



# AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

**John Gage**  
National President

**J. David Cox, Sr.**  
National Secretary-Treasurer

**Augusta Y. Thomas**  
National Vice President for  
Women and Fair Practices

March 16, 2010

The Honorable Michael Donley  
Secretary of the Air Force  
Office of the Secretary of the Air Force  
1670 Air Force Pentagon  
Washington, DC 20330-1670

Dear Secretary Donley:

On behalf of the American Federation of Government Employees (AFGE), AFL-CIO, I am compelled to bring to your attention the Department of the Air Force's intention to outsource, almost surely illegally, functions performed by federal employees.

As you know, the Department of Defense (DoD) is prohibited from contracting out any non-inherently governmental functions, whether performed by one hundred federal employees or one federal employee, without first conducting full public-private competitions, including several specific procedures.<sup>1</sup> There are no exceptions to this prohibition in the event the functions are performed or had been performed by federal employees who are leaving or who have left the federal civil service, or who are being or who have been reassigned to perform other federal functions.

Nevertheless, a pilot program of the Air Force Services Agency's Food Transformation Initiative is being launched at Travis, Elmendorf, Patrick, MacDill, Fairchild, and Little Rock Air Force Bases to contract out dining services. AFGE understands that this pilot program would outsource functions performed by scores of federal employees, ranging from General Schedule cooks to Non-Appropriated Fund food servers. I ask that AFGE please be provided with answers to these questions:

1. Will the Air Force comply with the various prohibitions against direct conversions (i.e., giving functions currently or last performed by federal employees to contractors without first conducting statutorily required public-private competitions) with respect to this particular function as well as other in-house functions? If the Air Force believes that these statutory prohibitions somehow do not apply with respect to this particular function, please explain why.



2. Will the Air Force provide AFGE with details about the pilot project, including the number of jobs that would be affected at each affected installation, which jobs would be affected at each affected installation, which functions would be affected at each installation, when the pilot project was first developed, which officials developed the pilot project, what the rationales are for the pilot project (including any justifying documentation), and a timeline for carrying out the pilot project?

Thank you for your attention to this matter. We look forward to reading your response.

Sincerely,



John Gage  
National President

---

<sup>1</sup> Since FY04, the Defense Appropriations Bill has prevented any functions performed by more than ten federal employees in DoD from being contracted out without public-private competition. (P.L. 108-87, Section 8014) Since the FY06 Defense Authorization Bill, no functions performed by ten or more federal employees in DoD can be contracted out without public-private competition, per "permanent law". (P.L. 109-163, Section 341) The FY10 Defense Authorization Bill eliminated the loophole in "permanent law" that allowed for functions performed in DoD by fewer than ten employees to be contracted out without full cost comparisons. (P.L. 111-84, Section 321)