

**Congress of the United States**  
**House of Representatives**

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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September 25, 2023

The Honorable Shalanda Young  
Director  
Office of Management and Budget  
725 17th Street, NW  
Washington, DC 20503

Dear Director Young:

We are writing regarding the June 21 response letter we received from the Office of Management and Budget (OMB) concerning written inquiries we addressed to you on April 4 about implementation of the Federal Activities Inventory Reform (FAIR) Act of 1998 (Public Law 105-270). The response letter fails to provide basic information we requested.

The FAIR Act requires every federal agency to annually file with OMB an inventory of non-inherently governmental activities the agency performs with federal workers. The response letter states that, “OMB convenes agencies annually to review their responsibilities in carrying out the FAIR Act, which requires submission to OMB of inventories by June 30.” But the letter fails to indicate the extent to which agencies are complying with the law, by performing the inventories and posting them publicly in a timely manner—even though we specifically asked for basic information about that compliance. The response letter also fails to respond to our question concerning the aggregate number of employees—by agency and government-wide—currently performing functions that are not inherently governmental.

As our initial letter states, the on-time posting of clear and comprehensive FAIR Act inventories is a key element of open and transparent government. The federal government workforce is the largest in the nation—and it is paid for by taxpayers. The inventories help ensure Congress and the American people have access to basic information about the nature of the work being done by their government, and by whom it is being performed.

Therefore, we ask again that you provide the following information, by October 5, 2023:

1. The names of the agencies that have not filed their most-recently required FAIR Act inventories, and for each such agency, the number of years since it last filed a FAIR Act inventory; and

2. The number of federal employees, collectively and by agency, who are currently performing non-inherently governmental functions.


Attached are instructions for producing documents and information to the Committee. If you have any questions, please contact the Committee on Oversight and Accountability Majority staff at (202) 225-5074.

The Committee on Oversight and Accountability is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you for your attention to this important issue.

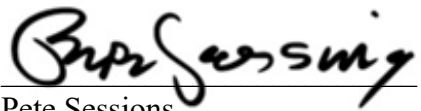
Sincerely,



Nancy Mace  
Chairwoman  
Subcommittee on Cybersecurity, Information  
Technology and Government Innovation



Lisa McClain  
Chairwoman  
Subcommittee on Health Care  
and Financial Services



Pete Sessions  
Chairman  
Subcommittee on Government Operations and  
the Federal Workforce

cc: The Honorable Gerald Connolly, Ranking Member  
Subcommittee on Cybersecurity, Information Technology and Government Innovation

The Honorable Katie Porter, Ranking Member  
Subcommittee on Health Care and Financial Services

The Honorable Kweisi Mfume, Ranking Member  
Subcommittee on Government Operations and the Federal Workforce