

Suspend the Rules and Pass the Bill, S. 1258, With an Amendment

(The amendment strikes all after the enacting clause and inserts a new text)

118TH CONGRESS
2D 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Billion Dollar Boon-

5 doggle Act of 2023”.

6 **SEC. 2. ANNUAL REPORT.**

7 (a) DEFINITIONS.—In this section—

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

9 (A) an Executive agency, as defined in sec-

10 tion 105 of title 5, United States Code; and

11 (B) an independent regulatory agency, as

12 defined in section 3502 of title 44, United

13 States Code;

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

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

6 (B) for which the amount spent on the
7 project is not less than \$1,000,000,000 more
8 than the original cost estimate for the project;
9 and

10 (3) the term “project” means a major acquisi-
11 tion, a major defense acquisition program (as de-
12 fined in section 4201 of title 10, United States
13 Code), a procurement, a construction project, a re-
14 mediation or clean-up effort, or any other time-lim-
15 ited endeavor, that is not funded through direct
16 spending (as defined in section 250(c) of the Bal-
17 anced Budget and Emergency Deficit Control Act of
18 1985 (2 U.S.C. 900(c))).

19 (b) REQUIREMENT.—Not later than 1 year after the
20 date of enactment of this Act, the Director of the Office
21 of Management and Budget shall issue guidance requiring
22 covered agencies to include, on an annual basis in a report
23 described in paragraph (2) of section 3516(a) of title 31,
24 United States Code, or a consolidated report described in
25 paragraph (1) of such section, information relating to each

1 covered project of the covered agency, which shall in-
2 clude—

3 (1) a brief description of the covered project,
4 including—

5 (A) the purpose of the covered project;

6 (B) each location in which the covered
7 project is carried out;

8 (C) the contract or award number of the
9 covered project, where applicable;

10 (D) the year in which the covered project
11 was initiated;

12 (E) the Federal share of the total cost of
13 the covered project; and

14 (F) each primary contractor, subcon-
15 tractor, grant recipient, and subgrantee recipi-
16 ent of the covered project;

17 (2) an explanation of any change to the original
18 scope of the covered project, including by the addi-
19 tion or narrowing of the initial requirements of the
20 covered project;

21 (3) the original expected date for completion of
22 the covered project;

23 (4) the current expected date for completion of
24 the covered project;

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

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

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

13 (8) the amount of and rationale for any award,
14 incentive fee, or other type of bonus, if any, awarded
15 for the covered project.

16 (c) FORM.—If any information required under sub-
17 section (b) is classified, such information may be sub-
18 mitted in the form of a classified annex consistent with
19 the protection of sources and methods.