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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

6 April 2015

OFFICE OF  
ADMINISTRATION  
AND RESOURCES  
MANAGEMENT

Memorandum

Subject: 2015 Federal Activities Inventory Reform (FAIR) Act Inventory

From: Jennifer Cranford, Manager   
Business Analysis and Strategic Sourcing (BASS) Service Center

To: Agency FAIR Act Inventory Contacts

This memorandum provides guidance to assist Agency FAIR Act Inventory coordinators in the development of individual Program and Regional Office inventories of commercial and inherently governmental activities for the 2015 Agency FAIR Act inventory. The FAIR Act of 1998 requires federal agencies to prepare and submit to the Office of Management and Budget (OMB), by June 30 of each year, an inventory of commercial activities performed by federal employees. OMB Circular A-76 Performance of Commercial Activities requires agencies to submit inventories of their inherently governmental activities to OMB as well.

General Instructions

For the 2015 FAIR Act Inventory submissions, inventory data must be entered into the inventory database with FTE allocations, function codes and justifications to determine the applicable OMB status codes. Justifications may also be provided for activities exempt from competition consideration and assigned the status code of other. The Agency's justifications are based on the guidelines for identifying an inherently governmental function in Section 3 and Section 5-1(a) of OMB's OFPP Letter 11-01, page 15 of the FAIR Act Inventory Policies, Guidance and Instructions document.

Offices' primary points of contact (POCs) will designate status codes based on the justifications provided at the individual FTE level. Inventory submissions are due *May 29, 2015* to Melanie Gooden, the Agency's FAIR Act Inventory Coordinator.

The Deputy Assistant Administrator (DAA) or the Deputy Regional Administrator (DRA) are required to make a final determination that a particular activity should be considered as "inherently governmental" based on Section 3 and Section 5-1(a) of OFPP Policy Letter 11-01. Ms. Gooden may request additional information from individual offices to complete the "inherently governmental" and "closely associated to inherently governmental" justifications. Office inventories should be certified by the Assistant Administrators (AAs), Deputy AAs or Regional Administrator s (RAs), Deputy RAs or a designee in accordance with the Assistant

Administrator for the Office of Administration and Resources Management (OARM) Re-delegation Memorandum, dated March 30, 2004.

This year, the inventory database is pre-populated with the official 2014 data submitted in accordance with OMB's Office of Federal Procurement Policy (OFPP) Policy Letter 11-01, and Agency policy requiring activities performed at grade levels, GS-12 and below to be coded with as commercial. Activities performed at these grade levels that are designated other than commercial requires a justification selection from the database drop-down menu. OMB and the Agency require offices to assign up to a maximum of four (4) functions at the individual FTE level, with no less than 0.25 FTE assigned to a function.

As in the past, the office and regional POCs are responsible for collecting and validating the data using the inventory database and developing a submission for the Agency's official 2015 inventory in accordance with OMB and EPA policies. Collection of data at the office level for consistency is highly recommended. The Agency's Coordinator is available to work with the POCs to address any questions and to provide any additional guidance. Data entered for the Agency's official inventory must include the automated Validation Report from the inventory database that indicates approval by the Assistant Administrator or Regional Assistant Administrator.

Agency guidance and instructions for completing the 2015 Inventory are on the Home Page of the Inventory database. The link initiating the FAIR Act Inventory database will be available on *April 7, 2015*. Prior to submitting the official inventory to the OMB on June 30, 2015, the Agency's Coordinator will review office submissions and request additional information and modifications, if needed.

A kick-off conference call will be held on *Thursday, April 9, 2015 at 2:00 p.m.* Eastern time. Melanie Gooden, the Agency's Coordinator will discuss the 2015 guidance, instructions, and training. All offices' POCs are encouraged to participate. The Agency's Coordinator will provide the phone number, access code, and time in an Outlook invitation. Please contact Melanie at 919-541-1376 or at [gooden.melanie@epa.gov](mailto:gooden.melanie@epa.gov) if you need any additional information.

Cc: Deputy Assistant Administrators  
Deputy Regional Assistant Administrators