

rules and agree to the resolution, H. Res. 1224.

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. BOOZMAN. Mr. 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The point of no quorum is considered withdrawn.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed with an amendment in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 5159. An act to establish the Office of the Capitol Visitor Center within the Office of the Architect of the Capitol, headed by the Chief Executive Officer for Visitor Services, to provide for the effective management and administration of the Capitol Visitor Center, and for other purposes.

#### FEDERAL PROTECTIVE SERVICE GUARD CONTRACTING REFORM ACT OF 2008

Ms. NORTON. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 3068) to prohibit the award of contracts to provide guard services under the contract security guard program of the Federal Protective Service to a business concern that is owned, controlled, or operated by an individual who has been convicted of a felony.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Federal Protective Service Guard Contracting Reform Act of 2008".*

##### SEC. 2. FEDERAL PROTECTIVE SERVICE CONTRACTS.

(a) *PROHIBITION ON AWARD OF CONTRACTS TO ANY BUSINESS CONCERN OWNED, CONTROLLED, OR OPERATED BY AN INDIVIDUAL CONVICTED OF A FELONY.*—

(1) *IN GENERAL.*—The Secretary of Homeland Security, acting through the Assistant Secretary of U.S. Immigration and Customs Enforcement—

(A) shall promulgate regulations establishing guidelines for the prohibition of contract awards for the provision of guard services under the contract security guard program of the Federal Protective Service to any business concern that is owned, controlled, or operated by an individual who has been convicted of a felony; and

(B) may consider permanent or interim prohibitions when promulgating the regulations.

(2) *CONTENTS.*—The regulations under this subsection shall—

(A) identify which serious felonies may prohibit a contractor from being awarded a contract;

(B) require contractors to provide information regarding any relevant felony convictions when submitting bids or proposals; and

(C) provide guidelines for the contracting officer to assess present responsibility, mitigating factors, and the risk associated with the previous conviction, and allow the contracting officer to award a contract under certain circumstances.

(b) *REGULATIONS.*—Not later than 6 months after the date of the enactment of this Act, the Secretary shall issue regulations to carry out this section.

##### SEC. 3. REPORT ON GOVERNMENT-WIDE APPLICABILITY.

*Not later than 18 months after the date of enactment of the Act, the Administrator for Federal Procurement Policy shall submit a report on establishing similar guidelines government-wide to the Committee on Homeland Security and Governmental Affairs and the Committee on Oversight and Government Reform of the House of Representatives.*

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from the District of Columbia (Ms. NORTON) and the gentleman from Arkansas (Mr. BOOZMAN) each will control 20 minutes.

The Chair recognizes the gentlewoman from the District of Columbia.

##### GENERAL LEAVE

Ms. NORTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3068.

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

There was no objection.

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

I rise in support of the Senate amendment to H.R. 3068. The bill is the result of two oversight hearings held by the Transportation and Infrastructure Committee Subcommittee on Economic Development, Public Buildings and Emergency Management that examined the role of the Federal Protective Service in providing security to our Nation's public buildings.

There was evidence and serious allegations of wrongdoings, chaos and irregularities in the contracting and employment of private security guards who protect Federal employees and facilities. This legislation intends to preserve the security of the country's most sensitive buildings.

The Senate amendment supports the principles of the House bill and authorizes the Secretary of Homeland Security to devise regulations that prohibit contracts for the provision of guard services to any business owned or controlled by a convicted felon. In addition, the Senate amendment provides some limited flexibility for the contracting officer to identify serious felons and create guidelines for the contracting officer to assess mitigating factors and the risks associated with previous convictions.

I urge all Members to vote for the Senate amendment to H.R. 3068, the Federal Protective Service Guard Contracting Reform Act of 2008.

I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I might consume.

H.R. 3068 was introduced by Subcommittee Chairwoman Norton last year, and prohibits the Federal Protective Service from awarding contracts to businesses owned, controlled or operated by convicted felons. Specifically, the bill would direct the Secretary of Homeland Security to promulgate regulations to implement this prohibition.

The Federal Protective Service, FPS, has a critical mission. FPS serves as one of the first lines of defense for our Federal buildings. It employs more than 1,000 trained personnel, and 15,000 contract security guards. It is charged with securing nearly 9,000 federally owned and leased buildings.

This legislation will help improve security at those buildings and facilities and increase the standards of safety for Federal properties across the country. H.R. 3068 passed the House last year and was amended in the Senate. The Senate amendment provides additional direction to the Secretary of Homeland Security on key issues that the regulations should include. The Senate amendment also directs the administrator for Federal procurement policy to issue a report to Congress on establishing similar guidelines government-wide.

This legislation is important to ensure the integrity of the forces protecting our Federal buildings and the employees and visitors that work in and visit those buildings every day. I support this legislation. I urge my colleagues to do the same.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, we very much appreciate that the House has gotten to this bill before we adjourn. This bill arose from oversight, and I think emphasizes the importance of oversight. Essentially it eliminates proxy ownership of vital FPS contracting operations. As a result of oversight and reports from workers and sometimes from unions, we learned that there were unpaid contract guards. As a result of the hearings, upon learning of these reports, we found that there was a contractor who was a felon, had spent 5 years in jail for money laundering and fraud.

What we discovered was sometimes there were unpaid guards working out of, of all places, the Department of Homeland Security, and that at other times the money had been received, as in the case of the proxy ownership, and had not been paid.

Security guards have grown to overwhelm the Federal Protective Service which is the official service that guards these buildings. The decrease in the Federal Protective Service is itself a hazard. But with 15,000 Federal security guards, that means hundreds probably of contractors, because many of them are small businesses. As the number of security guards and therefore contractors has grown, it is important that our vigilance of the contract operations also increases.