

transit trust fund bill. Unfortunately, instead of working on a big infrastructure bill, last month Congress passed a mere 2-month extension, an extension that gets us no further in repairing our Nation's crumbling infrastructure.

Mr. Speaker, my constituents are fed up with more delays instead of real action on road funding. No city and no State is going to move forward on major projects because Congress extended this fund by 60 days.

No more temporary extensions. No more delays. Let's get to work on a bipartisan, long-term plan to invest in our Nation's roads, our bridges, and our ports. We have to believe in ourselves. We have to bet on the American worker and on American business. If we invest in infrastructure, they will pay us back with productivity.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3 p.m. today.

Accordingly (at 2 o'clock and 6 minutes p.m.), the House stood in recess.

□ 1500

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. COLLINS of New York) at 3 p.m.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

### AUTHORIZING EARLY REPAYMENT OF CONSTRUCTION COSTS TO BUREAU OF RECLAMATION

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 404) to authorize early repayment of obligations to the Bureau of Reclamation within the Northport Irrigation District in the State of Nebraska.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 404

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. EARLY REPAYMENT OF CONSTRUCTION COSTS.

(a) IN GENERAL.—Notwithstanding section 213 of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm), any landowner within the Northport Irrigation District in the State of Nebraska (referred to in this section as the

"District") may repay, at any time, the construction costs of project facilities allocated to the landowner's land within the District.

(b) APPLICABILITY OF FULL-COST PRICING LIMITATIONS.—On discharge, in full, of the obligation for repayment of all construction costs described in subsection (a) that are allocated to all land the landowner owns in the District in question, the parcels of land shall not be subject to the ownership and full-cost pricing limitations under Federal reclamation law (the Act of June 17, 1902, 32 Stat. 388, chapter 1093), and Acts supplemental to and amendatory of that Act (43 U.S.C. 371 et seq.), including the Reclamation Reform Act of 1982 (13 U.S.C. 390aa et seq.).

(c) CERTIFICATION.—On request of a landowner that has repaid, in full, the construction costs described in subsection (a), the Secretary of the Interior shall provide to the landowner a certificate described in section 213(b)(1) of the Reclamation Reform Act of 1982 (43 U.S.C. 390mm(b)(1)).

(d) EFFECT.—Nothing in this section—

(1) modifies any contractual rights under, or amends or reopens, the reclamation contract between the District and the United States; or

(2) modifies any rights, obligations, or relationships between the District and landowners in the District under Nebraska State law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

### GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

As we begin the debate on this particular bill, I am pleased that the gentleman from Nebraska (Mr. SMITH) is here with us to introduce this very effective and important bill.

I yield such time as he may consume to the gentleman from Nebraska (Mr. SMITH) to explain his legislation.

Mr. SMITH of Nebraska. I thank my colleague from Utah for yielding.

Under Federal reclamation law, irrigation districts which receive water from a Bureau of Reclamation facility typically repay their portion of the capital costs of water projects under long-term contracts.

Under its current contract and current law, Northport is exempt from annual capital repayment if this carriage fee exceeds \$8,000 per year. Given that the carriage fee has greatly exceeded this amount every year since the 1950s, Northport's capital repayment debt has been stagnant at over \$923,000 since 1952.

So long as the debt endures, landowners are subject to burdensome reporting requirements and acreage limi-

tations, and no leverage is generated for the Federal Government.

I introduced this bill to provide members of the Northport Irrigation District early repayment authority under their dated reclamation contract.

Allowing producers within the Northport Irrigation District to pay off their portion of the contract means the government will receive funds otherwise uncollected, and landowners will be relieved of costly constraints which threaten family-owned operations.

For example, at a Water, Power, and Oceans Subcommittee hearing last year, one member of the Northport district testified that acreage limitations will prohibit parents who own land in the district from passing down or even selling farmland to sons and daughters who also own land in the same district.

As the chairman mentioned, similar legislation has passed under bipartisan majorities and, according to the CBO, could generate as much as \$440,000 in Federal revenue.

This is a very simple bill which would make a big difference to some family farmers in western Nebraska.

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

Mr. Speaker, H.R. 404 would authorize landowners served by the Northport Irrigation District to prepay the remaining portion of construction costs allocated to them for the North Platte project. In exchange, the landowners who pay will no longer be subject to acreage limitations and other requirements associated with the Reclamation Reform Act.

I ask my colleagues to join me in support of this good bill, and I yield back the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, I yield myself such time as I may consume.

This bill is an excellent piece of legislation that solves a problem that should never have existed in the first place.

It is curious that in many cases throughout the West, the current Federal law does not allow a landowner to make an early repayment on Federal irrigation projects. It is an outdated law and a hurdle that is silly. It is similar to a bank prohibiting a homeowner from paying off his or her mortgage early.

Congressman SMITH's bill removes the Federal Bureau of Reclamation repayment prohibition for individual landowners within the Northport Irrigation District. In return for those payments, though, these farmers will no longer be subject to the acreage limitation and the paperwork requirements imposed by the Reclamation Reform Act.

This bill will accelerate revenue coming into the Treasury. It is based on two recent precedents that passed in both Republican- and Democrat-controlled Houses. Today, we are trying to continue those efforts by adopting this particular bill.

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 Utah (Mr. BISHOP) that the House suspend the rules and pass the bill, H.R. 404.

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.

## NATIVE AMERICAN CHILDREN'S SAFETY ACT

Mr. BISHOP of Utah. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1168) to amend the Indian Child Protection and Family Violence Prevention Act to require background checks before foster care placements are ordered in tribal court proceedings, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1168

*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 "Native American Children's Safety Act".

### SEC. 2. CRIMINAL RECORDS CHECKS.

Section 408 of the Indian Child Protection and Family Violence Prevention Act (25 U.S.C. 3207) is amended by adding at the end the following:

"(d) BY TRIBAL SOCIAL SERVICES AGENCY FOR FOSTER CARE PLACEMENTS IN TRIBAL COURT PROCEEDINGS.—

"(1) DEFINITIONS.—In this subsection:

"(A) COVERED INDIVIDUAL.—The term 'covered individual' includes—

"(i) any individual 18 years of age or older; and

"(ii) any individual who the tribal social services agency determines is subject to a criminal records check under paragraph (2)(A).

"(B) FOSTER CARE PLACEMENT.—The term 'foster care placement' means any action removing an Indian child from a parent or Indian custodian for temporary placement in a foster home or institution or the home of a guardian or conservator if—

"(i) the parent or Indian custodian cannot have the child returned on demand; and

"(ii) (I) parental rights have not been terminated; or

"(II) parental rights have been terminated but the child has not been permanently placed.

"(C) INDIAN CUSTODIAN.—The term 'Indian custodian' means any Indian—

"(i) who has legal custody of an Indian child under tribal law or custom or under State law; or

"(ii) to whom temporary physical care, custody, and control has been transferred by the parent of the child.

"(D) PARENT.—The term 'parent' means—

"(i) any biological parent of an Indian child; or

"(ii) any Indian who has lawfully adopted an Indian child, including adoptions under tribal law or custom.

"(E) TRIBAL COURT.—The term 'tribal court' means a court—

"(i) with jurisdiction over foster care placements; and

"(ii) that is—

"(I) a Court of Indian Offenses;

"(II) a court established and operated under the code or custom of an Indian tribe; or

"(III) any other administrative body of an Indian tribe that is vested with authority over foster care placements.

"(F) TRIBAL SOCIAL SERVICES AGENCY.—The term 'tribal social services agency' means the agency of an Indian tribe that has the primary responsibility for carrying out foster care licensing or approval (as of the date on which the proceeding described in paragraph (2)(A) commences) for the Indian tribe.

"(2) CRIMINAL RECORDS CHECK BEFORE FOSTER CARE PLACEMENT.—

"(A) IN GENERAL.—Except as provided in paragraph (3), no foster care placement shall be finally approved and no foster care license shall be issued until the tribal social services agency—

"(i) completes a criminal records check of each covered individual who resides in the household or is employed at the institution in which the foster care placement will be made; and

"(ii) concludes that each covered individual described in clause (i) meets such standards as the Indian tribe shall establish in accordance with subparagraph (B).

"(B) STANDARDS OF PLACEMENT.—The standards described in subparagraph (A)(ii) shall include—

"(i) requirements that each tribal social services agency described in subparagraph (A)—

"(I) perform criminal records checks, including fingerprint-based checks of national crime information databases (as defined in section 534(f)(3) of title 28, United States Code);

"(II) check any abuse registries maintained by the Indian tribe; and

"(III) check any child abuse and neglect registry maintained by the State in which the covered individual resides for information on the covered individual, and request any other State in which the covered individual resided in the preceding 5 years, to enable the tribal social services agency to check any child abuse and neglect registry maintained by that State for such information; and

"(ii) any other additional requirement that the Indian tribe determines is necessary and permissible within the existing authority of the Indian tribe, such as the creation of voluntary agreements with State entities in order to facilitate the sharing of information related to the performance of criminal records checks.

"(C) RESULTS.—Except as provided in paragraph (3), no foster care placement shall be ordered in any proceeding described in subparagraph (A) if an investigation described in clause (i) of that subparagraph reveals that a covered individual described in that clause has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)).

"(3) EMERGENCY PLACEMENT.—Paragraph (2) shall not apply to an emergency foster care placement, as determined by a tribal social services agency.

"(4) RECERTIFICATION OF FOSTER HOMES OR INSTITUTIONS.—

"(A) IN GENERAL.—Not later than 2 years after the date of enactment of this subsection, each Indian tribe shall establish procedures to recertify homes or institutions in which foster care placements are made.

"(B) CONTENTS.—The procedures described in subparagraph (A) shall include, at a minimum, periodic intervals at which the home or institution shall be subject to recertification to ensure—

"(i) the safety of the home or institution for the Indian child; and

"(ii) that each covered individual who resides in the home or is employed at the institution is subject to a criminal records check in accordance with this subsection, including any covered individual who—

"(I) resides in the home or is employed at the institution on the date on which the procedures established under subparagraph (A) commences; and

"(II) did not reside in the home or was not employed at the institution on the date on which the investigation described in paragraph (2)(A)(i) was completed.

"(C) GUIDANCE ISSUED BY THE SECRETARY.—The procedures established under subparagraph (A) shall be subject to any regulation or guidance issued by the Secretary that is in accordance with the purpose of this subsection.

"(5) GUIDANCE.—Not later than 2 years after the date of enactment of this subsection and after consultation with Indian tribes, the Secretary shall issue guidance regarding—

"(A) procedures for a criminal records check of any covered individual who—

"(i) resides in the home or is employed at the institution in which the foster care placement is made after the date on which the investigation described in paragraph (2)(A)(i) is completed; and

"(ii) was not the subject of an investigation described in paragraph (2)(A)(i) before the foster care placement was made;

"(B) self-reporting requirements for foster care homes or institutions in which any covered individual described in subparagraph (A) resides if the head of the household or the operator of the institution has knowledge that the covered individual—

"(i) has been found by a Federal, State, or tribal court to have committed any crime listed in clause (i) or (ii) of section 471(a)(20)(A) of the Social Security Act (42 U.S.C. 671(a)(20)(A)); or

"(ii) is listed on a registry described in clause (II) or (III) of paragraph (2)(B)(i);

"(C) promising practices used by Indian tribes to address emergency foster care placement procedures under paragraph (3); and

"(D) procedures for certifying compliance with this Act."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Utah (Mr. BISHOP) and the gentleman from Virginia (Mr. BEYER) each will control 20 minutes.

The Chair recognizes the gentleman from Utah.

### GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous materials on the bill under consideration.

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

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, I yield such time as he may consume to the gentleman from North Dakota (Mr. CRAMER), the sponsor of this excellent piece of legislation, to explain his bill.

Mr. CRAMER. I thank the chairman for yielding and for his good work on this important legislation.