

117TH CONGRESS
1ST SESSION

S. 272

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,*

1 **SECTION 1. SHORT TITLE.**

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

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 ‘budget justification ma-
2 terials’ means the annual budget justifica-
3 tion materials of a Federal agency, or a
4 component of a Federal agency, that are
5 submitted, in conjunction with the budget
6 of the United States Government sub-
7 mitted under section 1105(a) of title 31,
8 United States Code; and

9 “(ii) the term ‘open Government data
10 asset’ has the meaning given that term in
11 section 3502 of title 44, United States
12 Code.

13 “(B) INFORMATION.—The information to
14 be posted—

15 “(i) shall include any budget justifica-
16 tion materials—

17 “(I) for the second fiscal year be-
18 ginning after the date of enactment of
19 this paragraph, and each fiscal year
20 thereafter; and

21 “(II) to the extent practicable,
22 that were released for any fiscal year
23 before the date of enactment of this
24 paragraph; and

1 “(ii) shall not include budget justifica-
2 tion materials the disclosure of which is
3 prohibited by law, that are classified, or
4 that are exempt from disclosure under sec-
5 tion 552(b) of title 5, United States Code.

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

8 “(i) as an open Government data
9 asset;

10 “(ii) in a manner that enables users
11 to download individual reports, download
12 all reports in bulk, and download in bulk
13 the results of a search, to the extent prac-
14 ticable; and

15 “(iii) in a structured data format, to
16 the extent practicable.

17 “(D) DEADLINE.—The budget justification
18 materials required to be posted under subpara-
19 graph (B)(i) shall be posted not later than 2
20 weeks after the date on which the budget jus-
21 tification materials are first submitted to Con-
22 gress.

23 “(E) RULE OF CONSTRUCTION.—Nothing
24 in this paragraph shall be construed to author-
25 ize a Federal agency, or a component of a Fed-

1 eral agency, to destroy any budget justification
2 materials relating to a fiscal year before the fis-
3 cal year described in subparagraph (B)(i).”.

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

7 “(i)(1) The Director of the Office of Management
8 and Budget shall make publicly available on a website, and
9 continuously update, a tabular list for each fiscal year of
10 each agency that submits budget justification materials,
11 which shall include—

12 “(A) the name of the agency;

13 “(B) a unique identifier that identifies the
14 agency;

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

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

22 “(E) the uniform resource locator where the
23 budget justification materials are published on the
24 website of the agency; and

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

8 “(2)(A) Each agency that submits budget justifica-
9 tion materials shall make the materials available on the
10 website of the agency, in accordance with the policies es-
11 tablished by the Director of the Office of Management and
12 Budget under subparagraph (B).

13 “(B) Not later than 1 year after the date of enact-
14 ment of this subsection, the Director of the Office of Man-
15 agement and Budget, in consultation with the Secretary
16 of the Treasury, shall establish policies and data stand-
17 ards for agencies relating to making available materials
18 under subparagraph (A), which shall include guidelines for
19 making budget justification materials available in a format
20 aligned with the requirements of section 3(b)(2)(C) of the
21 Federal Funding Accountability and Transparency Act of
22 2006 (31 U.S.C. 6101 note) and using a uniform resource
23 locator that is in a consistent format across agencies and
24 is descriptive, memorable, and pronounceable, such as the
25 format of ‘agencyname.gov/budget’.

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

7 “(3) In this subsection, the term ‘budget justification
8 materials’ has the meaning given that term in section
9 3(b)(2) of the Federal Funding Accountability and Trans-
10 parency Act of 2006 (31 U.S.C. 6101 note).”.

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

12 The budgetary effects of this Act, for the purpose of
13 complying with the Statutory Pay-As-You-Go-Act of 2010,
14 shall be determined by reference to the latest statement
15 titled “Budgetary Effects of PAYGO Legislation” for this
16 Act, submitted for printing in the Congressional Record
17 by the Chairman of the Senate Budget Committee, pro-
18 vided that such statement has been submitted prior to the
19 vote on passage.

Passed the Senate June 24, 2021.

Attest:

Secretary.

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