

118TH CONGRESS
2D SESSION

S. 3926

To amend the Federal Funding Accountability and Transparency Act of 2006 to ensure that other transaction agreements are reported to USAspending.gov, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 12, 2024

Ms. ERNST introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To amend the Federal Funding Accountability and Transparency Act of 2006 to ensure that other transaction agreements are reported to USAspending.gov, 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 “Stop Secret Spending
5 Act of 2024”.

1 **SEC. 2. OTHER TRANSACTION AGREEMENT REPORTING.**

2 (a) OTHER TRANSACTION AGREEMENTS.—Section
3 2(a) of the Federal Funding Accountability and Trans-
4 parency Act of 2006 (31 U.S.C. 6101 note) is amended—

5 (1) in paragraph (4)(A)(ii), by striking “and
6 delivery orders” and inserting “delivery orders, and
7 other transaction agreements”; and

8 (2) in paragraph (7)—

9 (A) in subparagraph (B), by striking
10 “(2)(A)(i)” and inserting “(4)(A)(i)”; and

11 (B) in subparagraph (C), by striking
12 “(2)(A)(ii)” and inserting “(4)(A)(ii)”.

13 (b) DATA STANDARDS.—Section 4 of the Federal
14 Funding Accountability and Transparency Act of 2006
15 (31 U.S.C. 6101 note) is amended by adding at the end
16 the following:

17 “(e) OTHER TRANSACTION AGREEMENT IDENTIFI-
18 FIERS.—Not later than 90 days after the date of enact-
19 ment of the Stop Secret Spending Act of 2024, the Sec-
20 retary shall create a unique identifier for data relating to
21 other transaction agreements made available on the
22 website established under section 2.”.

23 (c) ANNUAL REPORT ON UNREPORTED FUNDING.—
24 Section 2(a) of the Federal Funding Accountability and
25 Transparency Act of 2006 (31 U.S.C. 6101 note) is
26 amended by adding at the end the following:

1 “(h) ANNUAL REPORT.—Not later than 1 year after
2 the date of enactment of the Stop Secret Spending Act
3 of 2024, and annually thereafter, the Secretary shall post
4 to the website established under this section a report that
5 includes—

6 “(1) the total amount of Federal spending on
7 Federal awards, data for which has not been posted
8 to the website; and

9 “(2) with respect to the Federal spending de-
10 scribed in paragraph (1)—

11 “(A) the categories of the Federal spend-
12 ing; and

13 “(B) the reason data on the Federal
14 spending has not been posted to the website, in-
15 cluding whether the Federal spending was—

16 “(i) national security-related or classi-
17 fied;

18 “(ii) a grant or contract awarded or
19 entered into by a legislative or judicial
20 branch agency; or

21 “(iii) a subaward below a primary
22 subaward.”.

23 **SEC. 3. OTHER AMENDMENTS.**

24 (a) INSPECTOR GENERAL REPORTS.—Section 6(a) of
25 the Federal Funding Accountability and Transparency

1 Act of 2006 (31 U.S.C. 6101 note) is amended by striking
2 paragraph (2) and inserting the following:

3 “(2) DEADLINES.—The Inspector General of
4 each Federal agency shall submit to Congress and
5 make publicly available a report described in para-
6 graph (1)(B)—

7 “(A) not later than 1 year after the date
8 of enactment of the Stop Secret Spending Act
9 of 2024; and

10 “(B) on the same date as the Inspector
11 General of each Federal agency submits the
12 second and fourth reports required under sec-
13 tions 3521(f) and 9105(a)(3) of title 31, United
14 States Code following the date of the report
15 submitted under subparagraph (A); and.”.

16 (b) FULL DISCLOSURE OF FEDERAL FUNDS.—

17 (1) IN GENERAL.—Section 3 of the Federal
18 Funding Accountability and Transparency Act of
19 2006 (31 U.S.C. 6101 note) is amended—

20 (A) in subsection (b)—

21 (i) paragraph (1), in the matter pre-
22 ceding subparagraph (A), by striking “a
23 Federal agency or component of a Federal
24 agency” and inserting “a Federal agency or
25 a component of a Federal agency included

1 on the list posted under subsection (e)(2)”;

2 and

3 (ii) in paragraph (2)(B), by striking

4 “to be posted” and inserting “to be posted

5 by a Federal agency or a component of a

6 Federal agency included on the list posted

7 under subsection (e)(2)”; and

8 (B) by adding at the end the following:

9 “(c) QUALITY OF INFORMATION.—The Secretary and
10 the Director, in consultation with the heads of Federal
11 agencies, shall ensure that the information to be posted
12 under subsection (b) that is posted by a Federal agency
13 or component of a Federal agency is complete and accu-
14 rate.

15 “(d) DISPLAY STANDARDS.—The Secretary, in con-
16 sultation with the Director, shall ensure that the heads
17 of Federal agencies that post information under sub-
18 section (b) comply with display standards established by
19 the Secretary.

20 “(e) AGENCY REPORTING DETERMINATION.—Not
21 later than 1 year after the date of enactment of the Stop
22 Secret Spending Act of 2024, and not less frequently than
23 once every 2 years thereafter, the Secretary, in coordina-
24 tion with the Director, shall—

1 “(1) assess and make a determination with re-
2 spect to which Federal agencies and components of
3 Federal agencies are required to post information
4 under subsection (b);

5 “(2) publish a list of the Federal agencies and
6 components of Federal agencies determined under
7 paragraph (1) on the website established under sec-
8 tion 2(b)(1); and

9 “(3) provide to the head and inspector general
10 of each Federal agency or component of a Federal
11 agency included on the list published under para-
12 graph (2) written notice of the inclusion of the Fed-
13 eral agency or component of a Federal agency on the
14 list.”.

15 (2) EFFECTIVE DATE.—The amendments made
16 by paragraph (1)(A) shall take effect on the date on
17 which the Secretary publishes the first list under
18 section 3(e)(2) of the Federal Funding Account-
19 ability and Transparency Act of 2006 (31 U.S.C.
20 6101 note), as added by paragraph (1).

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