

117TH CONGRESS
1ST SESSION

H. R. 22

IN THE SENATE OF THE UNITED STATES

JANUARY 6, 2021

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

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 (Public Law
8 109–282; 31 U.S.C. 6101 note) is amended to read as
9 follows:

10 **“SEC. 3. FULL DISCLOSURE OF FEDERAL FUNDS.**

11 “(a) IN GENERAL.—Not less frequently than monthly
12 when practicable, and in any event not less frequently than
13 quarterly, the Secretary (in consultation with the Director
14 and, with respect to information described in subsection
15 (b)(2), the head of the applicable agency) shall ensure that
16 updated information with respect to the information de-
17 scribed in subsection (b) is posted on the website estab-
18 lished under section 2.

19 “(b) INFORMATION TO BE POSTED.—

20 “(1) FUNDS.—For any funds made available to
21 or expended by a Federal agency or component of a
22 Federal agency, the information to be posted shall
23 include—

24 “(A) for each appropriations account, in-
25 cluding an expired or unexpired appropriations
26 account, the amount—

1 “(i) of budget authority appropriated;

2 “(ii) that is obligated;

3 “(iii) of unobligated balances; and

4 “(iv) of any other budgetary re-
5 sources;

6 “(B) from which accounts and in what
7 amount—

8 “(i) appropriations are obligated for
9 each program activity; and

10 “(ii) outlays are made for each pro-
11 gram activity;

12 “(C) from which accounts and in what
13 amount—

14 “(i) appropriations are obligated for
15 each object class; and

16 “(ii) outlays are made for each object
17 class; and

18 “(D) for each program activity, the
19 amount—

20 “(i) obligated for each object class;
21 and

22 “(ii) of outlays made for each object
23 class.

24 “(2) BUDGET JUSTIFICATIONS.—

1 “(A) DEFINITION.—In this paragraph, the
2 term ‘budget justification materials’ means the
3 annual budget justification materials of an
4 agency that are submitted, in conjunction with
5 the budget of the United States Government
6 submitted under section 1105(a) of title 31,
7 United States Code, but does not include budg-
8 et justification materials that are classified.

9 “(B) INFORMATION.—The information to
10 be posted shall include any budget justification
11 materials—

12 “(i) for the second fiscal year begin-
13 ning after the date of enactment of this
14 paragraph, and each fiscal year thereafter;
15 and

16 “(ii) to the extent practicable, that
17 were released for any fiscal year before the
18 date of enactment of this paragraph.

19 “(C) FORMAT.—Budget justification mate-
20 rials shall be posted under subparagraph (B)—

21 “(i) as an open Government data
22 asset (as defined under section 3502 of
23 title 44, United States Code);

24 “(ii) in a manner that enables users
25 to download individual reports, download

1 all reports in bulk, and download in bulk
2 the results of a search, to the extent prac-
3 ticable; and

4 “(iii) in a structured data format, to
5 the extent practicable.

6 “(D) DEADLINE.—The budget justification
7 materials required to be posted under subpara-
8 graph (B)(i) shall be posted not later than 2
9 weeks after the date on which the budget jus-
10 tification materials are first submitted to Con-
11 gress.

12 “(E) RULE OF CONSTRUCTION.—Nothing
13 in this paragraph shall be construed to author-
14 ize an agency to destroy any budget justifica-
15 tion materials relating to a fiscal year before
16 the fiscal year described in subparagraph
17 (B)(i).”.

18 (b) INFORMATION REGARDING AGENCY BUDGET
19 JUSTIFICATIONS.—Section 1105 of title 31, United States
20 Code, is amended by adding at the end the following:

21 “(i)(1) The Director of the Office of Management
22 and Budget shall make publicly available on a website, and
23 continuously update, a tabular list for each fiscal year of
24 each agency that submits budget justification materials,
25 which shall include—

1 “(A) the name of the agency;

2 “(B) a unique identifier that identifies the
3 agency;

4 “(C) to the extent practicable, the date on
5 which the budget justification materials of the agen-
6 cy are first submitted to Congress;

7 “(D) the date on which the budget justification
8 materials of the agency are posted online under sec-
9 tion 3 of the Federal Funding Accountability and
10 Transparency Act of 2006;

11 “(E) the uniform resource locator where the
12 budget justification materials are published on the
13 website of the agency; and

14 “(F) a single data set that contains the infor-
15 mation described in subparagraphs (A) through (E)
16 with respect to the agency for all fiscal years for
17 which budget justifications of the agency are made
18 available under section 3 of the Federal Funding Ac-
19 countability and Transparency Act of 2006 in a
20 structured data format.

21 “(2)(A) Each agency that submits budget justifica-
22 tion materials shall make the materials available on the
23 website of the agency, in accordance with the policies es-
24 tablished by the Director of the Office of Management and
25 Budget under subparagraph (B).

1 “(B) The Director of the Office of Management and
2 Budget, in consultation with the Secretary of the Treas-
3 ury, shall establish policies for agencies relating to making
4 available materials under subparagraph (A), which shall
5 include guidelines for making budget justification mate-
6 rials available in a format aligned with the requirements
7 of section 3(b)(2)(C) of the Federal Funding Account-
8 ability and Transparency Act of 2006 and using a uniform
9 resource locator that is in a consistent format across agen-
10 cies and is descriptive, memorable, and pronounceable,
11 such as the format of ‘agencyname.gov/budget’.

12 “(C) If the Director of the Office of Management and
13 Budget maintains a public website that contains the budg-
14 et of the United States Government submitted under sub-
15 section (a) and any related materials, such website shall
16 also contain a link to the tabular list required under para-
17 graph (1).

18 “(3) In this subsection, the term ‘budget justification
19 materials’ has the meaning given that term in section 3
20 of the Federal Funding Accountability and Transparency
21 Act of 2006.”.

22 **SEC. 3. DETERMINATION OF BUDGETARY EFFECTS.**

23 The budgetary effects of this Act, for the purpose of
24 complying with the Statutory Pay-As-You-Go Act of 2010,
25 shall be determined by reference to the latest statement

1 titled “Budgetary Effects of PAYGO Legislation” for this
2 Act, submitted for printing in the Congressional Record
3 by the Chairman of the House Budget Committee, pro-
4 vided that such statement has been submitted prior to the
5 vote on passage.

Passed the House of Representatives January 5, 2021.

Attest: **CHERYL L. JOHNSON,**
Clerk.