



REPLY TO
ATTENTION OF

DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
MANPOWER AND RESERVE AFFAIRS
111 ARMY PENTAGON
WASHINGTON DC 20310-0111

28 FEB 2000

CHALLENGE Number 2000-0098

[REDACTED]

President
CGR Associates, Inc.

Dear [REDACTED]

This responds to your memorandum of January 26, 2000 in which you alleged a "challenge" pursuant to the FAIR Act of 1998.

Your challenge does not meet the requirements for mounting challenges as described in the "Army Procedures for Challenges Under the Federal Activities Inventory Reform Act of 1998", DOD FAIRNET website at <http://gravity.lmi.org/DODFAIR/procedures/army.cfm>. You have not identified a function for exclusion from the list as inherently Governmental or inclusion on the list as a commercial activity, as required by Army Procedural Rule A.8.

The purpose of the FAIR Act is not to compile a list of activities that are comprehensively available for outsourcing and privatization. Rather it is to provide a process for executive agencies to identify activities that, in its judgement, are not inherently governmental functions. The development of these inventories of each agency's non-inherently governmental activities is a necessary first step in pursuing a larger objective. The larger objective is to ensure that these activities are performed in a manner that is both cost-effective and in the best interests of the taxpayers. In this connection, agencies are required to review their FAIR Act inventories in conjunction with their larger ongoing review of all functions for possible re-engineering, privatization, consolidation or other reinvention efforts.

You have the right to appeal my decision since it is adverse to your Challenge. The specific procedures for submitting an appeal are set forth at the enclosure to this decision.

Michael D. Angelo
Acting Assistant Deputy (Force Management,
Manpower and Resources)

Enclosure

Appeal Rights

Appeals must be in writing and transmitted by United States mail, express mail delivery or other similar service, or facsimile transmission, or may be delivered in person only if the person making the delivery is authorized access to the Pentagon. (To assist in processing, appellants may mark "FAIR Appeal" on the envelope.) Appeals must be submitted to the office listed below within 10 working days of the date on which the challenger received the decision denying or rejecting the challenge:

Department of the Army
Office of the Assistant Secretary
Manpower and Reserve Affairs
ATTN: SAMR-FMMR-FAIR
111 Army Pentagon
Washington, D.C. 20310-0111
Fax: 703-614-6833