

A-76 Set for Possible DoD Revival

By David Perera

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Amendments to a \$649 billion defense appropriations bill approved by the House of Representatives July 8 would make it easier for the Defense Department to hold public-private competitions for functions currently performed by civil servants.

One amendment, proposed by Rep. Pete Sessions (R-Texas), would strike a provision approved by the House Appropriations Committee that would prevent the DoD from expending funds for "A-76" competitions, or what commonly is known as "outsourcing," despite the fact that civil servants typically won such competitions when A-76 enjoyed a Bush administration-era resurgence.

A-76 competitions are so named for the Office of Management and Budget circular that governs their methodology. The amendment passed on a 217-204 partisan vote, with no Democrats voting in support.

Another amendment, proposed by Rep. Justin Amash (R-Mich.) and approved 212-208 along party lines, would undo House Appropriations Committee-approved language requiring that outsourcing contracts save the DoD a minimum of \$10 million or 10 percent of the department's performance costs.

"Independent studies have found that public-private competitions lower costs by between 10 and 40 percent regardless of whether the competition is won by a private contractor or the government. Rather than stand in the way of public-private competitions, Congress should cut the red tape and make the use of this cost-saving process easier, not harder," Amash said, according to the Congressional Record.

However, even if the Amash amendment becomes law, the Defense Department would still be bound by the \$10 million/10 percent threshold, since Congress codified it into Title 10 law under the fiscal 2008 national defense authorization act, said Alan Chvotkin, executive vice president of Professional Services Council industry association.

The House bill still faces reconciliation with a still unwritten Senate version.