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THE WHITE HOUSE

WASHINGTON

March 21, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS 

SUBJECT:

Office of Federal Procurement Policy

Some time ago the President received a letter from Robert Evans, Director of the American Bar Association Governmental Affairs Group, expressing concern over reports that the Office of Federal Procurement Policy (OFPP) was going to be abolished. You received a letter on the same subject from "Sparks" at Morgan, Lewis & Bockius. On January 24, 1985, I referred the correspondence to David Gerson at OMB, asking for background information on the issue. OMB has only now responded. The attached draft replies explain that the Administration intends to integrate OFPP more closely with OMB as part of the Management Improvement Program, not abolish it.

Attachment

THE WHITE HOUSE

WASHINGTON

March 22, 1985

Dear Sparks:

Thank you for your letter concerning the Office of Federal Procurement Policy (OFPP). I asked the Office of Management and Budget (OMB) for more information on the subject of your letter, and have now received a response. Please excuse the attendant delay in getting back to you.

According to OMB, there is no plan to abolish OFPP. OFPP is an entity within OMB with separate statutory identity and budget authorization. In order to strengthen OFPP's functions in particular, and procurement reform generally, OMB will seek to integrate OFPP more closely into OMB and to include procurement policy management reform as an integral part of the President's Management Improvement Program.

It is hoped that greater accountability on the part of OMB for the operations of OFPP will promote the objectives spelled out in your letter -- objectives the Administration fully shares. Procurement reform should be a component responsibility of OMB in the same manner as budget, regulatory and general management responsibilities.

The key advantages of what the Administration seeks include:

- ° focusing on procurement reform as a high priority initiative;
- ° enhancing coordination with the President's Management Improvement Program and the budget and regulatory review process;
- ° eliminating the current overlap of effort and the duplication of responsibility within OMB;
- ° improving internal resource allocation by simplifying the OMB-OFPP administrative structure; and
- ° keeping OFPP intact as a unit.

Realignment will strengthen the Administration's efforts to improve the management of Federal procurement policy.

Please be assured that the President regards procurement management reform as an integral part of his Government-wide Management Improvement Program.

Thank you for sharing your concerns with us. I hope the foregoing information is helpful.

Sincerely,



Fred F. Fielding
Counsel to the President

O.S. Heistand, Esquire
Morgan, Lewis & Bockius
1800 M Street, N.W.
Washington, D.C. 20036

FFF:JGR:aea 3/22/85
bcc: FFFielding
JGRoberts
Subj
Chron

THE WHITE HOUSE

WASHINGTON

March 22, 1985

Dear Mr. Evans:

Thank you for your letter to the President concerning the Office of Federal Procurement Policy (OFPP). In that letter you expressed concern over press reports that OFPP may be abolished.

I am advised by the Office of Management and Budget (OMB) that there are no plans to abolish OFPP. OFPP is an entity within OMB with separate statutory identity and budget authorization. In order to strengthen OFPP's functions in particular, and procurement reform generally, OMB will seek to integrate OFPP more closely into OMB and to include procurement policy management reform as an integral part of the President's Management Improvement Program.

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Thank you for sharing your concerns with us.

Sincerely,

not signed

Fred F. Fielding
Counsel to the President

Mr. Robert D. Evans
Director, Governmental Affairs
Group, American Bar Association
1800 M Street, N.W.
Washington, D.C. 20036-5886

FFF:JGR:aea 3/22/85
bcc: FFfielding
JGRoberts
Subj
Chron

**WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET**

- O - OUTGOING
- H - INTERNAL
- I - INCOMING

Date Correspondence Received (YY/MM/DD) 85/01/15

Name of Correspondent: O. S. Neeland

MI Mail Report User Codes: (A) _____ (B) _____ (C) _____

Subject: Procurement Round Table and the Office of Federal Procurement Policy

ROUTE TO:	ACTION	Tracking Date	Disposition	Completion Date
Office/Agency (Staff Name)	Action Code	YY/MM/DD	Type of Response Code	YY/MM/DD
<u>CW/Holland</u>	<u>ORIGINATOR</u>	<u>85/01/15</u>	<u>WIS</u>	<u>1/1</u>
<u>CW AT 18</u>	<u>Referral Note: A</u>	<u>85/01/15</u>	<u>WIS</u>	<u>85/01/25</u>
	<u>Referral Note:</u>	<u>1/1</u>		<u>1/1</u>
	<u>Referral Note:</u>	<u>1/1</u>		<u>1/1</u>
	<u>Referral Note:</u>	<u>1/1</u>		<u>1/1</u>

- ACTION CODES:**
- A - Appropriate Action
 - C - Comment/Recommendation
 - D - Draft Response
 - F - Furnish Fact Sheet to be used as Enclosure

- I - Info Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

- DISPOSITION CODES:**
- A - Answered
 - B - Non-Special Referral
 - C - Completed
 - S - Suspended

FOR OUTGOING CORRESPONDENCE:
 Type of Response = Initials of Signer
 Code = "A"
 Completion Date = Date of Outgoing

Comments: _____

Keep this worksheet attached to the original incoming letter.
 Send all routing updates to Central Reference (Room 75, OEOB).
 Always return completed correspondence record to Central Files.
 Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

285079CU
JR

SUITE 800 NORTH
1800 M STREET, N. W.
WASHINGTON, D. C. 20036

January 11, 1985

The Honorable Fred F. Fielding
Counsel to the President of
the United States
The White House
West Wing, Second Floor
Washington, D.C. 20500

Dear Fred:

Enclosed is a copy of a letter to President Reagan from Elmer Staats, Chairman of the Procurement Round Table (PRT) regarding OFPP and a replacement for Don Sowle.

The PRT was formed last year. Its purpose is to help educate the public about federal procurement and to make recommendations for improving the procurement process. At present, PRT consists of 13 members, all of whom have had extensive experience in this area. Enclosed is a list of the current members, which includes me.

As stated in Elmer's letter, we believe OFPP is important, and needs a strong Administrator. Unfortunately, the rumors about merging the Office into OMB, and the lack of support from OMB and most of the procuring agencies, are making it difficult to find a qualified person for Don's position.

I have some ideas on how this could be changed, and also some names, and would be glad to talk with you about this matter.

Elmer Staats
Sparks

/drb
Enclosures

Completion
Date
Y/MM/DD

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10/125

1 / 1
1 / 1
1 / 1

Completed
Spended

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PROCUREMENT ROUND TABLE

1001 North Highland Street, Suite 201

Arlington, Virginia 22201

(703) 528-0072

January 2, 1985

The President
The White House
Washington, DC 20500

Dear Mr. President:

I am writing on behalf of the Procurement Round Table (PRT) which has been formed to assist in advancing the cause of improvements in federal procurement. The PRT is a nonprofit organization composed entirely of individuals who have volunteered their extensive knowledge about federal procurement, based on their experiences in government, industry and academia, for this purpose. The Round Table stands ready to assist your Administration in your efforts to improve the economy and efficiency of the executive branch.

You, Mr. President, have been a major supporter of reforms in federal procurement, which in size is approximately \$185 billion. The Grace Commission, which you initiated, has stressed the importance of careful management of federal procurement to eliminate the waste of public funds.

Your staff, spearheaded by the Office of Federal Procurement Policy (OFPP), located within the Office of Management and Budget, has led the most comprehensive government-wide reform effort in history during your first term. Executive Order 12352 is a landmark document bearing your signature. But, the job is just begun!

Last year, the Congress reauthorized the OFPP for four years. This Office, which was recommended by the bipartisan Commission on Government Procurement (of which I was a member) is essential to continuing the progress which has been made. Accordingly, we are deeply puzzled and troubled by news stories and other reports of plans to either abolish or reduce the OFPP. We sincerely hope this is a baseless rumor.

Rather than eliminating or downgrading OFPP, we urge the following for your consideration:

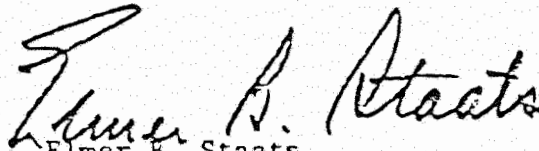
1. There is currently a need to find and appoint a new Administrator of OFPP since Mr. Donald Sowle has resigned as of December 31, 1984. The position of Administrator requires a person who has the stature and experience in the procurement arena to command the respect of both the executive agencies and the Congress.

2. There is a need to provide for and maintain an adequate professional staff at OFPP--both in numbers and in grade levels-- to ensure its ability to carry out its responsibilities to the Congress and your efforts to create an effective and economical federal procurement process. The PRT believes the current authorized staff (25) and budget for the OFPP are adequate, provided the Administrator receives appropriate support from the departments and agencies involved in procurement. Curtailing OFPP would be a backward step in your efforts to reduce procurement costs in both the Defense Department and the civilian agencies by reducing your capability to exercise adequate control over the process by which Federal procurement expenditures are made.

3. To be effective, the OFPP Administrator needs your full support, Mr. President, including appropriate instructions to the executive agencies that they must cooperate with the Administrator and accept the role which you and the Congress expect the Administrator to serve in overseeing procurement expenditures. Apart from assisting in achieving the goal of improving procurement, this commitment is essential to minimize the amount of undesirable Congressional "micro-management" legislation on procurement matters which has increased dramatically in the past two years.

We would be pleased to meet with you or your Cabinet Council on Management and Administration to discuss this matter further.

Sincerely,



Elmer B. Staats

Chairman, Procurement Round Table
Former Comptroller General of the U.S.

cc: Edwin Meese III, Counsellor to the President
David Stockman, Director,
Office of Management and Budget
Craig Fuller, Assistant to the President
for Cabinet Affairs

bc: Mr. Morris
✓Dr. Magnotti

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Washington, D.C. 20006
202/785-7400

THE WHITE HOUSE
CORRESPONDENCE TRACKING WORKSHEET

ID# 260146

JR-
FG999

INCOMING

DATE RECEIVED: DECEMBER 27, 1984

NAME OF CORRESPONDENT: MR. ROBERT D. EVANS

SUBJECT FORWARDS RESOLUTION IN SUPPORT OF AN
INDEPENDENT AND NON-POLITICAL OFFICE OF
FEDERAL PROCUREMENT POLICY

ROUTE TO: OFFICE/AGENCY (STAFF NAME)	ACTION		DISPOSITION	
	ACT CODE	DATE YY/MM/DD	TYPE RESP	C COMPLETED D YY/MM/DD
FRED FIELDING	ORG	84/12/27		1/1
<i>WATIS</i> REFERRAL NOTE: _____		<i>84/12/31</i>	<i>5</i>	<i>85/10/100</i>
REFERRAL NOTE: _____		1/1		1/1
REFERRAL NOTE: _____		1/1		1/1
REFERRAL NOTE: _____		1/1		1/1
REFERRAL NOTE: _____		1/1		1/1

COMMENTS: _____

ADDITIONAL CORRESPONDENTS

MEDIA:L INDIVIDUAL CODES _____

MI MAIL USER CODES: (A) _____ (B) _____ (C) _____

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*ACTION CODES:          *DISPOSITION CODES:      *OUTGOING                *
*                       *                                     * CORRESPONDENCE:      *
*A-APPROPRIATE ACTION  *A-ANSWERED                *TYPE RESP=INITIALS    *
*C-COMMENT/RECOM       *B-NON-SPEC-REFERRAL      *           OF SIGNER  *
*D-DRAFT RESPONSE      *C-COMPLETED              *           CODE = A    *
*F-FURNISH FACT SHEET  *S-SUSPENDED              *COMPLETED = DATE OF  *
*I-INFO COPY/NO ACT NEC*                                     *           OUTGOING   *
*R-DIRECT REPLY W/COPY *                                     *                                     *
*S-FOR-SIGNATURE       *                                     *                                     *
*X-INTERIM REPLY       *                                     *                                     *
*****

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REFER QUESTIONS AND ROUTING UPDATES TO CENTRAL REFERENCE
(ROOM 75, OEOB) EXT. 2590
KEEP THIS WORKSHEET ATTACHED TO THE ORIGINAL INCOMING
LETTER AT ALL TIMES AND SEND COMPLETED RECORD TO RECORDS
MANAGEMENT.

American Bar Association

260146

F. Fielding

GOVERNMENTAL AFFAIRS
GROUP
DIRECTOR
Robert D. Evans
STAFF DIRECTOR FOR
GOVERNMENTAL LIAISON
Craig H. Baab
STAFF DIRECTOR FOR
BAR LIAISON
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INFORMATION SERVICES
Peggy A. Richter
EDITOR,
WASHINGTON LETTER
Rhonda J. McMillion
Governmental Affairs Group
ABA/net 140

December 21, 1984

The President
The White House
Washington, D.C. 20500

Dear Mr. President:

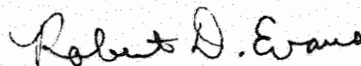
The American Bar Association has supported an independent and non-political Office of Federal Procurement Policy since the OFPP's inception in 1974. The OFPP has provided much-needed unity and innovation to what had been a severely fragmented system.

We have been disturbed by recent press reports that the OFPP may be abolished. You have been a strong supporter of the Office, and we urge you not to seek its abolition.

Any attempts to abolish or weaken the OFPP would further shake public confidence in government contracting and stir strong opposition.

A copy of the resolution adopted by the ABA House of Delegates in 1973 on this subject is attached for your information.

Sincerely,



Robert D. Evans
Director

RDE:ec
Attachment

cc: Hon. David A. Stockman
Hon. William V. Roth, Jr.
Hon. William S. Cohen
Hon. Jack Brooks

0506b

GOVERNMENTAL AFFAIRS GROUP

AMERICAN BAR ASSOCIATION

Resolution adopted upon recommendation
of the Section of Public Contract Law

The following resolution was adopted upon recommendation of the Section of Public Contract Law:

BE IT RESOLVED, that the American Bar Association expresses its support in principle of S. 2510, 93rd Congress, 1st Session, and related bills designed to establish an Office of Federal Procurement Policy for the purpose of establishing direction and control of procurement policy for the Executive Branch of the Federal Government and for recipients of Federal assistance programs, subject to the qualification that consideration be given to the establishment of an independent regulatory Board or Commission as an alternative to the proposed Office, that any new such agency be non-political and independent of the White House, and that such an agency should have appropriate authority to insure public consultation on the development of procurement specifications involving competitive procurement; and

BE IT FURTHER RESOLVED, that the President or his designee is authorized to present the substance of the foregoing resolution to appropriate committees of Congress.

THE WHITE HOUSE

WASHINGTON

March 21, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS *JGR*

SUBJECT:

Office of Federal Procurement Policy

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*Suzanne Sparks'
(FFP did not pass
Evans letter by
his limit in
3 months)*

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Counsel to the President

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