

January 6, 2003

Civilian agencies denounce new job competition deadlines

GovExec.com: <http://www.govexec.com/dailyfed/0103/010603p1.htm>

By Jason Peckenpaugh

jpeckenpaugh@govexec.com

The Bush administration's overhaul of federal outsourcing rules is drawing fire from civilian agencies that believe it sets unrealistic time frames and could sap resources from other White House management initiatives.

A review of comments from 10 agencies on the new process shows considerable opposition to new competition deadlines and a requirement that most Inter-Service Support Agreements (ISSAs)—pacts in which agencies provide support services to each other—face private competition. But most agencies did not take issue with a new competition process included in the rules—the “best value” method.

The Office of Management and Budget [unveiled the new rules](#) on Nov. 14 in OMB Circular A-76 and accepted public comments until Dec. 19.

The Justice, Transportation, Interior, Veterans Affairs and Health and Human Services departments and the General Services Administration all protested the new deadlines. The new circular sets a 12-month deadline for full job competitions and limits the time for smaller studies, known as business case analyses, to 15 days or less.

“The 12-month timeframe is...too short a time to complete most competitions,” said Paul Corts, assistant attorney general for administration at the Justice Department. The General Services Administration urged OMB to extend the deadline to 24 months.

The comments indicate a widespread concern by agencies that they lack the resources to implement the provisions of the new circular, which also includes new requirements for complying with the 1998 Federal Activities Inventory Reform Act. The Transportation Department said a requirement to hold recurring competitions every three to five years could hinder workforce planning at the agency. And GSA said the new process could impede its ability to comply with other areas of the president's five-part management agenda.

“GSA is concerned that an overly restrictive Circular A-76...could adversely affect our ability to maintain our level of productivity in other presidential management objectives such as human capital initiatives,” said Associate Administrator Boyd Rutherford in GSA’s comments.

Several agencies also protested OMB’s new presumption that all federal jobs are “commercial” in nature until proven otherwise, which they said is contrary to the will of Congress. The Small Business Administration criticized revisions to the definition of “inherently governmental” work, which it said could allow contractors to supervise federal employees.

In particularly strong criticism, SBA also claimed the new competition process favors private contractors and could hurt recruitment efforts across government. “The actual duration of ‘permanent’ federal employment will become so uncertain that people may be reluctant to apply for government jobs,” said the agency.

Additionally, agencies were critical of the requirement to compete all ISSAs, which would give private firms access to the multibillion dollar federal market for support services. OMB proposed full ISSA competitions in the last revision of Circular A-76, in 1996, but withdrew the proposal in the face of agency opposition.

OMB did not respond to a request to comment on this article. Office of Federal Procurement Policy Administrator Angela Styles has promised to review every comment and to consider suggestions for revising the new circular.

Agency comments were made available by OMB or obtained by *Government Executive*. OMB plans to post all agency comments on its Web site later this week.