

**2001 TRAC (S. 1152):
DIFFERENCES (CHANGES, ADDITIONS, DELETIONS) FROM
2000 SENATE TRAC (S. 2841)**

Definitions, Section 2

ADDITION: "Patient care" is defined, on page 4.

ADDITION: "Function" is defined, on page 4.

Certificate of Compliance, Section 3

CHANGE: Making it clear that agencies are responsible for ensuring that only contracting undertaken after enactment is through public-private competition—and not contracting undertaken prior to enactment—by adding the phrase "after the date of enactment of this Act," on page 5.

ADDITION: Exempting from the temporary suspension subsection any work performed in the private sector—both contracts and renewals of those contracts—prior to the date of enactment, on page 7.

ADDITION: Work performed under contract by the blind and the handicapped is exempted from any temporary suspension on new service contracting, on page 9.

Agency Reporting Systems and Required Reports, Section 4

CHANGE: Retrospective reporting on service contracting efforts is reduced from two years to one year, on page 10.

DELETION: Explanation requirements for work contracted out and contracted in, which appeared in last year's bill on pages 9 (line 8) and 11 (line 8) are eliminated.

ADDITION: Language making it clear that that phone numbers and addresses required are professional rather than personal is added, on pages 11 and 13.

ADDITION: Language exempting any national security critical information from release through the reporting requirement is added, on page 15.

Requirement for Public-Private Competition, Section 5

DELETION: Requirement that the section apply to “any continuation by the exercise of an option, extension, or renewal” of a contract, which appeared in last year’s bill on page 13, is eliminated.

CHANGE: Language making it clear that the section’s requirement does not apply to work in the private sector prior to enactment of the Act is added, on page 16.

ADDITION: Contracts for new works with values less than \$1,000,000 are exempt from the public-private competition requirement, on page 16.

Review of Contractor Performance, Section 6

CHANGE: On page 19, the word “approximate” is substituted for the word “equivalent” to make it clear that the requirement that agencies compete similar numbers of federal employee and contractor jobs does not require that identical numbers of jobs in the public sector and private sector workforces be competed.

ADDITION: Language is added emphasizing that agencies, to the extent possible, should comply with the requirement to compete similar numbers of federal employee and contractor jobs by competing that contractor work which has been performed by federal employees since October 1, 1980, on page 19.

Survey of Wages and Benefits Provided by Contractors, Section 7

ADDITION: Language is added on page 21 to ensure that no proprietary information is divulged.

Repeal of Certain Reporting Requirements, Section 9

ADDITION: In order to avoid duplicating existing service contracting reporting requirements on the Department of Defense, several DoD-only service contracting reporting requirements are repealed.

Applicability, Section 10

ADDITION: “Contracts for the study, planning, surveying, design, engineering, and construction of new structures or the remodeling of

or additions made to existing structures, facilities, and capital projects” is exempted from the legislation, on page 22.

ADDITION: “Financial assistance awards (grants and cooperative agreements)” are exempted from the legislation, on page 22.

ADDITION: “Specialized scientific and technical contracts for work not performed at the time by federal employees that are undertaken for research and development” are exempted from the legislation, on page 22.