AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 3830
OFFERED BY MRS. CAROLYN B. MALONEY OF
NEW YORK

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

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

2 SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

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

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

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

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

“(A) the term ‘Federal financial assist-
ance’ has the meaning given that term under
section 7501;
“(B) the term ‘open Government data asset’ has the meaning given that term under section 3502 of title 44;

“(C) the term ‘program’ means a single program activity or an organized set of aggregated, disaggregated, or consolidated program activities by 1 or more agencies directed toward a common purpose or goal; and

“(D) the term ‘program activity’ has the meaning given that term in section 1115(h).”;

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

(A) by striking “IN GENERAL.—Not later than October 1, 2012, the Office of Management and Budget shall” and inserting “WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall”;

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

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

“(B) include on the website described in subparagraph (A), or another appropriate Fed-
eral Government website where related information is made available, as determined by the Director—

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

“(ii) for each program identified in the program inventory, the information required under paragraph (3);

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

“(D) at a minimum—

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

“(ii) update the program inventory required under subparagraph (B) on an annual basis.”;

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

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

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

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

(D) by adding at the end the following:

“(C) for each program activity that is part of a program—

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

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

“(I) the amount appropriated;

“(II) the amount obligated; and

“(III) the amount outlayed;

“(iii) to the extent practicable and permitted by law, links to any related evaluation, assessment, or program performance review by the agency, an inspector general, or the Government Accountability Office (including program performance re-
ports required under section 1116), and
other related evidence assembled in re-
response to implementation of the Founda-
tions for Evidence-Based Policymaking Act
5529);

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

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

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

and

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

“(I) a linkage to the relevant program activities that fund Federal financial assistance by assistance listing;

“(II) information on the population intended to be served by the assistance listing based on the language of the solicitation, as required under section 6102;

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

“(IV) to the extent practicable, the percentage of the amount appropriated for the assistance listing that is used for management and administration;

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

“(VI) any information relating to
the award of Federal financial assist-
ance that is required to be included on
the website established under section
2(b) of the Federal Funding Account-
ability and Transparency Act of 2006
(31 U.S.C. 6101 note).”; and

(5) by adding at the end the following:

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

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

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

SEC. 3. GUIDANCE, IMPLEMENTATION, REPORTING, AND
REVIEW.

(a) DEFINITIONS.—In this section—

(1) the term “appropriate congressional com-
mittees” means the Committee on Oversight and Re-
form of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate;

(2) the term “Director” means the Director of the Office of Management and Budget;

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

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

(5) the term “Secretary” means the Secretary of the Treasury.

(b) PLAN FOR IMPLEMENTATION AND RECONCILING PROGRAM DEFINITIONS.—Not later than 180 days after the date of enactment of this Act, the Director and the Secretary shall jointly submit to the appropriate congressional committees a report that—

(1) includes a plan that—

(A) discusses how making available on a website the information required under subsection (a) of section 1122 of title 31, United States Code, as amended by section 2, will leverage existing data sources while avoiding duplicative or overlapping information in pre-
senting information relating to program activities and programs;

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

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

(D) discusses how the Director will expand the information collected with respect to program activities to incorporate the information required under the amendments made by section 2;

(2) sets forth details regarding a pilot program, developed in accordance with best practices for effective pilot programs—

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

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

(3) establishes an implementation timeline for—
(A) gathering and building program activity information;

(B) developing and implementing the pilot program;

(C) seeking and responding to stakeholder comments;

(D) developing and presenting findings from the pilot program to the appropriate congressional committees;

(E) notifying the appropriate congressional committees regarding how program activities will be aggregated, disaggregated, or consolidated as part of identifying programs; and

(F) implementing a Governmentwide program inventory through an iterative approach; and

(4) includes recommendations, if any, to reconcile the conflicting definitions of the term “program” in relevant Federal statutes, as it relates to the purpose of this Act.

(c) IMPLEMENTATION.—

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

(2) EXTENSIONS.—The Director may, based on an analysis of the costs of implementation, and after submitting to the appropriate congressional committees a notification of the action by the Director, extend the deadline for implementation under paragraph (1) by not more than a total of 1 year.

(d) REPORTING.—Not later than 2 years after the date on which the Director makes available online all information required under the amendments made by section 2 with respect to all programs, the Comptroller General of the United States shall submit to the appropriate congressional committees a report regarding the implementation of this Act and the amendments made by this Act, which shall—

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

(2) evaluate the extent to which the program inventory required under section 1122 of title 31, United States Code, as amended by this Act, provides useful information for transparency, decision-making, and oversight;
(3) evaluate the extent to which the program inventory provides a coherent picture of the scope of Federal investments in particular areas; and

(4) include the recommendations of the Comptroller General, if any, for improving implementation of this Act and the amendments made by this Act.

SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.

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

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

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

(3) in subsection (d)—

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

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

(b) OTHER AMENDMENTS.—

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

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

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

(B) in subsection (b)—

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

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

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

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

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