

Pursuant to clause 1 of rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from South Carolina (Mr. WILSON) come forward and lead the House in the Pledge of Allegiance.

Mr. WILSON of South Carolina led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

AMERICANS MURDERED BY IRANIAN PUPPETS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, Americans are saddened by the deaths and injuries of U.S. servicemembers yesterday in the Middle East. My thoughts and prayers are with the families. Americans are sitting ducks for primary attacks that are occurring abroad and at home because of policies of appeasement.

A key priority is to provide the necessary tools and support for our military who so bravely protect American families. The Biden appeasement toward Iran and its terrorist puppets has resulted in inexcusable failure.

A circumstance that I particularly appreciate, I am the father of four sons who have served in Iraq, Egypt, and Afghanistan, and my recognition of this tragedy is enhanced.

Biden and Harris should resign to reverse the policies of appeasement which have exposed all American military worldwide to attacks.

In conclusion, God bless our troops who successfully protected America for 20 years as the global war on terrorism continues moving from the Afghanistan safe haven to America with Biden open borders for terrorists. It is sadly clear that there will be more 9/11 attacks across America imminent in our country as warned by the FBI.

NATIONAL POVERTY IN AMERICA AWARENESS MONTH

(Ms. PLASKETT asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PLASKETT. Madam Speaker, this month of January has been National Poverty in America Awareness Month. The grim reality is that over 40 million Americans, including nearly 20 percent of individuals in my home of the Virgin Islands and 30 percent of children there, live in poverty. This issue is not an inevitability, but a crisis that we have the power to resolve.

Poverty manifests not only through hunger, but also limited education, social discrimination, desperation, which leads to crime, and diminished demo-

cratic participation. Tragically, communities of color and people living in territories face even greater disadvantages.

It is disheartening to see a lack of concerted effort and poverty alleviation in this House. Many of my Republican colleagues, fixated on political stunts and threatening critical funding cuts, have diverted attention from this pressing issue.

We must prioritize bipartisan collaboration, whether it is the border or hunger in our own land, over political posturing. We must unite in our commitment to eradicate poverty, uplift every citizen, and guarantee a prosperous future for people across our land.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 25, 2024.

Hon. MIKE JOHNSON,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 25, 2024, at 3:52 p.m.

That the Senate agreed to S. Con. Res. 26.

That the Senate passed S. 2853.

That the Senate passed S. 3646.

Appointment:

Heath Information Technology Advisory Committee.

Board of Trustees of the John C. Stennis Center for Public Service Training and Development.

Washington's Farewell Address.

With best wishes, I am,

Sincerely,

KEVIN F. MCCUMBER,
Acting Clerk.

COMMUNICATION FROM THE SERGEANT AT ARMS

The SPEAKER pro tempore laid before the House the following communication from the Sergeant at Arms of the House of Representatives:

OFFICE OF THE SERGEANT AT ARMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, January 29, 2024.

Hon. MIKE JOHNSON,
Speaker, House of Representatives,
Washington, DC.

DEAR MISTER SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that the Office of the Sergeant at Arms for the House of Representatives has been served with a grand jury subpoena for documents issued by the U.S. Department of Justice.

After consulting with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the rights and privileges of the House.

Sincerely,

WILLIAM P. MCFARLAND,
Sergeant at Arms of the House of Representatives.

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 7 minutes p.m.), the House stood in recess.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DE LA CRUZ) at 4 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

The House will resume proceedings on postponed questions at a later time.

SAFE AND SMART FEDERAL PURCHASING ACT

Mr. DONALDS. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 5528) to evaluate the impact of the lowest price technically acceptable source selection process on national security, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5528

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 "Safe and Smart Federal Purchasing Act".

SEC. 2. REVIEW TO DETERMINE THE IMPACT OF THE LOWEST PRICE TECHNICALLY ACCEPTABLE SOURCE SELECTION PROCESS ON NATIONAL SECURITY.

(a) REVIEW.—The Director shall review the procurement management practices of Defense and Civilian agencies to determine whether the provisions of section 15.101-2 of the Federal Acquisition Regulation have created any national security risk.

(b) REPORT.—Not later than 180 days after the enactment of this Act, the Director shall submit a report on the results of the review under subsection (a) to—

(1) the Committee on Oversight and Accountability of the House of Representatives; and

(2) the Committee on Homeland Security and Governmental Affairs of the Senate.

(c) DEFINITIONS.—In this section:

(1) DEFENSE AND CIVILIAN AGENCY.—The term "Defense and Civilian agency" has the meaning given the term "agency" in section 133 of title 41, United States Code.

(2) DIRECTOR.—The term "Director" means the Director of the Office of Management and Budget.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida (Mr. DONALDS) and the gentleman from Maryland (Mr. RASKIN) each will control 20 minutes.

The Chair recognizes the gentleman from Florida.

GENERAL LEAVE

Mr. DONALDS. Madam 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 this measure.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 5528, the Safe and Smart Federal Purchasing Act.

Lowest Price Technically Acceptable is a source selection method outlined in the Federal Acquisition Regulation.

Simply put, this Federal Acquisition Regulation standard prioritizes price above all else.

Prioritizing price over any other technical or operational factors in Federal procurement can result in agencies cutting corners, sacrificing long-term value, and potentially jeopardizing national security.

The House Oversight Committee, in previous Congresses, placed appropriate constraints on agency use of the LPTA source selection process to mitigate such concerns.

Those constraints recognized that the LPTA standard is not always appropriate when agencies seek to purchase technically innovative services or technology.

Therefore, my bill requires the Director of the Office of Management and Budget to conduct a governmentwide evaluation of the LPTA source selection process to determine if it is being used in the way that creates any national security risks.

This is a useful step forward understanding how agencies are using LPTA in their source selection decisions, and will determine whether agencies are relying on LPTA when it is not appropriate.

This review is a commonsense step to ensuring America's national security, while also reducing supply chain risks to Federal agencies.

Madam Speaker, I thank my colleague from Virginia, Mr. GERRY CONNOLLY, and my colleague from Colorado, Ms. LAUREN BOEBERT, for their support in drafting this legislation.

Madam Speaker, I urge my colleagues to support this simple and necessary bill, and I reserve the balance of my time.

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

Madam Speaker, the gentleman's legislation, H.R. 5528, the Safe and Smart Federal Purchasing Act, would require the Director of OMB to review the procurement management practices of Federal agencies to determine whether the use of acquisition procedures focused exclusively on costs known as Lowest Price Technically Acceptable,

or LPTA, poses any national security risks.

Since our committee reported this bill last September, I appreciate that Mr. DONALDS and the majority sought and incorporated feedback from the administration, and also earned bipartisan support with the cosponsorship of Mr. CONNOLLY, a longtime expert in Federal operations. With these updates, I am happy to lend my full support to this legislation.

When Federal agencies purchase goods or services, they strive to achieve the best value for the American people. In the words of the Federal Acquisition Regulation, best value means that the acquisition should provide "the greatest overall benefit in response to the requirement."

Under LPTA procedures, price is the controlling factor in awarding a contract with no consideration given to any other factors. This contrasts with the more frequently used tradeoff approach which looks at the bigger picture and considers additional factors beyond just cost, perhaps assessing elements like quality and performance, or a bidder's technical or managerial expertise.

This bill, and the tradeoff approach to Federal contracting, take into consideration that focusing on contract price alone can actually increase the overall cost to the Federal Government and the people.

For example, cutting costs in the short term can lead to expensive project delays, or might result in taxpayer dollars flowing to adversarial nations that threaten our national security.

If no consideration is given to the strength and integrity of a bidder's supply chain, cutting costs in the short term could lead to inferior products or disastrous supply shortages at key moments.

Madam Speaker, I am happy to give my support to this legislation, and I reserve the balance of my time.

Mr. DONALDS. Madam Speaker, I have no further speakers on this bill, and I reserve the balance of my time.

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

Mr. DONALDS. Madam Speaker, the Safe and Smart Federal Purchasing Act is a measured and targeted legislation that can inform future congressional work on Federal procurement, a policy area we know is ripe for reform and taxpayer savings.

Madam Speaker, I encourage my colleagues in the House to support this commonsense bipartisan bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Florida (Mr. DONALDS) that the House suspend the rules and pass the bill, H.R. 5528, as amended.

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. DONALDS. 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, further proceedings on this motion will be postponed.

OVERTIME PAY FOR PROTECTIVE SERVICES ACT OF 2023

Mr. DONALDS. Madam Speaker, I move to suspend the rules and pass the bill (S. 3427) to extend the authority to provide employees of the United States Secret Service with overtime pay beyond other statutory limitations, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 3427

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 "Overtime Pay for Protective Services Act of 2023".

SEC. 2. EXTENSION OF OVERTIME PAY EXCEPTION THROUGH 2028 FOR PROTECTIVE SERVICES.

(a) AMENDMENTS.—Section 2 of the Overtime Pay for Protective Services Act of 2016 (5 U.S.C. 5547 note) is amended—

(1) in the section heading, by striking "2023" and inserting "2028";

(2) in subsection (a)—

(A) in the subsection heading, by striking "DEFINITION" and inserting "DEFINITIONS";

(B) by striking "In this section, the term" and inserting the following: "In this section—

"(1) the term"; and

(C) by striking "2023." and inserting the following: "2028; and

"(2) the term 'protective services' does not include routine administrative or technical work that supports the daily operations of the United States Secret Service."; and

(3) in subsection (b)(1), by striking "during each of calendar years 2016 through 2023" and inserting "for protective services during each of calendar years 2016 through 2028".

(b) RETROACTIVE EFFECTIVE DATE.—If this Act is enacted after December 31, 2023, the amendments made by subsection (a) shall take effect as if enacted on December 31, 2023.

(c) REPORTS.—

(1) DEFINITIONS.—In this subsection:

(A) APPROPRIATE COMMITTEES OF CONGRESS.—The term "appropriate committees of Congress" means—

(i) the Committee on Appropriations of the Senate;

(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

(iii) the Committee on the Judiciary of the Senate;

(iv) the Committee on Appropriations of the House of Representatives;

(v) the Committee on Homeland Security of the House of Representatives;

(vi) the Committee on Oversight and Accountability of the House of Representatives; and

(vii) the Committee on the Judiciary of the House of Representatives.

(B) DIRECTOR.—The term "Director" means the Director of the United States Secret Service.

(2) REPORT ON PLANS TO REDUCE OVERTIME USAGE.—

(A) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the