

117<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# S. 272

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## 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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