

928, the "Inspector General Reform Act" This legislation includes provisions of a bill that I introduced last year, along with Ranking Member TOM DAVIS, which will provide for the enhanced protection of the Internal Revenue Service and its employees.

In 1998, Congress passed the Internal Revenue Service Restructuring and Reform Act, which created the Treasury Inspector General for Tax Administration (TIGTA). The legislation gave TIGTA the responsibility for protecting the Internal Revenue Service (IRS) against external attempts to corrupt or threaten IRS employees. At the same time, it excluded the provision of providing "physical security" from TIGTA's responsibilities.

Prior to the enactment of this law, the former IRS Inspection Service had been responsible for protecting the IRS against external attempts to corrupt or threaten IRS employees. The IRS Inspection Service was responsible for providing armed escorts for IRS employees who were specifically threatened or who were contacting individuals designated as "Potentially Dangerous Taxpayers." The law transferred most of those duties to the new Treasury Inspector General for Tax Administration. Inexplicably, "physical security" was excluded from TIGTA's statutory responsibilities.

In its current statutory mission, TIGTA investigates all allegations of threats or assaults involving IRS employees and assists U.S. Attorneys' offices with appropriate prosecutions. However, if TIGTA determines that any of the threats or assaults it investigates call for the provision of physical security, the language of the 1998 law precludes TIGTA from taking action.

Authorizing TIGTA to have armed escort authority would be both more efficient and more effective in advancing tax administration and ensuring the safety of IRS employees.

I am pleased that upon passage of H.R. 928 today, this bill will be sent to the president for his signature. I want to thank Chairman WAXMAN and Ranking Member DAVIS for their support of this provision, and I urge my colleagues to support H.R. 928.

Mr. DAVIS of Virginia. Madam Speaker, today, we take up H.R. 928, the Improving Government Accountability Act. This legislation is intended to enhance the independence of inspectors general throughout government to improve their ability to monitor and oversee executive branch operations.

Since the enactment of the Inspector General Act of 1978, inspectors general throughout government have played an integral role in identifying waste and mismanagement in government. IGs have also been instrumental in aiding Congress and the executive branch to make government more efficient and effective.

We all agree IGs should operate independently, free from political interference. After all, both agency heads and Congress often rely on IG reports to provide frank assessments of the effectiveness of federal programs.

However, inspectors general should also be part of an agency's management structure—albeit with some independence—rather than a "fourth branch" of the Federal Government. If we separate the IGs from the day-to-day operations of the agencies they oversee, IGs will cease to perform a constructive, integrated role and instead would become a "Monday morning quarterback" with their function solely second-guessing decisions made by agencies.

The House passed its version of this bill last October. At the time, while I supported the bill, I remained concerned that several of the provisions went too far in isolating inspectors general, removing them from the agency decision-making process.

After the Senate passed its bill in April, we began discussions with the Senate Homeland Security and Governmental Affairs Committee and developed a compromise to both bills—which we are taking up today.

I will support the compromise bill as I believe it adequately addresses my remaining concerns by striking the right balance between IG independence and the appropriate management role of inspectors general.

Mr. WAXMAN. Madam Speaker, I rise in support of the Senate amendments to H.R. 928, the Improving Government Accountability Act. This bill, introduced by Representative COOPER, was favorably reported by the Oversight Committee on August 2, 2007, with strong support from members across the political spectrum.

There is a simple reason why this bill has so much support: it strengthens the Inspectors General, who are the first line of defense against waste, fraud, and abuse in federal programs.

The last six years have given us examples of Inspectors General at their best and at their worst.

Stuart Bowen, the Special Inspector General for Iraq Reconstruction, has uncovered fraud and saved American taxpayers hundreds of millions of dollars. Clark Kent Erving and Richard Skinner, the former and current IGs for the Department of Homeland Security, have identified billions in wasteful spending in the new Department. Glenn Fine at the Department of Justice; Earl Delvaney at Interior; and Brian Miller at the General Services Administration have all reported courageously on abuses within the agencies they oversee.

These and other IGs have fought waste, fraud, and abuse and saved the taxpayers billions of dollars.

Yet there are also IGs who seem more intent on protecting their departments from political embarrassment than on doing their job. The Oversight Committee is investigating allegations that the State Department IG has blocked investigations into contract fraud in Iraq and Afghanistan. The Energy and Commerce Committee documented serious abuses by the former IG in the Commerce Department. And the Science Committee has identified serious questions raised about the close relationship of the NASA IG to agency management.

This bill strengthens the good IGs by giving them greater independence. Under this legislation, they will have new budgetary independence, and the President or agency head will have to inform Congress 30 days before any IG is removed.

At the same time, the legislation enacts in statute new mechanisms for holding bad IGs to account. The legislation establishes an "Integrity Committee" that will investigate allegations that IGs have abused the public trust.

There have been several key champions of the legislation. Representative COOPER has worked tirelessly on this issue for years and deserves our thanks for his efforts. I would also like to acknowledge Subcommittee Chairman TOWNS for his tremendous leadership in moving this legislation forward and Ranking

Member TOM DAVIS for his commitment to strong IGs and his many helpful contributions.

H.R. 928 would make needed improvements to the IG Act and I urge members to support it.

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 928.

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. SHAYS. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

#### SENIOR PROFESSIONAL PERFORMANCE ACT OF 2008

Mr. TOWNS. Madam Speaker, I move to suspend the rules and pass the Senate bill (S. 1046) to modify pay provisions relating to certain senior-level positions in the Federal Government, and for other purposes.

The Clerk read the title of the Senate bill.

The text of the Senate bill is as follows:

S. 1046

*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 "Senior Professional Performance Act of 2008".

#### SEC. 2. PAY PROVISIONS RELATING TO CERTAIN SENIOR-LEVEL POSITIONS.

(a) LOCALITY PAY.—Section 5304 of title 5, United States Code, is amended—

(1) in subsection (g), by amending paragraph (2) to read as follows:

“(2) The applicable maximum under this subsection shall be level III of the Executive Schedule for—

“(A) positions under subparagraphs (A) and (B) of subsection (h)(1); and

“(B) any positions under subsection (h)(1)(C) as the President may determine.”; and

(2) in subsection (h)—

(A) in paragraph (1)—

(i) by striking subparagraph (A);

(ii) in subparagraph (D)—

(I) in clause (v), by striking “or” at the end;

(II) in clause (vi), by striking the period at the end and inserting “; or”; and

(III) by adding at the end the following:

“(vii) a position to which section 5376 applies (relating to certain senior-level and scientific and professional positions).”; and

(iii) by redesignating subparagraphs (B), (C), and (D) as subparagraphs (A), (B), and (C), respectively; and

(B) in paragraph (2)(B)—

(i) in clause (i)—

(I) by striking “subparagraphs (A) through (C)” and inserting “subparagraphs (A) and (B)”;

(II) by striking “or (vi)” and inserting “(vi), or (vii)”;

(i) in clause (ii)—

(I) by striking “paragraph (1)(D)” and inserting “paragraph (1)(C)”;

(II) by striking “or (vi)” and inserting “(vi), or (vii)”.

(b) ACCESS TO HIGHER MAXIMUM RATE OF BASIC PAY.—Section 5376(b) of title 5, United States Code, is amended—

(1) in paragraph (1), by striking subparagraph (B) and inserting the following:

“(B) subject to paragraph (3), not greater than the rate of basic pay payable for level III of the Executive Schedule.”;

(2) by adding at the end the following:

“(3) In the case of an agency which has a performance appraisal system which, as designed and applied, is certified under section 5307(d) as making meaningful distinctions based on relative performance, paragraph (1)(B) shall apply as if the reference to ‘level III’ were a reference to ‘level II’.

“(4) No employee may suffer a reduction in pay by reason of transfer from an agency with an applicable maximum rate of pay prescribed under paragraph (3) to an agency with an applicable maximum rate of pay prescribed under paragraph (1)(B).”

(c) AUTHORITY FOR EMPLOYMENT; APPOINTMENTS; CLASSIFICATION STANDARDS.—Title 5, United States Code is amended—

(1) in section 3104(a), in the second sentence, by striking “prescribes” and inserting “prescribes and publishes in such form as the Director may determine”;

(2) in section 3324(a) by striking “the Office of Personnel Management” and inserting: “the Director of the Office of Personnel Management on the basis of qualification standards developed by the agency involved in accordance with criteria specified in regulations prescribed by the Director”;

(3) in section 3325—

(A) in subsection (a), in the second sentence, by striking “or its designee for this purpose” and inserting the following: “on the basis of standards developed by the agency involved in accordance with criteria specified in regulations prescribed by the Director of the Office of Personnel Management”;

(B) by adding at the end the following:

“(c) The Director of the Office of Personnel Management shall prescribe such regulations as may be necessary to carry out the purpose of this section.”;

(4) in section 5108(a)(2) by inserting “published by the Director of the Office of Personnel Management in such form as the Director may determine” after “and procedures”.

(d) EFFECTIVE DATE AND APPLICATION.—

(1) EFFECTIVE DATE.—The amendments made by this section shall take effect on the first day of the first pay period beginning on or after the 180th day following the date of enactment of this Act.

(2) NO REDUCTIONS IN RATES OF PAY.—

(A) IN GENERAL.—The amendments made by this section may not result, at the time such amendments take effect, in a reduction in the rate of basic pay for an individual holding a position to which section 5376 of title 5, United States Code, applies.

(B) DETERMINATION OF RATE OF PAY.—For the purposes of subparagraph (A), the rate of basic pay for an individual described in that subparagraph shall be deemed to be the rate of basic pay set for the individual under section 5376 of title 5, United States Code, plus any applicable locality pay paid to that individual on the day before the effective date under paragraph (1), subject to regulations

that the Director of the Office of Personnel Management may prescribe.

(3) REFERENCES TO MAXIMUM RATES.—Except as otherwise provided by law, any reference in a provision of law to the maximum rate under section 5376 of title 5, United States Code—

(A) as provided before the effective date of the amendments made by this section, shall be considered a reference to the rate of basic pay for level IV of the Executive Schedule; and

(B) as provided on or after the effective date of the amendments made by this section, shall be considered a reference to—

(i) the rate of basic pay for level III of the Executive Schedule; or

(ii) if the head of the agency responsible for administering the applicable pay system certifies that the employees are covered by a performance appraisal system meeting the certification criteria established by regulation under section 5307(d), level II of the Executive Schedule.

### SEC. 3. LIMITATIONS ON CERTAIN PAYMENTS.

(a) IN GENERAL.—Section 5307(d) of title 5, United States Code, is amended—

(1) in paragraph (2), by striking all after “purposes of” and inserting: “applying the limitation in the calendar year involved, has a performance appraisal system certified under this subsection as making, in its design and application, meaningful distinctions based on relative performance.”;

(2) in paragraph (3)(B)—

(A) by striking all beginning with “An” through “2 calendar years” and inserting “The certification of an agency performance appraisal system under this subsection shall be for a period not to exceed 24 months beginning on the date of certification, unless extended by the Director of the Office of Personnel Management for up to 6 additional months”;

(B) by striking “, for purposes of either or both of those years.”

(b) EXTENSION OF CERTIFICATION.—

(1) EXTENSION TO 2009.—

(A) IN GENERAL.—For any certification of a performance appraisal system under section 5307(d) of title 5, United States Code, in effect on the date of enactment of this Act and scheduled to expire at the end of calendar year 2008, the Director of the Office of Personnel Management may provide that such a certification shall be extended without requiring additional justification by the agency.

(B) LIMITATION.—The expiration of any extension under this paragraph shall be not later than the later of—

(i) June 30, 2009; or

(ii) the first anniversary of the date of the certification.

(2) EXTENSION TO 2010.—

(A) IN GENERAL.—For any certification of a performance appraisal system under section 5307(d) of title 5, United States Code, in effect on the date of enactment and scheduled to expire at the end of calendar year 2009, the Director of the Office of Personnel Management may provide that such a certification shall be extended without requiring additional justification by the agency.

(B) LIMITATION.—The expiration of any extension under this paragraph shall be not later than the later of—

(i) June 30, 2010; or

(ii) the second anniversary of the date of the certification.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. TOWNS) and the gen-

tleman from Connecticut (Mr. SHAYS) each will control 20 minutes.

The Chair recognizes the gentleman from New York.

### GENERAL LEAVE

Mr. TOWNS. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks.

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

There was no objection.

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

I rise in support of S. 1046, the Senior Professional Performance Act of 2008, introduced by Senator GEORGE VOINOVICH of Ohio.

This legislation passed the Senate with an amendment by unanimous consent on July 11, 2008, and was referred to the House Committee on Oversight and Government Reform.

This legislation amends Federal pay provisions to raise the cap on base pay for certain senior-level scientific and professional government employees while eliminating locality-based comparability payments for the employees.

The legislation makes small changes in the procedures for new appointments of senior-level scientific and professional provisions classified above GS-15. The legislation also allows the director of the Office of Personnel Management to extend the certification of an agency's performance appraisal system, which is otherwise limited to 24 months under the bill, for up to 6 months.

The Congressional Budget Office estimates that implementing this legislation would cost the Federal Government roughly \$7 million between 2008 and 2012, which would be paid from discretionary appropriations. This legislation would not affect direct spending or revenues.

In 2003, Congress enacted legislation to reform the pay-for-performance management system for the Senior Executive Service. This legislation, as amended, authorizes agencies to develop and implement similar pay and performance management systems for senior level scientific and professional personnel in order to retain these talented and capable employees.

With the prediction on the high numbers of Federal workers eligible for retirement, it is important that the Federal Government have tools in place to recruit and retain a highly skilled workforce. S. 1046 provides agencies with the flexibility needed to meet future workforce needs of the Federal Government. We recognize that pay-for-performance systems are still under review. However, this bill serves as a first step to improving innovative Federal compensation systems.

Therefore, Madam Speaker, I urge my colleagues to join me in supporting this legislation by agreeing to pass S. 1046.

I reserve the balance of my time.

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

Today we take up the Senior Professional Performance Act of 2008. It's a commonsense reform, and I'm pleased to support it, and so are other members of the committee.

The purpose of this bill is to align the pay system for certain Federal employees with that of the Senior Executive Servicemembers—those who provide the executive management of the Federal Government.

The employees covered by this bill—senior professionals classified as scientific and professional personnel (ST) and senior-level personnel (SL)—are recognized as providing essential specialized skills needed to address the Federal Government's imminent challenges.

The ST employee is a specially qualified, non-executive who conducts research and development functions in the physical, biological, medical, or engineering sciences, or a closely related field.

The SL employee is a high-level non-executive who is not involved in fundamental research and development—like a high-level special assistant or a senior attorney in a highly specialized field. The Senior Executives Association, whose members include SL and ST employees, have asked for this pay comparability, as has the Office of Personnel Management.

I intend to support this legislation. I believe other Members on our committee do as well, and we urge our colleagues to do so as well.

I reserve my time.

Mr. TOWNS. Madam Speaker, does the gentleman from Connecticut have additional speakers?

Mr. SHAYS. Madam Speaker, I don't have any additional speakers.

I would just like to say this is an essential bill to make sure that we are getting the kind of employees in our government who can do the kinds of jobs that we need to do. They need to be properly reimbursed, and I thank the gentleman.

I yield back.

Mr. TOWNS. Let me just say that to the critics, this might not be a total solution, but I say to you that it is a giant step in the right direction. I'm happy that my colleague from Connecticut, who also agrees with this, and others who have worked very hard to bring us to where we are today, I would like to salute our staff who worked very hard as well, and to say that, yes, it might not be a total solution, but it is a step in the right direction, a giant step, and that we should move as quickly as possible to make certain that this becomes law by passing it out of this House today.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TOWNS) that the House suspend the rules and pass the Senate bill, S. 1046.

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. SHAYS. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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.

The point of no quorum is considered withdrawn.

#### BULLETPROOF VEST PARTNERSHIP GRANT ACT OF 2008

Mr. CONYERS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 6045) to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to extend the authorization of the Bulletproof Vest Partnership Grant Program through fiscal year 2012.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6045

*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 "Bulletproof Vest Partnership Grant Act of 2008".

#### SEC. 2. EXTENSION OF AUTHORIZATION OF APPROPRIATIONS FOR BULLETPROOF VEST PARTNERSHIP GRANT PROGRAM.

Section 1001(a)(23) of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3793(a)(23)) is amended by striking "2009" and inserting "2012".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Utah (Mr. CANNON) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

#### GENERAL LEAVE

Mr. CONYERS. Madam Speaker, I ask unanimous consent that all Members have 5 days to revise and extend their remarks and include extraneous material.

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

There was no objection.

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

Members of the House, I rise to commend the gentleman from Indiana, PETER VISCLOSKEY, for helping us provide more bulletproof vests to policemen. It's kind of amazing that we need to pass a law to get more bulletproof vests for policemen.

More than 800,000 police officers put their lives at risk daily to protect our community. Many of them are protected by bullet-resistant armor, but an alarming number of officers are not afforded this protection because of local budget constraints. So this bill created by the gentleman from Indiana tries to take care of this problem.

The Bulletproof Vest Partnership Grant Program was established back in

1998 to assist State and local law enforcement agencies in securing protective equipment necessary to safeguard the lives of officers. And the program administered by the Department of Justice provides up to half of the matching grants—50 percent of the matching grants for the purchase of protective vests. Since then, the program has enabled thousands of jurisdictions across our Nation to purchase more than 1.5 million such vests.

It's estimated 3,000 law enforcement officers have survived shootings in part due to their bulletproof vest. In recognition of its vital role in the protection of these officers, the Bulletproof Vest Program has been extended, and it's set to expire at the end of fiscal year 2009 unless we extend it again.

Here we reauthorize the program for an additional 3 years so that to help more of our law enforcement officers, and I doubt if there's a Member in this House that isn't in full support of this measure.

I reserve the balance of my time.

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

On Tuesday, the life of an Alexandria, Virginia, police officer was spared because he was wearing a bulletproof vest when he was shot in the chest. The officer was shot during a traffic stop on Interstate 395 just outside of Washington, DC, by a man who later took his own life. Fortunately, the officer is expected to make a full recovery.

There are more than 900,000 State and local law enforcement officers who risk their lives every day to keep our community safe, yet we often lose sight of how quickly something as routine as a traffic stop can turn deadly for a police officer. Each year approximately 16,000 State and local officers are injured in the line of duty. In 2007, for instance, 55 police officers were killed by firearms in the line of duty.

Thankfully, many police officers and sheriff's deputies are saved each year by bulletproof vests. The Bulletproof Vest Partnership was created by the Bulletproof Vest Partnership Grant Act of 1998 as a Department of Justice program to provide funding for bulletproof vests and other body armor to State and local law enforcement.

□ 1115

Since 1999, 40,000 State and local governments have participated in the Bulletproof Vest Program. The program, administered by the Office of Justice Programs, has awarded Federal grants to support the purchase of an estimated 1.5 million vests, including over 800 vests to law enforcement agencies in my home State of Utah, making my police and many police around the country safer.

H.R. 6045 reauthorizes the Bulletproof Vest Partnership Grant Program through fiscal year 2012. This legislation enjoys broad bipartisan support and endorsements from a number of law enforcement organizations, including the Fraternal Order of Police.