

Tom Coburn OCT 18 2011 11:30a

AMENDMENT NO. _____ Calendar No. _____

Purpose: To provide taxpayers with an annual report disclosing the cost of, performance by, and areas for improvements for Government programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES—112th Cong., 1st Sess.

AMENDMENT NO. 794

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GPO: 2010-68-070 (mnc)

AMENDMENT intended to be proposed by Mr. COBURN

Viz:

- 1 At the appropriate place, insert the following:
- 2 SEC. _____. (a) Each fiscal year, for purposes of the
- 3 report required by subsection (b), the head of each agency
- 4 shall—
- 5 (1) identify and describe every program admin-
- 6 istered by the agency;
- 7 (2) for each such program—
- 8 (A) determine the total administrative ex-
- 9 penses of the program;

1 (B) determine the expenditures for services
2 for the program;

3 (C) estimate the number of clients served
4 by the program and beneficiaries who received
5 assistance under the program (if applicable);
6 and

7 (D) estimate—

8 (i) the number of full-time employees
9 who administer the program; and

10 (ii) the number of full-time equiva-
11 lents (whose salary is paid in part or full
12 by the Federal Government through a
13 grant, contract, subaward of a grant or
14 contract, cooperative agreement, or other
15 form of financial award or assistance) who
16 assist in administering the program; and

17 (3) identify programs within the Federal Gov-
18 ernment (whether inside or outside the agency) with
19 duplicative or overlapping missions, services, and al-
20 lowable uses of funds.

21 (b) With respect to the requirements of subsections
22 (a)(1) and (a)(2)(B), the head of an agency may use the
23 same information provided in the catalog of domestic and
24 international assistance programs in the case of any pro-

1 gram that is a domestic or international assistance pro-
2 gram.

3 (c) Not later than February 1 of each fiscal year, the
4 head of each agency shall publish on the official public
5 website of the agency a report containing the following:

6 (1) The information required under subsection
7 (a) with respect to the preceding fiscal year.

8 (2) The latest performance reviews (including
9 the program performance reports required under
10 section 1116 of title 31, United States Code) of each
11 program of the agency identified under subsection
12 (a)(1), including performance indicators, perform-
13 ance goals, output measures, and other specific
14 metrics used to review the program and how the
15 program performed on each.

16 (3) For each program that makes payments,
17 the latest improper payment rate of the program
18 and the total estimated amount of improper pay-
19 ments, including fraudulent payments and overpay-
20 ments.

21 (4) The total amount of unspent and unobli-
22 gated program funds held by the agency and grant
23 recipients (not including individuals) stated as an
24 amount—

1 (A) held as of the beginning of the fiscal
2 year in which the report is submitted; and

3 (B) held for five fiscal years or more.

4 (5) Such recommendations as the head of the
5 agency considers appropriate—

6 (A) to consolidate programs that are dupli-
7 cative or overlapping;

8 (B) to eliminate waste and inefficiency;
9 and

10 (C) to terminate lower priority, outdated,
11 and unnecessary programs and initiatives.

12 (d) In this section:

13 (1) The term “administrative costs” has the
14 meaning as determined by the Director of the Office
15 of Management and Budget under section 504(b)(2)
16 of Public Law 111–85 (31 U.S.C. 1105 note), ex-
17 cept the term shall also include, for purposes of that
18 section and this section, with respect to an agency—

19 (A) costs incurred by the agency as well as
20 costs incurred by grantees, subgrantees, and
21 other recipients of funds from a grant program
22 or other program administered by the agency;
23 and

24 (B) expenses related to personnel salaries
25 and benefits, property management, travel, pro-

1 gram management, promotion, reviews and au-
2 dits, case management, and communication
3 about, promotion of, and outreach for programs
4 and program activities administered by the
5 agency.

6 (2) The term “services” has the meaning pro-
7 vided by the Director of the Office of Management
8 and Budget and shall be limited to only activities,
9 assistance, and aid that provide a direct benefit to
10 a recipient, such as the provision of medical care, as-
11 sistance for housing or tuition, or financial support
12 (including grants and loans).

13 (3) The term “agency” has the same meaning
14 given that term in section 551(1) of title 5, United
15 States Code, except that the term also includes of-
16 fices in the legislative branch other than the Govern-
17 ment Accountability Office.

18 (4) The terms “performance indicator”, “per-
19 formance goal”, “output measure”, and “program
20 activity” have the meanings provided by section
21 1115 of title 31, United States Code.

22 (5) The term “program” has the meaning pro-
23 vided by the Director of the Office of Management
24 and Budget and shall include, with respect to an
25 agency, any organized set of activities directed to-

1 ward a common purpose or goal undertaken by the
2 agency that includes services, projects, processes, or
3 financial or other forms of assistance, including
4 grants, contracts, cooperative agreements, compacts
5 loans, leases, technical support, consultation, or
6 other guidance.

7 (e)(1)(A) Section 6101 of title 31, United States
8 Code, is amended by adding at the end the following:

9 “(7) The term ‘international assistance’ has the
10 meaning provided by the Director of the Office of
11 Management and Budget and shall include, with re-
12 spect to an agency, assistance including grants, con-
13 tracts, compacts, loans, leases, and other financial
14 and technical support to—

15 “(A) foreign nations;

16 “(B) international organizations;

17 “(C) services provided by programs admin-
18 istered by any agency outside of the territory of
19 the United States; and

20 “(D) services funded by any agency pro-
21 vided in foreign nations or outside of the terri-
22 tory of the United States by non-governmental
23 organizations and entities.

24 “(8) The term ‘assistance program’ means each
25 of the following:

1 “(A) A domestic assistance program.

2 “(B) An international assistance pro-
3 gram.”.

4 (B)(i) Section 6102 of title 31, United States Code,
5 is amended—

6 (I) in subsection (a), in the matter preceding
7 paragraph (1), by striking “domestic” both places it
8 appears; and

9 (II) in subsection (b), by striking “domestic”.

10 (ii). Section 6104 of title 31, United States Code, is
11 amended—

12 (I) in subsections (a) and (b), by inserting “and
13 international assistance” after “domestic assistance”
14 each place it appears; and

15 (II) in the section heading, by inserting “**and**
16 **international**” after “**domestic**”.

17 (f) Section 6104(b) of title 31, United States Code,
18 is amended—

19 (1) by striking “and” at the end of paragraph
20 (2);

21 (2) by striking the period at the end of para-
22 graph (3) and inserting a semicolon; and

23 (3) by adding at the end the following new
24 paragraphs:

1 “(4) the information required in paragraphs (1)
2 through (4) of section 419(a) of the Transportation,
3 Housing and Urban Development, and Related
4 Agencies Appropriations Act, 2012;

5 “(5) the budget function or functions applicable
6 to each assistance program contained in the catalog;

7 “(6) with respect to each assistance program in
8 the catalog, an electronic link to the annual report
9 required under section 419(b) of the Transportation,
10 Housing and Urban Development, and Related
11 Agencies Appropriations Act, 2012, by the agency
12 that carries out the assistance program; and

13 “(7) the authorization and appropriation
14 amount provided by law for each assistance program
15 in the catalog in the current fiscal year, and a nota-
16 tion if the program is not authorized in the current
17 year, has not been authorized in law, or does not re-
18 ceive a specific line item appropriation.”.

19 (g) Section 6104 of title 31, United States Code, is
20 further amended by adding at the end the following new
21 subsection:

22 “(e) COMPLIANCE.—On the website of the catalog of
23 Federal domestic and international assistance informa-
24 tion, the Administrator shall provide the following:

1 “(1) CONTACT INFORMATION.—The title and
2 contact information for the person in each agency
3 responsible for the implementation, compliance, and
4 quality of the data in the catalog.

5 “(2) REPORT.—An annual report compiled by
6 the Administrator of domestic assistance programs,
7 international assistance programs, and agencies with
8 respect to which the requirements of this chapter are
9 not met.”.

10 (h) Section 6103 of title 31, United States Code, is
11 amended by adding at the end the following new sub-
12 section:

13 “(d) BULK DOWNLOADS.—The information in the
14 catalog of domestic and international assistance under sec-
15 tion 6104 of this title shall be available on a regular basis
16 through bulk downloads from the website of the catalog.”.

17 (i) Section 6101(2) of title 31, United States Code,
18 is amended by inserting before the period at the end the
19 following: “except such term also includes offices in the
20 legislative branch other than the Government Account-
21 ability Office”.

22 (j)(1) Not later than 120 days after the date of the
23 enactment of this Act, the Director of the Office of Man-
24 agement and Budget shall prescribe regulations to imple-
25 ment this section.

1 (2) This section shall be implemented beginning with
2 the first full fiscal year occurring after the date of the
3 enactment of this Act.