

113TH CONGRESS  
1ST SESSION

# H. R. 1423

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.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 2013

Mr. LANKFORD (for himself and Mr. COOPER) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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## A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Taxpayers Right-To-  
5 Know Act”.

1 **SEC. 2. AGENCY REQUIREMENTS RELATING TO ANNUAL**  
2 **REPORT ON THE COST AND PERFORMANCE**  
3 **OF GOVERNMENT PROGRAMS AND AREAS OF**  
4 **DUPLICATION AMONG PROGRAMS.**

5 (a) **REQUIREMENT TO IDENTIFY AND DESCRIBE**  
6 **PROGRAMS.**—On an annual basis, for purposes of the re-  
7 port required by subsection (b), the head of each agency  
8 shall—

9 (1) identify and describe every program admin-  
10 istered by the agency;

11 (2) for each such program—

12 (A) determine the total administrative  
13 costs of the program;

14 (B) determine the expenditures for services  
15 for the program;

16 (C) estimate the number of clients served  
17 by the program and beneficiaries who received  
18 assistance under the program (if applicable);  
19 and

20 (D) estimate—

21 (i) the number of full-time employees  
22 who administer the program; and

23 (ii) the number of full-time equiva-  
24 lents (whose salary is paid in part or full  
25 by the Federal Government through a  
26 grant or contract, a subaward of a grant

1 or contract, a cooperative agreement, or  
2 another form of financial award or assist-  
3 ance) who assist in administering the pro-  
4 gram; and

5 (3) identify programs within the agency with  
6 duplicative or overlapping missions, services, and al-  
7 lowable uses of funds.

8 (b) REPORT.—Not later than February 1 of each fis-  
9 cal year, the head of each agency shall create a link on  
10 the homepage of the official public website of the agency  
11 to a report containing the following:

12 (1) IDENTIFICATION AND DESCRIPTION OF PRO-  
13 GRAMS.—The information required under subsection  
14 (a) with respect to the preceding fiscal year.

15 (2) PERFORMANCE REVIEWS.—The latest per-  
16 formance reviews (including the program perform-  
17 ance reports required under section 1116 of title 31,  
18 United States Code) of each program of the agency  
19 identified under subsection (a)(1), including per-  
20 formance indicators, performance goals, output  
21 measures, and other specific metrics used to review  
22 the program and how the program performed on  
23 each.

24 (3) IMPROPER PAYMENT INFORMATION.—For  
25 all programs and activities that may be susceptible

1 to significant improper payments, as identified by  
2 the head of the agency under section 2(a) of the Im-  
3 proper Payments Information Act of 2002 (31  
4 U.S.C. 321 note), the latest improper payment rate  
5 and the total estimated amount of improper pay-  
6 ments during the preceding fiscal year, including  
7 fraudulent payments and overpayments.

8 (4) EXPIRED GRANT FUNDING.—The total  
9 amount of undisbursed grant funding remaining in  
10 grant accounts for which the period of availability to  
11 the grantee has expired.

12 (5) RECOMMENDATIONS.—Such recommenda-  
13 tions as the head of the agency considers appro-  
14 priate—

15 (A) to consolidate programs within the  
16 agency that are duplicative or overlapping;

17 (B) to eliminate waste and inefficiency;  
18 and

19 (C) to terminate lower priority, outdated,  
20 and unnecessary programs and initiatives.

21 (c) RELATIONSHIP TO CATALOG OF DOMESTIC FI-  
22 NANCIAL ASSISTANCE.—With respect to the requirements  
23 of subsections (a)(1) and (a)(2)(B), the head of an agency  
24 may use the same information provided in the Catalog of  
25 Domestic Financial Assistance if applicable.

1 (d) **FORMAT.**—Each agency shall make reports re-  
2 quired by subsection (b) available in a searchable, ma-  
3 chine-readable format, and shall expend no funds for the  
4 printing of such reports, except when providing such docu-  
5 ments to the Congress.

6 **SEC. 3. OFFICE OF MANAGEMENT AND BUDGET REQUIRE-**  
7 **MENTS RELATING TO ANNUAL REPORT ON**  
8 **THE COST AND PERFORMANCE OF GOVERN-**  
9 **MENT PROGRAMS AND AREAS OF DUPLICA-**  
10 **TION AMONG PROGRAMS.**

11 (a) **REPORT BY OFFICE OF MANAGEMENT AND**  
12 **BUDGET.**—Not later than February 1 of each fiscal year,  
13 the Director of the Office of Management and Budget  
14 shall publish on the official public website of the Office  
15 of Management and Budget a report containing the fol-  
16 lowing:

17 (1) **IDENTIFICATION OF DUPLICATIVE PRO-**  
18 **GRAMS.**—An identification of programs across agen-  
19 cies with duplicative or overlapping missions, serv-  
20 ices, and allowable uses of funds.

21 (2) **RECOMMENDATIONS.**—Such recommenda-  
22 tions as the Director considers appropriate—

23 (A) to consolidate programs across agen-  
24 cies that are duplicative or overlapping;

1 (B) to eliminate waste and inefficiency;  
2 and

3 (C) to terminate lower priority, outdated,  
4 and unnecessary programs and initiatives.

5 (b) RELATIONSHIP TO PRESIDENT’S BUDGET.—With  
6 respect to the requirements of subsection (a)(2), the Di-  
7 rector may use the same information provided in the  
8 President’s annual budget submission, if applicable.

9 (c) DATABASE REQUIRED.—The Director shall main-  
10 tain a database of information—

11 (1) used to create the report required by sub-  
12 section (a); and

13 (2) obtained through meeting the requirements  
14 of section 21 of the Statutory Pay-As-You-Go Act of  
15 2010 (31 U.S.C. 712 note).

16 **SEC. 4. GOVERNMENT ACCOUNTABILITY OFFICE REQUIRE-**  
17 **MENTS RELATING TO IDENTIFICATION, CON-**  
18 **SOLIDATION, AND ELIMINATION OF DUPLICA-**  
19 **TIVE GOVERNMENT PROGRAMS.**

20 Section 21 of the Statutory Pay-As-You-Go Act of  
21 2010 (31 U.S.C. 712 note) is amended by inserting “(a)”  
22 before the first sentence and by adding at the end the fol-  
23 lowing:

24 “(b) The Comptroller General shall maintain and  
25 provide regular updates, on not less than an annual basis

1 to a publicly available website that tracks the status of  
2 responses by Departments and the Congress to suggested  
3 actions that the Comptroller General has previously identi-  
4 fied in annual reports under subsection (a). The status  
5 of these suggested actions shall be tracked for an appro-  
6 priate period to be determined by the Comptroller General.  
7 The requirements of this subsection shall apply during the  
8 effective period of subsection (a).”.

9 **SEC. 5. DEFINITIONS.**

10 In this Act:

11 (1) ADMINISTRATIVE COSTS.—The term “ad-  
12 ministrative costs” has the meaning as determined  
13 by the Director of the Office of Management and  
14 Budget under section 504(b)(2) of Public Law 111–  
15 85 (31 U.S.C. 1105 note), except the term shall also  
16 include, for purposes of that section and this section,  
17 with respect to an agency—

18 (A) costs incurred by the agency as well as  
19 costs incurred by grantees, subgrantees, and  
20 other recipients of funds from a grant program  
21 or other program administered by the agency;  
22 and

23 (B) expenses related to personnel salaries  
24 and benefits, property management, travel, pro-  
25 gram management, promotion, reviews and au-

1           dits, case management, and communication  
2           about, promotion of, and outreach for programs  
3           and program activities administered by the  
4           agency.

5           (2) SERVICES.—The term “services” has the  
6           meaning provided by the Director of the Office of  
7           Management and Budget and shall be limited to  
8           only activities, assistance, and aid that provide a di-  
9           rect benefit to a recipient, such as the provision of  
10          medical care, assistance for housing or tuition, or fi-  
11          nancial support (including grants and loans).

12          (3) AGENCY.—The term “agency” has the same  
13          meaning given that term in section 551(1) of title 5,  
14          United States Code, except that the term also in-  
15          cludes offices in the legislative branch other than the  
16          Government Accountability Office.

17          (4) PERFORMANCE INDICATOR, PERFORMANCE  
18          GOAL, OUTPUT MEASURE.—The terms “performance  
19          indicator”, “performance goal”, and “output meas-  
20          ure” have the meanings provided those terms by sec-  
21          tion 1115 of title 31, United States Code.

22          (5) PROGRAM.—The term “program” has the  
23          meaning provided by the Director of the Office of  
24          Management and Budget and shall include, with re-  
25          spect to an agency, any organized set of activities di-



1       rected toward a common purpose or goal undertaken  
2       by the agency that includes services, projects, pro-  
3       cesses, or financial or other forms of assistance, in-  
4       cluding grants, contracts, cooperative agreements,  
5       compacts, loans, leases, technical support, consulta-  
6       tion, or other guidance.

7       **SEC. 6. CLASSIFIED INFORMATION.**

8       Nothing in this Act shall be construed to require the  
9       disclosure of classified information.

10       **SEC. 7. REGULATIONS AND IMPLEMENTATION.**

11       (a) REGULATIONS.—Not later than 120 days after  
12       the date of the enactment of this Act, the Director of the  
13       Office of Management and Budget shall prescribe regula-  
14       tions to implement this Act.

15       (b) IMPLEMENTATION.—This Act shall be imple-  
16       mented not later than one year after the date of the enact-  
17       ment of this Act.

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