

Campbell
Cantor
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castle
Castor (FL)
Chaffetz
Chandler
Childers
Chu
Clarke
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Dahlkemper
Davis (CA)
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Davis (KY)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dent
Deutch
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Djou
Doggett
Donnelly (IN)
Doyle
Dreier
Driehaus
Duncan
Edwards (MD)
Edwards (TX)
Ehlers
Ellison
Ellsworth
Emerson
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Flake
Fleming
Forbes
Fortenberry
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Fox
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge
Gallegly
Garamendi
Garrett (NJ)
Gerlach
Giffords
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gordon (TN)
Granger
Grayson
Green, Al
Green, Gene
Grijalva

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Hall (NY)
Hall (TX)
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Hastings (FL)
Hastings (WA)
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Herger
Herseth Sandlin
Higgins
Hill
Himes
Hinchee
Hirono
Holden
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Hoyer
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Inglis
Inlee
Israel
Issa
Jackson (IL)
Jenkins
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Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan (OH)
Kagen
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Kennedy
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King (IA)
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Kingston
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Kirkpatrick (AZ)
Kissell
Klein (FL)
Kline (MN)
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Kratovil
Kucinich
Lamborn
Lance
Langevin
Larsen (WA)
Larson (CT)
Latham
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Lee (CA)
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Levin
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Linder
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LoBiondo
Loebsock
Lofgren, Zoe
Lowey
Lucas
Luetkemeyer
Lujan
Lungren, Daniel
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Lynch
Mack
Maffei
Maloney
Marchant
Markey (CO)
Markey (MA)
Marshall
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern

McHenry
McIntyre
McKeon
McMahon
McMorris
Rodgers
McNerney
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Minnick
Mitchell
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy (CT)
Murphy (NY)
Murphy, Patrick
Murphy, Tim
Myrick
Nadler (NY)
Napolitano
Neal (MA)
Neugebauer
Nunes
Nye
Oberstar
Obey
Olson
Olver
Ortiz
Owens
Pallone
Pascarell
Pastor (AZ)
Paulsen
Payne
Pence
Perlmutter
Perrillo
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis (CO)
Pomeroy
Posey
Price (GA)
Price (NC)
Putnam
Quigley
Radanovich
Rahall
Rangel
Rehberg
Reichert
Reyes
Richardson
Rodriguez
Roe (TN)
Rogers (AL)
Rogers (KY)
Rohrabacher
Rooney
Ros-Lehtinen
Roskam
Ross
Rothman (NJ)
Roybal-Allard
Royce
Ruppersberger
Rush
Ryan (OH)
Salazar
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schauer
Schiff
Schmidt
Schock

Schrader
Schwartz
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Sestak
Shadegg
Shea-Porter
Sherman
Shimkus
Shuler
Shuster
Simpson
Sires
Skelton
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Space

Speier
Spratt
Stark
Stearns
Stupak
Sullivan
Sutton
Tanner
Taylor
Teague
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiaht
Tiberi
Tierney
Titus
Tonko
Townes
Tsongas
Turner
Upton

Van Hollen
Velázquez
Visclosky
Walden
Walz
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Welch
Westmoreland
Whitfield
Wilson (OH)
Wilson (SC)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

NAYS—4

Broun (GA) Paul
Cao Young (AK)

ANSWERED "PRESENT"—1

Rogers (MI)

NOT VOTING—18

Barrett (SC) Griffith
Blunt Gutierrez
Boyd Hinojosa
Conyers Hodes
Davis (AL) Hoekstra
Fallin Jackson Lee
Graves (TX)

Kilpatrick (MI)
Lummis
Manzullo
Ryan (WI)
Wamp

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1541

So (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

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.

SPECIAL AGENT SAMUEL HICKS FAMILIES OF FALLEN HEROES ACT

Mr. LYNCH. Mr. Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 2711) to amend title 5, United States Code, to provide for the transportation of the dependents, remains, and effects of certain Federal employees who die while performing official duties or as a result of the performance of official duties.

The Clerk read the title of the bill.

The text of the Senate amendments is as follows:

Senate amendments:
Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "Special Agent Samuel Hicks Families of Fallen Heroes Act".

SEC. 2. TRANSPORTATION AND MOVING EXPENSES FOR IMMEDIATE FAMILY OF CERTAIN DECEASED FEDERAL EMPLOYEES.

(a) IN GENERAL.—Subchapter II of chapter 57 of title 5, United States Code, is amended by inserting after section 5724c the following:

"§ 5724d. Transportation and moving expenses for immediate family of certain deceased Federal employees

"(a) IN GENERAL.—Under regulations prescribed by the President, the head of the agency concerned (or a designee) may determine that a covered employee died as a result of personal injury sustained while in the performance of the employee's duty and authorize or approve the payment by the agency, from Government funds, of—

"(1) any qualified expense of the immediate family of the covered employee attributable to a change in their place of residence, if the place where the immediate family will reside following the death of the employee is—

"(A) different from the place where the immediate family resided at the time of the employee's death; and

"(B) within the United States; and

"(2) any expense of preparing and transporting the remains of the deceased to—

"(A) the place where the immediate family will reside following the death of the employee; or

"(B) such other place appropriate for interment as is determined by the agency head (or designee).

"(b) NO DUPLICATE PAYMENT OF EXPENSES.—No expenses may be paid under this section if those expenses are paid from Government funds under section 5742 or any other authority.

"(c) DEFINITIONS.—For purposes of this section—

"(1) the term 'covered employee' means—

"(A) a law enforcement officer, as defined in section 5541;

"(B) any employee in or under the Federal Bureau of Investigation who is not described in subparagraph (A); and

"(C) a customs and border protection officer, as defined in section 8331(31); and

"(2) the term 'qualified expense', as used with respect to an immediate family changing its place of residence, means the transportation expenses of the immediate family, the expenses of moving (including transporting, packing, crating, temporarily storing, draying, and unpacking) the household goods and personal effects of such immediate family, not in excess of 18,000 pounds net weight, and, when authorized or approved by the agency head (or designee), the transportation of 1 privately owned motor vehicle."

(b) NO RELEVANCE AS TO COMPENSATION CLAIMS.—No determination made under section 5724d of title 5, United States Code, shall be deemed relevant to or be considered in connection with any claim for compensation under chapter 81 of that title or under any other law under which compensation may be provided on account of death or personal injury, nor shall any determination made with respect to any such claim be deemed relevant to or be considered in connection with any request for payment of expenses under such section 5724d.

(c) CLERICAL AMENDMENT.—The table of sections for chapter 57 of title 5, United States

Code, is amended by inserting after the item relating to section 5724c the following:

“Sec. 5724d. Transportation and moving expenses for immediate family of certain deceased Federal employees.”.

Amend the title so as to read: “An Act to amend title 5, United States Code, to provide for the transportation and moving expenses for the immediate family of certain Federal employees who die in the performance of their duties.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. LYNCH) and the gentleman from Missouri (Mr. LUETKEMEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. LYNCH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and add any extraneous materials.

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

There was no objection.

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

Mr. Speaker, on behalf of the House Committee on Oversight and Government Reform, I present H.R. 2711, the Special Agent Samuel Hicks Families of Fallen Heroes Act, for consideration.

This bipartisan legislation was introduced on June 4, 2009, by my colleague, Representative MIKE ROGERS of Michigan, as well as several members of the Oversight Committee, including Chairman TOWNS, and Representatives BILL FOSTER of Illinois, ELIJAH CUMMINGS of Maryland, and BRIAN BILBRAY of California. In addition, I am also pleased to be an original cosponsor.

Moreover, H.R. 2711 was passed by the House of Representatives by a voice vote on December 8, 2009, and subsequently passed the United States Senate, with minor amendments, on May 14, 2010.

H.R. 2711 is an important measure for the Federal law enforcement community. This bill authorizes the FBI and other law enforcement agencies to pay the relocation and moving expenses for families of agents who are killed in the line of duty. Law enforcement officers and their families are routinely moved by the government to take on assignments that enhance the security of our country. Under current law, the government is authorized to pay these expenses if an agent or employee is killed overseas, but it cannot do so for relocation if the death occurs within the United States. While we wish this legislation was not necessary, tragically there have been instances in which such authority was needed to support the families of agents or employees who have given their lives.

I applaud the Senate, and especially Senators LIEBERMAN, COLLINS, AKAKA, and VOINOVICH for recognizing the im-

portance of this bill and for sending the bill back to the House with minor changes. The bill, as amended by the Senate, would extend these family benefits to employees of U.S. Customs and Border Protection. The Senate amendment also makes several largely technical changes to the scope of available assistance.

□ 1545

These improvements were made at the request of the Obama administration, which supports this measure. I do want to emphasize that the bill has strong support among the Federal law enforcement community, including the Federal Law Enforcement Officers Association and the FBI Agents Association.

Lastly, I'd like to point out that the title of the bill pays tribute to the memory and service of Special Agent Samuel Hicks. Special Agent Hicks was assigned to the Pittsburgh FBI office and was fatally shot on November 19, 2008, at the age of 33 while executing a Federal search warrant associated with a drug distribution ring.

Special Agent Hicks was a former police officer with the Baltimore Police Department. He and his family relocated to Pittsburgh when he became an agent. Unfortunately, after the loss of Special Agent Hicks, the Bureau was unable to assist the Hicks family in moving back to Baltimore due to the statutory limitations. This legislation would correct this problem and prevent future families from suffering additional grief and hardship.

I urge all of my colleagues to join me in supporting H.R. 2711.

Mr. Speaker, on behalf of the House Committee on Oversight and Government Reform, I present H.R. 2711, the Special Agent Samuel Hicks Families of Fallen Heroes Act, for consideration.

This bipartisan legislation was introduced on June 4th, 2009 by my colleague, Representative MIKE ROGERS of Michigan, as well as several Members of the Oversight Committee, including Chairman ED TOWNS and Representatives BILL FOSTER, ELIJAH CUMMINGS, and BRIAN BILBRAY. In addition, I am pleased to say that I am an original cosponsor of H.R. 2711.

Moreover, H.R. 2711 was passed by the House of Representatives by voice vote on December 8th, 2009 and subsequently passed the United States Senate, with minor amendments, on May 14th, 2010.

H.R. 2711 is an important measure for the Federal law enforcement officer community. The bill authorizes the FBI and other law enforcement agencies to pay the relocation and moving expenses for families of agents who are killed in the line of duty.

Law enforcement officers and their families are routinely moved by the government to take on assignments that enhance the security of the country. Under current law, the government is authorized to pay these expenses if an agent or employee is killed overseas but cannot pay for relocation if the death occurs in the U.S.

While we wish this legislation was not necessary, tragically, there have been instances in the recent past where such authority was needed to support the families of agents or employees who gave their lives.

I applaud the Senate, and specifically, Senators LIEBERMAN, COLLINS, AKAKA and VOINOVICH, for recognizing the importance of this bill and for sending the bill back to the House with minor changes.

The bill, as amended by the Senate, would extend these family benefits to employees of U.S. Customs and Border Protection. The Senate amendment also makes several, largely technical changes to the scope of available benefits. These changes were made at the request of the Obama administration, which supports this measure.

I want to emphasize that this bill has strong support from the Federal law enforcement community, including the Federal Law Enforcement Officers Association and the Federal Bureau of Investigation Agents Association.

Lastly, I would like to point out that the title of this bill pays tribute to the memory and service of Special Agent Samuel Hicks. Special Agent Hicks was assigned to the Pittsburgh FBI office and was fatally shot on November 19, 2008, at the age of 33, while executing a Federal search warrant associated with a drug distribution ring. Special Agent Hicks was a former police officer with the Baltimore Police Department. He and his family relocated to Pittsburgh when he became an agent. Unfortunately, after the loss of Special Agent Hicks, the Bureau was unable to assist the Hicks family in moving back to Baltimore due to statutory limitations. This legislation would correct this problem and prevent future families from suffering additional unnecessary grief and hardship.

I reserve the balance of my time.

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

When we passed this bill in the House on December 8, 2009, this bill only applied to law enforcement officers as defined in section 5541 and other FBI employees who have sacrificed their lives during the performance of official duties. Additionally, the term “qualified expense” was more broadly defined than how this bill now characterizes the term.

Following the bill's passage in the House, the Senate, which passed this bill on May 14, 2010, amended this bill to expand its coverage to certain CBP officers. Moreover, the Senate amended this bill to qualify the term “qualified expense” and limit what constitutes a qualified expense.

At this stage, the bill would authorize the employing agency of Federal law enforcement officers as well as certain FBI and CBP employees who have sacrificed their lives in the performance of his or her duties to pay the moving, transportation, and relocation expenses due to a change of residence within the United States of the immediate family of the officer. Additionally, this bill would authorize the employing agency to cover the expenses of

preparing and transporting the remains of the deceased to the place where the family will reside following the employee's death.

The Federal Government often requires or asks Federal law enforcement, including CBP and FBI officers, to relocate to new areas all across the country and throughout the world. Frequently, these officers bring their families with them to see these new localities. When the lives of these officers have been sacrificed during the performance of their official duties, the family is often stranded with no financial means to return to the area they call home. Congress should make it a priority to help care for the families of these heroes who have honorably sacrificed their lives for the security of our country.

Mr. Speaker, I support this measure and urge my colleagues to do as well.

Mr. Speaker, at this point, I would like to yield such time as he may consume to my distinguished colleague from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Thank you, Mr. LYNCH, for your help and cooperation—it goes to show you what good things we can do when we work together in this Chamber—to really stand up for the families of the fallen.

You know, the folks who are killed in the line of duty come from all walks of life and from every corner of our country, and they sign up for law enforcement, Federal law enforcement because they believe in a purpose higher than themselves. And they consistently, day in and day out, Mr. Speaker, put their lives on the line for the same rule of law that we enjoy in every ounce of every community.

And these are the rare and sad cases where these agents or patrol officers with the CBP have given their lives in defense of that law and liberty in communities across the United States.

But there's also another set of victims there, and it is the family members who have sacrificed with them and packed up their families and come a long way away from where they grew up and where their family is to help build a support network for those agents and officers who are serving so proudly the United States of America. And due to a glitch—and it was just that, a simple glitch—that if an FBI agent was killed in the line of duty overseas, their family could be relocated back. But if they moved from Maine to California, the family was stuck with the expense and the hazard and the hardship of getting home.

This is really a small step to say “thank you” for the service and sacrifice for the men and women who wear the badge of the people of the United States of America, and a small statement to them that we care, we have not forgotten, and we thank you every day for your service and sacrifice to this great Nation.

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

Mr. LUETKEMEYER. Mr. Speaker, I urge all Members to support the passage of H.R. 2711.

I yield back the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise in support of H.R. 2711, the Special Agent Samuel Hicks Families of Fallen Heroes Act. I also want to thank my colleague, Mr. ROGERS, for introducing this important legislation.

This legislation aims to authorize the FBI to pay the relocation and moving expenses for families of FBI agents who are killed in the line of duty. At present, the law only provides for the FBI to cover these expenses if an FBI agent or an employee is killed overseas. However, payment for the relocation of a decedent's immediate family if the death occurs in the U.S. falls outside the ambit of the current statutory provision.

Special Agent Hicks, the man after whom this legislation is named, was a former police officer with the Baltimore police department. Upon receiving an assignment as an FBI agent, Hicks and his family relocated to Pittsburgh, Pennsylvania. Special Agent Hicks regrettably lost his life when he was fatally shot on November 19, 2008 at the age of 33 while executing a Federal search warrant associated with a drug distribution ring. He is survived by his wife and their 2-year-old son. The Bureau was unable to assist the Hicks family in moving back to Baltimore because of restrictive construction of the statute providing only for the financial assistance to families of agents perishing overseas.

This instance of a family of a federal law enforcement officer being denied the financial assistance they required to relocate is indicative of the error in the construction of the initial remedial statute. Allowing for domestic family members of fallen federal agents or employees to receive the same assistance that foreign families receive will widen the scope of the statute and provide much needed relief to those persons touched by such tragedy.

FBI employees take on tremendous responsibilities to ensure the safety and the security of these United States. As such, agents and their families are moved throughout the country, dispersed to its very corners, in pursuit of this nation's protection. In the event of an untimely and tragic death, we would like to bring help to the fallen hero's family within the perimeter of this new legislation—regardless of whether the tragedy strikes abroad or here at home.

Unfortunately, in the recent past there have been instances in which such authority was needed to support the families of agents or employees who gave their lives for this country, and received no assistance at all. This legislation seeks to remedy this wrong, and hopefully with its passage the immediate family of FBI agents or employees will receive the help they deserve.

The foregoing reasons outline the importance of our attention this legislation seeks to afford those families of federal agents or employees that the initial statutes did not cover. We must provide financial assistance to the families of domestic fallen heroes.

I urge my colleagues to support this bill.

Mr. LYNCH. Mr. Speaker, I thank the gentleman for his thoughtful remarks, and I just want to ask Members on both sides to join with Mr. ROGERS of Michigan, also Mr. FOSTER of Illinois—and, Mr. Speaker, I know that you, as the Representative from Maryland's Seventh District, had a special interest in this bill on behalf of the Hicks family and all of those officers who are killed in the line of duty, so I want to thank you for your work as well.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Massachusetts (Mr. LYNCH) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 2711.

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

The yeas and nays were ordered.

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

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment bills of the House of the following titles:

H.R. 3250. An act to designate the facility of the United States Postal Service located at 1210 West Main Street in Riverhead, New York, as the “Private First Class Garfield M. Langhorn Post Office Building”.

H.R. 3634. An act to designate the facility of the United States Postal Service located at 109 Main Street in Swifton, Arkansas, as the “George Kell Post Office”.

H.R. 3892. An act to designate the facility of the United States Postal Service located at 101 West Highway 64 Bypass in Roper, North Carolina, as the “E.V. Wilkins Post Office”.

H.R. 4017. An act to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the “Ann Marie Blute Post Office”.

H.R. 4095. An act to designate the facility of the United States Postal Service located at 9727 Antioch Road in Overland Park, Kansas, as the “Congresswoman Jan Meyers Post Office Building”.

H.R. 4139. An act to designate the facility of the United States Postal Service located at 7464 Highway 503 in Hickory, Mississippi, as the “Sergeant Matthew L. Ingram Post Office”.

H.R. 4214. An act to designate the facility of the United States Postal Service located at 45300 Portola Avenue in Palm Desert, California, as the “Roy Wilson Post Office”.

H.R. 4238. An act to designate the facility of the United States Postal Service located at 930 39th Avenue in Greeley, Colorado, as the “W.D. Farr Post Office Building”.

H.R. 4425. An act to designate the facility of the United States Postal Service located