

HR 1577

Federal Prison Industries Competition in Contracting Act of 2002

Congress: 107 (2001–2003, Ended)

Chamber: House

Policy Area: Crime and Law Enforcement

Introduced: Apr 24, 2001

Current Status: Placed on the Union Calendar, Calendar No. 349.

Latest Action: Placed on the Union Calendar, Calendar No. 349. (Jul 16, 2002)

Official Text: <https://www.congress.gov/bill/107th-congress/house-bill/1577>

Sponsor

Name: Rep. Hoekstra, Peter [R-MI-2]

Party: Republican • **State:** MI • **Chamber:** House

Cosponsors (139 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Baldwin, Tammy [D-WI-2]	D · WI		Apr 24, 2001
Rep. Blunt, Roy [R-MO-7]	R · MO		Apr 24, 2001
Rep. Burr, Richard [R-NC-5]	R · NC		Apr 24, 2001
Rep. Camp, Dave [R-MI-4]	R · MI		Apr 24, 2001
Rep. Carson, Julia [D-IN-10]	D · IN		Apr 24, 2001
Rep. Coble, Howard [R-NC-6]	R · NC		Apr 24, 2001
Rep. Collins, Mac [R-GA-3]	R · GA		Apr 24, 2001
Rep. Davis, Tom [R-VA-11]	R · VA		Apr 24, 2001
Rep. Doyle, Michael F. [D-PA-18]	D · PA		Apr 24, 2001
Rep. Ehlers, Vernon J. [R-MI-3]	R · MI		Apr 24, 2001
Rep. English, Phil [R-PA-21]	R · PA		Apr 24, 2001
Rep. Frank, Barney [D-MA-4]	D · MA		Apr 24, 2001
Rep. Gordon, Bart [D-TN-6]	D · TN		Apr 24, 2001
Rep. Hart, Melissa A. [R-PA-4]	R · PA		Apr 24, 2001
Rep. Hilleary, Van [R-TN-4]	R · TN		Apr 24, 2001
Rep. Hilliard, Earl F. [D-AL-7]	D · AL		Apr 24, 2001
Rep. Jenkins, William L. [R-TN-1]	R · TN		Apr 24, 2001
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Apr 24, 2001
Rep. Kleczka, Gerald D. [D-WI-4]	D · WI		Apr 24, 2001
Rep. Kucinich, Dennis J. [D-OH-10]	D · OH		Apr 24, 2001
Rep. LaHood, Ray [R-IL-18]	R · IL		Apr 24, 2001
Rep. LoBiondo, Frank A. [R-NJ-2]	R · NJ		Apr 24, 2001
Rep. Maloney, Carolyn B. [D-NY-14]	D · NY		Apr 24, 2001
Rep. McGovern, James P. [D-MA-3]	D · MA		Apr 24, 2001
Rep. McHugh, John M. [R-NY-24]	R · NY		Apr 24, 2001
Rep. Ney, Robert W. [R-OH-18]	R · OH		Apr 24, 2001
Rep. Rahall, Nick J., II [D-WV-3]	D · WV		Apr 24, 2001
Rep. Royce, Edward R. [R-CA-39]	R · CA		Apr 24, 2001
Rep. Sensenbrenner, F. James, Jr. [R-WI-9]	R · WI		Apr 24, 2001
Rep. Sessions, Pete [R-TX-5]	R · TX		Apr 24, 2001
Rep. Smith, Adam [D-WA-9]	D · WA		Apr 24, 2001
Rep. Souder, Mark E. [R-IN-4]	R · IN		Apr 24, 2001
Rep. Tanner, John S. [D-TN-8]	D · TN		Apr 24, 2001
Rep. Baldacci, John Elias [D-ME-2]	D · ME		May 15, 2001
Rep. Bartlett, Roscoe G. [R-MD-6]	R · MD		May 15, 2001
Rep. Borski, Robert A. [D-PA-3]	D · PA		May 15, 2001
Rep. Brady, Kevin [R-TX-8]	R · TX		May 15, 2001
Rep. Callahan, Sonny [R-AL-1]	R · AL		May 15, 2001
Rep. Chambliss, Saxby [R-GA-8]	R · GA		May 15, 2001
Rep. Coyne, William J. [D-PA-14]	D · PA		May 15, 2001
Rep. Deal, Nathan [R-GA-9]	R · GA		May 15, 2001

Cosponsor	Party / State	Role	Date Joined
Rep. Ferguson, Mike [R-NJ-7]	R · NJ		May 15, 2001
Rep. Filner, Bob [D-CA-50]	D · CA		May 15, 2001
Rep. Frost, Martin [D-TX-24]	D · TX		May 15, 2001
Rep. Gillmor, Paul E. [R-OH-5]	R · OH		May 15, 2001
Rep. Granger, Kay [R-TX-12]	R · TX		May 15, 2001
Rep. Hefley, Joel [R-CO-5]	R · CO		May 15, 2001
Rep. Hill, Baron P. [D-IN-9]	D · IN		May 15, 2001
Rep. Hostettler, John N. [R-IN-8]	R · IN		May 15, 2001
Rep. Kirk, Mark Steven [R-IL-10]	R · IL		May 15, 2001
Rep. Knollenberg, Joe [R-MI-11]	R · MI		May 15, 2001
Rep. Maloney, James H. [D-CT-5]	D · CT		May 15, 2001
Rep. Manzullo, Donald A. [R-IL-16]	R · IL		May 15, 2001
Rep. McIntyre, Mike [D-NC-7]	D · NC		May 15, 2001
Rep. McKinney, Cynthia A. [D-GA-4]	D · GA		May 15, 2001
Rep. Myrick, Sue Wilkins [R-NC-9]	R · NC		May 15, 2001
Rep. Norwood, Charles W. [R-GA-10]	R · GA		May 15, 2001
Rep. Olver, John W. [D-MA-1]	D · MA		May 15, 2001
Rep. Rogers, Mike J. [R-MI-8]	R · MI		May 15, 2001
Rep. Sanchez, Loretta [D-CA-46]	D · CA		May 15, 2001
Rep. Smith, Christopher H. [R-NJ-4]	R · NJ		May 15, 2001
Rep. Stump, Bob [R-AZ-3]	R · AZ		May 15, 2001
Rep. Toomey, Patrick J. [R-PA-15]	R · PA		May 15, 2001
Rep. Upton, Fred [R-MI-6]	R · MI		May 15, 2001
Rep. Barcia, James A. [D-MI-5]	D · MI		May 25, 2001
Rep. Clay, Wm. Lacy [D-MO-1]	D · MO		May 25, 2001
Rep. Duncan, John J., Jr. [R-TN-2]	R · TN		May 25, 2001
Rep. Grucci, Felix J., Jr. [R-NY-1]	R · NY		May 25, 2001
Rep. Istook, Ernest J., Jr. [R-OK-5]	R · OK		May 25, 2001
Rep. Lantos, Tom [D-CA-12]	D · CA		May 25, 2001
Rep. McClinnis, Scott [R-CO-3]	R · CO		May 25, 2001
Rep. Roemer, Tim [D-IN-3]	D · IN		May 25, 2001
Rep. Schaffer, Bob [R-CO-4]	R · CO		May 25, 2001
Rep. Shadegg, John B. [R-AZ-4]	R · AZ		May 25, 2001
Rep. Ballenger, Cass [R-NC-10]	R · NC		Jun 28, 2001
Rep. Bryant, Ed [R-TN-7]	R · TN		Jun 28, 2001
Rep. Burton, Dan [R-IN-6]	R · IN		Jun 28, 2001
Rep. Cantor, Eric [R-VA-7]	R · VA		Jun 28, 2001
Rep. DeMint, Jim [R-SC-4]	R · SC		Jun 28, 2001
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Jun 28, 2001
Rep. Kerns, Brian D. [R-IN-7]	R · IN		Jun 28, 2001
Rep. LaTourette, Steven C. [R-OH-19]	R · OH		Jun 28, 2001
Rep. Leach, James A. [R-IA-1]	R · IA		Jun 28, 2001

Cosponsor	Party / State	Role	Date Joined
Rep. Lucas, Frank D. [R-OK-6]	R · OK		Jun 28, 2001
Rep. Nadler, Jerrold [D-NY-8]	D · NY		Jun 28, 2001
Rep. Northup, Anne M. [R-KY-3]	R · KY		Jun 28, 2001
Rep. Pence, Mike [R-IN-2]	R · IN		Jun 28, 2001
Rep. Rangel, Charles B. [D-NY-15]	D · NY		Jun 28, 2001
Rep. Thornberry, Mac [R-TX-13]	R · TX		Jun 28, 2001
Rep. Woolsey, Lynn C. [D-CA-6]	D · CA		Jun 28, 2001
Rep. Capito, Shelley Moore [R-WV-2]	R · WV		Jul 20, 2001
Rep. Clement, Bob [D-TN-5]	D · TN		Jul 20, 2001
Rep. Fletcher, Ernie [R-KY-6]	R · KY		Jul 20, 2001
Rep. Jones, Stephanie Tubbs [D-OH-11]	D · OH		Jul 20, 2001
Rep. Nethercutt, George R., Jr. [R-WA-5]	R · WA		Jul 20, 2001
Rep. Pickering, Charles W. "Chip" [R-MS-3]	R · MS		Jul 20, 2001
Rep. Ryan, Paul [R-WI-1]	R · WI		Jul 20, 2001
Rep. Taylor, Charles H. [R-NC-11]	R · NC		Jul 20, 2001
Rep. Velazquez, Nydia M. [D-NY-12]	D · NY		Jul 20, 2001
Rep. Wamp, Zach [R-TN-3]	R · TN		Jul 20, 2001
Rep. Cramer, Robert E. (Bud), Jr. [D-AL-5]	D · AL		Aug 2, 2001
Rep. Cubin, Barbara [R-WY-At Large]	R · WY		Aug 2, 2001
Rep. Kingston, Jack [R-GA-1]	R · GA		Aug 2, 2001
Rep. McKeon, Howard P. "Buck" [R-CA-25]	R · CA		Aug 2, 2001
Rep. Platts, Todd Russell [R-PA-19]	R · PA		Aug 2, 2001
Rep. Pryce, Deborah [R-OH-15]	R · OH		Aug 2, 2001
Rep. Quinn, Jack [R-NY-30]	R · NY		Aug 2, 2001
Rep. Tiahrt, Todd [R-KS-4]	R · KS		Aug 2, 2001
Rep. Wilson, Heather [R-NM-1]	R · NM		Aug 2, 2001
Rep. Barr, Bob [R-GA-7]	R · GA		Sep 13, 2001
Rep. Doolittle, John T. [R-CA-4]	R · CA		Sep 13, 2001
Rep. Edwards, Chet [D-TX-11]	D · TX		Sep 13, 2001
Rep. Forbes, J. Randy [R-VA-4]	R · VA		Sep 13, 2001
Rep. Sandlin, Max [D-TX-1]	D · TX		Sep 13, 2001
Rep. Terry, Lee [R-NE-2]	R · NE		Sep 13, 2001
Rep. Davis, Susan A. [D-CA-49]	D · CA		Nov 8, 2001
Rep. Langevin, James R. [D-RI-2]	D · RI		Nov 29, 2001
Rep. Latham, Tom [R-IA-5]	R · IA		Nov 29, 2001
Rep. Lee, Barbara [D-CA-9]	D · CA		Nov 29, 2001
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Nov 29, 2001
Rep. Bonior, David E. [D-MI-10]	D · MI		Dec 6, 2001
Rep. Ganske, Greg [R-IA-4]	R · IA		Dec 6, 2001
Rep. Boehlert, Sherwood [R-NY-23]	R · NY		Mar 18, 2002
Rep. Flake, Jeff [R-AZ-1]	R · AZ		Mar 18, 2002
Rep. Goode, Virgil H., Jr. [I-VA-5]	I · VA		Mar 18, 2002

Cosponsor	Party / State	Role	Date Joined
Rep. Hayes, Robin [R-NC-8]	R · NC		Mar 18, 2002
Rep. Weldon, Dave [R-FL-15]	R · FL		Mar 18, 2002
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Apr 24, 2002
Rep. Dingell, John D. [D-MI-16]	D · MI		Apr 24, 2002
Rep. Oxley, Michael G. [R-OH-4]	R · OH		Apr 24, 2002
Rep. Stenholm, Charles W. [D-TX-17]	D · TX		Apr 24, 2002
Rep. Gekas, George W. [R-PA-17]	R · PA		May 9, 2002
Rep. Isakson, Johnny [R-GA-6]	R · GA		May 9, 2002
Rep. Jackson-Lee, Sheila [D-TX-18]	D · TX		May 9, 2002
Rep. Osborne, Tom [R-NE-3]	R · NE		May 9, 2002
Rep. Watt, Melvin L. [D-NC-12]	D · NC		May 9, 2002
Rep. Brady, Robert A. [D-PA-1]	D · PA		Jul 12, 2002
Rep. Nussle, Jim [R-IA-2]	R · IA		Jul 12, 2002
Rep. Udall, Mark [D-CO-2]	D · CO		Jul 12, 2002

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	House	Discharged from	Apr 15, 2002

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

No related bills are listed.

Federal Prison Industries Competition in Contracting Act of 2002 - Amends the Federal criminal code to replace provisions regarding the purchase of prison-made products by Federal departments with provisions establishing a Government-wide procurement policy relating to purchases from Federal Prison Industries (FPI), which shall generally require the use of competitive procedures.

Requires Federal agencies to solicit an offer from FPI for the purchase of a product or service offered by FPI in excess of the micro-purchase threshold. Requires a contract to be awarded for such product or service using competitive procedures, unless: (1) the Attorney General determines that the agency shall negotiate with FPI because FPI cannot reasonably expect fair consideration on a competitive basis or because the contract award is necessary to maintain work opportunities to prevent circumstances that could significantly endanger safe administration of the penal or correctional facility; or (2) the product or service is available only from FPI.

Requires FPI to comply with Federal occupational, health, and safety standards regarding its industrial operations.

(Sec. 3) Requires FPI's Chief Operating Officer to: (1) submit for the FPI's Board of Director's approval any proposal to authorize the sale of a new specific product or specific service or to expand production of a current product or service; and (2) include an analysis of the probable impact of such proposed expansion of FPI sales on private sector firms and their non-inmate workers. Specifies criteria for Board approval. Bars the Board from approving a proposal for inmates to provide a service in which an inmate worker has access to: (1) personal or financial information about individual private citizens; (2) geographic data regarding utilities; or (3) classified data.

(Sec. 4) Provides transitional mandatory source authority. Requires a Federal department or agency having a requirement for a product that is authorized for sale by FPI and that is listed in its catalog to solicit an offer from FPI and to award the contract on a non-competitive basis to FPI if: (1) the FPI product meets procurement requirements; (2) timely performance can be expected; and (3) the negotiated price is fair and reasonable. Sets forth provisions regarding negotiation of contractual terms and resolution of performance disputes. Reduces the ceiling on the percentage of FPI sales to the Government under such provisions from 90 percent in FY 2004 to 40 percent in FY 2008.

(Sec. 5) Authorizes FPI to perform as a Federal subcontractor or supplier. Prohibits: (1) commercial sales of a product or service resulting from the labor of inmate workers in violation of labeling requirements; and (2) requiring Federal prime contractors to use FPI as a subcontractor or supplier. Requires a Federal contractor using FPI as a subcontractor to implement appropriate management procedure to prevent introducing an inmate-produced product into the commercial market.

(Sec. 6) Requires the Board of Directors to prescribe the rates of hourly wages to be paid inmates performing work for or through FPI and for other work assignments within the various Federal correctional institutions.

(Sec. 7) Allows any prisoner work program operated by a prison or jail of a State or local jurisdiction which is providing services for the commercial market through inmate labor on October 1, 2001, to continue to provide such services until: (1) the expiration date specified in the contract with a commercial partner on October 1, 2001; or (2) September 30, 2004, if the prison work program is directly furnishing the services to the commercial market. Allows it to continue to provide inmate labor for that purpose if such program has been certified and is in compliance with specified requirements.

(Sec. 8) Grants FPI explicit statutory authority to produce products and provide services (currently, to produce commodities) for prison industry consumption or for Federal departments and agencies.

(Sec. 9) Amends the Federal criminal code to provide that prison employment provisions shall not be construed to: (1) entitle any inmate to FPI employment; (2) establish that inmates are employees for the purposes of any law or program; or (3) establish any cause of action by or on behalf of any inmate against the United States or any officer, employee, or contractor thereof.

(Sec. 10) Directs the Attorney General to establish the Federal Reentry Center Demonstration Project, which shall involve appropriate prisoners from the Federal prison population and shall utilize community corrections facilities, home confinement, and a coordinate response by Federal agencies to assist participating prisoners in preparing for and adjusting to reentry into the community.

(Sec. 11) Amends the Federal judicial code regarding the Department of Justice Assets Forfeiture Fund to authorize payments to the Bureau of Prisons exclusively for the purpose of establishing: (1) the Federal Enhanced In-Prison Vocational Assessment and Training Program in all Federal institutions; and (2) a nonprofit component for inmate work in all Federal institutions.

(Sec. 12) Restructures FPI's Board of Directors by increasing it to 11 directors (currently six) appointed by the President, including three members that represent the business community, three members that represent organized labor, one member with special expertise in inmate rehabilitation techniques, one member that represents crime victims, one member that represents the interests of Federal inmate workers, and two additional members whose background and expertise the President deems appropriate.

(Sec. 13) Requires the Director of the Bureau to afford to inmates opportunities to participate in programs and activities designed to help prepare such inmates to obtain employment upon release.

(Sec. 14) Authorizes FPI to: (1) locate more than one workshop at a Federal correctional facility; and (2) operate a workshop outside of a correctional facility if all of participating inmates are minimum security inmates.

(Sec. 15) Requires FPI's annual report to Congress to include: (1) analyses of total sales for each product and service, purchases by Federal agencies, disputes submitted to the heads of the Federal agencies, the inmate workforce, and the wages paid to inmates employed; and (2) data concerning employment obtained by former inmates upon release to determine whether FPI employment enabled such former inmate to earn a livelihood.

(Sec. 17) Sets forth a time line for: (1) revisions to the Government-wide Federal Acquisition Regulation to implement the changes made by this Act; and (2) FPI regulations defining specified product and service terms.

(Sec. 21) Directs the Comptroller General to have an independent study conducted on the effects of eliminating the FPI's mandatory source authority.

Actions Timeline

- **Jul 16, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-583.
- **Jul 16, 2002:** Reported (Amended) by the Committee on Judiciary. H. Rept. 107-583.
- **Jul 16, 2002:** Placed on the Union Calendar, Calendar No. 349.
- **Apr 24, 2002:** Committee Consideration and Mark-up Session Held.
- **Apr 24, 2002:** Ordered to be Reported (Amended) by Voice Vote.
- **Apr 18, 2002:** Committee Consideration and Mark-up Session Held.
- **Apr 15, 2002:** Subcommittee on Crime Discharged.
- **Apr 26, 2001:** Subcommittee Hearings Held.
- **Apr 25, 2001:** Referred to the Subcommittee on Crime.
- **Apr 24, 2001:** Introduced in House
- **Apr 24, 2001:** Introduced in House
- **Apr 24, 2001:** Referred to the House Committee on the Judiciary.