

Department of the Interior (DOI)

Instructions for Completing the Year 2007 FAIR Act Commercial Activities Inventory and the List of Inherently Governmental Positions

General Guidance:

- We recommend you use FPPS as of **September 30, 2006** as the primary source of data for these inventories.
- DOI bureaus will use the OMB FY 2006 Excel spreadsheet (see web link in attachment list below) to submit their '07 inventory. In FY 2007, CCSE will upload each bureaus inventory into the OMB's workforce inventory tracking system (WITS). Include all FTE (commercial and inherently governmental) as one inventory.
- Submit inventory electronically to CCSE by March 30, 2007.
- All full-time, part-time and seasonal FTE including vacancies are to be **included** in the inventory.
- **Do not include contractor employees or volunteers** in the FTE counts. According to the DOI Budget Office, the most accurate FTE count would be the '07 estimated FTE presented in the '08 Budget. There may be a slight variation between this number and the number OMB publishes with their FAIR Act guidance. We will address that issue when the OMB guidance is published.
- All guidance on FAIR Act inventory coding from program offices issued to date is canceled. In the future, all guidance on inventory preparation will come through the Department's competitive sourcing office over the signature of the Deputy Assistant Secretary for Performance, Accountability and Human Resources.
- OMB allows for the reporting of fractional FTE in the inventory submission in fractions no smaller than one-quarter. We suggest you use the preponderance of duty as a guide. What is the primary function of the FTE versus other duties as assigned?
- In the **State** field of the spreadsheet, enter States within the United States by its common two-letter postal service code abbreviation. (for example: AL, MD, CO) For locations outside the United States, **spell out** the city and the country's name. For example, City: SAIPAN; Country: MARIANA ISLANDS or City: SAN JUAN; Country: PUERTO RICO (remember to capitalize **all** letters in cities, states, and countries).
- In the **First Year Appeared on Inventory under FAIR** field all **new** FTE on the inventory would have "07" listed on the spreadsheet. Also, if you change FTE from inherently governmental to Reason Code A, the 1st year appeared on the inventory would be "07." However, changing FTE from one function code to another **is not a reason to change the date**.

Function Code Guidance:

- OMB will not accept any new function code category requests (i.e. making up new numbers like F420 or Z005) for the inventory. However, OMB allows agencies to write function code definitions that describe their mission using established function code numbers. DOI, in conjunction with its bureaus, developed a revised list of function code definitions for the '06 inventory and updated some of these definitions for the '07 inventory. The attached 2007 Function code definitions should be used for inventory preparation.

Reason Code Guidance:

- FTE are to be coded Commercial “B” unless justified in writing as Inherently Governmental or Commercial Reason Code “A” unless the FTE fall under other approved Reason Codes in the Circular. Justifications must be submitted along with your inventory.
- Written justifications for both Inherently Governmental and Commercial Reason Code “A” FTE are to be signed at or above the Assistant Director for Administration level. Justifications will be reviewed and approved by the CSO and OMB. OMB is looking for consistency and accuracy between agencies and the Department is looking for consistency and accuracy among bureaus. In order to successfully defend our inventory, we need to be able to understand and come to agreement on coding decisions.
- Review your justifications and make changes based on the revised function codes and their definitions.
- Attached for your use are examples of DOI Inherently Governmental and Commercial Definitions.

Attached is the Justification Template.

Consistent DOI coding information:

- Coding of supervisors and managers: Bureaus should consider coding FTE that manage commercial activities or functions under the same reason code as the commercial activity or function they supervise. For example, a first-line supervisor of clerical functions may be appropriately coded as Reason Code “B”. Managers at headquarters offices may be inherently governmental as they generally sign off on and implement policy for a function. Mid-level managers may reasonably be coded as Reason Code “A” with a proper justification. Mid-level managers may supervise a combination of FTE - inherently governmental, core to the mission and commercial “B”. They are also at the organizational level to step into senior level management positions.
- Disabled employees. Based on OMB’s 2005 FAIR Act guidance bureaus may, at their option, use reason code A in connection with positions held by individuals with disabilities. Although the inventory is based on FTE (spaces) and not individuals (faces), this is an exception.
- Students. For the two most widely used programs, Student Career Experience Program (SCEP) and Student Temporary Employment Program (STEP), SCEP students may lead to federal employment and FTE may be coded as reason code A. STEP student FTE should be coded based on the function being performed.
- All secretarial and clerical functions (generally most of the GS-0300 job series except for GS-0301, 0340, 0341, 0343 which are project/program management series) should be coded under Y000.
- All Information Technology (IT) FTE (Job Series 2210, 2299 and 2502 for example) should be coded under “W – Communications, Computing and Other Information Services”.
- All wildland fire FTE should be coded under Function Code S440 per the fire matrix which is being reviewed by both the fire program offices and competitive sourcing offices of BIA, BLM, FWS, NPS and the Forest Service. The revised fire matrix will be available in mid-January.
- According to OMB guidance, Contracting Officer Technical Representative’s (COR/COTRs) are more accurately coded under Reason Code “A” than inherently governmental. The reason for this is that it is the warranted contracting officers who have actual signatory authority for contracts and are considered inherently governmental, COR’s have no signatory authority but only recommend actions to the contracting officer. COR duties are generally considered not suitable for competition because of their relationship with the contracting officer and that they have the core expertise necessary to assure the

Government is getting what it pays for. COR's are the subject matter experts needed in-house to assess contractor performance.

- In an effort to be more consistent across all bureaus, code FTE performing specific functions to the function code category specifically designated for that function. Examples of proper coding include Budget and Finance to Function Code C – Finance and Accounting; Procurement, Contracting, Acquisition to Function Code F – Procurement; Human Resources to Function Code B – Personnel Management. Examples of incorrect coding include coding a contracting FTE to Function Code R (Research, Development, Test and Evaluation) because they write research and development contracts or coding personnel classifiers to Function Code I (Investigations) because they support a law enforcement office. Try to be as consistent as possible.

Attachments:

1. Revised function code definitions
2. Justification Template
3. **Estimated DOI '07 FTE totals by bureau from FY08 Budget**
4. Samples of IG/commercial reason code A justifications
5. OMB website URL: www.whitehouse.gov/omb/procurement/fair-index.html

STAFFING

(Full-Time Equivalent Staff Years)

<u>Bureau/Office</u>	2007 <u>Estimated Usage</u>
Bureau of Land Management.....	10,784
Minerals Management Service	1,684
Office of Surface Mining	568
Bureau of Reclamation.....	5,745
U.S. Geological Survey.....	8,396
Fish and Wildlife Service.....	9,152
National Park Service.....	20,441
Bureau of Indian Affairs	9,580
<u>Departmental Offices</u>	
Departmental Management.....	736
National Business Center	1,241
Office of the Solicitor	416
Office of Inspector General.....	279
Office of Special Trustee American Indians.....	605
Office of Insular Affairs.....	44
Central Utah Project.....	5
Natural Resource Damage Assessment.....	6
National Indian Gaming Commission.....	99
<u>TOTAL, DEPARTMENT OF THE INTERIOR</u>	<u>69,781</u>
Utah Mitigation Commission.....	13
COMBINED TOTAL	69,794

Note: Numbers are taken from Appendix N, Fiscal Year 2007 Interior Budget in Brief