



March 7, 2014

The Honorable Anna Eshoo  
241 Cannon Building  
Washington, DC 20515

The Honorable Gerry Connolly  
424 Cannon House Office Building  
Washington, DC 20515

Subject: Draft "Reforming Federal Procurement of Information Technology Act"

Dear Representatives Eshoo and Connolly:

Thank you for reaching out to The Coalition for Government Procurement (the Coalition) and soliciting its views on the Discussion Draft of the Reforming Federal Procurement of Information Technology (RFP-IT) Act. The Coalition appreciates and shares your interest in improving federal procurement of information technology. We look forward to working with you to ensure our procurement system delivers best value information technology solutions for agency mission requirements and the American people. In response to your request, the Coalition's comments are set forth below.

The Coalition is a non-profit association of firms selling commercial services and products to the Federal Government. Our members collectively account for approximately 70% of the sales generated through the GSA Multiple Award Schedules (MAS) program and about half of the commercial item solutions purchased annually by the Federal Government. Coalition members include small, medium, and large business concerns. For over 30 years, the Coalition has been proud to work with Government leaders, like you, to promote common sense acquisition.

The Coalition believes that the keys to improving information technology procurement outcomes are addressing requirements development and reducing government-unique contractual, procedural, and regulatory requirements that increase transactional costs for customer agencies, contractors, and the American people. Government-unique requirements also create barriers of entry into the federal marketplace for commercial firms across all industries.

With regard to improving requirements development, the strengthening of the Chief Information Officer's (CIO's) role in Federal departments and agencies, as provided for in the "Federal Information Technology Acquisition Reform Act" ("FITARA"), is a positive step in

improving the overall acquisition management of information technology, including requirements development. Indeed, the strengthening of the CIO's role will address organizational gaps that have inhibited strategic development of requirements across departments and agencies.

Turning to the explosion in the use of government-unique terms in the procurement process, putting "commercial" back into commercial item contracting will increase competition, innovation, and best value solutions for customer agencies. To do so means returning to the statutory reforms of the 1990s, specifically, reducing/eliminating government-unique terms that should not apply to commercial item contracting and adopting commercial best practices for information technology acquisitions.

GSA's IT Schedule 70 is primed for such an approach. IT Schedule 70 accounts for over \$15 billion in information technology purchases annually across the federal government. Yet, its future potential as a dynamic marketplace for information technology solutions has not been fully tapped. Attached are our thoughts regarding streamlining GSA's IT Schedule 70 transforming into an "Innovation Schedule." The recommendations outlined will fundamentally improve information technology procurement opportunities and outcomes in the Federal Government's largest commercial information technology program. We hope you find the paper informative and useful in your efforts.

With regard to the Draft RFP-IT Act, the Coalition has the following concerns:

- It is not clear how the DGO's review of every Federal agency proposal for a major IT project will align with existing business case review process required by statute.
- The determination of the DGO, specifically to handle a project, to assist an agency with a project, or to direct and agency to handle a project, is similar to the Brooks Act requirements for the GSA Administrator to coordinate and provide for the purchase of IT by Federal Agencies. This primary authority was eliminated with the enactment of the Clinger-Cohen Act. OMB was vested with a broad authority to coordinate IT budget policy, including tracking and managing risk of such investments. As noted by the Congressional Research Service,

[T]he technological and political landscape changed dramatically [after enactment of the Brooks Act]. Eventually, prolonged acquisition cycles and rapid changes in technology diminished the effectiveness of the "one-size-fits-all" approach of the Brooks Act. With procurement delays leading to the implementation of obsolete systems and the increasing diversity of agency needs and missions, calls for management and procurement reform grew.

"Government Information Technology: Past and Future Issues (The Clinger-Cohen Act)," Seifert, Jeffrey W., CRS-2 Rep. RL30661 (Updated Jan. 15, 2002).

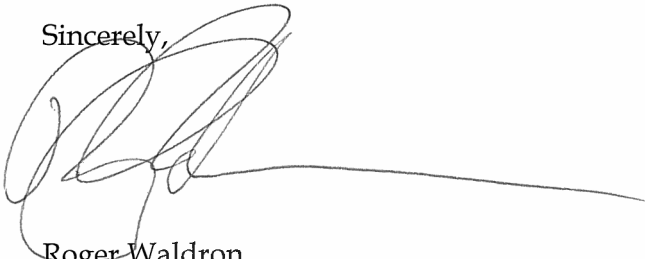
In light of the forgoing, it is not clear why a similar authority would be useful at this time.

- The funding mechanism for the DGO Fund, specifically, taxing other contract vehicles, including the Multiple-Award Schedules, raises concerns that the sources from which funds would be drawn could be put at risk. Moreover, other legislative initiatives, like FITARA, already seek to tap funds from these sources, adding to this risk potential. The efficiency of these proposed DGO activities is whether they can produce value worthy of their cost. That value cannot be identified and assessed if costs are hidden in the proposed cross-subsidization.
- It is not understood why the CTO should be added to the FAR Council. The FAR Council was established to guide government-wide acquisition policy, not a subset of that policy. Moreover, there appears to be little guidance regarding the acquisition expertise to be required of the CTO.

The Coalition appreciates your desire to improve the government's current IT acquisition process. It stands with you in these efforts to bring about positive change, and in this regard, the Coalition would appreciate the opportunity to discuss these matters further.

In closing, the Coalition appreciates your outreach in connection with the proposed RFP-IT Act and looks forward to working with you as this legislation moves forward.

Sincerely,

A handwritten signature in black ink, appearing to read 'RWaldron', with a long horizontal line extending to the right.

Roger Waldron  
President