



Department of Energy

Washington, DC 20585

September 25, 2020

MEMORANDUM FOR THE HEADS OF THE CONTRACTING ACTIVITIES

FROM: CHARLIE SMITH *Charlie Smith*
DIRECTOR
OFFICE OF SMALL AND DISADVANTAGED BUSINESS
UTILIZATION

SUBJECT: Conversion of Activities Performed by Small Business Concerns to
Federal Employees

In order to comply with the Small Business Act Section 15(k), paragraph 11, (15 U.S.C. § 644(k)(11)), that states that the Director of the Office of Small and Disadvantaged Business Utilization (OSDBU) “shall review and advise such agency on any decision to convert an activity performed by a small business concern to an activity performed by a Federal employee...” the OSDBU has instituted the following process effective immediately:

1. When a DOE or NNSA Head of the Contracting Activity (HCA) proposes a conversion of an activity performed by a small business to a federal employee, such HCA shall provide a memorandum to notify the OSDBU and explain why.
2. The OSDBU will review such proposal and advise according to the Small Business Act Section 15 K.
3. OSDBU will provide such advice to the originating HCA within 10 business days.
4. If a timely review is not possible, OSDBU will negotiate a new review date with the HCA.

The above process ensures the Department of Energy OSDBU complies with paragraph 11 Section 15K of the Small Business Act.

If you have any questions or concerns regarding the guidance provided herein, please contact me directly at (202) 586-7377.