

## Business Coalition for Fair Competition

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### About BCFC

The Business Coalition for Fair Competition (BCFC), a coalition of trade associations, businesses, and organizations dedicated to free enterprise, relief from unfair government sponsored competition, and smaller, more efficient government, is being revitalized in 2009. Active in the 1980s and 1990s, BCFC will once again elevate the public's awareness and work proactively with legislators and executive branch officials to assure that private, for-profit firms continue to constitute the strength of the United States economic system and that competitive private enterprises remain the most productive, efficient, and effective sources of goods and services. Unfair government-sponsored competition has been a top issue at every White House Conference on Small Business.

In 1980, the first White House Conference on Small Business made unfair competition one of its highest-ranked issues. It said, "The Federal Government shall be required by statute to contract out to small business those supplies and services that the private sector can provide. The government should not compete with the private sector by accomplishing these efforts with its own or non-profit personnel and facilities."

In 1986, the second White House Conference made this one of its top three issues. It said, "Government at all levels has failed to protect small business from damaging levels of unfair competition. At the federal, state and local levels, therefore, laws, regulations and policies should ... prohibit direct, government created competition in which government organizations perform commercial services ... New laws at all levels, particularly at the federal level, should require strict government reliance on the private sector for performance of commercial-type functions. When cost comparisons are necessary to accomplish conversion to private sector performance, laws must include provision for fair and equal cost comparisons. Funds controlled by a government entity must not be used to establish or conduct a commercial activity on U.S. property."

And the 1995 White House Conference again made this a priority issue when its plank read, "Congress should enact legislation that would prohibit government agencies and tax exempt and anti-trust exempt organizations from engaging in commercial activities in direct competition with small businesses." That was among the top 15 vote getters at the 1995 Conference and was number one among all the procurement-related issues in the final balloting.

However, the unfair government-sponsored competition issue has not been a top priority for Congress, the Administration or small business and private sector organizations for several years.

Since the enactment of the Federal Activities Inventory Reform (FAIR) Act in 1998, and the implementation of "competitive sourcing" by the Bush Administration, (OMB Circular A-76, revised May 29, 2003), the focus on a broader, philosophical issue of government not competing with its citizens has been lost in favor of the narrower attention to A-76.

Similarly, the **Small Business Administration's Office of Advocacy** is designed to be the in-house advocate for small business within the Federal Government. It is an independent office within SBA that has the statutory authority to go to other agencies and advocate policies, changes in regulations, and other remedies when an agency is doing something that is harmful to small business. The Office of Advocacy has not had government competition as an issue on its agenda for many years. The office conducted a series of hearings and issued a report, "Government Competition: A Threat to Small Business", (March 1980) and "Unfair Competition by Nonprofit Organizations With Small

Business: An Issue for the 1980s" (June, 1984). It offered testimony, when requested by the House and Senate Small Business Committees in 1988 and 1996 and conducted some research on **non-profit competition in 1999**.

BCFC is working to elevate the issue of unfair government competition, promoting legislation and policies to eliminate unfair competition, and opposing efforts to mandate government monopoly performance of commercially available goods and services.

*BCFC Advocacy Results (2009-2012)*

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