

There was no objection.

Mr. LUCAS. Mr. Speaker, I yield myself such time as I might consume.

Mr. Speaker, I rise today in support of H.R. 3695, which provides a temporary extension of the 2008 farm bill.

I believe this short-term extension provides certainty to everyone going into the new year, that permanent law will not be triggered while the conference committee continues its work on a new bill. We are making significant progress in our negotiations with the Senate, and I am confident we will be able to finish the conference report in January.

In the meantime, the reality is that unless we act today, permanent law takes effect January 1. The press headlines already speak of doom, that we are on the brink of going off the dairy cliff.

Time magazine says: "People are freaking out about \$8-a-gallon milk." And there is widespread speculation about what will happen and when exactly.

It is not necessary to have that kind of panic throughout the country for producers and consumers, especially around the holidays. This bill makes clear what will happen on January 1, and passing it is the responsible action to take, given the legislative calendar.

Furthermore, we are not breaking any new ground. The 2002 farm bill was extended six times before the 2008 farm bill was enacted.

Mr. Speaker, I urge and encourage my colleagues to join me in supporting this short-term extension of the farm bill.

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

Mr. COSTA. Mr. Speaker, I yield myself such time as I may consume, and I rise in opposition to this bill.

First of all, I want to thank Chairman LUCAS, the gentleman from Oklahoma, for all the work that he has done over the years, and my appreciation for his efforts in the past few years. It has taken a long time to get here, and certainly he has worked very hard to produce a 5-year farm bill.

That said, the bill is not needed, and let me tell you why. Chairman LUCAS and Ranking Member PETERSON have been working diligently, as I said, with their Senate counterparts, and the conference committee has reached an agreement on many of the issues, leaving a few remaining issues to be worked out, and we are doing that right now.

Secretary Vilsack, Secretary of Agriculture, has also indicated that should we complete the farm bill in January, as we are talking about, that there should not be any problems regarding the potential impacts of the dairy title being implemented and, therefore, those impacts of the cost of milk being felt by our consumers.

Extending the current programs through the end of January, which is what this bill does, when it looks like we will be able to vote on a 5-year farm

bill early next year, therefore, is not necessary.

Farmers, ranchers, dairy producers need the certainty of a 5-year farm bill. I think we all agree on that. Families, those in need, who depend upon the nutrition programs as part of our Nation's safety net, need a 5-year farm bill.

American consumers, those who we produce the food for, and those around the world, know that they can depend upon our farmers, our ranchers, and our dairy producers to continue providing the safest and most affordable food in the world.

Mr. Speaker, therefore, this measure is not needed. I urge my colleagues to vote "no" on H.R. 3695 and support a 5-year farm bill which we will vote on early in January when we work out the remaining differences in the conference committee.

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

Mr. LUCAS. Mr. Speaker, I would note to my colleague I have a couple of thoughts myself and I would conclude with that, so if he has anything else he would like to address.

Mr. COSTA. Mr. Speaker, I yield back the balance of my time.

Mr. LUCAS. Mr. Speaker, I yield myself the balance of my time just simply to note to all my colleagues that my friend from California is exactly right. The importance of completing this cannot be overstated.

The progress we have made certainly has been incredible, and we are on the verge. I would just simply note to all of my colleagues, as I have advocated caution and responsibility throughout this entire process, this is an opportunity for Members to cast a vote to acknowledge to the folks back home that, no matter what happens in the negotiations process, we will not have a dairy cliff. We will not have uncertainty for producers and, ultimately, the American consumers.

Each Member of this body is challenged to do what they think is wise. I would simply say to my colleagues, pass the extension, take care of business, and we, on the Ag Committee, will take care of our business in January.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LUCAS) that the House suspend the rules and pass the bill, H.R. 3695, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

DEATH IN CUSTODY REPORTING ACT OF 2013

Mr. COLLINS of Georgia. Mr. Speaker, I move to suspend the rules and

pass the bill (H.R. 1447) to encourage States to report to the Attorney General certain information regarding the deaths of individuals in the custody of law enforcement agencies, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1447

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 "Death in Custody Reporting Act of 2013".

SEC. 2. STATE INFORMATION REGARDING INDIVIDUALS WHO DIE IN THE CUSTODY OF LAW ENFORCEMENT.

(a) IN GENERAL.—For each fiscal year after the expiration of the period specified in subsection (c)(1) in which a State receives funds for a program referred to in subsection (c)(2), the State shall report to the Attorney General, on a quarterly basis and pursuant to guidelines established by the Attorney General, information regarding the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated at a municipal or county jail, State prison, State-run boot camp prison, boot camp prison that is contracted out by the State, any State or local contract facility, or other local or State correctional facility (including any juvenile facility).

(b) INFORMATION REQUIRED.—The report required by this section shall contain information that, at a minimum, includes—

- (1) the name, gender, race, ethnicity, and age of the deceased;
- (2) the date, time, and location of death;
- (3) the law enforcement agency that detained, arrested, or was in the process of arresting the deceased; and
- (4) a brief description of the circumstances surrounding the death.

(c) COMPLIANCE AND INELIGIBILITY.—

(1) COMPLIANCE DATE.—Each State shall have not more than 120 days from the date of enactment of this Act to comply with subsection (a), except that—

(A) the Attorney General may grant an additional 120 days to a State that is making good faith efforts to comply with such subsection; and

(B) the Attorney General shall waive the requirements of subsection (a) if compliance with such subsection by a State would be unconstitutional under the constitution of such State.

(2) INELIGIBILITY FOR FUNDS.—For any fiscal year after the expiration of the period specified in paragraph (1), a State that fails to comply with subsection (a), shall, at the discretion of the Attorney General, be subject to not more than a 10-percent reduction of the funds that would otherwise be allocated for that fiscal year to the State under subpart 1 of part E of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3750 et seq.), whether characterized as the Edward Byrne Memorial State and Local Law Enforcement Assistance Programs, the Local Government Law Enforcement Block Grants Program, the Edward Byrne Memorial Justice Assistance Grant Program, or otherwise.

(d) REALLOCATION.—Amounts not allocated under a program referred to in subsection (c)(2) to a State for failure to fully comply with subsection (a) shall be reallocated under that program to States that have not failed to comply with such subsection.

(e) DEFINITIONS.—In this section the terms "boot camp prison" and "State" have the meaning given those terms, respectively, in

section 901(a) of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3791(a)).

(f) STUDY AND REPORT OF INFORMATION RELATING TO DEATHS IN CUSTODY.—

(1) STUDY REQUIRED.—The Attorney General shall carry out a study of the information reported under subsection (b) and section 3(a) to—

(A) determine means by which such information can be used to reduce the number of such deaths; and

(B) examine the relationship, if any, between the number of such deaths and the actions of management of such jails, prisons, and other specified facilities relating to such deaths.

(2) REPORT.—Not later than 2 years after the date of the enactment of this Act, the Attorney General shall prepare and submit to Congress a report that contains the findings of the study required by paragraph (1).

SEC. 3. FEDERAL LAW ENFORCEMENT DEATH IN CUSTODY REPORTING REQUIREMENT.

(a) IN GENERAL.—For each fiscal year (beginning after the date that is 120 days after the date of the enactment of this Act), the head of each Federal law enforcement agency shall submit to the Attorney General a report (in such form and manner specified by the Attorney General) that contains information regarding the death of any person who is—

(1) detained, under arrest, or is in the process of being arrested by any officer of such Federal law enforcement agency (or by any State or local law enforcement officer while participating in and for purposes of a Federal law enforcement operation, task force, or any other Federal law enforcement capacity carried out by such Federal law enforcement agency); or

(2) en route to be incarcerated or detained, or is incarcerated or detained at—

(A) any facility (including any immigration or juvenile facility) pursuant to a contract with such Federal law enforcement agency;

(B) any State or local government facility used by such Federal law enforcement agency; or

(C) any Federal correctional facility or Federal pre-trial detention facility located within the United States.

(b) INFORMATION REQUIRED.—Each report required by this section shall include, at a minimum, the information required by section 2(b).

(c) STUDY AND REPORT.—Information reported under subsection (a) shall be analyzed and included in the study and report required by section 2(f).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Georgia (Mr. COLLINS) and the gentleman from Virginia (Mr. SCOTT) each will control 20 minutes.

The Chair recognizes the gentleman from Georgia.

GENERAL LEAVE

Mr. COLLINS of Georgia. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days within which to revise and extend their remarks and include extraneous materials on H.R. 1447, currently under consideration.

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

There was no objection.

Mr. COLLINS of Georgia. Mr. Speaker, I yield myself such time as I may consume.

The Death in Custody Reporting Act of 2000 directed the Bureau of Justice Statistics within the Department of Justice to collect data on the deaths that occur at two important stages in the criminal justice system: first, deaths that occur in the process of arrest or during the transfer after arrest; and, second, deaths that occur in jails and prisons. The provisions of that act expired in December 2006.

According to the Bureau of Justice Statistics, 885 inmates died in the custody of local jails in 2011. This is the lowest number of jail inmate deaths in the 12-year history of the Deaths in Custody Reporting program.

Nearly nine out of 10 State prisoner deaths were as a result of natural causes, the leading reason being cancer and heart disease. Although illness-related deaths have increased slightly in recent years, the homicide and suicide rates in State prisons have dramatically decreased over the last 25 years.

H.R. 1447 reauthorizes this data collection program and directs the Attorney General not only to collect the data, but also to study the data to determine how to reduce deaths in custody in the future. The legislation extends the reporting requirements to deaths that occur in Federal custody.

Although the Death in Custody Reporting Act expired in 2006, the Bureau of Justice Statistics has continued to collect this data. They provide a national resource for understanding mortality in the criminal justice system.

The collection of this data will help the Federal, State, and local governments examine the relationships between deaths in custody and the proper management of jail and prison facilities. It will also provide important information to Congress on any need to improve Federal custody procedures.

Because the Bureau of Justice Statistics has continued to collect the information even though the prior law has expired, this bill will not impose any new cost on the agency. Congress passed similar legislation in three Congresses with overwhelming bipartisan support.

I would like to thank Congressman SCOTT for introducing this legislation, and I would urge all my colleagues to support it.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to rise in support of H.R. 1447, the Death in Custody Reporting Act of 2013. This bill would require State and Federal law enforcement agencies to report to the Department of Justice information about the deaths of individuals in their custody.

We have learned from history how useful this information can be. In the 1980s, there was increased focus on conditions in State and local jails and prisons and the problem of prisoners dying in custody. The interest in over-

sight of this issue was generated partially because of the rise of wrongful death cases brought in relation to these deaths.

Press reports in the 1990s concerning prison abuses and deaths of those incarcerated being attributed to suicide led Congress to develop legislation in response to this problem.

The Death in Custody Reporting Act of 2000 was enacted to require States to report quarterly to the Attorney General information regarding the death of any person in the process of arrest or who was otherwise in custody, including jails, prisons and juvenile facilities. The reports are brief, essentially stating who died and a brief description of what happened.

The law expired in 2006, which led to an effort to reauthorize substantially the same requirements on States and extend those requirements to the Federal agencies as well. And that is what H.R. 1447 would do.

With this statistical data, policy-makers at the State, local, and Federal levels can make informed judgments about the appropriate treatment of prisoners and to develop ways to lower the prison death rate. This policy cannot be made if we don't have this information that the law requires.

In fact, since the focus on deaths in custody emerged in the 1980s and enactment of the law in 2000, reports showed significant declines in suicides and homicides for those in custody.

H.R. 1447 is a strong reaffirmation of the importance of requiring that States submit this information, and the bill expands the commitment to Federal law enforcement agencies as well.

The bill also requires the Attorney General to study the information the Justice Department receives and to issue a report to include a discussion of how the data may be used to reduce preventable deaths.

With the enactment of this legislation, we can make even more progress with respect to reducing preventable deaths of those in custody, which is surely an obligation of government when it incarcerates so many of its citizens.

This initiative has a history of strong bipartisan support, and I thank my colleagues from the other side of the aisle, especially the gentleman from Georgia, and my colleague from Virginia, the Judiciary Committee chairman, BOB GOODLATTE, for supporting the bill in committee and bringing it to the floor today.

I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Does the gentleman have any other speakers?

Mr. SCOTT of Virginia. Yes, I have one additional speaker.

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

Mr. SCOTT of Virginia. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON LEE), a member of the Judiciary Committee.

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Ms. JACKSON LEE. I thank the ranking member of the subcommittee, and I thank the manager and, as well, the full committee chairperson and the ranking member of the full committee.

I think it would not be inappropriate to acknowledge that many of us gathered in the Judiciary Committee to wish Congressman MEL WATT well, so I will do so now on the floor of the House.

I am supporting this bill and again offer my appreciation for the Crime Subcommittee's bipartisan efforts to look into our problem with criminalization at the start of the Congress. I am concerned that there are a number of issues that were not discussed, but this particular legislation is an important step, which I know that the gentleman from Virginia (Mr. SCOTT) has worked on quite extensively.

The bill before us today, in essence, requires States that receive certain criminal justice assistance grants to report to the Attorney General on a quarterly basis certain information regarding the death of any person who is detained, arrested, en route to incarceration, or incarcerated in State or local facilities or at boot camp. H.R. 1447 also imposes penalties on States that fail to comply with such reporting requirements. The bill also requires the head of each Federal law enforcement agency to report to the Attorney General annually certain information regarding the death of any person.

My focus is to indicate that this is a practical initiative. I personally know that in jurisdictions in Texas, we have had incidents where people have gone into the county jail for minimal violations of the law and came out in a body bag. It happened to a mother of two sons who lost her life because an infected knee was not taken care of. Or individuals who were ill, individuals who succumbed to inappropriate behavior by those who have charge over them. It is happening in jails and prisons across America.

This is a lifesaving initiative because many people will acknowledge that if you are incarcerated, even if you are there in our county jails before you are convicted—certainly, we recognize the criminal justice system, but it does not mean that you should lose your life.

However, as we come to the end of this first year of the 113th Congress, I know my colleagues would recognize as well that we are coming upon the 1-year anniversary of the tragic incident that occurred at Sandy Hook. There will be those who will be mourning this afternoon, holding a memorial to acknowledge the tragedy of the lives lost.

In this Congress, to our dismay, we have not been able to pass universal background checks, which could readily be on the floor of the House and be of value to those mourning mothers and fathers who now mourn 1 year later and ask the question: Why?

In addition, we have seen over the last year in many of our jurisdictions

the excessive violence that has taken our young people through gun violence, through gangs, and other actions that would welcome this Congress exercising its authority on issues dealing with antiviolenence, antibullying, of course, and, again, the ceasing of gun violence.

I look forward to establishing a commission in my community, responding to the incidents of 19 individuals being shot, two teenagers being killed, a young man from Jack Yates High School being killed, and another young man being shot in a park.

So as I rise to support this legislation, I would simply argue, as we move forward on this legislation, that there is work to be done, and I hope we can join together in a bipartisan manner to do so. I hope my colleagues also vote to support H.R. 1447.

Mr. Speaker, I as a long-time member of the Judiciary Committee's Subcommittee on Crime, I was pleased to see a bipartisan effort to look into our problem with overcriminalization at the start of the Congress but I am disappointed that much of the crime which has been addressed by the Task Force has dealt with so-called regulatory crimes—as opposed to the type of crime involving violence and weapons—which has lead to prison overcrowding, trumped-up sentences for possession of marijuana, and served to further add to an underclass of Americans who are subject to the difficulty in filling out a job application because of onerous State and Federal laws which seek to punish harshly for missteps which, in the case of drug offenses, should have been managed with treatment and not incarceration.

I believe that most of the Members on the Committee and in the House of Representatives would agree that our prisons are overcrowded and that we must address this and other issues which plague our criminal justice system forthrightly and with urgency.

Having said that, the bill before us today does little to deal with that but it does fall under the ambit of crime and it does seek to address problems in criminal law and policy.

The legislation before us, H.R. 1447, The Death in Custody Reporting Act of 2013, sponsored by my Judiciary and CBC colleagues, BOBBY SCOTT and Ranking Member CONYERS, requires States that receive certain criminal justice assistance grants to report to the Attorney General on a quarterly basis certain information regarding the death of any person who is detained, arrested, en route to incarceration, or incarcerated in state or local facilities or a boot camp prison. H.R. 1447 also imposes penalties on States that fail to comply with such reporting requirements.

The bill also requires the head of each Federal law enforcement agency to report to the Attorney General annually certain information regarding the death of any person who:

(1) is detained or arrested by any officer of such agency (or by any State or local law enforcement officer for purposes of a Federal law enforcement operation); or

(2) is en route to be incarcerated or detained, or is incarcerated or detained, at any Federal correctional facility or Federal pretrial detention facility located within the United States or any other facility pursuant to a contract with or used by such agency.

Lastly, it requires the Attorney General to study such information and report on means by which it can be used to reduce the number of such deaths.

While I will support this measure—I will continue to urge my Judiciary Committee and House colleagues to think carefully about the problems with overcriminalization of some offenses and why we should be diligent in taking a thoughtful, measured look at the costly problem.

This body must consider taking a comprehensive look at criminal laws and policy which have a disproportionate impact on African Americans and other minorities in Houston, and around this great Nation.

Mr. COLLINS of Georgia. I reserve the balance of my time.

Mr. SCOTT of Virginia. I yield myself such time as I may consume just to thank the gentlelady from Texas for her statement; the gentleman from Georgia; the chair of the committee, Mr. GOODLATTE; and the ranking member, the lead cosponsor of the legislation, Mr. CONYERS, for their work. This is an important bill. We could use this information. And I want to thank again all of those that made today possible.

I yield back the balance of my time.

Mr. COLLINS of Georgia. Mr. Speaker, I just want to close up here by thanking both the gentleman from Virginia, Congressman SCOTT, and Congresswoman JACKSON LEE from Texas for their passion and for working hard on this.

This is a good way for our Judiciary Committee to end the year, on something we can agree upon that is a good thing. And I do appreciate the opportunity to be here. I would encourage all of my colleagues to support this fine piece of legislation.

And with that, Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the motion offered by the gentleman from Georgia (Mr. COLLINS) that the House suspend the rules and pass the bill, H.R. 1447.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

ASSESSING PROGRESS IN HAITI ACT OF 2013

Mr. ROYCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3509) to direct the Secretary of State to submit to Congress a report on the status of post-earthquake recovery and development efforts in Haiti, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3509

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 “Assessing Progress in Haiti Act of 2013”.