

113TH CONGRESS
2D SESSION

S. 994

AN ACT

To expand the Federal Funding Accountability and Transparency Act of 2006 to increase accountability and transparency in Federal spending, 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 “Digital Accountability
3 and Transparency Act of 2014” or the “DATA Act”.

4 **SEC. 2. PURPOSES.**

5 The purposes of this Act are to—

6 (1) expand the Federal Funding Accountability
7 and Transparency Act of 2006 (31 U.S.C. 6101
8 note) by disclosing direct Federal agency expendi-
9 tures and linking Federal contract, loan, and grant
10 spending information to programs of Federal agen-
11 cies to enable taxpayers and policy makers to track
12 Federal spending more effectively;

13 (2) establish Government-wide data standards
14 for financial data and provide consistent, reliable,
15 and searchable Government-wide spending data that
16 is displayed accurately for taxpayers and policy mak-
17 ers on USASpending.gov (or a successor system that
18 displays the data);

19 (3) simplify reporting for entities receiving Fed-
20 eral funds by streamlining reporting requirements
21 and reducing compliance costs while improving
22 transparency;

23 (4) improve the quality of data submitted to
24 USASpending.gov by holding Federal agencies ac-
25 countable for the completeness and accuracy of the
26 data submitted; and

(5) apply approaches developed by the Recovery Accountability and Transparency Board to spending across the Federal Government.

SEC. 3. AMENDMENTS TO THE FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006.

The Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) is amended—

(1) in section 2—

(A) in subsection (a)—

(i) in the matter preceding paragraph (1), by striking “this section” and inserting “this Act”;

(ii) by redesignating paragraphs (1), (2), and (3) as paragraphs (2), (4), and (7), respectively;

(iii) by inserting before paragraph (2), as so redesignated, the following:

“(1) DIRECTOR.—The term ‘Director’ means the Director of the Office of Management and Budget.”;

(iv) by inserting after paragraph (2), as so redesignated, the following:

“(3) FEDERAL AGENCY.—The term ‘Federal agency’ has the meaning given the term ‘Executive

1 agency’ under section 105 of title 5, United States
2 Code.”;

3 (v) by inserting after paragraph (4),
4 as so redesignated, the following:

5 “(5) OBJECT CLASS.—The term ‘object class’
6 means the category assigned for purposes of the an-
7 nual budget of the President submitted under sec-
8 tion 1105(a) of title 31, United States Code, to the
9 type of property or services purchased by the Fed-
10 eral Government.

11 “(6) PROGRAM ACTIVITY.—The term ‘program
12 activity’ has the meaning given that term under sec-
13 tion 1115(h) of title 31, United States Code.”; and

14 (vi) by adding at the end the fol-
15 lowing:

16 “(8) SECRETARY.—The term ‘Secretary’ means
17 the Secretary of the Treasury.”;

18 (B) in subsection (b)—

19 (i) in paragraph (3), by striking “of
20 the Office of Management and Budget”;
21 and

22 (ii) in paragraph (4), by striking “of
23 the Office of Management and Budget”;

24 (C) in subsection (c)—

1 (i) in paragraph (4), by striking
2 “and” at the end;

3 (ii) in paragraph (5), by striking the
4 period at the end and inserting a semi-
5 colon; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(6) shall have the ability to aggregate data for
9 the categories described in paragraphs (1) through
10 (5) without double-counting data; and

11 “(7) shall ensure that all information published
12 under this section is available—

13 “(A) in machine-readable and open for-
14 mats;

15 “(B) to be downloaded in bulk; and

16 “(C) to the extent practicable, for auto-
17 mated processing.”;

18 (D) in subsection (d)—

19 (i) in paragraph (1)(A), by striking
20 “of the Office of Management and Budg-
21 et”;

22 (ii) in paragraph (2)—

23 (I) in subparagraph (A), by strik-
24 ing “of the Office of Management and
25 Budget”; and

1 (II) in subparagraph (B), by
2 striking “of the Office of Management
3 and Budget”;

4 (E) in subsection (e), by striking “of the
5 Office of Management and Budget”; and

6 (F) in subsection (g)—

7 (i) in paragraph (1), by striking “of
8 the Office of Management and Budget”;
9 and

10 (ii) in paragraph (3), by striking “of
11 the Office of Management and Budget”;
12 and

13 (2) by striking sections 3 and 4 and inserting
14 the following:

15 **“SEC. 3. FULL DISCLOSURE OF FEDERAL FUNDS.**

16 “(a) IN GENERAL.—Not later than 3 years after the
17 date of enactment of the Digital Accountability and
18 Transparency Act of 2014, and monthly when practicable
19 but not less than quarterly thereafter, the Secretary, in
20 consultation with the Director, shall ensure that the infor-
21 mation in subsection (b) is posted on the website estab-
22 lished under section 2.

23 “(b) INFORMATION TO BE POSTED.—For any funds
24 made available to or expended by a Federal agency or

1 component of a Federal agency, the information to be
 2 posted shall include—

3 “(1) for each appropriations account, including
 4 an expired or unexpired appropriations account, the
 5 amount—

6 “(A) of budget authority appropriated;

7 “(B) that is obligated;

8 “(C) of unobligated balances; and

9 “(D) of any other budgetary resources;

10 “(2) from which accounts and in what
 11 amount—

12 “(A) appropriations are obligated for each
 13 program activity; and

14 “(B) outlays are made for each program
 15 activity;

16 “(3) from which accounts and in what
 17 amount—

18 “(A) appropriations are obligated for each
 19 object class; and

20 “(B) outlays are made for each object
 21 class; and

22 “(4) for each program activity, the amount—

23 “(A) obligated for each object class; and

24 “(B) of outlays made for each object class.

1 **“SEC. 4. DATA STANDARDS.**

2 “(a) IN GENERAL.—

3 “(1) ESTABLISHMENT OF STANDARDS.—The
4 Secretary and the Director, in consultation with the
5 heads of Federal agencies, shall establish Govern-
6 ment-wide financial data standards for any Federal
7 funds made available to or expended by Federal
8 agencies and entities receiving Federal funds.

9 “(2) DATA ELEMENTS.—The financial data
10 standards established under paragraph (1) shall in-
11 clude common data elements for financial and pay-
12 ment information required to be reported by Federal
13 agencies and entities receiving Federal funds.

14 “(b) REQUIREMENTS.—The data standards estab-
15 lished under subsection (a) shall, to the extent reasonable
16 and practicable—

17 “(1) incorporate widely accepted common data
18 elements, such as those developed and maintained
19 by—

20 “(A) an international voluntary consensus
21 standards body;

22 “(B) Federal agencies with authority over
23 contracting and financial assistance; and

24 “(C) accounting standards organizations;

1 “(2) incorporate a widely accepted, nonpropri-
2 etary, searchable, platform-independent computer-
3 readable format;

4 “(3) include unique identifiers for Federal
5 awards and entities receiving Federal awards that
6 can be consistently applied Government-wide;

7 “(4) be consistent with and implement applica-
8 ble accounting principles;

9 “(5) be capable of being continually upgraded
10 as necessary;

11 “(6) produce consistent and comparable data,
12 including across program activities; and

13 “(7) establish a standard method of conveying
14 the reporting period, reporting entity, unit of meas-
15 ure, and other associated attributes.

16 “(c) DEADLINES.—

17 “(1) GUIDANCE.—Not later than 1 year after
18 the date of enactment of the Digital Accountability
19 and Transparency Act of 2014, the Director and the
20 Secretary shall issue guidance to Federal agencies
21 on the data standards established under subsection
22 (a).

23 “(2) AGENCIES.—

24 “(A) IN GENERAL.—Except as provided in
25 subparagraph (B), not later than 2 years after

1 the date on which the guidance under para-
2 graph (1) is issued, each Federal agency shall
3 report financial and payment information data
4 in accordance with the data standards estab-
5 lished under subsection (a).

6 “(B) NONINTERFERENCE WITH
7 AUDITABILITY OF DEPARTMENT OF DEFENSE
8 FINANCIAL STATEMENTS.—

9 “(i) IN GENERAL.—Upon request by
10 the Secretary of Defense, the Director may
11 grant an extension of the deadline under
12 subparagraph (A) to the Department of
13 Defense for a period of not more than 6
14 months to report financial and payment in-
15 formation data in accordance with the data
16 standards established under subsection (a).

17 “(ii) LIMITATION.—The Director may
18 not grant more than 3 extensions to the
19 Secretary of Defense under clause (i).

20 “(iii) NOTIFICATION.—The Director
21 of the Office of Management and Budget
22 shall notify the Committee on Homeland
23 Security and Governmental Affairs and the
24 Committee on Armed Services of the Sen-
25 ate and the Committee on Oversight and

1 Government Reform and the Committee on
2 Armed Services of the House of Represent-
3 atives of—

4 “(I) each grant of an extension
5 under clause (i); and

6 “(II) the reasons for granting
7 such an extension.

8 “(3) WEBSITE.—Not later than 3 years after
9 the date on which the guidance under paragraph (1)
10 is issued, the Director and the Secretary shall en-
11 sure that the data standards established under sub-
12 section (a) are applied to the data made available on
13 the website established under section 2.

14 “(d) CONSULTATION.—The Director and the Sec-
15 retary shall consult with public and private stakeholders
16 in establishing data standards under this section.

17 **“SEC. 5. SIMPLIFYING FEDERAL AWARD REPORTING.**

18 “(a) IN GENERAL.—The Director, in consultation
19 with relevant Federal agencies, recipients of Federal
20 awards, including State and local governments, and insti-
21 tutions of higher education (as defined in section 102 of
22 the Higher Education Act of 1965 (20 U.S.C. 1002)),
23 shall review the information required to be reported by re-
24 cipients of Federal awards to identify—

1 “(1) common reporting elements across the
2 Federal Government;

3 “(2) unnecessary duplication in financial re-
4 porting; and

5 “(3) unnecessarily burdensome reporting re-
6 quirements for recipients of Federal awards.

7 “(b) PILOT PROGRAM.—

8 “(1) ESTABLISHMENT.—Not later than 1 year
9 after the date of enactment of the Digital Account-
10 ability and Transparency Act of 2014, the Director,
11 or a Federal agency designated by the Director,
12 shall establish a pilot program (in this section re-
13 ferred to as the ‘pilot program’) with the participa-
14 tion of appropriate Federal agencies to facilitate the
15 development of recommendations for—

16 “(A) standardized reporting elements
17 across the Federal Government;

18 “(B) the elimination of unnecessary dupli-
19 cation in financial reporting; and

20 “(C) the reduction of compliance costs for
21 recipients of Federal awards.

22 “(2) REQUIREMENTS.—The pilot program
23 shall—

24 “(A) include a combination of Federal con-
25 tracts, grants, and subawards, the aggregate

1 value of which is not less than \$1,000,000,000
2 and not more than \$2,000,000,000;

3 “(B) include a diverse group of recipients
4 of Federal awards; and

5 “(C) to the extent practicable, include re-
6 cipients who receive Federal awards from mul-
7 tiple programs across multiple agencies.

8 “(3) DATA COLLECTION.—The pilot program
9 shall include data collected during a 12-month re-
10 porting cycle.

11 “(4) REPORTING AND EVALUATION REQUIRE-
12 MENTS.—Each recipient of a Federal award partici-
13 pating in the pilot program shall submit to the Of-
14 fice of Management and Budget or the Federal
15 agency designated under paragraph (1), as appro-
16 priate, any requested reports of the selected Federal
17 awards.

18 “(5) TERMINATION.—The pilot program shall
19 terminate on the date that is 2 years after the date
20 on which the pilot program is established.

21 “(6) REPORT TO CONGRESS.—Not later than
22 90 days after the date on which the pilot program
23 terminates under paragraph (5), the Director shall
24 submit to the Committee on Homeland Security and
25 Governmental Affairs and the Committee on the

1 Budget of the Senate and the Committee on Over-
2 sight and Government Reform and the Committee
3 on the Budget of the House of Representatives a re-
4 port on the pilot program, which shall include—

5 “(A) a description of the data collected
6 under the pilot program, the usefulness of the
7 data provided, and the cost to collect the data
8 from recipients; and

9 “(B) a discussion of any legislative action
10 required and recommendations for—

11 “(i) consolidating aspects of Federal
12 financial reporting to reduce the costs to
13 recipients of Federal awards;

14 “(ii) automating aspects of Federal fi-
15 nancial reporting to increase efficiency and
16 reduce the costs to recipients of Federal
17 awards;

18 “(iii) simplifying the reporting re-
19 quirements for recipients of Federal
20 awards; and

21 “(iv) improving financial trans-
22 parency.

23 “(7) GOVERNMENT-WIDE IMPLEMENTATION.—

24 Not later than 1 year after the date on which the
25 Director submits the report under paragraph (6),

1 the Director shall issue guidance to the heads of
2 Federal agencies as to how the Government-wide fi-
3 nancial data standards established under section
4 4(a) shall be applied to the information required to
5 be reported by entities receiving Federal awards
6 to—

7 “(A) reduce the burden of complying with
8 reporting requirements; and

9 “(B) simplify the reporting process, includ-
10 ing by reducing duplicative reports.

11 **“SEC. 6. ACCOUNTABILITY FOR FEDERAL FUNDING.**

12 “(a) INSPECTOR GENERAL REPORTS.—

13 “(1) IN GENERAL.—In accordance with para-
14 graph (2), the Inspector General of each Federal
15 agency, in consultation with the Comptroller General
16 of the United States, shall—

17 “(A) review a statistically valid sampling of
18 the spending data submitted under this Act by
19 the Federal agency; and

20 “(B) submit to Congress and make pub-
21 lically available a report assessing the complete-
22 ness, timeliness, quality, and accuracy of the
23 data sampled and the implementation and use
24 of data standards by the Federal agency.

25 “(2) DEADLINES.—

1 “(A) FIRST REPORT.—Not later than 18
2 months after the date on which the Director
3 and the Secretary issue guidance to Federal
4 agencies under section 4(c)(1), the Inspector
5 General of each Federal agency shall submit
6 and make publically available a report as de-
7 scribed in paragraph (1).

8 “(B) SUBSEQUENT REPORTS.—On the
9 same date as the Inspector General of each
10 Federal agency submits the second and fourth
11 reports under sections 3521(f) and 9105(a)(3)
12 of title 31, United States Code, that are sub-
13 mitted after the report under subparagraph
14 (A), the Inspector General shall submit and
15 make publically available a report as described
16 in paragraph (1). The report submitted under
17 this subparagraph may be submitted as a part
18 of the report submitted under section 3521(f)
19 or 9105(a)(3) of title 31, United States Code.

20 “(b) COMPTROLLER GENERAL REPORTS.—

21 “(1) IN GENERAL.—In accordance with para-
22 graph (2) and after a review of the reports sub-
23 mitted under subsection (a), the Comptroller Gen-
24 eral of the United States shall submit to Congress
25 and make publically available a report assessing and

1 comparing the data completeness, timeliness, quality,
2 and accuracy of the data submitted under this Act
3 by Federal agencies and the implementation and use
4 of data standards by Federal agencies.

5 “(2) DEADLINES.—Not later than 30 months
6 after the date on which the Director and the Sec-
7 retary issue guidance to Federal agencies under sec-
8 tion 4(c)(1), and every 2 years thereafter until the
9 date that is 4 years after the date on which the first
10 report is submitted under this subsection, the Comp-
11 troller General of the United States shall submit and
12 make publically available a report as described in
13 paragraph (1).

14 “(c) RECOVERY ACCOUNTABILITY AND TRANS-
15 PARENCY BOARD DATA ANALYSIS CENTER.—

16 “(1) IN GENERAL.—The Secretary may estab-
17 lish a data analysis center or expand an existing
18 service to provide data, analytic tools, and data man-
19 agement techniques to support—

20 “(A) the prevention and reduction of im-
21 proper payments by Federal agencies; and

22 “(B) improving efficiency and trans-
23 parency in Federal spending.

24 “(2) DATA AVAILABILITY.—The Secretary shall
25 enter into memoranda of understanding with Fed-

1 eral agencies, including Inspectors General and Fed-
2 eral law enforcement agencies—

3 “(A) under which the Secretary may pro-
4 vide data from the data analysis center for—

5 “(i) the purposes set forth under
6 paragraph (1);

7 “(ii) the identification, prevention,
8 and reduction of waste, fraud, and abuse
9 relating to Federal spending; and

10 “(iii) use in the conduct of criminal
11 and other investigations; and

12 “(B) which may require the Federal agen-
13 cy, Inspector General, or Federal law enforce-
14 ment agency to provide reimbursement to the
15 Secretary for the reasonable cost of carrying
16 out the agreement.

17 “(3) TRANSFER.—Upon the establishment of a
18 data analysis center or the expansion of a service
19 under paragraph (1), and on or before the date on
20 which the Recovery Accountability and Transparency
21 Board terminates, and in addition to any other
22 transfer that the Director determines is necessary
23 under section 1531 of title 31, United States Code,
24 there are transferred to the Department of the
25 Treasury all assets identified by the Secretary that

1 support the operations and activities of the Recovery
2 Operations Center of the Recovery Accountability
3 and Transparency Board relating to the detection of
4 waste, fraud, and abuse in the use of Federal funds
5 that are in existence on the day before the transfer.

6 **“SEC. 7. CLASSIFIED AND PROTECTED INFORMATION.**

7 “Nothing in this Act shall require the disclosure to
8 the public of—

9 “(1) information that would be exempt from
10 disclosure under section 552 of title 5, United States
11 Code (commonly known as the ‘Freedom of Informa-
12 tion Act’); or

13 “(2) information protected under section 552a
14 of title 5, United States Code (commonly known as
15 the ‘Privacy Act of 1974’), or section 6103 of the
16 Internal Revenue Code of 1986.

17 **“SEC. 8. NO PRIVATE RIGHT OF ACTION.**

18 “Nothing in this Act shall be construed to create a
19 private right of action for enforcement of any provision
20 of this Act.”.

21 **SEC. 4. EXECUTIVE AGENCY ACCOUNTING AND OTHER FI-**
22 **NANCIAL MANAGEMENT REPORTS AND**
23 **PLANS.**

24 Section 3512(a)(1) of title 31, United States Code,
25 is amended by inserting “and make available on the

1 website described under section 1122” after “appropriate
2 committees of Congress”.

3 **SEC. 5. DEBT COLLECTION IMPROVEMENT.**

4 Section 3716(c)(6) of title 31, United States Code,
5 is amended—

6 (1) by inserting “(A)” before “Any Federal
7 agency”;

8 (2) in subparagraph (A), as so designated, by
9 striking “180 days” and inserting “120 days”; and

10 (3) by adding at the end the following:

11 “(B) The Secretary of the Treasury shall notify Con-
12 gress of any instance in which an agency fails to notify
13 the Secretary as required under subparagraph (A).”.

Passed the Senate April 10, 2014.

Attest:

Secretary.

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