

Calendar No. 533

116TH CONGRESS
2D SESSION**H. R. 4894**

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 15, 2020

Received; read twice and placed on the calendar

AN ACT

To amend the Federal Funding Accountability and Transparency Act of 2006, to require the budget justifications and appropriation requests of agencies be made publicly available.

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 “Congressional Budget
5 Justification Transparency Act of 2020”.

6 **SEC. 2. PUBLIC AVAILABILITY OF BUDGET JUSTIFICATIONS**
7 **AND APPROPRIATION REQUESTS.**

8 (a) IN GENERAL.—Section 3 of the Federal Funding
9 Accountability and Transparency Act of 2006 (Public Law

1 109–282; 31 U.S.C. 6101 note) is amended to read as
2 follows:

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

4 “(a) IN GENERAL.—Not less frequently than monthly
5 when practicable, and in any event not less frequently than
6 quarterly, the Secretary (in consultation with the Director
7 and, with respect to information described in subsection
8 (b)(2), the head of the applicable agency) shall ensure that
9 updated information with respect to the information de-
10 scribed in subsection (b) is posted on the website estab-
11 lished under section 2.

12 “(b) INFORMATION TO BE POSTED.—

13 “(1) FUNDS.—For any funds made available to
14 or expended by a Federal agency or component of a
15 Federal agency, the information to be posted shall
16 include—

17 “(A) for each appropriations account, in-
18 cluding an expired or unexpired appropriations
19 account, the amount—

20 “(i) of budget authority appropriated;

21 “(ii) that is obligated;

22 “(iii) of unobligated balances; and

23 “(iv) of any other budgetary re-
24 sources;

1 “(B) from which accounts and in what
2 amount—

3 “(i) appropriations are obligated for
4 each program activity; and

5 “(ii) outlays are made for each pro-
6 gram activity;

7 “(C) from which accounts and in what
8 amount—

9 “(i) appropriations are obligated for
10 each object class; and

11 “(ii) outlays are made for each object
12 class; and

13 “(D) for each program activity, the
14 amount—

15 “(i) obligated for each object class;
16 and

17 “(ii) of outlays made for each object
18 class.

19 “(2) BUDGET JUSTIFICATIONS.—

20 “(A) DEFINITION.—In this paragraph, the
21 term ‘budget justification materials’ means the
22 annual budget justification materials of an
23 agency that are submitted, in conjunction with
24 the budget of the United States Government
25 submitted under section 1105(a) of title 31,

1 United States Code, but does not include budg-
2 et justification materials that are classified.

3 “(B) INFORMATION.—The information to
4 be posted shall include any budget justification
5 materials—

6 “(i) for the second fiscal year begin-
7 ning after the date of enactment of this
8 paragraph, and each fiscal year thereafter;
9 and

10 “(ii) to the extent practicable, that
11 were released for any fiscal year before the
12 date of enactment of this paragraph.

13 “(C) FORMAT.—Budget justification mate-
14 rials shall be posted under subparagraph (B)—

15 “(i) as an open Government data
16 asset (as defined under section 3502 of
17 title 44, United States Code);

18 “(ii) in a manner that enables users
19 to download individual reports, download
20 all reports in bulk, and download in bulk
21 the results of a search, to the extent prac-
22 ticable; and

23 “(iii) in a structured data format, to
24 the extent practicable.

1 “(D) DEADLINE.—The budget justification
2 materials required to be posted under subpara-
3 graph (B)(i) shall be posted not later than 2
4 weeks after the date on which the budget jus-
5 tification materials are first submitted to Con-
6 gress.

7 “(E) RULE OF CONSTRUCTION.—Nothing
8 in this paragraph shall be construed to author-
9 ize an agency to destroy any budget justifica-
10 tion materials relating to a fiscal year before
11 the fiscal year described in subparagraph
12 (B)(i).”.

13 (b) INFORMATION REGARDING AGENCY BUDGET
14 JUSTIFICATIONS.—Section 1105 of title 31, United States
15 Code, is amended by adding at the end the following:

16 “(i)(1) The Director of the Office of Management
17 and Budget shall make publicly available on a website, and
18 continuously update, a tabular list for each fiscal year of
19 each agency that submits budget justification materials,
20 which shall include—

21 “(A) the name of the agency;

22 “(B) a unique identifier that identifies the
23 agency;

1 “(C) to the extent practicable, the date on
2 which the budget justification materials of the agen-
3 cy are first submitted to Congress;

4 “(D) the date on which the budget justification
5 materials of the agency are posted online under sec-
6 tion 3 of the Federal Funding Accountability and
7 Transparency Act of 2006;

8 “(E) the uniform resource locator where the
9 budget justification materials are published on the
10 website of the agency; and

11 “(F) a single data set that contains the infor-
12 mation described in subparagraphs (A) through (E)
13 with respect to the agency for all fiscal years for
14 which budget justifications of the agency are made
15 available under section 3 of the Federal Funding Ac-
16 countability and Transparency Act of 2006 in a
17 structured data format.

18 “(2)(A) Each agency that submits budget justifica-
19 tion materials shall make the materials available on the
20 website of the agency, in accordance with the policies es-
21 tablished by the Director of the Office of Management and
22 Budget under subparagraph (B).

23 “(B) The Director of the Office of Management
24 and Budget, in consultation with the Secretary of
25 the Treasury, shall establish policies for agencies re-

1 lating to making available materials under subpara-
2 graph (A), which shall include guidelines for making
3 budget justification materials available in a format
4 aligned with the requirements of section 3(b)(2)(C)
5 of the Federal Funding Accountability and Trans-
6 parency Act of 2006 and using a uniform resource
7 locator that is in a consistent format across agencies
8 and is descriptive, memorable, and pronounceable,
9 such as the format of ‘agencyname.gov/budget’.

10 “(C) If the Director of the Office of Manage-
11 ment and Budget maintains a public website that
12 contains the budget of the United States Govern-
13 ment submitted under subsection (a) and any re-
14 lated materials, such website shall also contain a
15 link to the tabular list required under paragraph (1).

16 “(3) In this subsection, the term ‘budget justification
17 materials’ has the meaning given that term in section 3
18 of the Federal Funding Accountability and Transparency
19 Act of 2006.”.

20 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

21 The budgetary effects of this Act, for the purpose of
22 complying with the Statutory Pay-As-You-Go Act of 2010,
23 shall be determined by reference to the latest statement
24 titled “Budgetary Effects of PAYGO Legislation” for this
25 Act, submitted for printing in the Congressional Record

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