

117TH CONGRESS
1ST SESSION

H. R. 22

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 HOUSE OF REPRESENTATIVES

JANUARY 4, 2021

Mr. QUIGLEY (for himself, Mr. COMER, Ms. NORTON, Mr. FITZPATRICK, Mr. COOPER, Mr. KHANNA, and Mrs. AXNE) introduced the following bill; which was referred to the Committee on Oversight and Reform, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Congressional Budget
5 Justification Transparency Act of 2021”.

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

3 (a) IN GENERAL.—Section 3 of the Federal Funding
4 Accountability and Transparency Act of 2006 (Public Law
5 109–282; 31 U.S.C. 6101 note) is amended to read as
6 follows:

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

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

16 “(b) INFORMATION TO BE POSTED.—

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

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

24 “(i) of budget authority appropriated;

25 “(ii) that is obligated;

26 “(iii) of unobligated balances; and

1 “(iv) of any other budgetary re-
2 sources;

3 “(B) from which accounts and in what
4 amount—

5 “(i) appropriations are obligated for
6 each program activity; and

7 “(ii) outlays are made for each pro-
8 gram activity;

9 “(C) from which accounts and in what
10 amount—

11 “(i) appropriations are obligated for
12 each object class; and

13 “(ii) outlays are made for each object
14 class; and

15 “(D) for each program activity, the
16 amount—

17 “(i) obligated for each object class;
18 and

19 “(ii) of outlays made for each object
20 class.

21 “(2) BUDGET JUSTIFICATIONS.—

22 “(A) DEFINITION.—In this paragraph, the
23 term ‘budget justification materials’ means the
24 annual budget justification materials of an
25 agency that are submitted, in conjunction with

1 the budget of the United States Government
2 submitted under section 1105(a) of title 31,
3 United States Code, but does not include budg-
4 et justification materials that are classified.

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

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

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

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

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

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

1 “(iii) in a structured data format, to
2 the extent practicable.

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

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

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

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

23 “(A) the name of the agency;

24 “(B) a unique identifier that identifies the
25 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 and
24 Budget, in consultation with the Secretary of the Treas-
25 ury, shall establish policies for agencies relating to making

1 available materials under subparagraph (A), which shall
2 include guidelines for making budget justification mate-
3 rials available in a format aligned with the requirements
4 of section 3(b)(2)(C) of the Federal Funding Account-
5 ability and Transparency Act of 2006 and using a uniform
6 resource locator that is in a consistent format across agen-
7 cies and is descriptive, memorable, and pronounceable,
8 such as the format of ‘agencyname.gov/budget’.

9 “(C) If the Director of the Office of Management and
10 Budget maintains a public website that contains the budg-
11 et of the United States Government submitted under sub-
12 section (a) and any related materials, such website shall
13 also contain a link to the tabular list required under para-
14 graph (1).

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

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

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

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

○