

**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.

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

4 SEC. 2. INVENTORY OF GOVERNMENT PROGRAMS.

5 Section 1122(a) of title 31, United States Code, is
6 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) DEFINITIONS.—For purposes of this sub-
12 section—

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

1 “(B) the term ‘open Government data
2 asset’ has the meaning given that term under
3 section 3502 of title 44;

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

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

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

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

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

24 “(B) include on the website described in
25 subparagraph (A), or another appropriate Fed-

1 eral Government website where related informa-
2 tion is made available, as determined by the Di-
3 rector—

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

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

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

13 “(D) at a minimum—

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

18 “(ii) update the program inventory re-
19 quired under subparagraph (B) on an an-
20 nual basis.”;

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

22 (A) in the matter preceding subparagraph
23 (A), by striking “described under paragraph (1)
24 shall include” and inserting “identified in the

1 program inventory required under paragraph
2 (2)(B) shall include”;

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

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

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

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

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

14 “(ii) a consolidated view for the cur-
15 rent fiscal year and each of the 2 fiscal
16 years before the current fiscal year of—

17 “(I) the amount appropriated;

18 “(II) the amount obligated; and

19 “(III) the amount outlaid;

20 “(iii) to the extent practicable and
21 permitted by law, links to any related eval-
22 uation, assessment, or program perform-
23 ance review by the agency, an inspector
24 general, or the Government Accountability
25 Office (including program performance re-

1 ports required under section 1116), and
2 other related evidence assembled in re-
3 sponse to implementation of the Founda-
4 tions for Evidence-Based Policymaking Act
5 of 2018 (Public Law 115–435; 132 Stat.
6 5529);

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

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

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

20 “(vii) for each assistance listing under
21 which Federal financial assistance is pro-
22 vided, for the current fiscal year and each
23 of the 2 fiscal years before the current fis-
24 cal year and consistent with existing law

1 relating to the protection of personally
2 identifiable information—

3 “(I) a linkage to the relevant
4 program activities that fund Federal
5 financial assistance by assistance list-
6 ing;

7 “(II) information on the popu-
8 lation intended to be served by the as-
9 sistance listing based on the language
10 of the solicitation, as required under
11 section 6102;

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

18 “(IV) to the extent practicable,
19 the percentage of the amount appro-
20 priated for the assistance listing that
21 is used for management and adminis-
22 tration;

23 “(V) the identification of each
24 award of Federal financial assistance
25 and, to the extent practicable, the

1 name of each direct or indirect recipi-
2 ent of the award; and

3 “(VI) any information relating to
4 the award of Federal financial assist-
5 ance that is required to be included on
6 the website established under section
7 2(b) of the Federal Funding Account-
8 ability and Transparency Act of 2006
9 (31 U.S.C. 6101 note).”; and

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

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

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

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

21 **SEC. 3. GUIDANCE, IMPLEMENTATION, REPORTING, AND**
22 **REVIEW.**

23 (a) DEFINITIONS.—In this section—

24 (1) the term “appropriate congressional com-
25 mittees” means the Committee on Oversight and Re-

1 form of the House of Representatives and the Com-
2 mittee on Homeland Security and Governmental Af-
3 fairs of the Senate;

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

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

9 (4) the term “program activity” has the mean-
10 ing given that term in section 1115(h) of title 31,
11 United States Code; and

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

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

19 (1) includes a plan that—

20 (A) discusses how making available on a
21 website the information required under sub-
22 section (a) of section 1122 of title 31, United
23 States Code, as amended by section 2, will le-
24 verage existing data sources while avoiding du-
25 plicative or overlapping information in pre-

1 senting information relating to program activi-
2 ties and programs;

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

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

7 (D) discusses how the Director will expand
8 the information collected with respect to pro-
9 gram activities to incorporate the information
10 required under the amendments made by sec-
11 tion 2;

12 (2) sets forth details regarding a pilot program,
13 developed in accordance with best practices for effec-
14 tive pilot programs—

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

18 (B) under which the information required
19 under the amendments made by section 2 with
20 respect to program activities shall be made
21 available on the website required under section
22 1122(a) of title 31, United States Code;

23 (3) establishes an implementation timeline
24 for—

1 (A) gathering and building program activ-
2 ity information;

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

5 (C) seeking and responding to stakeholder
6 comments;

7 (D) developing and presenting findings
8 from the pilot program to the appropriate con-
9 gressional committees;

10 (E) notifying the appropriate congressional
11 committees regarding how program activities
12 will be aggregated, disaggregated, or consoli-
13 dated as part of identifying programs; and

14 (F) implementing a Governmentwide pro-
15 gram inventory through an iterative approach;
16 and

17 (4) includes recommendations, if any, to rec-
18 oncile the conflicting definitions of the term “pro-
19 gram” in relevant Federal statutes, as it relates to
20 the purpose of this Act.

21 (c) IMPLEMENTATION.—

22 (1) IN GENERAL.—Not later than 3 years after
23 the date of enactment of this Act, the Director shall
24 make available online all information required under

1 the amendments made by section 2 with respect to
2 all programs.

3 (2) EXTENSIONS.—The Director may, based on
4 an analysis of the costs of implementation, and after
5 submitting to the appropriate congressional commit-
6 tees a notification of the action by the Director, ex-
7 tend the deadline for implementation under para-
8 graph (1) by not more than a total of 1 year.

9 (d) REPORTING.—Not later than 2 years after the
10 date on which the Director makes available online all in-
11 formation required under the amendments made by sec-
12 tion 2 with respect to all programs, the Comptroller Gen-
13 eral of the United States shall submit to the appropriate
14 congressional committees a report regarding the imple-
15 mentation of this Act and the amendments made by this
16 Act, which shall—

17 (1) review how the Director and agencies deter-
18 mined how to aggregate, disaggregate, or consolidate
19 program activities to provide the most useful infor-
20 mation for an inventory of Government programs;

21 (2) evaluate the extent to which the program
22 inventory required under section 1122 of title 31,
23 United States Code, as amended by this Act, pro-
24 vides useful information for transparency, decision-
25 making, and oversight;

1 (3) evaluate the extent to which the program
2 inventory provides a coherent picture of the scope of
3 Federal investments in particular areas; and

4 (4) include the recommendations of the Comp-
5 troller General, if any, for improving implementation
6 of this Act and the amendments made by this Act.

7 **SEC. 4. TECHNICAL AND CONFORMING AMENDMENTS.**

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

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

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

16 (3) in subsection (d)—

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

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

21 (b) OTHER AMENDMENTS.—

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

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

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

6 (B) in subsection (b)—

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

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

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

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

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

