better than to have this House—acting on behalf of one company, during the last stages of this competition—undertake an action, which will further delay this contract from moving forward.

I would ask my colleagues—has anyone asked the Secretary of Defense if this legislation is needed? Has anyone asked Secretary Gates or General Schwartz how long it would further delay this contract award in the event it becomes law? Are we, by considering adoption of this bill, creating a precedent for Congressional interference in an ongoing competition? It is absurd bringing this bill to the House floor while the impact of this legislation has yet to be reviewed and weighed.

This House should not be here today, considering legislation of this kind without proper review and without full knowledge of its impact. We certainly should not do so simply because one company—based in Washington State—thinks that they need to change the evaluation metrics at the last minute. If they have no airplane flying that can compete fairly, they should conduct their business better—and this House should refrain from interfering in an ongoing competition. I urge my colleagues to vote "no" on this amendment.

MR. MORAN of Kansas. I yield back the balance of my time

Mr. INSLEE. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Washington (Mr. INSLEE) that the House suspend the rules and pass the bill, H.R. 6540.

The question was taken.

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

Mr. MILLER of Florida. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

PROTECTING STUDENTS FROM SEXUAL AND VIOLENT PREDATORS ACT

Mr. GEORGE MILLER of California. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6547) to amend the Elementary and Secondary Education Act of 1965 to require criminal background checks for school employees.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6547

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 at the "Protecting Students from Sexual and Violent Predators Act".

SEC. 2. BACKGROUND CHECKS.

Subpart 2 of part E of title IX of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7901 et seq.) is amended by adding at the end the following:

"SEC. 9537. BACKGROUND CHECKS.

"(a) BACKGROUND CHECKS.—Each State that receives funds under this Act shall have in effect policies and procedures that—

"(1) require that criminal background checks be conducted for school employees that include—

"(A) a search of the State criminal registry or repository in the State in which the school employee resides and each State in which such school employee previously resided;

"(B) a search of State-based child abuse and neglect registries and databases in the State in which the school employee resides and each State in which such school employee previously resided;

"(C) a search of the National Crime Information Center of the Department of Justice;

"(D) a Federal Bureau of Investigation fingerprint check using the Integrated Automated Fingerprint Identification System; and

"(E) a search of the National Sex Offender Registry established under section 19 of the Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16919);

"(2) prohibit the employment of school employees for a position as a school employee if such individual—

"(A) refuses to consent to the criminal background check described in paragraph (1);

"(B) makes a false statement in connection with such criminal background check;

"(C) has been convicted of a felony consisting of—

"(i) homicide;

"(ii) child abuse or neglect;

"(iii) a crime against children, including child pornography;

"(iv) spousal abuse;

"(v) a crime involving rape or sexual assault;

"(vi) kidnapping;

"(vii) arson; or

"(viii) physical assault, battery, or a drug-related offense, committed within the past 5 years; or

"(D) has been convicted of any other crime that is a violent or sexual crime against a minor;

"(3) require that a local educational agency or State educational agency that receives information from a criminal background check conducted under this section that an individual who has applied for employment with such agency as a school employee is a sexual predator report to local law enforcement that such individual has so applied;

"(4) require that the criminal background checks described in paragraph (1) be periodically repeated; and

"(5) provide for a timely process by which a school employee may appeal the results of a criminal background check conducted under this section to challenge the accuracy or completeness of the information produced by such background check and seek appropriate relief for any final employment decision based on materially inaccurate or incomplete information produced by such background check, but that does not permit the school employee to be employed as a school employee during such process.

"(b) DEFINITIONS.—In this section:

"(1) SCHOOL EMPLOYEE.—The term 'school employee' means—

"(A) an employee of, or a person seeking employment with, a local educational agency or State educational agency, and who has a job duty that results in exposure to students; or

"(B) an employee of, or a person seeking employment with, a for-profit or nonprofit entity, or local public agency, that has a contract or agreement to provide services with a school, local educational agency, or State educational agency, and whose job duty—

"(i) is to provide such services; and

"(ii) results in exposure to students.

"(2) SEXUAL PREDATOR.—The term 'sexual predator' means a person 18 years of age or older who has been convicted of, or pled guilty to, a sexual offense against a minor.".

SEC. 3. CONFORMING AMENDMENT.

Section 2 of the Elementary and Secondary Education Act of 1965 is amended by adding after the item relating to section 9536 the following:

"Sec. 9537. Background checks.".

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

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. GEORGE MILLER of California. Madam Speaker, I request 5 legislative days during which Members may revise and extend and insert extraneous material on H.R. 6547 into the RECORD.

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

There was no objection.

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

Madam Speaker, I rise today on behalf of all children in our country. I rise for all parents who send their children to school with the understanding that their children will be safe.

Last week, the Committee on Education and Labor released a disturbing, outrageous report from the Government Accountability Office highlighting cases where convicted sexual offenders were working at schools. In 11 of the 15 cases, sexual offenders who were hired or retained by schools had previously targeted children, and in six of those cases, the sex offenders used their job to target and abuse more children, and this is unacceptable.

This report is frightening insight into what happens when rules aren't followed or simply aren't in place. It showed that in many cases comprehensive background checks could have easily prevented these crimes from occurring. It also showed that some school districts knowingly passed on a potential predator to another school district, allowing the offender to resign instead of reporting him or her. It is outrageous that a sexual or violent predator of children can be passed from school to school.

The Government Accountability Office found that school systems either did not have complete information or, perhaps worse, chose to ignore the problem or to make it worse by providing positive recommendations about the employee, knowing that they had abused children in their care. In many places, the current system of ensuring our students' safety is broken. It has huge gaps that are allowing our children to be vulnerable to sexual predators.

Madam Speaker, this Congress can do more to protect our children. The Protecting Students from Sexual and Violent Predators Act will help keep our

children safe in school by requiring States to take commonsense steps. First, schools will be required to comprehensively conduct background checks for any employees using State criminal and child abuse registries and the FBI's fingerprint database.

Second, schools will be prohibited from hiring or retaining anyone who has been convicted of certain violent crimes, including crimes against children, crimes involving rape or sexual assault, and child pornography.

This bill will prevent more children from being put in unsafe environments because the adults who are responsible for their well-being failed to do their jobs.

A 2004 Department of Education report estimated that millions of students are subjected to sexual misconduct by school employees at some time between kindergarten and the 12th grade. Coupled with the findings of last week's GAO report, it is very clear that this legislation is absolutely critical. Parents have a right to believe that their children are safe in schools, and schools have an obligation to fulfill that promise.

This bill is only part of the solution, but it is an important step forward. The GAO report sent shock waves through households across the country. We owe it to parents and to the children and to the honorable school officials who follow the rules to pass this legislation. We also owe it to them to send a strong message that people who abuse children or do not do their jobs to keep children safe will face serious consequences.

I hope that the next Congress will be able to take an even more comprehensive approach to protect children in our schools, and I urge all of my colleagues to support this legislation.

I reserve the balance of my time.

Mrs. BIGGERT. Madam Speaker, I yield myself such time as I may consume.

I rise today to support H.R. 6547, a bill to require background checks for all public school employees. H.R. 6547 is designed to ensure States using Federal taxpayer resources to fund education are taking the necessary steps to ensure individuals with a history of criminal behavior are not able to slip through the cracks and be placed in positions of trust within our schools.

The bill requires States to have policies in place to conduct a check of the State criminal registry, a State-based registry of child abuse and neglect, the National Crime Information Center, an FBI fingerprint check, and a search of the National Sex Offender Registry on all public school employees in order to receive Federal funds under the Elementary and Secondary Education Act. The State-based checks must also be run for all States where an employee or prospective employee had previously resided.

Every Member of this Chamber wants to protect students from harm, and there is no excuse for schools not doing everything they can to ensure the safety of children in their care.

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In fact, Congress has already acted on this issue by ensuring schools have access to national background checks in the Safe Schools Act, which was signed into law as part of the Adam Walsh Child Protection and Safety Act of 2006. This was a bill that was worked on in a bipartisan manner and passed by voice vote in both Chambers.

Unfortunately, the majority has chosen a different approach with the bill before us today. Instead of holding hearings or scheduling a markup to thoroughly discuss and vet this issue, they are rushing this bill to the floor for quick consideration at the end of Congress. This is not the best way to craft thoughtful legislation. But, despite our concerns about legislative process, we all agree that our students must be protected from sexual predators in their schools. And, therefore, I urge my colleagues to support this bill.

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

Mr. GEORGE MILLER of California. Madam Speaker, I would quickly say that I would like to thank the gentlelady from Illinois for her cooperation on this. I know this isn't the best process, but at the end of the session, having the Government Accountability Office report land on our desk on our watch, I felt it was important that we pass this legislation today to clearly send a very strong message to school districts across the country that they have to meet their responsibility to keep our children safe during school hours. I urge my colleagues to support this legislation.

Ms. JACKSON LEE of Texas. Madam Speaker, I rise today in strong support of the H.R. 6547, "Protecting Students from Sexual and Violent Predators Act." The Protecting Students from Sexual and Violent Predators Act amends the Elementary and Secondary Education Act of 1965 to require each state receiving funds under that Act to have in effect policies and procedures that: (1) require criminal background checks for school employees, including searches of state criminal registries or repositories, state-based child abuse and neglect registries and databases, the National Crime Information Center of the Department of Justice, the National Sex Offender Registry, and the Integrated Automated Fingerprint Identification System of the Federal Bureau of Investigation (FBI); and (2) prohibit the employment of school employees who refuse to consent to a criminal background check, make false statements in connection with one, or have been convicted of one of a list of felonies.

H.R. 6547 requires local educational agencies (LEAs) or state educational agencies (SEAs) to report to local law enforcement any applicants for school employment who are discovered to be sexual predators. This legislation requires periodic repetitions of such criminal background checks. It further requires such states to provide for a timely process under which school employees may: (1) appeal the results of a criminal background check to challenge the accuracy or completeness of the information produced; and (2) seek appropriate relief for any final employment decision based on materially inaccurate or incomplete information produced. H.R. 6547 requires this appeals process, however, to deny the individual employment as a school employee during the process.

What makes our Nation great is the belief that every child has the right to a quality elementary and secondary education. Children truly represent the future of our country. They are our living national treasures. Yet they are one of our populations that are least capable of protecting themselves. So, it is our duty to do all we can to provide them with a safe learning environment, free from the menacing threat of sexual and violent predators. This legislation takes a positive step toward making safer school environments a reality by requiring background checks for school employees and prohibiting employment of persons who refuse to submit to a criminal background check.

I have always been a strong advocate of protecting our children from sexual predators. I introduced similar legislation in H.R. 288, the "Save Our Children: Stop the Predators Against Children DNA Act of 2009." I believe H.R. 6547, which we are privileged to consider now will provide an important measure of protection for our children from the horrors of sexual and violent predators that we hear about all too frequently in the news. Parents should be able to send their children to school in the morning and know that they will be safe. Children should be able to enjoy their time of innocence and the wonderment of learning without worrying that undue harm to come to them or their classmates. So, I ask my colleagues to stand with me today and vote in favor of the H.R. 6547, "Protecting Students from Sexual and Violent Predators Act."

Mr. GEORGE MILLER of California. I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. GEORGE MILLER) that the House suspend the rules and pass the bill, H.R. 6547.

The question was taken.

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

Mr. GEORGE MILLER of California. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

SECTION 202 SUPPORTIVE HOUSING FOR THE ELDERLY ACT OF 2010

Mr. LYNCH. Madam Speaker, I move to suspend the rules and pass the bill (S. 118) to amend section 202 of the Housing Act of 1959, to improve the program under such section for supportive housing for the elderly, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows: