

Private Sector Utilization

A positive public-private partnership model is needed so that there are clearly defined roles and responsibilities to provide synergy between the public and private sectors in the Federal level, and particularly with regard to geospatial activities. Geospatial technology, identified by the U.S. Department of Labor as one of the top three emerging technologies for the 21st century, is estimated to be a \$100 billion worldwide market growing at an annual rate of 10-15%. In this difficult economy, government agencies should be utilizing private sector geospatial firms to the maximum extent practical, not duplicating or directly competing against them.

The federal government has more than 1.1 million employees who are involved in performing commercially available activities, such as surveying, mapping and geospatial services. These are activities that can be found in the “Yellow Pages” from private companies, including small business, on Main Street USA. Numerous government studies have identified surveying, mapping and other “geospatial” activities as prime examples of commercial activities in which the federal government competes with and duplicates the private sector.



Regrettably, Congress has tied the hands of agencies by restricting the utilization of the private sector. Section 1636 of PL 110-181, the National Defense Authorization Act (NDAA) for FY2008 suspended DOD public-private competitions under OMB Circular A-76. Section 737 of Division D of the Omnibus Appropriations Act, 2009, P.L. 111-8, imposed a moratorium on OMB Circular A-76 public-private competitions, and this moratorium has been continued in subsequent appropriation bills and remains in effect today pursuant to Section 742 of Division E of the Consolidated and Further Continuing Appropriations Act, 2015, P.L. 113-235.

Congress should repeal these provisions and lift restrictions on agency use of the private sector. Before leaving office, then-Defense Secretary Leon Panetta called for lifting these restrictions. A moratorium should be placed on Federal “insourcing” (transferring functions from contractor performance to in-house government employee performance of commercially available activities), or, at a minimum, there should be a requirement that a demonstrated, quantifiable cost saving be shown before in-sourcing occurs.

There is a need and role for government in surveying, mapping and geospatial activities. Agency personnel should be focused on inherently governmental activities such as enforcement of standards and specifications, development of requirements, coordination, and administering contracts. Commercial activities, including data acquisition, processing, applications, and value added services should be left to the qualified, competent and capable private sector in surveying and mapping.

In 2015, Representative John J. “Jimmy” Duncan, Jr. (R-TN) and Senator John Thune (R-SD) introduced the “Freedom from Government Competition Act”, H.R. 2044/S. 1116. It will codify the “Yellow Pages” test, applied by Mayors and Governors, both Democrat and Republican, that says if you can find private sector firms in the Yellow Pages providing products or services that the government is also providing, then the service should be subject to market competition to break up the government monopoly and prove a better value to the taxpayer. This bill will not only make government smaller and more efficient, but can save more than \$27 billion annually and improve the quality of services.

ACTION REQUESTED:

MAPPS and NSPS respectfully urge members of Congress to offer amendments to appropriations bills and authorization legislation calling for utilization of the private sector to the maximum extent practical for geospatial activities. MAPPS and NSPS oppose limits on the ability of agencies to utilize the private sector and urges members of Congress to reject such provisions and repeal existing restrictions. MAPPS and NSPS also urge Congress to enact a moratorium on insourcing. Additionally, Representatives are asked to cosponsor the Freedom from Government Competition Act by contacting Don Walker in Representative Duncan’s office at 5-5435. Senators are urged to cosponsor the Senate companion by contacting Jon Abdnor in Senator Thune’s office at 4-2321. For more information, contact John Byrd, MAPPS and NSPS Government Affairs Manager, at jbyrd@jmpa.us or (703) 787-6665.