

money” now that deficits have returned—these are the same Republicans who voted for \$500 billion in additional deficit-blowing tax cuts in the House, and would have voted for just as much in the Senate if given the chance. This President, who claims to be fiscally responsible and urges us to watch how we spend, sent up a budget this year with nearly \$600 billion in new tax cuts for the well-off and increases in spending of 20 percent since he took office. And we are forced into a budget impasse over \$9 billion.

Let me be clear: When we increase the deficit and add to the debt to pay for new tax cuts or new spending, it is no longer “the people’s money.” It is our kids’ money, and for that reason we should be far more responsible with our fiscal policy than we have been the last 2 years.

Congress has been abdicating its responsibilities by failing to do something about the economy before we leave. There are many good stimulus ideas out there—some of which are affordable, while others could be paid for by scaling back tax cuts scheduled for 2004 or 2006. But as things stand today, the Senate is unlikely to consider any real stimulus until after the State of the Union Address next year which means Congress won’t act before February or March, which means that relief won’t be in place before next summer. That is inexcusable. The American people shouldn’t have to wait 8 months for us to act.

Simply put, to delay action on the budget when the difference is \$9 billion out of \$2 trillion, and when Republicans have voted for more than \$500 billion in additional tax cuts, is an insult. We can do better, and we must.

OMB PROPOSED REVISIONS TO A-76 REGULATIONS

Mr. AKAKA. Mr. President, I rise today to express my concern over the administration’s proposed changes to the A-76 process, and its impact on the Federal workforce and accountability in contracting decisions. The OMB draft rules issued last week raise serious questions over the transparency of Federal procurement policies and their effect on Federal workers. True competition must be fair to Federal employees, be cost-effective, and promote financial transparency and public accountability.

The proposed regulations to A-76 do not represent fair competition. The regulations would place Federal workers at a severe disadvantage by implementing a competition process where Federal jobs may be eliminated at any time, even before a competition is completed. The process would place greater emphasis on a contractor’s past performance but would fail to account for the past performance of in-house employees.

The OMB proposal could threaten cost-effective procurement policies. Under the draft rules, subjective no-

tions of “best value” would replace objective cost-savings in driving decisions for whether Federal work would be performed in-house or by the private sector. Government procurement should be based on sound analysis giving the greatest weight to cost savings. Decisions to contract out Federal jobs, which are based on projections and expectations of performance, risk squandering limited public resources on contractor promises to deliver more work than is needed, at a higher cost to the public.

We must ensure that any changes to A-76 are fair. The OMB proposal would require agencies to complete competitions within a 12-month timeframe. If a Federal agency was unable to finish a competition in this time, OMB could simply out-source Federal jobs to a contractor without competition. Moreover, the draft regulations would support the administration’s arbitrary targets for contracting out Federal jobs, which I oppose because these targets artificially impose goals for contracting out. The proposal would also expand the types of Federal jobs that would be subject to public-private competitions, such as supervisory positions.

According to OMB’s Office of Federal Procurement Policy, the majority of public-private competitions under the proposed rules would be based on the current lowest cost standard. There would be a pilot project to test the “best value” standard on information technology jobs. However, the use of the “best value” standard approach is controversial and subjective. I would hope that this would be limited to a genuine pilot project and would allow for a careful, objective review of the results.

There are important steps we can take now to improve financial transparency and accountability in Federal contracting while strengthening fairness in public-private competitions. In June of this year, I was pleased to work with Senator KENNEDY to improve financial transparency and cost-savings in contracting policies at the Department of Defense. Our amendment to the DoD authorization bill failed by only one vote. Our amendment would have required cost savings before decisions were made to contract out Government functions. It would have improved financial transparency by establishing measures for the true cost and size of the DoD contractor workforce. Our proposal would have promoted equity in public-private competitions by ensuring that Federal employees had the opportunity to compete for existing and new DoD work and that DoD competed an equitable number of contractor and civilian jobs.

As chairman of the Senate Government Affairs Federal Services Subcommittee and Armed Services Readiness Subcommittee, I look forward to ensuring that Federal contracting policies are conducted in a manner that achieves the best return on the dollar

and is fair to our Federal workforce. It is my intention to work with my colleagues in the 108th Congress to pursue these goals.

CREDIT CARD ARMIES—FIREARMS AND TRAINING FOR TERROR IN THE UNITED STATES

Mr. LEVIN. Mr. President, I want to bring the attention of my colleagues to a report released in October by the Violence Policy Center, VPC, entitled Credit Card Armies—Firearms and Training for Terror in the United States. This report analyzes the ease with which members of terrorist organizations and criminals gain access to powerful firearms and ammunition. According to the VPC report, terrorist groups with little more than a credit card and a driver’s license, can easily obtain military grade firepower, including 50 caliber sniper rifles, assault weapons, and extraordinarily powerful ammunition.

In response to the terrorist attacks of September 11, 2001, the Federal Bureau of Investigation searched the National Instant Criminal Background Check System for information on individuals detained. However, according to a New York Times article, the Department of Justice ordered the FBI to stop using NICS records for investigating suspected terrorists even after the FBI found that at least two individuals detained in relation to the terrorist investigation had been cleared to buy firearms. Further evidence gathered by the Bureau of Alcohol, Tobacco, and Firearms and reported by the New York Times determined that 34 firearms used in crimes had at some point been purchased by an individual on the same list of people detained after 9/11.

The VPC report provides several examples of terrorist groups, from al-Qaida to the Irish Republican Army, using our loopholes in our gun laws to purchase 50 caliber sniper rifles and other military style firearms. We need to pass the Schumer-Kennedy Use NICS in Terrorist Investigations Act and also Senator REED’s “Gun Show Background Check Act. These bills would assist law enforcement in identifying prohibited gun buyers and recognizing patterns of illegal purchases and misuse.

In January 2001, regulations issued by the Department of Justice directed the FBI to retain NICS information for a 90-day period. This 90-day period allows local law enforcement and the FBI to check NICS for illegal gun sales to criminals, terrorists and other prohibited buyers, identify purchasers using fake identification, and screen for gun dealers misusing the system. However, in June 2001, the Attorney General proposed reducing the length of time that law enforcement agencies can retain NICS data to 24 hours. This is simply an insufficient amount of time for law enforcement to review the NICS database.