

116TH CONGRESS  
2D SESSION

# H. R. 3830

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IN THE SENATE OF THE UNITED STATES

FEBRUARY 10, 2020

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## AN ACT

To provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory, 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 Section 1122(a) of title 31, United States Code, is  
6 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) DEFINITIONS.—For purposes of this sub-  
12 section—

13 “(A) the term ‘Federal financial assist-  
14 ance’ has the meaning given that term under  
15 section 7501;

16 “(B) the term ‘open Government data  
17 asset’ has the meaning given that term under  
18 section 3502 of title 44;

19 “(C) the term ‘program’ means a single  
20 program activity or an organized set of aggre-  
21 gated, disaggregated, or consolidated program  
22 activities by one or more agencies directed to-  
23 ward a common purpose or goal; and

24 “(D) the term ‘program activity’ has the  
25 meaning given that term in section 1115(h).”;

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

1 (A) by striking “IN GENERAL.—Not later  
2 than October 1, 2012, the Office of Manage-  
3 ment and Budget shall” and inserting  
4 “WEBSITE AND PROGRAM INVENTORY.—The  
5 Director of the Office of Management and  
6 Budget shall”;

7 (B) in subparagraph (A), by inserting  
8 “that includes the information required under  
9 subsections (b) and (c)” after “a single  
10 website”; and

11 (C) by striking subparagraphs (B) and (C)  
12 and inserting the following:

13 “(B) include on the website described in  
14 subparagraph (A), or another appropriate Fed-  
15 eral Government website where related informa-  
16 tion is made available, as determined by the Di-  
17 rector—

18 “(i) a program inventory that shall  
19 identify each program; and

20 “(ii) for each program identified in  
21 the program inventory, the information re-  
22 quired under paragraph (3);

23 “(C) make the information in the program  
24 inventory required under subparagraph (B)

1 available as an open Government data asset;  
2 and

3 “(D) at a minimum—

4 “(i) update the information required  
5 to be included on the single website under  
6 subparagraph (A) on a quarterly basis;  
7 and

8 “(ii) update the program inventory re-  
9 quired under subparagraph (B) on an an-  
10 nual basis.”;

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

12 (A) in the matter preceding subparagraph  
13 (A), by striking “described under paragraph (1)  
14 shall include” and inserting “identified in the  
15 program inventory required under paragraph  
16 (2)(B) shall include”;

17 (B) in subparagraph (B), by striking  
18 “and” at the end;

19 (C) in subparagraph (C), by striking the  
20 period at the end and inserting “and,”; and

21 (D) by adding at the end the following:

22 “(D) for each program activity that is part  
23 of a program—

24 “(i) a description of the purposes of  
25 the program activity and the contribution

1 of the program activity to the mission and  
2 goals of the agency;

3 “(ii) a consolidated view for the cur-  
4 rent fiscal year and each of the 2 fiscal  
5 years before the current fiscal year of—

6 “(I) the amount appropriated;

7 “(II) the amount obligated; and

8 “(III) the amount outlayed;

9 “(iii) to the extent practicable and  
10 permitted by law, links to any related eval-  
11 uation, assessment, or program perform-  
12 ance review by the agency, an inspector  
13 general, or the Government Accountability  
14 Office (including program performance re-  
15 ports required under section 1116), and  
16 other related evidence assembled in re-  
17 sponse to implementation of the Founda-  
18 tions for Evidence-Based Policymaking Act  
19 of 2018 (Public Law 115–435; 132 Stat.  
20 5529);

21 “(iv) an identification of the statutes  
22 that authorize the program activity or the  
23 authority under which the program activity  
24 was created or operates;

1           “(v) an identification of any major  
2 regulations specific to the program activity;

3           “(vi) any other information that the  
4 Director of the Office of Management and  
5 Budget determines relevant relating to pro-  
6 gram activity data in priority areas most  
7 relevant to Congress or the public to in-  
8 crease transparency and accountability;  
9 and

10           “(vii) for each assistance listing under  
11 which Federal financial assistance is pro-  
12 vided, for the current fiscal year and each  
13 of the 2 fiscal years before the current fis-  
14 cal year and consistent with existing law  
15 relating to the protection of personally  
16 identifiable information—

17           “(I) a linkage to the relevant  
18 program activities that fund Federal  
19 financial assistance by assistance list-  
20 ing;

21           “(II) information on the popu-  
22 lation intended to be served by the as-  
23 sistance listing based on the language  
24 of the solicitation, as required under  
25 section 6102;

1           “(III) to the extent practicable  
2           and based on data reported to the  
3           agency providing the Federal financial  
4           assistance, the results of the Federal  
5           financial assistance awards provided  
6           by the assistance listing;

7           “(IV) to the extent practicable,  
8           the percentage of the amount appro-  
9           priated for the assistance listing that  
10          is used for management and adminis-  
11          tration;

12          “(V) the identification of each  
13          award of Federal financial assistance  
14          and, to the extent practicable, the  
15          name of each direct or indirect recipi-  
16          ent of the award; and

17          “(VI) any information relating to  
18          the award of Federal financial assist-  
19          ance that is required to be included on  
20          the website established under section  
21          2(b) of the Federal Funding Account-  
22          ability and Transparency Act of 2006  
23          (31 U.S.C. 6101 note).”; and

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

1           “(4) ARCHIVING.—The Director of the Office of  
2 Management and Budget shall—

3           “(A) archive and preserve the information  
4 included in the program inventory required  
5 under paragraph (2)(B) after the end of the pe-  
6 riod during which such information is made  
7 available under paragraph (3); and

8           “(B) make information archived in accord-  
9 ance with subparagraph (A) publicly available  
10 as an open Government data asset.”.

11 **SEC. 3. GUIDANCE, IMPLEMENTATION, REPORTING, AND**  
12 **REVIEW.**

13 (a) DEFINITIONS.—In this section—

14           (1) the term “appropriate congressional com-  
15 mittees” means the Committee on Oversight and Re-  
16 form of the House of Representatives and the Com-  
17 mittee on Homeland Security and Governmental Af-  
18 fairs of the Senate;

19           (2) the term “Director” means the Director of  
20 the Office of Management and Budget;

21           (3) the term “program” has the meaning given  
22 that term in section 1122(a)(1) of title 31, United  
23 States Code, as amended by section 2 of this Act;

1           (4) the term “program activity” has the mean-  
2           ing given that term in section 1115(h) of title 31,  
3           United States Code; and

4           (5) the term “Secretary” means the Secretary  
5           of the Treasury.

6           (b) PLAN FOR IMPLEMENTATION AND RECONCILING  
7 PROGRAM DEFINITIONS.—Not later than 180 days after  
8 the date of enactment of this Act, the Director, in con-  
9 sultation with the Secretary, shall submit to the appro-  
10 priate congressional committees a report that—

11           (1) includes a plan that—

12                   (A) discusses how making available on a  
13                   website the information required under sub-  
14                   section (a) of section 1122 of title 31, United  
15                   States Code, as amended by section 2, will le-  
16                   verage existing data sources while avoiding du-  
17                   plicative or overlapping information in pre-  
18                   senting information relating to program activi-  
19                   ties and programs;

20                   (B) indicates how any gaps in data will be  
21                   assessed and addressed;

22                   (C) indicates how the Director will display  
23                   such data; and

24                   (D) discusses how the Director will expand  
25                   the information collected with respect to pro-

1           gram activities to incorporate the information  
2           required under the amendments made by sec-  
3           tion 2;

4           (2) sets forth details regarding a pilot program,  
5           developed in accordance with best practices for effec-  
6           tive pilot programs—

7                   (A) to develop and implement a functional  
8                   program inventory that could be limited in  
9                   scope; and

10                   (B) under which the information required  
11                   under the amendments made by section 2 with  
12                   respect to program activities shall be made  
13                   available on the website required under section  
14                   1122(a) of title 31, United States Code;

15           (3) establishes an implementation timeline  
16           for—

17                   (A) gathering and building program activ-  
18                   ity information;

19                   (B) developing and implementing the pilot  
20                   program;

21                   (C) seeking and responding to stakeholder  
22                   comments;

23                   (D) developing and presenting findings  
24                   from the pilot program to the appropriate con-  
25                   gressional committees;

1 (E) notifying the appropriate congressional  
2 committees regarding how program activities  
3 will be aggregated, disaggregated, or consoli-  
4 dated as part of identifying programs; and

5 (F) implementing a Governmentwide pro-  
6 gram inventory through an iterative approach;  
7 and

8 (4) includes recommendations, if any, to rec-  
9 oncile the conflicting definitions of the term “pro-  
10 gram” in relevant Federal statutes, as it relates to  
11 the purpose of this Act.

12 (c) IMPLEMENTATION.—

13 (1) IN GENERAL.—Not later than 3 years after  
14 the date of enactment of this Act, the Director shall  
15 make available online all information required under  
16 the amendments made by section 2 with respect to  
17 all programs.

18 (2) EXTENSIONS.—The Director may, based on  
19 an analysis of the costs of implementation, and after  
20 submitting to the appropriate congressional commit-  
21 tees a notification of the action by the Director, ex-  
22 tend the deadline for implementation under para-  
23 graph (1) by not more than a total of 1 year.

24 (d) REPORTING.—Not later than 2 years after the  
25 date on which the Director makes available online all in-

1 formation required under the amendments made by sec-  
2 tion 2 with respect to all programs, the Comptroller Gen-  
3 eral of the United States shall submit to the appropriate  
4 congressional committees a report regarding the imple-  
5 mentation of this Act and the amendments made by this  
6 Act, which shall—

7           (1) review how the Director and agencies deter-  
8           mined how to aggregate, disaggregate, or consolidate  
9           program activities to provide the most useful infor-  
10          mation for an inventory of Government programs;

11          (2) evaluate the extent to which the program  
12          inventory required under section 1122 of title 31,  
13          United States Code, as amended by this Act, pro-  
14          vides useful information for transparency, decision-  
15          making, and oversight;

16          (3) evaluate the extent to which the program  
17          inventory provides a coherent picture of the scope of  
18          Federal investments in particular areas; and

19          (4) include the recommendations of the Comp-  
20          troller General, if any, for improving implementation  
21          of this Act and the amendments made by this Act.

22 **SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.**

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

1 (1) in subsection (b), in the matter preceding  
2 paragraph (1), by inserting “described in subsection  
3 (a)(2)(A)” after “the website” each place it appears;

4 (2) in subsection (c), in the matter preceding  
5 paragraph (1), by inserting “described in subsection  
6 (a)(2)(A)” after “the website”; and

7 (3) in subsection (d)—

8 (A) in the subsection heading, by striking  
9 “ON WEBSITE”; and

10 (B) in the first sentence, by striking “on  
11 the website”.

12 (b) OTHER AMENDMENTS.—

13 (1) Section 1115(a) of title 31, United States  
14 Code, is amended in the matter preceding paragraph  
15 (1) by striking “the website provided under” and in-  
16 serting “a website described in”.

17 (2) Section 10 of the GPRA Modernization Act  
18 of 2010 (31 U.S.C. 1115 note) is amended—

19 (A) in subsection (a)(3), by striking “the  
20 website described under” and inserting “a  
21 website described in”; and

22 (B) in subsection (b)—

23 (i) in paragraph (1), by striking “the  
24 website described under” and inserting “a  
25 website described in”; and

1 (ii) in paragraph (3), by striking “the  
2 website as required under” and inserting  
3 “a website described in”.

4 (3) Section 1120(a)(5) of title 31, United  
5 States Code, is amended by striking “the website de-  
6 scribed under” and inserting “a website described  
7 in”.

8 (4) Section 1126(b)(2)(E) of title 31, United  
9 States Code, is amended by striking “the website of  
10 the Office of Management and Budget pursuant to”  
11 and inserting “a website described in”.

12 (5) Section 3512(a)(1) of title 31, United  
13 States Code, is amended by striking “the website de-  
14 scribed under” and inserting “a website described  
15 in”.

16 **SEC. 5. DETERMINATION OF BUDGETARY EFFECTS.**

17 The budgetary effects of this Act, for the purpose of  
18 complying with the Statutory Pay-As-You-Go Act of 2010,  
19 shall be determined by reference to the latest statement  
20 titled “Budgetary Effects of PAYGO Legislation” for this  
21 Act, submitted for printing in the Congressional Record  
22 by the Chairman of the House Budget Committee, pro-

1 vided that such statement has been submitted prior to the  
2 vote on passage.

Passed the House of Representatives February 5,  
2020.

Attest:                      CHERYL L. JOHNSON,  
*Clerk.*