

The separate technology fund was created in the 1980s to assist agencies as they incorporated complex main-frame computers into their daily operations. But today information technology is as common in the Federal workplace as furniture. Having two separate entities within GSA, one focusing on IT goods and services, one focusing on non-IT goods and services, is no longer appropriate. So H.R. 2066 would provide GSA with the statutory structure that it needs to bring it in line with the current commercial market.

Overall, the reforms provided in H.R. 2066 would help GSA streamline its operations, improve its performance and efficiency far into the future. I urge its passage today, Mr. Speaker, and I congratulate the bill's distinguished authors, the gentleman from Virginia (Mr. TOM DAVIS) and the gentleman from California (Mr. HUNTER) for working to create such a thoughtful bill.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join with my colleague, the gentlewoman from Florida (Ms. ROS-LEHTINEN), in consideration of H.R. 2066, the bill before us today.

H.R. 2066, the General Services Modernization Act, as reported by the Committee on Government Reform, represents the first major reorganization within the GSA in nearly 20 years. This bill would combine without substantive change the revolving funds used for the operations of the Federal Supply Service and the Federal Technology Service, both currently separate organizations within GSA.

The bill would also authorize a new unit, the Federal Acquisition Service, headed by a commissioner, to take over the operations of the combined services.

The Federal Supply Service provides an economic and efficient system for the procurement and supply of goods and services to Federal agencies. One way it does this is through the schedules program which manages long-term government-wide contracts for commercial goods and services. This provides customer agencies with benefits of volume discount pricing, lower administrative costs, and reduced inventories.

The Federal Technology Service offers agencies a wide range of information technology and telecommunication products and services on a number of contract vehicles. Its focus is oriented toward providing more full-service solutions for IT, telecommunications and professional services.

While I would have preferred a more thorough analysis of the benefits of the consolidation intended by this bill, the proposal would seem to offer increased organizational efficiency and improved coordination of the functions the services currently provide. I look forward

to reviewing the detailed reorganization plans that the GSA is preparing.

The bill also contains provisions which would give civilian agencies additional tools to maintain their acquisition work forces. It would allow agencies to offer retention bonuses and to reemploy retirees in certain special circumstances. I would also like to thank the chairman for working with us to provide appropriate safeguards on the use of this authority and for accepting a Democratic amendment regarding the appointment of the new commissioner of the Federal Acquisition Service.

While not directly relevant to this legislation, I would like to take this opportunity to urge the GSA to consult more closely with Federal employee unions on its plans for reorganizing. A number of representatives of Federal employees have contacted the committee with concerns about the reorganization. Primary among those concerns is the fact that no one seemed to be talking to them about the plans for merging the two services. This approach can only breed distrust and fear, and I urge the administrator to improve communication with the affected employees.

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

Ms. ROS-LEHTINEN. Mr. Speaker, I withdraw my motion to suspend the rules on H.R. 2066.

The SPEAKER pro tempore. The motion is withdrawn.

GENERAL SERVICES ADMINISTRATION MODERNIZATION ACT

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2066) to amend title 40, United States Code, to establish a Federal Acquisition Service, to replace the General Supply Fund and the Information Technology Fund with an Acquisition Services Fund, and for other purposes, as amended.

The Clerk read as follows:

H.R. 2066

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 "General Services Administration Modernization Act".

SEC. 2. FEDERAL ACQUISITION SERVICE.

(a) ESTABLISHMENT.—

(1) IN GENERAL.—Section 303 of title 40, United States Code, is amended to read as follows:

"§ 303. Federal Acquisition Service

"(a) ESTABLISHMENT.—There is established in the General Services Administration a Federal Acquisition Service. The Administrator of General Services shall appoint a Commissioner of the Federal Acquisition Service, who shall be the head of the Federal Acquisition Service.

"(b) FUNCTIONS.—Subject to the direction and control of the Administrator of General Services, the Commissioner of the Federal Acquisition Service shall be responsible for carrying out functions related to the uses for which the Acquisition Services Fund is authorized under section 321 of this title, including any functions that were carried out by the entities known as

the Federal Supply Service and the Federal Technology Service and such other related functions as the Administrator considers appropriate.

"(c) REGIONAL EXECUTIVES.—The Administrator may appoint up to five Regional Executives in the Federal Acquisition Service, to carry out such functions within the Federal Acquisition Service as the Administrator considers appropriate."

(2) CLERICAL AMENDMENT.—The item relating to section 303 at the beginning of chapter 3 of such title is amended to read as follows:

"303. Federal Acquisition Service."

(b) EXECUTIVE SCHEDULE COMPENSATION.—Section 5316 of title 5, United States Code, is amended by striking "Commissioner, Federal Supply Service, General Services Administration." and inserting the following:

"Commissioner, Federal Acquisition Service, General Services Administration."

(c) REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, reorganization plan, or delegation of authority, or in any document—

(1) to the Federal Supply Service is deemed to refer to the Federal Acquisition Service;

(2) to the GSA Federal Technology Service is deemed to refer to the Federal Acquisition Service;

(3) to the Commissioner of the Federal Supply Service is deemed to refer to the Commissioner of the Federal Acquisition Service; and

(4) to the Commissioner of the GSA Federal Technology Service is deemed to refer to the Commissioner of the Federal Acquisition Service.

SEC. 3. ACQUISITION SERVICES FUND.

(a) ABOLISHMENT OF GENERAL SUPPLY FUND AND INFORMATION TECHNOLOGY FUND.—The General Supply Fund and the Information Technology Fund in the Treasury are hereby abolished.

(b) TRANSFERS.—Capital assets and balances remaining in the General Supply Fund and the Information Technology Fund as in existence immediately before this section takes effect shall be transferred to the Acquisition Services Fund and shall be merged with and be available for the purposes of the Acquisition Services Fund under section 321 of title 40, United States Code (as amended by this Act).

(c) ASSUMPTION OF OBLIGATIONS.—Any liabilities, commitments, and obligations of the General Supply Fund and the Information Technology Fund as in existence immediately before this section takes effect shall be assumed by the Acquisition Services Fund.

(d) EXISTENCE AND COMPOSITION OF ACQUISITION SERVICES FUND.—Subsections (a) and (b) of section 321 of title 40, United States Code, are amended to read as follows:

"(a) EXISTENCE.—The Acquisition Services Fund is a special fund in the Treasury.

"(b) COMPOSITION.—

"(1) IN GENERAL.—The Fund is composed of amounts authorized to be transferred to the Fund or otherwise made available to the Fund.

"(2) OTHER CREDITS.—The Fund shall be credited with all reimbursements, advances, and refunds or recoveries relating to personal property or services procured through the Fund, including—

"(A) the net proceeds of disposal of surplus personal property; and

"(B) receipts from carriers and others for loss of, or damage to, personal property; and

"(C) receipts from agencies charged fees pursuant to rates established by the Administrator.

"(3) COST AND CAPITAL REQUIREMENTS.—The Administrator shall determine the cost and capital requirements of the Fund for each fiscal year and shall develop a plan concerning such requirements in consultation with the Chief Financial Officer of the General Services Administration. Any change to the cost and capital requirements of the Fund for a fiscal year shall be

approved by the Administrator. The Administrator shall establish rates to be charged agencies provided, or to be provided, supply of personal property and non-personal services through the Fund, in accordance with the plan.

“(4) DEPOSIT OF FEES.—Fees collected by the Administrator under section 313 of this title may be deposited in the Fund to be used for the purposes of the Fund.”

(e) USES OF FUND.—Section 321(c) of such title is amended in paragraph (1)(A)—

(1) by striking “and” at the end of clause (i);

(2) by inserting “and” after the semicolon at the end of clause (ii); and

(3) by inserting after clause (ii) the following new clause:

“(iii) personal services related to the provision of information technology (as defined in section 11101(6) of this title);”

(f) PAYMENT FOR PROPERTY AND SERVICES.—Section 321(d)(2)(A) of such title is amended—

(1) by striking “and” at the end of clause (iv);

(2) by redesignating clause (v) as clause (vi); and

(3) by inserting after clause (iv) the following new clause:

“(v) the cost of personal services employed directly in providing information technology (as defined in section 11101(6) of this title); and”

(g) TRANSFER OF UNCOMMITTED BALANCES.—Subsection (f) of section 321 of such title is amended to read as follows:

“(f) TRANSFER OF UNCOMMITTED BALANCES.—Following the close of each fiscal year, after making provision for a sufficient level of inventory of personal property to meet the needs of Federal agencies, the replacement cost of motor vehicles, and other anticipated operating needs reflected in the cost and capital plan developed under subsection (b), the uncommitted balance of any funds remaining in the Fund shall be transferred to the general fund of the Treasury as miscellaneous receipts.”

(h) CONFORMING AND CLERICAL AMENDMENTS.—

(1) Section 322 of such title is repealed.

(2) The heading for section 321 of such title is amended to read as follows:

“§321. Acquisition Services Fund”.

(3) The table of sections for chapter 3 of such title is amended by striking the items relating to sections 321 and 322 and inserting the following: “321. Acquisition Services Fund.”

(4) Section 573 of such title is amended by striking “General Supply Fund” both places it appears and inserting “Acquisition Services Fund”.

(5) Section 604(b) of such title is amended—

(A) in the heading, by striking “GENERAL SUPPLY FUND” and inserting “ACQUISITION SERVICES FUND”; and

(B) in the text, by striking “General Supply Fund” and inserting “Acquisition Services Fund”.

(6) Section 605 of such title is amended—

(A) in subsection (a)—

(i) in the heading, by striking “GENERAL SUPPLY FUND” and inserting “ACQUISITION SERVICES FUND”; and

(ii) in the text, by striking “General Supply Fund” and inserting “Acquisition Services Fund”; and

(B) in subsection (b)(2)—

(i) by striking “321(f)(1)” and inserting “321(f)”;

(ii) by striking “General Supply Fund” and inserting “Acquisition Services Fund”.

SEC. 4. PROVISIONS RELATING TO ACQUISITION PERSONNEL.

Section 37 of the Office of Federal Procurement Policy Act (41 U.S.C. 433) is amended by adding at the end the following new subsections:

“(i) PROVISIONS RELATING TO REEMPLOYMENT.—

“(1) POLICIES AND PROCEDURES.—The head of each executive agency, after consultation with

the Administrator and the Director of the Office of Personnel Management, shall establish policies and procedures under which the agency head may reemploy in an acquisition-related position (as described in subsection (g)(1)(A)) an individual receiving an annuity from the Civil Service Retirement and Disability Fund, on the basis of such individual’s service, without discontinuing such annuity. The head of each executive agency shall keep the Administrator informed of the agency’s use of this authority.

“(2) SERVICE NOT SUBJECT TO CSRS OR FERS.—An individual so reemployed shall not be considered an employee for the purposes of chapter 83 or 84 of title 5, United States Code.

“(3) CRITERIA FOR EXERCISE OF AUTHORITY.—Policies and procedures established pursuant to this subsection shall authorize the head of the executive agency, on a case-by-case basis, to continue an annuity if—

“(A) the unusually high or unique qualifications of an individual receiving an annuity from the Civil Service Retirement and Disability Fund on the basis of such individual’s service, or

“(B) a special need of the agency for the services of an employee, makes the reemployment of an individual essential.

“(4) REPORTING REQUIREMENT.—The Administrator shall submit annually to the Committee on Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate a report on the use of the authority under this subsection, including the number of employees reemployed under authority of this subsection.

“(5) SUNSET PROVISION.—The authority under this subsection shall expire on December 31, 2011.

“(j) RETENTION BONUSES.—

“(1) IN GENERAL.—The head of each executive agency, after consultation with the Administrator, shall establish policies and procedures under which the agency head may pay retention bonuses to employees holding acquisition-related positions (as described in subsection (g)(1)(A)) within such agency, except that the authority to pay a bonus under this subsection shall be available only if—

“(A) the unusually high or unique qualifications of an employee or a special need of the agency for the services of an employee makes the retention of such employee essential; and

“(B) the agency determines that, in the absence of such a bonus, it is likely that the employee would leave—

“(i) the Federal service; or

“(ii) for a different position in the Federal service under conditions described in regulations of the Office.

“(2) SERVICE AGREEMENTS.—(A) Payment of a bonus under this subsection shall be contingent upon the employee entering into a written agreement with the agency to complete a period of service with the agency in return for the bonus.

“(B)(i) The agreement shall include—

“(I) the length of the period of service required;

“(II) the bonus amount;

“(III) the manner in which the bonus will be paid (as described in paragraph (3)(B)); and

“(IV) any other terms and conditions of the bonus, including the terms and conditions governing the termination of an agreement.

“(3) TERMS AND CONDITIONS.—A bonus under this subsection—

“(A) may not exceed 50 percent of the basic pay of the employee;

“(B) may be paid to an employee—

“(i) in installments after completion of specified periods of service;

“(ii) in a single lump sum at the end of the period of service required by the agreement; or

“(iii) in any other manner mutually agreed to by the agency and the employee;

“(C) is not part of the basic pay of the employee; and

“(D) may not be paid to an employee who holds a position—

“(i) appointment to which is by the President, by and with the advice and consent of the Senate;

“(ii) in the Senior Executive Service as a non-career appointee (as such term is defined under section 3132(a) of title 5, United States Code); or

“(iii) which has been excepted from the competitive service by reason of its confidential, policy-determining, policy-making, or policy-advocating character.”

SEC. 5. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 60 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as we had discussed, the bill before us is going to provide the General Services Administration with the statutory structure that it needs to bring it in line with the current commercial market transactions, and it is going to streamline its operation and improve its performance. There are no objections to the bill.

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

(Mr. DAVIS of Illinois asked and was given permission to revise and extend his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker, I rise in support of H.R. 2066.

The bill before us today, H.R. 2066, the “General Services, Modernization Act” as reported by the Government Reform Committee represents the first major reorganization within GSA in nearly 20 years. The bill would combine, without substantive change, the revolving funds used for the operations of the Federal Supply Service and the Federal Technology Service, both currently separate organizations within GSA. The bill would also authorize a new unit, the Federal Acquisition Service, headed by a Commissioner, to take over the operations of the combined services.

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Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I urge all of my colleagues to support H.R. 2066, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 2066, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

CELEBRATING ASIAN PACIFIC AMERICAN HERITAGE MONTH

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 280) celebrating Asian Pacific American Heritage Month, as amended.

The Clerk read as follows:

H. RES. 280

Whereas the contributions of Asian Pacific Americans to our Nation have been historically significant;

Whereas at the direction of Congress in 1978, the President proclaimed the week of May 4 through 10, 1979, as Asian Pacific American Heritage Week, to provide the people of the United States with an opportunity to recognize the achievements, contributions, history, and concerns of Asian Pacific Americans;

Whereas this seven day period designated Asian Pacific American Heritage Week intended to mark two historical dates—May 7, 1843, when the first Japanese immigrants arrived in the United States, and May 10, 1869, Golden Spike Day, when, with substantial contributions from Chinese immigrants, the first transcontinental railroad was completed;

Whereas in 1992, Congress by law designated that the month of May be annually observed as Asian Pacific American Heritage Month;

Whereas according to the U.S. Census Bureau an estimated 14.5 million United States residents trace their ethnic heritage, in full or in part, to Asia and the Pacific Islands;

Whereas Asian Americans and Pacific Islanders can list innovative contributions to all aspects of life in the United States ranging from the first transcontinental railroad to the Internet;

Whereas in the mid-1700's Filipino sailors formed the first Asian American and Pacific Islander communities in the bayous of Louisiana;

Whereas Asian Americans and Pacific Islanders have added to the vast cultural wealth of our Nation; and

Whereas more than 300,000 Americans of Asian or Pacific Island heritage have bravely and honorably served to defend the United States in times of armed conflict from the Civil War to the present: Now, therefore, be it

Resolved, That the House of Representatives—

(1) recognizes that the United States draws its strength from its diversity, including contributions made by Asian Americans and Pacific Islanders;

(2) recognizes that the Asian American and Pacific Islander community is a thriving and integral part of American society and culture;

(3) recognizes the prodigious contributions of Asian Americans and Pacific Islanders to the United States; and

(4) supports the goals of Asian Pacific American Heritage Month.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

GENERAL LEAVE

Ms. ROS-LEHTINEN. 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. Res. 280.

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

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, House Resolution 280 celebrates Asian Pacific American Heritage Month. The resolution honors the immense contributions that Asians and Pacific Islanders have made to our Nation.

This month, May, is Asian Pacific American Heritage Month, and the theme is "Freedom For All—A Nation We Can Call Our Own."

Today, more than 14 million native Hawaiians, Pacific Islanders and Asians call America their home nation. This legislation is a fitting tribute to our Asian and Pacific Island friends and neighbors. I thank the House leadership, particularly the Majority Leader for scheduling this meaningful resolution today.

Congress first observed this commemoration in 1978 as Asian Pacific American Heritage week during the first 10 days of May. Then, in 1992, Con-

gress expanded the commemoration to designate the entire month of May as Asian Pacific American Heritage Month. The first 10 days of May include two important historical dates, May 7, which in 1843 marked the arrival of the first Japanese immigrants to the United States, and May 10, the date in 1869 on which the first North American transcontinental railroad was completed.

The railway was built heading east from Sacramento, California, and west from Omaha, Nebraska, and converged in Utah thanks to the hard work of thousands of laborers, most of whom were Chinese immigrants.

Mr. Speaker, as the war on terrorism continues today, I also wish to recognize the service that more than 300,000 Asian and Pacific veterans have made throughout American history. From the Army's courageous First and Second Filipino Regiments that General Douglas MacArthur sent to spy behind Japanese lines in World War II, to the indescribable bravery of today's soldier heroes like Marine Lance Corporal Victor Lu and Army Specialist Thai Vue, who have lost their lives in the past year in Iraq.

Asian and Pacific Americans have indeed sacrificed so much for our cherished liberty and freedoms. I know that all Members of the House join me in commending the selflessness of these veterans and active duty soldiers.

Mr. Speaker, I thank the distinguished chairman of our Committee on Government Reform, the gentleman from Virginia (Mr. TOM DAVIS) for his hard work on House Resolution 280.

I am pleased to be a cosponsor of the resolution, and I urge all of my colleagues to support its adoption.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am very pleased and proud to represent an area in Chicago known as Chinatown, and also to note that I just returned during the break from visiting both China and Sri Lanka.

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So I rise today in support of H. Res. 280, celebrating Asian Pacific American Heritage Month.

I also want to take a minute to acknowledge the gentleman from Virginia (Mr. TOM DAVIS), the distinguished chairman of the Committee on Government Reform, for his leadership on this important matter.

H. Res. 280 was introduced on May 17, 2005, and enjoys the support and cosponsorship of 66 Members of Congress. Asian Pacific Americans have a long and distinguished history of involvement and participation in this country. From the early 1800s to the 21st century, Asian and Pacific peoples have played a vital role in the development of the United States and have made lasting contributions in all elements of American society.