



Construction Industry Round Table

CIRT Legislative News

A force for positive change in the design / construction industry

03/19/2018 – Fair Competition for Private Sector Contractors Again Subject of a House Bill

Members of the BCFC (Business Coalition for Fair Competition) have weighed-in once again as part of the coalition's ongoing efforts to move forward legislation that would redress unfair competition from federal agency for private sector available services. The latest came in the form of support for [H.R. 1339](#), the "*Freedom From Government Competition Act (FFGCA) of 2017*". A coalition letter was directed to the leadership of the House Committee on Oversight and Government Reform to encourage them to advance the bill, by reporting it out "favorably" to the full House. The coalition, which CIRT is a founding member, noted that: "Not only do Federal agencies duplicate private business, but many engage in unfair government competition with the private sector." Moreover, this issue has consistently been at the top of the list of matters that concern American entrepreneurs. [The Coalition letter's information and data were sighted on a number of occasions during the committee "markup" session on the bill].

The bill (H.R. 1339), as drafted, does not mandate privatization. It does, however, provide for a fair and equitable process to review every commercial activity in the government, while preserving those activities that are inherently governmental (those only the government should do). The proposed legislation seeks to inject competition into those activities that are commercial in nature and provides several options for the Executive Branch to implement that competition by implementing a so-called "Yellow Pages Test" to make certain government is not unfairly competing with private sector businesses and to assure that products and services are provided at the best value to the taxpayer.