

to the protest or dispute to attempt to resolve the matter through use of an alternate method of dispute resolution.

Section 423—Contract disputes

The section would provide that the Board have jurisdiction over contract disputes as provided by section 8(a) of the Contract Disputes Act.

Section 424—Protests

The section would provide that the Board shall review contracting officer decisions alleged by an interested party to violate statute or regulation and that in deciding protests the Board may consider all relevant evidence. The section would also provide that facts found by contracting officers and determinations made by them be presumed correct and that the Board may find that a contracting officer decision violates a statute or regulation for the reasons stated in 5 USC 706(2).

Further the section would provide procedures for the suspension by the Board of the agency's authority to conduct a procurement in protests filed before award and for the suspension of performance in protests filed after award. The section would set forth procedures for discovery of relevant material and for Board proceedings, including the use simplified rules for protests of procurements below \$1,000,000 and the dismissal and payment of costs for frivolous protests. Finally, among other things, the section would provide for the corrective actions to be ordered by the Board and for the Board's authority to declare the entitlement of a prevailing party to its protest costs.

Section 425—Applicability to contracts for commercial items

The section would provide that the authority conferred on the Board by this Title is applicable to procurements for commercial items.

Subtitle D—Repeal of Other Statutes Authorizing Administrative Protests

Section 431—Repeals

The section would provide repeal the current statutory authority for the GSBCA and for the GAO bid protest function.

Subtitle E—Transfers and Transitional, Savings, and Conforming Provisions

Section 441—Transfer and allocation of appropriations and personnel

The section would provide for the transfer of assets, etc. and the rules for the transfer of agency boards of contract appeal and relevant GAO personnel to the Board.

Section 442—Terminations and savings provisions

The section would provide the rules for affect on proceedings before the agency boards and GAO.

Section 443—Contract disputes authority of board

The section would provide conforming amendments needed by the establishment of the Board regarding the contract disputes.

Section 444—References to agency boards of contract appeals

The section would provide that any reference to an agency board of contract appeals shall be treated as to the Board.

Section 445—Conforming amendments

The section would provide for the necessary conforming amendments.

Subtitle F—Effective Date; Interim Appointment and Rules

Section 451—Effective date

The section would provide for an effective date of October 1, 1996 for this Title.

Section 452—Interim appointment

The section would provide for the current chairman of the GSBCA to serve as the Chairman of the Board for 2 years.

Section 453—Interim rules

The section would provide for the rules of procedure of the GSBCA to apply to the Board until the Board promulgates its procedural rules and that the rules of the Armed Services Board of Contract Appeals regarding Board judges apply until relevant Board rules are promulgated.

Title V—Effective Dates and Implementation

Section 501—Effective Date and Applicability

The section would provide that the Act would take effect on the date of enactment, except as otherwise provided in Act and that the amendments made by the Act would take effect on the date provided in the final implementing regulations or October 1, 1996, whichever is earlier.

Section 502—Implementing regulations

The section would provide a schedule for the promulgation of the implementing regulations.

EAGLE SCOUT AWARD

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 18, 1995

Mr. ANDREWS. Mr. Speaker, I rise today to express my congratulations to Armando Lopez, the first Hispanic-American to achieve the rank of Eagle Scout in the Boy Scout Camden County Council of New Jersey. Mr. Lopez is a shining example of the creativity and spirit that exists in our future leaders. He chose as his Eagle Scout project to build a patio around a shrine for Our Lady of Mount Carmel-Fatima Church in Camden. What was supposed to be a brick patio has turned into an enclosed garden and a gathering place for all who live in the area. It is now used by the community for prayer, weddings, school ceremonies, and sanctuary. Armando has spent many months on this project, through the winter and spring and has truly displayed the dedication to become a leader in the community. He will not be ending his scouting career soon, for he has been chosen to represent the United States at the 18th World Scout Jamboree in Holland this August. I commend Armando Lopez on his commitment to the community and I am sure he will succeed in all of his future endeavors.

PROTECT AMERICA'S DEFENSE WORKERS

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 18, 1995

Mr. FILNER. Mr. Speaker and colleagues, I rise today to urge this Congress to make a major reinvestment in communities hit hardest by the downsizing of America's defense industry.

San Diego is home to a highly skilled and productive work force. A generation of these talented defense workers helped to establish California's dominance in the defense and aerospace industry.

Now defense workers in communities like San Diego are watching their jobs disappear—not only because of relaxing world tensions—

but also because our own Department of Defense is helping to subsidize their transfer to other cities.

Last year, my district saw the relocation of Martin Marietta's Space Systems Division to Denver—with a net loss of 1,800 jobs for my community. But the worst part about this situation is that our own U.S. Air Force rewrote a contract and paid Martin Marietta a \$30 million subsidy to help transfer these jobs out of San Diego and out of California.

To make matters worse, just last month the Defense Department gave away another \$31 million of taxpayer money to the top executives of Martin Marietta and Lockheed.

What did our Defense Department give to those defense workers in San Diego that lost their jobs? Absolutely nothing.

To correct this gross injustice, I recently introduced H.R. 702, the Displaced Workers Defense Act of 1995.

My legislation is very simple: It would require that any cost savings realized by the Federal Government under a defense contract that causes job losses in communities be returned to that community—to help create new jobs and to retrain displaced defense workers so they can take advantage of these new job opportunities.

We must stop this giveaway of taxpayer funds to wealthy corporations.

We must use our scarce resources to help those defense workers that have worked so hard to make America great.

Please join me in this effort to protect our defense workers from being left behind in our changing economy. Join me in supporting H.R. 702, the Displaced Workers Defense Act of 1995.

SAN FRANCISCO LABOR LEADERS CARRY SPIRIT OF AMERICAN LABOR MOVEMENT TO CHINA

HON. TOM LANTOS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 18, 1995

Mr. LANTOS. Mr. Speaker, I rise today to call to the attention of my colleagues an upcoming visit of considerable importance by Ms. Josie Mooney, president of the San Francisco Labor Council. She will embark on a good will journey to meet with labor leaders in China.

Mr. Speaker, Josie Mooney and the San Francisco Labor Council represent the best of the American labor movement—free-working men and women, who are organized to seek better wages, improved working conditions, and a better standard of living for working men and women in our area and around our Nation.

As the official representative of the San Francisco Labor Council, Josie Mooney will meet with leaders of the Shanghai Municipal Trade Union Council and other labor leaders. I wish her great success in those meetings as she works to build bonds of brotherhood between the working men and women of the United States and China.

It is my sincere desire that the spirit and example of the San Francisco Labor Council and of the United States union movement will inspire labor leaders in China to emulate the high standards set by American unions and their outstanding leaders.