

EXTENSIONS OF REMARKS

PERSONAL EXPLANATION

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I was unable to cast votes on the following legislative measures due to flight delays. If I were present for roll call votes, I would have voted "Aye" for the following votes: Roll Call 656, December 9, 2019: On Motion to Suspend the Rules and Pass, H.R. 4739, Synthetic Opioid Exposure Prevention and Training Act, and Roll Call 655, December 9, 2019: On Motion to Suspend the Rules and Pass, H.R. 4761, DHS Opioid Detection Resilience Act.

CONGRATULATING CHAD BLACK ON RECEIVING THE NATHAN DEAL GOVERNOR'S AWARD FOR TRAUMA EXCELLENCE

HON. DOUG COLLINS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 17, 2019

Mr. COLLINS of Georgia. Madam Speaker, I rise today to recognize a fellow Northeast Georgian and my dear friend, Mr. Chad Black, for his incredible work in revolutionizing trauma care services in Northeast Georgia.

Chad Black spent over three decades working with the Hall County Fire Services, including 17 years in Air Medical Transport Services. After retiring from the Hall County Fire Services as Deputy Fire Chief in June 2016, Mr. Black was named Director of the Habersham County Emergency Services, where he oversees all fire, emergency medical services, and rescue for Habersham County. He also currently serves as Chairman of the Georgia Emergency Medical Services Association. Earlier this month, Mr. Black was appointed to the Georgia Firefighter Standards and Training Council. These honorable titles are the culmination of his 36 years of dedication to the fire and emergency services.

When Georgia Senate Bill 60 passed, it recognized the need for trauma centers in every community. Upon passage, Mr. Black began serving as Chair of the EMS Region II Regional Trauma Advisory Committee where he worked with the Northeast Georgia Medical Center to help them become a Level II trauma center. Today, the center remains the only trauma center in Region II, serving more than 2,000 patients each year.

To Mr. Black, trauma centers are a vital part of our community. Before these medical capabilities were established in Northeast Georgia, patients had to be airlifted to Atlanta to receive treatment. Thanks to Mr. Black's work, help is now closer than ever for the residents of Northeast Georgia.

Last month, the Regional Trauma Advisory Committee recognized Chad for his tireless

work on developing the trauma center—and for his 36 years of service—by presenting him with the Nathan Deal Governor's Award for Trauma Excellence.

On behalf of the people of Northeast Georgia, I join Chad's colleagues in congratulating him on this award. I truly cannot think of anyone more deserving. I want to thank my dear friend for his commitment to improving trauma services across the state of Georgia, and most importantly, for devoting nearly four decades to saving lives in our communities.

DEPARTMENT OF VETERANS AFFAIRS CONTRACTING PREFERENCE, CONSISTENCY ACT

SPEECH OF

HON. DAVID P. ROE

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Monday, December 16, 2019

Mr. DAVID P. ROE of Tennessee. Madam Speaker, I have determined it necessary to include in the RECORD the following views on H.R. 4920, the Department of Veterans Affairs Contracting Preference Consistency Act in the absence of a committee report.

VIEWS ON H.R. 4920, DEPARTMENT OF VETERANS AFFAIRS CONTRACTING PREFERENCE CONSISTENCY ACT

HON. DAVID P. ROE, RANKING MEMBER,
COMMITTEE ON VETERANS' AFFAIRS

I.—PURPOSE AND SUMMARY: H.R. 4920, the Department of Veterans Affairs Contracting Preference Consistency Act, was introduced by Representative MARK TAKANO on October 30, 2019. H.R. 4920 is the ultimate result of a discussion draft that members of the Committee on Veterans' Affairs began circulating in October 2017. H.R. 4920 clarifies the relationship between the AbilityOne Program and the Department of Veterans Affairs' (VA) Veterans First Program.

Congress established the AbilityOne Program through the passage of the Javits-Wagner-O'Day Act, P.L. 92-98, codified at 41 U.S.C. §§8501-8506 (JWOD Act). The AbilityOne Program is designed to provide employment opportunities to individuals who are blind or who are severely disabled. Pursuant to the JWOD Act, the U.S. AbilityOne Commission (formerly known as the Committee for Purchase from People Who Are Blind or Severely Disabled) maintains the Procurement List, which lists the products and services made by qualified Non-Profit Agencies (NPAs) for the blind or severely disabled that the U.S. AbilityOne Commission deems suitable for the federal government to procure. If the federal government intends to purchase products or services on the Procurement List, it must purchase them from the qualified NPAs designated by the U.S. AbilityOne Commission. Therefore, the AbilityOne Program is often referred to as a "mandatory source" in federal contracting.

Congress created the Veterans First Contracting Program (Vets First Program) through the passage of the Veterans Benefits, Health Care, and Information Tech-

nology Act of 2006, P.L. 109-461, codified at 38 U.S.C. §§8127-8128 (VBA of 2006). The Vets First Program encourages increased levels of contracting by VA with Service Disabled Veteran Owned Small Businesses (SDVOSBs) and Veteran Owned Small Businesses (VOSBs), in descending order of priority, through a combination of noncompetitive, sole-source, and restricted competition authorities. The restricted competition authority, reflected in U.S.C. §8127(d) is known as the "Rule of Two." The Rule of Two states that, "a contracting officer of the Department shall award contracts on the basis of competition restricted to [SDVOSBs or VOSBs] if the contracting officer has a reasonable expectation that two or more [such SDVOSBs or VOSBs] will submit offers and that the award can be made at a fair and reasonable price that offers best value to the United States."

Whereas the VBA of 2006 is silent as to the relationship between the AbilityOne Program as a mandatory source and the Rule of Two, H.R. 4920 states that, notwithstanding the Rule of Two, VA contracting officers shall continue procuring from qualified NPAs those products or services that were included on the Procurement List on or before December 22, 2006, the date of enactment of the VBA of 2006.

II.—BACKGROUND AND NEED FOR LEGISLATION: VA, like other federal agencies establishes contracts with private businesses for needed products and services. Federal contracting has the additional objective of promoting small business, including socioeconomic subcategories, principally through a system of government-wide participation goals administered by the Small Business Administration. Congress established such a goal for SDVOSBs in the Veterans Entrepreneurship and Small Business Development Act of 1999, P.L. 106-50, codified at 15 U.S.C. §644(g)(1)(A)(ii). The government-wide SDVOSB goal remains three percent, representing a minimum, though individual agencies have opted for higher goals. Due to agencies', including VA's, inability to achieve the three percent SDVOSB goal, Congress enacted the Veterans Benefits Act of 2003, P.L. 108-183, codified at 15 U.S.C. Code §657f, which among other purposes, granted agencies the authority to restrict competition to SDVOSBs and to award sole-source contracts to SDVOSBs under certain circumstances. The Veterans Benefits Act of 2003 (in section 308 of P.L. 108-183) was specific as to the relationship between the AbilityOne Program as a mandatory source and the newly created SDVOSB sole-source authority, "Relationship To Other Contracting Preferences.—A procurement may not be made from a source on the basis of a preference provided under subsection (a) or (b) if the procurement would otherwise be made from a different source under section 4124 or 4125 of title 18, United States Code, or the Javits-Wagner-O'Day Act (41 U.S.C. 46 et seq.)." However, due to VA's specific inability to achieve its SDVOSB goal, Congress enacted the VBA of 2006. In contrast to the Veterans Benefits Act of 2003, the VBA of 2006 contained no language clarifying the intended treatment of the AbilityOne Program or other contracting preference programs.

VA initially implemented the VBA of 2006 on June 20, 2007, and issued a final rule implementing the Act through changes to the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.