

The GREAT Act represents bipartisan legislation to modernize the Federal grant reporting process. It would do so by mandating a standardized data structure for information that recipients report to Federal agencies.

Unless the reporting requirements for Federal grants are searchable, the auditing process will continue to yield waste and inefficiency at best, allowing fraud and abuse at worst.

Mr. Speaker, in 2017, the Federal Government awarded \$662.7 billion in grants funding to State agencies, local and Tribal governments, agencies, nonprofits, universities, and other organizations. Roughly translated, this equates to the gross domestic product of Switzerland or more than the GDP of every country outside the G20.

Within our Federal Government, there are 26 agencies awarding Federal grants, and all of them continue to rely on outdated, burdensome, document-based forms to collect and track grant dollars. Society has moved into a new age of information and technology, and it is time that our government follow suit.

Adopting a governmentwide open data structure for all the information grantees will report will alleviate compliance burdens; provide instant insights for grantor agencies and Congress; and enable easy access to data for oversight, analytics, and program evaluation.

Digitizing and, therefore, automating the reporting process would have a twofold effect. First, it would allow greater scrutiny of how the money is being spent. Second, it allows grantees to maximize every dollar they receive from the government to ensure it goes back into communities supporting local businesses, organizations, and education.

In order to fix the way Federal grants are reported, we must move from a document-centric reporting system to a data superhighway. I urge my colleagues in the House and the Senate to support the GREAT Act and bring grant reporting into the 21st century.

Again, Mr. Speaker, I would like to thank Representative GOMEZ for his hard work on this bipartisan bill. I would also like to thank Representative DARRELL ISSA for his authorship of the DATA Act of 2014. It laid the foundation for the GREAT Act by applying data standardization to a pilot universe of Federal grants. And I thank him for his original cosponsorship of this bill.

I would also like to thank OMB Director Mulvaney for his office's advice on this legislation and leadership in advancing open data in the grant reporting process this year through the President's management agenda.

Lastly, I would like to thank Leader MCCARTHY for bringing this bill to the floor and for his broader leadership in pursuing an innovative agenda this Congress.

Mr. GOMEZ. Mr. Speaker, I urge passage of the GREAT Act, and I yield back the balance of my time.

Mr. RUSSELL. Mr. Speaker, I urge passage of the 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 Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4887, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### CORRECTING MISCALCULATIONS IN VETERANS' PENSIONS ACT

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4431) to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4431

*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 "Correcting Miscalculations in Veterans' Pensions Act".

#### SEC. 2. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR FORMER MEMBERS OF THE UNIFORMED SERVICES.

(a) CSRS.—Section 8334(j) of title 5, United States Code, is amended by adding at the end the following:

"(6)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the employing agency of such employee, Member, or annuitant makes an administrative error, such employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(B) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or Congressional employee.

"(C) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph."

(b) FERS.—Section 8422(e) of title 5, United States Code, is amended by adding at the end the following:

"(7)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the employing agency of such employee, Member, or annuitant makes an administrative error, such employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(B) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or Congressional employee.

"(C) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph."

#### SEC. 3. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR CERTAIN VOLUNTEERS.

(a) CSRS.—Section 8334(l) of title 5, United States Code, is amended by adding at the end of the following:

"(5)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if an employing agency of such employee, Member, or annuitant makes an administrative error that causes additional interest assessed to accrue on the deposit, the employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(B) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the Office of Personnel Management makes an administrative error that causes additional interest assessed to accrue on the deposit, the Office of Personnel Management may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(C) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or congressional employee.

"(D) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph."

(b) FERS.—Section 8422(f) of title 5, United States Code, is amended by adding at the end of the following:

"(5)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if an employing agency of such employee, Member, or annuitant makes an administrative error that causes additional interest assessed to accrue on the deposit, the employee, Member, or annuitant's employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(B) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the Office of Personnel Management makes an administrative error that causes additional interest assessed to accrue on the deposit, the Office of Personnel Management may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(C) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or congressional employee.

"(D) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph."

(c) AUTHORIZATION OF PAYMENTS.—All payments from the Office of Personnel Management authorized by subsections (a) and (b) shall be paid from the Civil Service Retirement and Disability Fund, and together with administrative expenses incurred by the Office in administering these subsections, shall be deemed to have been authorized to be paid from that Fund, which is appropriated for the payment thereof.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

## GENERAL LEAVE

Mr. RUSSELL. Mr. 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 the bill under consideration.

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

There was no objection.

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

Mr. Speaker, I urge support of H.R. 4431, the Correcting Miscalculations in Veterans' Pensions Act, introduced by Congressman CARTER of Georgia.

Civilian Federal employees earn an annuity as a part of their service to the country. Newly hired civil servants with prior Federal service, such as members of the military or the Peace Corps, can pay a deposit to count their prior service toward that annuity. This allows an individual to increase their pension upon retirement by counting previous, noncivilian service in the annuity calculation.

Under Federal retirement rules, there is a set period of time in which the individual can pay the service deposit. If a deposit isn't paid within this period of time, interest is assessed.

For example, someone wishing to pay a military service deposit must do so within 2 years of starting civilian service. On the third anniversary of civilian employment, interest will begin to accrue annually until the deposit is paid in full.

From time to time, agencies make mistakes that can cause an individual to be assessed interest that would not otherwise be owed. Most commonly, the problem arises when an agency provides inaccurate information about the amount or due date of the deposit. But under current law, agencies cannot fix those mistakes, meaning the civil servant has to pay the cost of the agency's mistake.

A 1996 opinion by the Government Accountability Office found the Department of Energy was prohibited from paying the interest assessed as a result of an agency's mistake on a military service deposit without a change in the law. The agency made a mistake, and the agency wanted to pay the difference. But under the restrictions of current law, the individual had to cover the interest payments that accrued through no fault of his own.

This bill fixes that problem to ensure civil servants do not pay the cost of agencies' mistakes. Specifically, the bill authorizes Federal agencies to pay interest assessed on military service deposits, AmeriCorps service deposits, and Peace Corps service deposits, if the interest is a result of an agency error.

I thank the gentleman from Georgia, my friend, Mr. CARTER, for his work on this important bill. I look forward to hearing from him in a moment.

I would also like to thank Chairman HARPER from the Committee on House Administration for their support in bringing this bill to the floor.

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

HOUSE OF REPRESENTATIVES, COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM,

Washington, DC, June 26, 2018.

Hon. GREGG HARPER, Chairman, Committee on House Administration, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: On November 16, 2017, the Committee on Oversight and Government Reform ordered reported H.R. 4431, the Correcting Miscalculations in Veterans' Pensions Act without amendment, by voice vote. The bill was referred primarily to the Committee on Oversight and Government Reform, with additional referral to the Committee on House Administration.

I ask you allow the Committee on the House Administration to be discharged from further consideration of the bill to expedite floor consideration. This discharge in no way affects your jurisdiction over the subject matter of the bill, and it will not serve as precedent for future referrals. In addition, should a conference on the bill be necessary, I would support your request to have the Committee on House Administration represented on the conference committee. Finally, I would be pleased to include this letter and any response in the bill report filed by the Committee on Oversight and Government Reform, as well as in the Congressional Record during floor consideration, to memorialize our understanding.

Thank you for your consideration of my request.

Sincerely,

TREY GOWDY.

HOUSE OF REPRESENTATIVES, COMMITTEE ON HOUSE ADMINISTRATION, Washington, DC, June 26, 2018.

Hon. TREY GOWDY, Chairman, Committee on Oversight and Government Reform, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 4431, The Correcting Miscalculations in Veterans Pensions Act. As you know, certain provisions of the bill fall within the Jurisdiction of Committee on House Administration.

I realize that discharging the Committee on House Administration from further consideration of H.R. 4431 will serve in the best interest of the House of Representatives and agree to do so. It is the understanding of the Committee on House Administration that forgoing action on H.R. 4431 will not prejudice the Committee with respect to appointment of conferees or any future jurisdictional claim. I request that your letter and this response be included in the bill report filed by your Committee, as well as in the Congressional Record.

Sincerely,

GREGG HARPER, Chairman.

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

Mr. Speaker, I rise in support of H.R. 4431. This measure would authorize agencies to pay interest on military service deposits in cases in which administrative error causes interest to be due.

Military servicemembers who transition to civilian service may elect to have past military service factored into their Federal pensions by making payments to the civilian retirement fund. These payments are intended to align with the contribution to the pension fund the employees would have

made for their years of service in the military.

Unfortunately, current law requires these payments to be paid within 2 years of starting Federal service. After this date, interest is assessed on any outstanding payments. Sometimes agencies make mistakes calculating the deposit amount that is due. In these cases, it is only fair that the agencies that made the errors should pay the accrued interest. Under current law or regulation, not all agencies have the authority to pay such accrued interest. This bill would close that loophole.

I thank Representative CARTER and Chairman GOWDY for working with us after committee markup to add provisions in the bill that would make similar changes to title 5 regarding the service and deposits for VISTA and Peace Corps volunteers.

Mr. Speaker, I urge my colleagues on both sides of the aisle to support H.R. 4431, and I reserve the balance of my time.

Mr. RUSSELL. Mr. Speaker, I yield 4 minutes to the gentleman from Georgia (Mr. CARTER), who is the sponsor of this bill.

Mr. CARTER of Georgia. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of H.R. 4431, the Correcting Miscalculations in Veterans' Pensions Act and urge all of my colleagues to support this important legislation.

I introduced this legislation after one of our veteran constituents in the First Congressional District of Georgia brought his own story to my office. In this case, he was a veteran who, after his service in the military, continued to serve our country by working in the Federal Government. Veterans who work for the Federal Government can have their Active Duty time in the military count toward their civil servant retirement pension if they pay a military service deposit.

In the case of our constituent, the employing agency made a mistake in calculating his military service deposit, but the Federal Government did not notice the mistake for more than 10 years. Years later, the Office of Personnel Management, OPM, told the constituent that he must pay the miscalculated amount plus the mistakenly accrued interest on the military service deposit that the employing government agency had miscalculated.

When he tried to fight the situation, the employing agency said that they had no ability to either waive the payment or pay it on behalf of the veteran employee.

We have found multiple occurrences just like this one for veterans working in our Federal Government. More often than not when these situations happen, the costs balloon to tens of thousands of dollars, leaving our veterans on the hook to pay. This legislation seeks to improve this situation by clarifying that the Federal agencies, in the case

of a miscalculation, are able to pay the interest that accrues on the military service deposit on behalf of the veteran, which, over time, ends up being the bulk of cost.

Our veterans risked their lives to protect our country, and they deserve the best when they return home.

It is unfortunate to me that our Federal Government cannot follow through with this commitment for even its own veteran employees. It is even more worrisome that these Federal agencies are putting off their responsibility, instead making their own employees—veteran employees—take the huge financial hit.

With this legislation, we can support our veterans working in the Federal Government.

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

Mr. RUSSELL. Mr. Speaker, I urge passage of this 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 Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4431, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The title of the bill was amended so as to read: "A bill to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service or certain volunteer service, and for other purposes."

A motion to reconsider was laid on the table.

## BORDER PATROL AGENT PAY REFORM AMENDMENTS ACT OF 2018

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5896) to amend title 5, United States Code, to modify the authority for pay and work schedules of border patrol agents, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5896

*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 "Border Patrol Agent Pay Reform Amendments Act of 2018".

### SEC. 2. AMENDMENTS TO THE BORDER PATROL AGENT PAY REFORM ACT OF 2014.

(a) BORDER PATROL AGENT PAY.—Section 5550 of title 5, United States Code, is amended—

(1) in subsection (a)(1), by inserting "agent" after "applicable border patrol";

(2) in subsection (b)(1)—

(A) in subparagraph (A), by striking "Not later than 30 days before the first day of each year beginning after the date of enactment of this section, a border patrol agent shall make an election whether the border patrol

agent shall, for that year, be assigned to" and inserting "Not later than December 1 of each year, a border patrol agent shall make an election whether the border patrol agent shall, for the next annual period beginning on the first day of the first pay period that commences on or after January 1, be assigned to";

(B) in subparagraph (C), by striking "Not later than 60 days before the first day of each year beginning after the date of enactment of this section" and inserting in its place "Not later than November 1 of each year";

(C) in subparagraph (D)—

(i) by amending clause (iv) to read as follows:

"(iv) a border patrol agent shall be assigned a basic border patrol rate of pay during the period of initial training (including initial orientation sessions, basic training, and other preparatory activities) prior to the agent's first regular work assignment; and";

(ii) in clause (v), by striking "or the level 2 border patrol rate of pay";

(D) in subparagraph (E)—

(i) in clause (i), by striking "or the level 2 border patrol rate of pay";

(ii) in clause (ii), by striking "the analysis conducted under section 2(e) of the Border Patrol Agent Pay Reform Act of 2014" and inserting in its place "a written staffing analysis"; and

(iii) by adding at the end the following:

"(iv) EXCLUSION OF CERTAIN EMPLOYEES.—In applying any percentage limit under clause (i) or (ii) to a location population, U.S. Customs and Border Protection shall exclude from such population any border patrol agent who is assigned a basic border patrol rate of pay under subparagraph (D)(iii) or (D)(iv) or who would reach the premium pay cap under section 5547 if assigned a level 1 border patrol rate of pay.

"(v) APPLICATION FREQUENCY.—The 10 percent limit under clause (i) or an alternative percentage limit under a waiver under clause (ii) shall be applied at the beginning of the first pay period beginning on or after January 1 each year.";

(E) by striking subparagraph (G);

(3) in subsection (b)(2)—

(A) by amending subparagraph (C)(i) to read as follows:

"(i) any compensation under this section or any other provision of law in addition to the compensation provided under subparagraph (B); or";

(B) in subparagraph (E)—

(i) by striking "paid leave" and inserting "leave"; and

(ii) by striking "absent from work" and inserting "excused from work";

(C) in subparagraph (F)(ii), by striking "and";

(D) by amending subparagraph (G) to read as follows:

"(G) if the border patrol agent participates in a full day of advanced training but does not perform the entire required amount of scheduled overtime work under subparagraph (A)(ii) on that day, the border patrol agent shall be deemed to have performed scheduled overtime work during nonwork periods to the extent necessary to reach the required amount, but such deemed credit may be applied to no more than 180 hours in a calendar year; otherwise, the agent shall accrue a debt of hours for scheduled overtime not worked on such a day; and";

(E) by adding at the end the following:

"(H) a border patrol agent may choose to reduce any debt of obligated overtime hours that the agent has incurred by applying any accrued compensatory time off for travel pursuant to section 5550b, and such compensatory time off for travel may be applied towards such debt only after other forms of overtime or earned compensatory time cred-

ited to the border patrol agent have been exhausted.";

(4) in subsection (b)(3)—

(A) by amending subparagraph (C)(i) to read as follows:

"(i) any compensation under this section or any other provision of law in addition to the compensation provided under subparagraph (B); or";

(B) in subparagraph (E), by striking "paid leave" and inserting "leave";

(C) in subparagraph (F)(ii), by striking "and";

(D) by amending subparagraph (G) to read as follows:

"(G) if the border patrol agent participates in a full day of advanced training but does not perform the entire required amount of scheduled overtime work under subparagraph (A)(ii) on that day, the border patrol agent shall be deemed to have performed scheduled overtime work during nonwork periods to the extent necessary to reach the required amount, but such deemed credit may be applied to no more than 90 hours in a calendar year; otherwise, the agent shall accrue a debt of hours for scheduled overtime not worked on such a day; and";

(E) by adding at the end the following:

"(H) a border patrol agent may choose to reduce any debt of obligated overtime hours that the agent has incurred by applying any accrued compensatory time off for travel pursuant to section 5550b; such compensatory time off for travel may be applied towards such debt only after other forms of overtime or earned compensatory time credited to the border patrol agent have been exhausted.";

(5) by amending subsection (d) to read as follows:

"(d) TREATMENT AS BASIC PAY.—

"(1) IN GENERAL.—Any overtime supplement in addition to the basic border patrol rate of pay for a border patrol agent resulting from application of the level 1 border patrol rate of pay or the level 2 border patrol rate of pay shall be treated as part of basic pay only—

"(A) except as otherwise provided in paragraph (3), for purposes of the definitions in section 8331(3) and 8401(4) and the provisions in chapters 83 and 84 that rely on those definitions (consistent with section 8331(3)(I));

"(B) except as otherwise provided in paragraph (3), for purposes of sections 5595(c) and 8704(c);

"(C) for the purpose of section 8114(e); and

"(D) subject to paragraph (2) and any limitation established under paragraph (3), any other purpose that the Director of the Office of Personnel Management may by regulation prescribe.

"(2) EXCLUSIONS.—The overtime supplement described in paragraph (1) shall not be treated as part of basic pay for purposes not covered by that paragraph, including the purposes of calculating—

"(A) overtime pay, night pay, Sunday pay, or holiday pay under section 5542, 5545, or 5546;

"(B) locality-based comparability payments under section 5304 or special rate supplements under section 5305; or

"(C) cost-of-living allowances in nonforeign areas under section 5941.

"(3) LIMITATIONS.—

"(A) IN GENERAL.—During the control period described in subparagraph (B), the amount of the overtime supplement that is considered basic pay under paragraphs (1)(A) and (1)(B) may not exceed the amount derived by multiplying the border patrol agent's basic border patrol rate of pay by the percentage representing the agent's career average of assigned overtime supplement percentages (including 0 percent for periods