

116TH CONGRESS
1ST SESSION

S. 2175

To address recommendations made to Congress by the Government Accountability Office and detailed in the annual duplication report, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 18, 2019

Ms. HASSAN (for herself and Mr. PAUL) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To address recommendations made to Congress by the Government Accountability Office and detailed in the annual duplication report, 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 “Acting on the Annual
5 Duplication Report Act of 2019”.

6 **SEC. 2. FINDINGS; SENSE OF CONGRESS.**

7 (a) FINDINGS.—Congress makes the following find-
8 ings:

1 (1) The annual reports prepared by the Comp-
2 troller General of the United States under section 21
3 of the Joint Resolution entitled “Joint Resolution
4 increasing the statutory limit on the public debt”,
5 approved February 12, 2010 (13 U.S.C. 712 note),
6 have produced approximately \$262,000,000,000 in
7 financial benefits for the Federal Government.

8 (2) The 2019 report entitled “Additional Op-
9 portunities to Reduce Fragmentation, Overlap, and
10 Duplication and Achieve Billions in Financial Bene-
11 fits” (GAO–19–285SP) identified 98 new actions
12 that Congress or the executive branch can take to
13 improve efficiency and effectiveness across the Fed-
14 eral Government, and potentially to save tens of bil-
15 lions of dollars.

16 (3) Those financial benefits cannot be realized
17 without full implementation of the actions and rec-
18 ommendations set forth by the Comptroller General.

19 (4) Of the 98 new actions, several require legis-
20 lation to be fully implemented, including—

21 (A) expanding the definition of allowable
22 expenses authorized by the Foreign Military
23 Sales administrative account;

24 (B) examining the optimal size of the Stra-
25 tegic Petroleum Reserve;

1 (C) altering the metal composition of coins
 2 to reduce production costs;

3 (D) requiring scannable codes on tax re-
 4 turns prepared electronically, but filed on
 5 paper; and

6 (E) strengthening the accountability of
 7 schools for student loan defaults.

8 (b) SENSE OF CONGRESS.—It is the sense of Con-
 9 gress that—

10 (1) it is the responsibility of Congress and the
 11 executive branch to take action to implement rec-
 12 ommendations made in the annual reports of the
 13 Government Accountability Office on reducing dupli-
 14 cation in Federal programs to be good stewards of
 15 taxpayer dollars; and

16 (2) legislation and adequate resources are need-
 17 ed to ensure that all potential financial benefits are
 18 realized from the implementation of those rec-
 19 ommendations.

20 **SEC. 3. ENHANCING FEDERAL REVENUE THROUGH RE-**
 21 **VIEWING AND REPORTING ON USE AND MAN-**
 22 **AGEMENT OF ADMINISTRATIVE SURCHARGES**
 23 **UNDER FOREIGN MILITARY SALES PROGRAM.**

24 (a) FOREIGN MILITARY SALES PROGRAM DE-
 25 FINED.—In this section, the term “foreign military sales

1 program” means the program authorized under chapter
2 2 of the Arms Export Control Act (22 U.S.C. 2761 et
3 seq.).

4 (b) REVIEW.—

5 (1) IN GENERAL.—The Secretary of Defense,
6 acting through the Director of the Defense Security
7 Cooperation Agency, shall review options for expand-
8 ing the use of administrative surcharges under the
9 foreign military sales program, including practices
10 for managing administrative surcharges and con-
11 tract administration services surcharges.

12 (2) MATTERS TO BE INCLUDED.—The review
13 conducted under paragraph (1) shall include the fol-
14 lowing:

15 (A) A determination of which specific ex-
16 penses are incurred by the United States Gov-
17 ernment in operation of the foreign military
18 sales program that the administrative surcharge
19 does not pay for as of the date of the enact-
20 ment of this Act.

21 (B) The estimated annual cost of each of
22 such specific expenses.

23 (C) An assessment of the costs and bene-
24 fits of funding such specific expenses through

1 the administrative surcharge, including any
2 data to support such an assessment.

3 (D) An assessment of how the Department
4 of Defense could calculate an upper bound of a
5 target range for the administrative surcharge
6 account and the contract administration serv-
7 ices surcharge account, including an assessment
8 of the costs and benefits of setting such a
9 bound.

10 (E) An assessment of how the Department
11 of Defense calculates the lower bound, or safety
12 level, for the administrative surcharge account
13 and the contract administration services sur-
14 charge account, including what specific factors
15 inform the calculation and whether such a
16 method for calculating the safety level is still
17 valid or should be revisited.

18 (F) An assessment of the process used by
19 the Department of Defense to review and set
20 rates for the administrative surcharge and the
21 contract administration services surcharge, in-
22 cluding the extent to which outside parties are
23 consulted and any proposals the Department of
24 Defense may have for better ensuring that the
25 rates are set appropriately.

1 (G) Such other matters as the Secretary of
 2 Defense determines to be appropriate.

3 (c) REPORT REQUIRED.—Not later than 180 days
 4 after the date of the enactment of this Act, the Secretary
 5 of Defense, acting through the Director of the Defense
 6 Security Cooperation Agency, shall submit to the Com-
 7 mittee on Armed Services of the Senate and the Com-
 8 mittee on Armed Services of the House of Representatives
 9 a report on—

10 (1) the findings of the review conducted under
 11 subsection (b); and

12 (2) any legislative changes needed to allow the
 13 administrative surcharge under the foreign military
 14 sales program to pay for any expenses currently not
 15 covered by that surcharge.

16 **SEC. 4. INCREASING FEDERAL REVENUE BY REVIEWING**
 17 **AND REPORTING ON OPTIMAL SIZE OF STRA-**
 18 **TEGIC PETROLEUM RESERVE.**

19 (a) REVIEW.—

20 (1) IN GENERAL.—The Secretary of Energy
 21 (referred to in this section as the “Secretary”) shall
 22 conduct a review of options for a long-range target
 23 for the optimal size and configuration of the Stra-
 24 tegic Petroleum Reserve established under part B of
 25 title I of the Energy Policy and Conservation Act

1 (42 U.S.C. 6231 et seq.) (referred to in this section
2 as the “Reserve”).

3 (2) MATTERS TO BE CONSIDERED.—In con-
4 ducting the review under paragraph (1), the Sec-
5 retary shall consider—

6 (A) the volume of petroleum and petroleum
7 products to be held in the Reserve;

8 (B) the infrastructure and modernization
9 needs of the Reserve;

10 (C) the projections for future oil produc-
11 tion and consumption in the United States;

12 (D) the efficacy of the existing Reserve to
13 respond to domestic supply disruptions;

14 (E) the obligations of the International
15 Energy Agency;

16 (F) the expected responses of the private
17 sector to any supply disruptions due to a sub-
18 optimal size and configuration of the Reserve;
19 and

20 (G) the costs and benefits of a range of po-
21 tential sizes and configurations of the Reserve.

22 (b) REPORT.—Not later than 180 days after the date
23 of enactment of this Act, the Secretary shall submit to
24 the Committee on Energy and Natural Resources of the

1 Senate and the Committee on Energy and Commerce of
 2 the House of Representatives a report describing—

3 (1) the findings of the review conducted under
 4 subsection (a); and

5 (2) recommendations for legislation needed to
 6 optimize the size and configuration of the Reserve.

7 **SEC. 5. SAVING FEDERAL FUNDS BY AUTHORIZING**
 8 **CHANGES TO THE COMPOSITION OF CIRCULATING COINS.**
 9

10 Section 5112 of title 31, United States Code, is
 11 amended by adding at the end the following:

12 “(x) COMPOSITION OF CIRCULATING COINS.—

13 “(1) IN GENERAL.—Notwithstanding any other
 14 provision of law, the Director of the United States
 15 Mint may modify the composition of circulating
 16 coins in accordance with a study and analysis con-
 17 ducted by the United States Mint, if that modifica-
 18 tion will—

19 “(A) reduce costs incurred by the tax-
 20 payers of the United States;

21 “(B) be seamless, as determined through
 22 testing conducted by most coin acceptors; and

23 “(C) have no impact on the public and
 24 stakeholders, except as described in subpara-
 25 graph (A).

1 “(2) NOTIFICATION TO CONGRESS.—On the
 2 date that is 90 days before the date on which the
 3 Director of the United States Mint makes a modi-
 4 fication described in paragraph (1), the Director
 5 shall submit to Congress notice that—

6 “(A) provides a justification for the modi-
 7 fication, including the support for that modi-
 8 fication in the study and analysis required
 9 under paragraph (1) with respect to the modi-
 10 fication;

11 “(B) describes how the modification will
 12 reduce costs incurred by the taxpayers of the
 13 United States;

14 “(C) certifies that the modification will be
 15 seamless, as described in paragraph (1)(B); and

16 “(D) certifies that the modification will
 17 have no impact on the public or stakeholders,
 18 except as described in paragraph (1)(A).”.

19 **SEC. 6. REDUCING THE RESOURCE DRAIN BY REQUIRING**
 20 **THAT ELECTRONICALLY PREPARED PAPER**
 21 **RETURNS TO INCLUDE SCANNABLE CODE.**

22 (a) IN GENERAL.—Subsection (e) of section 6011 of
 23 the Internal Revenue Code of 1986, as amended by the
 24 Taxpayer First Act (Public Law 116–25), is amended by
 25 adding at the end the following new paragraph:

1 “(7) SPECIAL RULE FOR RETURNS PREPARED
2 ELECTRONICALLY AND SUBMITTED ON PAPER.—The
3 Secretary shall require that any return of tax which
4 is prepared electronically, but is printed and filed on
5 paper, bear a code which can, when scanned, convert
6 such return to electronic format.”.

7 (b) CONFORMING AMENDMENT.—Paragraph (1) of
8 section 6011(e) of such Code is amended by striking
9 “paragraph (3)” and inserting “paragraphs (3) and (7)”.

10 (c) EFFECTIVE DATE.—The amendments made by
11 this section shall apply to returns of tax the due date for
12 which (determined without regard to extensions) is after
13 December 31, 2020.

14 **SEC. 7. MAXIMIZING EFFECTIVE USE AND RECOUPMENT OF**
15 **FEDERAL STUDENT LOANS BY CLOSING THE**
16 **FORBEARANCE LOOPHOLE AND AMENDING**
17 **DEFAULT RATES.**

18 (a) DEFAULT MANAGEMENT PLAN.—Section
19 435(a)(7)(A) of the Higher Education Act of 1965 (20
20 U.S.C. 1085(a)(7)(A)) is amended—

21 (1) by redesignating clause (ii) as clause (iii);

22 and

23 (2) by inserting after clause (i) the following:

24 “(iii) PROHIBITION.—The plan re-
25 quired under clause (i) may not include

1 placing students in forbearance as a means
2 of reducing the cohort default rate of the
3 institution.”.

4 (b) FORBEARANCE RULES.—Section 435(m)(1) of
5 the Higher Education Act of 1965 (20 U.S.C.
6 1085(m)(1)) is amended by adding at the end the fol-
7 lowing:

8 “(D) With respect to a cohort default rate
9 calculated for an institution under this para-
10 graph for fiscal year 2018 and for each suc-
11 ceeding fiscal year, the cohort default rate shall
12 be calculated such that in determining the num-
13 ber of current and former students at an insti-
14 tution who enter repayment for such fiscal
15 year—

16 “(i) any student who is in nonmanda-
17 tory forbearance for such fiscal year for a
18 period of greater than 18 months but less
19 than 36 months shall not be counted as
20 entering repayment for that fiscal year;

21 “(ii) any student described in clause
22 (i) shall be counted as entering repayment
23 for the first fiscal year for which the stu-
24 dent ceases to be in a period of forbear-

1 ance and otherwise meets the requirements
2 for being in repayment; and
3 “(iii) any student who is in a period
4 of nonmandatory forbearance for 3 or
5 more years shall be counted as in default
6 and included in the institution’s total num-
7 ber of students in default.”.

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