

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 598
OFFERED BY MR. WALBERG OF MICHIGAN

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Taxpayers Right-To-
3 Know Act”.

4 SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

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

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

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

11 “(1) DEFINITION OF PROGRAM.—For purposes
12 of this subsection, the term ‘program’ means an or-
13 ganized set of activities by 1 or more agencies di-
14 rected toward a common purpose or goal.”;

15 (3) in paragraph (2), as so redesignated—

16 (A) by striking “IN GENERAL.—Not later
17 than October 1, 2012, the Office of Manage-
18 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) by striking subparagraph (C) and in-
5 serting the following:

6 “(C) include on the website—

7 “(i) a program inventory that shall
8 identify each program of the Federal Gov-
9 ernment for which there is more than
10 \$1,000,000 in annual budget authority,
11 which shall include—

12 “(I) any activity that is com-
13 monly referred to as a program by a
14 Federal agency in communications
15 with Congress, including any activity
16 identified as a program in a budget
17 request;

18 “(II) any activity that is com-
19 monly referred to as a program by a
20 Federal agency in communications
21 with the public, including each pro-
22 gram for which financial awards are
23 made on a competitive basis; and

1 “(III) any activity referenced in
2 law as a program after June 30,
3 2018; and

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

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

8 (A) in the matter preceding subparagraph
9 (A), by striking “described under paragraph
10 (1)” and inserting “identified in the program
11 inventory required under paragraph (2)”;

12 (B) by striking subparagraph (C);

13 (C) by redesignating subparagraph (B) as
14 subparagraph (D);

15 (D) by striking subparagraph (A) and in-
16 serting the following:

17 “(A) an identification of the program ac-
18 tivities that are aggregated, disaggregated, or
19 consolidated as part of identifying programs;

20 “(B) for each program activity described in
21 subparagraph (A), the amount of funding for
22 the current fiscal year and previous 2 fiscal
23 years;

24 “(C) to the maximum extent practicable,
25 the amount of funding for each program, deter-

1 mined using the pro rata share of the program
2 activities that are aggregated, disaggregated, or
3 consolidated as part of identifying programs;”;

4 (E) in subparagraph (D), as so redesign-
5 nated, by striking “and” at the end; and

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

7 “(E) an identification of the statutes that
8 authorize the program and any major regula-
9 tions specific to the program;

10 “(F) for any program that provides grants
11 or other financial assistance to individuals or
12 entities, for the most recent fiscal year—

13 “(i) a description of the individuals
14 served by the program and beneficiaries
15 who received financial assistance under the
16 program, including an estimate of the
17 number of individuals and beneficiaries, to
18 the extent practicable;

19 “(ii) for each program for which the
20 head of an agency determines it is not
21 practicable to provide an estimate of the
22 number of individuals and beneficiaries
23 served by the program—

24 “(I) an explanation of why data
25 regarding the number of such individ-

1 uals and beneficiaries cannot be pro-
2 vided; and

3 “(II) a discussion of the meas-
4 ures that could be taken to gather the
5 data required to provide such an esti-
6 mate; and

7 “(iii) a description of—

8 “(I) the Federal employees who
9 administer the program, including the
10 number of full-time equivalents with a
11 pro rata estimate for full-time equiva-
12 lents associated with multiple pro-
13 grams; and

14 “(II) other individuals whose sal-
15 ary is paid in part or full by the Fed-
16 eral Government through a grant,
17 contract, cooperative agreement, or
18 another form of financial award or as-
19 sistance who administer or assist in
20 any way in administering the pro-
21 gram, including the number of full-
22 time equivalents, to the extent prac-
23 ticable;

24 “(G) links to any evaluation, assessment,
25 or program performance reviews by the agency,

1 an Inspector General, or the Government Ac-
2 countability Office (including program perform-
3 ance reports required under section 1116) re-
4 leased during the preceding 5 years; and

5 “(H) to the extent practicable, financial
6 and other information for each program activity
7 required to be reported under the Federal
8 Funding Accountability and Transparency Act
9 of 2006 (31 U.S.C. 6101 note).”; and
10 (5) by adding at the end the following:

11 “(4) ARCHIVING.—After the end of each fiscal
12 year, the Director of the Office of Management and
13 Budget shall archive and preserve the information
14 included in the program inventory required under
15 paragraph (2) relating to that fiscal year.”.

16 (b) EXPIRED GRANT FUNDING.—Not later than Feb-
17 ruary 1 of each fiscal year, the Director of the Office of
18 Management and Budget shall publish on a public website
19 the total amount of undisbursed grant funding remaining
20 in grant accounts for which the period of availability to
21 the grantee has expired.

22 **SEC. 3. GUIDANCE AND IMPLEMENTATION.**

23 (a) GUIDANCE.—Not later than June 30, 2017, the
24 Director of the Office of Management and Budget—

1 (1) shall prescribe guidance to implement this
2 Act, and the amendments made by this Act;

3 (2) shall issue guidance to agencies to identify
4 how the program activities used for reporting under
5 the Federal Funding Accountability and Trans-
6 parency Act of 2006 (31 U.S.C. 6101 note) are as-
7 sociated with programs identified in the program in-
8 ventory required under section 1122(a)(2)(C)(i) of
9 title 31, United States Code, as amended by sub-
10 section (a);

11 (3) may issue guidance to agencies to ensure
12 that the programs identified in the program inven-
13 tory required under section 1122(a)(2)(C)(i) of title
14 31, United States Code, as amended by subsection
15 (a), are presented at a similar level of detail across
16 agencies and are not duplicative or overlapping; and

17 (4) may, based on an analysis of the costs of
18 implementation, and after submitting to Congress a
19 notification of the action by the Director—

20 (A) exempt from the requirements under
21 section 1122(a) of title 31, United States Code,
22 an agency that—

23 (i) is not listed in section 901(b) of
24 title 31, United States Code; and

1 (ii) for the fiscal year during which
2 the exemption is made, has budget author-
3 ity (as defined in section 3 of the Congres-
4 sional Budget Act of 1974 (2 U.S.C. 622))
5 of not more than \$10,000,000; and
6 (B) extend the implementation deadline
7 under subsection (b) by not more than 1 year.
8 (b) IMPLEMENTATION.—This Act, and the amend-
9 ments made by this Act, shall be implemented not later
10 than June 30, 2018.

