

B. REGULATORY FLEXIBILITY ACT

This proposed rule is not expected to have a significant impact on a substantial number of small entities within the meaning of the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, because most contracts awarded to small entities do not involve use of formal responsibility surveys. In addition, most contracts awarded to small entities use simplified acquisition procedures or are awarded on a competitive fixed-price basis and do not require the submission of cost or pricing data or information other than cost or pricing data, and thus do not require application of the FAR cost principles. An Initial Regulatory Flexibility Analysis has, therefore, not been performed. Comments are invited from small business and other interested parties. Comments from small entities concerning the affected FAR parts also will be considered in accordance with 5 U.S.C. 601. Such comments must be submitted separately and cite 5 U.S.C. 601, *et seq.* (FAR case 99-), in correspondence.

C. PAPERWORK REDUCTION ACT

The Paperwork Reduction Act does not apply because the proposed FAR changes do not impose recordkeeping or information collection requirements, or collection of information from offerors, contractors, or members of the public which require the approval of the Office of Management and Budget under 44 U.S.C. 3501, *et seq.*

List of Subjects in 48 CFR Parts 9 and 31: Government procurement.

Dated:

EDWARD C. LOEB,

Director, Federal Acquisition Policy Division.

Therefore, 48 CFR Parts 9 and 31 are proposed to be amended as set forth below:

PART 9—CONTRACTOR QUALIFICATIONS

1. The authority citation for 48 CFR Part 9 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. chapter 137; and 42 U.S.C. 2473(c).

2. Subsection 9.104-1 is proposed to be amended by revising paragraphs (d) and (e) to read as follows:

9.104-1 General standards.

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(d) Have a satisfactory record of integrity and business ethics (examples of an unsatisfactory record would include persuasive evidence of the prospective contractor's lack of compliance with tax laws, or substantial noncompliance with labor and employment laws, environmental laws, anti-trust laws and other consumer protections);

(e) Have the necessary organization, experience, accounting and operational controls, and technical skills, or the ability to obtain them (including, as appropriate, such elements as production control procedures, property control systems, quality assurance measures, and safety programs applicable to materials to be produced or services to be performed by the prospective contractor and subcontractors) (see 9.104-3(a)), and the necessary workplace practices addressing matters such as training, worker retention, and legal compliance to assure a skilled, stable and productive workforce;

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PART 31—CONTRACT COST PRINCIPLES AND PROCEDURES

3. The authority citation for 48 CFR Part 31 continues to read as follows:

Authority: 40 U.S.C. 486(c); 10 U.S.C. Chapter 137; and 42 U.S.C. 2473(c).

4. Subsection 31.205-21 is proposed to be amended by redesignating the current text as paragraph "(a)" and adding a paragraph (b) to read as follows:

31.205-21 Labor relations costs.

(a) Costs incurred in maintaining satisfactory relations between the contractor and its employees, including costs of shop stewards, labor management committees, employee publications, and other related activities, are allowable.

(b) Costs incurred for activities related to influencing employees respecting unionization are unallowable.

5. Subsection 31.205-47 is proposed to be amended by adding a new subparagraph (f)(9) to read as follows:

31.205-47 Costs related to legal and other proceedings.

* * * * *

(f) * * *

(9) Defense of judicial or administrative proceedings brought by the Federal Government for violation of, or failure to comply with, law or regulation by the contractor (including its agents or employees), where (i) the contractor was found to have violated a law or regulation or (ii) the proceeding was settled, except that costs not otherwise unallowable may be allowed to the extent specifically provided as part of a settlement agreement between the contractor and the Federal Government resolving the proceeding by consent or compromise.

A TRIBUTE TO THREE CIVIL RIGHTS LEADERS

HON. BENJAMIN A. GILMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. GILMAN. Mr. Speaker, earlier this week, we were gratified to present Mrs. Rosa Parks with a Congressional Medal of Honor. She is commonly known as the Mother of Civil Rights. The next day we honored Congressman BOB FILNER and Congressman JOHN LEWIS at a luncheon commemorating the thirty fifth anniversary of the Freedom Rides. Both Congressmen participated in the rides of 1961. These people were willing to sacrifice their own lives in order to free our country of social injustice. Accordingly, I rise today to ask our colleagues to join me in honoring Mrs. Rosa Parks, Congressman JOHN LEWIS, and Congressman BOB FILNER. All three of these outstanding Americans have dedicated their lives to the defense of our civil rights. They participated in the Civil Rights Movement, understanding that there was a danger to their own lives.

Rosa Parks boarded a bus in December of 1955. She was not looking to incite any trouble. She was tired of being told for her entire life to move to the back of the bus for white people. She took a stand in refusing to move from her seat and was arrested. A year later, she rode a bus again. This time she sat where she pleased. Because of her leadership in the subsequent bus boycott, the transit company was brought before a Federal court that issued a ruling recognizing the right of all people to ride the bus and sit where they pleased. She has since become known as the "Mother of the Civil Rights Movement."

Mrs. Parks became the secretary of the NAACP. Later she became the Advisor to the NAACP Youth Council. Rosa Parks has created educational programs for our youth through the Rosa and Raymond Parks Institute for Self-Development. These programs are designed to expand the knowledge of chil-

dren, ages eleven to eighteen, regarding the Civil Rights Movement, the Underground Railroad and other significant aspects of African American History.

Rosa Parks took a stand when the odds were against her. Her courageous actions are an example of the efforts that we must all make in our everyday lives to defend our rights and the rights of those around us.

Congressman JOHN LEWIS became involved in the Civil Rights Movement at an early age. He challenged segregation at lunch counters. Congressman LEWIS participated in the Freedom Rides in 1961. He was severely beaten by mobs, risking his life. From 1963 until 1966, he was the chairman of Student Non-violent Coordinating Committee (SNCC) which was responsible for organizing sit-ins and other events to help further the Civil Rights Movement. JOHN was considered to be one of the "Big Six" leaders of the civil rights movement. LEWIS both planned and spoke at the March on Washington. Congressman LEWIS led a march across the Edmund Pettus Bridge in Selma, Alabama in 1965. The marchers were met by the Alabama State Troopers in a violent scene. This confrontation aided in the passing of the Voting Rights Act of 1965.

Congressman JOHN LEWIS has been a member of Congress since 1986. He has been a member of the House Ways and Means Committee, the Subcommittee on Health, and the Subcommittee on Oversight. He is a member of several different caucuses. JOHN LEWIS has served our nation his entire life. He embodies everything that our country stands for. Today, he is especially devoted to the needs and aspiration of his constituents.

Congressman BOB FILNER began his struggle for civil rights in 1961. He was a participant in the first Freedom Rides. He was arrested and imprisoned in Mississippi for several months for his courageous stand. Congressman FILNER entered Congress in 1992. He was named to the Committee on Transportation immediately. FILNER has been an advocate for funding Medicare, crime control, education, the environment, and veterans.

These courageous civil rights advocates remind us of our responsibilities. They protected the deepest virtues that our country promises. That is freedom and equality. They knew and understood that the oppression of people was wrong and rebelled against the evil of injustice. They recognized the social ills that surrounded them and destroyed the foul winds of prejudice.

We, in the Congress, who are aware of the achievements of Mrs. Rosa Parks, Congressman JOHN LEWIS and Congressman BOB FILNER have a responsibility to inform the public of their heroic acts. I know that my colleagues will join me in honoring and commending Mrs. Rosa Parks, Congressman JOHN LEWIS, and Congressman BOB FILNER for their outstanding achievements. I am confident that their acts will inspire us to foster and protect our nation's civil rights.

PERSONAL EXPLANATION

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. GREEN of Wisconsin. Mr. Speaker, on rollcall No. 204 (H.R. 1000), I was unavoidably

detained during travel from my district to Washington. Had I been present, I would have voted "yea."

PERSONAL EXPLANATION

HON. ROBERT MENENDEZ

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. MENENDEZ. Mr. Speaker, during roll-call vote No. 230 I was avoidably detained. Had I been present, I would have voted "yes."

PERSONAL EXPLANATION

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. MINGE. Mr. Speaker, on rollcall No. 230, had I been present, I would have voted "yes."

PERSONAL EXPLANATION

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. MINGE. Mr. Speaker, on rollcall No. 231 had I been present, I would have voted "yes."

PERSONAL EXPLANATION

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. MINGE. Mr. Speaker, on rollcall No. 232 had I been present, I would have voted "yes."

PERSONAL EXPLANATION

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. MINGE. Mr. Speaker, on rollcall No. 233 had I been present, I would have voted "yes."

PERSONAL EXPLANATION

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. MINGE. Mr. Speaker, on rollcall No. 229, had I been present, I would have voted "yes."

PERSONAL EXPLANATION

HON. DAVID MINGE

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, June 17, 1999

Mr. MINGE. Mr. Speaker, on rollcall No. 228, had I been present, I would have voted "yes."