROCEEDINGS.—

(1) IN GENERAL.—Section 135(a) of title 35, United States Code, as amended by section 3(i) of the Leahy-Smith America Invents Act, is amended to read as follows:

''(a) INSTITUTION OF PROCEEDING.—

''(1) IN GENERAL.—An applicant for patent may file a petition with respect to an invention to institute a derivation proceeding in the Office. The petition shall set forth with particularity the basis for finding that an individual named in an earlier application as the inventor or a joint inventor derived such invention from an individual named in the petitioner's application as the inventor or a joint inventor and, without authorization, the earlier application claiming such invention was filed. Whenever the Director determines that a petition filed under this subsection demonstrates that the standards for instituting a derivation proceeding are met, the Director may institute a derivation proceeding.

''(2) TIME FOR FILING.—A petition under this section with respect to an invention that is the same or substantially the same invention as a claim contained in a patent issued on an earlier application, or contained in an earlier application when published or deemed published under section 122(b), may not be filed unless such petition is filed during the 1-year period following the date on which the patent containing such claim was granted or the earlier application containing such claim was published, whichever is earlier.

''(3) EARLIER APPLICATION.—For purposes of this section, an application shall not be deemed to be an earlier application with respect to an invention, relative to another application, unless a claim to the invention was or could have been made in such application having an effective filing date that is earlier than the effective filing date of any claim to the invention that was or could have been made in such other application.

''(4) NO APPEAL.—A determination by the Director whether to institute a derivation proceeding under paragraph (1) shall be final and not appealable.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall be effective as if included in the amendment made by section 3(i) of the Leahy-Smith America Invents Act.

(3) REVIEW OF INTERFERENCE DECISIONS.—The provisions of sections 6 and 141 of title 35, United States Code, and section 1295(a)(4)(A) of title 28, United States Code, as in effect on September 15, 2012, shall apply to interference proceedings that are declared after September 15, 2012, under section 135 of title 35, United States Code, as in effect before the effective date under section 3(n) of the Leahy-Smith America Invents Act. The Patent Trial and Appeal Board may be deemed to be the Board of Patent Appeals and Interferences for purposes of such interference proceedings.

(l) PATENT AND TRADEMARK PUBLIC ADVISORY COMMITTEES.—

(1) IN GENERAL.—Section 5(a) of title 35, United States Code, is amended—

(A) in paragraph (1), by striking ''Members of'' and all that follows through ''such appointments.'' and inserting the following: ''In each year, 3 members shall be appointed to each Advisory Committee for 3-year terms that shall begin on December 1 of that year. Any vacancy on an Advisory Committee shall be filled within 90 days after it occurs. A new member who is appointed to fill a vacancy shall be appointed to serve for the remainder of the predecessor's term.'';

(B) by striking paragraph (2) and inserting the following:

''(2) CHAIR.—The Secretary of Commerce, in consultation with the Director, shall designate a Chair and Vice Chair of each Advisory Committee from among the members appointed under paragraph (1). If the Chair resigns before the completion of his or her term, or is otherwise unable to exercise the functions of the Chair, the Vice Chair shall exercise the functions of the Chair.''; and

(C) by striking paragraph (3).

(2) TRANSITION.—

(A) IN GENERAL.—The Secretary of Commerce shall, in the Secretary's discretion, determine the time and manner in which the amendments made by paragraph (1) shall take effect, except that, in each year following the year in which this Act is enacted, 3 members shall be appointed to each Advisory Committee (to which such amendments apply) for 3-year terms that begin on December 1 of that year, in accordance with section 5(a) of title 35, United States Code, as amended by paragraph (1) of this subsection.

(B) DEEMED TERMINATION OF TERMS.—In order to implement the amendments made by paragraph (1), the Secretary of Commerce may determine that the term of an existing member of an Advisory Committee under section 5 of title 35, United States Code, shall be deemed to terminate on December 1 of a year beginning after the date of the enactment of this Act, regardless of whether December 1 is before or after the date on which such member's term would terminate if this Act had not been enacted.

(m) CLERICAL AMENDMENT.—Section 123(a) of title 35, United States Code, is amended in the matter preceding paragraph (1) by inserting ''of this title'' after ''For purposes''.

(n) EFFECTIVE DATE.—Except as otherwise provided in this Act, the amendments made by this Act shall take effect on the date of enactment of this Act, and shall apply to proceedings commenced on or after such date of enactment.

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 the matter 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.

The Leahy-Smith America Invents Act, or AIA, was signed into law on September 16, 2011. It was the first major patent reform bill in over 60 years and the most substantial reform of U.S. patent law since the 1836 Patent Act. The Leahy-Smith AIA reestablishes the United States patent system as the global standard.

Over the past year, the Patent Office has worked diligently to implement the provisions of the Leahy-Smith AIA in order to ensure that the bill realizes its full potential to promote innovation and create jobs. The bill that we consider today includes several technical corrections and improvements that ensure that the implementation of the bill can proceed efficiently and effectively. The bill is supported by all sectors of our economy from all across the United States, including manufacturers, universities, technology, pharmaceutical and biotech companies, and innovators.

As the provisions of the Leahy-Smith AIA continue to take effect, our Nation's innovation infrastructure becomes much stronger, unleashing the full potential of American innovators and job creators, so I urge my colleagues to support this bill.

I reserve the balance of my time.

The Leahy-Smith America Invents Act, or "AIA," was signed into law on September 16, 2011. It was the first major patent reform bill in over 60 years and the most substantial reform of U.S. patent law since the 1836 Patent Act. The Leahy-Smith AIA re-establishes the United States patent system as a global standard.

Over the past year the Patent Office has worked diligently to implement the provisions of the Leahy-Smith AIA to ensure that the bill realizes its full potential to promote innovation and create jobs.

The bill that we consider today includes several technical corrections and improvements that ensure that the implementation of the bill can proceed efficiently and effectively.

The bill is supported by all sectors of our economy from all across the United States, including manufacturers, universities, technology, pharmaceutical and biotech companies and innovators.

I have also received letters in support from: the Coalition for 21st Century Patent Reform, which represents manufacturers, pharmaceutical, technology, defense companies and universities; the Innovation Alliance, which represents high tech companies and licensors; and the BSA: The Software Alliance, which represents a range of high technology and software companies.

The Leahy-Smith AIA fundamentally changes our nation's innovation infrastructure. With any such substantive and wide-ranging legislation, unforeseen issues may arise as implementation occurs.

H.R. 6621 corrects many of these issues. This package consists of several technical corrections to the AIA that are essential to the effective implementation of the Act.

Other technical corrections and improvements may arise in the future; for example, the issue surrounding the correction of the Post-Grant Review estoppel provision in the Leahy-Smith AIA.

This was the result of an inadvertent "scrivener's error," an error that was made by legislative counsel. That technical error has resulted in an estoppel provision with a higher threshold than was intended by either house of Congress.

Additionally, we must remain watchful as we examine ways to deal with the abusive and frivolous litigation that American innovators face from patent assertion entities or patent trolls.

The modified bill passed by the Senate takes out the report on pre-GATT patents. Even though the report is no longer mandated, it is within PTO's existing authority to conduct such a study, and I would call on them to do so.

As the provisions of the Leahy-Smith AIA continue to take effect, our nation's innovation infrastructure becomes much stronger, unleashing the full potential of American innovators and job creators.

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

I rise in support of the Senate amendment to H.R. 6621 because the measure improves the America Invents Act—the most significant reform to the Patent Act since 1952—that was signed into law by President Obama last year. Earlier this month, the House passed H.R. 6621 by a vote of 308–89. The Senate subsequently passed the legislation with an amendment by unanimous consent. Now that the America Invents Act is law, our focus should be on how it can be improved, which is why I support H.R. 6621, because it accomplishes that very goal in several respects.

To begin with, H.R. 6621 clarifies and improves the provisions to help implement the America Invents Act. The bill clarifies provisions dealing with patent term adjustments, derivation proceedings, inventor's oath, and the terms of the Patent Public Advisory Committee.

The Senate amendment to this bill makes one change to the House-passed bill by removing the provision requiring the Patent Office to prepare a report on pre-GATT patent applications that have now been pending before the Patent Office for over 18 years. Although this provision has been removed, we must continue to study ways to improve the patent system and make sure that there are not delays to receiving patent protection.

The bill clarifies the act's advice of counsel section as it applies to civil actions commenced on or after the date of this legislation's enactment. This is important because the original bill created a new section 298 of title XXXV that prevents the use of evidence of an accused infringer's failure to obtain advice of counsel, or his failure to waive privilege and introduce such opinion, to prove either willfulness or intent to induce infringement. The provision, however, failed to specify when the new authority would go into effect, and it would be unfair to apply the new rule retroactively to pending cases which anticipate using such evidence.

In addition, H.R. 6621 makes a series of other technical clarifications to the act. In some, the bill makes necessary constructive technical corrections to the America Invents Act and avoids including any substantive revisions to the act.

It is my hope that the Judiciary Committee will continue its oversight of the act into the next Congress and consider ways in which it can be further improved. I urge my colleagues to support the bill.

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 concur in the Senate amendment to the bill, H.R. 6621.

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, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

INTERCOUNTRY ADOPTION UNIVERSAL ACCREDITATION ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3331) to provide for universal intercountry adoption accreditation standards, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3331

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 ''Intercountry Adoption Universal Accreditation Act of 2012''.

SEC. 2. UNIVERSAL ACCREDITATION REQUIREMENTS.

(a) IN GENERAL.—The provisions of title II and section 404 of the Intercountry Adoption Act of 2000 (42 U.S.C. 14901 et seq.), and related implementing regulations, shall apply to any person offering or providing adoption services in connection with a child described in section 101(b)(1)(F) of the Immigration and Nationality Act (8 U.S.C. 1101(b)(1)(F)), to the same extent as they apply to the offering or provision of adoption services in connection with a Convention adoption. The Secretary of State, the Secretary of Homeland Security, the Attorney General (with respect to section 404(b) of the Intercountry Adoption Act of 2000 (42 U.S.C. 14944)), and the accrediting entities shall have the duties, responsibilities, and authorities under title II and title IV of the Intercountry Adoption Act of 2000 and related implementing regulations with respect to a person offering or providing such adoption services, irrespective of whether such services are offered or provided in connection with a Convention adoption.

(b) EFFECTIVE DATE.—The provisions of this section shall take effect 18 months after the date of the enactment of this Act.

(c) TRANSITION RULE.—This Act shall not apply to a person offering or providing adoption services as described in subsection (a) in the case of a prospective adoption in which—

(1) an application for advance processing of an orphan petition or petition to classify an orphan as an immediate relative for a child is filed before the date that is 180 days after the date of the enactment of this Act; or

(2) the prospective adoptive parents of a child have initiated the adoption process with the filing of an appropriate application in a foreign country sufficient such that the Secretary of State is satisfied before the date that is 180 days after the date of the enactment of this Act.

SEC. 3. AVAILABILITY OF COLLECTED FEES FOR ACCREDITING ENTITIES.

(a) Section 403 of the Intercountry Adoption Act of 2000 (42 U.S.C. 14943) is amended by striking subsection (c).

(b) REPORT REQUIREMENT.—Section 202(b) of the Intercountry Adoption act of 2000 (42 U.S.C. 14922(b)) is amended by adding at the end the following:

''(5) REPORT ON USE OF FEDERAL FUNDING.—Not later than 90 days after an accrediting entity receives Federal funding authorized by section 403, the entity shall submit a report to the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives that describes—

''(A) the amount of such funding the entity received; and

''(B) how such funding was, or will be, used by the entity.''.

SEC. 4. DEFINITIONS.

In this Act, the terms ''accrediting entity'', ''adoption service'', ''Convention adoption'', and ''person'' have the meanings given those terms in section 3 of the Intercountry Adoption Act of 2000 (42 U.S.C. 14902).

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 include extraneous material in the RECORD on this bill.

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 support of S. 3331, the Intercountry Adoption Universal Accreditation Act of 2012. This bipartisan bill, which recently received unanimous consideration in the Senate, is the Senate-side companion to H.R. 6027, which is the bipartisan House bill introduced by my good friend from New Jersey (Mr. SIRES).

This bill requires that all intercountry adoption providers in the U.S. meet the same accreditation standards regardless of whether the adoption is from a Hague Convention signatory country.

□ 1810

Mr. Speaker, before I close, I would like to direct attention to yet another outrage perpetrated by Russian strongman Vladimir Putin, one that he has knowingly directed at innocent Russian children awaiting adoption. His action was a shameful response to legislation overwhelmingly adopted by the Congress that targets Russian officials engaged in human rights abuses, specifically those regarding Sergei Magnitsky.

Magnitsky was a Russian lawyer killed in prison after having uncovered massive government corruption, including senior officials in Putin's regime. Instead of prosecuting those

criminals, Putin has instead cruelly chosen to target Russian orphans by banning adoptions by Americans.

Tens of thousands of Russian children have been adopted by families in this country, who have given these innocents the love and protection they otherwise likely would have never known. Now, countless numbers may be condemned to tragic lives, knowingly sacrificed by Vladimir Putin in a sickening effort to show the world just how tough he is. Is there any additional proof needed of the despicable nature of this man and his regime?

I call upon President Obama to tell Putin that the U.S. cannot and will not engage in a business-as-usual relationship with a regime so utterly devoid of humanity, a regime that deliberately tears apart the lives of its own children by depriving them the love of those Americans who wish only to give these innocents a family and a better future.

Let those in the administration who turn their eyes from this outrage explain to these orphans why they must be sacrificed for the sake of good relations with the Putin regime.

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

Mr. BERMAN. Mr. Speaker, I rise in support of S. 3331, the Intercountry Adoption Universal Accreditation Act of 2012, and I yield myself such time as I may consume.

I would like to thank Senator KERRY and my colleague from New Jersey, a member of the Foreign Affairs Committee, Mr. SIRES, for their hard work on this legislation.

This bill ensures American families adopting children will be protected from unethical and fraudulent practices by international adoption agencies. For years, conflicting country-by-country standards have plagued the international adoption process, causing harm to adoptive children and families.

The bill would expand accreditation standards to cover all international adoptions. Presently, those standards apply only to adoptions from countries that are parties to the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption, known as the Hague Convention.

Accreditation standards help prevent the sale of children, thwart fraudulent financial practices, and ensure transparency in fees and the adoption process. They also encourage agencies to employ staff with professional qualifications and training.

This is a commonsense bill that should have been enacted long ago. Less than half of all families adopting internationally are protected by the Hague Adoption Convention process, and we want to make sure that we protect all families that open their homes and hearts to children in need of loving families. I urge my colleagues to support this legislation.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, we have no further requests for time, and we are ready to yield back once the gentleman from California yields back.

Mr. BERMAN. Mr. Speaker, I don't see the one individual who asked to join me in speaking on this, so I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, 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, S. 3331.

The question was taken.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3159) to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3159

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 ''Foreign Aid Transparency and Accountability Act of 2012''.

SEC. 2. GUIDELINES FOR UNITED STATES FOREIGN DEVELOPMENT ASSISTANCE.

(a) PURPOSE.—The purpose of this section is to evaluate the performance of United States foreign development assistance and its contribution to policy, strategies, projects, program goals, and priorities undertaken by the United States, to foster and promote innovative programs to improve the effectiveness of United States foreign development assistance, and to coordinate the monitoring and evaluation processes of Federal departments and agencies that administer United States foreign development assistance.

(b) ESTABLISHMENT OF GUIDELINES.—Not later than 18 months after the date of the enactment of this Act, the President shall establish guidelines regarding the establishment of measurable goals, performance metrics, and monitoring and evaluation plans that can be applied with reasonable consistency to United States foreign development assistance. Such guidelines should be established according to best practices of monitoring and evaluation studies and analyses.

(c) OBJECTIVES OF GUIDELINES.—

(1) IN GENERAL.—The guidelines established under this section shall provide direction to Federal departments and agencies that administer United States foreign development assistance on how to develop the complete range of activities relating to the monitoring of resources, the evaluation of projects, the evaluation of program impacts, and analysis that is necessary for the identification of findings, generalizations that can be derived from those findings, and their applicability to proposed project and program design.

(2) OBJECTIVES.—Specifically, the guidelines shall provide direction on how to achieve the following objectives for monitoring and evaluation of programs:

(A) Building measurable goals, performance metrics and monitoring and evaluation into program design at the outset, including the provision of sufficient program resources to conduct monitoring and evaluation.

(B) Disseminating guidelines for the development and implementation of monitoring and evaluation programs to all personnel, especially in the field, who are responsible for the design, implementation, and management of United States foreign development assistance programs.

(C) Contributing to the collection and dissemination of knowledge and lessons learned to United States development professionals, implementing partners, the international aid community, and aid recipient governments, and as a repository of knowledge on lessons learned.

(D) Distributing evaluation reports internally.

(E) Establishing annual monitoring and evaluation agendas and objectives.

(F) Applying rigorous monitoring and evaluation methodologies, including choosing from among a wide variety of qualitative and quantitative methods common in the field of social scientific inquiry.

(G) Partnering with the academic community, implementing partners, and national and international institutions that have expertise in monitoring and evaluation and analysis when such partnerships will provide needed expertise or will significantly improve the evaluation and analysis.

(H) Developing and implementing a training plan for appropriate aid personnel on the proper conduct of monitoring and evaluation programs.

(d) IMPLEMENTATION OF GUIDELINES.—Beginning not later than one year after the date on which the President establishes the guidelines under this section, the head of each Federal department or agency that administers United States foreign development assistance shall administer the United States foreign development assistance in accordance with the guidelines.

(e) PRESIDENTIAL REPORT.—Not later than 18 months after the date of the enactment of this Act, the President shall submit to Congress a report that contains a detailed description of the guidelines that have been developed on measurable goals, performance metrics, and monitoring and evaluation plans for United States foreign development assistance established under this section. The report shall be submitted in unclassified form to the maximum extent possible, but may include a classified annex.

(f) COMPTROLLER GENERAL REPORTS.—The Comptroller General of the United States shall—

(1) not later than one year after the date of the enactment of this Act, submit to the appropriate congressional committees a report that contains an analysis of the actions that the major Federal departments and agencies that administer United States foreign development assistance have taken to ensure that United States foreign development assistance program evaluation is planned, conducted, and utilized effectively; and

(2) not later than two years after the date of the enactment of this Act, submit to the appropriate congressional committees a report that contains an analysis of—

(A) the guidelines established pursuant to subsection (b); and

(B) the implementation of the guidelines by the major Federal departments and agencies that administer United States foreign development assistance.

(g) EVALUATION DEFINED.—In this section, the term ''evaluation'' means, with respect to a United States foreign development assistance program, the systematic collection and analysis of information about the characteristics and outcomes of the program and projects under the program as a basis for judgments, to improve effectiveness, and to inform decisions about current and future programming.

SEC. 3. INTERNET WEBSITE TO MAKE PUBLICLY AVAILABLE COMPREHENSIVE, TIMELY, COMPARABLE, AND ACCESSIBLE INFORMATION ON UNITED STATES FOREIGN DEVELOPMENT ASSISTANCE PROGRAMS.

(a) ESTABLISHMENT; PUBLICATION AND UPDATES.—Not later than 30 days after the date of the enactment of this Act, the President shall direct the Secretary of State to establish and maintain an Internet website to make publicly available in unclassified form comprehensive, timely, comparable, and accessible information on United States foreign development assistance. The head of each Federal department or agency that administers United States foreign development assistance shall, not later than 3 years after the date of the enactment of this Act, publish and on a quarterly basis update on the Internet website such information with respect to the United States foreign development assistance programs of such Federal department or agency.

(b) MATTERS TO BE INCLUDED.—

(1) IN GENERAL.—Such information shall be published on a detailed program-by-program basis and country-by-country basis.

(2) TYPES OF INFORMATION.—To ensure transparency, accountability, and effectiveness of United States foreign development assistance, such information should include country assistance strategies, annual budget documents, congressional budget justifications, obligations, expenditures, and reports and evaluations, including those developed pursuant to the guidelines established by section 2, for United States foreign development assistance programs and projects under such programs. Each type of information described in this paragraph shall be published or updated on the Internet website not later than 90 days after the date of issuance of the information.

(3) REPORT IN LIEU OF INCLUSION.—If—

(A) the head of a Federal department or agency makes a determination that the inclusion of a required item of information on the Internet website would jeopardize the health or security of an implementing partner or program beneficiary, or

(B) the Secretary of State makes a determination that the inclusion of a required item of information on the Internet website would be detrimental to the national interests of the United States,

then the head of such Federal department or agency or the Secretary of State, as the case may be, shall provide briefings to Congress on the item of information or submit to Congress the item of information in a written report in lieu of it being included on the Internet website, along with the reasons for it not being included on the Internet website. Any such item of information may be submitted to Congress in classified form.

(c) SCOPE OF INFORMATION.—

(1) IN GENERAL.—The Internet website shall contain the information described in subsection (b) as follows:

(A) For fiscal year 2013, the information relating to such fiscal year and each of the immediately preceding 2 fiscal years.

(B) For fiscal year 2014, the information relating to such fiscal year and each of the immediately preceding 3 fiscal years.

(C) For fiscal year 2015, the information relating to such fiscal year and each of the immediately preceding 4 fiscal years.

(D) For fiscal year 2016 and each fiscal year thereafter, the information relating to such fiscal year and each of the immediately preceding 5 fiscal years.

(2) OLDER INFORMATION.—For fiscal year 2017 and each fiscal year thereafter, the Internet website shall also contain a link to a searchable database available to the public containing information described in subsection (b) relating to fiscal years prior to the immediately preceding 5 fiscal years but subsequent to fiscal year 2010.

SEC. 4. CONGRESSIONAL BRIEFINGS IF REQUIREMENTS OF SECTION 3 ARE NOT MET.

If the information described in section 3(b) with respect to a United States foreign development assistance program is not provided as required under section 3, then the head of the relevant Federal department or agency shall provide briefings to the appropriate congressional committees, along with a detailed explanation of why the requirements for publication on the Internet have not been met and when they will be met, with respect to each month for which such information is not published on the Internet.

SEC. 5. OFFSET.

Of the amounts authorized to be appropriated for United States foreign development assistance programs of a Federal department or agency that administers such programs for a fiscal year, up to 5 percent of such amounts are authorized to be appropriated to carry out this Act with respect to such programs for such fiscal year.

SEC. 6. DEFINITIONS.

In this Act:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term ''appropriate congressional committees'' means—

(A) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) UNITED STATES FOREIGN DEVELOPMENT ASSISTANCE.—The term ''United States foreign development assistance'' means assistance primarily for purposes of foreign development and economic support, including but not limited to assistance authorized under—

(A) part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), other than—

(i) title IV of chapter 2 of such part (relating to the Overseas Private Investment Corporation);

(ii) chapter 3 of such part (relating to International Organizations and Programs); and

(iii) chapter 8 of such part (relating to International Narcotics Control);

(B) chapter 4 of part II of the Foreign Assistance Act of 1961 (22 U.S.C 2346 et seq.; relating to Economic Support Fund) for long-term development; and

(C) the Millennium Challenge Act of 2003 (22 U.S.C 7701 et seq.).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Virginia (Mr. CONNOLLY) 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 include extraneous material in the RECORD on this bill.

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. 3159 introduced by my good friend from Texas, Judge POE.

This bill stands for the simple proposition that consistent evaluation and transparency will improve the effectiveness of U.S. development assistance around the world. H.R. 3159 will require the President to establish guidelines for measurable goals, monitoring, and evaluation plans that can be applied with reasonable consistency to all overseas development assistance.

I urge my colleagues to support H.R. 3159, and I reserve the balance of my time.

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise in support of H.R. 3159, as amended, and I yield myself such time as I may consume.

Let me start first by thanking my distinguished colleague from Texas (Mr. POE) for his leadership on this legislation. He and his staff have worked tirelessly to address a range of technical issues so that this bill could be considered under suspension.

H.R. 3159 is an important first step in bringing greater rationality and oversight to the foreign aid process. It contains two fundamental reforms to make our programs more efficient, more effective, and better at serving our national interests.

The first is to strengthen monitoring and evaluation so that we can be sure our aid is performing as intended. Right now we make most of our aid decisions in the dark. We set budgets year after year without having any idea necessarily what the outcomes might be. This bill requires the President to establish a consistent set of guidelines so that all Federal agencies carrying out development assistance will set measurable goals, establish indicators, monitor results, and evaluate impact. We can make much better decisions about how and where to invest our scarce resources once we know which types of programs are the most cost-effective and produce the best results.

The second reform is to increase aid transparency so that everyone can see where we're spending the money and why. There are all too many misperceptions about the size of the foreign aid budget and exactly what it does. This bill will address that.

It also requires the President to establish and maintain an Internet Web site that makes comprehensive and timely information accessible to the public.

Similar reforms are included in comprehensive foreign aid reform legislation recently introduced by the current ranking member of our committee, Mr. BERMAN, and myself. They were also included in the State Department authorization bills passed by the full House under the leadership of our outgoing chairwoman, ILEANA ROS-LEHTINEN of Florida, in 2009, and reported by the Foreign Affairs Committee in 2011. Both times, these provisions were adopted with strong bipartisan support.

The administration also recognizes the need for these types of changes. They've created the Foreign Assistance Dashboard, a Web site that provides accessible and easy-to-understand data about our aid programs. Both the Millennium Challenge Corporation and USAID have put into place their own rigorous evaluation policies.

This bill will ensure that all Federal agencies carrying out development programs will adhere to the same high standards, and at a time when there are so many issues that divide our parties and our Nation, I think this is one that we can come together on. Again, I urge my colleagues to support this legislation.

I reserve the balance of my time.

[From The Hill, Dec. 12, 2012]

OVERHAUL OF U.S. FOREIGN AID IS OVERDUE

(By Reps. Howard L. Berman (D–Calif.) and Gerald E. Connolly (D–Va.))

At a time when competing government priorities face the chopping block, advocates of effective foreign aid have a responsibility to make the case that aid directly serves our country's long-term national-security and economic interests, and in a cost-effective way.

A key goal of foreign aid is to make the right investments that reinforce America's priorities. Unfortunately, the current foreign aid process and the underlying statute are encrusted with legislative barnacles built up over half a century that are messy, conflicting and outdated, and that actually hinder our ability to deliver foreign aid effectively and efficiently.

It is time for a complete overhaul. The 21st century requires a foreign aid program that recognizes today's priorities and streamlines the process in the post-Cold War era. For instance, do we still need language in current law, passed in 1961, that requires the president to assure Congress that foreign aid recipients are not ''controlled by the international Communist conspiracy''?

The many task forces and policy committees that have examined U.S. foreign aid have cited the myriad goals, objectives and priorities contained in the Foreign Assistance Act of 1961. The Center for Global Development, for example, identified more than 33 major objectives, 75 priorities and 247 directives relating to foreign aid in the act. And all of this for a miniscule piece of the federal budget. Little wonder, then, that we lack any central focus to our effort and even less of an ability to measure its effectiveness.

The Global Partnerships Act of 2012 (H.R. 6644) replaces this byzantine labyrinth of priorities by identifying eight concise goals for development assistance. The legislation simplifies the bureaucracy administering foreign aid by restoring the U.S. Agency for International Development's policy and budget functions and clarifies the roles and relationships of key officials involved in its delivery.

In addition, the Global Partnerships Act tackles problems like the lack of transparency, accountability and oversight in the system. It requires the maintenance of an online database of information, easily accessible by the public, with complete information about all forms of U.S. foreign assistance, including an unclassified database on security assistance. This online database would provide detailed information on overhead and administrative costs for overseas projects, ensuring that U.S. taxpayers get the most out of their investment.

Opponents of foreign aid say that aid programs amount to little more than handouts. But the purpose of foreign assistance, as President Obama has insisted, must be to create the conditions where it's no longer needed. To do this, our programs should aim to build indigenous capacity in various sectors, with the ultimate goals of country ownership and self-reliance. The Global Partnerships Act emphasizes the importance of country ownership by transforming the donor-recipient relationship to one of partners working toward mutually agreed-upon and beneficial goals.

Many believe that foreign assistance is a luxury we can no longer afford in an era of tight budgets and fiscal challenges. They perpetuate the misconception that foreign aid encompasses a massive portion of the federal budget. In reality, this assistance amounts to only about 1 percent of federal spending.

Moreover, foreign aid is a critical component of our national-security strategy, which includes three key pillars: defense, diplomacy and development. National-security experts and military leaders frequently extol the importance of foreign aid, recognizing, as former Defense Secretary Robert Gates once said, that ''economic development is a lot cheaper than sending soldiers.''

It is critical that the United States modernize its foreign aid policies and maintain its foreign aid investments. It is also critical that we establish metrics to gauge the efficacy of those investments. There are other countries ready and willing to fill the vacuum that we will leave behind.

Foreign assistance is a critical tool in the diplomatic toolkit. A great power must have the tools to act—beyond simply intervening militarily. A streamlined, effective foreign aid template can enhance U.S. values and influence in a dangerous world and help avoid the enormous costs in blood and treasure that inevitably result from military intervention.

While admittedly some of our foreign aid investments have been ineffectively deployed in the field over the years, it is beyond dispute that foreign assistance has dramatically lowered infant mortality rates, raised hundreds of millions of people from poverty, extended longevity, created employment and fostered democratic institutions in every corner of the world. Its return is well worth the investment.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas, Judge POE, an esteemed member of our Foreign Affairs Committee and the author of this bill.

Mr. POE of Texas. I thank the gentlewoman and appreciate her yielding me this time. I want to thank Chairwoman ROS-LEHTINEN, Ranking Member BERMAN, and House leadership for getting this bill to the House floor, and also Mr. CONNOLLY from Virginia for his support of this legislation.

□ 1820

Mr. Speaker, H.R. 3159, the Foreign Aid Transparency and Accountability Act, is a simple, bipartisan bill. We have, in fact, equal numbers of Republicans and Democrats as cosponsors of this legislation.

Last year, the House Foreign Affairs Committee passed this bill unanimously as an amendment to the state authorization bill. This bill does two things: it increases monitoring and evaluation of our foreign aid programs, and it also increases transparency of foreign aid.

Our foreign aid can do some good to other countries, but there are also problems with American foreign aid. Unfortunately, we do not keep track of what we're spending, and we don't ask for real results.

Since the passage of the Foreign Assistance Act of 1961, foreign aid programs have spread across 12 departments, 25 agencies, and almost 60 Federal offices. There are so many Federal Government programs that they often don't know what each other is doing, and many Federal Government programs don't even keep track of what they're doing.

According to an independent study commissioned by USAID in 2009, agencies don't assess the impact their aid is having on foreign countries:

Do we know if our money actually helps people?

Is our money helping people become more self-sufficient or more reliant on U.S. dollars?

And does American aid leave people better off?

We don't know the answers to these questions. This bill addresses this problem by requiring the President to set up tough monitoring and evaluation guidelines for development programs.

These guidelines will be used for monitoring and evaluation of every foreign aid development program from agriculture to AIDS to democracy promotion. Monitoring will allow us to cut programs that simply do not work.

We also need transparency. Americans don't know what we spend our aid on, and so that is why many Americans are frustrated when the word or phrase ''foreign aid'' is mentioned. We need to be honest with American taxpayers.

Until November of 2011, the United States ranked 22nd out of 31 countries when it came to transparency in foreign aid programs. That's according to the Brookings Institute and the Center for Global Development.

We should have nothing to hide when it comes to foreign aid. Let's tell the American taxpayers what they're getting for their buck. This bill requires more information about foreign aid to be posted online so Americans can know what we are doing.

We can't continue down the path of the same-old same-old regarding foreign aid. We need to restore trust with the American people. Lack of transparency and accountability invites corruption, waste, and incompetence.

The losers are those who the programs aim to help and also Americans who pay for foreign aid. Regardless of whether a Member believes we need more foreign aid, less foreign aid, or no foreign aid at all, we should all agree that accountability and transparency are an absolute must.

Mr. CONNOLLY of Virginia. I have no other speakers. Mr. Speaker, I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I also 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. 3159, 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. CONNOLLY of Virginia. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

DEPARTMENT OF STATE REWARDS PROGRAM UPDATE AND TECHNICAL CORRECTIONS ACT OF 2012

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 2318) to authorize the Secretary of State to pay a reward to combat transnational organized crime and for information concerning foreign nationals wanted by international criminal tribunals, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 2318

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 ''Department of State Rewards Program Update and Technical Corrections Act of 2012''.

SEC. 2. FINDINGS; SENSE OF CONGRESS.

(a) FINDINGS.—Congress makes the following findings:

(1) The Department of State's existing rewards programs permit the payment of reward for information leading to the arrest or conviction of—

(A) individuals who have committed, or attempted or conspired to commit, certain acts of international terrorism;

(B) individuals who have committed, or attempted or conspired to commit, certain narcotics-related offenses; and

(C) individuals who have been indicted by certain international criminal tribunals.

(2) The Department of State considers the rewards program to be ''one of the most valuable assets the U.S. Government has in the fight against international terrorism''. Since the program's inception in 1984, the United States Government has rewarded over 60 people who provided actionable information that, according to the Department of State, prevented international terrorist attacks or helped convict individuals involved in terrorist attacks.

(3) The program has been credited with providing information in several high-profile cases, including the arrest of Ramzi Yousef, who was convicted in the 1993 bombing of the World Trade Center, the deaths of Uday and Qusay Hussein, who United States military forces located and killed in Iraq after receiving information about their locations, and the arrests or deaths of several members of the Abu Sayyaf group, believed to be responsible for the kidnappings and deaths of United States citizens and Filipinos in the Philippines.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the rewards program of the Department of State should be expanded in order to—

(1) address the growing threat to important United States interests from transnational criminal activity, such as intellectual property rights piracy, money laundering, trafficking in persons, arms trafficking, and cybercrime; and

(2) target other individuals indicted by international, hybrid, or mixed tribunals for genocide, war crimes, or crimes against humanity.

SEC. 3. ENHANCED REWARDS AUTHORITY.

Section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended—

(1) in subsection (a)(2), by inserting ''serious violations of international humanitarian law, transnational organized crime,'' after ''international narcotics trafficking,'';

(2) in subsection (b)—

(A) in the matter preceding paragraph (1), by striking ''Attorney General'' and inserting ''heads of other relevant departments or agencies'';

(B) in paragraphs (4) and (5), by striking ''paragraph (1), (2), or (3)'' both places it appears and inserting ''paragraph (1), (2), (3), (8), or (9)'';

(C) in paragraph (6)—

(i) by inserting ''or transnational organized crime group'' after ''terrorist organization''; and

(ii) by striking ''or'' at the end;

(D) in paragraph (7)—

(i) in the matter preceding subparagraph (A), by striking '', including the use by the organization of illicit narcotics production or international narcotics trafficking'' and inserting ''or transnational organized crime group, including the use by such organization or group of illicit narcotics production or international narcotics trafficking'';

(ii) in subparagraph (A), by inserting ''or transnational organized crime'' after ''international terrorism''; and

(iii) in subparagraph (B)—

(I) by inserting ''or transnational organized crime group'' after ''terrorist organization''; and

(II) by striking the period at the end and inserting a semicolon; and

(E) by adding at the end the following new paragraphs:

''(8) the arrest or conviction in any country of any individual for participating in, primarily outside the United States, transnational organized crime;

''(9) the arrest or conviction in any country of any individual conspiring to participate in or attempting to participate in transnational organized crime; or

''(10) the arrest or conviction in any country, or the transfer to or conviction by an international criminal tribunal (including a hybrid or mixed tribunal), of any foreign national accused of war crimes, crimes against humanity, or genocide, as defined under the statute of such tribunal.'';

(3) in subsection (g), by adding at the end the following new paragraph:

''(3) ADVANCE NOTIFICATION FOR INTERNATIONAL CRIMINAL TRIBUNAL REWARDS.—Not less than 15 days before publicly announcing that a reward may be offered for a particular foreign national accused of war crimes, crimes against humanity, or genocide, the Secretary of State shall submit to the appropriate congressional committees a report, which may be submitted in classified form if necessary, setting forth the reasons why the arrest or conviction of such foreign national is in the national interests of the United States.''; and

(4) in subsection (k)—

(A) by redesignating paragraphs (5) and (6) as paragraphs (7) and (8), respectively; and

(B) by inserting after paragraph (4) the following new paragraphs:

''(5) TRANSNATIONAL ORGANIZED CRIME.—The term 'transnational organized crime' means—

''(A) racketeering activity (as such term is defined in section 1961 of title 18, United States Code) that involves at least one jurisdiction outside the United States; or

''(B) any other criminal offense punishable by a term of imprisonment of at least four years under Federal, State, or local law that involves at least one jurisdiction outside the United States and that is intended to obtain, directly or indirectly, a financial or other material benefit.

''(6) TRANSNATIONAL ORGANIZED CRIME GROUP.—The term 'transnational organized crime group' means a group of persons that includes one or more citizens of a foreign country, exists for a period of time, and acts in concert with the aim of engaging in transnational organized crime.''.

SEC. 4. TECHNICAL CORRECTION.

Section 36(e)(1) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708) is amended by striking ''The Secretary shall authorize a reward of $50,000,000 for the capture or death or information leading to the capture or death of Osama bin Laden.''.

SEC. 5. RULE OF CONSTRUCTION.

Nothing in this Act or the amendments made by this Act shall be construed as authorizing the use of activity precluded under the American Servicemembers' Protection Act of 2002 (title II of Public Law 107–206; 22 U.S.C. 7421 et seq.).

SEC. 6. FUNDING.

The Secretary of State shall use amounts appropriated or otherwise made available to the Emergencies in the Diplomatic and Consular Services account of the Department of State to pay rewards authorized pursuant to this Act and to carry out other activities related to such rewards authorized under section 36 of the State Department Basic Authorities Act (22 U.S.C. 2708).

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 include extraneous material in the RECORD on this bill.

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 S. 2318, the Department of State Rewards Program Update and Technical Corrections Act of 2012. This bipartisan bill is Senator KERRY's Senate companion to H.R. 4077, the House bill introduced 2 months prior by my good friend from California (Mr. ROYCE).

Since the 1980s, the State Department has had authority to offer rewards leading to the arrests and convictions for international narcotics trafficking, acts of terrorism, and war crimes. These reward programs have proven to be effective tools for disrupting and dismantling terrorist cells and drug cartels around the world, enjoying both high-profile and quiet successes in locating many dangerous individuals, including Ramzi Yousef, one of the perpetrators of the 1993 World Trade Center attack, Saddam Hussein's sons, and narcotrafficking commanders of the FARC in Colombia.

This bill is a critical tool in our ongoing efforts to locate Joseph Kony, the murderous head of the predatory Lord's Resistance Army, LRA, in Central Africa. This bill is a responsible, bipartisan bill that will significantly enhance our ability to fight transnational organized crime and grave human rights abuses. I urge unanimous support.

I reserve the balance of my time.

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

I rise in support of S. 2318. I want to join my chairman in commending the author of this legislation, Senator KERRY, and my friend and colleague, ED ROYCE, the incoming chairman of the House Foreign Affairs Committee, who authored the House version of this bill and fought long and hard for it.

The chairman has described the legislation and the existing law. The bill makes two key changes in existing law. They're small, but they're very important modifications to the rewards program.

It would authorize payments for the arrest or conviction of those engaged in transnational criminal activity, including intellectual property, piracy, money laundering, trafficking in persons and arms trafficking.

Transnational organized crime poses a growing threat to U.S. economic and national security interests. According to U.N. estimates, these criminal enterprises generate hundreds of billions of dollars in illicit revenues every year. Expanding the rewards program to cover this activity is manifestly in our interest.

Second, this legislation would expand the universe of individuals targeted for their involvement in gross violations of international humanitarian law, including genocide, war crimes, and crimes against humanity. Specifically, this bill would cover all individuals indicted by international tribunals for violations of international humanitarian law, not just those indicted by the existing tribunals for Rwanda, Sierra Leone, and the former Yugoslavia. The change is strongly supported by the Departments of Defense and State.

Mr. Speaker, I urge my colleagues to support this important legislation.

I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. ROYCE), the chairman of the Foreign Affairs Subcommittee on Terrorism, Nonproliferation and Trade, and the author of the original House-side version of this bill.

Mr. ROYCE. I thank the gentlelady.

And I do think it's important, as we move forward here, to expand the State Department's rewards program. We have found a technique that works; and if we can deploy this in order to bring Joseph Kony to the bar of justice for the mass killings that he's committed with the Lord's Resistance Army, or if we can use it to bring to the bar of justice some of the international crime figures that would be turned in under this bill, then it could be very, very beneficial.

The bill has already passed the House. It was included as a provision in the State Department authorization bill that the House Foreign Affairs Committee moved earlier this year. I think it's regrettable that the Senate chose not to act on the House's comprehensive State Department authorization bill; but with today's action, this bill can now go to the President's desk for signature where it promises to have an immediate impact.

The House companion bill that I introduced, H.R. 4077, has enjoyed very strong bipartisan support, and I want to thank Chairman ILEANA ROS-LEHTINEN. I want to thank Ranking Member HOWARD BERMAN and others for the support they've given to this measure.

As has been explained, this rewards program, to date, has had some very, very successful cases here; but it's been targeted mostly on those involved in drug trafficking, occasionally on terrorists.

Earlier this year, our subcommittee held a hearing where the State Department testified that one captured target, one narcoterrorist told DEA agents that he could no longer trust anyone in his organization after a reward was offered on his head.

□ 1830

He said, I felt like a hunted man.

And so he was turned in. Well, that was the plan—to make him feel like a hunted man, to make him feel like he could not trust anyone in his organization.

This bill would expand this program to additionally target those transnational organized criminals, those wanted for the most serious human rights abuses. Today, unfortunately, those involved in that line of work are diversifying. They're looking to sell anything to anybody. It could be arms. It could be intellectual property. It's even people. The overlap between the networks employed by criminals and employed by terrorists is growing. So this legislation helps us keep pace. And, very importantly, the legislation also allows the rewards program to target those wanted for genocide, to target those wanted for war crimes, for crimes against humanity—again, the world's worst human rights abusers.

The target of the new war crimes authority would be killers like Joseph Kony and the top commanders of the Lord's Resistance Army. This group has terrorized across Central Africa for over two decades with unspeakable crimes committed against children such as amputations committed against children, taking child soldiers, taking sex slaves. In accordance with U.S. policy, a small team of U.S. troops are currently in the field helping local forces hunt this killer. Our U.S. troops believe that a rewards program aimed at Kony could help generate intelligence and bolster their efforts. They are asking for this. They think this can make a difference on the ground. Let's answer their call and send this bill to the President for his signature.

I thank my colleagues for their support.

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

Ms. ROS-LEHTINEN. I also 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 gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, S. 2318.

The question was taken.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

STATE AND PROVINCE EMERGENCY MANAGEMENT ASSISTANCE MEMORANDUM OF UNDERSTANDING

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the joint resolution (S.J. Res. 44) granting the consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding.

The Clerk read the title of the joint resolution.

The text of the joint resolution is as follows:

S.J. RES. 44

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. CONGRESSIONAL CONSENT.

Congress consents to the State and Province Emergency Management Assistance Memorandum of Understanding entered into between States of Illinois, Indiana, Ohio, Michigan, Minnesota, Montana, North Dakota, Pennsylvania, New York, and Wisconsin, and the Canadian Provinces of Alberta, Manitoba, Ontario, and Saskatchewan. The compact is substantially as follows:

''ARTICLE I—PURPOSE AND AUTHORITIES

''The State and Province Emergency Management Assistance Memorandum of Understanding, hereinafter referred to as the 'compact', is made and entered into by and among such of the jurisdictions as shall enact or adopt this compact, hereinafter referred to as 'participating jurisdictions'. For the purposes of this compact, the term 'jurisdictions' may include any or all of the States of Illinois, Indiana, Ohio, Michigan, Minnesota, Montana, North Dakota, Pennsylvania, New York, and Wisconsin, and the Canadian Provinces of Alberta, Manitoba, Ontario, and Saskatchewan, and such other States and provinces as may hereafter become a party to this compact. The term 'States' means the several States, the Commonwealth of Puerto Rico, the District of Columbia, and all territorial possessions of the United States. The term 'Province' means the 10 political units of government within Canada.

''The purpose of this compact is to provide for the possibility of mutual assistance among the participating jurisdictions in managing any emergency or disaster when the affected jurisdiction or jurisdictions ask for assistance, whether arising from natural disaster, technological hazard, manmade disaster or civil emergency aspects of resources shortages.

''This compact also provides for the process of planning mechanisms among the agencies responsible and for mutual cooperation, including civil emergency preparedness exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by participating jurisdictions or subdivisions of participating jurisdictions during emergencies, with such actions occurring outside emergency periods.

''ARTICLE II—GENERAL IMPLEMENTATION

''Each participating jurisdiction entering into this compact recognizes that many emergencies may exceed the capabilities of a participating jurisdiction and that intergovernmental cooperation is essential in such circumstances. Each participating jurisdiction further recognizes that there will be emergencies that may require immediate access and present procedures to apply outside resources to make a prompt and effective response to such an emergency because few, if any, individual jurisdictions have all the resources they need in all types of emergencies or the capability of delivering resources to areas where emergencies exist.

''On behalf of the participating jurisdictions in the compact, the legally designated official who is assigned responsibility for emergency management is responsible for formulation of the appropriate inter-jurisdictional mutual aid plans and procedures necessary to implement this compact, and for recommendations to the participating jurisdiction concerned with respect to the amendment of any statutes, regulations, or ordinances required for that purpose.

''ARTICLE III—PARTICIPATING JURISDICTION RESPONSIBILITIES

''(a) FORMULATE PLANS AND PROGRAMS.—It is the responsibility of each participating jurisdiction to formulate procedural plans and programs for inter-jurisdictional cooperation in the performance of the responsibilities listed in this section. In formulating and implementing such plans and programs the participating jurisdictions, to the extent practical, may—

''(1) share and review individual jurisdiction hazards analyses that are available and determine all those potential emergencies the participating jurisdictions might jointly suffer, whether due to natural disaster, technological hazard, man-made disaster or emergency aspects of resource shortages;

''(2) share emergency operations plans, procedures, and protocols established by each of the participating jurisdictions before entering into this compact;

''(3) share policies and procedures for resource mobilization, tracking, demobilization, and reimbursement;

''(4) consider joint planning, training, and exercises;

''(5) assist with alerts, notifications, and warnings for communities adjacent to or crossing participating jurisdiction boundaries;

''(6) consider procedures to facilitate the movement of evacuees, refugees, civil emergency personnel, equipment, or other resources into or across boundaries, or to a designated staging area when it is agreed that such movement or staging will facilitate civil emergency operations by the affected or participating jurisdictions; and

''(7) provide, to the extent authorized by law, for temporary suspension of any statutes or ordinances that impeded the implementation of responsibilities described in this section.

''(b) REQUEST ASSISTANCE.—The authorized representative of a participating jurisdiction may request assistance of another participating jurisdiction by contacting the authorized representative of that jurisdiction. These provisions only apply to requests for assistance made by and to authorized representatives. Requests may be verbal or in writing. If verbal, the request must be confirmed in writing within 15 days of the verbal request. Requests must provide the following information:

''(1) A description of the emergency service function for which assistance is needed and of the mission or missions, including but not limited to fire services, emergency medical, transportation, communications, public works and engineering, building inspection, planning and information assistance, mass care, resource support, health and medical services, and search and rescue.

''(2) The amount and type of personnel, equipment, materials, and supplies needed and a reasonable estimate of the length of time they will be needed.

''(3) The specific place and time for staging of the assisting participating jurisdictions's response and a point of contact at the location.

''(c) CONSULTATION AMONG PARTICIPATING JURISDICTION OFFICIALS.—There shall be periodic consultation among the authorized representatives who have assigned emergency management responsibilities.

''ARTICLE IV—LIMITATION

''It is recognized that any participating jurisdiction that agrees to render mutual aid or conduct exercises and training for mutual aid will respond as soon as possible. It is also recognized that the participating jurisdiction rendering aid may withhold or recall resources to provide reasonable protection for itself, at its discretion. To the extent authorized by law, each participating jurisdiction will afford to the personnel of the emergency contingent of any other participating jurisdiction while operating within its jurisdiction limits under the terms and conditions of this agreement and under the operational control of an officer of the requesting participating jurisdiction the same treatment as is afforded similar or like human resources of the participating jurisdiction in which they are performing emergency services. Staff comprising the emergency contingent continue under the command and control of their regular leaders but the organizational units come under the operational control of the emergency services authorities of the participating jurisdiction receiving assistance. These conditions may be activated, as needed, by the participating jurisdiction that is to receive assistance or upon commencement of exercises or training for mutual aid and continue as long as the exercises or training for mutual aid are in progress, the emergency or disaster remains in effect or loaned resources remain in the receiving participating jurisdictions, whichever is longer. The receiving participating jurisdiction is responsible for informing the assisting participating jurisdiction when services will no longer be required.

''ARTICLE V—LICENSES AND PERMITS

''Whenever a person holds a license, certificate, or other permit issued by any participating jurisdiction evidencing the meeting of qualifications for professional, mechanical, or other skills, and when such assistance is requested by the receiving participating jurisdiction, such person is deemed to be licensed, certified, or permitted by the jurisdiction requesting assistance to render aid involving such skill to meet an emergency or disaster, subject to such limitations and conditions as the requesting jurisdiction prescribes by Executive order or otherwise.

''ARTICLE VI—LIABILITY

''Any person or entity of a participating jurisdiction rendering aid in another jurisdiction pursuant to this compact is considered an agent of the requesting jurisdiction for tort liability and immunity purposes. Any person or entity rendering aid in another jurisdiction pursuant to this compact is not liable on account of any act or omission in good faith on the part of such forces while so engaged or on account of the maintenance or use of any equipment or supplies in connection therewith. Good faith in this article does not include willful misconduct, gross negligence, or recklessness.

''ARTICLE VII—SUPPLEMENTARY AGREEMENTS

''Because it is probable that the pattern and detail of the compact for mutual aid among 2 or more participating jurisdictions may differ from that among the participating jurisdictions that are party to this compact, this compact contains elements of a broad base common to all participating jurisdictions, and nothing in this compact precludes any participating jurisdiction from entering into supplementary agreements with another jurisdiction or affects any other agreements already in force among participating jurisdictions.

''Supplementary agreements may include, but are not limited to, provisions for evacuation and reception of injured and other persons and the exchange of medical, fire, public utility, reconnaissance, welfare, transportation and communications personnel, equipment, and supplies.

''ARTICLE VIII—WORKERS' COMPENSATION AND DEATH BENEFITS

''Each participating jurisdiction shall provide, in accordance with its own laws, for the payment of workers' compensation and death benefits to injured members of the

emergency contingent of that participating jurisdiction and to representatives of deceased members of those forces if the members sustain injuries or are killed while rendering aid pursuant to this compact, in the same manner and on the same terms as if the injury or death were sustained within their own jurisdiction.

''ARTICLE IX—REIMBURSEMENT

''Any participating jurisdiction rendering aid in another jurisdiction pursuant to this compact shall, if requested, be reimbursed by the participating jurisdiction receiving such aid for any loss or damage to, or expense incurred in, the operation of any equipment and the provision of any service in answering a request for aid and for the costs incurred in connection with those requests. An aiding participating jurisdiction may assume in whole or in part any such loss, damage, expense, or other cost or may loan such equipment or donate such services to the receiving participating jurisdiction without charge or cost. Any 2 or more participating jurisdictions may enter into supplementary agreements establishing a different allocation of costs among those jurisdictions. Expenses under article VIII are not reimbursable under this section.

''ARTICLE X—IMPLEMENTATION

''(a) This compact is effective upon its execution or adoption by any 1 State and 1 province, and is effective as to any other jurisdiction upon its execution or adoption thereby: subject to approval or authorization by the United States Congress, if required, and subject to enactment of provincial or State legislation that may be required for the effectiveness of the Memorandum of Understanding.

''(b) Additional jurisdictions may participate in this compact upon execution or adoption thereof.

''(c) Any participating jurisdiction may withdraw from this compact, but the withdrawal does not take effect until 30 days after the governor or premier of the withdrawing jurisdiction has given notice in writing of such withdrawal to the governors or premiers of all other participating jurisdictions. The action does not relieve the withdrawing jurisdiction from obligations assumed under this compact prior to the effective date of withdrawal.

''(d) Duly authenticated copies of this compact in the French and English languages and of such supplementary agreements as may be entered into shall, at the time of their approval, be deposited with each of the participating jurisdictions.

''ARTICLE XI—SEVERABILITY

''This compact is construed to effectuate the purposes stated in Article I. If any provision of this compact is declared unconstitutional or the applicability of the compact to any person or circumstances is held invalid, the validity of the remainder of this compact and the applicability of the compact to other persons and circumstances are not affected.

''ARTICLE XII—CONSISTENCY OF LANGUAGE

''The validity of the arrangements and agreements consented to in this compact shall not be affected by any insubstantial difference in form or language as may be adopted by the various states and provinces.''.

SEC. 2. INCONSISTENCY OF LANGUAGE.

The validity of the arrangements consented to by this Act shall not be affected by any insubstantial difference in their form or language as adopted by the States and provinces.

SEC. 3. RIGHT TO ALTER, AMEND, OR REPEAL.

The right to alter, amend, or repeal this Act is hereby expressly reserved.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Virginia (Mr. CONNOLLY) 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 include extraneous material in the RECORD on this joint resolution.

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.

Mr. Speaker, I rise in strong support today of S.J. Res. 44, "Granting the Consent of Congress to the State and Province Emergency Management Assistance Memorandum of Understanding", a bill introduced by Senator KOHL of Wisconsin.

This bill is non-controversial and passed the Senate in September under unanimous consent with the full support of the National Emergency Management Association.

According to the Congressional Budget Office, this legislation would not affect direct spending or revenues and would impose no costs on state, local, or tribal governments.

S.J. Res. 44 gives our northern states the ability to enter into an agreement with Canadian provinces to facilitate cross border emergency management assistance through mutual aid.

The purpose of this legislation is to provide mutual assistance among entities that have entered into these agreements for the management of any emergency or disaster when requested.

This bill will allow states to coordinate relief efforts with their Canadian counterparts in order to better respond to any disaster that may impact both jurisdictions.

Mr. Speaker, my Congressional district is very familiar with the financial and emotional impact that a natural disaster can cause to our communities.

We must ensure that we leverage all of our resources to better prepare, coordinate, and respond to any such disasters when they arise.

I strongly support the passage of this legislation and look forward to the President signing it into law.

I reserve the balance of my time.

Mr. CONNOLLY of Virginia. Mr. Speaker, I also rise in support of S.J. Res. 44, and I yield myself such time as I may consume.

This resolution provides the consent of Congress for a Memorandum of Understanding reached among a number U.S. states and Canadian provinces to provide for mutual assistance in managing an emergency or disaster.

This MOU, which includes states in the upper Midwest and the provinces of central Canada, is very similar to existing cross-border agreements in the Northeast and Pacific Northwest.

These agreements provide for the sharing of personnel, equipment and other resources in an emergency or disaster, whether natural or man-made.

In the past, they have provided a framework for U.S. crews to help their Canadian counterparts clear roads after blizzards and to deploy search and rescue teams.

Mr. Speaker, as all of us know, disasters do not respect political boundaries, and it is in our interest to allow our states to coordinate emergency preparedness efforts with our close friends and allies to the north.

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

Ms. ROS-LEHTINEN. 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 joint resolution, S.J. Res. 44.

The question was taken.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 3159, de novo;
H.R. 4057, de novo;
S. 3202, de novo.

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

FOREIGN AID TRANSPARENCY AND ACCOUNTABILITY ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (H.R. 3159) to direct the President, in consultation with the Department of State, United States Agency for International Development, Millennium Challenge Corporation, and the Department of Defense, to establish guidelines for United States foreign assistance programs, and for other purposes, as amended.

The Clerk read the title of the bill.

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, 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.

Ms. ROS-LEHTINEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 390, nays 0, not voting 41, as follows:

[Roll No. 649]

YEAS—390

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeLauro
DelBene
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
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gibbs
Gibson
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jordan
Kaptur
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Massie
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
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—41

Bass (NH)
Becerra
Bono Mack
Burton (IN)
Chandler
Clay
Cleaver
Costello
Crowley
DeGette
Forbes
Gallegly
Gerlach
Gingrey (GA)
Graves (MO)
Gutierrez
Johnson (IL)
Johnson, Sam
Jones
Keating
Kissell
Landry
Larson (CT)
Lewis (CA)
Lipinski
Mack
Nadler
Pastor (AZ)
Paul
Pence
Reyes
Rohrabacher
Roybal-Allard
Schock
Shuler
Smith (WA)
Stark
Thornberry
Visclosky
Welch
Woolsey

□ 1854

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.

The title was amended so as to read: ''A bill to direct the President to establish guidelines for United States foreign development assistance, and for other purposes.''.

A motion to reconsider was laid on the table.

Stated for:

Mr. LARSON of Connecticut. Mr. Speaker, on rollcall No. 649, had I been present, I would have voted "yea."

IMPROVING TRANSPARENCY OF EDUCATION OPPORTUNITIES FOR VETERANS ACT OF 2012

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and concurring in the Senate amendment to 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.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and concur in the Senate amendment.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 392, nays 3, not voting 36, as follows:

[Roll No. 650]

YEAS—392

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeLauro
DelBene
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
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette

Latta
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Massie
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
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Speier
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—3

Amash
Brooks
Lummis

NOT VOTING—36

Bass (NH)
Bono Mack
Burton (IN)
Chandler
Cleaver
Costello
DeGette
Gallegly
Garamendi
Gerlach
Graves (MO)
Gutierrez
Johnson (IL)
Johnson, Sam
Jones
Kissell
Landry
Lewis (CA)
Lipinski
Mack
Nadler
Pastor (AZ)
Paul
Pence
Reyes
Rohrabacher
Roybal-Allard
Schock
Shuler
Smith (WA)
Stark
Thornberry
Velázquez
Visclosky
Welch
Woolsey

□ 1901

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT REGARDING CLASSIFIED SCHEDULE OF AUTHORIZATIONS AND CLASSIFIED ANNEX ACCOMPANYING INTELLIGENCE AUTHORIZATION BILL FOR FY 2013

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

Mr. ROGERS of Michigan. Mr. Speaker, in light of anticipated House consideration of S. 3454, the Intelligence Authorization Act for FY 2013, tomorrow, I wish to announce to all Members of the House that the Classified Schedule of Authorizations and the Classified Annex accompanying S. 3454 will be available for review by Members at the offices of the Permanent Select Committee on Intelligence in room HVC–304 of the Capitol Visitor Center beginning tomorrow morning at 8:30 a.m.

I recommend that all Members wishing to review the Classified Annex contact the committee's director of security to arrange a time for that viewing. This will assure the availability of committee staff to assist Members who desire assistance during their review of these classified materials.

I urge interested Members to review these materials in order to better understand the committee's recommendations. The Classified Annex to S. 3454 contains the committee's recommendations on the intelligence budget for fiscal year 2013 and related classified information that cannot be disclosed publicly.

It is important that Members keep in mind the requirements of clause 13 of House rule XXIII, which only permits access to classified information by those Members of the House who have signed the oath and met the requirements provided for in the rule.

DIGNIFIED BURIAL AND OTHER VETERANS' BENEFITS IMPROVEMENT ACT OF 2012

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill (S. 3202) to amend title 38, United States Code, to ensure that deceased veterans with no known next of kin can receive a dignified burial, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 393, nays 0, not voting 38, as follows:

[Roll No. 651]

YEAS—393

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barber
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Becerra
Benishek
Berg
Berkley
Berman
Biggert
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonamici
Bonner
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Curson (MI)
Davis (CA)
Davis (IL)
DeFazio
DeLauro
DelBene
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
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Garamendi
Gardner
Garrett
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grijalva
Grimm
Guinta
Guthrie
Hahn
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Israel
Issa
Jackson Lee (TX)
Jenkins
Johnson (GA)
Johnson (OH)
Johnson, E. B.
Jordan
Kaptur
Keating
Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Kucinich
Labrador
Lamborn
Lance
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loebsack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel E.
Lynch
Maloney
Manzullo
Marchant
Marino
Markey
Massie
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
Napolitano
Neal
Neugebauer
Noem
Nugent

Nunes
Nunnelee
Olson
Olver
Owens
Palazzo
Pallone
Pascrell
Paulsen
Payne
Pearce
Pelosi
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Reichert
Renacci
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sánchez, Linda T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff
Schilling
Schmidt
Schrader
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuster
Simpson
Sires
Slaughter
Smith (NE)
Smith (NJ)
Southerland
Speier
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner (NY)
Turner (OH)
Upton
Van Hollen
Velázquez
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman Schultz
Waters
Watt
Waxman
Webster
West
Westmoreland
Whitfield
Wilson (FL)
Wittman
Wolf
Womack
Woodall
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—38

Ackerman
Bass (NH)
Bono Mack
Burton (IN)
Chandler
Cleaver
Costello
DeGette
Gallegly
Gerlach
Graves (MO)
Gutierrez
Johnson (IL)
Johnson, Sam
Jones
Kissell
Landry
Lewis (CA)
Lipinski
Mack
Nadler
Pastor (AZ)
Paul
Pence
Reyes
Rohrabacher
Roybal-Allard
Schock
Shuler
Smith (TX)
Smith (WA)
Stark
Stearns
Thornberry
Visclosky
Welch
Wilson (SC)
Woolsey

□ 1910

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

HOUR OF MEETING ON TOMORROW

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet tomorrow at 9 a.m. for morning-hour debate and 10 a.m. for legislative business.

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

There was no objection.

CONGRATULATIONS, ERIC DELL

(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. Mr. Speaker, I am grateful for the opportunity to recognize Eric Dell, chief of staff for the Second District of South Carolina. Eric has accepted to serve as senior vice president for the National Automatic Merchandising Association. This is a tremendous vote of confidence in his competence, dedication, and integrity.

There are no words to express the amount of appreciation I have had for Eric and for his service to South Carolina's Second Congressional District over the last 11 years. Throughout my years in public service, whether it be deciding to run for office, serving in the South Carolina Senate, or representing constituents in Congress, I can always count on Eric to offer his support to me, my family, or any constituent in need. He is devoted to serving the people of South Carolina.

It is with mixed feelings but with great happiness that I bid Eric farewell. He and his wife, Torry, will always be cherished by me and my wife, Roxanne, and our sons for their friendship. Godspeed.

Happy anniversary to my wife, Roxanne—the love of my life—whom I married 35 years ago this moment at Columbia's First Presbyterian Church in a ceremony conducted by the Reverend Dr. Hugh McClure.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

RECESS

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

Accordingly (at 7 o'clock and 15 minutes p.m.), the House stood in recess.

□ 2020

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. FOXX) at 8 o'clock and 20 minutes p.m.

REPORT ON RESOLUTION WAIVING REQUIREMENT OF CLAUSE 6(a) OF RULE XIII WITH RESPECT TO CONSIDERATION OF CERTAIN RESOLUTIONS

Mr. SESSIONS, from the Committee on Rules, submitted a privileged report (Rept. No. 112–734) on the resolution (H. Res. 843) waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules, which was referred to the House Calendar and ordered to be printed.

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 30, 2012.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, Washington, DC.

DEAR SPEAKER BOEHNER: I am writing to inform you that I have notified the Governor of South Carolina of my resignation from the U.S. House of Representatives effective January 2, 2013. A copy of that letter is attached. I do not intend to take the office of Representative for the First Congressional District of South Carolina in the 113th Congress.

It has truly been an honor to serve the First District of South Carolina, and I look forward to continuing that service in my new role as United States Senator. I have enjoyed working with you, Majority Leader Cantor, and all of our colleagues in the House, and wish you the best of luck in the future.

Sincerely,

TIM SCOTT,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, December 28, 2012.

Hon. NIKKI HALEY,
Governor, State of South Carolina, Statehouse, Columbia, SC.

DEAR GOVERNOR HALEY: I am writing to resign my position as United States Representative from the First Congressional District of South Carolina, effective January 2, 2013. It has been a tremendous honor to represent the First District, and I look forward to continuing that service in my new role as the junior United States Senator for our great state.

I look forward to working with you, as well as Senator Graham and my friends in our state's U.S. House delegation, to build not only a better South Carolina, but a stronger America. Our nation finds itself at a crossroads, and through strong, principled leadership we can ensure a brighter future for our children and grandchildren.

I also want to thank the people of the First District, from Myrtle Beach to Hilton Head Island, for the opportunity to serve our great state in the U.S. House of Representatives. Together we have stood up for our principles, and worked hard every day to lower federal spending and create the right environment for job creation. While the challenges before us may look daunting, I am certain we will look back on them as a positive turning point for our nation.

Sincerely,

TIM SCOTT,
Member of Congress.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. ROYBAL-ALLARD (at the request of Ms. PELOSI) for today and through January 2 on account of death in family.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3667. An act to rename section 219(c) of the Internal Revenue Code of 1986 as the Kay Bailey Hutchison Spousal IRA; to the Committee on Ways and Means.

ENROLLED BILLS SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1339. An act to designate the City of Salem, Massachusetts, as the Birthplace of the National Guard of the United States.

H.R. 1845. An act to provide a demonstration project providing Medicare coverage for in-home administration of intravenous immune globulin (IVIG) and to amend title XVIII of the Social Security Act with respect to the application of Medicare secondary payer rules for certain claims.

H.R. 2338. An act to designate the facility of the United States Postal Service located at 600 Florida Avenue in Cocoa, Florida, as the ''Harry T. and Harriette Moore Post Office''.

H.R. 3869. An act to designate the facility of the United States Postal Service located at 600 East Capitol Avenue in Little Rock, Arkansas, as the ''Sidney 'Sid' Sanders McMath Post Office Building''.

H.R. 3892. An act to designate the facility of the United States Postal Service located at 8771 Auburn Folsom Road in Roseville, California, as the ''Lance Corporal Victor A. Dew Post Office''.

H.R. 4053. An act to intensify efforts to identify, prevent, and recover payment error, waste, fraud, and abuse within Federal spending.

H.R. 4310. An act to authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

H.R. 4389. An act to designate the facility of the United States Postal Service located at 19 East Merced Street in Fowler, California, as the ''Cecil E. Bolt Post Office''.

H.R. 5859. An act to repeal an obsolete provision in title 49, United States Code, requiring motor vehicle insurance cost reporting.

H.R. 5949. An act to extend the FISA Amendments Act of 2008 for five years.

H.R. 6260. An act to designate the facility of the United States Postal Service located at 211 Hope Street in Mountain View, California, as the ''Lieutenant Kenneth M. Ballard Memorial Post Office''.

H.R. 6379. An act to designate the facility of the United States Postal Service located at 6239 Savannah Highway in Ravenel, South Carolina, as the ''Representative Curtis B. Inabinett, Sr. Post Office''.

H.R. 6587. An act to designate the facility of the United States Postal Service located at 225 Simi Village Drive in Simi Valley, California, as the ''Postal Inspector Terry Asbury Post Office Building''.

H.R. 6671. An act to amend section 2710 of title 18, United States Code, to clarify that a video tape service provider may obtain a consumer's informed, written consent on an ongoing basis and that consent may be obtained through the Internet.

SENATE ENROLLED BILL AND JOINT RESOLUTION SIGNED

The Speaker announced his signature to an enrolled bill and joint resolution of the Senate of the following titles:

S. 925. An act to designate Mt. Andrea Lawrence.

S.J. Res. 49. Providing for the appointment of Barbara Barrett as a citizen regent of the Board of Regents of the Smithsonian Institution.

BILLS PRESENTED TO THE PRESIDENT

Karen L. Haas, Clerk of the House, reported that on December 30, 2012, she presented to the President of the United States, for his approval, the following bills:

H.R. 5949. To extend the FISA Amendments Act of 2008 for five years.

H.R. 4310. To authorize appropriations for fiscal year 2013 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

ADJOURNMENT

Mr. SESSIONS. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 22 minutes p.m.), under its previous order, the House adjourned until tomorrow, Monday, December 31, 2012, at 9 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Official Foreign Travel during the fourth quarter of 2012 pursuant to Public Law 95–384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO THE CZECH REPUBLIC, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 8 AND NOV. 12, 2012

Name of Member or employee	Date		Country	Per diem [1]		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]	Foreign currency	U.S. dollar equivalent or U.S. currency [2]
Hon. Mike Turner	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Hon. David Scott	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Hon. Jeff Miller	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Hon. John Shimkus	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Hon. Jo Ann Emerson	11/9	11/12	Czech Republic		1,218.00		[3] 5,437.00				6,655.00
Hon. Mario Diaz-Balart	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Hon. Rob Bishop	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Hon. David Loebsack	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Riley Moore	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Janice Robinson	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Greg McCarthy	11/8	11/12	Czech Republic		1,624.00		(3)				1,624.00
Committee total											22,895.00

[1] Per diem constitutes lodging and meals.
[2] If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
[3] Military air transportation.

HON. MICHAEL R. TURNER, Dec. 11, 2012.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

8949. A letter from the Associate General Counsel for Legislation and Regulations, Department of Housing and Urban Development, transmitting the Department's final rule — HUD Acquisition Regulations (HUDAR) [Docket No.: FR-5571-F-02] (RIN: 2501-AD56) received December 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

8950. A letter from the Deputy Bureau Chief, Wireline Competition Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Parts 32, 51, and 69 of the Commission's Rules received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

8951. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Revisions to Authorization Validated End-User Provisions: Requirement for Notice of Export, Reexport or Transfer (In-Country) and Clarification Regarding Termination of Condition on VEU Authorization [Docket No.: 110331231-2686-01] (RIN: 0694-AF19) received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8952. A letter from the Associate Director, Department of Treasury, transmitting the Department's final rule — Iranian Transactions and Sanctions Regulations received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

8953. A communication from the President of the United States, transmitting a letter regarding the deteriorating security situation in the Central African Republic and the

potential threat to U.S. citizens, U.S. embassy personnel and several private U.S. citizens that were evacuated from Bangui, Central African Republic on December 27, 2012 and a stand-by response and evacuation force of approximately 50 U.S. military personnel; (H. Doc. No. 112—159); to the Committee on Foreign Affairs and ordered to be printed.

8954. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Service Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Nondisplacement of Qualified Workers Under Service Contracts [FAC 2005-64; FAR Case 2011-028; Docket 2011-028; Sequence 1] (RIN: 9000-AM21) received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8955. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005; Introduction [Docket FAR: 2012-0080, Sequence 9] received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8956. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-64; Small Entity Compliance Guide [Docket FAR: 2012-0081, Sequence 9] received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

8957. A letter from the Acting Deputy Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Vessels using Jig Gear in the Central Regulatory Area of the Gulf of Alaska [Docket No.: 111207737-2141-02] (RIN: 0648-XC344) received December 17, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

8958. A letter from the Federal Liaison Officer, Patent and Trademark Office, Department of Commerce, transmitting the Department's final rule — Changes to Implement Micro Entity Status for Paying Patent Fees [Docket No.: PTO-P-2011-0016] (RIN: 0651-AC78) received December 20, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

8959. A letter from the Chairman, Department of Transportation, transmitting the Administration's final rule — Solid Waste Rail Transfer Facilities [Docket No.: EP 684] received December 19, 2012, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

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:

[Submitted December 28, 2012]

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. Semi-annual Report on the Activity of the Permanent Select Committee on Intelligence for the 112th Congress (Rept. 112–733). Referred to the Committee of the Whole House on the state of the Union.

[Filed December 30, 2012]

Mr. SESSIONS: Committee on Rules. House Resolution 843. A resolution waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the committee on Rules (Rept. 112–734). Referred to the House Calendar.

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. DICKS:

H.R. 6716. A bill to amend the Balanced Budget and Emergency Deficit Control Act of 1985 to eliminate the sequestrations for fiscal year 2013; to the Committee on the Budget.

By Mr. CONYERS (for himself, Mr. COHEN, Mr. GRIJALVA, and Mr. ELLISON):

H.R. 6717. A bill to provide consumer protections for students; to the Committee on Education and the Workforce, and in addition to the Committees on Armed Services, and 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 Ms. RICHARDSON:

H.R. 6718. A bill to reauthorize part C of the Individuals with Disabilities Education Act; to the Committee on Education and the Workforce.

By Mr. THOMPSON of California:

H.R. 6719. A bill to promote and expand the application of telehealth under Medicare and other Federal health care programs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, Oversight and Government Reform, Armed Services, and 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.

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. DICKS:

H.R. 6716.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: 'No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . .' In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: 'The Congress shall have the Power . . . to pay the Debts and provide for the common Defense and general welfare of the United States . . .' Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability and to set forth terms and conditions governing their use.

By Mr. CONYERS:

H.R. 6717.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the United States Constitution

By Ms. RICHARDSON:

H.R. 6718.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. THOMPSON of California:

H.R. 6719.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 2721: Ms. DELAURO and Ms. ROYBAL-ALLARD.

H.R. 3993: Mr. SCHIFF.

H.R. 4378: Mr. CICILLINE and Ms. MATSUI.

H.R. 5975: Mr. RUSH.

H.R. 6600: Mr. TOWNS, Mr. GRIMM, Mr. NADLER and Mr. RANGEL.

H. Res. 837: Mr. LEVIN, Mr. MORAN, Mr. BERMAN, Mr. LEWIS of Georgia, Ms. BERKLEY, Ms. SCHAKOWSKY, Mr. COSTELLO, Mrs. DAVIS of California and Mr. OLVER.