

EDO Principal Correspondence Control

FROM: DUE: / /

EDO CONTROL: G20020721
DOC DT: 12/20/02
FINAL REPLY:

Marcus Peacock, OMB

TO:

Chairman Meserve

FOR SIGNATURE OF :

** GRN **

CRC NO: 02-0836

DESC:

Commercial Activities Inventory: Report to
Congress and Release to the Public

ROUTING:

Travers
Paperiello
Kane
Norry
Craig
Burns/Cyr
Funches, CFO
Reiter, CIO

DATE: 12/31/02

ASSIGNED TO:

CONTACT:

ADM

Springer

SPECIAL INSTRUCTIONS OR REMARKS:

For Appropriate Action.

**OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET**

Date Printed: Dec 27, 2002 14:52

PAPER NUMBER: LTR-02-0836 **LOGGING DATE:** 12/27/2002
ACTION OFFICE: EDO

AUTHOR: Marcus Peacock
AFFILIATION: OMB
ADDRESSEE: Agency Heads
SUBJECT: Commercial activities inventory: report to congress and release to the public

ACTION: Appropriate
DISTRIBUTION: RF

LETTER DATE: 12/20/2002
ACKNOWLEDGED: No
SPECIAL HANDLING:

NOTES:
FILE LOCATION: Adams

DATE DUE: **DATE SIGNED:**



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

December 20, 2002

MEMORANDUM FOR RICHARD A. MESERVE, CHAIRMAN
NUCLEAR REGULATORY COMMISSION

FROM: Marcus Peacock, P.E. *MP*
Associate Director, Natural Resource Programs

SUBJECT: Commercial Activities Inventory: Report to Congress and Release
to the Public

The Office of Management and Budget (OMB) completed the review and consultation process for your Year 2002 Commercial Activities Inventory, required by the Federal Activities Inventory Reform Act of 1998 (FAIR Act). Under the FAIR Act, OMB is required to publish a notice in the *Federal Register* indicating that the inventory of non-inherently governmental (commercial) activities is available to the public from the agency. My staff has informed me that you are prepared to have your inventory publicly available when, as required by the FAIR Act, OMB's notice-of-availability is published in the *Federal Register*.

OMB also completed the review and consultation process for your Year 2002 Inherently Governmental Activities Inventory. As noted in Office of Federal Procurement Policy Administrator Angela Styles' letter of February 27, 2002, agencies were asked to be prepared to release their 2002 inventory of inherently governmental activities to the public and the Congress without the need for a Freedom of Information Act (FOIA) request. My staff has informed me that you are also prepared to have this inventory made publicly available when OMB's notice-of-availability is published in the *Federal Register*. OMB's *Federal Register* notice will indicate that this additional information will also be made available from the agency.

The inventories of inherently governmental and commercial activities will need to be available through your national headquarters office and ready for pick-up by the public, mailing, e-mailing or FAXing, and posted on your web site on the date of the *Federal Register* notice. Phone numbers of individuals who can answer questions regarding the inventories will also need to be provided to OMB for publication in the *Federal Register* notice. You must then transmit a copy of the commercial activities inventory to Congress. The date of publication of OMB's *Federal Register* notice marks the start of the statutory 30-day interested party challenge process permitted under the Act. Guidance on this aspect of the FAIR Act and additional agency responsibilities are specified in Appendix 2, Paragraphs G, H and I of the Revised Supplemental Handbook to OMB Circular No. A-76, as revised by Transmittal Memorandum 20 to Circular A-76, dated June 14, 1999, and as contained in OMB's Memorandum to Heads of Agencies, (M-00-11) dated April 27, 2000. These documents are available on OMB's web site @ www.whitehouse.gov/OMB/circulars/index-procure.html.

cc: Angela Styles, Office of Federal Procurement Policy