SWORN PETITION FOR OVERSIGHT REVIEW

(CMS – IG, GAO, OMB, Data Quality, FMFIA)

Docket: CMS-2025-1891
Agency: Centers for Medicare & Medicaid Services

Submitted by:
James H. Poole
CEO, Founder & Executive Chairman
Obelisk Tech Systems Inc.
CAGE Code: 9S0L8
Thomasville, Georgia

SECTION 1: DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the statements contained herein are true and correct to the best of my knowledge and professional experience.

This petition is submitted for permanent inclusion in the administrative record and for referral to appropriate oversight entities.

SECTION 2: INSPECTOR GENERAL REVIEW REQUEST

Under Inspector General Act of 1978, 5 U.S.C. App. 3 §4(a)(1), the IG must investigate waste and mismanagement.

If CMS:

- Understated PRA burden
- Failed to conduct alternatives analysis
- Failed to evaluate commercial solutions
- Failed to coordinate with OIRA or SBA

These may constitute procedural mismanagement.

REQUEST:

CMS IG determine whether investigation is warranted and provide written response within 30 days.

SECTION 3: FMFIA – MATERIAL WEAKNESS REVIEW

Under 31 U.S.C. §3512(d)(2), agencies must disclose material weaknesses in internal control.

Potential weaknesses include:

- Inadequate cost modeling
- Inadequate burden validation
- Inadequate procurement documentation
- Failure to document interagency coordination

REQUEST:

CMS CFO determine whether issues documented across submissions require disclosure in next annual FMFIA assurance statement.

SECTION 4: GAO REFERRAL

Under 31 U.S.C. §717, GAO may evaluate program performance.

REQUEST:

CMS refer this matter to GAO or explain why independent review is unnecessary.

Suggested GAO scope:

- PRA estimate accuracy
- OMB Circular A-4 compliance
- Regulatory Flexibility Act compliance
- Alternatives analysis adequacy

SECTION 5: DATA QUALITY ACT CORRECTION

Under 44 U.S.C. §3516 note, agencies must ensure objectivity of disseminated information.

If burden estimates are materially understated (as documented in sworn PRA statement), correction may be required.

REQUEST:

CMS provide written confirmation whether it will:

- Revise burden estimate
- Provide methodological justification

- Submit corrected estimate to OMB

SECTION 6: OMB & OIRA COORDINATION

Executive Order 12866 requires OIRA review of significant regulatory actions.

REQUEST:

CMS confirm:

- Whether OIRA reviewed alternatives modeling
- Whether OMB Circular A-4 standards were applied
- Whether SBA Office of Advocacy was consulted

SECTION 7: REQUESTED WRITTEN DETERMINATIONS

CMS shall provide separate written responses under 5 U.S.C. §555(e) to:

1. Will IG open investigation?
2. Will CFO conduct material weakness review?
3. Will GAO referral occur?
4. Will burden estimates be corrected?
5. Will OIRA alternatives modeling be disclosed?

SECTION 8: SIGNATURE AND OATH

I declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the foregoing is true and correct to the best of my knowledge and professional experience.

Executed on: 02/20/2026, 2026

James H. Poole
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