



April 15, 2003

Mr. Stephen Cohen
Defense Acquisition Regulations Council
OUSD (AT&L)DPAP(DAR)
IMD 3C132
3062 Defense Pentagon
Washington, D.C. 20301-3062

Re: DFARS Case 2002-D042

Dear Mr. Cohen:

The Contract Services Association of America (CSA) appreciates the opportunity to comment on the February 14, 2003 DFARS rule on “Contractor Performance of Security Guard Functions” – which we strongly support.

CSA is the premier industry representative for private sector companies that provide a wide array of services to Federal, state, and local governments. Our members are involved in everything from maintenance contracts at military bases and within civilian agencies to high technology services, such as scientific research and engineering studies. Many of our members are small businesses, including 8(a)-certified companies, small disadvantaged businesses, women-owned, veteran-owned and Native American owned firms. Our goal is to put the private sector to work for the public good.

This DFARS interim rule would implement section 332 of the National Defense Authorization Act of for Fiscal Year 2003 (P.L. 107-314) which authorizes the Department to waive the prohibition on contracting out of security guard functions at military installations or facilities. This is intended to meet the increased security requirements necessary since September 11, 2001.

CSA members recognize that heightened security at Department of Defense installations is of paramount concern. Indeed, several highly qualified CSA member firms currently augment these security requirements. Nevertheless, a large number of security guard positions have remained off limits to competitive outsourcing due to the prohibition in 10 U.S.C. 2465 on contracting for performance of security guard functions at any military installation or facility. This affects approximately 12,200 security guard positions. Additionally, increased use of active duty, Guard and Reserve personnel in security related activities has further reduced the Department’s ability to better utilize these personnel for other warfighting duties, and potentially hurts the Department’s ability to preserve vital national readiness. The interim rule would address these issues.

Today’s security activities include access control, perimeter control, plant and property protection, and monitoring of intrusion detection systems. We believe that strict Federal oversight and training along with heightened performance standards for the security guards will provide the proper level of security at our military installations. Indeed, CSA members involved with security already undertake strict background screening and other methods to ensure a high level of quality service to their commercial and Federal customers.

Last year, an interim rule was published in the Defense Federal Acquisition Regulation Supplement (DFARS) that would implement Section 1010 of the USA Patriot Act. That section allows an exception to the prohibition on contracting for security functions at a military installation or facility during the time that the U.S. military is involved in Operation Enduring Freedom and 180 days afterwards. CSA also supported this important interim measure.

For the reasons outlined above, the Contract Services Association of America strongly supports the interim rule on “contractor performance of security functions.”

Thank you for this opportunity to comment. If you have any questions, please do not hesitate to contact me directly or Cathy Garman, CSA’s Vice President for Public Policy, at 703-243-2020.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Engenbretson". The signature is written in a cursive style with a large, stylized initial "G".

Gary Engenbretson
President

Contract Services Association of America
1000 Wilson Blvd, Suite 1800
Arlington, VA 22209
703-243-2020