

**AMENDMENT TO H.R. 1540, AS REPORTED  
OFFERED BY MS. HAYWORTH OF NEW YORK**

Page 429, after line 13, insert the following:

1 **SEC. 965. SENSE OF CONGRESS REGARDING THE PERFORM-**  
2 **ANCE OF COMMERCIALY-AVAILABLE ACTIVI-**  
3 **TIES BY DEPARTMENT OF DEFENSE CIVILIAN**  
4 **EMPLOYEES.**

5 (a) SENSE OF CONGRESS.—It is the sense of Con-  
6 gress that—

7 (1) our Nation's economic strength is charac-  
8 terized by individual freedom and the competitive  
9 enterprise system, and as such, the Federal Govern-  
10 ment should not compete with its citizens and pri-  
11 vate enterprise;

12 (2) in recognition of this policy, the Govern-  
13 ment should rely on commercially available sources  
14 to provide commercial products and services and  
15 should not start or carry on any activity to provide  
16 a commercial product or service if the product or  
17 service can be procured more economically from a  
18 commercial source; and

19 (3) the Department of Defense should not con-  
20 vert the performance of any function from perform-

1           ance by a contractor to performance by Department  
2           of Defense civilian employees unless the function is  
3           inherently governmental in nature.

4           (b)   DEFINITION   OF   INHERENTLY   GOVERN-  
5   MENTAL.—In this section, the term “inherently govern-  
6   mental” has the meaning given that term in section 5(2)  
7   of the Federal Activities Inventory Reform Act of 1998  
8   (Public Law 105–270; 112 Stat. 2384; 31 U.S.C. 501  
9   note).

