

transportation of counterfeit drugs should be locked up.

Despite the lack of evidence supporting the contention that offenders are less likely to engage in such deviant behavior once they are aware of federal laws increasing fines and longer penalties, I support this bipartisan measure to help ensure that our everyday Americans in need of medication are not falling prey to criminals intending to defraud them of necessary medical products.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4223, as amended.

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

A motion to reconsider was laid on the table.

PUBLIC SAFETY OFFICERS' BENEFITS IMPROVEMENTS ACT OF 2012

Mr. SMITH of Texas. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 4018) to improve the Public Safety Officers' Benefits Program, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4018

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

SECTION 1. SHORT TITLE.

This title may be cited as the "Public Safety Officers' Benefits Improvements Act of 2012".

SEC. 2. BENEFITS FOR CERTAIN NONPROFIT EMERGENCY MEDICAL SERVICE PROVIDERS; MISCELLANEOUS AMENDMENTS.

(a) IN GENERAL.—Title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended—

(1) in section 901(a) (42 U.S.C. 3791(a))—

(A) in paragraph (26), by striking "and" at the end;

(B) in paragraph (27), by striking the period at the end and inserting "; and"; and

(C) by adding at the end the following:

"(28) the term 'hearing examiner' includes any medical or claims examiner.";

(2) in section 1201 (42 U.S.C. 3796)—

(A) in subsection (a), by striking "follows:" and all that follows and inserting the following: "follows (if the payee indicated is living on the date on which the determination is made)—

"(1) if there is no child who survived the public safety officer, to the surviving spouse of the public safety officer;

"(2) if there is at least 1 child who survived the public safety officer and a surviving spouse of the public safety officer, 50 percent to the surviving child (or children, in equal shares) and 50 percent to the surviving spouse;

"(3) if there is no surviving spouse of the public safety officer, to the surviving child (or children, in equal shares);

"(4) if there is no surviving spouse of the public safety officer and no surviving child—

"(A) to the surviving individual (or individuals, in shares per the designation, or, otherwise, in equal shares) designated by the public safety officer to receive benefits under this subsection in the most recently executed designation of beneficiary of the public

safety officer on file at the time of death with the public safety agency, organization, or unit; or

"(B) if there is no individual qualifying under subparagraph (A), to the surviving individual (or individuals, in equal shares) designated by the public safety officer to receive benefits under the most recently executed life insurance policy of the public safety officer on file at the time of death with the public safety agency, organization, or unit;

"(5) if there is no individual qualifying under paragraph (1), (2), (3), or (4), to the surviving parent (or parents, in equal shares) of the public safety officer; or

"(6) if there is no individual qualifying under paragraph (1), (2), (3), (4), or (5), to the surviving individual (or individuals, in equal shares) who would qualify under the definition of the term 'child' under section 1204 but for age.";

(B) in subsection (b)—

(i) by striking "direct result of a catastrophic" and inserting "direct and proximate result of a personal";

(ii) by striking "pay," and all that follows through "the same" and inserting "pay the same";

(iii) by striking "in any year" and inserting "to the public safety officer (if living on the date on which the determination is made)";

(iv) by striking "in such year, adjusted" and inserting "with respect to the date on which the catastrophic injury occurred, as adjusted";

(v) by striking ", to such officer";

(vi) by striking "the total" and all that follows through "For" and inserting "for"; and

(vii) by striking "That these" and all that follows through the period, and inserting "That the amount payable under this subsection shall be the amount payable as of the date of catastrophic injury of such public safety officer.";

(C) in subsection (f)—

(i) in paragraph (1), by striking ", as amended (D.C. Code, sec. 4-622); or" and inserting a semicolon;

(ii) in paragraph (2)—

(I) by striking ". Such beneficiaries shall only receive benefits under such section 8191 that" and inserting ", such that beneficiaries shall receive only such benefits under such section 8191 as"; and

(II) by striking the period at the end and inserting "; or"; and

(iii) by adding at the end the following:

"(3) payments under the September 11th Victim Compensation Fund of 2001 (49 U.S.C. 40101 note; Public Law 107-42).";

(D) by amending subsection (k) to read as follows:

"(k) As determined by the Bureau, a heart attack, stroke, or vascular rupture suffered by a public safety officer shall be presumed to constitute a personal injury within the meaning of subsection (a), sustained in the line of duty by the officer and directly and proximately resulting in death, if—

"(1) the public safety officer, while on duty—

"(A) engages in a situation involving non-routine stressful or strenuous physical law enforcement, fire suppression, rescue, hazardous material response, emergency medical services, prison security, disaster relief, or other emergency response activity; or

"(B) participates in a training exercise involving nonroutine stressful or strenuous physical activity;

"(2) the heart attack, stroke, or vascular rupture commences—

"(A) while the officer is engaged or participating as described in paragraph (1);

"(B) while the officer remains on that duty after being engaged or participating as described in paragraph (1); or

"(C) not later than 24 hours after the officer is engaged or participating as described in paragraph (1); and

"(3) the heart attack, stroke, or vascular rupture directly and proximately results in the death of the public safety officer, unless competent medical evidence establishes that the heart attack, stroke, or vascular rupture was unrelated to the engagement or participation or was directly and proximately caused by something other than the mere presence of cardiovascular-disease risk factors."; and

(E) by adding at the end the following:

"(n) The public safety agency, organization, or unit responsible for maintaining on file an executed designation of beneficiary or executed life insurance policy for purposes of subsection (a)(4) shall maintain the confidentiality of the designation or policy in the same manner as the agency, organization, or unit maintains personnel or other similar records of the public safety officer.";

(3) in section 1202 (42 U.S.C. 3796a)—

(A) by striking "death", each place it appears except the second place it appears, and inserting "fatal"; and

(B) in paragraph (1), by striking "or catastrophic injury" the second place it appears and inserting ", disability, or injury";

(4) in section 1203 (42 U.S.C. 3796a-1)—

(A) in the section heading, by striking "WHO HAVE DIED IN THE LINE OF DUTY" and inserting "WHO HAVE SUSTAINED FATAL OR CATASTROPHIC INJURY IN THE LINE OF DUTY"; and

(B) by striking "who have died in the line of duty" and inserting "who have sustained fatal or catastrophic injury in the line of duty";

(5) in section 1204 (42 U.S.C. 3796b)—

(A) in paragraph (1), by striking "consequences of an injury that" and inserting "an injury, the direct and proximate consequences of which";

(B) in paragraph (3)—

(i) in the matter preceding clause (i)—

(I) by inserting "or permanently and totally disabled" after "deceased"; and

(II) by striking "death" and inserting "fatal or catastrophic injury"; and

(ii) by redesignating clauses (i), (ii), and (iii) as subparagraphs (A), (B), and (C), respectively;

(C) in paragraph (5)—

(i) by striking "post-mortem" each place it appears and inserting "post-injury"; and

(ii) by redesignating clauses (i) and (ii) as subparagraphs (A) and (B), respectively;

(D) in paragraph (7), by striking "public employee member of a rescue squad or ambulance crew;" and inserting "employee or volunteer member of a rescue squad or ambulance crew (including a ground or air ambulance service) that—

"(A) is a public agency; or

"(B) is (or is a part of) a nonprofit entity serving the public that—

"(i) is officially authorized or licensed to engage in rescue activity or to provide emergency medical services; and

"(ii) engages in rescue activities or provides emergency medical services as part of an official emergency response system."; and

(E) in paragraph (9)—

(i) in subparagraph (A), by striking "as a chaplain, or as a member of a rescue squad or ambulance crew;" and inserting "or as a chaplain";

(ii) in subparagraph (B)(ii), by striking "or" after the semicolon;

(iii) in subparagraph (C)(ii), by striking the period and inserting "; or"; and

(iv) by adding at the end the following:

"(D) a member of a rescue squad or ambulance crew who, as authorized or licensed by

law and by the applicable agency or entity, is engaging in rescue activity or in the provision of emergency medical services.”

(6) in section 1205 (42 U.S.C. 3796c), by adding at the end the following:

“(d) Unless expressly provided otherwise, any reference in this part to any provision of law not in this part shall be understood to constitute a general reference under the doctrine of incorporation by reference, and thus to include any subsequent amendments to the provision.”;

(7) in each of subsections (a) and (b) of section 1212 (42 U.S.C. 3796d-1), sections 1213 and 1214 (42 U.S.C. 3796d-2 and 3796d-3), and subsections (b) and (c) of section 1216 (42 U.S.C. 3796d-5), by striking “dependent” each place it appears and inserting “person”;

(8) in section 1212 (42 U.S.C. 3796d-1)—

(A) in subsection (a)—

(i) in paragraph (1), in the matter preceding subparagraph (A), by striking “Subject” and all that follows through “, the” and inserting “The”; and

(ii) in paragraph (3), by striking “reduced by” and all that follows through “(B) the amount” and inserting “reduced by the amount”;

(B) in subsection (c)—

(i) in the subsection heading, by striking “DEPENDENT”; and

(ii) by striking “dependent”;

(9) in paragraphs (2) and (3) of section 1213(b) (42 U.S.C. 3796d-2(b)), by striking “dependent’s” each place it appears and inserting “person’s”;

(10) in section 1216 (42 U.S.C. 3796d-5)—

(A) in subsection (a), by striking “each dependent” each place it appears and inserting “a spouse or child”; and

(B) by striking “dependents” each place it appears and inserting “a person”; and

(11) in section 1217(3)(A) (42 U.S.C. 3796d-6(3)(A)), by striking “described in” and all that follows and inserting “an institution of higher education, as defined in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002); and”.

(b) AMENDMENT RELATED TO EXPEDITED PAYMENT FOR PUBLIC SAFETY OFFICERS INVOLVED IN THE PREVENTION, INVESTIGATION, RESCUE, OR RECOVERY EFFORTS RELATED TO A TERRORIST ATTACK.—Section 611(a) of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 3796c-1(a)) is amended by inserting “or an entity described in section 1204(7)(B) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796b(7)(B))” after “employed by such agency”.

(c) TECHNICAL AND CONFORMING AMENDMENT.—Section 402(1)(4)(C) of the Internal Revenue Code of 1986 is amended—

(1) by striking “section 1204(9)(A)” and inserting “section 1204(10)(A)”; and

(2) by striking “42 U.S.C. 3796b(9)(A)” and inserting “42 U.S.C. 3796b(10)(A)”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS; DETERMINATIONS; APPEALS.

The matter under the heading “PUBLIC SAFETY OFFICERS BENEFITS” under the heading “OFFICE OF JUSTICE PROGRAMS” under title II of division B of the Consolidated Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 1912; 42 U.S.C. 3796c-2) is amended—

(1) by striking “decisions” and inserting “determinations”;

(2) by striking “(including those, and any related matters, pending)”; and

(3) by striking the period at the end and inserting the following: “: *Provided further*, That, on and after the date of enactment of the Public Safety Officers’ Benefits Improvements Act of 2012, as to each such statute—

“(1) the provisions of section 1001(a)(4) of such title I (42 U.S.C. 3793(a)(4)) shall apply;

“(2) payment (other than payment made pursuant to section 611 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 3796c-1)) shall be made only upon a determination by the Bureau that the facts legally warrant the payment;

“(3) any reference to section 1202 of such title I shall be deemed to be a reference to paragraphs (2) and (3) of such section 1202; and

“(4) a certification submitted under any such statute (other than a certification submitted pursuant to section 611 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism (USA PATRIOT ACT) Act of 2001 (42 U.S.C. 3796c-1)) may be accepted by the Bureau as prima facie evidence of the facts asserted in the certification:

Provided further, That, on and after the date of enactment of the Public Safety Officers’ Benefits Improvements Act of 2012, no appeal shall bring any final determination of the Bureau before any court for review unless notice of appeal is filed (within the time specified herein and in the manner prescribed for appeal to United States courts of appeals from United States district courts) not later than 90 days after the date on which the Bureau serves notice of the final determination: *Provided further*, That any regulations promulgated by the Bureau under such part (or any such statute) before, on, or after the date of enactment of the Public Safety Officers’ Benefits Improvements Act of 2012 shall apply to any matter pending on, or filed or accruing after, the effective date specified in the regulations.”.

SEC. 4. EFFECTIVE DATE.

(a) IN GENERAL.—Except as provided in subsection (b), the amendments made by this Act shall—

(1) take effect on the date of enactment of this Act; and

(2) apply to any matter pending, before the Bureau of Justice Assistance or otherwise, on the date of enactment of this Act, or filed or accruing after that date.

(b) EXCEPTIONS.—

(1) RESCUE SQUADS AND AMBULANCE CREWS.—For a member of a rescue squad or ambulance crew (as defined in section 1204(7) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this Act), the amendments made by this Act shall apply to injuries sustained on or after June 1, 2009.

(2) HEART ATTACKS, STROKES, AND VASCULAR RUPTURES.—Section 1201(k) of title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended by this Act, shall apply to heart attacks, strokes, and vascular ruptures sustained on or after December 15, 2003.

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 4018, as amended, currently under consideration.

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

There was no objection.

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

H.R. 4018, the Public Safety Officers’ Benefits Improvements Act of 2012, amends an existing program within the Justice Department that administers benefits to certain public safety officers killed or disabled in the line of duty.

I commend Representative MICHAEL FITZPATRICK for his leadership on this issue and am pleased to be a cosponsor of this legislation.

The bill makes changes to the class of beneficiaries as well as some common-sense, cost-saving reforms to the program.

Congress originally passed the Public Safety Officers’ Benefits Act, PSOB, in 1976. This program evolved from concern that State and local public safety officers and their families were not being provided with adequate death benefits. And that the low level of benefits might impede recruitment efforts and impair morale.

Originally, the PSOB program provided only death benefits to the survivors of officers killed in the line of duty. It was later expanded to provide benefits to officers disabled in the line of duty and education benefits to the spouses and children of officers killed or disabled in the line of duty.

Congress has amended the PSOB program many times since its inception. Some of the changes have resulted in inconsistencies within the law or have unintentionally resulted in a delay in the PSOB benefit process.

For example, each PSOB claimant must be examined by an impartial medical examiner who then advises the Justice Department regarding their decision to award benefits. But the PSOB statute and its regulations require that the medical examiner be hired from the city where the officer was killed or injured.

This causes significant delays and adds expense in processing PSOB claims and in administering the overall program.

The Department spends significant time and resources to find a medical professional who is familiar with the PSOB program and its requirements. That medical professional must also be available and agree to perform the necessary medical exam. This process can take weeks, if not months, to complete.

This bill provides a solution to this inefficiency. It allows the Department to develop and draw from a pool of trusted, qualified medical professionals to perform the necessary examinations across the country. This is similar to how the PSOB program authorizes their hearing examiners.

This simple change saves valuable time and taxpayer dollars. It also ensures that the public safety officers and their families receive these much-needed benefits more quickly.

H.R. 4018 also clarifies who are eligible beneficiaries when an officer is killed in the line of duty. Currently, the payment of benefits is often postponed, sometimes for years, while the issue of who is the proper beneficiary is litigated.

This bill creates a new category of beneficiaries, “adult children of deceased public safety officers,” to clarify eligible beneficiaries in certain cases where there are none. These cases include when a public safety officer’s children are all adults, there is no surviving spouse, no applicable designation of beneficiary is on file with the public agency, and the officer’s parents are deceased.

The PSOB benefits can currently be awarded to police officers, firefighters, chaplains or certain members of a rescue squad or ambulance crew who serve a public agency.

But PSOB benefits are not currently authorized for volunteer emergency medical personnel. This bill fixes this inequity in a narrow way that when combined with savings from other efficiencies made by the bill, does not result in additional expense to the taxpayer.

I urge my colleagues to join me in support of this bill.

Madam Speaker, I yield 5 minutes to the gentleman from Pennsylvania (Mr. FITZPATRICK), who is the sponsor of this legislation.

Mr. FITZPATRICK. Thank you, Chairman SMITH, for your time and your support and your leadership on this significant reform legislation. Your staff has been wonderful to work with. I'd like to give special recognition to Caroline Lynch and Art Baker, both of whom did a fantastic job on this bill.

Madam Speaker, I rise to urge my colleagues to support these needed reforms to the Public Safety Officers' Benefits Program. The Public Safety Officers' Benefit Act created the program in 1976 to provide benefits to the families of those first responders who die or become disabled in the line of duty.

For the past 35 years, Congress has affirmed its support for the program and these benefits. Now we have the opportunity, through needed reforms, to make the PSOB program even better. This bill corrects a tragic oversight in current law that unfairly excludes certain first responders.

My inspiration for this bill, Madam Speaker, is Daniel McIntosh. "Danny Mac," as he was known to his family and his friends, was a veteran of the Bensalem Emergency Medical Services. Dan served numerous other Bucks County communities both as a paramedic and as a volunteer firefighter since 1993. He was a volunteer firefighter for the Point Pleasant Fire Company and had achieved life member status. He was a member of the Nottingham Fire Department, a newly sworn police officer for the Hulmeville Police Department, and was a TAC Medic for the Bucks County SWAT Team and for the Bucks County Hazardous Materials SWAT Team. As we can see, Dan's life was dedicated to public service, and he gave his life doing what he loved.

Danny suffered a fatal heart attack while in the performance of his duties as a member of the Bensalem Rescue Squad. Because the entity that he was working with was a nonprofit emergency medical service provider, his family has been denied the PSOB benefit. This is unfair treatment for those who put themselves in harm's way in service to their communities. This bill would change that and ensure that families like Danny's receive the benefits they deserve.

I recognize and I thank the McIntosh family for the sacrifice that they made

to our community. I also recognize the legacy of Dale Long, a Vermont EMT, who was killed in an ambulance accident in 2009 and whose life has motivated companion PSOB reform in the Senate. I am proud to sponsor this legislation for them and for the loved ones of first responders all across our great country.

Finally, Madam Speaker, this bill includes numerous taxpayer protections and streamlines the delivery of benefits. Many of us came to Congress on the promise to make government more efficient and more effective, and this bill would do just that. Members supporting this legislation will be able to report to their constituents that not only are they being good stewards of the taxpayer dollars but that they are also improving a program that provides widely supported benefits to our Nation's first responders.

At this time, Madam Speaker, I note the support of many organizations for the bill, including the American Ambulance Association, the National Association of Emergency Medical Technicians, the National Fraternal Order of Police, the National Association of Police Organizations, as well as several rescue squads from across my home State of Pennsylvania.

I want to again thank Chairman SMITH and Ranking Member CONYERS for their leadership and for their support for this very important piece of reform legislation. I urge my colleagues to support it as well.

Mr. JOHNSON of Georgia. Madam Speaker, I yield myself such time as I may consume.

H.R. 4018, the Public Safety Officers' Benefits Improvements Act, appropriately expands the scope of this important program to better assist our public safety officers and their families. The PSOB program has been an important means of supporting our public safety officers since 1976, when the authorizing legislation was enacted.

Initially, the program provided death benefits for certain officers, but it has since been expanded to apply to a wide range of those who protect us to now include Federal, State and local police officers, firefighters, public rescue squads, ambulance crews, and chaplains of those agencies.

The PSOB program currently provides death benefits in the form of a onetime financial payment to the eligible survivors of public safety officers whose deaths are the direct and proximate result of a personal injury sustained in the line of duty. The program also provides financial assistance to help pay higher education costs for the spouses and children of public safety officers for whom PSOB death or disability benefits have been paid.

This bill extends the coverage of the program to members of nonprofit rescue squads and ambulance crews who suffer fatal or catastrophic injury as a result of their performances of certain specified public safety activities within

their specific lines of duty. The bill also extends the coverage to vascular ruptures in addition to the existing coverage of heart attacks and strokes occurring during non-routine line-of-duty activities.

H.R. 4018 also includes a number of other provisions clarifying the inconsistencies that have arisen due to prior amendments to the PSOB Act, and it makes the administration of the program more efficient so that these officers may more quickly obtain the benefits they and their families deserve.

Our public safety officers willingly undergo long hours and often dangerous conditions to protect all of us, and we all know that they are not compensated at a level commensurate with the dangers they face and the importance of the services that they provide. When they die or become disabled because they are acting to help us, providing these benefits is the right thing to do. I hope this bill will make this program work even better during those unfortunate instances when it is necessary.

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

Mr. SMITH of Texas. Madam Speaker, I yield 4 minutes to the gentleman from Texas, Judge POE, who is a member of the Judiciary Committee.

Mr. POE of Texas. I would like to thank the chairman for the time.

I especially want to thank Representative FITZPATRICK from Pennsylvania for introducing this important legislation, which makes improvements and reforms the Public Safety Officers' Benefits Program.

This program is intended to expedite the processing of claims and expand coverage to include some nonprofit emergency personnel who are currently not covered by this important program.

The reason H.R. 4018 is important is that 72 police officers were killed by perpetrators in 2011, and that number represents a 25 percent increase from the previous year and a 75 percent increase from 2008.

One of these 72 was 38-year-old Houston police officer George Will. He was killed by an out-of-control drunk driver. Officer Will was investigating an accident. The drunk driver comes barreling, out of control, down the freeway. Officer Will sees him coming and pushes a witness out of the way so that witness to the first accident wouldn't be hit. While doing so, the drunk driver ran over and killed Officer Will. He left behind a wife, two stepchildren; and the wife he left behind was pregnant. Also in 2011, a total of 61 on-duty firefighters were killed in the United States.

So, in 1 year, that's 133 families who don't have a father or a mother anymore.

□ 1530

And the last thing these families should have to worry about after facing

the loss of a father or mother first responder is financial instability.

Madam Speaker, in my career as a judge and a former prosecutor in Houston, I knew a lot of first responders. Some of them were later killed in public service to our communities. Our Nation's police, firefighters, and EMS workers are our true national treasures. They are the ones that run into burning buildings when everybody else runs out of those burning buildings. They are the ones that put their lives on the line every day to keep us safe and protect our communities. They go into the shadows and dark corners of our society looking for do-bads, outlaws, and social misfits. This work, Madam Speaker, is dangerous.

When these Americans wake up every day, they need to be able to focus on the duty they have before them, and they need to know that if, God forbid, something happens to them on their duty shift, that their family will be taken care of.

For all these reasons, I support H.R. 4018. I urge my colleagues to support it. And once again, I thank the gentleman from Pennsylvania for this legislation.

And that's just the way it is.

Mr. SMITH of Texas. Madam Speaker, I understand that the gentleman from Georgia has yielded back his time; if so, I yield back the balance of my time as well.

Ms. JACKSON LEE of Texas. Mr. Speaker, I rise today in support of H.R. 4018, the "Public Safety Officers' Benefits Improvements Act of 2012," which would modify the Public Safety Officers' Benefits Act (PSOBA) of 1976 which currently provides benefits payments to certain survivors of public safety officers who are killed or permanently and totally disabled in the line of duty. Under current law, the families of public safety officers who have died as a result of injuries sustained in the line of duty are eligible for a one-time payment of about \$320,000. Public safety officers who have been permanently disabled are eligible for the same payment, but this payment is subject to the availability of appropriated funds.

As a Ranking Member of the Homeland Security Committee, Subcommittee on Transportation Security and Infrastructure, I am well aware that there are currently gaps in the laws as it pertains to those safety officers who put their lives on the line but may not have the high profiles of police officers or firefighters. Nevertheless, for those unsung heroes and faithful men and women who continually place their own well being in danger for the sake of saving the lives of strangers, this bill is a mere step in the right direction by expanding the types of benefits available to their families when serious injuries or deaths occur.

H.R. 4018 narrows the eligibility of members of rescue squads or ambulance crews for benefits under the PSOB program; as a result, some individuals would no longer receive benefits that they could receive under current laws.

The bill prevents individuals from receiving certain benefits under the program if they receive payments from the September 11th Victim Compensation Fund of 2001. Likewise, this legislation would make many technical and administrative changes that aim to expedite the processing of claims for benefits.

Over the years the Public Safety Officers' Benefits Act has been amended to expand the scope of the definitions "member of a rescue squad or ambulance crew" and "public safety officer." This definition now includes an officially recognized or designated employee or volunteer member of a rescue squad or ambulance crew that is a public agency of a non-profit entity serving the public that is officially authorized or licensed to engage in rescue activity or to provide emergency medical services and that is officially designated as a prehospital emergency medical response agency.

The Act provides death benefits in the form of a single financial payment to eligible survivors of public safety officers whose death is the direct and proximate result of a personal injury during the performance of duty. Additionally the Act provides for financial assistance to help pay higher education costs for the children and spouses of public safety officers for whom disability benefits have been paid.

This bill is needed to efficiently support the families devastated by death or catastrophic injuries sustained while acting in the official capacity of a public safety officer's job. It is my hope that by supporting this bill Congress can come together to better accommodate, acknowledge and assist the brave public safety officers who sustain injuries while serving members of their communities across this great country.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. SMITH) that the House suspend the rules and pass the bill, H.R. 4018, 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. JOHNSON of Georgia. Madam 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.

SERGEANT RICHARD FRANKLIN ABSHIRE POST OFFICE BUILDING

Mr. FARENTHOLD. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3412) to designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the "Sergeant Richard Franklin Abshire Post Office Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3412

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

SECTION 1. SERGEANT RICHARD FRANKLIN ABSHIRE POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, shall be known and designated as the

"Sergeant Richard Franklin Abshire Post Office Building".

(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 "Sergeant Richard Franklin Abshire Post Office Building".

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

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. FARENTHOLD. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

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

There was no objection.

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

Madam Speaker, H.R. 3412, introduced by the gentleman from Louisiana (Mr. BOUSTANY), would designate the facility of the United States Postal Service located at 1421 Veterans Memorial Drive in Abbeville, Louisiana, as the Sergeant Richard Franklin Abshire Post Office Building. This bill was introduced on November 14, 2011, and was reported from the Committee on Oversight and Government Reform on February 7.

Sergeant Richard Franklin Abshire was born on October 20, 1944, in Louisiana and served in the United States Marine Corps. Sergeant Abshire was awarded the Navy Cross for extraordinary heroism while serving as a platoon sergeant with Company G, Second Battalion, Fourth Marines, Ninth Marine Amphibious Brigade, in connection with operations against the enemy in the Republic of Vietnam on May 2, 1968.

Sergeant Abshire's unit and a sister company launched a coordinated attack against a well entrenched North Vietnamese Army force occupying the village of Dinh To, Quang Tri Province. By his superb leadership, courageous fighting and selfless devotion to duty, Sergeant Abshire inspired all who observed him and upheld the highest traditions of the United States Marine Corps and the United States Naval Service. He gallantly gave his life for his country. Sergeant Abshire died on May 2, 1968.

Madam Speaker, Sergeant Richard Franklin Abshire is a very worthy designee of this postal facility naming. I urge all Members to join me in support of this bill, and I reserve the balance of my time.

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

As a member of the House Oversight and Government Reform Committee, I'm pleased to join my colleagues in