

Congress of the United States
Washington, DC 20515

July 20, 2006

VIA FACSIMILE AND FIRST-CLASS MAIL

The Honorable Robert J. "Rob" Portman
Director
Office of Management and Budget
Executive Office of the President
17th Street and Pennsylvania Avenue, NW
Washington, DC 20503

Dear Director Portman:

On October 6, 2000, President Clinton signed Executive Order (E.O.) 13170 to ensure that minority and disadvantaged small businesses have an opportunity to participate in the Federal contracting process. The order emphasizes the importance of a government-wide effort to reach out to minority and underserved small businesses such as 8(a) firms, Small Disadvantaged Businesses, and Minority Business Enterprises.

Under the provisions of this order, the Office of Management and Budget (OMB) was initially responsible for collecting agency proposals for long-term implementation of E.O. 13170 and reporting to the President on their overall feasibility. Additionally, OMB is charged with the task of reviewing annual evaluations made by the Small Business Administration (SBA) detailing each agency's efforts and results in reaching out to underserved populations in accordance with E.O. 13170. Under the order, OMB also reviews the SBA's semi-annual evaluation of each agency's adherence to government-wide prime and subcontracting goals.

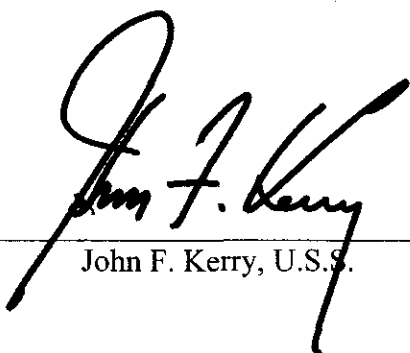
Given OMB's oversight role in ensuring that Federal agencies with procurement authority follow the guidelines set forth by E.O. 13170, we would like to know what steps your agency has taken to properly carry out the order's provisions since its enactment in 2000. Specifically, we would like OMB to explain its oversight responsibilities as they pertain to Section 4 of the order, which addresses Federal advertising contracts for minority-owned small businesses. Additionally, we would like you to address the following:

- Which Federal agencies submitted plans for implementing E.O. 13170 upon its enactment, and of those, which ones provided a detailed plan for increasing Federal advertising contracts for minority-owned entities' in accordance with Section 4 of the order? Please provide copies of each agency's initial long-term plans for compliance with this order.

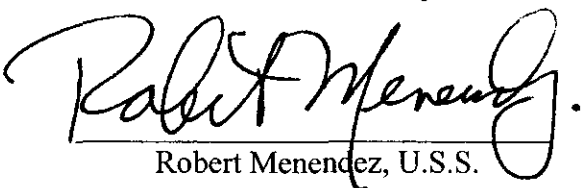
- Has OMB received annual assessments on agency-wide compliance with the order from the SBA?
- If so, what challenges and/or weaknesses in agency plans for carrying out the E.O. have arisen, specifically regarding Federal advertising contracts? What steps has OMB taken in its oversight role to remedy these issues?
- In reviewing the SBA's semi-annual evaluation of agency adherence to government-wide prime and subcontracting goals for 8(a) and Small Disadvantaged Businesses, has OMB come across any agencies that have consistently fallen short on meeting these goals since 2000?

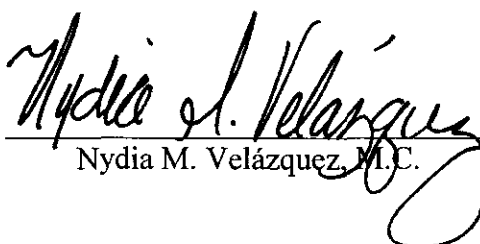
If you have any questions or need additional clarification, please have your staff contact one of our offices.

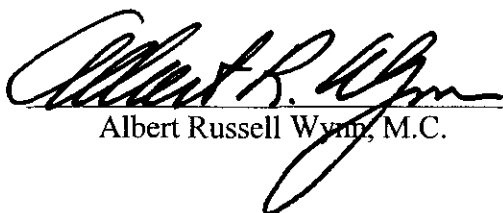
Sincerely,


John F. Kerry, U.S.S.


Harry Reid, U.S.S.


Robert Menendez, U.S.S.


Nydia M. Velázquez, M.C.


Albert Russell Wynn, M.C.


Carolyn C. Kilpatrick, M.C.


Michael M. Honda, M.C.