



Groups Want Clarity for Insourcing Jobs

An IT industry group said OFPP must clearly distinguish between the functions that only a federal employee should do and the IT solutions the private sector offers to support agencies.

By Matthew Weigelt Jun 02, 2010

A group that represents information technology companies today urged procurement officials to keep IT support from becoming a critical function as federal officials work out policies on what jobs should not be outsourced to private businesses.

Responding to a proposed policy letter on insourcing, TechAmerica officials wrote that the policy needs to clearly distinguish between the functions that only a federal employee should do and the IT support the private sector offers to support agencies' work.

"It would not be in the government's best interest to inhibit its access to the efficiencies and other enhancements offered by commercial IT products and services," wrote Trey Hodgkins, TechAmerica's vice president of national security and procurement policy.

In March, the Office of Federal Procurement Policy (OFPP) issued the proposed policy letter that defined inherently governmental functions, or jobs that only federal employees are allowed to do because they are so intimately tied to the public's interest. OFPP also offered policies about jobs that federal employees should be doing, termed as "closely associated with inherently governmental functions" and "critical functions."

The policy letter is designed to clarify policies and management responsibilities for determining when jobs must be carried out by federal employees and when either federal employees or contractors could do the work, Daniel Gordon, OFPP administrator, said in congressional testimony in May.

The proposed guidance is built around the general principle that the more critical a function is, the greater the need for internal capability to maintain control of the agency's mission and operations, according to the policy letter released in March.

Hodgkins also wrote that an agency isn't giving up its control over any particular function if it outsources IT support. As an example, he notes that collecting taxes is an inherently governmental function, but using IT software to help in the effort shouldn't be forbidden.

The comment period on the proposal ended June 1, and many comments asked OFPP for more clarity between the three types of functions.

The Small Business Coalition for Fair Contracting said in comments that OFPP needs to delete the word "critical" in critical functions, or else clarify what exactly it means. With the word critical, OFPP "creates a broad, open-ended understanding of when insourcing is expected," wrote Ronald Martin, a member of the coalition's board of directors.

Martin also had concerns with government insourcing's effects on small businesses and "unfair recruiting of contractor employees." The coalition also advocated for opportunities for contractors to respond to insourcing proposals before agency officials make a final decision.

However, some say OFPP didn't go far enough in protecting federal employees and offsetting the previous administration's outsourcing efforts. Colleen Kelley, president of the National Treasury Employees Union, today said the proposal could be read by some people to insulate only the highest positions from outsourcing.

The definitions of the three terms "are too narrow and subject to abuse," Kelley said.

Now that the comment period is over, Gordon and his staff at OFPP will review the comments and further develop the policy letter.