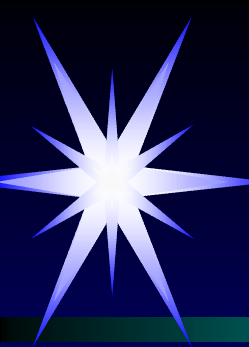


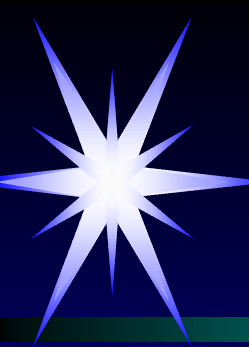
FAIR ACT of 1998

- Federal Activities Inventory Reform Act
- Essentially made “A-76” law; OMB revised A-76 to comply with Fair Act
- By June 30 of each year, provide to OMB a list of activities performed by Federal employees that are not inherently governmental
- OMB reviews the list; List transmitted to Congress and advertised in the Federal Register



FAIR ACT

- An interested party may submit a challenge to the list (inclusion or omission) w/in 30 days after notice of public availability of the list; agency has to respond; party can appeal
- Within a reasonable time after the publication of the list, the head of the agency shall review the list
- Must use a competitive process to select source for supplying the commercial service
- Must ensure that all costs are considered and that the costs are reasonable and fair



FAIR ACT

- INHERENTLY GOVERNMENTAL -- “An activity that is so intimately related to the public sector as to mandate performance by Government employees”
- COMMERCIAL -- “... a product or service that could be obtained from a commercial source.” Also includes separable activities. A-76 provides a list of examples of commercial activities.



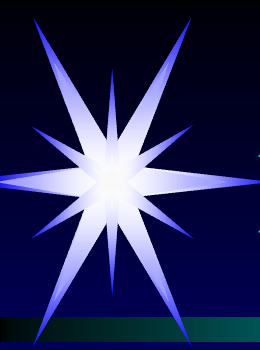
FAIR ACT - EXAMPLES OF COMMERCIAL ACTIVITIES

- Facility management
- Art and graphic services
- Programming and system analysis, design, development, and simulation
- Equipment installation, operation, and maintenance
- Equipment and instrument fabrication, repair, and calibration
- Public relation services
- Satellite tracking and data acquisition



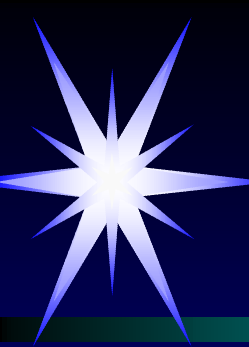
FAIR ACT - EXAMPLES OF COMMERCIAL ACTIVITIES

- Mapping and charting
- Engineering services
- Geological surveys
- Training
- Laboratory testing facilities
- Reproduction, copying, and duplication
- Statistical analyses
- Scientific data studies
- Management studies



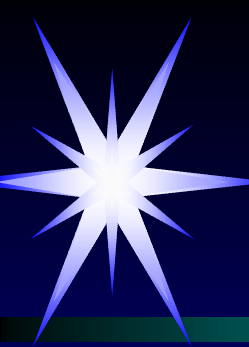
FAIR ACT INVENTORY

- Commercial exempt
- Commercial, but must be retained in house
- Commercial and should be competed



FAIR ACT

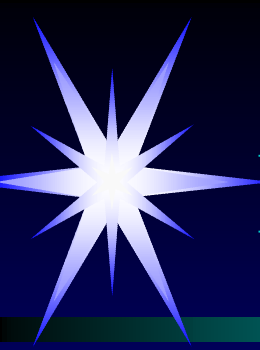
- Commercial Exempt (from cost comparison)
 - National defense or intelligence security
 - Patient care
 - No satisfactory commercial source
 - Lower cost
 - Temporary authorization
 - Functions w/ fewer than 10 FTE
 - Research and Development



FAIR ACT

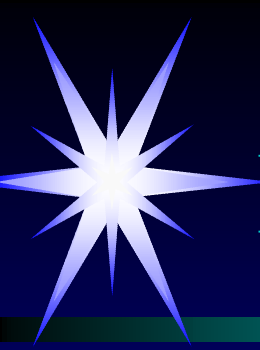
➤ Commercial Exempt

- Core capability - a minimum core capability of specialized, scientific, or technical employees may be maintained, w/o cost comparison, to ensure the necessary capabilities to fulfill its mission responsibilities or meet emergency requirements



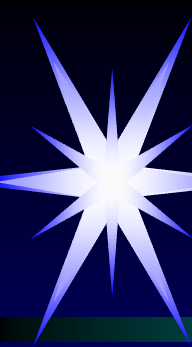
FAIR ACT INVENTORY -2002

- Account for all FTE performing commercial activities
- By location
- By activity function code



FAIR ACT INVENTORY - 2002

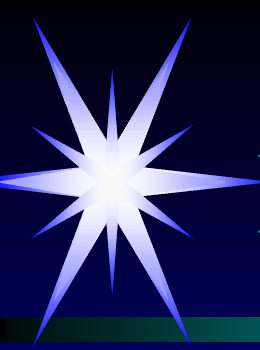
- Use the bureau guidance defining commercial and IG activities that was developed by the Privatization Study Team for the FY98 A-76 inventory
- Move toward more consistent levels of commercial activities amongst divisions



FAIR ACT INVENTORY – 2002

Regional Points of Contact

- NR – Dennis Sulam
- SR – Wayne Solley
- CR – Joy Morgan
- WR – Janet Thomas



BUREAU GUIDELINES

II. Filter 1 -- Inherently Governmental Functions and Positions

All functions and positions in the USGS are to be evaluated to determine whether they are inherently governmental.

A. Functions

Positions performing the following functions are inherently governmental:

Guideline 1.

Designing and establishing USGS policy.

Reference: Office of Federal Procurement Policy (OFPP) Policy Letter 92-1, Appendix A, Items 5 and 16; Appendix B, Item 3; OFPP Policy Letter 92-1, Supplementary Information, Items 15, 18.

Discussion: The design, the formulation, and / or the approval of USGS policy are included as inherently governmental. The supporting analysis and the development of options preliminary to the development of draft USGS policy are not inherently governmental.

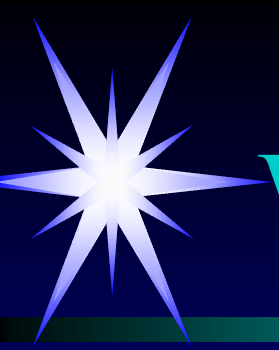
Guideline 2.

Representing the USGS in negotiations to determine the nature and the scope of work performed.

Reference: OFPP Policy Letter 92-1, Sections 5(a), 7(a).

Examples: Negotiation with other government agencies and negotiating Cooperative Research and Development Agreements (CRADA's), memoranda of understanding (MOU's), memoranda of agreement (MOA's), joint funding agreements, and other interagency agreements.

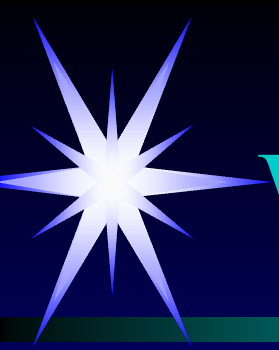
Discussion: Representation includes binding the organization to a specific course of action, including the design of work and / or deciding on a commitment of Bureau resources.



WRD FAIR ACT INVENTORY

➤ Inherently Governmental

- Most management/HQ staff; includes district chiefs, section chiefs, field office chiefs, etc
- Most of those doing “core science”; includes hydrologists, hydro techs, geologists, etc
- Most administrative personnel
- Manager/lead person in support units. For example -- chief of pubs unit, chief of computer unit, chief of GIS unit, etc



WRD FAIR ACT INVENTORY

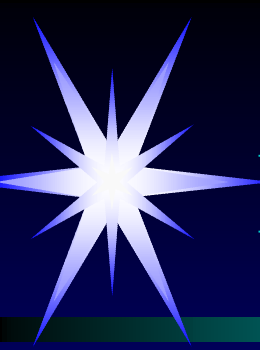
- Commercial Activities -most support people
 - computer system administrators
 - computer programmers
 - pubs staff - editors, illustrators
 - GIS
 - Research support
 - drill rig
 - construction/maintenance
 - vessel/motor vehicle
 - student trainees
 - lower graded scientific staff (hydrologists, hydro techs) with no responsibilities for project management, representing the agency, etc
 - lower graded administrative staff who don't obligate funds, finalize personnel actions, etc



Commercial Activities Function Codes

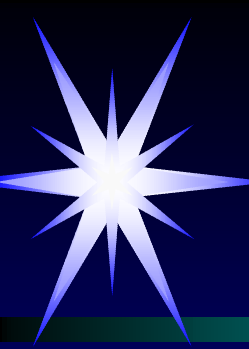
E - Environment

- E120 Environmental and Natural Resource Services
- E200 Solid Waste Data Collection/Analysis
- E220 Safety
- E225 Occupational Health Services
- E230 Explosives Safety
- E250 Response to Hazardous Material Mishaps
- E300 Pollution Prevention
- E400 Air Pollution Data Collection/Analysis
- E401 Clean Air Act Pollution Prevention
- E500 Water Data Collection/Analysis



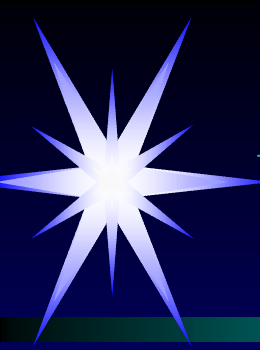
FY2000 Inventory

➤ See Web Page



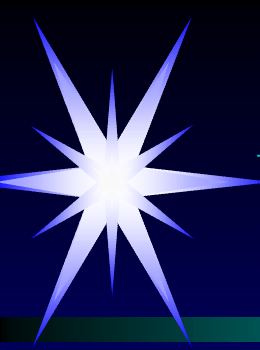
OMB Targets

- Compete 5% of FTE identified as commercial by end FY2002
- Compete additional 10% of FTE identified as commercial by end of FY2003



USGS Specific Targets

- **USGS identified about 2610 commercial positions in the FY 2000 inventory (about 28% of 9458 total FTE)**
- **FY 2002 target is five (5) percent, or 131 FTE;**
- **FY 2003 target is ten (10) percent, or 245 FTE; (base adjusted to reflect prior year conversions/competitions)**

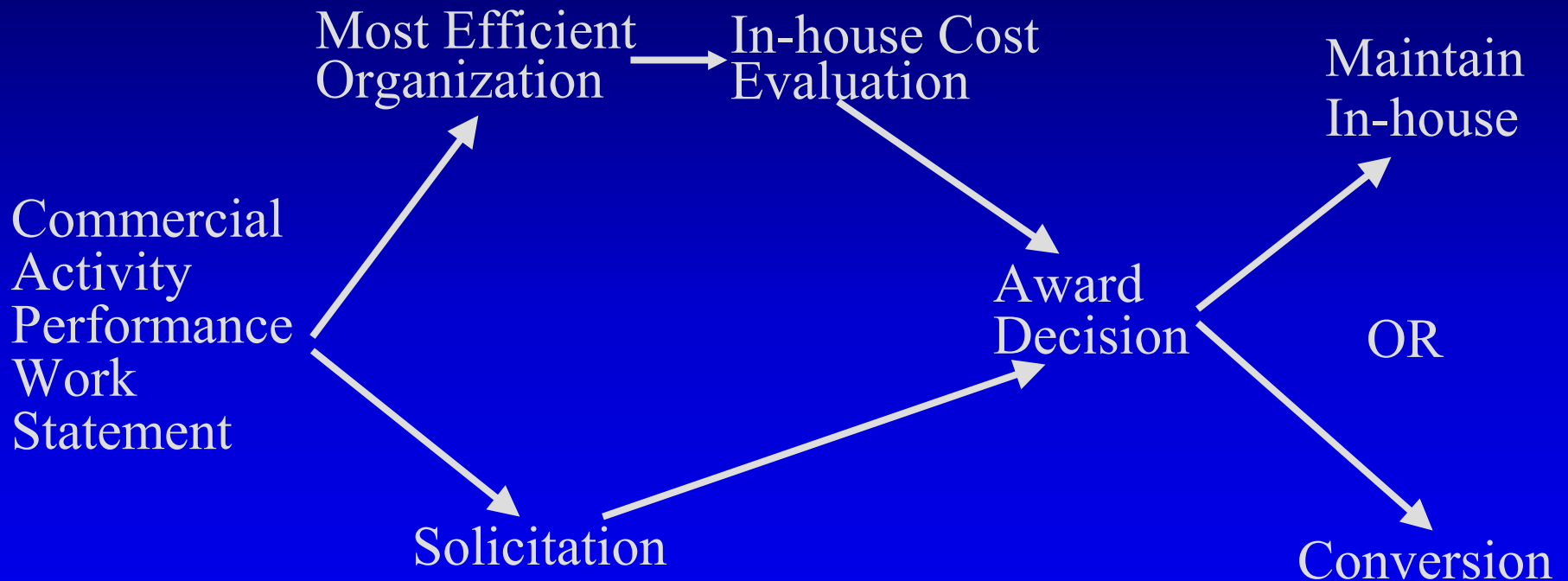


USGS COMPETITIONS

- Mapping and charting
- Buildings and grounds maintenance
- Warehousing, including ESICs
- Information technology services
- Printing, publications and info dissemination, including Reston print plant
- Libraries
- Throughput lab analysis functions (LAST)

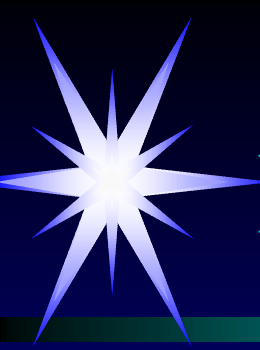


A-76 COST COMPARISON STUDY PROCESS



0 months

24 months



More Information

➤ USGS Web Site

http://www.usgs.gov:8888/ops/acquisition/Competitive_Sourcing.html

➤ OMB Web Site

<http://www.whitehouse.gov/omb/procurement/fair-index.html>