

## **CY07 FAIR Act Inventory Challenge Period**

The notice of public availability was printed in the Federal Register on June 17, 2008. On June 17, 2008, the Department of Transportation (DOT) published copies of the Operating Administration's (OA) CY07 FAIR Act inventories of both commercial and inherently governmental functions for public review as required by the Federal Activities Inventory Reform Act (FAIR Act) of 1998 and Office of Management and Budget (OMB) Circular A-76, May 29, 2003. The inventories are available at <http://www.dot.gov/ost/m60/fairact/>

An interested party may submit to the appropriate Operating Administration (OA) an initial challenge to the inclusion or exclusion of an activity on either the Commercial or Inherently Governmental inventories within 30 working days after publication of OMB's Federal Register notice. The inventory challenge shall be limited to: (a) the reclassification of an activity as inherently governmental or commercial, or (b) the application of reason codes. Function codes shall not be subject to the inventory challenge process. Parties interested in challenging an inventory must deliver the written challenge directly to the appropriate address provided at: <http://www.dot.gov/ost/m60/fairact/index.html#addchallenges> for each OA separately and shall specify the agency, agency component, sequence number(s), function(s), reason code(s), and location(s) for the activities being challenged. (Source: OMB Circular A-76, May 29, 2003, A-4). Please note that a separate challenge is required for each OA or a challenge may be submitted to DOT if the challenge relates to all inventories that are being challenged.

By law, challenges must be filed within 30 working days of the date of the Federal Register notice indicating that DOT's inventory is available on DOT's Web site. The deadline for all acceptable challenges to be received at the identified challenge authority's office is by the close of business on July 29, 2008. Challenges received after this deadline will not be accepted and thus will not receive a response to the challenge.

Examples of the format that may be used in submitting a challenge letter is provided at this web site. This template is merely presented as a guide and the challenger may determine that a different format is preferred.