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June 16, 2005

The Honorable John Graham
Administrator
Office of Information and Regulatory Affairs
Office of Management and Budget
Washington, DC 20503

Dear Dr. Graham:

On March 24, 2005, we sent you a letter requesting information on meetings you held in late 2004 and early 2005 with industry representatives on proposals to change the regulatory process. The letter also requested certain documents exchanged between OIRA and outside parties related to the regulatory process. On May 24, 2005, you provided a partial response to this request. We are writing to ask again that you provide all of the requested information.

1. Our March 24 letter requested that you list all meetings and discussions (including telephone conversations) between OIRA staff and representatives of any non-federal government entity held between November 1, 2004, and March 24, 2005 (the date of the letter), regarding any issues or proposals related to the regulatory process. You were asked to include, but not limit your response to, meetings and discussions addressing the specific topics of: "regulatory reform," "regulatory budgets," "data quality," reducing paperwork, sunsetting government programs or regulations, "budget performance integration," "program assessment ratings," and "unfunded mandates." You were asked to include the date and names of all participants and their organizational affiliations.

   Your response included a list of organizational names and dates of "communications" with outside parties, but did not include the names of participants. The nature of the communications is also unclear from your response, i.e. whether they involved meetings, phone calls, or some other type of communication. Please provide a complete list of meetings and discussions that includes the date, names of participants, their organizational affiliations, and the type of communication (meeting, e-mail, telephone call, or letter).

You also sent a limited number of documents related to the communications with outside parties that are listed in your letter. Some of these documents do not identify the source. We request that you clearly identify the specific source of each document provided.

2. We requested that you provide a description of the purpose of each communication and a summary of the content and outcome of each communication. Your response did not include information about the purpose, content, or outcome of the communications you listed. For each identified communication, please provide a description of the purpose of the meeting or discussion and whether it was held in order to obtain recommendations about policy or proposed legislation. Please also provide a summary of the content and outcome of each communication.

3. Our letter requested that you provide all documents (including e-mails) exchanged between OIRA staff and any nonfederal employee since January 1, 2003, related to the regulatory process or any of the topics listed in question one.

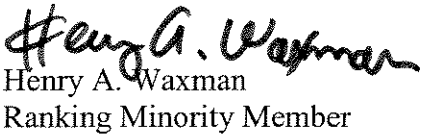
   Apart from the handful of documents related to the communications you identified, your only response to this request was a list of publicly available documents. It is hard to believe that these public documents and the few documents you sent were the only documents related to regulatory issues OIRA has exchanged with outside groups in the last two years. For example, you provided three emails from outside groups to OIRA personnel, but no emails from you, or any other OIRA staff, to any outside party.

   We ask that you provide all of the requested documents. These documents should be provided readily as such documents are not privileged or protected from public disclosure in any way. In fact, if a member of the public requested these documents under the Freedom of Information Act, they would have to be released. There is certainly no basis for withholding them from Congress. For documents available on OMB's website, a link to the website is adequate. All other documents responsive to the request should be provided directly. Please identify the specific source of each document.

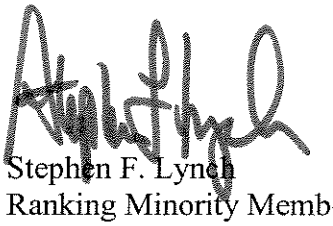
   Your letter stated that you provided information on meetings "limited to general concepts of regulatory-reform legislation" and that these meetings "were not related to efforts to reauthorize the Paperwork Reduction Act (PRA)." Your letter also stated that these meetings "did not address issues relating to budget performance integration or program assessment ratings (the PART)." It is unclear from your letter whether your office participated in meetings or discussions with outside entities on these topics during the relevant time period. To the extent your office did have any meetings or discussions with outside entities related to legislative proposals on these topics, including PRA reauthorization, budget performance integration, and program assessment ratings, please also provide the requested information on those meetings.

We request your full cooperation in providing the requested materials by July 7, 2005.

Sincerely,



Henry A. Waxman
Ranking Minority Member



Stephen F. Lynch
Ranking Minority Member
Subcommittee on Regulatory Affairs

cc: The Honorable Tom Davis
The Honorable Candice Miller