

Calendar No. 436

116TH CONGRESS
2D SESSION**S. 2560****[Report No. 116–221]**

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.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2019

Mr. PETERS (for himself and Mr. PORTMAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

MARCH 2, 2020

Reported by Mr. JOHNSON, with an amendment

[Omit the part struck through]

A BILL

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Congressional Budget
3 Justification Transparency Act of 2019”.

4 **SEC. 2. PUBLIC AVAILABILITY OF BUDGET JUSTIFICATIONS**
5 **AND APPROPRIATION REQUESTS.**

6 (a) IN GENERAL.—Section 3 of the Federal Funding
7 Accountability and Transparency Act of 2006 (31 U.S.C.
8 6101 note) is amended to read as follows:

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

10 “(a) IN GENERAL.—Not less frequently than monthly
11 when practicable, and in any event not less frequently than
12 quarterly, the Secretary (in consultation with the Director
13 and, with respect to information described in subsection
14 (b)(2), the head of the applicable Federal agency) shall
15 ensure that updated information with respect to the infor-
16 mation described in subsection (b) is posted on the website
17 established under section 2.

18 “(b) INFORMATION TO BE POSTED.—

19 “(1) FUNDS.—For any funds made available to
20 or expended by a Federal agency or component of a
21 Federal agency, the information to be posted shall
22 include—

23 “(A) for each appropriations account, in-
24 cluding an expired or unexpired appropriations
25 account, the amount—

26 “(i) of budget authority appropriated;

1 “(ii) that is obligated;

2 “(iii) of unobligated balances; and

3 “(iv) of any other budgetary re-
4 sources;

5 “(B) from which accounts and in what
6 amount—

7 “(i) appropriations are obligated for
8 each program activity; and

9 “(ii) outlays are made for each pro-
10 gram activity;

11 “(C) from which accounts and in what
12 amount—

13 “(i) appropriations are obligated for
14 each object class; and

15 “(ii) outlays are made for each object
16 class; and

17 “(D) for each program activity, the
18 amount—

19 “(i) obligated for each object class;
20 and

21 “(ii) of outlays made for each object
22 class.

23 “(2) BUDGET JUSTIFICATIONS.—

24 “(A) DEFINITIONS.—In this paragraph—

1 “(i) the term ‘agency’ has the mean-
2 ing given that term in section 101 of title
3 31, United States Code; and

4 “(ii) the term ‘budget justification
5 materials’ means the annual budget jus-
6 tification materials of an agency that are
7 submitted to Congress in support of the
8 budget of the agency, in conjunction with
9 the budget of the United States Govern-
10 ment submitted under section 1105(a) of
11 title 31, United States Code.

12 “(B) INFORMATION.—The information to
13 be posted shall include the budget justification
14 materials of each agency—

15 “(i) for the second fiscal year begin-
16 ning after the date of enactment of this
17 paragraph, and each fiscal year thereafter;
18 and

19 “(ii) to the extent practicable, that
20 were released for any fiscal year before the
21 date of enactment of this paragraph.

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

24 “(i) in an open format;

1 “(ii) in a manner that enables users
 2 to download individual reports, download
 3 all reports in bulk, and download in bulk
 4 the results of a search, to the extent prac-
 5 ticable; and

6 “(iii) in a structured data format, to
 7 the extent practicable.

8 “(D) DEADLINE.—The budget justification
 9 materials required to be posted under subpara-
 10 graph (B)(i) shall be posted not later than 2
 11 weeks after the date on which the budget jus-
 12 tification materials are first submitted to Con-
 13 gress.

14 “(E) RULE OF CONSTRUCTION.—Nothing
 15 in this paragraph shall be construed to author-
 16 ize an agency to destroy any budget justifica-
 17 tion materials relating to a fiscal year before
 18 the fiscal year described in subparagraph
 19 (B)(i).”.

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

23 “(i)(1) The Director of the Office of Management
 24 and Budget shall make publicly available on an internet
 25 website, and continuously update, a tabular list for each

1 fiscal year of each agency that submits to Congress budget
2 justification materials in support of the budget of the
3 agency, which shall include—

4 “(A) the name of the agency;

5 “(B) a unique identifier that identifies the
6 agency;

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

10 “(D) the date on which the budget justification
11 materials of the agency are posted online under sec-
12 tion 3 of the Federal Funding Accountability and
13 Transparency Act of 2006 (31 U.S.C. 6101 note);

14 “(E) the uniform resource locator where the
15 budget justification materials submitted to Congress
16 are published on the website of the agency; and

17 “(F) a single data set that contains the infor-
18 mation described in subparagraphs (A) through (E)
19 with respect to the agency for all fiscal years for
20 which budget justifications of the agency are made
21 available under section 3 of the Federal Funding Ac-
22 countability and Transparency Act of 2006 (31
23 U.S.C. 6101 note) in a structured data format.

24 “(2)(A) Each agency that submits to Congress budg-
25 et justification materials in support of the budget of the

1 agency shall make the materials available on the website
2 of the agency.

3 “(B) The Director of Office of Management and
4 Budget shall establish best practices for agencies relating
5 to making available materials under subparagraph (A) ~~(i)~~,
6 which shall include guidelines for using a uniform resource
7 locator that is in a consistent format across agencies and
8 is descriptive, memorable, and pronounceable, such as the
9 format of ‘agencyname.gov/budget’.

10 “(C) If the Director of Office of Management and
11 Budget maintains a public website that contains the budg-
12 et of the United States Government submitted under sub-
13 section (a) and any related materials, such website shall
14 also contain a link to the tabular list required under para-
15 graph (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 (31 U.S.C. 6101 note).”.

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