

impacts from logging, urban, and agriculture runoff, sewage overflows and nonpoint source pollution.

This is an example of human development having an extreme impact on the entire watershed, capable of causing entire dead zones as we are now seeing. With impaired wetlands prevented from acting as natural filters for these pollutants, the entire lake is at risk.

This program represents a collaborative effort for Federal, State, and local entities to restore the ecological health of the basin.

Mr. Speaker, I urge my colleagues to support H.R. 4275, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 4275. H.R. 4275 represents good governance to reauthorize the Lake Pontchartrain Basin Restoration Program. The Lake Pontchartrain Basin watershed is home to approximately 2.2 million people and covers 5,000 square miles.

In June of last year when the Subcommittee on Water Resources and Environment held a hearing on many of these regional watershed programs, we invited Ms. Kristi Trail from the Lake Pontchartrain Basin Foundation to testify on the need and importance of reauthorizing this program.

During that hearing, we heard that Lake Pontchartrain and its surrounding watershed play an integral part of the wetland ecosystem of the Gulf Coast, contributing over \$35 million to the local economy.

As a result of the Lake Pontchartrain Basin Foundation's work through this program, the lake is making a tremendous comeback by constructing multiple reefs for fish habitats, improving previously impaired water bodies, and growing their community outreach programs.

I would like to thank Mr. GARRET GRAVES, the sponsor of this bill, for putting this forward and for his support.

I also would like to recognize the fact that we limit the EPA's administration to 5 percent. So the money goes to restore Lake Pontchartrain.

For these reasons and numerous others, I urge support of this program and this legislation, and I reserve the balance of my time.

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

Mr. MITCHELL. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana (Mr. GRAVES), the sponsor of the bill.

Mr. GRAVES of Louisiana. Mr. Speaker, I promise to conserve time and conserve the lake.

Mr. Speaker, Lake Pontchartrain is perhaps not a very well-known lake. It is actually the second largest saltwater lake in the United States, but it wasn't always this way.

Lake Pontchartrain, as a result of coastal land loss in Louisiana, has had this intrusion of saltwater that has

fundamentally changed the ecosystem of that lake and the communities.

This is a lake that serves as a watershed for 16 parishes in Louisiana, 4 counties in Mississippi, and most importantly, this lake takes the brunt of the surge from 2 Canadian provinces and 31 States.

Mr. Speaker, what happens is each time we have these high-water years on the Mississippi River system which drains 31 States and 2 Canadian provinces, there is an emergency relief valve that sends water through the Bonnet Carre Spillway into Lake Pontchartrain.

This isn't water that is coming from Louisiana. In fact, less than 1 percent of the water is even coming from the State of Mississippi. It is water coming from all of these States, from Montana, to New York, to Canada, and all of these States in this large watershed funnel in-between.

And so on average, the Bonnet Carre Spillway had been operated once every decade; once every 10 years. Yet, in recent years, we have had to open it four times, including last year. Last year, for the first time ever, it was opened in January, and for the first time ever, it was actually operated twice in 1 year.

And so this is in the State of Louisiana. This is this lake, this basin, this watershed that has been taking it on the chin for the rest of the country.

□ 1445

The reason this is important, Mr. Speaker, is because this lake is an incredibly productive ecosystem with recreational and commercial fishing. You see lots of folks out there in sailboats and other boats out there enjoying the lake.

What has been happening as a result of all the Nation's water's drainage coming into here is that the health of the lake has been compromised and challenged, which therefore affects our fisheries, both recreational and commercial, and the millions of pounds of crabs that are harvested out of the lake.

This lake bounds New Orleans and Jefferson Parish. It bounds the north shore and the river parishes, such as Saint John Parish and Saint Charles Parish over on the west side.

This is an important part of Louisiana. Because of the coastal land loss that we have experienced and the change in this ecosystem, we must make investments to maintain this as we help to manage this rapid and unfortunate transition from a freshwater lake into a brackish and saltwater lake that we now have.

Mr. Speaker, I do want to thank my good friend from California, the chair of the subcommittee, Congresswoman NAPOLITANO, and her staff, Ryan. I want to thank Congressman WESTERMAN, the ranking member of the subcommittee; Ian Bennitt as well as Maggie Ayrea on our staff for all the work they put into this; and, of course, Chairman DEFAZIO and Ranking Mem-

ber SAM GRAVES for all their work in ensuring that we get this bill right and that we have the right caps on here to ensure that the money goes to actually investing in the lake, as Congressman MITCHELL mentioned, as opposed to going toward bureaucracy.

Mr. Speaker, I urge adoption of this bipartisan legislation that we have introduced with my friend, Congressman CEDRIC RICHMOND of New Orleans.

Mrs. NAPOLITANO. I am prepared to close, Mr. Speaker, and I reserve the balance of my time.

Mr. MITCHELL. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I want to thank my colleague, Mr. GRAVES of Louisiana, and all sponsors in support of this bill. As I indicated earlier, it has bipartisan support of the committee.

Mr. Speaker, I urge its adoption, and I yield back the balance of my time.

Mrs. NAPOLITANO. Mr. Speaker, I yield myself such time as I may consume to close.

Mr. Speaker, I want to thank both sides' staff. They have been doing a marvelous job. Of course, I thank the chairmen and the ranking members of both committees for all the support they have gotten on all these important bills on water.

Water is the economy, and we realize that we have to clean it up and help the communities work with the States and other entities. We will get it done.

Mr. Speaker, I urge my colleagues to support this bipartisan bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from California (Mrs. NAPOLITANO) that the House suspend the rules and pass the bill, H.R. 4275, 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.

REPRESENTATIVE PAYEE FRAUD PREVENTION ACT OF 2019

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5214) to amend title 5, United States Code, to prevent fraud by representative payees.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5214

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 "Representative Payee Fraud Prevention Act of 2019".

SEC. 2. REPRESENTATIVE PAYEE FRAUD.

(a) DEFINITIONS.—

(1) CSRS.—Section 8331 of title 5, United States Code, is amended—

(A) in paragraph (31), by striking "and" at the end;

(B) in paragraph (32), by striking the period at the end and inserting ";; and"; and

(C) by adding at the end the following:

“(33) ‘representative payee’ means a person (including an organization) designated under section 8345(e)(1) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability.”.

(2) FERS.—Section 8401 of title 5, United States Code, is amended—

(A) in paragraph (37), by striking “and” at the end;

(B) in paragraph (38), by striking the period at the end and inserting “; and”; and

(C) by adding at the end the following:

“(39) ‘representative payee’ means a person (including an organization) designated under section 8466(c)(1) to receive payments on behalf of a minor or an individual mentally incompetent or under other legal disability.”.

(b) EMBEZZLEMENT OR CONVERSION.—

(1) CSRS.—Subchapter III of chapter 83 of title 5, United States Code, is amended by inserting after section 8345 the following:

“§ 8345a. Embezzlement or conversion of payments

“(a) EMBEZZLING AND CONVERSION GENERALLY.—

“(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

“(2) REVOCATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly—

“(A) revoke the certification for payment of benefits to the representative payee; and

“(B) certify payment—

“(i) to another representative payee; or

“(ii) if the interest of the individual under this title would be served thereby, to the individual.

“(b) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, imprisoned for not more than 5 years, or both.”.

(2) FERS.—Subchapter VI of chapter 84 of title 5, United States Code, is amended by inserting after section 8466 the following:

“§ 8466a. Embezzlement or conversion of payments

“(a) EMBEZZLING AND CONVERSION GENERALLY.—

“(1) IN GENERAL.—It shall be unlawful for a representative payee to embezzle or in any manner convert all or any part of the amounts received from payments received as a representative payee to a use other than for the use and benefit of the minor or individual on whose behalf such payments were received.

“(2) REVOCATION.—If the Office determines that a representative payee has embezzled or converted payments as described in paragraph (1), the Office shall promptly—

“(A) revoke the certification for payment of benefits to the representative payee; and

“(B) certify payment—

“(i) to another representative payee; or

“(ii) if the interest of the individual under this title would be served thereby, to the individual.

“(b) PENALTY.—Any person who violates subsection (a)(1) shall be fined under title 18, imprisoned for not more than 5 years, or both.”.

(3) TECHNICAL AND CONFORMING AMENDMENTS.—

(A) The table of sections for chapter 83 of title 5, United States Code, is amended by inserting after the item relating to section 8345 the following:

“8345a. Embezzlement or conversion of payments.”.

(B) The table of sections for chapter 84 of title 5, United States Code, is amended by inserting after the item relating to section 8466 the following:

“8466a. Embezzlement or conversion of payments.”.

(c) DEFERRAL OF PAYMENT PENDING APPOINTMENT OF REPRESENTATIVE PAYEE.—

(1) CSRS.—Section 8345(e) of title 5, United States Code, is amended—

(A) by inserting “(1)” after “(e)”;

(B) in the first sentence, by inserting “(including an organization)” after “person”;

(C) in the second sentence—

(i) by inserting “(including an organization)” after “any person”; and

(ii) by inserting “and may appropriately receive such payments on behalf of the claimant” after “claimant” the second place it appears; and

(D) by adding at the end the following:

“(2) If the Office determines that direct payment of a benefit to an individual mentally incompetent or under other legal disability would cause substantial harm to the individual, the Office may defer or suspend direct payment of the benefit until such time as the appointment of a representative payee is made. The Office shall resume payment as soon as practicable, including all amounts due.”.

(2) FERS.—Section 8466(c) of title 5, United States Code, is amended—

(A) by inserting “(1)” after “(c)”;

(B) in the first sentence, by inserting “(including an organization)” after “person”;

(C) in the second sentence—

(i) by inserting “(including an organization)” after “any person”; and

(ii) by inserting “and may appropriately receive such payments on behalf of the claimant” after “claimant” the second place it appears; and

(D) by adding at the end the following:

“(2) If the Office determines that direct payment of a benefit to an individual mentally incompetent or under other legal disability would cause substantial harm to the individual, the Office may defer or suspend direct payment of the benefit until such time as the appointment of a representative payee is made. The Office shall resume payment as soon as practicable, including all amounts due.”.

(d) LIMITATIONS ON APPOINTMENTS OF REPRESENTATIVE PAYEES.—

(1) CSRS.—Section 8345 of title 5, United States Code, is amended by inserting after subsection (e) the following:

“(f) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (e) if that person has been convicted of a violation of—

“(1) section 8345a or 8466a;

“(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408, 1383a); or

“(3) section 6101 of title 38.”.

(2) FERS.—Section 8466 of title 5, United States Code, is amended by adding at the end the following:

“(d) The Office may not authorize a person to receive payments on behalf of a minor or individual of legal disability under subsection (c) if that person has been convicted of a violation of—

“(1) section 8345a or 8466a;

“(2) section 208 or 1632 of the Social Security Act (42 U.S.C. 408, 1383a); or

“(3) section 6101 of title 38.”.

SEC. 3. IMPLEMENTATION.

(a) AUTHORIZATION OF PAYMENTS.—Section 8348(a)(1)(B) of title 5, United States Code, is amended by inserting “in administering fraud prevention under sections 8345, 8345a, 8466, and 8466a of this title,” after “8465(b) of this title.”.

(b) REGULATIONS.—Not later than 1 year after the date of enactment of this Act, the Office of Personnel Management—

(1) shall promulgate regulations to carry out the amendments made by section 2; and

(2) may promulgate additional regulations relating to the administration of the representative payee program.

SEC. 4. EFFECTIVE DATE.

The amendments made by section 2—

(1) shall take effect on the date of the enactment of this Act; and

(2) apply on and after the effective date of the regulations promulgated under section 3(b)(1).

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) and the gentleman from North Carolina (Mr. MEADOWS) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure before us.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman?

There was no objection.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield myself such time as I may consume.

The Representative Payee Fraud Prevention Act is a commonsense bipartisan bill that would protect recipients of Federal pensions from unscrupulous representatives who use the money for their own benefit instead of the retirees'. Currently, representative payees can receive pension benefits on behalf of a recipient who is a minor, is designated mentally incompetent, or has another disability.

Embezzlement or conversion of Social Security and veterans benefits by a representative payee is a Federal felony. However, there is no Federal penalty in current law for representative payees who embezzle or convert Federal retirement benefits to their own use.

The Representative Payee Fraud Prevention Act would close this loophole and apply the same penalties to those representative payees who misuse Federal pension benefits. We must ensure that those who have spent their careers in public service receive the benefits they have earned.

I want to thank my friend and colleague, Representative TLAIB, for her hard work, along with Representative MEADOWS. It is a bipartisan effort on this important issue.

Mr. Speaker, I urge my colleagues to support this commonsense measure, and I reserve the balance of my time.

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

Mr. Speaker, I rise in support of H.R. 5214, the Representative Payee Fraud Prevention Act.

Federal employees often dedicate decades of their lives to public service.

When they retire, those Federal employees receive their hard-earned retirement benefits. Currently, the Federal Government issues payments to more than 2 million retirees and more than half a million survivor annuitants each year. Annuitants receive an average of \$2,500 a month.

If a Federal annuitant becomes incapacitated in some way, a representative payee may be appointed. A representative payee is a person who receives and manages benefits on behalf of another person who is not fully capable of managing their own benefits. Certainly, things like mental illness, disability, or long-term illness are just a few examples of situations where a payee may step in and provide that counsel.

Obviously, as we look at this, a representative payee has a duty to use financial benefits to assist with the care and well-being of the intended beneficiary. Surprisingly, though, it is not a crime for a representative payee to commit financial fraud against an incapacitated Federal retiree. However, under the Social Security Act, it is a crime to do so.

I have always assumed that this type of financial abuse of retired Federal employees was also a crime. But right now, under Federal law, it is not.

As the chairwoman from New York mentioned, this is a commonsense piece of legislation. I would like to thank my colleague, Ms. TLAIB, for her leadership on this.

This bill will make it a crime to embezzle Federal retirement benefits as a representative payee. If convicted, the representative payee could be subject to criminal fines and up to 5 years in prison. Obviously, this is a protection for our Federal workforce.

Mr. Speaker, I urge support of this particular piece of legislation, and I reserve the balance of my time.

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Michigan (Ms. TLAIB).

Ms. TLAIB. Mr. Speaker, I would like to begin by thanking Congressman MEADOWS for partnering with me on the bill, as well as our Chairwoman MALONEY and her incredibly strong and talented staff for their leadership and for the continued support of the work that we have to do on behalf of our residents at home.

I also want to thank our forever chairman, the late Chairman Cummings, who is looking down on us from above, for his mentorship and for working with us on this bill that would help some of our most vulnerable retirees.

We all know that no one deserves to be scammed out of their money, but that is especially true for our retirees. This bill, the Representative Payee Fraud Prevention Act, is a bipartisan effort to protect those retirees who are recipients of Federal benefits.

Retirees who have been declared mentally incompetent or have another qualifying disability can have their

monthly benefits paid on their behalf through a representative, frequently referred to as the representative payee. In recent years, what we have seen in our country is there has been a sharp increase in the number of representative payees who have taken advantage of their position and committed fraud, hurting many of our residents.

We need to hold them accountable, and this bill does that. The bill would expand protection to over 2 million workers all across the United States.

In my home State of Michigan, there are nearly 40,000 Federal retirees who are currently unprotected from this crime, impacting their quality of life. They are supposed to be living in peace during their retirement years. They are becoming targets instead, and we need to push back together, in a bipartisan way.

I hear firsthand from our senior residents about their concerns, from feeling neglected in the assisted living facilities to unaffordable drug prices, and I want to ensure that our older Americans have one less worry about financial predators who will misuse their hard-earned money.

For far too long, this lack of Federal protection has left some of our, again, most vulnerable civil servants without legal recourse when they are taken advantage of and their retirement funds are misused. We must ensure that the most impacted communities are protected on every front.

That is what this legislation will do. It will prevent those who have committed representative payee fraud from serving as representative payees in the future and hold them accountable to their victims.

Let's really ensure that our public servants and our civil servants who have dedicated their lives to serving our country are protected against this fraud.

Again, I want to thank my beloved Chairman Cummings for coming to myself and my colleague, Congressman MEADOWS. When he did, we couldn't say no to him, so we worked together in trying to resolve this issue for so many folks, again, 2 million Federal employees across the country who need this protection.

Mr. Speaker, I really do urge my colleagues to support this bill.

Mr. MEADOWS. Mr. Speaker, I certainly would rise in support of this legislation. I thank the gentlewoman from Michigan for her kind words. Ms. TLAIB has been leading on this.

The gentlewoman is right. Chairman Cummings had an infectious way of bringing people together, and I rise in support of this legislation as a tribute to his leadership and to her leadership.

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

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I urge passage of H.R. 5214. I thank Elijah Cummings for his hard work on this bill, too, and my colleagues, Mr. MEADOWS and Ms. TLAIB, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Mrs. CAROLYN B. MALONEY) that the House suspend the rules and pass the bill, H.R. 5214.

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.

TAXPAYERS RIGHT-TO-KNOW ACT

Mrs. CAROLYN B. MALONEY of New York. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3830) to provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3830

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 "Taxpayers Right-To-Know Act".

SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

Section 1122(a) of title 31, United States Code, is amended—

(1) by redesignating paragraphs (1) and (2) as paragraphs (2) and (3), respectively;

(2) by inserting before paragraph (2), as so redesignated, the following:

"(1) DEFINITIONS.—For purposes of this subsection—

"(A) the term 'Federal financial assistance' has the meaning given that term under section 7501;

"(B) the term 'open Government data asset' has the meaning given that term under section 3502 of title 44;

"(C) the term 'program' means a single program activity or an organized set of aggregated, disaggregated, or consolidated program activities by 1 or more agencies directed toward a common purpose or goal; and

"(D) the term 'program activity' has the meaning given that term in section 1115(h).";

(3) in paragraph (2), as so redesignated—

(A) by striking "IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall" and inserting "WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall";

(B) in subparagraph (A), by inserting "that includes the information required under subsections (b) and (c)" after "a single website"; and

(C) by striking subparagraphs (B) and (C) and inserting the following:

"(B) include on the website described in subparagraph (A), or another appropriate Federal Government website where related information is made available, as determined by the Director—

"(i) a program inventory that shall identify each program; and

"(ii) for each program identified in the program inventory, the information required under paragraph (3);

"(C) make the information in the program inventory required under subparagraph (B)