



Public-to-Public Partnerships

Briefing to Congressional Defense Committees Pursuant to
Senate Report 116-48, Pages 144-145, accompanying
S.1790 , the National Defense Authorization Act, 2020

April 2021

The estimated cost of this report or study for the Department of Defense is approximately \$24,000 for the 2020 Fiscal Year. This includes \$500 in expenses and \$23,000 in DoD labor.



Contents

- Congressional Request
- Current Public-to-Public Partnerships In Place and Estimated Cost Savings
- Barriers Preventing Broader Use of Such Partnerships
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Congressional Requirement

Senate Report 116-48, pages 144-145

Therefore, the committee directs the Department to: *“provide a briefing to the congressional defense committees, not later than December 1, 2019, on current public-to-public partnerships. The briefing shall include at a minimum the number of public-to-public partnerships in place, the estimated cost savings such partnerships provide, barriers preventing broader use of such partnerships, and partnerships that are currently under consideration.”*



Public-to-Public Partnerships

What is a Public-to-Public Partnership?

- An installation public-to-public partnership is an agreement between an installation and one or more local, state, or other federal agencies, usually over the long term.
- Examples include infrastructure and management areas, operations and maintenance, services and support for military families, social services, and mission-related services for training and research and development.
- Does not include partnerships with private entities such as a for-profit company or a Non-Governmental Organization.
- According to the 2016 RAND Study on Military Installation Public-to-Public Partnerships Report, “In economic terms, many partnerships tend to be about maximizing overall value and rather than minimizing financial costs.”



Public-to-Public Partnership Authorities

Examples of Diverse Authority and Approaches

- 10 U.S. Code 2679, Intergovernmental Support Agreements (IGSAs)
- 10 U.S. Code 2684, Cooperative Agreements for Management of Cultural Resources
- Memorandums of Agreement
- Memorandums of Understanding
- Utilities Privatization
- Utility Energy Service Contract
- Energy Resilience and Conservation Investment Program
- Energy Savings Performance Contract
- Educational Partnership Agreement
- Readiness and Environmental Protection Integration
- Leases, Licenses, Permits, and Waivers



Current Public-to-Public Partnerships In Place

Number of Current Public-to-Public Partnerships:

Army: 81 Total

- Intergovernmental Support Agreement: 81

Total Annual Savings: \$20,471,553

Total One-Time Cost Avoidance: \$27,013,247

Navy: 35 Total

- Intergovernmental Support Agreements: 26
- Memorandum of Agreement: 6
- Memorandum of Understanding: 1
- Utility Privatization: 2

Total Annual Savings: \$76,247,300

Total One-Time Cost Avoidance: \$0



Current Public-to-Public Partnerships In Place

Number of Current Public-to-Public Partnerships (continued):

Air Force: 466 Total

- Intergovernmental Support Agreements: 15
- Event: 20
- Letter: 24
- Memorandum of Agreement: 58
- Memorandum of Understanding: 124
- Training Affiliation Agreement: 17
- Other Partnerships (Certificate, Contract, Gift, Cooperative Agreement, Lease, License, Mutual Aid Agreement, Permit, Support Agreement, Waiver, and Miscellaneous): 208

Total Annual Savings: \$121,000,000

Total One-Time Cost Avoidance: \$0

Washington Headquarters Service Total: One

- Support Agreement

Total Annual Savings data not available.



Barriers Preventing Broader Use of Such Partnerships

- 10 U.S. Code sec. 2461 Public-private competition required before conversion to contractor performance
- Office of Management and Budget Circular No. A-76 Moratorium – prevents the Department of Defense (DoD) from outsourcing inherently governmental duties or duties currently performed by DoD civilians to private contractors
- IGSA Term Limit – permits agreements up to 10 years. Feedback from private sector indicates a 20 year limit could enhance use of 10 U.S. Code 2679.
- Non-Appropriated Funds (NAF) Restrictions – IGSAs are limited only to Operations and Maintenance appropriations. There may be opportunities for Non-Appropriated Fund organizations to use IGSAs.
- Available Manpower – insufficient personnel on installations to develop, review, and implement IGSAs.
- Capacity & Ability One/Small Business Concerns – Installations and communities have differing capabilities to provide services that could be problematic even if agreement is desired among all parties. Additionally, IGSA services are sources for Ability One/small business firms. Use of IGSA limits that competition.
- Resistance to change and comfort with status quo – culture change on installations difficult to overcome. Exacerbated by limited community access to installation leadership.
- Installation and community leaders not aware of authorities or opportunities.
- Cohesiveness of Multi-Jurisdictional Communities - Strategic differences and administrative disagreements among local jurisdictions can be an obstacle to formalizing partnerships.
- Synchronized IT Capacity: Technology and knowledge management systems vary by location limiting information sharing.



Public-to-Public Partnerships Currently Under Consideration

Number of Partnerships Currently Under Consideration:

Army: 6

- Intergovernmental Service Agreement:
 - Submitted for Approval: 6
 - Under development: 35

Navy: 37

- Enhanced Use Lease: 3
- Intergovernmental Support Agreement: 29
- Memorandum of Agreement: 3
- Memorandum of Understanding: 2

Air Force: 15

- Community Partnerships: 15

Washington Headquarters Service: None