

wriggle room because what we care about is whether kids are learning, not whether they spend 5 minutes or 2 hours doing it. I've talked to folks who use apprenticeships, who use online education, and we should hold them accountable for results where there is taxpayer money at hand, but at the same time we want to make sure that there's a backstop for what I think folks on both side agree exist, which is waste, fraud, and abuse in the system. What my amendment would do is replace the specifics of these regulations with a directive to the Department of Education to come up with an alternative plan that protects taxpayer dollars and students' rights.

This would make sure that we can deal with many of the issues raised by the inspector general, not by providing an overly arching and rigid definition of time that's a necessary part of education but, rather, by requesting and requiring that the Secretary come up with ideas that are consistent with the future of education towards combating waste, fraud, and abuse.

I reserve the balance of my time.

Ms. FOXX. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentlewoman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Madam Chair, I appreciate the very positive comments that my colleague from Colorado has made about the underlying bill. I hope very much that he will support it. I appreciate, actually, serving with him on the Rules Committee and the often commonsense approaches that he brings to legislation that we're reviewing. However, I have to say reluctantly that I am opposing his amendment.

I don't think, again, that we need to ask the Department of Education to present more plans or more rules and regulations. It is certainly doing a lot to present rules and regulations that are totally unnecessary.

Next year we will have the reauthorization of the higher education bill. As I think most people know, the Speaker has asked all the committees, all the subcommittees to exercise their oversight responsibilities, and we are certainly doing that and will continue to do that. Therefore, I think that the gentleman from Colorado's amendment is unnecessary, and I oppose it.

I reserve the balance of my time.

□ 1450

Mr. POLIS. Madam Chair, I think that, again, my amendment would provide sufficient flexibility to accommodate alternative higher-education settings. The reason we're talking about rules and preventing fraud, waste, and abuse is not somehow the government is going someplace that's unwarranted; but these are Federal student loans, these are Federal programs we're talking about. We do not want taxpayers to be ripped off, and we do not want students to be ripped off. I believe that directing the Secretary to come up with

an alternative plan to the one we're stripping out would go a long way toward accomplishing that.

And I agree with the gentlewoman from North Carolina. Fundamentally, many of these issues need to be discussed during the reauthorization of the Higher Education Act; and I hope that she will join me at that point, yes, on freeing up the inputs-based measurements, but equally, if not more important, making sure we hold the recipients of taxpayer-funded programs accountable for the outcomes.

And there is no perfect outcome-based measurement—we know this from K-12 education as well—but even a mediocre one is better than none. And I think it will fall upon this Congress to do that. I think that this bill facilitates that discussion; but should it become law, I would certainly hope that my colleagues on both sides of the aisle can join me in supporting this commonsense directive to ensure that waste, fraud, and abuse do not enter the system along with freeing up innovation and thoughtful new ways to educate kids.

I urge my colleagues to join me on voting "yes" on this amendment, and I yield back the balance of my time.

Ms. FOXX. Madam Chairman, again, I appreciate the sentiments of my colleague from Colorado; but I would say to him that there is absolutely nothing to prevent the Secretary of Education from coming to the Education and Workforce Committee and presenting his ideas on where there is waste, fraud, and abuse. We would be more than happy to do that. Most of what we hear from the administration is spend, spend, spend, not how can we save money, but spend, spend, spend.

All of us want to make sure that every dime of taxpayers' money is well spent, and I can assure you that members of my committee want to see that the money is well spent, and we'll be working on that issue as we have been working on it, as will all the Republican majorities in the House do that.

Madam Chairman, I yield back the balance of my time and urge my colleagues to vote "no" on the amendment.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. FOXX. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

Ms. FOXX. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. FOXX) having assumed the chair, Mrs. EMERSON, Acting Chair of the Committee of the Whole House on the state

of the Union, reported that that Committee, having had under consideration the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965, had come to no resolution thereon.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 53 minutes p.m.), the House stood in recess.

□ 1515

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BENISHEK) at 3 o'clock and 15 minutes p.m.

PROTECTING ACADEMIC FREEDOM IN HIGHER EDUCATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 563 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 2117.

□ 1516

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965, with Mrs. EMERSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, a request for a recorded vote on amendment No. 5 printed in House Report 112-404 by the gentleman from Colorado (Mr. POLIS) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-404 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. GRIJALVA of Arizona.

Amendment No. 4 by Mr. BISHOP of New York.

Amendment No. 5 by Mr. POLIS of Colorado.

The Chair will reduce to 2 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 170, noes 247, not voting 16, as follows:

[Roll No. 75]

AYES—170

Ackerman	Gonzalez	Oliver
Altmire	Green, Al	Pallone
Andrews	Green, Gene	Pascarell
Baca	Grijalva	Pastor (AZ)
Baldwin	Gutierrez	Pelosi
Barrow	Hahn	Perlmutter
Bass (CA)	Hanabusa	Peters
Becerra	Hastings (FL)	Peterson
Berkley	Heinrich	Pingree (ME)
Berman	Higgins	Price (NC)
Bishop (GA)	Himes	Quigley
Bishop (NY)	Hinchev	Rahall
Blumenauer	Hirono	Rahall
Boswell	Hochul	Reyes
Brady (PA)	Holden	Richardson
Braley (IA)	Holt	Richmond
Brown (FL)	Honda	Rothman (NJ)
Butterfield	Hoyer	Royal-Allard
Capps	Inslie	Ruppersberger
Capuano	Israel	Rush
Carnahan	Jackson Lee	Ryan (OH)
Carney	(TX)	Sánchez, Linda T.
Carson (IN)	Johnson (GA)	Sanchez, Loretta
Castor (FL)	Johnson, E. B.	Sarbanes
Chandler	Keating	Schakowsky
Chu	Kildee	Schiff
Cicilline	Kind	Schwartz
Clarke (MI)	Kissell	Scott (VA)
Clarke (NY)	Kucinich	Scott, David
Clyburn	Langevin	Serrano
Cohen	Larsen (WA)	Sewell
Connolly (VA)	Larson (CT)	Sherman
Conyers	Levin	Shuler
Cooper	Lewis (GA)	Sires
Costa	Lipinski	Slaughter
Courtney	Loeback	Smith (WA)
Crowley	Lofgren, Zoe	Speier
Cuellar	Lowe	Stark
Cummings	Lujan	Sutton
Davis (CA)	Maloney	Thompson (CA)
DeFazio	Markey	Thompson (MS)
DeGette	Matsui	Tierney
DeLauro	McCarthy (NY)	Tonko
Deutch	McCollum	Tsongas
Dicks	McDermott	Van Hollen
Dingell	McGovern	Velázquez
Doggett	McIntyre	Visclosky
Doyle	McNerney	Wasserman
Edwards	Meeks	Schultz
Ellison	Michaud	Waters
Engel	Miller (NC)	Watt
Eshoo	Miller, George	Waxman
Farr	Moore	Welch
Fattah	Moran	Wilson (FL)
Filner	Murphy (CT)	Woolsey
Frank (MA)	Nadler	Yarmuth
Fudge	Napolitano	
Garamendi	Neal	

NOES—247

Adams	Bonner	Chaffetz
Aderholt	Bono Mack	Coble
Alexander	Boren	Coffman (CO)
Amash	Boustany	Cole
Amodei	Brady (TX)	Conaway
Austria	Brooks	Costello
Bachmann	Broun (GA)	Cravaack
Bachus	Buchanan	Crawford
Barletta	Bucshon	Crenshaw
Bartlett	Buerkle	Critz
Barton (TX)	Burgess	Culberson
Bass (NH)	Burton (IN)	Davis (KY)
Benishkek	Calvert	Denham
Berg	Camp	Dent
Biggert	Campbell	DesJarlais
Billray	Canseco	Diaz-Balart
Billirakis	Cantor	Dold
Bishop (UT)	Capito	Donnelly (IN)
Black	Carter	Dreier
Blackburn	Cassidy	Duffy
Bonamici	Chabot	Duncan (SC)

Duncan (TN)	Lamborn	Rivera
Ellmers	Lance	Roby
Emerson	Lankford	Roe (TN)
Farenthold	Latham	Rogers (AL)
Fincher	LaTourette	Rogers (KY)
Fitzpatrick	Latta	Rogers (MI)
Flake	Lewis (CA)	Rohrabacher
Fleischmann	LoBiondo	Rokita
Fleming	Long	Rooney
Flores	Lucas	Ros-Lehtinen
Forbes	Luetkemeyer	Roskam
Fortenberry	Lummis	Ross (AR)
Fox	Lungren, Daniel E.	Ross (FL)
Franks (AZ)	Mack	Royce
Frelinghuysen	Manzullo	Runyan
Gallegly	Marchant	Ryan (WI)
Gardner	Marino	Scalise
Garrett	Matheson	Schilling
Gerlach	McCarthy (CA)	Schmidt
Gibbs	McCaul	Schock
Gibson	McClintock	Schrader
Gingrey (GA)	McCotter	Schweikert
Gohmert	McHenry	Scott (SC)
Goodlatte	McKeon	Scott, Austin
Gowdy	McKinley	Sensenbrenner
Granger	McMorris	Sessions
Graves (GA)	Rodgers	Shimkus
Graves (MO)	Griffin (AR)	Shuster
Griffin (AR)	Meehan	Simpson
Herrera	Mica	Smith (NE)
Hill	Miller (FL)	Smith (NJ)
Hanna	Miller (MI)	Smith (TX)
Harper	Miller, Gary	Southerland
Harris	Mulvaney	Stearns
Hartzler	Murphy (PA)	Stivers
Hastings (WA)	Myrick	Stutzman
Hayworth	Neugebauer	Sullivan
Heck	Noem	Terry
Hensarling	Nugent	Thompson (PA)
Herger	Nunes	Thornberry
Herrera Beutler	Nunnelee	Tiberi
Huelskamp	Olson	Tipton
Huelskamp	Owens	Towns
Huizenga (MI)	Palazzo	Turner (NY)
Hultgren	Paul	Turner (OH)
Hunter	Paulsen	Upton
Hurt	Pearce	Walberg
Issa	Pence	Walden
Jenkins	Petri	Walsh (IL)
Johnson (IL)	Pitts	Walz (MN)
Johnson (OH)	Platts	Webster
Johnson, Sam	Poe (TX)	West
Jones	Pompeo	Westmoreland
Jordan	Posey	Whitfield
Kelly	Price (GA)	Wilson (SC)
King (IA)	Quayle	Wittman
King (NY)	Reed	Wolf
Kingston	Rehberg	Womack
Kinzinger (IL)	Reichert	Woodall
Kline	Renacci	Yoder
Labrador	Ribble	Young (FL)
	Rigell	Young (IN)

NOT VOTING—16

Akin	Grimm	Lynch
Cardoza	Hinojosa	Payne
Clay	Jackson (IL)	Rangel
Cleaver	Kaptur	Young (AK)
Davis (IL)	Landry	
Gosar	Lee (CA)	

□ 1543

Mr. STIVERS, Ms. BONAMICI, and Messrs. OWENS and HARRIS changed their vote from “aye” to “no.”

Messrs. HINCHEY, CUELLAR, CARSON of Indiana, Ms. EDWARDS, and Mr. KEATING changed their vote from “no” to “aye.”

So the amendment was rejected. The result of the vote was announced as above recorded.

Stated for: Mr. HINOJOSA. Madam Chair, on rollcall No. 75, had I been present, I would have voted “aye.”

(By unanimous consent, Mr. LATOURETTE was allowed to speak out of order.)

Mr. LATOURETTE. I thank my colleagues for their attention.

Madam Chair, sadly, in a set of occurrences that is becoming all too frequent in our country, yesterday, at 7:40

a.m., in the town of Chardon, Ohio—for those of you that aren’t familiar with our part of the world, about 25 miles east of Cleveland—allegedly, a student brought a gun into the cafeteria of the high school, opened fire and shot five of the students.

As I stand here today, three of those students have succumbed to the injuries received and have passed away. Two continue to be under medical care.

I would indicate that in these tragedies there are also items of heroism. An assistant coach at Chardon High School, Frank Hall, chased the gunman out of the high school at great risk to himself, but perhaps saving further tragedy.

So, Madam Chair, on behalf of all of my colleagues, Republicans and Democrats in the State of Ohio, I would ask the House to observe a moment of silence in honor of the fallen, the staff at the school, their families, and the city of Chardon.

AMENDMENT NO. 4 OFFERED BY MR. BISHOP OF NEW YORK

The Acting CHAIR. Without objection, 2-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. BISHOP) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 255, not voting 18, as follows:

[Roll No. 76]

AYES—160

Ackerman	Connolly (VA)	Gonzalez
Altmire	Conyers	Green, Al
Baca	Cooper	Green, Gene
Baldwin	Costa	Grijalva
Barton (TX)	Costello	Gutierrez
Bass (CA)	Courtney	Hahn
Becerra	Crowley	Hanabusa
Berkley	Cuellar	Hastings (FL)
Berman	Cummings	Heinrich
Bishop (GA)	Davis (CA)	Higgins
Bishop (NY)	Davis (IL)	Himes
Blumenauer	DeFazio	Hinchev
Bonamici	DeGette	Hinojosa
Boswell	DeLauro	Hirono
Brady (PA)	Deutch	Honda
Braley (IA)	Dicks	Hoyer
Brown (FL)	Dingell	Israel
Butterfield	Doggett	Jackson Lee
Capps	Donnelly (IN)	(TX)
Capuano	Doyle	Johnson (GA)
Carney	Edwards	Johnson, E. B.
Carson (IN)	Ellison	Keating
Castor (FL)	Eshoo	Kildee
Chu	Farr	Kind
Cicilline	Fattah	Kucinich
Clarke (MI)	Filner	Langevin
Clarke (NY)	Frank (MA)	Larsen (WA)
Clyburn	Fudge	Larson (CT)
Cohen	Garamendi	Levin

Lewis (GA) Pastor (AZ)
Lipinski Pelosi
Lofgren, Zoe Perlmutter
Lowe Peters
Lujan Pingree (ME)
Lynch Price (NC)
Maloney Quigley
Markey Rahall
Matsui Reyes
McCarthy (NY) Richardson
McCollum Richmond
McDermott Rothman (NJ)
McGovern Roybal-Allard
McNerney Ruppertsberger
Meeks Rush
Michaud Ryan (OH)
Miller (NC) Sánchez, Linda
Miller, George T.
Moore Sanchez, Loretta
Moran Sarbanes
Murphy (CT) Schakowsky
Nadler Schiff
Napolitano Schwartz
Neal Scott (VA)
Olver Scott, David
Pallone Serrano

Sewell Schmidt
Sherman Schock
Shlaugher Schrader
Smith (WA) Schweikert
Speier Scott (SC)
Stark Scott, Austin
Sutton Sensenbrenner
Thompson (CA) Sessions
Thompson (MS) Shimkus
Tierney Shuler
Tonko Simpson
Tsongas Sires
Van Hollen Smith (NE)
Velázquez Smith (TX)
Visclosky
Wasserman
Schultz

NOT VOTING—18

Akin Cleaver
Brady (TX) Duncan (TN)
Cantor Jackson (IL)
Cardoza Kaptur
Carnahan Landry
Clay Lee (CA)

ANNOUNCEMENT BY THE ACTING CHAIR
The Acting CHAIR (during the vote).
There is 1 minute remaining.

□ 1552

So the amendment was rejected.
The result of the vote was announced
as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished
business is the demand for a recorded
vote on the amendment offered by the
gentleman from Colorado (Mr. POLIS)
on which further proceedings were
postponed and on which the ayes pre-
vailed by voice vote.

The Clerk will redesignate the
amendment.

The Clerk redesignated the amend-
ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
minute vote.

The vote was taken by electronic de-
vice, and there were—ayes 199, noes 217,
not voting 17, as follows:

[Roll No. 77]

AYES—199

NOES—255
Adams Fortenberry
Aderholt Foxx
Alexander Franks (AZ)
Amash Frelinghuysen
Amodei Gallegly
Andrews Gardner
Austria Garrett
Bachmann Gerlach
Bachus Gibbs
Barletta Gibson
Barrow Gingrey (GA)
Bartlett Gohmert
Bass (NH) Goodlatte
Benishkek Gosar
Berg Gowdy
Biggert Granger
Bilbray Graves (GA)
Billirakis Graves (MO)
Bishop (UT) Griffin (AR)
Black Griffith (VA)
Blackburn Grimm
Bonner Guinta
Bono Mack Guthrie
Boren Hall
Boustany Hanna
Brooks Harper
Broun (GA) Harris
Buchanan Hartzler
Buchon Hastings (WA)
Buerkle Hayworth
Burgess Heck
Burton (IN) Hensarling
Calvert Herger
Camp Herrera Beutler
Campbell Hochul
Cansaco Holden
Capito Holt
Carter Huelskamp
Cassidy Huizenga (MI)
Chabot Hultgren
Chaffetz Hunter
Chandler Hurt
Coble Insee
Coffman (CO) Issa
Cole Jenkins
Conaway Johnson (IL)
Cravaack Johnson (OH)
Crawford Johnson, Sam
Crenshaw Jones
Critz Jordan
Culberson Kelly
Davis (KY) King (IA)
Denham King (NY)
Dent Kingston
DesJarlais Kinzinger (IL)
Diaz-Balart Kissell
Dold Kline
Dreier Labrador
Duffy Lamborn
Duncan (SC) Lance
Ellmers Lankford
Emerson Latham
Engel LaTourette
Farenthold Latta
Fincher Lewis (CA)
Fitzpatrick LoBiondo
Flake Loeb sack
Fleischmann Long
Fleming Lucas
Flores Luetkemeyer
Forbes Lummis

Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capito
Capps
Capuano
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clyburn
Coffman (CO)
Cohen
Connolly (VA)

Larson (CT) Pallone
Levin Pascarell
Lewis (GA) Pastor (AZ)
Lipinski Paulsen
Loeb sack Pelosi
Lofgren, Zoe Perlmutter
Lowe Peters
Lujan Peterson
Lynch Pingree (ME)
Maloney Polis
Markey Price (NC)
Matheson Quigley
Matsui Rahall
McCarthy (NY) Reyes
McClintock Richardson
McDermott Richmond
McGovern Rigell
McIntyre Ross (AR)
McNerney Rothman (NJ)
Meehan Roybal-Allard
Meeks Rush
Michaud Ryan (OH)
Miller (MI) Sánchez, Linda
Miller (NC) T.
Miller, George Sanchez, Loretta
Moore Sarbanes
Moran Schakowsky
Murphy (CT) Schiff
Nadler Schilling
Napolitano Schrader
Neal Schwartz
Olver Scott (VA)
Owens Scott, David

NOES—217

Adams Frank (MA)
Aderholt Franks (AZ)
Alexander Frelinghuysen
Amash Gallegly
Amodei Garrett
Andrews Gibbs
Austria Gingrey (GA)
Bachmann Gohmert
Bachus Goodlatte
Barletta Gosar
Bartlett Gowdy
Barton (TX) Granger
Bass (NH) Graves (GA)
Benishkek Graves (MO)
Berg Griffith (AR)
Bilbray Griffith (VA)
Billirakis Grimm
Bishop (UT) Guinta
Black Guthrie
Blackburn Hall
Bonner Harper
Bono Mack Harris
Boustany Hartzler
Brady (TX) Hastings (WA)
Brooks Hayworth
Broun (GA) Heck
Buchanan Hensarling
Buchon Herger
Buerkle Herrera Beutler
Burgess Huelskamp
Burton (IN) Huizenga (MI)
Calvert Hultgren
Camp Hunter
Campbell Hurt
Cansaco Issa
Carter Jenkins
Cassidy Johnson (IL)
Chabot Johnson (OH)
Chaffetz Johnson, Sam
Coble Jones
Cole Jordan
Conaway Kelly
Cravaack King (IA)
Crawford King (NY)
Crenshaw Kinzinger (IL)
Culberson Kline
Davis (KY) Labrador
Denham Lamborn
DesJarlais Lankford
Diaz-Balart Latham
Dreier LaTourette
Duffy Latta
Duncan (SC) Lewis (CA)
Ellmers LoBiondo
Emerson Long
Farenthold Lucas
Fincher Luetkemeyer
Flake Lummis
Fleischmann Lungren, Daniel
Fleming E.
Flores Mack
Forbes Manzullo
Fortenberry Marchant
Foxy Marino

Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Stearns
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tipton
Tonko
Towns
Tsongas
Upton
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Yarmuth
McCarthy (CA)
McCaul
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Jenkins
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Latham
Ryan (WI)
Scalise
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)

Smith (NJ)	Tiberi	Whitfield
Smith (TX)	Turner (NY)	Wilson (SC)
Southerland	Turner (OH)	Wittman
Stivers	Walberg	Wolf
Stutzman	Walden	Womack
Sullivan	Walsh (IL)	Woodall
Terry	Webster	Yoder
Thompson (PA)	West	Young (FL)
Thornberry	Westmoreland	Young (IN)

NOT VOTING—17

Akin	Duncan (TN)	Payne
Cantor	Jackson (IL)	Rangel
Cardoza	Kaptur	Reichert
Carnahan	Landry	Ruppersberger
Clay	Lee (CA)	Young (AK)
Cleaver	McCollum	

□ 1557

Messrs. GRIFFIN of Arkansas and CAMP changed their vote from “aye” to “no.”

Mr. TIPTON changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. AKIN. Madam Chair, on rolcall Nos. 75, 76 and 77, I was delayed and unable to vote. Had I been present I would have voted “no” on all three.

The Acting CHAIR. The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Mrs. EMERSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 2117) to prohibit the Department of Education from overreaching into academic affairs and program eligibility under title IV of the Higher Education Act of 1965, and, pursuant to House Resolution 563, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on the amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. CAPPS. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. CAPPS. Yes, I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. Capps moves to recommit the bill H.R. 2117 to the Committee on Education and the Workforce with instructions to report the same back to the House forthwith, with the following amendment:

At the end of the bill add the following:

(c) PROTECTING STUDENTS FROM HIGHER LOAN COSTS AND A DEVALUED EDUCATIONAL DEGREE.—Nothing in subsection (b) shall limit the authority of the Secretary of Education to promulgate or enforce any regulation or rule under title IV of the Higher Education Act of 1965—

(1) for the purpose of reducing the cost of higher education for students; or

(2) during any year in which the interest rate for subsidized Direct Federal Stafford Loans used to purchase credit hours under such title is higher than 3.4 percent.

The SPEAKER pro tempore. The gentlewoman from California is recognized for 5 minutes.

Mrs. CAPPS. Mr. Speaker, there are many times when we come to this floor and engage in heated debate, and we’ve heard some heated debate on this bill. But my final amendment offers us the opportunity to come together and to do something extraordinarily important: to contain the escalating cost of higher education. I want to be clear: passing this amendment will not prevent the passing of the underlying bill. If it’s adopted, my amendment will be incorporated into the bill, and the bill will be immediately voted upon. Regardless of how one feels about the bill, we should all agree on a major problem facing students and their families.

□ 1600

I’m talking about the skyrocketing cost of higher education putting the American Dream way out of reach for far too many students.

Mr. Speaker, my final amendment is very simple. It says that nothing in this bill should limit the Secretary’s ability to reduce the cost of higher education for students.

In 2007, Democrats, working with President Bush, lowered the interest rates on need-based student loans to 3.4 percent at no cost to taxpayers. This change is saving college graduates thousands of dollars in student loan payments. But unless we act soon, the interest rates on these loans will double this summer. That will cost more than 7 million student borrowers at colleges and universities across the country more than \$2,800 in additional interest payments.

Mr. Speaker, students cannot afford graduating from college with mortgage-size debt. Student loan debt now surpasses overall credit card debt. We can do something about this.

We need our graduates to be developing the next clean energy source and discovering the cures for life-threatening diseases. We need them to fill vital jobs in our communities, such as nurses, teachers, firefighters, and police. We don’t need them to leave school overwhelmed by student loan payments, and we don’t want them avoiding higher education in the first place due to the threat of crushing debt. Instead, we should make sure

they are prepared for good-paying jobs in the global marketplace, and we can do that by making college more affordable.

But, incredibly, this bill limits the Education Secretary’s ability to protect students and taxpayers from higher education costs. With more than \$200 billion in aid distributed each year, the Secretary must have the tools to lower costs for students and their families and to protect our Nation’s investment in education. We shouldn’t be tying the Secretary’s hands at a time when we must be utilizing every tool available to keep college costs down. In particular, we should not do this while students face a potential doubling of interest rates on their loans, which will happen this summer if Congress doesn’t take action now. The cost of borrowing for a student loan is already too high. Let’s not make the problem worse.

Again, my amendment simply states that nothing in the bill shall limit the Secretary’s ability to reduce the cost of higher education for students, something we can all agree upon.

So I urge a vote to lower costs for students and hardworking American families, and I’m pleased to yield to my distinguished colleague from California (Mr. GEORGE MILLER).

Mr. GEORGE MILLER of California. I thank the gentlewoman for yielding, and I thank her for offering this motion to recommit.

I say to my colleagues here in the House, this is a very simple proposition. If Congress fails to act in July of this year, interest rates on student loans will double. And if those interest rates on student loans double, that means that the average borrower will pay another \$2,800, almost \$3,000, in additional interest.

At a time when families and students will be paying higher interest rates than any time in the recent past, we ought to make sure that the Secretary has the authority to make—that they understand that they get value for what they’re buying, that they don’t get overcharged, and that they’re not the subject of fraud, abuse, and waste in the system when people try to overcharge them for the number of units that they are offering them. We cannot let these students go into areas unprotected when interest rates are about to double.

Congress can solve this problem by retaining the interest rates at three-quarters percent and be done with this issue, and the legislation will go forward. But if we don’t protect the students and their families from the increase in interest rates, then the Secretary retains the authority to make sure that they are not subject to waste, fraud, and abuse when they are borrowing money to pay for their education.

I thank the gentlewoman for introducing her legislation.

Mrs. CAPPS. I urge a “yes” vote on the motion to recommit, and I yield back the balance of my time.

Ms. FOXX. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman from North Carolina is recognized for 5 minutes.

Ms. FOXX. Mr. Speaker, we don't need this motion to recommit. My colleagues should all vote against it. We have a situation where our colleagues across the aisle want to take the Secretary of Education and make him a Czar of Education.

We, on our side of the aisle, are very much concerned about the cost of a college education, and we've done a lot to make college accessible and affordable for students in this country. Mr. Speaker, Republicans are very much concerned about the cost of going to college ourselves. We want to reduce the cost of going to college. Our subcommittee has had hearings on this. There are many ways to do this. But having the Federal Government establish price controls is not the way to do it.

The Federal Government, in fact, has encouraged too much borrowing. Because the Federal Government has been such a big borrower itself, it has established that kind of mentality across the country.

So we'd like to see the level of borrowing reduced. We'd like to see the level of debt and deficit go down so that the economy would rebound, people could get jobs, and those who do have debt would be able to better deal with that debt.

We do not need more government rules and regulations. We don't need the Federal Government picking winners and losers, and we don't need this kind of authority ceded to the Secretary of the Department of Education. The Congress needs to be dealing with these issues. We are dealing with the issues. The underlying bill deals with the issues because we reduced the role of the Federal Government and rules and regulations.

Higher education has policed itself very well over the years. We need to pass the underlying bill and reject the motion to recommit.

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

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. CAPPS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 176, noes 241, not voting 16, as follows:

[Roll No. 78]

AYES—176

Ackerman
Altmore
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Bonamici
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hahn
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Hochul
Holden
Holt
Honda
Hoyer
Insee
Israel
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lewis (GA)
Lipinski
Loebsack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler

NOES—241

Adams
Aderholt
Alexander
Amash
Amodei
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann

Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Reyes
Richardson
Richardson
Holden
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Lummis
Schiff
Schwartz
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Sires
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner (NY)
Turner (OH)
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

NOT VOTING—16

Akin
Cardoza
Cassidy
Clay
Cleaver
Hall
Jackson (IL)
Landry
Lankford
Lee (CA)
McMorris
Rodgers
Payne
Rangel
Smith (NJ)
Yarmuth
Young (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining.

□ 1624

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. CASSIDY. Mr. Speaker, on rollcall No. 78, I was unavoidably detained. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. KLINE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 303, noes 114, not voting 16, as follows:

[Roll No. 79]

AYES—303

Adams
Aderholt
Alexander
Altmire
Amash
Amodei
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin

Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Berkley
Biggert
Billbray
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonamici
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capuano
Carney
Carson (IN)
Carter
Cassidy
Chabot
Chaffetz
Chandler
Clyburn
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Cravaack
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Engel
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxo
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy

Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Higgins
Hinchev
Hochul
Holden
Holt
Huelskamp
Huiuzenga (MI)
Hultgren
Hurt
Insee
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Loeb sack
Long
Lowey
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moore
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pascrell

Pastor (AZ)
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ruppersberger
Ryan (OH)
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Sires
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Towns
Turner (NY)
Turner (OH)
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
Welch
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (FL)
Young (IN)

ACKERMAN
BASS (CA)
BECERRA
BERMAN
BISHOP (NY)
BLUMENAUER
BRADY (PA)
BROWN (FL)
CAPPS
CARNAHAN
CASTOR (FL)
CHU
CICILLINE
CLARKE (MI)
CLARKE (NY)
COHEN
CONYERS
COOPER
COURTNEY
CROWLEY
CUMMINGS
DAVIS (CA)
DAVIS (IL)
DEGETTE
LUJAN
DELAURO
DEUTCH
DINGELL
DOGGETT
EDWARDS
ELLISON
ESHOO
FARR
FATTAH
FINER
FRANK (MA)
FUDGE
GARAMENDI
GONZALEZ
GREEN, AL

ACKERMAN
GRIJALVA
GUTIERREZ
HAHN
HEINRICH
HIMES
HINOJOSA
HIRONO
HONDA
HOYER
JACKSON LEE
CHU
CICILLINE
CLARKE (MI)
CLARKE (NY)
COHEN
CONYERS
COOPER
COURTNEY
CROWLEY
CUMMINGS
DAVIS (CA)
DAVIS (IL)
DEGETTE
LUJAN
DELAURO
DEUTCH
DINGELL
DOGGETT
EDWARDS
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GREEN, AL

ACKERMAN
GRIJALVA
GUTIERREZ
HAHN
HEINRICH
HIMES
HINOJOSA
HIRONO
HONDA
HOYER
JACKSON LEE
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CICILLINE
CLARKE (MI)
CLARKE (NY)
COHEN
CONYERS
COOPER
COURTNEY
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DAVIS (IL)
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DAVIS (IL)
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LUJAN
DELAURO
DEUTCH
DINGELL
DOGGETT
EDWARDS
ELLISON
ESHOO
FARR
FATTAH
FINER
FRANK (MA)
FUDGE
GARAMENDI
GONZALEZ
GREEN, AL

NOT VOTING—16

AKIN
CARDOZA
CLAY
CLEAVER
CRAWFORD
HALL
HUNTER
ISRAEL
JACKSON (IL)
LANDRY
LEE (CA)
MCHENRY
MURPHY (CT)
PAYNE
RANGEL
YOUNG (AK)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There is 1 minute remaining.

□ 1631

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. CRAWFORD. Mr. Speaker, on rollcall No. 79, I was unavoidably detained. Had I been present, I would have voted "aye."

Mr. MCHENRY. Mr. Speaker, on rollcall No. 79, I was unavoidably detained. Had I been present, I would have voted "aye."

PERSONAL EXPLANATION

Mr. AKIN. Mr. Speaker, on rollcall Nos. 78 and 79, I was delayed and unable to vote. Had I been present, I would have voted "no" on No. 78, and "aye" on No. 79.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1837, SACRAMENTO-SAN JOAQUIN VALLEY WATER RELIABILITY ACT

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112-405) on the resolution (H. Res. 566) providing for consideration of the bill (H.R. 1837) to address certain water-related concerns on the San Joaquin River, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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 the motion 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.

Any record vote on the postponed question will be taken later.

PRIVATE PROPERTY RIGHTS PROTECTION ACT OF 2012

Mr. SMITH of Texas. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1433) to protect private property rights, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1433

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 "Private Property Rights Protection Act of 2012".

SEC. 2. PROHIBITION ON EMINENT DOMAIN ABUSE BY STATES.

(a) IN GENERAL.—No State or political subdivision of a State shall exercise its power of eminent domain, or allow the exercise of such power by any person or entity to which such power has been delegated, over property to be used for economic development or over property that is used for economic development within 7 years after that exercise, if that State or political subdivision receives Federal economic development funds during any fiscal year in which the property is so used or intended to be used.

(b) INELIGIBILITY FOR FEDERAL FUNDS.—A violation of subsection (a) by a State or political subdivision shall render such State or political subdivision ineligible for any Federal economic development funds for a period of 2 fiscal years following a final judgment on the merits by a court of competent jurisdiction that such subsection has been violated, and any Federal agency charged with distributing those funds shall withhold them for such 2-year period, and any such funds distributed to such State or political subdivision shall be returned or reimbursed by such State or political subdivision to the appropriate Federal agency or authority of the Federal Government, or component thereof.

(c) OPPORTUNITY TO CURE VIOLATION.—A State or political subdivision shall not be ineligible for any Federal economic development funds under subsection (b) if such State or political subdivision returns all real property the taking of which was found by a court of competent jurisdiction to have constituted a violation of subsection (a) and replaces any other property destroyed and repairs any other property damaged as a result of such violation. In addition, the State must pay applicable penalties and interest to regain eligibility.

SEC. 3. PROHIBITION ON EMINENT DOMAIN ABUSE BY THE FEDERAL GOVERNMENT.

The Federal Government or any authority of the Federal Government shall not exercise its power of eminent domain to be used for economic development.

SEC. 4. PRIVATE RIGHT OF ACTION.

(a) CAUSE OF ACTION.—Any (1) owner of private property whose property is subject to