

118TH CONGRESS
1ST SESSION

S. 2073

AN ACT

To amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Eliminate Useless Re-
3 ports Act of 2023”.

4 **SEC. 2. SUNSETS FOR AGENCY REPORTS.**

5 (a) IN GENERAL.—Section 1125 of title 31, United
6 States Code, is amended—

7 (1) by redesignating subsection (c) as sub-
8 section (d);

9 (2) by striking subsections (a) and (b) and in-
10 serting the following:

11 “(a) DEFINITIONS.—In this section:

12 “(1) BUDGET JUSTIFICATION MATERIALS.—
13 The term ‘budget justification materials’ has the
14 meaning given the term in section 3(b)(2) of the
15 Federal Funding Accountability and Transparency
16 Act of 2006 (31 U.S.C. 6101 note; Public Law 109–
17 282).

18 “(2) RECURRING PLAN OR REPORT.—The term
19 ‘recurring plan or report’—

20 “(A) means any plan or report submitted
21 to Congress by not less than 1 agency on a re-
22 curring basis—

23 “(i) in accordance with Federal law;

24 or

25 “(ii) at the direction of a congres-
26 sional report; and

1 “(B) does not include any plan or report
 2 that is required to be submitted to the Com-
 3 mittee on Armed Services of the Senate.

4 “(3) RELEVANT CONGRESSIONAL COM-
 5 MITTEE.—The term ‘relevant congressional com-
 6 mittee’ means a congressional committee to which a
 7 recurring plan or report is required to be submitted.

8 “(b) AGENCY IDENTIFICATION OF UNNECESSARY
 9 REPORTS.—

10 “(1) IN GENERAL.—The head of each agency
 11 shall include in the budget justification materials of
 12 the agency—

13 “(A) subject to paragraph (2), a list of
 14 each recurring plan or report submitted by the
 15 agency that the head of the agency determines
 16 to be outdated or duplicative;

17 “(B) with respect to each recurring plan or
 18 report described in subparagraph (A)—

19 “(i) a recommendation on whether to
 20 sunset, modify, consolidate, or reduce the
 21 frequency of the submission of the recur-
 22 ring plan or report;

23 “(ii) a citation to each provision of
 24 law or directive in a congressional report

1 that requires or requests the submission of
 2 the recurring plan or report; and

3 “(iii) a list of the relevant congres-
 4 sional committees for the recurring plan or
 5 report; and

6 “(C) a justification explaining, with respect
 7 to each recommendation described in subpara-
 8 graph (B)(i) relating to a recurring plan or re-
 9 port—

10 “(i) why the head of the agency made
 11 the recommendation, which may include an
 12 estimate of the resources expended by the
 13 agency to prepare and submit the recur-
 14 ring plan or report; and

15 “(ii) the understanding of the head of
 16 the agency of the purpose of the recurring
 17 plan or report.

18 “(2) AGENCY CONSULTATION.—

19 “(A) IN GENERAL.—In preparing the list
 20 required under paragraph (1)(A), if, in submit-
 21 ting a recurring plan or report, an agency is re-
 22 quired to coordinate or consult with another
 23 agency or entity, the head of the agency sub-
 24 mitting the recurring plan or report shall con-

1 sult with the head of each agency or entity with
2 whom consultation or coordination is required.

3 “(B) INCLUSION IN LIST.—If, after a con-
4 sultation under subparagraph (A), the head of
5 each agency or entity consulted under that sub-
6 paragraph agrees that a recurring plan or re-
7 port is outdated or duplicative, the head of the
8 agency required to submit the recurring plan or
9 report shall—

10 “(i) include the recurring plan or re-
11 port in the list described in paragraph
12 (1)(A); and

13 “(ii) identify each agency or entity
14 with which the head of the agency is re-
15 quired to coordinate or consult in submit-
16 ting the recurring plan or report.

17 “(C) DISAGREEMENT.—If the head of any
18 agency or entity consulted under subparagraph
19 (A) does not agree that a recurring plan or re-
20 port is outdated or duplicative, the head of the
21 agency required to submit the recurring plan or
22 report shall not include the recurring plan or
23 report in the list described in paragraph (1)(A).

24 “(3) GOVERNMENT-WIDE OR MULTI-AGENCY
25 PLAN AND REPORT SUBMISSIONS.—With respect to

1 a recurring plan or report required to be submitted
2 by not less than 2 agencies, the Director of the Of-
3 fice of Management and Budget shall—

4 “(A) determine whether the requirement to
5 submit the recurring plan or report is outdated
6 or duplicative; and

7 “(B) make recommendations to Congress
8 accordingly.

9 “(c) DISPOSITION OF RECOMMENDATIONS.—

10 “(1) IN GENERAL.—With respect to a rec-
11 ommendation on a recurring plan or report included
12 in budget justification materials by the head of an
13 agency under subsection (b)(1)(B)(i), the chair and
14 ranking member of each relevant congressional com-
15 mittee may—

16 “(A) in coordination with any other rel-
17 evant congressional committee, as necessary,
18 agree or disagree with the recommendation or
19 postpone a decision on the recommendation;
20 and

21 “(B) notify each agency that submits a
22 recommendation of the disposition of the rec-
23 ommendation under subparagraph (A).

24 “(2) LEGISLATIVE STEPS.—If a relevant con-
25 gressional committee agrees with an agency rec-

1 ommendation submitted under subsection
 2 (b)(1)(B)(i), the relevant congressional committee
 3 may take the necessary legislative steps to accom-
 4 plish the recommendation, which may include con-
 5 sulting with the agency that submits the recurring
 6 plan or report that is the subject of the rec-
 7 ommendation to prepare appropriate legislation.

8 “(3) AGENCY REQUIREMENTS.—Nothing in this
 9 section shall be construed to relieve the head of an
 10 agency from a requirement to submit a recurring
 11 plan or report.”; and

12 (3) in subsection (d), as so redesignated, by
 13 striking “in the budget of the United States Govern-
 14 ment, as provided by section 1105(a)(37)” and in-
 15 serting “in the budget justification materials of each
 16 agency”.

17 (b) BUDGET CONTENTS.—Section 1105(a) of title
 18 31, United States Code, is amended by striking paragraph
 19 (39).

Passed the Senate December 18, 2023.

Attest:

Secretary.

118TH CONGRESS
1ST SESSION

S. 2073

AN ACT

To amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes.