

COMMITTEE ON INDIAN AFFAIRS

COMMITTEE ON HOMELAND SECURITY
AND GOVERNMENT AFFAIRS

RANKING MEMBER

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT,
GOVERNMENT INFORMATION AND
INTERNATIONAL SECURITY

United States Senate

Senator Tom Coburn, MD

Russell Senate Office Building, Room 172

Washington, DC 20510-3604

Phone: 202-224-5754

Fax: 202-224-6008

COMMITTEE ON HEALTH, EDUCATION,
LABOR, AND PENSIONS

COMMITTEE ON THE JUDICIARY

RANKING MEMBER

SUBCOMMITTEE ON HUMAN RIGHTS
AND THE LAW

March 18, 2009

Mr. Peter Orszag
Director
The Office of Management and Budget
725 17th Street, NW
Washington, DC 20503

Dear Mr. Orszag,

Signed into law on September 26, 2006, the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282) called for the creation of a searchable website allowing taxpayers across the country to track how their money is being spent in Washington through federal grants, contracts, earmarks, and loans. Then-Senator Obama and I, along with others, worked diligently toward passage of this legislation, recognizing it as a first step in bringing transparency and accountability to the federal government and its \$3 trillion-dollar budget.

As you know, USAspending.gov, managed by the Office of Management and Budget (OMB), is a direct result of this legislation. Operational for more than a year, USAspending.gov has proven to be an excellent resource in shedding sunlight on how the government spends taxpayer money. However, one vitally important provision of the law has yet to be implemented fully. The enacted legislation calls for the creation of a pilot program establishing a reporting system under which entities in receipt of federal funds issuing subgrants or subcontracts would be responsible for reporting such information. The law requires data collected under the pilot program be made available on the website no later than January 1, 2009, but allows for an 18-month extension under certain circumstances. Currently, this information is not available on the USAspending.gov website.

According to the subcontracts section of the website, "The Office of Management and Budget continues to work on developing a process for reporting subaward information to USAspending.gov in accordance with the Transparency Act. Recipients of federal funding who are subject to this requirement will be notified by their awarding agencies once the process and portal have been established and are ready for use." I am requesting additional information regarding the status of this portion of the enacted legislation.

In addition, there appear to be several agencies, including the Economic Development Administration, the Nuclear Regulatory Commission, and the Department of the Treasury, with consistent problems fully reporting data relating to grants and contracts as required by the law, according to a March 6, 2009 document that charts progress of data submissions on the USAspending website.

Specifically, I would like to know the following:

1. Why was it necessary for OMB to bypass its January 1, 2009 deadline for the subaward data to be made available publicly?
2. What is the timetable for the pilot program containing sub-award information to be operational with information available to the public?
3. Is it the intent of the Administration to require all subgrants and subcontracts to be publicly available on the USAspending.gov website? If so, what is the timetable for doing so?
4. What obstacles stand in the way of the reporting and posting of subaward data?
5. Does the administration plan on using existing authority to add any additional pieces of information to the website?
6. What efforts are being made by the administration to require that all delinquent agencies, including the Department of Treasury, comply with the Federal Funding Accountability and Transparency Act?

If there is any way that I can assist with your efforts to surmount these obstacles, I am available to discuss with you at your convenience. I would appreciate a timely reply, no later than April 10, 2009, and look forward to working together in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom D. Coburn". The signature is fluid and cursive, with a large initial "T" and "C".

Tom Coburn
United States Senator