

AMENDMENT TO THE RULES COMMITTEE PRINT

116-57

OFFERED BY MR. COOPER OF TENNESSEE

At the end of subtitle E of title XVII, insert the following:

1 **SEC. 17 ____ . TAXPAYERS RIGHT-TO-KNOW ACT.**

2 (a) **SHORT TITLE.**—This section may be cited as the
3 “Taxpayers Right-To-Know Act”.

4 (b) **INVENTORY OF GOVERNMENT PROGRAMS.**—Sec-
5 tion 1122(a) of title 31, United States Code, is amended—

6 (1) by redesignating paragraphs (1) and (2) as
7 paragraphs (2) and (3), respectively;

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

10 “(1) **DEFINITIONS.**—For purposes of this sub-
11 section—

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

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

1 “(C) the term ‘program’ means a single
2 program activity or an organized set of aggre-
3 gated, disaggregated, or consolidated program
4 activities by one or more agencies directed to-
5 ward a common purpose or goal; and

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

9 (A) by striking “IN GENERAL.—Not later
10 than October 1, 2012, the Office of Manage-
11 ment and Budget shall” and inserting
12 “WEBSITE AND PROGRAM INVENTORY.—The
13 Director of the Office of Management and
14 Budget shall”;

15 (B) in subparagraph (A), by inserting
16 “that includes the information required under
17 subsections (b) and (c)” after “a single
18 website”; and

19 (C) by striking subparagraphs (B) and (C)
20 and inserting the following:

21 “(B) include on the website described in
22 subparagraph (A), or another appropriate Fed-
23 eral Government website where related informa-
24 tion is made available, as determined by the Di-
25 rector—

1 “(i) a program inventory that shall
2 identify each program; and

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

6 “(C) make the information in the program
7 inventory required under subparagraph (B)
8 available as an open Government data asset;
9 and

10 “(D) at a minimum—

11 “(i) update the information required
12 to be included on the single website under
13 subparagraph (A) on a quarterly basis;
14 and

15 “(ii) update the program inventory re-
16 quired under subparagraph (B) on an an-
17 nual basis.”;

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

19 (A) in the matter preceding subparagraph
20 (A), by striking “described under paragraph (1)
21 shall include” and inserting “identified in the
22 program inventory required under paragraph
23 (2)(B) shall include”;

24 (B) in subparagraph (B), by striking
25 “and” at the end;

1 (C) in subparagraph (C), by striking the
2 period at the end and inserting “and,”; and

3 (D) by adding at the end the following:

4 “(D) for each program activity that is part
5 of a program—

6 “(i) a description of the purposes of
7 the program activity and the contribution
8 of the program activity to the mission and
9 goals of the agency;

10 “(ii) a consolidated view for the cur-
11 rent fiscal year and each of the 2 fiscal
12 years before the current fiscal year of—

13 “(I) the amount appropriated;

14 “(II) the amount obligated; and

15 “(III) the amount outlayed;

16 “(iii) to the extent practicable and
17 permitted by law, links to any related eval-
18 uation, assessment, or program perform-
19 ance review by the agency, an inspector
20 general, or the Government Accountability
21 Office (including program performance re-
22 ports required under section 1116), and
23 other related evidence assembled in re-
24 sponse to implementation of the Founda-
25 tions for Evidence-Based Policymaking Act

1 of 2018 (Public Law 115–435; 132 Stat.
2 5529);

3 “(iv) an identification of the statutes
4 that authorize the program activity or the
5 authority under which the program activity
6 was created or operates;

7 “(v) an identification of any major
8 regulations specific to the program activity;

9 “(vi) any other information that the
10 Director of the Office of Management and
11 Budget determines relevant relating to pro-
12 gram activity data in priority areas most
13 relevant to Congress or the public to in-
14 crease transparency and accountability;
15 and

16 “(vii) for each assistance listing under
17 which Federal financial assistance is pro-
18 vided, for the current fiscal year and each
19 of the 2 fiscal years before the current fis-
20 cal year and consistent with existing law
21 relating to the protection of personally
22 identifiable information—

23 “(I) a linkage to the relevant
24 program activities that fund Federal

1 financial assistance by assistance list-
2 ing;

3 “(II) information on the popu-
4 lation intended to be served by the as-
5 sistance listing based on the language
6 of the solicitation, as required under
7 section 6102;

8 “(III) to the extent practicable
9 and based on data reported to the
10 agency providing the Federal financial
11 assistance, the results of the Federal
12 financial assistance awards provided
13 by the assistance listing;

14 “(IV) to the extent practicable,
15 the percentage of the amount appro-
16 priated for the assistance listing that
17 is used for management and adminis-
18 tration;

19 “(V) the identification of each
20 award of Federal financial assistance
21 and, to the extent practicable, the
22 name of each direct or indirect recipi-
23 ent of the award; and

24 “(VI) any information relating to
25 the award of Federal financial assist-

1 ance that is required to be included on
2 the website established under section
3 2(b) of the Federal Funding Account-
4 ability and Transparency Act of 2006
5 (31 U.S.C. 6101 note).”; and

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

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

9 “(A) archive and preserve the information
10 included in the program inventory required
11 under paragraph (2)(B) after the end of the pe-
12 riod during which such information is made
13 available under paragraph (3); and

14 “(B) make information archived in accord-
15 ance with subparagraph (A) publicly available
16 as an open Government data asset.”.

17 (c) GUIDANCE, IMPLEMENTATION, REPORTING, AND
18 REVIEW.—

19 (1) DEFINITIONS.—In this subsection—

20 (A) the term “appropriate congressional
21 committees” means the Committee on Oversight
22 and Reform of the House of Representatives
23 and the Committee on Homeland Security and
24 Governmental Affairs of the Senate;

1 (B) the term “Director” means the Direc-
2 tor of the Office of Management and Budget;

3 (C) the term “program” has the meaning
4 given that term in section 1122(a)(1) of title
5 31, United States Code, as amended by sub-
6 section (b) of this section;

7 (D) the term “program activity” has the
8 meaning given that term in section 1115(h) of
9 title 31, United States Code; and

10 (E) the term “Secretary” means the Sec-
11 retary of the Treasury.

12 (2) PLAN FOR IMPLEMENTATION AND RECON-
13 CILING PROGRAM DEFINITIONS.—Not later than 180
14 days after the date of enactment of this Act, the Di-
15 rector, in consultation with the Secretary, shall sub-
16 mit to the appropriate congressional committees a
17 report that—

18 (A) includes a plan that—

19 (i) discusses how making available on
20 a website the information required under
21 subsection (a) of section 1122 of title 31,
22 United States Code, as amended by sub-
23 section (b), will leverage existing data
24 sources while avoiding duplicative or over-
25 lapping information in presenting informa-

1 tion relating to program activities and pro-
2 grams;

3 (ii) indicates how any gaps in data
4 will be assessed and addressed;

5 (iii) indicates how the Director will
6 display such data; and

7 (iv) discusses how the Director will
8 expand the information collected with re-
9 spect to program activities to incorporate
10 the information required under the amend-
11 ments made by subsection (b);

12 (B) sets forth details regarding a pilot pro-
13 gram, developed in accordance with best prac-
14 tices for effective pilot programs—

15 (i) to develop and implement a func-
16 tional program inventory that could be lim-
17 ited in scope; and

18 (ii) under which the information re-
19 quired under the amendments made by
20 subsection (b) with respect to program ac-
21 tivities shall be made available on the
22 website required under section 1122(a) of
23 title 31, United States Code;

24 (C) establishes an implementation timeline
25 for—

1 (i) gathering and building program
2 activity information;

3 (ii) developing and implementing the
4 pilot program;

5 (iii) seeking and responding to stake-
6 holder comments;

7 (iv) developing and presenting find-
8 ings from the pilot program to the appro-
9 priate congressional committees;

10 (v) notifying the appropriate congress-
11 sional committees regarding how program
12 activities will be aggregated, disaggregated,
13 or consolidated as part of identifying pro-
14 grams; and

15 (vi) implementing a Governmentwide
16 program inventory through an iterative ap-
17 proach; and

18 (D) includes recommendations, if any, to
19 reconcile the conflicting definitions of the term
20 “program” in relevant Federal statutes, as it
21 relates to the purpose of this section.

22 (3) IMPLEMENTATION.—

23 (A) IN GENERAL.—Not later than 3 years
24 after the date of enactment of this Act, the Di-
25 rector shall make available online all informa-

1 tion required under the amendments made by
2 subsection (b) with respect to all programs.

3 (B) EXTENSIONS.—The Director may,
4 based on an analysis of the costs of implemen-
5 tation, and after submitting to the appropriate
6 congressional committees a notification of the
7 action by the Director, extend the deadline for
8 implementation under subparagraph (A) by not
9 more than a total of 1 year.

10 (4) REPORTING.—Not later than 2 years after
11 the date on which the Director makes available on-
12 line all information required under the amendments
13 made by subsection (b) with respect to all programs,
14 the Comptroller General of the United States shall
15 submit to the appropriate congressional committees
16 a report regarding the implementation of this section
17 and the amendments made by this section, which
18 shall—

19 (A) review how the Director and agencies
20 determined how to aggregate, disaggregate, or
21 consolidate program activities to provide the
22 most useful information for an inventory of
23 Government programs;

24 (B) evaluate the extent to which the pro-
25 gram inventory required under section 1122 of

1 title 31, United States Code, as amended by
2 this section, provides useful information for
3 transparency, decision-making, and oversight;

4 (C) evaluate the extent to which the pro-
5 gram inventory provides a coherent picture of
6 the scope of Federal investments in particular
7 areas; and

8 (D) include the recommendations of the
9 Comptroller General, if any, for improving im-
10 plementation of this section and the amend-
11 ments made by this section.

12 (d) TECHNICAL AND CONFORMING AMENDMENTS.—

13 (1) IN GENERAL.—Section 1122 of title 31,
14 United States Code, is amended—

15 (A) in subsection (b), in the matter pre-
16 ceding paragraph (1), by inserting “described in
17 subsection (a)(2)(A)” after “the website” each
18 place it appears;

19 (B) in subsection (c), in the matter pre-
20 ceding paragraph (1), by inserting “described in
21 subsection (a)(2)(A)” after “the website”; and

22 (C) in subsection (d)—

23 (i) in the subsection heading, by strik-
24 ing “ON WEBSITE”; and

1 (ii) in the first sentence, by striking
2 “on the website”.

3 (2) OTHER AMENDMENTS.—

4 (A) Section 1115(a) of title 31, United
5 States Code, is amended in the matter pre-
6 ceding paragraph (1) by striking “the website
7 provided under” and inserting “a website de-
8 scribed in”.

9 (B) Section 10 of the GPRA Moderniza-
10 tion Act of 2010 (31 U.S.C. 1115 note) is
11 amended—

12 (i) in subsection (a)(3), by striking
13 “the website described under” and insert-
14 ing “a website described in”; and

15 (ii) in subsection (b)—

16 (I) in paragraph (1), by striking
17 “the website described under” and in-
18 sserting “a website described in”; and

19 (II) in paragraph (3), by striking
20 “the website as required under” and
21 inserting “a website described in”.

22 (C) Section 1120(a)(5) of title 31, United
23 States Code, is amended by striking “the
24 website described under” and inserting “a
25 website described in”.

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

6 (E) Section 3512(a)(1) of title 31, United
7 States Code, is amended by striking “the
8 website described under” and inserting “a
9 website described in”.

