The purposes of this amendment are twofold. First, the use of cost or price as the predominant evaluation factor will result more frequently in the selection of the low-cost or a lower-cost offeror, which will save the Government money. Second, the use of cost or price as the predominant evaluation factor will encourage and incentivize offerors to submit ''lean'' proposals that will save the Government money.

Defense Secretary Robert Gates recently criticized military systems that ''have grown ever more baroque, have become ever more costly, are taking longer to build, and are being fielded in ever-dwindling quantities.'' This amendment combats that trend.

Another recent reminder of the risk of ''gold plating'' comes from the ''Marine One'' Presidential helicopter procurement program. It would be difficult to identify any commercial helicopter that costs as much as $40 million, but the VH–71 helicopters being purchased are likely to cost ten times that much. This is more than the cost of the Boeing 747s employed in the ''Air Force One'' program, even when that cost is adjusted for inflation.

Agencies may avoid the use of cost or price as predominant factors in solicitations only if the procurement officer or agency head determines that employing cost or price as predominant factors would—

(1) Materially increase the risk of failure of the mission or missions in which the item being procured will be employed, in an ascertainable manner specific to the mission or missions involved;

(2) Demonstrably threaten the safety or health of members of the Armed Forces or persons in their custody or care;

(3) Result in foreseeable and quantifiable additional defense expenditures outside the context of the procurement at hand that exceed any savings expected from employing cost or price as predominant factors;

(4) Deprive the Government of post-performance rights or property, such as warranties or intellectual property, the quantifiable value of which exceeds any savings expected from employing cost or price as predominant factors; or

(5) Violate an international agreement.

Justifications that are not satisfactory include:

(1) Preexisting law, other than international agreements;

(2) A generalized preference for quality, reliability, experience or high performance;

(3) Evolving technical requirements;

(4) Concerns about contractor responsibility; and

(5) Any other reason not enumerated as a valid justification above.

The justification required by this provision generally should follow the same procedures as the justifications required for other than full and open competition, as currently set forth in Federal Acquisition Regulation sections 6.303 and 6.304. In all cases in which extrinsic savings or risks are the justification, they shall be described in detail, with a description of how they were derived.

PROVIDING FOR ENGRAVEMENTS IN CAPITOL VISITOR CENTER

SPEECH OF

HON. MICHAEL R. TURNER

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Mr. TURNER. Mr. Speaker, I am a cosponsor of H. Con. Res. 131 which directs the Architect of the Capitol to engrave the National Motto, ''In God We Trust,'' and the Pledge of Allegiance in the U.S. Capitol Visitor Center.

Over one million visitors have passed through the new U.S. Capitol Visitor Center since it was opened in December 2008. The new Visitor Center is more than just a pathway to the 200-year-old Capitol. It is also a museum and classroom. In it you will find historic documents, including the patent drawing for the Wright Brothers' Flying Machine.

The Visitor Center is a magnificent addition to the Capitol, but it is incomplete without our National Motto, ''In God We Trust,'' as well as the Pledge of Allegiance. This resolution will ensure that these important words are given appropriate recognition.

Our national reverence to God is fundamental in our history. Our National Motto and the Pledge of Allegiance both mention God. Yet, there have been attempts, including a 9th Circuit Court of Appeals decision in 2002, to remove references to ''God'' from government.

In 2007, I joined in a successful effort to reverse one such prohibition. When a 17-year-old Eagle Scout from Dayton, Ohio, wanted to honor his grandfather's ''dedication and love of God, Country, and family'' with a flag flown over the U.S. Capitol, the Architect of the Capitol censored the word ''God'' from the flag certificate. I strongly objected and introduced legislation to permanently allow religious references on Capitol flag certificates. The Architect of the Capitol later reversed his position and restored the reference to God on the flag certificate.

It's important that America's traditions, religious freedom and freedom of expression be promoted and protected. I support this resolution and urge its adoption.

PROVIDING FOR DESIGN OF SLAVE LABOR MARKER IN CAPITOL VISITOR CENTER

SPEECH OF

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, July 7, 2009

Ms. JACKSON-LEE of Texas. Mr. Speaker, today I speak in strong support of H. Con. Res. 135, and thank my colleague Congressman JOHN LEWIS, for authoring this important resolution which designates a marker in Emancipation Hall in the Capitol Visitor Center to acknowledge the role that slave labor played in the construction of the United States Capitol. We have already taken the first step in recognizing the slave labor that was used to construct this great Capitol building, by naming the hall Emancipation Hall. Now, we must complete our promise by educating visitors to the Capitol about the enslaved African-Americans who worked tirelessly to build the Capitol.

According to records, local farmers rented out their slaves for an average of $55 a year to help build the Capitol. While this may not seem like a lot of money today, the physical, mental and emotional cost this backbreaking work had on the slaves cannot be overlooked. Slaves cut trees on the hill where the Capitol would stand, cleared stumps from the new streets, worked in the stone quarries where sandstone was cut and assisted the masons laying stone for the walls of the new homes of Congress and the president.

It is estimated that over 400 slaves were used to perform the backbreaking work of quarrying the stone which comprised many of the floors, walls, and columns of the Capitol. Enslaved African-Americans also participated in other facets of construction of the Capitol, including carpentry, masonry, carting, rafting, roofing, plastering, glazing, painting, and sawing.

We have already taken steps to acknowledge the role slaves played in building the Capitol; now we must place a marker in Emancipation Hall so that all visitors to the Capitol Visitor's Center are aware of struggles and contributions of our ancestors to helping establish one of the most fundamental institutions of our great country.

Approximately 4 million Africans and their descendants were enslaved in the United States and the colonies that became the United States between 1619 and 1865. I know that many would think it a non-issue to address the events of over 135 years ago, but the scars from over 400 years of slavery in this nation still ache for a balm that is sufficient to the injury to the minds of this nation's people. After slavery there were still many difficult journeys for former slaves to overcome. Placing this marker in the Capitol allows us to give a voice to those slaves who were never heard and to tell their story.

I thank Congressman LEWIS from Georgia for your leadership in sponsoring this important legislation. I know that you are a firm believer in our nation and that we as a nation should recognize and take great pride in the contribution of all Americans to the creation of this great nation.

I strongly urge my colleagues to support this bill.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, July 14, 2009 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JULY 15

9:30 a.m.

Foreign Relations

To hold hearings to examine the nominations of Vilma S. Martinez, of California, to be Ambassador to Argentina, Nicole A. Avant, of California, to be Ambassador to the Commonwealth of The Bahamas, Vinai K. Thummalapally, of Colorado, to be Ambassador to Belize, and John R. Nay, of Michigan, to be Ambassador to the Republic of Suriname, all of the Department of State.

SD–419

Rules and Administration

Business meeting to markup S. 1415, to amend the Uniformed and Overseas Citizens Absentee Voting Act to ensure that absent uniformed services voters and overseas voters are aware of their voting rights and have a genuine opportunity to register to vote and have their absentee ballots cast and counted.

SR–301

10 a.m.

Commerce, Science, and Transportation

To hold hearings to examine the public safety impact of contraband cell phones in correctional facilities.

SR–253

Homeland Security and Governmental Affairs

To hold hearings to examine the REAL ID Act.

SD–342

10:30 a.m.

Environment and Public Works

Business meeting to consider an original bill to extend the programs of SAFETEA–LU, and the nominations of Robert Perciasepe, of New York, to be Deputy Administrator, and Craig E. Hooks, of Kansas, to be an Assistant Administrator, both of the Environmental Protection Agency.

SD–406

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine the nominations of Mignon L. Clyburn, of South Carolina, and Meredith Attwell Baker, of Virginia, both to be a Member of the Federal Communications Commission.

SR–253

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings to examine maritime disputes and sovereignty issues in East Asia.

SD–419

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 227, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, S. 625, to authorize the Secretary of the Interior to establish the Waco Mammoth National Monument in the State of Texas, S. 853, to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System, S. 1053, to amend the National Law Enforcement Museum Act to extend the termination date, S. 1117, to authorize the Secretary of the Interior to provide assistance in implementing cultural heritage, conservation, and recreational activities in the Connecticut River watershed of the States of New Hampshire and Vermont, S. 1168 and H.R. 1694, bills to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, and H.R. 714, to authorize the Secretary of the Interior to lease certain lands in Virgin Islands National Park.

SD–366

Banking, Housing, and Urban Affairs

Securities, Insurance and Investment Subcommittee

To hold hearings to examine the regulation of hedge funds and other private investment pools.

SD–538

Intelligence

Closed business meeting to markup an original bill authorizing funds for fiscal year 2010 for the intelligence community.

S–407, Capitol

JULY 16

9 a.m.

Armed Services

To receive a closed briefing to examine the START Treaty follow-on agreement.

SVC–217

Budget

To hold hearings to examine the long-term budget outlook.

SD–608

9:30 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine how to prevent home foreclosures.

SD–538

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings to examine instability, terrorism, and economic disruption in relation to oil.

SD–419

Environment and Public Works

To hold hearings to examine moving toward a clean energy economy.

SD–406

10 a.m.

Commerce, Science, and Transportation

Consumer Protection, Product Safety, and Insurance Subcommittee

To hold hearings to examine competition in the health care marketplace.

SR–253

Health, Education, Labor, and Pensions

Employment and Workplace Safety Subcommittee

To hold hearings to examine the Workforce Investment Act of 1998.

SD–430

Homeland Security and Governmental Affairs

To hold hearings to examine the nominations of Christine M. Griffin, of Massachusetts, to be Deputy Director, Office of Personnel Management, and Stuart Gordon Nash, to be an Associate Judge of the Superior Court of the District of Columbia.

SD–342

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine the impact of the Iran crisis on its OSCE neighbors.

B318, Rayburn Building

2:30 p.m.

Homeland Security and Governmental Affairs

Contracting Oversight Subcommittee

To hold hearings to examine contracting for Alaska native corporations.

SD–342

Foreign Relations

To hold hearings to examine the nominations of Anne Elizabeth Derse, of Maryland, to be Ambassador to the Republic of Lithuania, Donald Sternoff Beyer, Jr., of Virginia, to be Ambassador to Switzerland, and to serve concurrently and without additional compensation as Ambassador to the Principality of Liechtenstein, Howard W. Gutman, of Maryland, to be Ambassador to Belgium, and David H. Thorne, of Massachusetts, to be Ambassador to the Italian Republic, and to serve concurrently and without additional compensation as Ambassador to the Republic of San Marino, all of the Department of State.

SD–419

JULY 17

10 a.m.

Banking, Housing, and Urban Affairs

Economic Policy Subcommittee

To hold hearings to examine the elements of a national manufacturing strategy.

SD–538

JULY 21

10 a.m.

Energy and Natural Resources

To hold hearings to examine S. 561 and H.R. 1404, bills to authorize a supplemental funding source for catastrophic emergency wildland fire suppression activities on Department of the Interior and National Forest System lands, to require the Secretary of the Interior and the Secretary of Agriculture to develop a cohesive wildland fire management strategy.

SD–366

Homeland Security and Governmental Affairs

To hold hearings to examine stimulus spending, transparency, and fraud prevention.

SD–342