

This is a bipartisan bill championed by Senators CARPER and VOINOVICH and deserves our support. I urge a "yes" vote.

Mr. JOHNSON of Georgia. Madam Speaker, I rise in support of 5809, the Diesel Emissions Reduction Act. This legislation will reauthorize an important program that establishes a voluntary national and state-level grant and loan program to reduce emissions from existing diesel engines through clean diesel retrofits.

This reauthorization is particularly important for the citizens of my home State of Georgia who face the 15th highest risk of premature death due to diesel soot, when compared to the lower 48 states. According to the Clean Air Task Force, diesel soot in Atlanta leads to 335 premature deaths, over 14 thousand asthma attacks, and over 250 cases of chronic bronchitis. The cancer risk of breathing diesel soot in Atlanta is 442 times the EPA's acceptable cancer level of 1 in a million. These figures are appalling and unacceptable.

The Diesel Emissions Reduction Act has supported the cleanup of diesel engines throughout Georgia and every state in the union. Passage of this bill will improve health outcomes and save on health care costs across the country and that is why I urge my colleagues to vote yes.

□ 1040

Mr. BURGESS. As the gentleman knows, I can talk on this until my time has expired, but in the interest of comity and the spirit of the season and peace on Earth, good will toward men, I will yield back the balance of my time.

Mr. WAXMAN. Notwithstanding the fact the gentleman yielded back his time, I want to now use the remainder of mine, but I won't, even though I could, but in the interest of comity and good will, I won't complain, I won't go on, I will simply yield back my time and urge Members to support this worthwhile piece of legislation, which is now being, hopefully, passed for the second time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. WAXMAN) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 5809.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the Senate amendments were concurred in.

A motion to reconsider was laid on the table.

DEFENSE LEVEL PLAYING FIELD ACT

Mr. INSLEE. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6540) to require the Secretary of Defense, in awarding a contract for the KC-X Aerial Refueling Aircraft Program, to consider any unfair competitive advantage that an offeror may possess.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6540

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 "Defense Level Playing Field Act".

SEC. 2. CONSIDERATION OF UNFAIR COMPETITIVE ADVANTAGE IN EVALUATION OF OFFERS FOR KC-X AERIAL REFUELING AIRCRAFT PROGRAM.

(a) REQUIREMENT TO CONSIDER UNFAIR COMPETITIVE ADVANTAGE.—In awarding a contract for the KC-X aerial refueling aircraft program (or any successor to that program), the Secretary of Defense shall, in evaluating any offers submitted to the Department of Defense in response to a solicitation for offers for such program, consider any unfair competitive advantage that an offeror may possess.

(b) REPORT.—Not later than 60 days after submission of offers in response to any such solicitation, the Secretary of Defense shall submit to the congressional defense committees a report on any unfair competitive advantage that any offeror may possess.

(c) REQUIREMENT TO TAKE FINDINGS INTO ACCOUNT IN AWARD OF CONTRACT.—In awarding a contract for the KC-X aerial refueling aircraft program (or any successor to that program), the Secretary of Defense shall take into account the findings of the report submitted under subsection (b).

(d) UNFAIR COMPETITIVE ADVANTAGE.—In this section, the term "unfair competitive advantage", with respect to an offer for a contract, means a situation in which the cost of development, production, or manufacturing is not fully borne by the offeror for such contract.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Washington (Mr. INSLEE) and the gentleman from Kansas (Mr. MORAN) each will control 20 minutes.

The Chair recognizes the gentleman from Washington.

GENERAL LEAVE

Mr. INSLEE. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks on the bill under consideration.

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

There was no objection.

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

We have another great bipartisan success today, at the closing day of our Congress, and I want to thank Representatives LARSEN, BLUNT, TIAHRT, MORAN, and MCDERMOTT for bringing this bipartisan bill to the floor. This bill is the Defense Level Playing Field Act, which will incorporate in standalone legislation an amendment we adopted with huge bipartisan support previously by a vote of 410-8 on the defense authorization bill.

This bill is very important to bring a level of fairness and competitiveness from a job creation perspective to the tanker contract, which is now one of the largest procurement contracts in American history, a \$35 billion contract providing for 179, and ultimately 400, aerial refueling planes, which will replace the Eisenhower-era tankers, which is so critical to our Nation's skeleton and backbone of our Nation's defense.

I note the basic thrust of this bill is to make sure that in our procurement

process that we have fairness—fairness both to the law and fairness to the American workers, who are so successful. And one of the bidders we hope to be so successful with is the Boeing 767 platform, which will be fully capable of continuing the tradition of American provision of the very backbone of our American fleet and providing our tankers.

I want to make four points about what this bill will do. Basically, what this bill will do is require the Defense Department to take into consideration any unfair competitive advantage of any of the bidders in this contract. What basically this bill will do is require that the Pentagon take into consideration any unfair competitive advantage enjoyed by either of the bidders, Boeing or the Airbus consortium, and that is defined as costs of development, production, or manufacturing that are not fully borne by the offeror of any such contract.

Obviously, what gave rise to this amendment was the fact that we have found that there were over \$5 billion of illegal, unfair competitive advantage that has been enjoyed by one of the contractors, the Airbus consortium.

But I want to make four points about what our bill does. Number one, our bill basically says that we need a fair competition. We are happy to compete as Americans. We love competition. We're happy to compete, but we need to do it on a level playing field. And this bill is very fair because it says that any unfair competitive advantage of either of the bidders needs to be taken into consideration in this bill. We love competition, but it needs to be fair.

Second, this bill is fair to both sides, Boeing and Airbus, America and Europe, because it requires an unfair competitive advantage from either bidder to be taken into consideration. And it is WTO-compliant. We were careful to draft the bill with that in mind.

Third, this is an enormous contract, and there have been enormous unfair competitive advantages bestowed on one of the bidders—frankly, Airbus. The \$5 billion of illegal subsidies that we have found come out to somewhere between 27 and \$5 million an airplane. This is an extraordinarily unfair advantage that one of the bidders has been given, and we need to take that into consideration.

Fourth, the job importance of this issue cannot be overstated. It is estimated that 62,000 jobs could hang in the balance if we allow these illegal subsidies not to be remedied in this procurement contract. American workers have built the best airplanes. They're ready to do it. And we're not going to allow tens of thousands of jobs to be lost based on illegal subsidization by our friends in Europe.

Now we have standalone legislation. We look forward to giving the Senate every opportunity to act on this.

With that, I reserve the balance of my time.

Mr. MORAN of Kansas. Madam Speaker, I yield myself such time as I may consume.

I rise to support the legislation introduced by the gentleman from Washington, and I appreciate his explanation for what this legislation does. I am here to encourage my colleagues both in the House and the Senate to support this legislation to level the playing field in the Air Force tanker competition. This is an unending story, presumably. It has gone on for a long time. But at this stage in the process, we need to make certain that there is fairness. We need fairness for our workers, fairness for American companies, and fairness for the American taxpayer.

Earlier this year, the World Trade Organization found that European governments are guilty of providing nearly \$6 billion in illegal subsidies to Airbus to develop aircraft. These subsidies can put our American workers at a disadvantage in the world marketplace. Tens of thousands of U.S. aerospace jobs have already been lost overseas; the Department of Defense, we risk job loss in the \$35 billion tanker competition with these subsidies. In Wichita, Kansas, alone, where the finishing center for the new Boeing tanker will take place, the tanker contract could mean 7,500 jobs.

Common sense today tells us that when we are so desperate for employment in the United States, we need to make certain that the competition we are engaged in is based upon fairness. But even with the WTO decision, the Department of Defense has ignored the facts. The Pentagon must not be working against millions of Americans who are looking for work, nor should our own government ask American taxpayers to foot the bill for a European economic stimulus.

The Defense Level Playing Field Act tells the Pentagon it can no longer close its eyes to the unfair European subsidies. This bill says that the tanker bidding process must be conducted fairly. Its intent is to require the DOD to take into account the price impact of illegal European subsidies. It makes sure that there is a level playing field so that no bidder, whether it's foreign or domestic, has an unfair competitive advantage.

American aerospace workers are ready to support our men and women in uniform with the best tanker, and they must be given a fair opportunity to do so. Please join me in standing up for the American worker and for the U.S. taxpayer by voting favorably for the Defense Level Playing Field Act.

I reserve the balance of my time.

Mr. INSLEE. Madam Speaker, I yield 2 minutes to my friend and colleague, the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. I want to congratulate Mr. INSLEE and his leadership on this measure.

Madam Speaker, in a few short weeks, according to the latest news

from the Pentagon, this tanker contract is expected to be awarded. Again, I don't think anyone can understate the impact over the decades that final outcome will have on the U.S. economy, particularly our aerospace industrial base.

□ 1050

As has been mentioned by prior speakers, the first tranche of contracts will be about \$35 billion. In total, it is estimated to be about \$100 billion just in manufacturing. Given the age of the existing tanker planes, the maintenance and repair work is probably another \$100 billion if you look over the lifetime of this plane's existence.

So, for the American industrial base, the decision which the Pentagon is on the verge of announcing will have an impact decades hence, and it is extremely important for the American taxpayers that they be given total assurance that this decision is going to be made fairly and with the best interests of our country at heart.

If you would just step back and look at other weapons procurement programs, whether it is nuclear submarines, aircraft carriers, the Joint Strike Fighter, the notion that those contracts, that those weapons platforms would be awarded to foreign manufacturers that receive subsidies from their governments would be just laughable; but for some reason, in this instance, the Department of Defense has just turned a blind eye to the obvious unfairness which this bid process has produced.

So, again, what this very simple measure seeks to do is to put a big red warning flag up to the Pentagon to say, when this decision is made, for the sake of the American taxpayers, subsidies that have been found to be illegal will be taken into account in the final decision.

I urge strong support for this measure.

Mr. MORAN of Kansas. I continue to reserve the balance of my time.

Mr. INSLEE. Madam Speaker, I yield 2 minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I thank the gentleman from Washington.

I rise in support of this bipartisan legislation that will protect American jobs and ensure competitive fairness in the contract bid for the next aerial refueling tanker.

Madam Speaker, in May, the House voted overwhelmingly, 410-8, on a similar amendment to the defense authorization bill to require the Pentagon to take into account the illegal subsidies that have distorted this competition from day one.

The choice for the next-generation tanker contract is clear. We can give the contract to an American company, Boeing, and support an estimated 50,000-plus good, high-skilled jobs across this country, or we can give the contract to a European company, Airbus, thus creating tens of thousands of

jobs in Europe. With unemployment where it is today, this should be a no-brainer.

In fact, since the last time this issue was brought to the floor, the WTO made a final ruling in the trade case brought by our government against the European Union. It ruled that billions of dollars in illegal European Government "launch aid" subsidies have been used by Airbus to develop every aircraft it has built. More than \$5 billion of these subsidies made it possible for Airbus to launch the A330 it is offering for the tanker.

We need to ensure a fair, open, and transparent tanker competition. Our companies and our workers can compete against any in the world when there is a level playing field. I urge my colleagues to support this legislation ensuring that the Pentagon takes into account these illegal Airbus subsidies. We need to provide the best tanker for the Air Force, and we must not send these critical defense manufacturing jobs overseas.

Mr. MORAN of Kansas. Madam Speaker, once again, I reserve the balance of my time.

Mr. INSLEE. I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman.

Madam Speaker, I join my colleagues by admitting that competition is good, and I rise in support of competition.

Yet I also recognize as a member of the Manufacturing Caucus that Americans are ready and clamoring to build, and they want to produce and create. As they do that with their sophisticated technology, they create jobs. So I believe it is unfair that when there is a competition that our companies, in fact in our own country at the Pentagon, are competing against those companies that are subsidized.

So I rise in support of this legislation, H.R. 6540, which does not in any way hamper the ability of the Pentagon to do its work, but indicates that we can build the KC-X Aerial Refueling Aircraft Program by a company that we have, in this instance Boeing, of which I am very familiar, having worked extensively with it in the NASA Human Space Exploration Program.

Let us build again. Let us manufacture again. Yes, we will create jobs, but we will create and reinforce the genius of our young people who are being trained and of those scientists who have created topnotch technology.

To be on the front lines, men and women who are in the United States military need the best equipment to be able to create jobs and bring manufacturing back in this country. We need to have the competitiveness and an even playing field. No subsidies. Boeing can do it. We need to have the Pentagon recognize that America is back in the saddle again. We are building quality products, and we need to be able to build the KC-X Aerial Refueling Aircraft.

Mr. MORAN of Kansas. I continue to reserve the balance of my time, Madam Speaker.

Mr. INSLEE. Madam Speaker, I want to put in a good word for my comrade in arms, TODD TIAHRT. He isn't with us right at the moment, but he did great work on this—he has had a great career—as well as Mr. LARSEN.

A couple of closing comments.

I come from a Boeing family. My uncle's cousins have worked with Boeing products from the 707, to the 737, to the 727, to the 747. Now they hope to work on the 767 tanker product. So this is a hometown team issue for me, but it is an international issue as to whether or not we are going to have rules when we compete with our friends across the pond, and we are happy to compete no matter what team we are on. This simply insists that America will follow the rules in a fair competition. It is the right thing to do.

So, in that regard, Madam Speaker, I will note that sometimes Congress reserves the best in its legislation and the best in its speakers pro tem for the last, and I think that this is the best in both ways.

I continue to reserve the balance of my time.

Mr. MORAN of Kansas. Madam Speaker, I appreciate very much the comments that have been made today on the House floor.

Economically, there is no more important issue in the State of Kansas than the success or at least the opportunity to have success in this contract bidding process. It has been a long time that we have been waiting, and I hope the gentleman who spoke earlier who indicated that we are on the verge of a decision is accurate. This would be a great development, not only for the people of our State but for the people of our country if we learn that there are jobs to be created and that there is a manufacturing base to be further developed in the United States.

I very much appreciate the gentleman from Washington's indication that this bill is about a level playing field. It is not about awarding the contract. It is about giving fairness to the bidding process.

I hope that we have the opportunity, if the Senate will also pass this legislation again on the verge of a decision, to once again remind the Department of Defense of their responsibility to the will, not only of Congress for a level playing, but to the rightness of this cause, to the sense of fairness, for the right of justice, and for building the opportunity of job creation in this country, not only today but tomorrow as well.

With that, Madam Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. MILLER).

(Mr. MILLER of Florida asked and was given permission to revise and extend his remarks.)

Mr. MILLER of Florida. I thank the gentleman for yielding.

Madam Speaker, I apologize to the House for being out of breath, but ap-

parently this bill was brought up on the floor at the last minute and without anybody's knowledge. I don't know if it has been discussed, but I sit on the Armed Services Committee, and I would like to ask my friend from Kansas, if I may, Madam Speaker, Has the professional staff on the Armed Services Committee at all given their thoughts on the implication of this bill?

I can answer the question. I shouldn't have thrown it to you. The answer is "no."

The answer is "no" because it hasn't gone through regular order. This bill is not going through regular order. It is amazing to me that we are bringing something forward today, as you have been saying already, that has great implications to the national security of this country. The Armed Services Committee and the requisite subcommittees have not had an opportunity to talk about this particular piece of legislation.

□ 1100

We heard that this may come up last week. It didn't come up last week. Unfortunately, some of the Members who are very involved in this contracting issue had no idea this was coming to the floor today. I speak on their behalf. Some of those very Members are on airplanes flying to Washington, trying to come up here to be able to debate this particular piece of legislation.

But, again, it's business as usual for this House and in the waning days of the 111th Congress that we would bring pieces of legislation forward that impact Members all across this country, yet not give them the opportunity to come to the floor in a timely fashion and express their views.

I would urge my colleagues to vote against this particular piece of legislation.

Mr. MORAN of Kansas. I thank the gentleman for his comments.

I would point out to the House that an amendment to the defense authorization bill of a similar nature passed the House of Representatives by a vote of 408–10.

I would let the gentleman from Washington know that I have no other speakers and am prepared to close.

I reserve the balance of my time.

Mr. INSLEE. I just wanted to address Mr. MILLER's concern, wanted to advise him that we have been in discussions for the last several days with the current minority staff on the committee, who have all been well-advised about our intention to bring this in one way or another, either by UC or suspension, to the floor, and we've appreciated their cooperation in doing that.

I also want to advise Mr. MILLER that this is exactly the same language we did vote for, including the gentleman from Florida, in its previous incarnation in the Defense authorization bill. I hope that I can say this is a fairly non-controversial issue in the House, and we hope that when the light of public

interest is shone on the Senate that they will act on this as well on behalf of America.

Madam Speaker, I would reserve my time unless the gentleman has no further speakers.

Mr. MORAN of Kansas. I thank the gentleman from Washington for his comments today and look forward to this bill's passage. I encourage my colleagues to vote for it.

I, too, would like to recognize the work of my colleague from Kansas (Mr. TIAHRT) in his efforts on this topic over a long period of time and appreciate his leadership on behalf of the people of Kansas on this and many other issues.

Mr. HARPER. Madam Speaker, I was unable to participate during floor debate regarding H.R. 6540, The Defense Level Playing Field Act of 2010. I would like to place my statement into the RECORD:

It is now four days before Christmas and the Air Force is nearing completion of its evaluation of multiple offers to replace our aging tanker aircraft. We are in the ninth year of this effort to award a contract to replace the Air Force's existing tanker aircraft that have an average age of 50 years in service. I would remind my colleagues that we have airmen and airwomen of our Air Force risking their lives every day to perform the refueling mission across the globe in aircraft that were built and delivered when Dwight Eisenhower was President of the United States.

Why are we considering this legislation at this time? Do we dare take action on legislation, four days before Christmas, without proper Committee review, that will delay replacement of these aircraft? Are we being responsible to the men and women in uniform by bypassing completely the House Armed Services Committee? Are we, by considering adoption of this bill, creating a precedent for Congressional interference in an ongoing competition?

I would ask my colleagues—has anyone asked the Secretary of Defense if this legislation is needed? Has anyone asked Secretary Gates or the Chief of Staff of the Air Force how long it would further delay this contract award in the event it became law?

This House should not be here today, considering legislation of this kind without proper review and without full knowledge of its impact. The men and women serving in uniform, flying 50-year old aircraft, deserve better than to have this House—at the last stages of this competition—undertake an action which will further delay this contract moving forward.

Mr. MILLER of Florida. Madam Speaker, it is now four days before Christmas, and the United States Air Force is nearing completion of its evaluation of multiple offers for replacement tanker aircraft. We are now in the ninth year of effort to award a contract for the replacement of tanker aircraft that have an average age of 50 years in service. I would like to remind my colleagues that the men and women of our Air Force are risking their lives every day to perform the refueling mission across the globe in aircraft that were built and delivered when Ike Eisenhower was President of the United States!

How dare we take action, in the waning days of this Congress, without proper committee review, that will delay replacement of these aircraft? The men and women serving in uniform, flying 50-year old aircraft, deserve

better than to have this House—acting on behalf of one company, during the last stages of this competition—undertake an action, which will further delay this contract from moving forward.

I would ask my colleagues—has anyone asked the Secretary of Defense if this legislation is needed? Has anyone asked Secretary Gates or General Schwartz how long it would further delay this contract award in the event it becomes law? Are we, by considering adoption of this bill, creating a precedent for Congressional interference in an ongoing competition? It is absurd bringing this bill to the House floor while the impact of this legislation has yet to be reviewed and weighed.

This House should not be here today, considering legislation of this kind without proper review and without full knowledge of its impact. We certainly should not do so simply because one company—based in Washington State—thinks that they need to change the evaluation metrics at the last minute. If they have no airplane flying that can compete fairly, they should conduct their business better—and this House should refrain from interfering in an ongoing competition. I urge my colleagues to vote “no” on this amendment.

MR. MORAN of Kansas. I yield back the balance of my time

Mr. INSLEE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. INSLEE) that the House suspend the rules and pass the bill, H.R. 6540.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the yeas 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.

PROTECTING STUDENTS FROM SEXUAL AND VIOLENT PREDATORS ACT

Mr. GEORGE MILLER of California. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6547) to amend the Elementary and Secondary Education Act of 1965 to require criminal background checks for school employees.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6547

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 “Protecting Students from Sexual and Violent Predators Act”.

SEC. 2. BACKGROUND CHECKS.

Subpart 2 of part E of title IX of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7901 et seq.) is amended by adding at the end the following:

“SEC. 9537. BACKGROUND CHECKS.

“(a) BACKGROUND CHECKS.—Each State that receives funds under this Act shall have in effect policies and procedures that—

“(1) require that criminal background checks be conducted for school employees that include—

“(A) a search of the State criminal registry or repository in the State in which the school employee resides and each State in which such school employee previously resided;

“(B) a search of State-based child abuse and neglect registries and databases in the State in which the school employee resides and each State in which such school employee previously resided;

“(C) a search of the National Crime Information Center of the Department of Justice;

“(D) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

“(E) a search of the National Sex Offender Registry established under section 19 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

“(2) prohibit the employment of school employees for a position as a school employee if such individual—

“(A) refuses to consent to the criminal background check described in paragraph (1);

“(B) makes a false statement in connection with such criminal background check;

“(C) has been convicted of a felony consisting of—

“(i) homicide;

“(ii) child abuse or neglect;

“(iii) a crime against children, including child pornography;

“(iv) spousal abuse;

“(v) a crime involving rape or sexual assault;

“(vi) kidnapping;

“(vii) arson; or

“(viii) physical assault, battery, or a drug-related offense, committed within the past 5 years; or

“(D) has been convicted of any other crime that is a violent or sexual crime against a minor;

“(3) require that a local educational agency or State educational agency that receives information from a criminal background check conducted under this section that an individual who has applied for employment with such agency as a school employee is a sexual predator report to local law enforcement that such individual has so applied;

“(4) require that the criminal background checks described in paragraph (1) be periodically repeated; and

“(5) provide for a timely process by which a school employee may appeal the results of a criminal background check conducted under this section to challenge the accuracy or completeness of the information produced by such background check and seek appropriate relief for any final employment decision based on materially inaccurate or incomplete information produced by such background check, but that does not permit the school employee to be employed as a school employee during such process.

“(b) DEFINITIONS.—In this section:

“(1) SCHOOL EMPLOYEE.—The term ‘school employee’ means—

“(A) an employee of, or a person seeking employment with, a local educational agency or State educational agency, and who has a job duty that results in exposure to students; or

“(B) an employee of, or a person seeking employment with, a for-profit or nonprofit entity, or local public agency, that has a contract or agreement to provide services with a school, local educational agency, or State educational agency, and whose job duty—

“(i) is to provide such services; and

“(ii) results in exposure to students.

“(2) SEXUAL PREDATOR.—The term ‘sexual predator’ means a person 18 years of age or older who has been convicted of, or pled guilty to, a sexual offense against a minor.”.

SEC. 3. CONFORMING AMENDMENT.

Section 2 of the Elementary and Secondary Education Act of 1965 is amended by adding after the item relating to section 9536 the following:

“Sec. 9537. Background checks.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. GEORGE MILLER) and the gentlewoman from Illinois (Mrs. BIGGERT) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 6547 into the RECORD.

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

There was no objection.

Mr. GEORGE MILLER of California. I yield myself such time as I may consume.

Madam Speaker, I rise today on behalf of all children in our country. I rise for all parents who send their children to school with the understanding that their children will be safe.

Last week, the Committee on Education and Labor released a disturbing, outrageous report from the Government Accountability Office highlighting cases where convicted sexual offenders were working at schools. In 11 of the 15 cases, sexual offenders who were hired or retained by schools had previously targeted children, and in six of those cases, the sex offenders used their job to target and abuse more children, and this is unacceptable.

This report is frightening insight into what happens when rules aren't followed or simply aren't in place. It showed that in many cases comprehensive background checks could have easily prevented these crimes from occurring. It also showed that some school districts knowingly passed on a potential predator to another school district, allowing the offender to resign instead of reporting him or her. It is outrageous that a sexual or violent predator of children can be passed from school to school.

The Government Accountability Office found that school systems either did not have complete information or, perhaps worse, chose to ignore the problem or to make it worse by providing positive recommendations about the employee, knowing that they had abused children in their care. In many places, the current system of ensuring our students' safety is broken. It has huge gaps that are allowing our children to be vulnerable to sexual predators.

Madam Speaker, this Congress can do more to protect our children. The Protecting Students from Sexual and Violent Predators Act will help keep our