



Proposed Text: PWM Update to US Privatization Position

The LWW of Port Washington-Manhasset (NY), along with the New York State¹ and Vermont State Leagues, asks other state and local Leagues to support consideration of a Concurrence at LWW Convention 2026 to update the current LWWUS Position on Privatization (2012)² which, it should be noted, focuses solely on the privatization of public goods.³

The PWM Privatization Update (2024) is a shortened version of the Vermont Privatization position (2023); it uses language from the Vermont text to clarify and make explicit four elements of the national position that Vermont considers essential to its position — and which the LWWUS has publicly supported — but which are not in the language of the LWWUS position: namely, adding healthcare to the list of "public goods"; adding "fiduciary duty" in the "best practices" requirements; adding accountability, up to and including de-privatization, for violating fiduciary duty to the public; and opposing further privatization of healthcare which is, by far, our most privatized public good.

Clarifying these four elements will allow state and local Leagues to advocate more effectively, confident that they are aligned with national League policy in addressing an accelerating trend, that is, the increased siphoning of public funding (taxes) into corporate profits which reduces public access and quality of critical services "to preserve the common good, to protect national or local security or to meet the needs of the most vulnerable members of society."⁴

The League believes that healthcare, like other programs that provide and protect basic human needs, should be considered a public good.

The League favors a system where fiduciary responsibility (for such programs) is to patients and the public. Because private for-profit corporations have a fiduciary responsibility to their shareholders rather than to patients or public health, the League believes the for-profit business model for healthcare is inappropriate for the common good or to meet the basic needs of the most vulnerable members of society. In sum, the League opposes further privatization of needed healthcare.

Where private entities fail to deliver on programs that provide and protect basic human needs, the League supports de-privatizing them.

¹ NYS adopted this position update at NYS Convention 2025, concurring with PWM (position adopted 2024).

² US Privatization Position, p.76 of www.lww.org/sites/default/files/2024-12/ImpactOnIssues_2024-FINAL-DIGITAL.pdf

³ Ibid., "Public goods" as defined within the position.

⁴ Ibid.

LWVUS Privatization Position — with one illustration of how to add LWVPWM Update⁵

The League of Women Voters of the United States believes that when governmental entities consider the transfer of governmental services, assets, and/or functions to the private sector, the community impact and goals of such transfers must be identified and considered. Further, the League believes that transparency, accountability, and preservation of the common good must be ensured.

The League believes that some government-provided services could be delivered more efficiently by private entities; however, privatization is not appropriate in all circumstances. Privatization is not appropriate when the provision of services by the government is necessary to preserve the common good, to protect national or local security or to meet the needs of the most vulnerable members of society. While the League recognizes that the definition of core government services will vary by level of government and community values, services fundamental to the governance of a democratic society should not be privatized in their entirety. These services include the electoral process, justice system, military, public safety, **health care**, public health, education, transportation, environmental protection, and programs that protect and provide basic human needs.

The decision to privatize a public service should be made only after an informed, transparent planning process and thorough analysis of the implications of privatizing service delivery. While specific criteria will vary by service and local conditions, the League believes the following considerations apply to most decisions to transfer public services, assets, and functions to the private sector:

- Ongoing and timely communication with stakeholders and the public.
- Statement of the circumstances as they exist and what is to be gained.
- Definition of the quality, level, and cost of service expected.
- Assessment of the private market — whether there are providers to assure competitive pricing and delivery (in some cases there may not be multiple providers if a service is so specialized (e.g., high-tech, airports).
- Cost-benefit analyses evaluating short- and long-term costs of privatization, including the ongoing costs of contract administration and oversight.
- An understanding of the impact on customers, the broader community, the environment, and public employees.
- An open, competitive bidding process with clearly defined criteria to be used in selecting a contractor.
- A provision and process to ensure the services or assets will be returned to the government if a contractor fails to perform.
- A data-driven selection of private entities whose goals, purposes, and means are not incompatible with the public well-being.
- The careful negotiation and drafting of the controlling privatization contract.
- Adequate oversight and periodic performance monitoring of the privatized services by the government entity to ensure that the private entity is complying with all relevant laws and regulations, contract terms and conditions, and ethical standards, including public disclosure and comment.

The League believes that the enactment of state laws and issuance of regulations to control the process and delivery of privatization within a state's jurisdiction is often appropriate and desirable. Best practices for government regulation of the privatization process should include the following requirements:

- An open process that allows for citizen input and oversight in a timely manner.
- A reasonable feasibility study and project evaluation appropriate to the size and scope of the project.
- The establishment of carefully crafted criteria for selection of the private entity (beyond the lowest-cost bid).
- Additional consideration for local bidders in order to support the local economy.
- The retention of liability and responsibility with the government entity.
- Allowance for and promotion of opportunities for innovation and collaboration.
- Provision for employment, benefits, and training plans on behalf of employees displaced as a result of privatization.
- **The League opposes further privatization of needed healthcare.**
- **The League favors a system where fiduciary responsibility (for such programs) is to patients and the public.**

Where private entities fail to deliver programs that provide and protect basic human needs, the League supports de-privatizing them.

⁵ This is ONE possible way to incorporate the PWM Update into the US position; LWVUS will determine how it does so.