

RON JOHNSON, WISCONSIN, CHAIRMAN

JOHN McCAIN, ARIZONA
ROB PORTMAN, OHIO
RAND PAUL, KENTUCKY
JAMES LANKFORD, OKLAHOMA
MICHAEL B. ENZI, WYOMING
KELLY AYOTTE, NEW HAMPSHIRE
JONI ERNST, IOWA
BEN SASSE, NEBRASKA

THOMAS R. CARPER, DELAWARE
CLAIRE McCASKILL, MISSOURI
JON TESTER, MONTANA
TAMMY BALDWIN, WISCONSIN
HEIDI HEITKAMP, NORTH DAKOTA
CORY A. BOOKER, NEW JERSEY
GARY C. PETERS, MICHIGAN

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

KEITH B. ASHDOWN, STAFF DIRECTOR
GABRIELLE A. BATKIN, MINORITY STAFF DIRECTOR

October 20, 2015

The Honorable Anne Rung
Administrator, Office of Federal Procurement Policy
Office of Management and Budget
725 17th Street, N.W.
Washington, D.C. 20503

Dear Ms. Rung:

We are writing to ask for information regarding how the Office of Federal Procurement Policy (OFPP) intends to implement a recommendation made by the Government Accountability Office (GAO) in their recent report on bridge contracts.

On May 14, 2013, Senator McCaskill wrote to GAO requesting they review two aspects of the federal government's use of competition in contracting: (1) bridge contracts and (2) class justifications for sole-source contracts. At the time, Senator McCaskill raised concerns that agencies were awarding lengthy bridge contracts and following the award of the bridge contract with another sole-source contract. When noncompetitive contracts are used frequently or for prolonged periods, the government is at risk of overpaying for goods and services.¹

In a report released on October 14, 2015, GAO found that the Department of Defense, the Department of Health and Human Services, and the Department of Justice have limited to no insight into their use of bridge contracts.² In particular, GAO found they have no agency-level policies to manage and track bridge contracts, nor do their acquisition regulations define bridge contracts. Additionally, GAO found that although bridge contracts are typically envisioned as short-term, some span multiple years, potentially without the right level of oversight.

GAO has recommended that OFPP take steps to amend the Federal Acquisition Regulation (FAR) to incorporate a definition of bridge contracts, and, also provide guidance for agencies to track and manage their use. We request that you provide our staff with a briefing describing how OFPP intends to respond to this recommendation, including your plans to discuss GAO's recommendation with the FAR Council. We request that this briefing be scheduled on or before November 3, 2015. Thank you for your prompt attention to this request.

¹ Letter from Sen. Claire McCaskill to Honorable Gene L. Dodaro (May 14, 2013).

² Government Accountability Office, *Sole Source Contracting: Defining and Tracking Bridge Contracts Would Help Agencies Manage Their Use* (Oct. 14, 2015) (GAO-16-15).

Anne Rung
October 20, 2015
Page 2

Please contact Sarah Garcia with Senator McCaskill's Subcommittee staff at (202) 224-9505 or Troy Cribb with Senator Carper's Committee staff at (202) 224-2627 with any questions. Please send any official correspondence relating to this request to Kelsey_Stroud@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Ranking Member
Permanent Subcommittee on Investigations



Thomas R. Carper
Ranking Member

cc: Senator Ron Johnson
Chairman

Senator Rob Portman
Chairman
Permanent Subcommittee on Investigations