

115TH CONGRESS
1ST SESSION

H. R. 71

IN THE SENATE OF THE UNITED STATES

JANUARY 5, 2017

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To provide taxpayers with an annual report disclosing the
cost and performance of Government programs and areas
of duplication among them, 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 “Taxpayers Right-To-
3 Know Act”.

4 **SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.**

5 (a) IN GENERAL.—Section 1122(a) of title 31,
6 United States Code, is amended—

7 (1) by redesignating paragraphs (1) and (2) as
8 paragraphs (2) and (3), respectively;

9 (2) by inserting before paragraph (2), as so re-
10 designated, the following:

11 “(1) DEFINITION OF PROGRAM.—For purposes
12 of this subsection, the term ‘program’ means an or-
13 ganized set of activities by one or more agencies di-
14 rected toward a common purpose or goal.”;

15 (3) in paragraph (2), as so redesignated—

16 (A) by striking “IN GENERAL.—Not later
17 than October 1, 2012, the Office of Manage-
18 ment and Budget shall” and inserting
19 “WEBSITE AND PROGRAM INVENTORY.—The
20 Director of the Office of Management and
21 Budget shall”;

22 (B) by striking subparagraph (C) and in-
23 serting the following:

24 “(C) include on the website—

25 “(i) a program inventory that shall
26 identify each program of the Federal Gov-

ernment for which there is more than
\$1,000,000 in annual budget authority,
which shall include—

“(I) any activity that is com-
monly referred to as a program by a
Federal agency in communications
with Congress, including any activity
identified as a program in a budget
request;

“(II) any activity that is com-
monly referred to as a program by a
Federal agency in communications
with the public, including each pro-
gram for which financial awards are
made on a competitive basis; and

“(III) any activity referenced in
law as a program after June 30,
2019; and

“(ii) for each program identified in
the program inventory, the information re-
quired under paragraph (3) or paragraph
(4), as applicable.”;

(4) in paragraph (3), as so redesignated—

(A) in the matter preceding subparagraph
(A), by striking “INFORMATION.—Information

1 for each program described under paragraph
2 (1)” and inserting “INFORMATION FOR LARGER
3 PROGRAMS.—Information for each program
4 identified in the program inventory required
5 under paragraph (2) for which there is more
6 than \$10,000,000 in annual budget authority”;

7 (B) by striking subparagraph (C);

8 (C) by redesignating subparagraph (B) as
9 subparagraph (D);

10 (D) by striking subparagraph (A) and in-
11 serting the following:

12 “(A) an identification of the program ac-
13 tivities that are aggregated, disaggregated, or
14 consolidated as part of identifying programs;

15 “(B) for each program activity described in
16 subparagraph (A), the amount of funding for
17 the current fiscal year and previous 2 fiscal
18 years;

19 “(C) an estimate of the amount of funding
20 for the program;”;

21 (E) in subparagraph (D), as so redesign-
22 nated, by striking “and” at the end; and

23 (F) by adding at the end the following:

1 “(E) an identification of the statutes that
2 authorize the program and any major regula-
3 tions specific to the program;

4 “(F) for any program that provides grants
5 or other financial assistance to individuals or
6 entities, for the most recent fiscal year—

7 “(i) a description of the individuals
8 served by the program and beneficiaries
9 who received financial assistance under the
10 program, including an estimate of the
11 number of individuals and beneficiaries, to
12 the extent practicable;

13 “(ii) for each program for which the
14 head of an agency determines it is not
15 practicable to provide an estimate of the
16 number of individuals and beneficiaries
17 served by the program—

18 “(I) an explanation of why data
19 regarding the number of such individ-
20 uals and beneficiaries cannot be pro-
21 vided; and

22 “(II) a discussion of the meas-
23 ures that could be taken to gather the
24 data required to provide such an esti-
25 mate; and

1 “(iii) a description of—

2 “(I) the Federal employees who
3 administer the program, including the
4 number of full-time equivalents with a
5 pro rata estimate for full-time equiva-
6 lents associated with multiple pro-
7 grams; and

8 “(II) other individuals whose sal-
9 ary is paid in part or full by the Fed-
10 eral Government through a grant,
11 contract, cooperative agreement, or
12 another form of financial award or as-
13 sistance who administer or assist in
14 any way in administering the pro-
15 gram, including the number of full-
16 time equivalents, to the extent prac-
17 ticable;

18 “(G) links to any evaluation, assessment,
19 or program performance reviews by the agency,
20 an Inspector General, or the Government Ac-
21 countability Office (including program perform-
22 ance reports required under section 1116) re-
23 leased during the preceding 5 years; and

24 “(H) to the extent practicable, financial
25 and other information for each program activity

1 required to be reported under the Federal
2 Funding Accountability and Transparency Act
3 of 2006 (31 U.S.C. 6101 note).”; and
4 (5) by adding at the end the following:

5 “(4) INFORMATION FOR SMALLER PROGRAMS.—
6 Information for each program identified in the pro-
7 gram inventory required under paragraph (2) for
8 which there is more than \$1,000,000 and not more
9 than \$10,000,000 in annual budget authority shall,
10 at a minimum, include—

11 “(A) an identification of the program ac-
12 tivities that are aggregated, disaggregated, or
13 consolidated as part of identifying programs;

14 “(B) for each program activity described in
15 subparagraph (A), the amount of funding for
16 the current fiscal year and previous 2 fiscal
17 years;

18 “(C) an identification of the statutes that
19 authorize the program and any major regula-
20 tions specific to the program;

21 “(D) for any program that provides grants
22 or other financial assistance to individuals or
23 entities, a description of the individuals served
24 by the program and beneficiaries who received

1 financial assistance under the program for the
2 most recent fiscal year; and

3 “(E) links to any evaluation, assessment,
4 or program performance reviews by the agency,
5 an Inspector General, or the Government Ac-
6 countability Office (including program perform-
7 ance reports required under section 1116) re-
8 leased during the preceding 5 years.

9 “(5) ARCHIVING.—After the end of each fiscal
10 year, the Director of the Office of Management and
11 Budget shall archive and preserve the information
12 included in the program inventory required under
13 paragraph (2) relating to that fiscal year.”.

14 (b) EXPIRED GRANT FUNDING.—Not later than Feb-
15 ruary 1 of each fiscal year, the Director of the Office of
16 Management and Budget shall publish on a public website
17 the total amount of undisbursed grant funding remaining
18 in grant accounts for which the period of availability to
19 the grantee has expired.

20 **SEC. 3. GUIDANCE AND IMPLEMENTATION.**

21 (a) GUIDANCE.—Not later than June 30, 2018, the
22 Director of the Office of Management and Budget—

23 (1) shall prescribe guidance to implement this
24 Act, and the amendments made by this Act;

1 (2) shall issue guidance to agencies to identify
2 how the program activities used for reporting under
3 the Federal Funding Accountability and Trans-
4 parency Act of 2006 (31 U.S.C. 6101 note) are as-
5 sociated with programs identified in the program in-
6 ventory required under section 1122(a)(2)(C)(i) of
7 title 31, United States Code, as amended by sub-
8 section (a);

9 (3) may issue guidance to agencies to ensure
10 that the programs identified in the program inven-
11 tory required under section 1122(a)(2)(C)(i) of title
12 31, United States Code, as amended by subsection
13 (a), are presented at a similar level of detail across
14 agencies and are not duplicative or overlapping; and

15 (4) may, based on an analysis of the costs of
16 implementation, and after submitting to Congress a
17 notification of the action by the Director—

18 (A) exempt from the requirements under
19 section 1122(a) of title 31, United States Code,
20 an agency that—

21 (i) is not listed in section 901(b) of
22 title 31, United States Code; and

23 (ii) for the fiscal year during which
24 the exemption is made, has budget author-
25 ity (as defined in section 3 of the Congres-

1 sional Budget Act of 1974 (2 U.S.C. 622))

2 of not more than \$10,000,000; and

3 (B) extend the implementation deadline

4 under subsection (b) by not more than 1 year.

5 (b) IMPLEMENTATION.—This Act, and the amend-

6 ments made by this Act, shall be implemented not later

7 than June 30, 2019.

8 **SEC. 4. NO ADDITIONAL FUNDS AUTHORIZED.**

9 No additional funds are authorized to carry out the

10 requirements of this Act and the amendments made by

11 this Act. Such requirements shall be carried out using

12 amounts otherwise authorized.

 Passed the House of Representatives January 4,
2017.

Attest:

KAREN L. HAAS,

Clerk.