

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—117th Cong., 2d Sess.**

**S. 2135**

To amend title 31, United States Code, to require the Chief Operating Officer of each agency to compile a list of unnecessary programs, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Ms. HASSAN

Viz:

1 Strike all after the enacting clause and insert the fol-  
2 lowing:

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Identifying and Elimini-  
5 nating Wasteful Programs Act”.

6 **SEC. 2. IDENTIFICATION AND ELIMINATION OF UNNECES-**

7 **SARY AGENCY PROGRAMS OR PROGRAM AC-**

8 **TIVITIES.**

9 (a) **TRANSPARENCY OF PROGRAMS, PRIORITY GOALS,**  
10 **AND RESULTS.**—Section 1122(a)(3)(D) of title 31, United  
11 States Code, is amended—

1           (1) by redesignating clauses (vi) and (vii) as  
2           clauses (vii) and (ix), respectively;

3           (2) by inserting after clause (v) the following:

4                       “(vi) to the extent practicable and  
5                       consistent with guidance issued by the Di-  
6                       rector of the Office of Management and  
7                       Budget, information provided in the an-  
8                       nual budget justification materials sub-  
9                       mitted in conjunction with the budget of  
10                      the United States Government submitted  
11                      under section 1105(a) in accordance with  
12                      section 3(a) of the Federal Funding Ac-  
13                      countability and Transparency Act of 2006  
14                      (31 U.S.C. 6101 note);”;

15           (3) in clause (vii), as so redesignated, by strik-  
16           ing “accountability; and” and inserting “account-  
17           ability, including information included in the list  
18           compiled under section 1127(b)(1); and”.

19           (b) IDENTIFICATION OF UNNECESSARY AGENCY  
20           PROGRAMS OR PROGRAM ACTIVITIES.—Chapter 11 of title  
21           31, United States Code, is amended by adding at the end  
22           the following:

23           “§ 1127. **Identification of unnecessary agency pro-**  
24                               **grams or program activities**

25           “(a) DEFINITIONS.—In this section:

1           “(1) AGENCY.—The term ‘agency’ has the  
2 meaning given the term in section 1108(a).

3           “(2) PROGRAM.—The term ‘program’ has the  
4 meaning given the term in section 1122(a)(1).

5           “(3) PROGRAM ACTIVITY.—The term ‘program  
6 activity’ has the meaning given the term in section  
7 1115(h).

8           “(b) AGENCY IDENTIFICATION OF UNNECESSARY  
9 PROGRAMS OR PROGRAM ACTIVITIES.—Not later than the  
10 20 days after the date on which the President transmits  
11 the budget of the United States Government under section  
12 1105(a) each year, and based on guidance provided by the  
13 Director of the Office of Management and Budget, the  
14 Chief Operating Officer of each agency shall—

15           “(1) compile a list that identifies any program  
16 or program activity of the agency that—

17           “(A) is unnecessary, defunct, or duplicative  
18 of another program or program activity of the  
19 agency;

20           “(B) another agency could administer  
21 more effectively; or

22           “(C) could operate more effectively if the  
23 program or activity were consolidated with  
24 other programs or activities;

1           “(2) publish the list compiled under paragraph  
2       (1) in—

3           “(A) with respect to each list compiled be-  
4       fore the date of the implementation described in  
5       section 9601(b)(3) of title XCVI of the William  
6       M. (Mac) Thornberry National Defense Author-  
7       ization Act for Fiscal Year 2021 (31 U.S.C.  
8       1122 note) of the program inventory described  
9       in section 1122(a)(2)(B)(i) of this title, the  
10      pilot program described in section  
11      9601(b)(2)(B) of title XCVI of that Act; and

12           “(B) with respect to each successive list,  
13      the program inventory described in section  
14      1122(a)(2)(B)(i); and

15           “(3) submit the list compiled under paragraph  
16      (1) to—

17           “(A) the relevant congressional committees  
18      of jurisdiction of the agency;

19           “(B) the Committee on Appropriations of  
20      the Senate;

21           “(C) the Committee on Homeland Security  
22      and Governmental Affairs of the Senate;

23           “(D) the Committee on Appropriations of  
24      the House of Representatives; and

1                   “(E) the Committee on Oversight and Re-  
2                   form of the House of Representatives.

3           “(c) RECOMMENDATIONS.—Based on guidance issued  
4 by the Director of the Office of Management and Budget,  
5 the head of an agency may submit to Congress rec-  
6 ommendations for statutory changes to eliminate or con-  
7 solidate programs or program activities identified under  
8 subsection (b)(1).”.

9           (c) CLERICAL AMENDMENT.—The table of sections  
10 for chapter 11 of title 31, United States Code, is amended  
11 by adding at the end the following:

“1127. Identification of unnecessary agency programs or program activities”.

12           (d) EFFECTIVE DATE.—The amendments made by  
13 this section shall take effect on the date that is 120 days  
14 after the date of enactment of this Act.