



## Floor Debate on Sessions' Amendment to H.R. 2112, the 2012 Agriculture Appropriations Act

June 14, 2011

<http://www.gpo.gov/fdsys/pkg/CREC-2011-06-14/pdf/CREC-2011-06-14-pt1-PgH4108-6.pdf#page=61>

The Acting CHAIR. The Clerk will read.

The Clerk read as follows:

Office of the Chief Financial Officer

For necessary expenses of the Office of the Chief Financial Officer, \$5,310,000: *Provided*, That no funds made available by this appropriation may be obligated for FAIR Act or Circular A-76 activities until the Secretary has submitted to the Committees on Appropriations of both Houses of Congress and the Committee on Oversight and Government Reform of the House of Representatives a report on the Department's contracting out policies, including agency budgets for contracting out.

AMENDMENT OFFERED BY MR. SESSIONS

Mr. SESSIONS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will report the amendment.

The Clerk read as follows:

Page 3, beginning line 22, strike the proviso relating to FAIR Act or Circular A-76 activities.

The Acting CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. SESSIONS. Mr. Chairman, I know that the Federal Government employs some 2 million executive branch, non-postal full-time and permanent employees; 850,000 of these employees hold jobs that are commercial in nature. Of the 850,000 commercial jobs, only a handful have been characterized as government employees or private sector workers who can perform these activities more efficiently and more cost effectively.

My amendment strikes the current insourcing language found in this legislation which, as drafted, would prevent the funds spent by this bill from being used to conduct public-private competitions or to direct A-76 conversions for any program, project or activity within the United States Department of Agriculture without a contracting report to Congress by the Secretary.

Two weeks ago, the House voted in favor of striking similar problematic and anti-competitive A-76 language from H.R. 2017, the Department of Homeland Security appropriations bill. The same change and reversal of bad policy which I undertook at that time should also be implemented in this legislation by striking this anti-competitive, free market language.

The A-76 process provides a valuable option for taxpayers and requires real competition. A former assistant director at USDA, Shawn Kingsbury, managed information technology programs at the Department. Mr. Kingsbury, in his tenure, implemented A-76 by transitioning to the first performance-based project management organization within the USDA, and it resulted in over \$100 million in savings.

Without the ability to add competitive insourcing, ballooning deficits and out-of-control spending will continue in our government. It is time that Congress explores and gives all solutions to save taxpayers and the managers of the business in the government their hard-earned money.

The Heritage Foundation has reported that subjecting Federal employee positions which are commercial in nature to a public-private cost comparison will generate on average a 30 percent cost savings regardless of who wins that competition. Rather than preventing market competition that would improve service and lower costs, we should be encouraging agencies to find the best way to deliver services to citizens of this great Nation. The role of government should be to govern, not to operate businesses inside the government.

Our Nation's unemployment rate stands at 9.1 percent. We must allow the private sector the ability to create jobs without an unfair disadvantage. We must get more results for our money.

I urge all of my colleagues to support this commonsense, taxpayer-first amendment and ensure cost-saving competition is available to the managers within this agency. Congress should be looking to use all the tools that it can find to help save taxpayer dollars.

Mr. Chairman, I yield back the balance of my time.

Mr. FARR. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from California is recognized for 5 minutes.

Mr. FARR. Mr. Chairman, I rise in opposition to this bill primarily because if it ain't broken, don't fix it.

This has been a law for a long time. It allows our committee and the public to know what the A-76 circular review did. The report is on the Department's contracting-out policies and its budget for contracting out, that information, which Congress has been getting year after year without any problems. The language has been in the bill for many years, and we have always received the report allowing the contracting-out activities to proceed. It hasn't stopped anything.

The language specifically requires a report to go to the authorizing committee reflecting the agreement reached with the former Republican chairman of the Oversight Committee many years ago. It was his amendment that did this.

I have to say personally too that I've done the A-76 circular contracting out. We have a military base in my community, the Defense Language Institute, and the city of Monterey surrounds it. We ended up with an A-76 review, ended up where the city could provide the base operation services much cheaper than the Federal employees on the base, saving the Army about \$4 million a year and having much better services delivered.

So, again, delivering this report to Congress seems to me hasn't been a problem for anyone. And it ain't broke, so I don't think we ought to support fixing it with Mr. *Sessions*' amendment.

I urge a ``no" vote.

Mr. Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Texas (Mr. *Sessions*).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. FARR. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Texas will be postponed.

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