

Mr. HOYER. Mr. Chairman, I, too, thank the gentleman for this amendment. As the gentleman may know, there have been similar amendments that the gentleman from Virginia (Mr. WOLF) and I offered to this bill all throughout the 1980s.

This is a good amendment. Clearly, the United States needs to be on the side of ensuring that this kind of abuse does not occur to children, women, and workers generally. This is a very good amendment, and I thank the gentleman for offering it.

Mr. SANDERS. I thank the gentleman for his support as well.

Mr. ENGEL. Mr. Chairman, I want to thank my colleague for offering this Amendment—it is very much in line with one that I offered to the FY02 Agriculture bill concerning cocoa products. My amendment passed this House with 291 votes—a strong statement by this body against the repugnant practice of child slavery.

We are constantly hearing about how we are at the dawn of a new millennium—we are in the 21st Century—and that things are just great and getting better.

But, Mr. Chairman, we still have labor practices that date back centuries. Labor practices so abhorrent that we thought that they were long gone—but they still remain. Child slavery continues to plague our world—and as the world's greatest economy we are in position to use our purchasing power to end this terrible practice.

My amendment focused on child slavery in cocoa fields in the Ivory Coast. The U.S. imports 3 billion tons of cocoa each year spending \$13 billion on the chocolate industry. That means Americans do have a great deal of influence with their dollars.

Every year at Halloween our kids wander our neighborhoods in costumes to Trick or Treat. They collect dozens of chocolate treats. But, now I must wonder—will they be as sweet knowing that somewhere in the world a child is forced to work 12–14 hours in a cocoa field, is locked up for the night without adequate bathroom facilities, and is never paid. If he tries to escape he is severely beaten.

Let me quote one of the farmers about this: "If I let them go, I am losing money, because I spent money for them." He told one child "You know I spent money on you. If you try to escape, I'll catch you and beat you." This is an absolute horror.

Now the chocolate industry has responded—they are moving forward to determine the extent of the problem and to develop programs for monitoring labor practices. But I believe the federal government must act as well. The American people do not want to buy products made with child slave labor. It is wrong and we must act swiftly.

My colleague from Vermont's amendment wouldn't affect the coca industry, because cocoa products don't have a detention order on them. Yet. However, during this fiscal year, FY2001, the U.S. Customs Service has undertaken an investigation into these reports about the Ivory Coast.

Title 19 United States Code, §1307, prohibits importation of products made, in whole or in part, with the use of convict, forced, or indentured labor under penal sanctions. A general provision in the FY1998 Treasury Appropriations Act specified that merchandise

manufactured with "forced or indentured child labor" falls within this statute.

What does this mean for American growers of these products? Let me be clear—by not enforcing existing law, it means that the federal government is putting our farmers automatically at a competitive and economic advantage.

So I urge my colleagues to support this amendment for two reasons—first and foremost because there is just no reason for child slavery in our world. Second, because American farmers shouldn't be put out of business because of other country's non-existent labor standards.

I have said it before, but it bears repeating, we must be ever vigilant in our fight against child slave labor. Support the Sanders Amendment.

The CHAIRMAN pro tempore. The question is on the amendment offered by the gentleman from Vermont (Mr. SANDERS).

The amendment was agreed to. Mr. ISTOOK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to. Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAHOOD) having assumed the chair, Mr. GUTKNECHT, Chairman pro tempore of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, had come to no resolution thereon.

LIMITATION ON CERTAIN AMENDMENTS DURING FURTHER CONSIDERATION OF H.R. 2590, TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

Mr. ISTOOK. Mr. Speaker, I ask unanimous consent that during consideration of the amendments numbered 5, 7, and 8 in the Committee of the Whole, pursuant to House Resolution 206:

One, the amendment numbered 7 shall immediately follow disposition of, or postponement of further proceedings on, the amendment numbered 5;

Two, the amendment numbered 5 shall be subject only to the amendment by the gentleman from Arizona (Mr. FLAKE) that I have placed at the desk;

Three, the amendment numbered 7 shall be subject only to one substantive amendment;

Four, the amendments numbered 5 and 7, and each specified amendment thereto, each shall be debatable for 20 minutes equally divided and controlled by the proponent and an opponent, except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any of those pending amendments; and

Five, debate on the amendment numbered 8, and all amendments thereto, shall be limited to 1 hour, equally divided and controlled by the proponent and an opponent.

The SPEAKER pro tempore. The Clerk will report the amendment to be offered by the gentleman from Arizona (Mr. FLAKE).

The Clerk read as follows:

Amendment offered by Mr. FLAKE as a substitute for the amendment offered by Mr. SMITH of New Jersey:

At the end of the bill, insert after the last section (preceding the short title) the following new section:

SEC. 644. (a) None of the funds made available in this Act may be used to administer or enforce part 515 of title 31, Code of Federal Regulations (the Cuban Assets Control Regulations) with respect to any travel or travel-related transaction.

(b) The limitation established in subsection (a) shall not apply to transactions in relation to any business travel covered by section 515.560(g) of such part 515.

Mr. ISTOOK (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

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

There was no objection.

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

Mr. HOYER. Mr. Speaker, reserving the right to object, and I will not object, I will say that we have discussed this unanimous consent request and the minority agrees.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

TREASURY AND GENERAL GOVERNMENT APPROPRIATIONS ACT, 2002

The SPEAKER pro tempore. Pursuant to House Resolution 206 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 2590.

□ 1524

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 2590) making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 2002, and for other purposes, with Mr. GUTKNECHT (Chairman pro tempore) in the chair.

The Clerk read the title of the bill.

The CHAIRMAN pro tempore. When the Committee of the Whole House rose earlier today, the amendment offered by the gentleman from Vermont (Mr.

SANDERS) had been disposed of and the bill was open for amendment from page 68 line 3 through page 95 line 16.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The CHAIRMAN pro tempore. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed in the following order: amendment No. 9 offered by the gentleman from Washington (Mr. INSLEE) and the amendment offered by the gentleman from New York (Mr. HINCHEY).

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 9 OFFERED BY MR. INSLEE

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on amendment No. 9 offered by the gentleman from Washington (Mr. INSLEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 141, noes 285, not voting 7, as follows:

[Roll No. 268]

AYES—141

Ackerman	Hinojosa	Oliver
Allen	Holt	Owens
Andrews	Honda	Pallone
Baca	Hookey	Pascrell
Baird	Hoyer	Pastor
Baldacci	Inslee	Payne
Baldwin	Jackson (IL)	Pelosi
Barcia	Jackson-Lee	Pomeroy
Barrett	(TX)	Price (NC)
Becerra	Jefferson	Rangel
Berkley	John	Rivers
Berry	Jones (OH)	Roemer
Bishop	Kaptur	Rothman
Bonior	Kennedy (RI)	Roybal-Allard
Boswell	Kildee	Rush
Boyd	Kind (WI)	Sanchez
Brady (PA)	Kleczka	Sanders
Brown (FL)	LaFalce	Sandlin
Brown (OH)	Langevin	Sawyer
Capps	Lantos	Schakowsky
Capuano	Larsen (WA)	Schiff
Carson (OK)	Larson (CT)	Sherman
Clay	Lee	Shows
Clement	Levin	Slaughter
Coyne	Lewis (GA)	Smith (WA)
Crowley	Lofgren	Solis
Davis (CA)	Lowey	Spratt
Davis (IL)	Luther	Stark
DeFazio	Maloney (CT)	Strickland
DeGette	Maloney (NY)	Tanner
DeLauro	Markey	Tauscher
Deutsch	Matheson	Taylor (MS)
Dingell	McCarthy (MO)	Thompson (MS)
Doggett	McCollum	Thurman
Edwards	McDermott	Towns
Eshoo	McGovern	Turner
Etheridge	McKinney	Udall (CO)
Farr	Meehan	Udall (NM)
Fattah	Meek (FL)	Velazquez
Filner	Meeks (NY)	Visclosky
Ford	Menendez	Waters
Frank	Millender-	Watson (CA)
Frost	McDonald	Watt (NC)
Gephardt	Miller, George	Waxman
Green (TX)	Moran (VA)	Weiner
Gutierrez	Napolitano	Woolsey
Harman	Neal	Wu
Hinche	Obey	

Abercrombie	Goodlatte
Aderholt	Gordon
Akin	Goss
Armey	Graham
Bachus	Granger
Baker	Graves
Ballenger	Green (WI)
Barr	Greenwood
Bartlett	Grucci
Barton	Gutknecht
Bass	Hall (OH)
Bentsen	Hall (TX)
Bereuter	Hansen
Berman	Hart
Biggert	Hastings (FL)
Bilirakis	Hastings (WA)
Blagojevich	Hayes
Blumenauer	Hayworth
Blunt	Hefley
Boehler	Herger
Boehner	Hill
Bonilla	Hilleary
Bono	Hilliard
Borski	Hobson
Boucher	Hoeffel
Brady (TX)	Hoekstra
Brown (SC)	Holden
Bryant	Horn
Burr	Hostettler
Burton	Houghton
Buyer	Hulshof
Callahan	Hunter
Calvert	Hutchinson
Camp	Hyde
Cannon	Isakson
Cantor	Israel
Capito	Issa
Cardin	Istook
Carson (IN)	Jenkins
Castle	Johnson (CT)
Chabot	Johnson (IL)
Chambliss	Johnson, Sam
Clayton	Jones (NC)
Clyburn	Kanjorski
Coble	Keller
Collins	Kelly
Combest	Kennedy (MN)
Condit	Kerns
Cooksey	Kilpatrick
Costello	King (NY)
Cox	Kingston
Cramer	Kirk
Crane	Knollenberg
Crenshaw	Kolbe
Cubin	Kucinich
Culberson	LaHood
Cummings	Lampson
Cunningham	Largent
Davis (FL)	Latham
Davis, Jo Ann	LaTourette
Davis, Tom	Leach
Deal	Lewis (CA)
DeLahunt	Lewis (KY)
DeLay	Linder
DeMint	LoBiondo
Diaz-Balart	Lucas (KY)
Dicks	Lucas (OK)
Dooley	Manzullo
Doolittle	Mascara
Doyle	Matsui
Dreier	McCarthy (NY)
Duncan	McCrery
Dunn	McHugh
Ehlers	McInnis
Ehrlich	McIntyre
Emerson	McKeon
Engel	McNulty
English	Mica
Evans	Miller (FL)
Everett	Miller, Gary
Ferguson	Mink
Flake	Mollohan
Fletcher	Moore
Foley	Moran (KS)
Forbes	Morella
Fossella	Murtha
Frelinghuysen	Myrick
Gallegly	Nadler
Ganske	Nethercutt
Gekas	Ney
Gibbons	Northup
Gilchrist	Norwood
Gillmor	Nussle
Gilman	Oberstar
Goode	Ortiz

NOES—285

Osborne
Ose
Otter
Oxley
Paul
Pence
Peterson (MN)
Peterson (PA)
Petri
Phelps
Pickering
Pitts
Platts
Pombo
Portman
Pryce (OH)
Putnam
Quinn
Radanovich
Rahall
Ramstad
Regula
Rehberg
Reyes
Reynolds
Riley
Rodriguez
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Roukema
Royce
Ryan (WI)
Ryun (KS)
Sabo
Saxton
Schaffer
Schroek
Scott
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skeen
Skelton
Smith (MI)
Smith (NJ)
Smith (TX)
Souder
Stearns
Stenholm
Stump
Stupak
Sununu
Sweeney
Tancred
Tauzin
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thornberry
Thune
Tiahrt
Tiberi
Tierney
Toomey
Trafficant
Upton
Vitter
Walden
Walsh
Wamp
Watkins (OK)
Watts (OK)
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson
Wolf
Wynn
Young (AK)
Young (FL)

NOT VOTING—7

Conyers	Lipinski	Spence
Gonzalez	Scarborough	
Johnson, E. B.	Snyder	

□ 1547

Messrs. YOUNG of Alaska, WYNN, RAHALL, HILLIARD, CLYBURN, MOORE, HALL of Ohio and Mrs. CLAYTON changed their vote from “aye” to “no.”

Messrs. BERRY, FORD and BAIRD changed their vote from “no” to “aye.” So the amendment was rejected.

The result of the vote was announced as above recorded.

ANNOUNCEMENT BY THE CHAIRMAN

The CHAIRMAN pro tempore (Mr. GUTKNECHT). Pursuant to clause 6 of rule XVIII, the Chair announces that he will reduce to a minimum of 5 minutes the period of time within which a vote by electronic device will be taken on the remaining amendment on which the Chair has postponed further proceedings.

AMENDMENT OFFERED BY MR. HINCHEY

The CHAIRMAN pro tempore. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will designate the amendment.

The Clerk designated the amendment.

RECORDED VOTE

The CHAIRMAN pro tempore. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 151, noes 274, not voting 8, as follows:

[Roll No. 269]

AYES—151

Ackerman	Doggett	Lampson
Allen	Edwards	Langevin
Andrews	Eshoo	Lantos
Baird	Etheridge	Larsen (WA)
Baldacci	Farr	Lee
Baldwin	Fattah	Levin
Barrett	Filner	Lewis (GA)
Becerra	Ford	Lofgren
Bentsen	Frank	Lowey
Berkley	Frost	Lucas (KY)
Bonior	Gephardt	Luther
Borski	Gordon	Maloney (CT)
Boswell	Green (TX)	Maloney (NY)
Boyd	Gutierrez	Markey
Brady (PA)	Harman	Mascara
Brown (FL)	Hastings (FL)	Matheson
Brown (OH)	Hill	McCarthy (MO)
Capps	Hinche	McCarthy (NY)
Capuano	Hinojosa	McCollum
Carson (OK)	Hoefel	McGovern
Clay	Holt	McIntyre
Clayton	Honda	McKinney
Clement	Hoyer	Meehan
Coyne	Inslee	Meek (FL)
Crowley	Jackson (IL)	Meeks (NY)
Cummings	John	Menendez
Davis (CA)	Jones (OH)	Millender-
Davis (FL)	Kaptur	McDonald
Davis (IL)	Kennedy (RI)	Miller, George
DeFazio	Kildee	Moore
DeGette	Kilpatrick	Moran (VA)
DeLauro	Kind (WI)	Nadler
Deutsch	Kleczka	Napolitano
Dicks	Kucinich	Neal
Dingell	LaFalce	Oberstar

Obey	Rush	Tauscher	Tanner	Tiberi	Weldon (FL)
Olver	Sabo	Thurman	Tauzin	Toomey	Weldon (PA)
Owens	Sanders	Tierney	Taylor (MS)	Trafficant	Weller
Pallone	Sandlin	Towns	Taylor (NC)	Upton	Whitfield
Pascarella	Sawyer	Turner	Terry	Vitter	Wicker
Payne	Schakowsky	Udall (CO)	Thomas	Walden	Wilson
Pelosi	Schiff	Udall (NM)	Thompson (CA)	Walsh	Wolf
Pomeroy	Scott	Velazquez	Thompson (MS)	Wamp	Wynn
Price (NC)	Serrano	Visclosky	Thornberry	Watkins (OK)	Young (AK)
Rahall	Sherman	Watson (CA)	Thune	Watt (NC)	Young (FL)
Rangel	Slaughter	Waxman	Tiahrt	Watts (OK)	
Rivers	Smith (WA)	Weiner			
Rodriguez	Solis	Wexler			
Roemer	Spratt	Woolsey			
Rothman	Stark	Wu			
Roybal-Allard	Strickland				

There was no objection.

□ 1600

Mr. WYNN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise in support of this amendment to focus on a problem facing our government, and that is unregulated and uncontrolled outsourcing, or, as it is sometimes called, privatization. The amendment specifically says that in contracting out, privatizing or otherwise giving Federal work to the private sector, that we adhere to existing law, Public Law 105-270.

This law, known as the FAIR Act, the Federal Activities Inventory Reform Act of 1998, basically says that whenever there should be an outsourcing, there shall also be a competition to determine that the taxpayer gets best value, best value in terms of quality and in terms of cost. Unfortunately, we find Federal agencies are not adhering to the FAIR Act; they are outsourcing without this control mechanism, and what we further find is that this outsourcing has not been beneficial to the taxpayer.

Let me give you an example. In the fiscal year 2000 Defense Appropriations bill, my Republican colleagues wrote, "There is no clear evidence that the current DOD outsourcing and privatization effort is reducing the cost of support functions within DOD with high cost contractors simply replacing government employees. In addition, the current privatization effort appears to have created serious oversight problems for DOD, especially in those cases where DOD has contracted for financial management and other routine administrative functions."

My point is, there is no evidence that outsourcing is, per se, better than Federal employees. The United States Government has a great resource in its Federal employees. We also have a great resource in private sector companies. We ought to have a competition in which Federal employees can compete against private companies for those jobs that are considered for being contracted out.

That is what this bill would do. It is quite simple. It would give the taxpayer best value, both in terms of quality and in terms of cost. It merely requires the agencies to abide by our current law, which requires competition.

Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I rise to oppose the amendment and claim the time in opposition.

The CHAIRMAN pro tempore (Mr. THORNBERRY). The gentleman from Virginia is recognized for 5 minutes.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I certainly agree with some of the things my colleague said in terms of outsourcing and trying to make it so it is not uncontrolled and unpredictable. The difficulty with this

NOT VOTING—8

Conyers	Lipinski	Spence
Gonzalez	Scarborough	Waters
Johnson, E. B.	Snyder	

□ 1555

So the amendment was rejected.

The result of the vote was announced as above recorded.

#### PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, on rollcall Nos. 268 and 269—Inlee amendment and Hinchy amendment—I was detained in a Senate meeting on Election Reform. Had I been present, I would have voted "yea" on both.

The CHAIRMAN pro tempore (Mr. GUTKNECHT). Pursuant to the order of the House of today, during consideration of the amendments numbered 5, 7 and 8, the following order shall apply:

(1) The amendment numbered 7 shall immediately follow disposition of, or postponement of further proceedings on, the amendment numbered 5.

(2) The amendment numbered 5 shall be subject only to the amendment by the gentleman from Arizona (Mr. FLAKE) that has been placed at the desk.

(3) The amendment numbered 7 shall be subject only to one substantive amendment.

(4) The amendments numbered 5 and 7, and each specified amendment thereto, each shall be debatable for 20 minutes, equally divided and controlled by the proponent and an opponent except that the chairman and ranking minority member of the Committee on Appropriations, or a designee, each may offer one pro forma amendment for the purpose of further debate on any of those pending amendments.

(5) Debate on the amendment numbered 8, and all amendments thereto, shall be limited to 1 hour, equally divided and controlled by the proponent and an opponent.

AMENDMENT OFFERED BY MR. WYNN

Mr. WYNN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WYNN:

At the end of the bill (preceding the short title) insert the following new section:

SEC. \_\_\_\_ . None of the funds made available in this Act may be used to initiate the process of contracting out, outsourcing, privatizing, or converting any Federal Government services in contravention of Public Law 105-270.

Mr. ISTOOK. Mr. Chairman, I ask unanimous consent that all debate on this amendment be limited to 10 minutes, equally divided and controlled by the proponent and an opponent.

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

NOES—274

Abercrombie	Foley	McInnis
Aderholt	Forbes	McKeon
Akin	Fossella	McNulty
Army	Frelinghuysen	Mica
Baca	Gallegly	Miller (FL)
Bachus	Ganske	Miller, Gary
Baker	Gekas	Mink
Ballenger	Gibbons	Mollohan
Barcia	Gilchrest	Moran (KS)
Barr	Gillmor	Morella
Bartlett	Gilman	Murtha
Barton	Goode	Myrick
Bass	Goodlatte	Nethercutt
Bereuter	Goss	Ney
Berman	Graham	Northup
Berry	Granger	Norwood
Biggart	Graves	Nussle
Bilirakis	Green (WI)	Ortiz
Bishop	Greenwood	Osborne
Blagojevich	Grucci	Ose
Blumenauer	Gutknecht	Otter
Blunt	Hall (OH)	Oxley
Boehler	Hall (TX)	Pastor
Boehner	Hansen	Paul
Bonilla	Hart	Pence
Bono	Hastings (WA)	Peterson (MN)
Boucher	Hayes	Peterson (PA)
Brady (TX)	Hayworth	Petri
Brown (SC)	Hefley	Phelps
Bryant	Herger	Pickering
Burr	Hilleary	Pitts
Burton	Hilliard	Platts
Buyer	Hobson	Pombo
Callahan	Hoekstra	Portman
Calvert	Holden	Pryce (OH)
Camp	Hooley	Putnam
Cannon	Horn	Quinn
Cantor	Hostettler	Radanovich
Capito	Houghton	Ramstad
Cardin	Hulshof	Regula
Carson (IN)	Hunter	Rehberg
Castle	Hutchinson	Reyes
Chabot	Hyde	Reynolds
Chambliss	Isakson	Riley
Clyburn	Israel	Rogers (KY)
Coble	Issa	Rogers (MI)
Collins	Istook	Rohrabacher
Combest	Jackson-Lee	Ros-Lehtinen
Condit	(TX)	Ross
Cooksey	Jefferson	Roukema
Costello	Jenkins	Royce
Cox	Johnson (CT)	Ryan (WI)
Cramer	Johnson (IL)	Ryun (KS)
Crane	Johnson, Sam	Sanchez
Crenshaw	Jones (NC)	Saxton
Cubin	Kanjorski	Schaffer
Culberson	Keller	Schrock
Cunningham	Kelly	Sensenbrenner
Davis, Jo Ann	Kennedy (MN)	Sessions
Davis, Tom	Kerns	Shadegg
Deal	King (NY)	Shaw
Delahunt	Kingston	Shays
DeLay	Kirk	Sherwood
DeMint	Knollenberg	Shimkus
Diaz-Balart	Kolbe	Shows
Dooley	LaHood	Shuster
Doolittle	Largent	Simmons
Doyle	Larson (CT)	Simpson
Dreier	Latham	Skeen
Duncan	LaTourette	Skelton
Dunn	Leach	Smith (MI)
Ehlers	Lewis (CA)	Smith (NJ)
Ehrlich	Lewis (KY)	Smith (TX)
Emerson	Linder	Souder
Engel	LoBiondo	Stearns
English	Lucas (OK)	Stenholm
Evans	Manzullo	Stump
Everett	Matsui	Stupak
Ferguson	McCrery	Sununu
Flake	McDermott	Sweeney
Fletcher	McHugh	Tancredo

amendment is that it does not just implement the FAIR Act, the Federal Activities Inventory Reform Act. That act applied only to commercial activities.

This act, if you read the language, says none of the funds made available may be used to initiate the process of contracting out, outsourcing, privatizing, converting any Federal Government services.

This applies to IT functions, it applies to SEAT management, it applies to ship construction, it applies to Javits-Wagner-O'Day functions, engineering functions. What it does in these functions under the current regulations as they are written is we will have to use the A-76 process in terms of going out sourcing any of these.

The A-76 process is used in only 2 percent of DOD contracts, and in almost no civilian contracts, because it is a 2-year process. This would basically freeze outsourcing in non-commercial areas, something the FAIR Act was not intended to apply to originally.

This amendment, in my judgment, is going to hinder and possibly shut down segments of the Federal Government's operations because we do not have in many of these areas of high expertise information technology, engineering, the in-house capability to perform them.

Last year Congress mandated that GAO create the Commercial Activities Panel to study the policies and procedures governing the transfer of the Federal Government's commercial activities from its employees to contractors.

This panel is going to report back to Congress in May, next year, with recommendations for improvements. I believe that Congress should await the results of this review before we start to legislate on that issue.

So it is for those reasons that I would urge my colleagues to oppose this amendment.

Mr. Chairman, I reserve the balance of my time.

Mr. WYNN. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I would like to comment on a couple points made by my good friend and colleague from Northern Virginia. First of all, it should be clearly understood, this amendment would not affect any existing contracts. Any existing contracts, commercial or non-commercial, are not affected by this bill.

Second, this bill is current law. Now, the gentleman may be correct in some respects that current law does not work as well as we would like, but that is not unique to this body, unfortunately; and efforts are under way to streamline current law. But it is current law; and it does say before you out source, you should have competition.

We regularly come to the floor and talk about the benefits to the taxpayer of greater competition. There should be more competition. Does the process

take too long? Not necessarily, when you consider the length of some of the contracts involved, 3-year, 5-year contracts. The process is a reasonable process that gives Federal employees a fair opportunity.

If Federal employees are not performing some of these IT functions now, there would be no competition between Federal employees; it would be competition purely between private sector versus private sector. On the other hand, however, if Federal employees are performing these functions now and if they are doing a good job by virtue of both the cost that they charge to the Government as well as the quality that they provide based on their experience, then they should have the opportunity to compete to perform that contract as against a private sector company that is applying for that contract for the first time and may not be able to provide the same value.

I believe this is a reasonable approach.

Mr. Chairman, I reserve the balance of my time.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 1½ minutes to the gentleman from Texas (Mr. SESSIONS).

Mr. SESSIONS. Mr. Chairman, I thank the gentleman for yielding me time and also rise in opposition to this Wynn amendment.

Mr. Chairman, the fact of the matter is that the gentleman from Maryland (Mr. WYNN) has been honest about his objections. The gentleman from Maryland (Mr. WYNN) does not like outsourcing. The gentleman from Maryland (Mr. WYNN) wants to try and stop outsourcing as it is occurring across the Federal Government today, and several weeks ago we were in a hearing where we attempted to talk about not only the impact, but also how things are occurring in the marketplace today as a result of the FAIR Act.

I oppose this amendment because I believe that we are waiting to find out what the results really are. The hearing that we held offered an opportunity for both sides to provide input.

I believe what this will do today is to shortcut a process that had begun several years ago, where we are waiting to find out the real-life examples about how well outsourcing can take place, to where not only the effect of saving money, but also utilizing the most cost-effective services, to where we can allow agencies to go and do those things that are their core competency and to engage themselves in the effectiveness for government, is what we are after.

I support the gentleman from Virginia (Mr. TOM DAVIS). I think what the gentleman from Virginia (Chairman DAVIS) is talking about is defeating the Wynn amendment because it is shortcutting, short-circuiting, our ability to hear back a report that is due to us, where we can make a decision based on the facts of the case and what we are presently doing.

The CHAIRMAN pro tempore (Mr. SHIMKUS). Each side has 1½ minutes remaining. Because the gentleman from Virginia (Mr. TOM DAVIS) is not a member of the committee, the gentleman from Maryland (Mr. WYNN) has the right to close the debate.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN of Virginia. Mr. Chairman, I am very much troubled by an article that was written by Steve Kelman, who was President Clinton's Director of Federal Procurement Policy in the White House. Many may know Steve. Mr. Kelman says,

This is not a pretty picture. If this was passed, it could literally grind government to a halt. What TRAC does is enormously expand the scope of the Office of Management and Budget's Circular A-76, and it will include services that have always been contracted out in the past. It particularly affects telecommunications services and information technology. It is a troubling procedure that almost exclusively focuses on costs, rather than best value, and demands huge investments of time and resources.

I think that is a troubling assessment from somebody who understands the issue.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield 30 seconds to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. Mr. Chairman, I want my friend from Maryland to know I stand in opposition, but reluctant opposition, because I too see a lot of imperfections with the A-76 study approach. I see a lot of families getting booted in midlife, mid-career, and often the subcontractors come back and rebill their costs. So I see a lot of imperfections with it.

But I do think one of the problems with TRAC and the reason I have not cosponsored it is because, as the gentleman from Virginia (Mr. TOM DAVIS) says, you have engineering, a lot of subcontracting, and routine maintenance and security issues which the Federal Government under this legislation would not be able to farm out, and those are things the Federal Government needs to do.

I want to wait for the study, but I wanted my friend from Maryland to know I want to work with him in the future, but it is important to wait for the study.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, I also want to pay tribute to my friend from Maryland, who I honor and look forward to working with; but on this issue we have to agree, this amendment is opposed by the ITAA, the American Electronics Association, the Professional Services Council, and, of course, the administration.

What this does is expand what is currently reserved for commercial activities, to Javits-Wagner-O'Day Act, to recompetes in many sources cases. This could grind outsourcing to a halt. That