

115TH CONGRESS
1ST SESSION

H. R. 71

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.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2017

Mr. WALBERG (for himself, Mr. COOPER, Ms. SINEMA, Mr. ABRAHAM, Mr. ROYCE of California, Mr. LAMBORN, Mr. HUIZENGA, Mr. YODER, Mr. JOYCE of Ohio, Mrs. LOVE, Mr. BURGESS, Mr. LAMALFA, Mr. GOSAR, Mr. GOHMERT, Mr. FARENTHOLD, Mr. JODY B. HICE of Georgia, Mr. EMMER, Mr. TROTT, Mr. BISHOP of Utah, Mr. SAM JOHNSON of Texas, Mr. GUTHRIE, Mr. YOHO, Mr. COSTA, and Mr. CALVERT) introduced the following bill; which was referred to the Committee on Oversight and Government Reform

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. INVENTORY OF GOVERNMENT PROGRAMS.**

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

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

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

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

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

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

19 (B) by striking subparagraph (C) and in-
20 serting the following:

21 “(C) include on the website—

22 “(i) a program inventory that shall
23 identify each program of the Federal Gov-
24 ernment for which there is more than
25 \$1,000,000 in annual budget authority,
26 which shall include—

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

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

13 “(III) any activity referenced in
14 law as a program after June 30,
15 2019; and

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

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

21 (A) in the matter preceding subparagraph
22 (A), by striking “INFORMATION.—Information
23 for each program described under paragraph
24 (1)” and inserting “INFORMATION FOR LARGER
25 PROGRAMS.—Information for each program

1 identified in the program inventory required
2 under paragraph (2) for which there is more
3 than \$10,000,000 in annual budget authority”;

4 (B) by striking subparagraph (C);

5 (C) by redesignating subparagraph (B) as
6 subparagraph (D);

7 (D) by striking subparagraph (A) and in-
8 serting the following:

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

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

16 “(C) an estimate of the amount of funding
17 for the program;”;

18 (E) in subparagraph (D), as so redesign-
19 ated, by striking “and” at the end; and

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

21 “(E) an identification of the statutes that
22 authorize the program and any major regula-
23 tions specific to the program;

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

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

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

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

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

23 “(iii) a description of—

24 “(I) the Federal employees who
25 administer the program, including the

1 number of full-time equivalents with a
2 pro rata estimate for full-time equiva-
3 lents associated with multiple pro-
4 grams; and

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

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

21 “(H) to the extent practicable, financial
22 and other information for each program activity
23 required to be reported under the Federal
24 Funding Accountability and Transparency Act
25 of 2006 (31 U.S.C. 6101 note).”; and

1 (5) by adding at the end the following:

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

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

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

15 “(C) an identification of the statutes that
16 authorize the program and any major regula-
17 tions specific to the program;

18 “(D) for any program that provides grants
19 or other financial assistance to individuals or
20 entities, a description of the individuals served
21 by the program and beneficiaries who received
22 financial assistance under the program for the
23 most recent fiscal year; and

24 “(E) links to any evaluation, assessment,
25 or program performance reviews by the agency,

1 an Inspector General, or the Government Ac-
2 countability Office (including program perform-
3 ance reports required under section 1116) re-
4 leased during the preceding 5 years.

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

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

16 **SEC. 3. GUIDANCE AND IMPLEMENTATION.**

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

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

21 (2) shall issue guidance to agencies to identify
22 how the program activities used for reporting under
23 the Federal Funding Accountability and Trans-
24 parency Act of 2006 (31 U.S.C. 6101 note) are as-
25 sociated with programs identified in the program in-

1 venty required under section 1122(a)(2)(C)(i) of
2 title 31, United States Code, as amended by sub-
3 section (a);

4 (3) may issue guidance to agencies to ensure
5 that the programs identified in the program inven-
6 tory required under section 1122(a)(2)(C)(i) of title
7 31, United States Code, as amended by subsection
8 (a), are presented at a similar level of detail across
9 agencies and are not duplicative or overlapping; and

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

13 (A) exempt from the requirements under
14 section 1122(a) of title 31, United States Code,
15 an agency that—

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

18 (ii) for the fiscal year during which
19 the exemption is made, has budget author-
20 ity (as defined in section 3 of the Congres-
21 sional Budget Act of 1974 (2 U.S.C. 622))
22 of not more than \$10,000,000; and

23 (B) extend the implementation deadline
24 under subsection (b) by not more than 1 year.

1 (b) IMPLEMENTATION.—This Act, and the amend-
2 ments made by this Act, shall be implemented not later
3 than June 30, 2019.

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

5 No additional funds are authorized to carry out the
6 requirements of this Act and the amendments made by
7 this Act. Such requirements shall be carried out using
8 amounts otherwise authorized.

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