

quash the subpoena, or for other protective relief.

Sincerely,

SEAN McLAUGHLIN,
Staff Director, Majority Side.

COMMUNICATION FROM CHAIR OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following communication from the chair of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, September 22, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the Superior Court for the District of Columbia, purporting to require that, in connection with a particular criminal case, I produce certain official documents and appear to testify at trial on official matters.

After consultation with the Office of General Counsel, I have determined, pursuant to Rule VIII, that the subpoena (i) is not a "proper exercise of jurisdiction by the court," (ii) seeks information that is not "material and relevant," and/or (iii) is not "consistent with the privileges and rights" of the House, its Members, its officers, or its employees. Accordingly, I intend to move to quash the subpoena, or for other protective relief.

Sincerely,

JASON CHAFFETZ,
Chairman.

COMMUNICATION FROM RANKING MEMBER OF COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

The SPEAKER pro tempore laid before the House the following communication from the ranking member of the Committee on Oversight and Government Reform:

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,
Washington, DC, September 22, 2015.

Hon. JOHN A. BOEHNER,
Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have received a subpoena, issued by the Superior Court for the District of Columbia, purporting to require that, in connection with a particular criminal case, I produce certain official documents and appear to testify at trial on official matters.

After consultation with the Office of General Counsel, I have determined, pursuant to Rule VIII, that the subpoena (i) is not a "proper exercise of jurisdiction by the court," (ii) seeks information that is not "material and relevant," and/or (iii) is not "consistent with the privileges and rights" of the House, its Members, its officers, or its employees. Accordingly, I intend to move to quash the subpoena, or for other protective relief.

Sincerely,

ELIJAH E. CUMMINGS,
Ranking Member.

PRINTING OF PROCEEDINGS HAD DURING RECESS

Mr. KATKO. Mr. Speaker, I ask unanimous consent that the proceedings had during the recess be printed in the RECORD.

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

There was no objection.

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 on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken later.

TSA OFFICE OF INSPECTION ACCOUNTABILITY ACT OF 2015

Mr. KATKO. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 434) providing for the concurrence by the House in the Senate amendment to H.R. 719, with an amendment.

The Clerk read the title of the resolution.

The text of the resolution is as follows:

H. RES. 434

Resolved, That upon the adoption of this resolution the bill, H.R. 719, entitled "TSA Office of Inspection Accountability Act of 2015", with the Senate amendment thereto, shall be considered to have been taken from the Speaker's table to the end that the Senate amendment thereto be, and the same is hereby, agreed to with the following amendment:

In lieu of the matter proposed to be inserted by the amendment of the Senate, insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "TSA Office of Inspection Accountability Act of 2015".

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Consistent with Federal law and regulations, for law enforcement officers to qualify for premium pay as criminal investigators, the officers must, in general, spend on average at least 50 percent of their time investigating, apprehending, or detaining individuals suspected or convicted of offenses against the criminal laws of the United States.

(2) According to the Inspector General of the Department of Homeland Security (DHS IG), the Transportation Security Administration (TSA) does not ensure that its cadre of criminal investigators in the Office of Inspection are meeting this requirement, even though they are considered law enforcement officers under TSA policy and receive premium pay.

(3) Instead, TSA criminal investigators in the Office of Inspection primarily monitor the results of criminal investigations conducted by other agencies, investigate administrative cases of TSA employee misconduct, and carry out inspections, covert tests, and internal reviews, which the DHS IG asserts

could be performed by employees other than criminal investigators at a lower cost.

(4) The premium pay and other benefits afforded to TSA criminal investigators in the Office of Inspection who are incorrectly classified as such will cost the taxpayer as much as \$17 million over 5 years if TSA fails to make any changes to the number of criminal investigators in the Office of Inspection, according to the DHS IG.

(5) This may be a conservative estimate, as it accounts for the cost of Law Enforcement Availability Pay, but not the costs of law enforcement training, statutory early retirement benefits, police vehicles, and weapons.

SEC. 3. DEFINITIONS.

In this Act:

(1) ADMINISTRATION.—The term "Administration" means the Transportation Security Administration.

(2) ASSISTANT SECRETARY.—The term "Assistant Secretary" means the Assistant Secretary of Homeland Security (Transportation Security) of the Department of Homeland Security.

(3) INSPECTOR GENERAL.—The term "Inspector General" means the Inspector General of the Department of Homeland Security.

SEC. 4. INSPECTOR GENERAL AUDIT.

(a) AUDIT.—Not later than 60 days after the date of the enactment of this Act, the Inspector General shall analyze the data and methods that the Assistant Secretary uses to identify Office of Inspection employees of the Administration who meet the requirements of sections 8331(20), 8401(17), and 5545a of title 5, United States Code, and provide the relevant findings to the Assistant Secretary, including a finding on whether the data and methods are adequate and valid.

(b) PROHIBITION ON HIRING.—If the Inspector General finds that such data and methods are inadequate or invalid, the Administration shall not hire any new employee to work in the Office of Inspection of the Administration until—

(1) the Assistant Secretary makes a certification described in section 5 to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate; and

(2) the Inspector General submits to such Committees a finding, not later than 30 days after the Assistant Secretary makes such certification, that the Assistant Secretary utilized adequate and valid data and methods to make such certification.

SEC. 5. TSA OFFICE OF INSPECTION WORKFORCE CERTIFICATION.

(a) CERTIFICATION TO CONGRESS.—The Assistant Secretary shall, by not later than 90 days after the date the Inspector General provides its findings to the Assistant Secretary under section 4(a), document and certify in writing to the Committee on Homeland Security of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate that only those Office of Inspection employees of the Administration who meet the requirements of sections 8331(20), 8401(17), and 5545a of title 5, United States Code, are classified as criminal investigators and are receiving premium pay and other benefits associated with such classification.

(b) EMPLOYEE RECLASSIFICATION.—The Assistant Secretary shall reclassify criminal investigator positions in the Office of Inspection as noncriminal investigator positions or non-law enforcement positions if the individuals in those positions do not, or are not expected to, spend an average of at least 50 percent of their time performing criminal investigative duties.

(c) PROJECTED COST SAVINGS.—