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To provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 18, 2019

Mr. LANKFORD (for himself, Ms. HASSAN, Ms. SINEMA, Ms. ERNST, Mr. JOHNSON, Mr. ENZI, Mr. PAUL, Mr. CORNYN, and Mr. TESTER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory, 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 “Taxpayers Right-To-
5 Know Act”.

1 **SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.**

2 Section 1122(a) of title 31, United States Code, is
3 amended—

4 (1) by redesignating paragraphs (1) and (2) as
5 paragraphs (2) and (3), respectively;

6 (2) by inserting before paragraph (2), as so re-
7 designated, the following:

8 “(1) DEFINITIONS.—For purposes of this sub-
9 section—

10 “(A) the term ‘Federal financial assist-
11 ance’ has the meaning given that term under
12 section 7501;

13 “(B) the term ‘open Government data
14 asset’ has the meaning given that term under
15 section 3502 of title 44;

16 “(C) the term ‘program’ means a single
17 program activity or an organized set of aggre-
18 gated, disaggregated, or consolidated program
19 activities by 1 or more agencies directed toward
20 a common purpose or goal; and

21 “(D) the term ‘program activity’ has the
22 meaning given that term in section 1115(h).”;
23 (3) in paragraph (2), as so redesignated—

24 (A) by striking “IN GENERAL.—Not later
25 than October 1, 2012, the Office of Manage-
26 ment and Budget shall” and inserting

1 “WEBSITE AND PROGRAM INVENTORY.—The
2 Director of the Office of Management and
3 Budget shall”;

4 (B) in subparagraph (A), by inserting
5 “that includes the information required under
6 subsections (b) and (c)” after “a single
7 website”; and

8 (C) by striking subparagraphs (B) and (C)
9 and inserting the following:

10 “(B) include on the website described in
11 subparagraph (A), or another appropriate Fed-
12 eral Government website where related informa-
13 tion is made available, as determined by the Di-
14 rector—

15 “(i) a program inventory that shall
16 identify each program; and

17 “(ii) for each program identified in
18 the program inventory, the information re-
19 quired under paragraph (3);

20 “(C) make the information in the program
21 inventory required under subparagraph (B)
22 available as an open Government data asset;
23 and

24 “(D) at a minimum—

1 “(i) update the information required
2 to be included on the single website under
3 subparagraph (A) on a quarterly basis;
4 and

5 “(ii) update the program inventory re-
6 quired under subparagraph (B) on an an-
7 nual basis.”;

8 (4) in paragraph (3), as so redesignated—

9 (A) in the matter preceding subparagraph
10 (A), by striking “described under paragraph (1)
11 shall include” and inserting “identified in the
12 program inventory required under paragraph
13 (2)(B) shall include, for each program activity
14 that is a part of a program”;

15 (B) by striking subparagraphs (A) and
16 (C);

17 (C) by redesignating subparagraph (B) as
18 subparagraph (A);

19 (D) in subparagraph (A), as so redesign-
20 ated—

21 (i) by striking “program” each place
22 it appears and inserting “program activ-
23 ity”; and

24 (ii) by striking “and” at the end; and

25 (E) by adding at the end the following:

1 “(B) a consolidated view for the current
2 fiscal year and each of the 2 fiscal years before
3 the current fiscal year of—

4 “(i) the amount appropriated;

5 “(ii) the amount obligated; and

6 “(iii) the amount outlaid;

7 “(C) to the extent practicable and per-
8 mitted by law, links to any related evaluation,
9 assessment, or program performance review by
10 the agency, an inspector general, or the Govern-
11 ment Accountability Office (including program
12 performance reports required under section
13 1116), and other related evidence assembled in
14 response to implementation of the Foundations
15 for Evidence-Based Policymaking Act of 2018
16 (Public Law 115–435; 132 Stat. 5529);

17 “(D) an identification of the statutes that
18 authorize the program activity or the authority
19 under which the program activity was created
20 or operates;

21 “(E) an identification of any major regula-
22 tions specific to the program activity;

23 “(F) any other information that the Direc-
24 tor of the Office of Management and Budget
25 determines relevant relating to program activity

1 data in priority areas most relevant to Congress
2 or the public to increase transparency and ac-
3 countability; and

4 “(G) for assistance listings under which
5 Federal financial assistance is provided, for the
6 current fiscal year and each of the 2 fiscal
7 years before the current fiscal year and con-
8 sistent with existing law relating to the protec-
9 tion of personally identifiable information—

10 “(i) a linkage to the relevant program
11 activities that fund Federal financial as-
12 sistance by assistance listing;

13 “(ii) information on the population in-
14 tended to be served by the assistance list-
15 ing based on the language of the solicita-
16 tion, as required under section 6102;

17 “(iii) to the extent practicable based
18 on data reported to the agency providing
19 the Federal financial assistance, the results
20 of the Federal financial assistance awards
21 provided by assistance listing;

22 “(iv) to the extent practicable, the
23 percentage of the amount appropriated for
24 the assistance listing that is used for man-
25 agement and administration;

1 “(v) the identification of each award
2 of Federal financial assistance and, to the
3 extent practicable, the name of each direct
4 or indirect recipient of the award; and

5 “(vi) any information relating to the
6 award of Federal financial assistance that
7 is required to be included on the website
8 established under section 2(b) of the Fed-
9 eral Funding Accountability and Trans-
10 parency Act of 2006 (31 U.S.C. 6101
11 note).”; and

12 (5) by adding at the end the following:

13 “(4) ARCHIVING.—The Director of the Office of
14 Management and Budget shall—

15 “(A) archive and preserve the information
16 included in the program inventory required
17 under paragraph (2)(B) after the end of the pe-
18 riod during which such information is required
19 to be made available under paragraph (3); and

20 “(B) make information archived in accord-
21 ance with subparagraph (A) available for re-
22 search via an archiving process that results in
23 self-service of data access.”.

1 **SEC. 3. GUIDANCE, IMPLEMENTATION, REPORTING, AND**
2 **REVIEW.**

3 (a) DEFINITIONS.—In this section—

4 (1) the term “Director” means the Director of
5 the Office of Management and Budget;

6 (2) the term “program” has the meaning given
7 that term in section 1122(a)(1) of title 31, United
8 States Code, as amended by section 2 of this Act;
9 and

10 (3) the term “program activity” has the mean-
11 ing given that term in section 1115(h) of title 31,
12 United States Code.

13 (b) PLAN FOR IMPLEMENTATION AND RECONCILING
14 PROGRAM DEFINITIONS.—Not later than 180 days after
15 the date of enactment of this Act, the Director shall sub-
16 mit to Congress a report that—

17 (1) includes plan that—

18 (A) discusses how making available on a
19 website the information required under sub-
20 section (a) of section 1122 of title 31, United
21 States Code, as amended by section 2, will le-
22 verage existing data sources while avoiding du-
23 plicative or overlapping information in pre-
24 senting information relating to program activi-
25 ties and programs;

1 (B) indicates how any gaps in data will be
2 assessed and addressed;

3 (C) indicates how the Director will display
4 such data; and

5 (D) discusses how the Director will expand
6 the information collected with respect to pro-
7 gram activities to incorporate the information
8 required under the amendments made by sec-
9 tion 2;

10 (2) sets forth details regarding a pilot program,
11 developed in accordance with best practices for effec-
12 tive pilot programs—

13 (A) to develop and implement a functional
14 program inventory that could be limited in
15 scope; and

16 (B) under which the information required
17 under the amendments made by section 2 with
18 respect to program activities shall be made
19 available on the website required under section
20 1122(a) of title 31, United States Code;

21 (3) establishes an implementation timeline
22 for—

23 (A) gathering and building program activ-
24 ity information;

1 (B) developing and implementing the pilot
2 program;

3 (C) seeking and responding to stakeholder
4 comments;

5 (D) developing and presenting findings
6 from the pilot program to Congress;

7 (E) notifying Congress regarding how pro-
8 gram activities will be aggregated,
9 disaggregated, or consolidated as part of identi-
10 fying programs; and

11 (F) implementing a Governmentwide pro-
12 gram inventory through an iterative approach;
13 and

14 (4) including recommendations, if any, to rec-
15 oncile the conflicting definitions of the term “pro-
16 gram” in relevant Federal statutes, as it relates to
17 the purpose of this Act.

18 (c) IMPLEMENTATION.—

19 (1) IN GENERAL.—Not later than 3 years after
20 the date of enactment of this Act, the Director shall
21 make available online all information required under
22 the amendments made by section 2 with respect to
23 all programs.

24 (2) EXTENSIONS.—The Director may, based on
25 an analysis of the costs of implementation, and after

1 submitting to Congress a notification of the action
2 by the Director, extend the deadline for implementa-
3 tion under paragraph (1) by not more than a total
4 of 1 year.

5 (d) REPORTING.—Not later than 2 years after the
6 date on which the Director makes available online all in-
7 formation required under the amendments made by sec-
8 tion 2 with respect to all programs, the Comptroller Gen-
9 eral of the United States shall submit to Congress a report
10 regarding the implementation of this Act and the amend-
11 ments made by this Act, which shall—

12 (1) review how the Director and agencies deter-
13 mined how to aggregate, disaggregate, or consolidate
14 program activities to provide the most useful infor-
15 mation for an inventory of Government investments;

16 (2) evaluate the extent to which the program
17 inventory required under section 1122 of title 31,
18 United States Code, as amended by this Act, pro-
19 vides useful information for transparency, decision-
20 making, and oversight;

21 (3) evaluate the extent to which the program
22 inventory provides a coherent picture of the scope of
23 Federal investments in particular areas; and

1 (4) include the recommendations of the Comp-
2 troller General, if any, for improving implementation
3 of this Act and the amendments made by this Act.

4 **SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.**

5 (a) IN GENERAL.—Section 1122 of title 31, United
6 States Code, is amended—

7 (1) in subsection (b), in the matter preceding
8 paragraph (1), by inserting “described in subsection
9 (a)(2)(A)” after “the website” each place it appears;

10 (2) in subsection (c), in the matter preceding
11 paragraph (1), by inserting “described in subsection
12 (a)(2)(A)” after “the website”; and

13 (3) in subsection (d)—

14 (A) in the subsection heading, by striking
15 “ON WEBSITE”; and

16 (B) in the first sentence, by striking “on
17 the website”.

18 (b) OTHER AMENDMENTS.—

19 (1) Section 1115(a) of title 31, United States
20 Code, is amended in the matter preceding paragraph
21 (1) by striking “the website provided under” and in-
22 serting “a website described in”.

23 (2) Section 10 of the GPRA Modernization Act
24 of 2010 (31 U.S.C. 1115 note) is amended—

1 (A) in subsection (a)(3), by striking “the
2 website described under” and inserting “a
3 website described in”; and

4 (B) in subsection (b)—

5 (i) in paragraph (1), by striking “the
6 website described under” and inserting “a
7 website described in”; and

8 (ii) in paragraph (3), by striking “the
9 website as required under” and inserting
10 “a website described in”.

11 (3) Section 1120(a)(5) of title 31, United
12 States Code, is amended by striking “the website de-
13 scribed under” and inserting “a website described
14 in”.

15 (4) Section 1126(b)(2)(E) of title 31, United
16 States Code, is amended by striking “the website of
17 the Office of Management and Budget pursuant to”
18 and inserting “a website described in”.

19 (5) Section 3512(a)(1) of title 31, United
20 States Code, is amended by striking “the website de-
21 scribed under” and inserting “a website described
22 in”.

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