

EDO Principal Correspondence Control

FROM: DUE: 07/10/03 EDO CONTROL: G20030367  
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FINAL REPLY:

Colleen M. Kelley  
National Treasury Employees Union

TO:

Chairman

FOR SIGNATURE OF : \*\* PRI \*\* CRC NO: 03-0409

Chairman Diaz

DESC:

ROUTING:

Implementation of the Revised Circular A-76

Travers  
Paperiello  
Kane  
Norry  
Dean  
Burns/Cyr

DATE: 07/01/03

ASSIGNED TO: CONTACT:

HR

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SPECIAL INSTRUCTIONS OR REMARKS:

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**OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET**

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**PAPER NUMBER:** LTR-03-0409 **LOGGING DATE:** 06/27/2003  
**ACTION OFFICE:** EDO

**AUTHOR:** PRES Colleen Kelly  
**AFFILIATION:** NTEU  
**ADDRESSEE:** Chairman  
**SUBJECT:** Provides concerns regarding the implementation of the revised Circular A-76

**ACTION:** Signature of Chairman  
**DISTRIBUTION:** RF, SECY Ack

**LETTER DATE:** 06/17/2003  
**ACKNOWLEDGED** No  
**SPECIAL HANDLING:**

**NOTES:**  
**FILE LOCATION:** ADAMS

**DATE DUE:** 07/14/2003 **DATE SIGNED:**

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EDO --G20030367



June 17, 2003

Richard A. Meserve  
Chairman  
Nuclear Regulatory Commission  
One White Flint Building  
11555 Rockville Pike  
Rockville, MD 20852

Dear Chairman Meserve:

I am writing to express my concerns regarding implementation of the revised Circular A-76 and ongoing efforts by federal agencies to continue to directly convert federal employee jobs to the private sector without public-private competition.

While I am very concerned that a number of the issues the National Treasury Employees Union (NTEU) raised were not addressed in the revised A-76 Circular, I am pleased that the new Circular eliminates the use of direct conversions. As you know, the revised Circular mandates that all direct conversions that were underway under the old Circular but had not yet been publicly announced before May 29, 2003, must be converted to streamlined or standard competitions within 30 days.

I was also pleased by very direct comments made by Office of Management and Budget (OMB) Administrator Angela Styles asserting OMB's commitment to competition that results in the best value for American taxpayers. As we both know, direct conversion does not accomplish that goal.

That's why I am finding very troubling complaints about the new direct conversion rules from agencies that were performing such conversions prior to May 29, and under the old Circular. NTEU has been advised that these agencies will seek waivers from OMB to continue with the direct conversions, in spite of the prohibitions articulated in the new Circular.

I strongly urge you to resist any efforts in your agencies to privatize federal employee jobs without first conducting a public-private competition. If this agency is truly committed to encouraging competition and improving the efficiencies of the agency, then the agency should not try and sidestep the new rules by seeking waivers to privatize federal employee jobs without competition.

I thank you for your consideration of this implementation matter. NTEU welcomes the opportunity to discuss any particular A-76 study for which your agency may seek a waiver consideration. You may reach Kevin Sills directly at (202) 572-5500.

Sincerely,

Colleen M. Kelley  
National President