S 1167

Freedom from Government Competition Act of 2009

Congress: 111 (2009–2011, Ended)
Chamber: Senate
Policy Area: Government Operations and Politics
Introduced: Jun 3, 2009
Current Status: Read twice and referred to the Committee on Homeland Security and Governmental Affairs.
Latest Action: Read twice and referred to the Committee on Homeland Security and Governmental Affairs. (Jun 3, 2009)
Official Text: https://www.congress.gov/bill/111th-congress/senate-bill/1167

Sponsor

Name: Sen. Thune, John [R-SD]
Party: Republican • **State:** SD • **Chamber:** Senate

Cosponsors (6 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Brownback, Sam [R-KS]	R · KS		Jun 3, 2009
Sen. Inhofe, James M. [R-OK]	R · OK		Jun 3, 2009
Sen. Roberts, Pat [R-KS]	R · KS		Jun 3, 2009
Sen. Vitter, David [R-LA]	R · LA		Jun 3, 2009
Sen. Sessions, Jeff [R-AL]	R · AL		Jul 6, 2009
Sen. Ensign, John [R-NV]	R · NV		Sep 21, 2009

Committee Activity

Committee	Chamber	Activity	Date
Homeland Security and Governmental Affairs Committee	Senate	Referred To	Jun 3, 2009

Subjects & Policy Tags

Policy Area:

Government Operations and Politics

Related Bills

Bill	Relationship	Last Action
111 HR 2682	Identical bill	**Jun 26, 2009:** Referred to the Subcommittee on Government Management, Organization, and Procurement.

Summary (as of Jun 3, 2009)

Freedom from Government Competition Act of 2009 - Requires each executive or military department or independent establishment to obtain all goods and services necessary for or beneficial to the accomplishment of its authorized functions by procurement from private sources, except if: (1) such goods or services are required by law to be produced or performed by such agency; or (2) the head of the agency determines and certifies that federal production or performance is necessary for the national defense or homeland security, that a good or service is so inherently governmental in nature that it is in the public interest to require production or performance by government employees, or that there is no private source capable of providing the good or service.

Requires such private sector provision of goods and services to be performed through: (1) the divestiture of federal involvement; (2) the award of a contract using competitive procedures; (3) converting an activity to performance by a qualified firm under at least 51% ownership by an Indian tribe or a Native Hawaiian Organization; or (4) conducting a public-private competitive sourcing analysis in accordance with Office of Management and Budget (OMB) procedures and determining that using the private sector is in the best interest of the United States and provides the best value to the taxpayer.

Authorizes an agency head to utilize federal employees to provide goods or services previously provided by a private sector entity upon completion of a public-private competitive sourcing analysis and after determining that provision by federal employees provides the best value.

Requires the Director to carry out a study, in conjunction with the Comptroller General, to evaluate the activities carried out in each agency.

Actions Timeline

- **Jun 3, 2009:** Introduced in Senate
- **Jun 3, 2009:** Read twice and referred to the Committee on Homeland Security and Governmental Affairs.

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