

larger bill, it will take effect as soon as their action takes effect. It does not need the signing of the President, according to those at the Army.

The group quickly alerted the Jewish War Veterans of the United States of America, the Jewish Welfare Board, the Jewish Chaplains Council, and they finally reached out to me. I was touched by the work of these great men, and quickly introduced a resolution to fix the problem. Senator SCHUMER is the sponsor of the Senate version, S. Con. Res. 4, which has 25 Senate sponsors. The resolution we have today is bipartisan in nature. It has 86 cosponsors, and had been endorsed by 35 Jewish organizations and 47 Jewish War Veterans chapters before being added to the bill.

The Jewish Federations of North America and Shelly Rood have been working to help pass this bill to recognize the achievements of these 13 Jewish chaplains. I also want to thank Major Gretchen Gardner of Arlington Cemetery for helping us all navigate the Army's process.

My staff has been ensured by Major Gardner and others that, if we and the Senate pass this bill, it will satisfy the requirements of 32 CFR 553.22(1) of the Code of Federal Regulations, which governs the monuments at Arlington Cemetery.

Finally, surviving members of the chaplains have been involved in this process. I want to particularly recognize David and Rafael Engel, who are the sons of Meir Engel, and their children, Jonathan and Yael, who are here with us today, as well as Vera Silberberg, the daughter of Morton Singer.

I am very grateful that we are one step closer to raising this monument and to properly honoring the brave Jewish chaplains who serve our country today. There can be no better way to celebrate Jewish Heritage Month. I look forward to the ceremony at Arlington Cemetery that will follow this vote.

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

Mr. WALZ of Minnesota. I yield the gentleman an additional 2 minutes.

Mr. WEINER. Mr. Chairman and my colleagues, if it would be appropriate, I would like to now list the names of the 13 fallen chaplains who will be honored on this memorial should this become law:

Captain Nachman Arnoff of the United States Army, Lieutenant Colonel Meir Engel of the United States Army, First Lieutenant Frank Goldenberg of the United States Army, Lieutenant Alexander Goode of the United States Army, Lieutenant Henry Goody of the United States Army, Major Samuel Hurwitz of the United States Army, First Lieutenant Herman Rosen of the United States Army, Lieutenant Colonel Samuel Rosen of the United States Air Force, First Lieutenant Solomon Rosen of the United States Army, Captain Morton Singer of the United

States Army, Captain David Sobel of the United States Air Force, Captain Irving Tepper of the United States Army, and First Lieutenant Louis Werfel of the United States Army.

May God bless their souls, and may we remember them and honor them with a memorial at Arlington Cemetery.

I ask my colleagues to vote "yes" on this, and I thank my colleagues for their indulgence.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are reminded to refrain from referencing persons occupying the gallery.

Mr. WALZ of Minnesota. We are certainly proud of this piece of legislation, Madam Speaker, and we are in full support of it. I would like to thank the gentleman from New York for his unflinching and unwavering work to get this done for all the right reasons.

I yield back the balance of my time.

Mr. MILLER of Florida. I too want to thank my good friend from New York (Mr. WEINER) for his fine work on this piece of legislation. I am proud to have it in the bill today at this particular time of the year, in the month of May.

GENERAL LEAVE

Mr. MILLER of Florida. I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 1627, as amended.

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

There was no objection.

Mr. MILLER of Florida. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. MILLER) that the House suspend the rules and pass the bill, H.R. 1627, 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. MILLER of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

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

□ 1630

RESTORING GI BILL FAIRNESS ACT OF 2011

Mr. MILLER of Florida. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1383) to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by individuals enrolled in the Post-9/11 Educational Assistance Program of the Department of Vet-

erans Affairs before the enactment of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1383

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 "Restoring GI Bill Fairness Act of 2011".

SEC. 2. PRESERVATION OF HIGHER RATES FOR TUITION AND FEES FOR PROGRAMS OF EDUCATION AT NON-PUBLIC INSTITUTIONS OF HIGHER LEARNING PURSUED BY INDIVIDUALS ENROLLED IN SUCH PROGRAMS PRIOR TO CHANGE IN MAXIMUM AMOUNT.

(a) IN GENERAL.—Notwithstanding paragraph (1)(A)(ii) of section 3313(c) of title 38, United States Code (as amended by the Post-9/11 Veterans Educational Assistance Improvements Act of 2010 (Public Law 111-377)), the amount payable under that paragraph (or as appropriately adjusted under paragraphs (2) through (7) of that section) for tuition and fees for pursuit by an individual described in subsection (b) of an approved program of education at a non-public institution of higher learning during the period beginning on August 1, 2011, and ending on July 31, 2014, shall be the greater of—

(1) \$17,500; or

(2) the established charges payable for the program of education determined using the table of the Department of Veterans Affairs entitled "Post-9/11 GI Bill 2010-2011 Tuition and Fee In-State Maximums", published October 27, 2010 (75 Fed. Reg. 66193), as if that table applied to the pursuit of the program of education by that individual during that period.

(b) COVERED INDIVIDUALS.—An individual described in this subsection is an individual entitled to educational assistance under chapter 33 of title 38, United States Code, who, on or before April 1, 2011, was enrolled in a non-public institution of higher learning in a State in which—

(1) the maximum amount of tuition per credit in the 2010-2011 academic year, as determined pursuant to the table referred to in subsection (a)(2), exceeded \$700; and

(2) the combined amount of tuition and fees for full-time attendance in the program of education in such academic year exceeded \$17,500.

(c) DEFINITIONS.—In this section:

(1) The term "approved program of education" has the meaning given that term in section 3313(b) of title 38, United States Code.

(2) The term "established charges", with respect to a program of education, means the actual charges (as determined pursuant to regulations prescribed by the Secretary of Veterans Affairs on the basis of a full academic year) for tuition and fees which similarly circumstanced nonveterans enrolled in the program of education would be required to pay.

(3) The term "institution of higher learning" has the meaning given that term in section 3452(f) of title 38, United States Code.

SEC. 3. EXTENSION OF LOAN GUARANTY FEE FOR CERTAIN SUBSEQUENT LOANS.

(a) EXTENSION.—Section 3729(b)(2)(B)(ii) of title 38, United States Code, is amended—

(1) by striking "January 1, 2004, and before October 1, 2011" and inserting "October 1, 2011, and before October 1, 2012"; and

(2) by striking "3.30" both places it appears and inserting "2.80".

(b) CONFORMING AMENDMENT.—Section 3729(b)(2)(B)(iii) of such title is amended by

striking "October 1, 2011" and inserting "October 1, 2012".

(c) EFFECTIVE DATE.—The amendments made by subsections (a) and (b) shall take effect on October 1, 2011.

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

The Chair recognizes the gentleman from Florida.

Mr. MILLER of Florida. Madam Speaker, I yield myself as much time as I may consume.

I rise today in support of H.R. 1383, as amended, the Restoring GI Bill Fairness Act of 2011. This bill would temporarily increase the Post-9/11 GI Bill program's national cap on tuition and fees paid by the Department of Veterans Affairs on behalf of certain veterans pursuing programs of education at non-public institutions of higher learning from \$17,500 to \$27,000.

The original Post-9/11 GI Bill that became effective on August 1, 2009, required VA to pay 100 percent of the tuition and fee charges up to a maximum cap that is based on a State's most expensive in-state undergraduate tuition and fee charges at a public institution of higher learning on behalf of a veteran with at least 36 cumulative months of active duty since September 11, 2001. Veterans with fewer months of service since that day of infamy would get a proportionally smaller amount. The maximum payment would apply to veterans attending both public and private degree-granting institutions of higher learning. As a result of basing tuition and fee payments on the in-state undergraduate rate, VA made tuition and fee payments well in excess of \$20,000 annually on behalf of veterans attending private institutions in States with high tuition and fee charges at State schools.

In addition to tuition and fee payments, the new GI Bill provides a monthly living stipend. The stipend is the same amount paid to an E-5, generally the pay grade of a sergeant or petty officer second class, at the "with-dependents" rate in the zip code of the school the veteran is attending. For example, a veteran attending the University of Maryland in College Park, Maryland, receives \$1,881 per month for the 2010–2011 school year. The Post-9/11 Veterans Educational Assistance Improvements Act of 2010, which was passed on December 16 of last year, made several changes to the Post-9/11 GI Bill. Those changes included a national cap of \$17,500 on tuition and fee payments for veterans attending non-public institutions, effective August 1, 2011. The \$4.1 billion Pay-As-You-Go cost of providing those changes was met by reducing education benefits in some areas. For example, a \$17,500 cap on tuition and fees paid on behalf of veterans attending private schools was instituted to help pay for expanded eligibility for other veterans.

Although the cap of \$17,500 a year will be a potential increase in pay-

ments for veterans in most States, some veterans attending non-public schools in seven states—New York, Texas, Arizona, Michigan, New Hampshire, Pennsylvania, and South Carolina—will see their tuition and fees payments reduced by thousands of dollars. Reducing tuition and fee payments could force veterans in these States to find non-GI Bill resources such as loans, grants or employment income to pay tuition and fees. To counter the coming reduction, H.R. 1383, as amended, would temporarily increase the cap on tuition and fees from \$17,500 up to \$27,000 for 3 years beginning the 1st of August of 2011. This increase would apply only to veterans who were enrolled in non-public institutions of higher learning before April 1, 2011. I believe it is only fair that we grandfather in these veterans.

To meet statutory Pay-As-You-Go offset requirements, the manager's amendment to H.R. 1383 would extend existing loan fee requirements associated with the subsequent use of a VA loan guarantee for 1 year at slightly higher rates than would otherwise apply. Although not perfect, I believe this offset is dwarfed by the \$4.1 billion in offsets from veterans' education benefits passed by the House last December with only three Members voting in opposition. I would also note that the veterans' community has previously supported similar offsets when used to improve veterans' benefits as is being done in H.R. 1383.

Madam Speaker, this bill is supported by the Iraq and Afghanistan Veterans of America, the Military Officers Association of America, Student Veterans of America, AMVETS, and the Reserve Officers Association. I would like to include these letters of support in the RECORD.

I believe the alternative seen in the manager's amendment meets the concerns expressed by Members desiring as minimal an impact as possible on our veterans. I encourage all Members to support H.R. 1383, as amended.

IRAQ AND AFGHANISTAN
VETERANS OF AMERICA,
Washington, DC.

Hon. JEFF MILLER,
Rayburn House Office Building,
Washington, DC.

DEAR CHAIRMAN MILLER: Iraq and Afghanistan Veterans of America (IAVA) strongly supports H.R. 1383 to temporarily preserve higher rates for programs of education at non-public institutions of higher learning pursued by individual enrolled in the Post-9/11 Veterans Educational Assistance Program of the Department of Veterans Affairs.

The Post 9/11 GI Bill will be remembered as one of the shrewdest investments in our country's veterans for generations to come. The recent improvements to the Post 9/11 GI Bill will allow an additional 400,000 Operation Iraqi Freedom and Operation Enduring Freedom veterans to fully utilize their hard earned GI Bill benefits. While a historic upgrade to GI Bill benefits, these reforms caused benefits for a small number of student veterans to drop. This bill will insure that veterans currently utilizing their GI Bill at our nation's most expensive institutions are not left behind and can complete their education.

We have history on our side. After the World War II GI Bill was enacted, Congress had to pass improvements to forge our country's smartest investment. IAVA believes that just like the WWII GI Bill, the Post-9/11 GI Bill, with these improvements in H.R. 1383, will help build the next greatest generation.

If we can be of any help in advancing H.R. 1383 please contact Tim Embree at (202) 544-7692 or tim@iava.org. We look forward to working with you.

Sincerely,

PAUL RIECKHOFF,
Executive Director.

MILITARY OFFICERS ASSOCIATION
OF AMERICA,
Alexandria, VA, May 2, 2011.

Hon. JEFF MILLER,
Chairman, House Committee on Veterans Affairs,
Washington, DC.

Hon. MARLIN STUTZMAN,
Chair, Econ. Opportunity Subcomm.,
Washington, DC.

DEAR CHAIRMAN MILLER AND CHAIRMAN STUTZMAN: On behalf of the 375,000 members of The Military Officers Association of America (MOAA), I am writing to express our strong support for your bill, H.R. 1383 that would temporarily "grandfather" higher rates for veterans currently enrolled in non-public colleges and universities under the Post-9/11 GI Bill.

MOAA strongly supported needed improvements to the Post-9/11 GI Bill and we were pleased with the final passage of the Post-9/11 Veterans Educational Assistance Improvements Act of 2010 signed into law as P.L. 111-377 on 4 January this year.

The original version of that legislation included a grandfather provision to ensure that students who were already enrolled in private colleges could continue their educations under the rate structure in effect on 1 August 2009 as adjusted by annual COLAs. Unfortunately, the grandfather provision was removed from the bill as it proceeded through the legislative process.

MOAA believes the underlying intent of your legislation contemplates the potential inclusion of out-of-state public college students. For some of these currently enrolled veterans, the cost of enrollment exceeds the new academic year cap of \$17,500 for non-public institutions.

We recognize the enormous budgetary challenges that face all of our elected representatives in this most difficult period of rising national debt. MOAA recommends a further temporary, internal adjustment to program-enrollment or housing rates, to accommodate currently enrolled out-of-state students attending public colleges.

MOAA respectfully requests a copy of this letter be included in the official transcript of the hearing scheduled before the Economic Opportunity Subcommittee, House Committee on Veterans Affairs on 3 May 2011.

Thank you for your leadership and commitment to the men and women who wear and have worn our nation's uniform.

Sincerely,

NORBERT R. RYAN, Jr.,
President.

Hon. JEFF MILLER,
Rayburn House Office Building,
Washington, DC.

CHAIRMAN MILLER: We, at Student Veterans of America, strongly support your efforts to amend Title 38 of the US Code to allow for a grandfather clause in the Post 9/11 GI Bill through your Bill, HR 1383. This measure will ensure that the sudden change in tuition rates created by Public Law 111-377 will not harm those at non-public institutions who are halfway through their degree

programs and depending on the current level of benefits that they are receiving. While we strongly supported the recent changes to the new GI Bill, we did hope to see such a measure included in the original legislation, and appreciate your leadership on this issue to make up this difference in benefits.

Despite our support of HR 1383, we remain concerned that it's grandfather provisions do not include those student veterans who are paying out-of-state rates at public institutions. The recent changes limit the amount of benefits to the net cost of in-state rates, and so all out-of-state student veterans, not just those at the most expensive public school, will now see a reduction in benefits. This is not limited to those states whose rates are currently above \$17,500. This could theoretically affect veterans in almost every state, as a few states have local regulations that give veterans instant in-state tuition rates, but many do not.

We look forward to working with you on this very important issue. Please let us know how we can support these efforts to ensure that our student veterans continue to succeed in our nation's classrooms.

Very Respectfully,

BRIAN HAWTHORNE,
Board of Directors.

AMVETS,
Lanham, MD, April 11, 2011.

Hon. JEFF MILLER,

Chairman, House Committee on Veterans Affairs, Washington, DC.

DEAR CHAIRMAN MILLER: On behalf of AMVETS (American Veterans) I am writing to express our support for H.R. 1383, which stands to temporarily preserve higher rates for tuition and fees for programs of education at non-public institutions of higher learning pursued by the individuals enrolled in the Post 9/11 Educational Assistance Program of the Department of Veterans Affairs before the enactment of the Post 9/11 Veterans Educational Assistance Improvement Act of 2010, and for other purposes.

AMVETS strongly believes H.R. 1383 will eliminate and prevent any undue financial hardships on veterans and their dependents seeking a higher education at schools costing more than the new funding levels outlined by P.L. 111-377.

Furthermore, AMVETS believes your bill, H.R. 1383, will allow and encourage veterans and their dependents to continue to pursue their educations at their high-cost non-public schools and will eliminate the possibility of any threat these students may experience from a reduction in tuition and fees paid by VA due to changes made under P.L. 111-377.

AMVETS applauds your continued dedication to veterans and their families and lends our support to H.R. 1383.

Sincerely,

CHRISTINA M. ROOF,
*National Acting
Legislative Director AMVETS.*

RESERVE OFFICERS ASSOCIATION,
Washington, DC, April 8, 2011.

Hon. JEFF MILLER,

Chairman, House Veterans' Affairs Committee, Washington, DC.

Hon. MARLIN STUTZMAN,

Chairman, Subcommittee on Economic Opportunity, House Veterans' Affairs Committee, Washington, DC.

DEAR CHAIRMEN MILLER AND STUTZMAN: The Reserve Officers Association (ROA) is a 60,000-member professional association, chartered by Congress, which represents all the uniformed services of the United States. We back the introduction of H.R. 1383 The Restoring GI Bill Fairness Act of 2011.

ROA supports the effort to grandfather in current students who applied for the Post 9/

11 GI Bill benefits based on different rules in the law. And while many will gain advantages under the new changes to the law some of the current students utilizing the benefits are negatively affected. For example we have received concerning calls and emails from members that feel forsaken and as such members signed commitments based on the benefits which they now feel are significantly reduced.

This bill honors and recognizes the commitments current student veterans or their parents have made.

Thank you for your efforts on this key issue. If you have any questions please contact CAPT Marshall Hanson, legislative director, at (202) 646-7713 or mhanson@roa.org.

Sincerely,

DAVID R. BOCKEL,
*Major General, USA
(Ret.), Executive Director.*

WALKER M. WILLIAMS III,
*Colonel, USAF (Ret.),
National President.*

I reserve the balance of my time.

Mr. WALZ of Minnesota. Madam Speaker, I yield myself as much time as I may consume.

Again, I thank the chairman and the chairman of the subcommittee, the gentleman from Indiana (Mr. STUTZMAN), for working to improve on a very good piece of legislation. The 21st Century GI Bill was an improvement and a recognition that our modern warriors, especially those in the Guard and Reserves, were shouldering an incredible burden in these current conflicts protecting our freedoms.

With that, the 21st Century GI Bill went into effect, but I applaud this Congress for having the foresight to look, if something's not working correctly, bring it back and let's try and work through it. I am very much in support of this piece of legislation.

I also again want to thank the chairman of the subcommittee and the full committee for their willingness to work on an offset issue, one of the very difficult things that we have to do, and I applaud you for taking it head-on. We all understand the challenge of the financial situation and the need to make sure that every penny of the taxpayer's dollar is watched over carefully. I certainly don't think anyone wants to shortchange our veterans, but we will certainly look and do all we can. I think the compromise that we reached is certainly the way the public would want us to go. I am certainly happy with those new ones.

I think what's really important on this is, listening to the chairman talk about the different States where there were discrepancies, we need to be very clear—and I think this bill does that—that these veterans are not New York veterans, they're American veterans. They're Texan veterans, South Carolina veterans, and we need to make sure that we get that in there correctly.

There were a few issues that I think we can continue to talk about that came up from the VA themselves in implementation of the bill. I hope we continue, as I am sure we will in our committee and others, to keep focusing on

that to make sure that we can get it in and make sure there is not a delay to our servicemembers. They deserve to have it done on time.

Again, this is a good piece of legislation. We took on a challenging subject, the willingness to correct something that was needed to be corrected, and then the willingness to find the pay-for that was necessary. Thank you, Mr. Chairman, for that.

I reserve the balance of my time.

Mr. MILLER of Florida. Madam Speaker, I am now happy to yield such time as he may consume to the chairman of the Subcommittee on Economic Opportunity, the fine gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Madam Speaker, I rise in strong support of Chairman MILLER's manager's amendment to H.R. 1383, the Restoring GI Bill Fairness Act of 2011.

The bill would increase the cap on tuition and fees set by the Post-9/11 Veterans Education Assistance Improvements Act of 2010, passed by Congress on December 16, 2010, as signed into law by President Obama as Public Law 111-377.

The new law made several changes to the Post-9/11 GI Bill, including imposing a national cap of \$17,500 per academic year on tuition and fees paid to private institutions. Unfortunately, the cap will reduce VA payments on behalf of up to 30,000 veterans already enrolled in these private schools by thousands of dollars in at least seven States. Those States would include New York, Texas, Michigan, Pennsylvania, Arizona, South Carolina, and New Hampshire.

Madam Speaker, H.R. 1383, as amended, would raise that cap to \$27,000 for a period of 3 years for veterans already enrolled in these private schools as of April 1, 2011. Veterans who enroll after that date would be subject to the \$17,500 cap on tuition and fees.

In determining the amount of the new, temporary cap, we found that the College Board data showed that the average net tuition and fees charged to independent students attending the most expensive tier of private schools was roughly \$22,540.

□ 1640

Therefore, we believe that when combined with other Federal benefits like Pell Grants and the post-9/11 G.I. Bill's Yellow Ribbon program, the vast majority of veterans attending private institutions would not experience out-of-pocket costs. I would also point out that the Yellow Ribbon program offers schools the opportunity to make up any difference between the basic benefit and actual charges by sharing the difference dollar for dollar with the VA.

Finally, I support the revised PAYGO offset. By meeting this change, we meet our statutory budget rules and allow veterans monthly stipends to reflect the most current amount of basic allowance for housing paid to servicemembers at the E-5 with dependents rate.

Madam Speaker, I urge my colleagues to support H.R. 1383, as amended.

Mr. WALZ of Minnesota. Madam Speaker, again, I appreciate the gentleman from Indiana's work on this. I think we made a good piece of legislation even better, and that's a good thing. That's a good charge for us.

Mr. REHBERG. Madam Speaker, last month, I received a letter from Sergeant First Class Bart Holder, a Montana native who is currently serving our country in Afghanistan. Like many soldiers, Sgt. Holder chose to transfer his GI Bill benefits to his daughter, Madison. Thanks to her father's GI Bill benefits and an academic scholarship, Madison's freshman year tuition was fully paid for. And that's exactly how it should be.

But earlier this Spring, Madison was told that, as a result of changes made by Congress to the GI Bill, her benefits would no longer cover the full cost of her tuition. She was told that she would need to find several thousand dollars to make up for the shortfall. This bill, the Restoring GI Bill Fairness Act would bridge that gap for veterans and students like Madison who chose their college before Congress capped their GI Bill payments last December.

The GI Bill is about keeping a promise to the men and women who serve their country and the cause of freedom. On the battlefield, soldiers don't leave men behind, and we shouldn't strand students in the middle of their education by reducing their benefits without warning. Congress changed the rules in the middle of the game and veterans and their dependents who made sound fiscal decisions based on the old formula shouldn't have to pay the price.

I am proud to be a co-sponsor of this bill. And I urge all of my colleagues to vote yes on this important piece of legislation.

Mr. WALZ of Minnesota. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. MILLER of Florida. Madam Speaker, I once again encourage all Members to support H.R. 1383, as amended.

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 pass the bill, H.R. 1383, 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. MILLER of Florida. Madam Speaker, on that I demand the yeas and nays.

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

PENALTIES FOR MISREPRESENTATION AS A VETERAN-OWNED BUSINESS

Mr. MILLER of Florida. Madam Speaker, I move to suspend the rules

and pass the bill (H.R. 1657) to amend title 38, United States Code, to revise the enforcement penalties for misrepresentation of a business concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans.

The Clerk read the title of the bill. The text of the bill is as follows:

H.R. 1657

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

SECTION 1. DEPARTMENT OF VETERANS AFFAIRS ENFORCEMENT PENALTIES FOR MISREPRESENTATION OF A BUSINESS CONCERN AS A SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY VETERANS OR AS A SMALL BUSINESS CONCERN OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.

Subsection (g) of section 8127 of title 38, United States Code, is amended—

(1) by striking "Any business" and inserting "(1) Any business";

(2) by striking "a reasonable period of time, as determined by the Secretary" and inserting "a period of not less than five years"; and

(3) by adding at the end the following new paragraphs:

"(2) In the case of a debarment under paragraph (1), the Secretary shall commence debarment action against the business concern by not later than 30 days after determining that the concern misrepresented the status of the concern as described in paragraph (1) and shall complete debarment actions against such concern by not later than 90 days after such determination.

"(3) The debarment of a business concern under paragraph (1) includes the debarment of all principals in the business concern for a period of not less than five years."

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

The Chair recognizes the gentleman from Florida.

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

Madam Speaker, I rise today in support of H.R. 1657, a bill to revise the enforcement penalties for misrepresentation of a business concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans.

Madam Speaker, Public Law 109-461 created new opportunities for these service-disabled veteran-owned small businesses and the veteran-owned small businesses to be afforded contract work with the Department of Veterans Affairs. However, this bill had the unintended consequence of encouraging unscrupulous business owners to fraudulently claim to be a veteran or service-disabled veteran-owned small business in order to get those VA contracts.

H.R. 1657 would add teeth to the VA's enforcement abilities by requiring the Secretary to debar any company that fraudulently claims to be a service-disabled veteran-owned business for no

less than 5 years. The debarment would also apply to the business' principals.

I want to thank the gentleman from Indiana (Mr. STUTZMAN) for introducing this much-needed piece of legislation.

Madam Speaker, I reserve the balance of my time.

Mr. WALZ of Minnesota. Madam Speaker, I yield myself such time as I may consume.

Once again, I also rise in support of H.R. 1657. It is absolutely unconscionable that we would have folks taking the set-asides that we have made specifically available to our veterans as they return home to start small businesses. Again, it's certainly not a lottery they have won. It is this Nation's commitment to them to make sure they get on an equal footing and get going again; and anyone who is intentionally stealing those funds, it certainly should be a serious matter.

I applaud the gentleman from Indiana for continuing on this very bipartisan—in the last Congress, Congresswoman Herseeth Sandlin and now-Senator BOOZMAN took this up, started it moving, and it looks like you are going to get her across for us, Mr. STUTZMAN; and for that I am very happy.

I hope all my colleagues will join me in making sure we improve the protections for the veteran-owned enterprises and send a very clear signal that this is certainly fraud for those individuals who are engaging and taking those set-aside dollars because it is absolutely critical for our returning veterans.

Madam Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Madam Speaker, I am happy to yield such time as he may consume to the chairman of the Subcommittee on Economic Opportunity, the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. I thank the chairman for yielding.

Madam Speaker, I rise in strong support for H.R. 1657 that would revise the enforcement penalties for misrepresentation of a business concern as a small business concern owned and controlled by a veteran or a small business concern owned and controlled by service-disabled veterans.

Section 502 of Public Law 105-50 set a goal for all Federal agencies to spend at least three percent of their procurement funds with small businesses owned and controlled by service-disabled veterans. On October 21, 2004, President Bush reinforced the Federal Government's 3 percent goals by signing Executive Order 13360. According to the Small Business Administration, at the time of that executive order, the overall Federal procurement from service-disabled veteran-owned small businesses was about .38 percent, or about one-tenth of the goal set by statute and executive order. Even the VA was short of the goal, spending about 1.3 percent service-disabled veteran-owned small businesses.

To help VA meet the goal, section 5 of Public Law 109-461 gave some new