

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

tools to the VA contracting staff that essentially gave service-disabled veteran-owned small businesses preference in small business set-aside contracts while not ignoring the VA's other statutory set-aside goals such as for firms qualified as HUBZone and minority-owned small businesses. As a result, SBA data for fiscal year 2009 shows that overall Federal spending with service-disabled veteran-owned small businesses was about 1.98 percent, and VA spent nearly 17 percent with service-disabled veteran-owned small businesses.

Clearly, the law was having a positive result for veteran-owned small businesses. Unfortunately, as James Earl Jones said in "Field of Dreams": "If you build it, they will come." The "they" in this case are unscrupulous businesses that falsely claim veteran and disabled-veteran-owned status and the veterans who front for them.

The GAO did a review of 10 firms claiming to be service-disabled veteran-owned small businesses and found that none of them qualified as service-disabled veteran-owned small businesses. Since then, staff has continued to meet with the GAO and VA's Inspector General, and it is fair to say that there is no shortage of businesses fraudulently claiming to be veteran and/or service-disabled veteran-owned small businesses.

The original legislation merely authorized the Secretary of Veterans Affairs to debar these frauds for a period determined by the Secretary. However, given the continuing exposure of firms trying to steal contracts from legitimate veteran small businesses, I feel it necessary to provide some teeth to the law. My bill will direct the Secretary to debar these fraudulent firms and their principals for 5 years, and it would also set a schedule to speed up that action.

Madam Speaker, I note that the VA did not support the bill, citing a one-size-fits-all approach could harm firms who make an honest mistake in claiming status as a veteran or service-disabled veteran-owned small businesses. I again invite the VA to work with us to perfect a bill that will discourage frauds while protecting these contracts for valid veteran and service-disabled veteran-owned small businesses.

I believe that at a time when the economy is very difficult and veterans are looking to either start their business or go back to work, this bill will ultimately meet the need and protect those veterans and the businesses that are available to them.

I thank my distinguished ranking member, Mr. BRALEY, for his bipartisan support, as well as Chairman MILLER and Ranking Member FILNER for bringing H.R. 1657 to the House. I urge Members to support the bill.

Mr. WALZ of Minnesota. Madam Speaker, I reserve the balance of my time.

Mr. MILLER of Florida. Madam Speaker, I yield 2 minutes to the gen-

tleman from Michigan, Dr. BENISHEK, an able member of our committee and this subcommittee.

□ 1650

Mr. BENISHEK. Madam Speaker, I rise in support of H.R. 1657. I want to thank Congressman STUTZMAN for his leadership on this bill.

Before coming to Congress, I spent 20 years as a physician working at the VA health care system at Iron Mountain, and I am fortunate at this time to represent 68,000 veterans who call Michigan's First District home. When those veterans in my district decided to serve their country, they gave up the opportunity to pursue experience in a civilian career. Recognizing this sacrifice, Congress enacted laws giving service-disabled veteran owned small businesses preference when competing for government contracts.

Unfortunately, in a 2009 report, the GAO estimated that more than \$100 million dollars had been awarded to firms that fraudulently claimed service-disabled veteran ownership due to "significant control weaknesses" within the Department of Veterans' Affairs and the Small Business Administration. By expediting the debarment process and strengthening the penalties for those who misrepresent their status, this new bill provides more protection for service-disabled veteran owned businesses.

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

Mr. WALZ of Minnesota. Madam Speaker, again I thank the chairman of the full committee, the chairmen of the subcommittees, Ranking Member FILNER, and the subcommittee ranking members.

We put together four good bipartisan pieces of legislation to serve our veterans to make sure we strengthened the things that they have so rightfully earned, making the commitment of this Nation stronger to them. It's absolutely appropriate we do that as we move towards Memorial Day. And again, as I said when we began, Mr. Chairman, I think certainly one place where it's Memorial Day every year is in the committee, making sure we're fighting for those veterans, their families, getting it right. And I very much appreciate the sense of bipartisanship as we get that done.

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

GENERAL LEAVE

Mr. MILLER of Florida. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 1657 and H.R. 1383, 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. Once again, I encourage all Members to support H.R. 1657.

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. 1657.

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.

#### AIRPORT AND AIRWAY EXTENSION ACT OF 2011, PART II

Mr. PETRI. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 1893) to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1893

*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 "Airport and Airway Extension Act of 2011, Part II".

#### SEC. 2. EXTENSION OF TAXES FUNDING AIRPORT AND AIRWAY TRUST FUND.

(a) FUEL TAXES.—Subparagraph (B) of section 4081(d)(2) of the Internal Revenue Code of 1986 is amended by striking "May 31, 2011" and inserting "June 30, 2011".

(b) TICKET TAXES.—

(1) PERSONS.—Clause (ii) of section 4261(j)(1)(A) of the Internal Revenue Code of 1986 is amended by striking "May 31, 2011" and inserting "June 30, 2011".

(2) PROPERTY.—Clause (ii) of section 4271(d)(1)(A) of such Code is amended by striking "May 31, 2011" and inserting "June 30, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on June 1, 2011.

#### SEC. 3. EXTENSION OF AIRPORT AND AIRWAY TRUST FUND EXPENDITURE AUTHORITY.

(a) IN GENERAL.—Paragraph (1) of section 9502(d) of the Internal Revenue Code of 1986 is amended—

(1) by striking "June 1, 2011" and inserting "July 1, 2011"; and

(2) by inserting "or the Airport and Airway Extension Act of 2011, Part II" before the semicolon at the end of subparagraph (A).

(b) CONFORMING AMENDMENT.—Paragraph (2) of section 9502(e) of such Code is amended by striking "June 1, 2011" and inserting "July 1, 2011".

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on June 1, 2011.

#### SEC. 4. EXTENSION OF AIRPORT IMPROVEMENT PROGRAM.

(a) AUTHORIZATION OF APPROPRIATIONS.—

(1) IN GENERAL.—Section 48103 of title 49, United States Code, is amended by striking paragraph (8) and inserting the following: