

118TH CONGRESS
2^D SESSION

S. 1258

AN ACT

To require the Director of the Office of Management and Budget to submit to Congress an annual report on projects that are over budget and behind schedule, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Billion Dollar Boon-
3 doggle Act of 2023”.

4 **SEC. 2. ANNUAL REPORT.**

5 (a) DEFINITIONS.—In this section—

6 (1) the term “covered agency” means—

7 (A) an Executive agency, as defined in sec-
8 tion 105 of title 5, United States Code; and

9 (B) an independent regulatory agency, as
10 defined in section 3502 of title 44, United
11 States Code;

12 (2) the term “covered project” means a project
13 funded by a covered agency—

14 (A) that is more than 5 years behind
15 schedule, as measured against the original ex-
16 pected date for completion; or

17 (B) for which the amount spent on the
18 project is not less than \$1,000,000,000 more
19 than the original cost estimate for the project;
20 and

21 (3) the term “project” means a major acquisi-
22 tion, a major defense acquisition program (as de-
23 fined in section 4201 of title 10, United States
24 Code), a procurement, a construction project, a re-
25 mediation or clean-up effort, or any other time-lim-
26 ited endeavor, that is not funded through direct

1 spending (as defined in section 250(c) of the Bal-
2 anced Budget and Emergency Deficit Control Act of
3 1985 (2 U.S.C. 900(c))).

4 (b) REQUIREMENT.—Not later than 1 year after the
5 date of enactment of this Act, the Director of the Office
6 of Management and Budget shall issue guidance requiring
7 covered agencies to include, on an annual basis in a report
8 described in paragraph (2) of section 3516(a) of title 31,
9 United States Code, or a consolidated report described in
10 paragraph (1) of such section, information relating to each
11 covered project of the covered agency, which shall in-
12 clude—

13 (1) a brief description of the covered project,
14 including—

15 (A) the purpose of the covered project;

16 (B) each location in which the covered
17 project is carried out;

18 (C) the contract or award number of the
19 covered project, where applicable;

20 (D) the year in which the covered project
21 was initiated;

22 (E) the Federal share of the total cost of
23 the covered project; and

1 (F) each primary contractor, subcon-
2 tractor, grant recipient, and subgrantee recipi-
3 ent of the covered project;

4 (2) an explanation of any change to the original
5 scope of the covered project, including by the addi-
6 tion or narrowing of the initial requirements of the
7 covered project;

8 (3) the original expected date for completion of
9 the covered project;

10 (4) the current expected date for completion of
11 the covered project;

12 (5) the original cost estimate for the covered
13 project, as adjusted to reflect increases in the Con-
14 sumer Price Index for All Urban Consumers, as
15 published by the Bureau of Labor Statistics;

16 (6) the current cost estimate for the covered
17 project, as adjusted to reflect increases in the Con-
18 sumer Price Index for All Urban Consumers, as
19 published by the Bureau of Labor Statistics;

20 (7) an explanation for a delay in completion or
21 an increase in the original cost estimate for the cov-
22 ered project, including, where applicable, any impact
23 of insufficient or delayed appropriations; and

1 (8) the amount of and rationale for any award,
2 incentive fee, or other type of bonus, if any, awarded
3 for the covered project.

 Passed the Senate March 23 (legislative day, March
22), 2024.

Attest:

Secretary.

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