

Celebrating our
30th year

Officers

Bill Gormley
Chairman

Larry Allen
President

Board of Advisors

Russ Castioni
3M Federal Systems

Tom DeWitt
SNVC

Gus Ghazarian
Ricoh Corporation

Mike Goede
Ecolab, Inc.

Bill Hilsman
Booz Allen & Hamilton

Tom Hodges
Xerox Corporation

Robert Holman
Johnson & Johnson

Andrea Holmes
Agilent Technologies

Steve Moss
IBM Corporation

John A. Howell
Sullivan & Worcester

Pete Johnson
Matrix Automation, Inc.

Kitty Klaus
EDS, an HP Company

Michael Kratt
Herman Miller, Inc.

John Lavorato
Dell Computer Corporation

Pam Macaleer
*Northrop Grumman
Information Systems*

Joe Pastel
SAIC

Frank Pugliese
DuPont Corporation

Steve Robinson
Knoll

Tom Sisti
SAP America

Richard Tucker
Baxter Healthcare Corporation

Tom Walker
Haworth

Paul Weiss
Logistics Management Institute

Melissa Wojciak
Monster



**The Coalition
for Government
Procurement**

1990 M Street, NW · Suite 450 · Washington, D.C. 20036 · (202) 331-0975 · Fax (202) 822-9788

www.thecgp.org

July 12, 2010

General Services Administration, FAR Secretariat
(MVCB)
Attn: Hada Flowers
1800 F Street, NW., Room 4041,
Washington, DC 20405.

RE: FAR Case 2009-004, Enhancing Contract Transparency

Dear Ms. Flowers:

The Coalition for Government Procurement appreciates the opportunity to comment on the advance notice of proposed rulemaking regarding the public posting of contract actions.

The Coalition for Government Procurement is a non-profit association of over 300 firms selling commercial services and products to the federal government. Our members comprise small, medium, and large businesses actively engaged in Federal business. Our members collectively account for approximately 70% of the sales generated through the GSA Multiple Award Schedules program and about half of the commercial item sales made to the government each year.

The notice of proposed rulemaking states “the Councils anticipate that, in the future, a requirement to post online the text of contracts and task and delivery orders will be instituted.” The notice itself acknowledges the danger of posting contracts online, and the need to protect contractors’ confidential proprietary commercial or financial information, that would be available for the public and their competitors scrutinize. To protect contractors, the Coalition recommends redacting all confidential and proprietary information, as well as any item associated with national security, before posting contracts online.

As the basis for the proposed rule, the councils referenced seven administration memos and directives issued during the past 18 months calling for increased transparency from federal agencies. None of those directives, however, call for, or even suggest, the posting of government contracts online. Moreover, the rule may be unnecessary and redundant, as the public can acquire copies of individual agency contracts through Freedom of Information Act requests, and USASpending.gov provides information about government awards.

The proposal states the transparency effort is intended “to promote efficiency in Government contracting through an open acquisition process and to improve Federal spending accountability.” The Coalition however, does not believe there is a direct correlation between posting contracts online and improving efficiency and spending. In addition, we are concerned the rule would add work to an already overburdened acquisition workforce. Of particular concern is the logistics of going through every contract line by line searching for proprietary and private information, such as pricing and salaries that must be redacted. With more than 30 million transactions issued by the government annually, the redaction process alone would be overwhelming.

Another area of concern is the posting of procurement information that may have national security implications. While spending directly related to intelligence and military operations may be easily identified, the Coalition is concerned that other spending that supports these, or similar, operations may be posted at the detriment to critical security interests. Certain commercial IT procurements, for example, could provide information on what the government is – and is not – doing on such matters as cyber-security or information sharing, to name just two activities. We believe that caution should be exercised in this area. Many procurements that may seem unrelated to national security may be. As such, we believe that more than just acquisition professionals must be involved in any transparency movement, lest we inadvertently supply sensitive information to the manifest entities that mean to do us harm. It is important to note that transparency means that anyone can see our information.

Thank you again for the opportunity to comment. Please let us know if you have any questions or would like to discuss these issues further.

Regards,



Mitchell T. Vakiercs
Manager of Policy