

problematic drywall from homes to specify that this drywall should not be reused or put back into the drywall production stream. Once this drywall is removed from one home, we need to make sure it does not end up in another.

Despite issues with why H.R. 4212 is back here on the House floor, the Democratic leadership of the Energy and Commerce Committee and its Subcommittee on Commerce, Manufacturing, and Trade, and I along with them, support this bill and urge my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Mr. TERRY. At this time I yield 3 minutes to the gentleman from Virginia (Mr. RIGELL), who's the lead Republican sponsor. His dogged leadership on this is why it's back on the House floor again.

Mr. RIGELL. I thank Chairman TERRY very much for yielding and my friend and colleague, the gentlelady from New York, for your support of this good bill.

Mr. Speaker, I rise in strong support of the Drywall Safety Act of 2012, as amended. I urge my colleagues to vote "yes" on really what is much-needed and commonsense legislation that's going to come before the House tonight.

For nearly 4 years, families across the country have suffered from the harmful effects of defective Chinese-manufactured drywall. They're friends and neighbors, and they're families, Mr. Speaker, who worked hard and saved and really set out for that classic American Dream to own their own home or to finish their retirement years in a home, and yet that dream turned into a literal nightmare when their home was filled with a mysterious and foul rotten egg type of odor. I've been in these homes. It completely makes the home uninhabitable. It takes all the copper wiring in the home and basically turns it into black soot. They have to replace the compressors on the air conditioners. And even worse is that their health deteriorates.

They turn first to the builders. The builders are not covered by their insurance. Some were able to help out the homeowners and renovate the home on their own, but many are not able to do that, and some builders have gone out of business. They turned then to the manufacturer of the contaminated drywall in China, but really have no recourse there. It's a profoundly sad situation where Americans, through no fault of their own, are experiencing bankruptcy and terrible financial problems.

But tonight we have an opportunity to do what's right and to stand with our friends and neighbors and pass this legislation. It will hold China responsible in no uncertain terms for failing to require their manufacturers to rightly compensate Americans who have been damaged and victimized by those contaminated products.

We express the undivided sense of Congress, Republicans and Democrats working together, that we're going to make sure that China is held accountable for what they've done here. It requires labeling on all the drywall products to make sure that we can find out who's responsible for the manufacturer of each and every piece of drywall that's manufactured; it will limit the amount of sulfur in the drywall, which was the cause of all of this; and, as has been pointed out by my colleague from New York, it's a voluntary standard as opposed to just more massive government intervention. I think that's the right path to go.

So I thank my friends and colleagues from both sides of the aisle for making this possible. The underlying legislation passed the House unanimously in September. The amendment that has been made, I think, is very modest. I especially want to thank my friend and colleague from Florida, Mr. DEUTCH, for working with me as cochair of the Chinese Drywall Caucus. I thank the chairman for yielding and for your support on this piece of legislation.

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

Mr. TERRY. Mr. Speaker, in closing, let me make one very important point. Republicans and Democrats alike are united on this important health and safety issue. I urge all Members to pass this amendment today and get the needed consumer protections in place.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Nebraska (Mr. TERRY) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 4212.

The question was taken.

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

Ms. HOCHUL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### UNINTERRUPTED SCHOLARS ACT

Mr. ROE of Tennessee. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3472) to amend the Family Educational Rights and Privacy Act of 1974 to provide improvements to such Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3472

*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 "Uninterrupted Scholars Act (USA)".

#### SEC. 2. FAMILY EDUCATIONAL RIGHTS AND PRIVACY.

Section 444(b) of the General Education Provisions Act (20 U.S.C. 1232g(b)) (commonly known as the "Family Educational Rights and Privacy Act of 1974") is amended—

(1) in paragraph (1)—

(A) in subparagraph (J)(ii), by striking "and" after the semicolon at the end;

(B) in subparagraph (K)(ii), by striking the period at the end and inserting "; and"; and

(C) by inserting after subparagraph (K), the following:

"(L) an agency caseworker or other representative of a State or local child welfare agency, or tribal organization (as defined in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b)), who has the right to access a student's case plan, as defined and determined by the State or tribal organization, when such agency or organization is legally responsible, in accordance with State or tribal law, for the care and protection of the student, provided that the education records, or the personally identifiable information contained in such records, of the student will not be disclosed by such agency or organization, except to an individual or entity engaged in addressing the student's education needs and authorized by such agency or organization to receive such disclosure and such disclosure is consistent with the State or tribal laws applicable to protecting the confidentiality of a student's education records."; and

(2) in paragraph (2)(B), by inserting "; except when a parent is a party to a court proceeding involving child abuse and neglect (as defined in section 3 of the Child Abuse Prevention and Treatment Act (42 U.S.C. 5101 note)) or dependency matters, and the order is issued in the context of that proceeding, additional notice to the parent by the educational agency or institution is not required" after "educational institution or agency".

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

The Chair recognizes the gentleman from Tennessee.

#### GENERAL LEAVE

Mr. ROE of Tennessee. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks on S. 3472.

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

There was no objection.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself such time as I may consume.

I rise today in support of S. 3472, the Uninterrupted Scholars Act. The bill amends the Family Educational Rights and Privacy Act of 1974, better known as FERPA, to give child welfare agency caseworkers access to the educational records of foster children. This is an important bill that will help improve the quality of education for children in foster care.

□ 1730

In 2008, Congress passed the Fostering Connections to Success and Increasing Adoptions Act, which tasked

child welfare agencies with ensuring that children in foster care are enrolled in school. In carrying out this important mission, agencies are required to consider educational stability when identifying foster care placements and coordinate with local school districts to ensure that young people stay in their current school when placed in foster care or are immediately enrolled in a new school if that is in their best interest.

Over the last 4 years, student privacy law has made it difficult to properly implement the educational stability provisions of the Fostering Connections law. For example, child welfare agents are unable to access student education records in a timely manner, if at all, to properly monitor student progress and coursework, or to get students enrolled in the proper courses if a transfer of schools is necessary.

The Uninterrupted Scholars Act will correct these challenges. By allowing direct—and limited—access to the education records of foster kids, caseworkers can follow the students' education in a timely manner and help ensure greater success in school.

The Committee on Education and the Workforce—and this Congress—understands the importance of maintaining strong student privacy protections and supports the provisions included in FERPA. It is our responsibility to ensure a student's personal information, such as academic progress, placement or disciplinary records, is not shared with anyone other than officials directly involved in the student's education.

For children in foster care, child welfare agents have a responsibility to look out for the education of their students and have a direct need to have access to these important records. The bill before us today narrowly grants caseworkers access to these important records.

Mr. Speaker, S. 3472 is a narrow, but critical, step in helping children in foster care receive a better education. I urge my colleagues to support this bill and reserve the balance of my time.

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

Mr. Speaker, I rise in strong support of this bipartisan legislation to help foster children succeed in school.

The Uninterrupted Scholars Act will make a real and immediate difference in the lives of foster children across this country.

I want to thank Congresswoman BASS and Senator LANDRIEU for their support of this legislation, the Senate for sending this legislation back to the House, Chairman ROE for managing this on the floor, and Chairman KLINE for agreeing to have this legislation come to the House today.

In thanking Congresswoman BASS, I want to recognize her not only as the author of this legislation, but for her leadership both here in Washington and in the State legislature in our State of

California when she served there on behalf of these young people to make sure that they would have a better opportunity at success.

Foster children are some of the most at-risk students. As a group, they miss more school than their peers, are more likely to drop out, and take longer to finish when they do graduate. Throughout their young lives, they may change care placements multiple times. Each placement means adjusting to a new family and often a new community, new friends, and a new school.

Each move can put their educational success in jeopardy. That's because the caseworkers who advocate for them as they move from one school to another often do so without critical information. Though current law rightly requires foster care caseworkers to include children's education records in their case plans, another Federal law limits the ability of caseworkers to access those records in a timely manner.

Without access to a foster child's school records, caseworkers are limited in their ability to advocate for the child's educational needs, especially as they move from one school to another or from one family to another. Without these records, caseworkers don't have the necessary information to make important and informed decisions about placement, wraparound services, and credit transfers among schools. That means that those vulnerable children do not get the services that they need. This red tape creates unnecessary hurdles for educational successes for many foster children. And if there's one thing foster children don't need in life, it's additional hurdles to jump. They have plenty of hurdles confronting them every day as they try to succeed within the system.

This legislation before us today makes narrow changes to FERPA to allow foster care caseworkers to do a better job on behalf of these young people. I urge my colleagues to support this legislation, and I reserve the balance of my time.

Mr. ROE of Tennessee. I have no speakers at this time. I continue to reserve the balance of my time.

Mr. GEORGE MILLER of California. With that, I yield 5 minutes to Congresswoman BASS of California, one of the authors of this legislation, and again thank her for her advocacy on behalf of foster children and foster families.

Ms. BASS of California. Mr. Speaker, I rise today in strong support of S. 3472, the Uninterrupted Scholars Act, a bill that will help foster children achieve educational success.

First, I want to thank Chairman KLINE and Ranking Member MILLER for their support of this bill and their ongoing dedication to improving outcomes for foster youth throughout the Nation. I would also like to extend my sincere appreciation and respect to Senator LANDRIEU. I am proud to work alongside the Senator, who is a tireless advocate for foster youth and families both domestic and worldwide.

Throughout 2012, the Congressional Caucus on Foster Youth has traveled the country and visited five States on a nationwide listening tour. We heard from youth, families, and community leaders about the best practices and challenges facing the child welfare system.

In Miami, Florida, at the invitation of Congress Members ALCEE HASTINGS and FREDERICA WILSON, we learned about a commonsense, no-cost legislative fix that would have a significant and positive impact on hundreds of thousands of foster children across the country.

After we returned to Washington, I joined my fellow cochair of the congressional caucus—Representatives MARINO, McDERMOTT, BACHMANN, and a number of other members of the caucus—to introduce the bipartisan Uninterrupted Scholars Act. This bill will address the concerns raised in Florida by providing youth with the support they need to avoid problems like inappropriate course placement and lost credits upon changing schools. Specifically, it will simply allow caseworkers to access transcripts for foster youth while maintaining important privacy protections.

Children in foster care are among the most educationally at-risk of all student populations. Because of the abuse and neglect foster youth have experienced in their young lives, they often face physical and emotional challenges that interfere with their learning and negatively impact their educational outcomes. For example, the average child in foster care goes to three to five high schools.

Existing Federal law requires that child welfare agencies include educational records in their case plan and work with school districts to improve the educational experiences and outcomes for children in foster care. However, the Family Educational Rights and Privacy Act, or FERPA, unintentionally creates a harmful barrier that prevents child welfare caseworkers from being able to quickly access school records necessary to help meet the educational needs of students in foster care. This can lead to significant delays that contribute to inappropriate class placements, enrollment delays, repeated classes, delayed graduation, and even dropouts.

The story of young Jasmine is an example of stories we heard during the listening tour. When Jasmine was placed in foster care on an emergency basis, her mother's whereabouts were unknown and the child welfare agency caseworker was unable to obtain consent from any parent. Without timely access to the child's education records, the caseworker could not evaluate whether it would be in Jasmine's best interest to remain in the same school. Jasmine moved to a new school, which had different graduation requirements. She received no credits for her coursework from the prior school and had to repeat some of the same classes.

She fell a full year behind and eventually dropped out of the school.

In my district, the Los Angeles Department of Children and Family Services is currently responsible for the placement and care of over 15,000 foster youth. The sheer size of this youth population—larger than most States—as well as the 82 different school districts within L.A. County, make it particularly challenging to proactively address student needs without direct access to educational records.

Another example from the listening tour when we were in L.A. is Vanessa, a fifth grader who has a similar story. She was transferred from L.A. Unified to another school district over 50 miles away while relocating to a new foster home. Her records did not follow. Therefore, she was placed in a fourth grade classroom, a full grade level below her actual skill level and age. She consistently cried at meetings with teachers. She eventually advocated for herself and her classes were transferred, but in the meantime she missed 2 months of fifth grade. The Uninterrupted Scholars Act would help avoid situations faced by young Jasmine and Vanessa by allowing child welfare caseworkers, who have the legal responsibility for a foster child's care and welfare, timely access to their educational records.

□ 1740

At the same time, this bill protects and preserves the educational privacy rights of students and parents that we all want to safeguard. In the words of Mary Cagle, the director of Legal Services at the Florida Department of Children and Families, this bill “fixes an existing conflict in Federal law. It's so simple, so easy, so clear.”

The Uninterrupted Scholars Act is endorsed by dozens of nationwide organizations, including the National Foster Parent Association, the National School Boards Association, the Child Welfare League of America, and many others. Today I stand with my bipartisan, bicameral colleagues in the Congressional Caucus on Foster Youth to ask for your support, as well.

We have a responsibility to foster youth, children whom we have removed from their parents' care, youth whom we promised to keep safe and help to succeed. The Uninterrupted Scholars Act will help us keep this promise.

Mr. GEORGE MILLER of California. I yield 4 minutes to the gentleman from Washington, Congressman McDERMOTT, a strong supporter of this legislation and an advocate on behalf of foster children.

(Mr. McDERMOTT asked and was given permission to revise and extend his remarks.)

Mr. McDERMOTT. Mr. Speaker, I urge my colleagues to endorse the amendments to S. 3472. But in talking about this, I want to talk about the process by which we got here. Nothing ever goes as fast in the House of Representatives as we want it to. And I

want to commend my colleague, the ranking member on the Education committee, GEORGE MILLER, for his historic leadership on child welfare issues. He got here in the '70s, and there was nobody looking after kids. Nobody. There was no focus anywhere in the Congress. So he took it on. He had hearings and hearings and hearings and hearings. And that brought about the bill that passed in 1980. It was called the Adoption Assistance and Child Welfare Act of 1980.

Now when I got here as a child psychiatrist, I looked around and saw there was some stuff to do, and I wrote the Fostering Connections Act, which I authored and passed in the 2008 Congress with strong bipartisan support with the intent of improving the lives of kids in foster care. We continued to look for a way to make this system really function. And through the 1980 act, the law gave the power to shift resources from temporary out-of-home care toward either providing services to a child or his or her family or finding other permanent adoptive homes.

One of the key provisions of the Fostering Connections Act was to better provide for educational stability. What we found was that kids constantly were moved, their records were lost, and there were long delays. And the single thing that gives them a real chance to make it in society, that is, an education, was being denied by the bureaucracy that sort of thought, well, this is just, we'll get the records there when we get the records there.

So it's fitting that the ranking member on the Education and Workforce Committee is here to help guide this current legislation making it easier for foster kids to succeed academically through the House today.

Why is education important? Well, if you go to the same school, you know the people, you find a teacher, you find a teacher who might be interested in you when a parent wasn't interested in you, or you had no one else in the world that was interested in you, but you found a teacher, and that's what the educational system has done to hundreds and hundreds and hundreds of foster kids.

Now, we thought, well, we'll just write into Fostering Connections a change in Federal policy which would make sure that youth maintain some kind of continuity within their school when they're forced to move from home to home.

It says that a State welfare agency must coordinate with educational agencies to ensure that a child remains in the school in which he or she is enrolled at the time of placement. If remaining in the child's school of origin is not in his or her best interest, that State must ensure the child is immediately enrolled in a new school without waiting weeks or months for paperwork.

Now, with Fostering Connections, it seems like a simple thing to say that kids ought to continue in the same

school. As with any law we pass, there is always this implementation period. As a result, it has taken us several years to figure out the problems and the barriers to successfully implementing this particular provision. Many teachers and school administrators are still unaware of these provisions. Many schools lack any coordinator or coordinating entity to facilitate cross-agency collaboration to serve the best interests of the child.

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

Mr. GEORGE MILLER of California. I yield the gentleman an additional 1 minute.

Mr. McDERMOTT. In addition, we have evidence that the Family Education Rights and Privacy Act currently hinders child welfare agencies in their efforts to meet the educational needs of kids in their care. Child welfare agencies have difficulty in obtaining the school records of foster kids. Students miss school for long periods of time waiting for school records to be transferred.

We know that education is a predictor for future adult success. Yet too many children and foster youth are unable to get this start because of the barriers in our system. This piece of legislation is an attempt to break down those barriers and make it work more smoothly.

The passage of the Uninterrupted Scholars Act will help ensure that needed coordination and help to ensure foster care youth succeed academically. This bill will have enormous positive impact for thousands of children in the foster care system. I encourage my colleagues to support it.

Mr. GEORGE MILLER of California. I want to thank the gentleman from Washington for his leadership.

I would like to yield 4 minutes to the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. I want to thank the gentleman from California both for his longstanding leadership and the history of his emphasis on how important our children are.

As a founder and chair of the Congressional Children's Caucus, I'm delighted to have joined with my colleague, Congresswoman BASS, and various coauthors of the Foster Care Caucus on the bipartisan legislation that the Uninterrupted Scholars Act is, and the bicameral legislation, and to also add appreciation to Chairman KLINE of Minnesota and to Senator LANDRIEU for her leadership and partnership. I know of her great interest on the issues of both domestic adoption and international adoption.

Certainly, unfortunately, the system of foster care has many times, when it has not been intended to, been, if you will, a place of hopelessness. This legislation wants to provide a lifeline to foster care children, particularly as they approach adolescence and high school and going on to college, so that they can be taken out of the abyss of hopelessness.

I've had the opportunity, of course, to be able to meet with foster care children both in my district and here when they've lobbied on the Hill, and their stories are both of passion and commitment to having a future, a commitment to serving the Nation, a commitment to making a difference. Why shouldn't they have the opportunity to make a difference? Why can't they be considered just like those who have different lifestyles, if you will, in terms of a family situation?

So this legislation says that they should have, as well, that kind of orderliness. And if their orderliness comes through a social worker or a caseworker who will have access to their records to be able to plan for them the best format, whether it is to remain in a school, to transfer to a school, when they cannot access that natural parent or any other relative that would stand in for that child. There's nothing more, if you will, desperate and disappointing than to be able to find a child that has no hope, no one to turn to, and really wants to do, wants to accomplish, wants to graduate from high school.

So I believe that the Uninterrupted Scholars Act is a very important provision that reflects the laws that have been passed dealing with privacy as it relates to records of children in post-secondary school and the protection of those school records. This, in particular, allows, let me say, an exception to release the student's education records to a caseworker, State or local child welfare representative, or tribal organization that has a right to access that student's case plans. Again, that helps those students be able to have a lifeline.

□ 1750

Just a week or so ago, there was an article in *The New York Times* on three young people from Galveston, Texas. They were not necessarily foster care children, but it is indicative of what happens to children of less means. Part of their lack of success was their inability to access the Internet, to get timely notices that they were supposed to apply for a scholarship, to have their parents know that they were supposed to modify their income sheet.

If you can imagine, we just went through Hurricane Ike, and this one child's parents had received aid through Hurricane Ike. Well, they were told that they didn't meet the scholarship standards because they made too much money, and they didn't modify it to say that it wasn't money that we made; it was aid because we were victims of Hurricane Ike.

This is similar to what happens to foster care children, and I am very delighted that we have legislation that is common sense and that we can attribute to the Foster Care Caucus, which we work closely with as a Congressional Children's Caucus.

I want to thank Mr. MILLER and Mr. KLINE for their dedication and commit-

ment to the Nation's children. They are, in fact, a precious resource, and the Uninterrupted Scholars Act is one element of saying that they are important to us.

Let me again thank Congresswoman BASS and Senator LANDRIEU for their leadership, as well.

Mr. ROE of Tennessee. I continue to reserve the balance of my time.

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

The care and concern for foster children has been a bit of a relay race for myself back in the late seventies and eighties, to Senator Russell Long, to former Congressman Tom Downey, former Majority Leader Tom DeLay, to Senator LANDRIEU, now KAREN BASS from my State of California, and Congressman McDERMOTT before her.

We've tried to make sure that these young people, with a lot of chaos in their life, far beyond any of their own doing, have a chance to succeed. Clearly, the best chance to succeed is to see that they get a good education and an opportunity to participate in American society and in America's economy. This act, the Uninterrupted Scholars Act, goes a long way toward helping their advocates make sure that they get the best shot at the best education.

So I want to thank all the supporters of this legislation, Congressman ROE and Congressman KLINE, for their support and their willingness to bring it to the floor of the House so we can send it to the President of the United States.

Just before I conclude my remarks, Mr. Speaker, I want to take a moment to recognize a cherished member of my staff who will be leaving the committee at the beginning of January.

Ruth Friedman began her career with me as a fellow in my personal office more than a decade ago. Because of her hard work and dedication and unparalleled expertise, she rose to become my education policy director on the committee.

Ruth holds a Ph.D. in clinical psychology and is one of the foremost experts in early childhood policy. I can tell you that the children of this country benefited every day from her work on the Education Committee.

Ruth has spent her career fighting for the most vulnerable children on issues like child welfare, juvenile justice, early learning, child care, child abuse prevention and treatment. She has worked on countless pieces of legislation successfully, including today's bill, and was instrumental in passing the 2007 Head Start Reauthorization Act.

I want to thank Ruth for her extraordinary service to me, to the committee, to the Nation, and to the Nation's children. Her advice and counsel have been invaluable, and she will be sorely missed, but we know that she has great accomplishments ahead of her.

Ruth, I want to wish you, Pete, and Dylan all of the best. Thank you so

much for all of your service to our committee on both sides of the aisle, and certainly to this Nation's children.

With that, Mr. Speaker, I ask my colleagues to support this legislation, thank Congressman ROE for managing this bill on the floor, and I yield back the balance of my time.

Mr. ROE of Tennessee. Mr. Speaker, I yield myself the balance of my time.

I wish to conclude by saying, Ruth, congratulations, and thank you for all the hard work that you have done for both sides of the aisle and for the work you've done for the children of this Nation.

I also want to thank Senator LANDRIEU and Congresswoman BASS, who is my next-door neighbor in the Cannon Office Building, and Ranking Member MILLER for the work you've done for many decades for the children of this country, and Chairman KLINE.

I will conclude by just saying I'm proud to sponsor the Uninterrupted Scholars Act, and I urge my colleagues a "yes" vote.

With that, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Tennessee (Mr. ROE) that the House suspend the rules and pass the bill, S. 3472.

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. ROE of Tennessee. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

#### FOREIGN AND ECONOMIC ESPIONAGE PENALTY ENHANCEMENT ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 6029) to amend title 18, United States Code, to provide for increased penalties for foreign and economic espionage, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Foreign and Economic Espionage Penalty Enhancement Act of 2012".*

##### SEC. 2. PROTECTING U.S. BUSINESSES FROM FOREIGN ESPIONAGE.

(a) *FOR OFFENSES COMMITTED BY INDIVIDUALS.—Section 1831(a) of title 18, United States Code, is amended, in the matter after paragraph (5), by striking "not more than \$500,000" and inserting "not more than \$5,000,000".*

(b) *FOR OFFENSES COMMITTED BY ORGANIZATIONS.—Section 1831(b) of such title is amended*