

The Huizenga Amendment would strike Section 212 from H.R. 5326 - FY 2013 Commerce and Justice, Science, and Related Agencies Appropriations Act

Sec. 212. None of the funds appropriated by this Act may be used to plan for, begin, continue, finish, process, or approve a public-private competition under the Office of Management and Budget Circular A-76 or any successor administrative regulation, directive, or policy for work performed by employees of the Bureau of Prisons or of Federal Prison Industries, Incorporated.

What is OMB Circular A-76?

A federal policy that affects executive branch agencies. Whenever possible, and to achieve greater efficiency and productivity, the federal government should encourage competition between public agencies and the private sector by studying who would be more effective at performing the work.

A-76 requires federal executive agencies to annually prepare lists of activities considered both commercial and inherently governmental. In general, commercial activities are subject to competition, while inherently governmental activities are not. A-76 forces government agencies to keep up with the lowest bid private sector offer, forcing the government to cut costs and to increase efficiency.

What is FPI?

UNICOR, or Federal Prison Industries, Inc. (FPI), is a government-owned corporation that employs offenders incarcerated in correctional facilities under the Federal Bureau of Prisons (BOP). UNICOR manufactures products and provides services that are sold to executive agencies in the federal government. Examples include: manufacturing clothing and textiles, office furniture, custom engraving, heavy equipment remanufacturing, and services such as call center and help desk support.

What does Section 212 do?

Section 212 would prevent the Bureau of Prisons, including FPI from applying the A-76 rules. By *striking* the amendment, FPI would be required to annually prepare lists of activities that could be up for bid by a contractor. OMB reports and other studies have shown that on average, a savings of 10% - 40% is achieved just by doing the study, and forcing government to do the tasks more efficiently, whether the work stays in house or is contracted out.

Any money that could be saved by striking Sec. 212 or that is saved through an A-76 cost-benefit analysis could be spent elsewhere in the Appropriations process and be a cost savings to taxpayers.

How would this apply to Bureau of Prisons and federal employees?

Prisoners and prison work would not be affected.