

## PERSONAL EXPLANATION

**HON. SUSAN A. DAVIS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 13, 2013*

Mrs. DAVIS of California. Mr. Speaker, on Tuesday, June 11, 2013, I missed the following votes:

H.R. 251—South Utah Valley Electric Conveyance Act, had I been present, I would have voted “yes” on rollcall No. 212.

H.R. 1157—Rattlesnake Mountain Public Access Act, had I been present, I would have voted “yes” on rollcall No. 213.

RE: H. AMDT. 89 TO H.R. 2216 AND  
H. AMDT. 124 TO H.R. 2217

**HON. ALAN GRAYSON**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 13, 2013*

Mr. GRAYSON. Mr. Speaker, I introduced the amendments in the Veterans-Military Construction and Homeland Security appropriations bills that forbid contracting with offerors who have been indicted for, or convicted of, fraud or similar egregious acts, all of which establish a categorical, unequivocal and definitive lack of present responsibility. The intent of Congress with regard to these provisions, and other such provisions, is as follows: These provisions are to be construed broadly, not only for the sake of ensuring confidence in government contracting, but also to protect the public fisc. No exceptions of any kind are intended.

The terms “embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, violating Federal criminal tax laws, or receiving stolen property” and other such terms in these provisions are intended to be construed as broadly as possible. They extend to any offense that refers or relates to such offenses, whether Federal, State, county, municipal or tribal.

The term “offeror” includes all affiliates of any kind, including but not limited to parent companies, sister companies, subsidiaries and commonly controlled entities. The term is to be construed broadly.

To the extent feasible, this prohibition extends to the exercise of contract options in contracts that have already been awarded, and to contract modifications that increase or may increase contract price or cost.

It is the sense of Congress that these provisions, specifically including the prohibition on contract awards to indicted contractors, comport with due process and all other constitutional standards. Among other reasons, this is because of the due process protections preceding an indictment, the opportunity to challenge an indictment immediately in court, and both constitutional and statutory rights to a speedy trial. No contractor should have standing to challenge this prohibition based on an indictment without first exhausting legal challenges to the indictment. An indicted contractor that fails to exploit any provision providing for a speedy trial waives the right to challenge this prohibition.

If an offeror should make the certification in question but fails to do so, or an offeror falsely

certifies, then any resulting contract has been procured by fraud, and no future payments thereunder are permitted, and all past payments constitute false claims, regardless of whether any work has been done or deliverables accepted. A false certification shall be actionable under Section 1001 of the U.S. Criminal Code, and other applicable law, and any resulting indictment or conviction shall qualify for the prohibition within these provisions. Any request for payment under a resulting contract shall qualify as both a criminal false claim and a civil false claim.

## HONORING BERNARD COTTON

**HON. BENNIE G. THOMPSON**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 13, 2013*

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise today to honor a plausible and apt man, Mr. Bernard Cotton. He has shown what can be done through tenacity, dedication and a desire to serve others.

Mr. Bernard Cotton is a native of Warren County and resides in Vicksburg, Mississippi. He served in the educational arena for 33 years.

Mr. Cotton earned his Associate Degree in Chemistry from Mary Holmes Junior College, West Point, MS in 1963. Mr. Cotton served in the United States Military from January, 1966 to January, 1968, during the Vietnam Era. In 1969 he earned his Bachelor's Degree in Sociology from Alcorn State University; in 1971 he earned his Master's in Political Science from Western Illinois University; and lastly in 1978 earned his Doctorate in Political Science from Washington State University. During his tenure at Alcorn State University, Mr. Cotton served: in the capacity of Retired Professor Emeritus of Political Science (2002); Interim Dean, School of Arts and Science (2000–2002); Professor of Political Science (1993–2002); Pre Law Advisor (1985–2000); Associate Professor of Political Science (1985–1993); Acting Chair, Department of Social Science (1980–1985); Assistant Professor of Political Science (1978–1983); and Instructor of Social Science (1971–1974). Mr. Cotton has also held several other positions within the education arena such as: Director of Bicentennial Workshop; Graduate Assistant in the Political Science Department; Associate Director for the Black Studies Program at Washington State University in Pullman, WA (1974–1978); and Graduate Assistant in the Political Science Department at Western Illinois University, Macomb, IL (1969–1971).

Mr. Cotton is a member of numerous professional and social organizations. He is married and to that union they have two sons. Mr. Speaker, I ask my colleagues to join me in recognizing Mr. Bernard Cotton for his passion and dedication to education and desire to make a difference in the lives of others.

THE 50TH ANNIVERSARY OF  
FULLER GT MAGNET ELEMENTARY  
TARY

**HON. DAVID E. PRICE**

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Thursday, June 13, 2013*

Mr. PRICE of North Carolina. Mr. Speaker, I rise today to congratulate Fuller Gifted and Talented Magnet Elementary School of Raleigh, North Carolina, on its 50th anniversary and for its strong tradition of excellence.

Fuller Magnet Elementary first opened in 1962 with 200 African-American students. Today, 50 years later, Fuller serves 600 students from many different backgrounds and cultures around the world.

Since its founding, Fuller has embraced the philosophy that each child should be challenged at his or her own intellectual level and be provided with opportunities for success each day. Fuller integrates two magnet programs into its instruction, offering the Gifted and Talented Program along with the Academically Gifted Basics program. Fuller also benefits from strong community ties, including a partnership with North Carolina State University in both academic and leadership initiatives.

I commend Fuller on its strong academic and instructional program. The school has set high expectations for students, parents, and teachers alike, and it has also looked at the whole of the student's education, teaching social responsibility and character development in addition to academics. Parental support, talented and committed teachers, and a positive school climate are the foundation of a successful educational community, and Fuller Elementary is abundant in all three. Fuller has been a valuable asset to the Raleigh community these past fifty years, investing in young people and equipping them with the skills and education they need to become the leaders of the future.

The Triangle is considered as one of the best places in the nation to live, work and raise a family, and Fuller Gifted and Talented Magnet Elementary School is one of the many excellent schools that contributes to that reputation. I hope that its 50th anniversary celebration is a time of reflection on the history of the school and of rededication to excellence and community betterment.

## NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2014

SPEECH OF

**HON. EDDIE BERNICE JOHNSON**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, June 12, 2013*

The House in Committee of the Whole House on the state of the Union had under consideration the bill (H.R. 1960) to authorize appropriations for fiscal year 2014 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for such fiscal year, and for other purposes:

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chair, I rise today in support of the men and women in uniform who have been faced