

**Congress of the United States**  
**Washington, DC 20515**

December 07, 2011

The Honorable Harold Rogers  
Chairman, Committee on Appropriations  
H-307, The Capitol  
Washington, D.C. 20515

Dear Mr. Chairman:

As the Appropriations Committee meets on funding for the remainder of the Fiscal Year, the undersigned members respectfully urge that provisions inhibiting the utilization of the private sector not be included in such legislation.

Of the six appropriations bills considered in the House of Representatives under an open rule, four were amended on the House floor to strike provisions restricting, limiting or prohibiting competitive sourcing and other means of utilizing the private sector for the performance of commercial activities. Each was approved by the House by wide margins. We are delighted that you personally supported each of these improvements to the appropriations bills. Congress should continue to encourage small business and private sector job creation, not protect inefficient government monopolies in the bureaucracy in the upcoming appropriations bills conferences.

Government performance of commercial activities adversely affects the U.S. economy by duplicating activities available from commercial providers, increasing the government payroll, diverting public monies from inherently governmental activities the American people expect from their government, and reducing tax revenues to the government. Legislative provisions that prohibit, impede, interfere, obstruct, encumber, or delay the Office of Management and Budget Circular A-76 or competitive sourcing studies, or that provide for insourcing, are counter-productive to our goals of reducing the deficit, limiting the size of government, and creating private sector jobs.

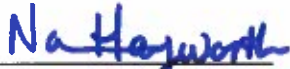
According to data gathered pursuant the Federal Activities Inventory Reform (FAIR) Act, Public Law 105-270, more than 850,000 federal employees are in positions that are "commercial" in nature. Fewer than 10 percent of those positions have ever been studied under the "Yellow Pages test" to determine if private sector performance is more appropriate. The "Yellow Pages test" says if an activity is being performed by government that can otherwise be found from a business listed in the Yellow Pages, that activity should be reviewed for performance by a tax-paying, for-profit company, not a government entity.

This market test has been supported by administrations of both parties since the Eisenhower Administration in 1955. Implemented in OMB Circular A-76 and known as "competitive sourcing" in the Bush Administration, subjecting the commercially available activities of

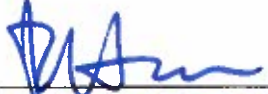
government agencies performed by federal employees saves 30 percent, even if the activity ultimately remains inside the government. When applied to all 850,000 positions, such a program could save as much as \$27 billion annually.


We respectfully urge you to keep similar anti-competition, anti-free enterprise provisions from the remaining conference report for the remaining appropriations bill for Fiscal Year 2012.

Sincerely,

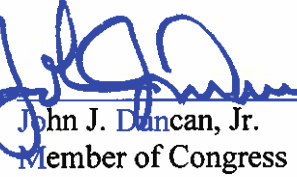
  
Nan Hayworth, M.D.  
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Pete Sessions  
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Richard Hanna  
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Kevin Yoder  
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Diane Black  
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Mick Mulvaney  
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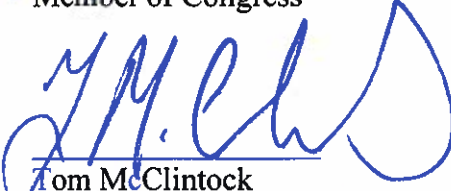
  
Paul C. Broun, M.D.  
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