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NASA Policy Directive

NPD 7410.3JEffective Date: October 17,
2003Expiration Date: October 17,
2018**COMPLIANCE IS MANDATORY**[Printable Format \(PDF\)](#)

Request Notification of Change (NASA Only)

Subject: Performance of Commercial Activities (REVALIDATED 8/27/2013)

Responsible Office: Office of Procurement

CHANGE HISTORY

Chg#	Date	Description/Comments
1	08/28/2013	Update to comply with 1400 Compliance, with administrative changes, update applicable documents, update title change in Attachment A.

1. POLICY

It is NASA policy to enhance the economy and productivity by relying on the private sector to provide commercially available products and services. However, NASA recognizes that certain functions are inherently governmental in nature and are performed by Government personnel. In accordance with the procedures in Office of Management Budget (OMB) Circular A-76, whenever commercial-sector performance is permissible, relative cost shall be given consideration in decisions between in-house performance and the use of private and commercial sources.

2. APPLICABILITY

a. This NPD is applicable to NASA Headquarters and all NASA Centers, including Component Facilities and Technical and Services Support Centers. In consonance with the Inspector General Act of 1978, as amended (5 U.S.C. Appendix), nothing herein shall be construed as limiting the Inspector General's authority to determine which positions to include in the Office of the Inspector General's commercial inventory and which positions shall be determined to be inherently governmental.

b. In this directive, all mandatory actions (i.e., requirements) are denoted by statements containing the term "shall." The terms: "may" or "can" denote discretionary privilege or permission, "should" denotes a good practice and is recommended, but not required, "will" denotes expected outcome, and "are/is" denotes descriptive material.

c. In this directive, all document citations are assumed to be the latest version unless otherwise noted.

3. AUTHORITY

a. National Aeronautics and Space Act, 51 U.S.C. § 20101, et. Seq., as amended.

b. Office of Management and Budget Circular A-76, "Performance of Commercial Activities," May 29, 2003 (revised).

c. Federal Activities Inventory Reform (FAIR) Act of 1998, 31 U.S.C. 501 note; Pub. L. No. 105-270.

4. APPLICABLE DOCUMENTS

None.

5. RESPONSIBILITY

a. The Assistant Administrator for Procurement:

(1) Serves as the Competitive Sourcing Official (CSO) for overall Agencywide implementation of the FAIR Act and OMB Circular A-76.

(2) Establish and chairs a Competitive Sourcing Review Board (CSRB). The CSRB membership will be posted at <http://www.hq.nasa.gov/office/procurement/regs./>.

b. The CSRB shall:

(1) Review and approve the competitive sourcing plans submitted by the Centers and Headquarters to ensure consonance with other management initiatives.

c. The Assistant Administrator for Human Resources is responsible for assisting the Assistant Administrator for Procurement with the FAIR Act inventory and implementation of OMB Circular A-76.

d. NASA Center Directors and the Director, Office of Headquarters Operations, are responsible for implementing the FAIR Act and OMB Circular A-76 within their respective Centers and Headquarters.

e. Various Agency officials are responsible for certain functions performed in response to the FAIR Act and OMB Circular A-76. Those officials and their responsibilities are identified in the Table of FAIR Act and OMB Circular A-76 Officials (see Attachment).

6. DELEGATION OF AUTHORITY

a. The Assistant Administrator for Procurement is delegated authority for the necessary approvals and overall Agencywide implementation of the FAIR Act and OMB Circular A-76.

b. NASA Center Directors and the Director, Office of Headquarters Operations, are delegated authority for the implementation of the FAIR Act and OMB Circular A-76 within their respective Centers and Headquarters, subject to overall authority of the CSO.

7. MEASUREMENT/VERIFICATION

In accordance with the requirements of the FAIR Act and OMB Circular A-76, NASA shall maintain a baseline inventory of all inherently governmental and in-house commercial activities performed by the Agency, updating the inventory annually. Additionally, NASA shall track the execution of all competitions and the savings resulting from those competitions.

8. CANCELLATION

NPD 7410.3H, Performance of Commercial Activities, dated October 17, 2003.

REVALIDATED with Change 1, 8/27/2013, ORIGINAL SIGNED BY:

**/s/ Sean O'Keefe
Administrator**

ATTACHMENT A: (TEXT)

Table of FAIR Act and OMB Circular A-76 Officials [Attachment](#)

(URL for Graphic)

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