

116TH CONGRESS
2D SESSION

S. 3287

To modify the governmentwide financial management plan, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 12, 2020

Mr. ENZI (for himself, Mr. WARNER, Mr. GRASSLEY, Mr. JOHNSON, Mr. PERDUE, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To modify the governmentwide financial management plan,
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 “CFO Vision Act of
5 2020”.

1 **SEC. 2. CHIEF FINANCIAL OFFICERS; GOVERNMENTWIDE**
2 **FINANCIAL MANAGEMENT PLAN.**

3 (a) CHIEF FINANCIAL OFFICER AND DEPUTY CHIEF
4 FINANCIAL OFFICER.—Chapter 9 of title 31, United
5 States Code, is amended—

6 (1) in section 902(a)—

7 (A) in the matter preceding paragraph (1),
8 by striking “An” and inserting “It shall be the
9 duty and responsibility of each agency Chief Fi-
10 nancial Officer to oversee and provide leader-
11 ship in the areas of budget formulation and
12 execution, planning and performance, risk man-
13 agement, internal controls, financial systems,
14 and accounting. In carrying out the preceding
15 sentence, each”;

16 (B) in paragraph (3)—

17 (i) in subparagraph (C), by inserting
18 “areas and” before “systems”; and

19 (ii) in subparagraph (D)—

20 (I) in clause (iii), by striking
21 “and” at the end;

22 (II) in clause (iv), by striking
23 “performance;” and inserting “per-
24 formance and integration of perform-
25 ance and cost information; and”;

1 (III) by adding at the end the
2 following:

3 “(v) annual agency financial state-
4 ments prepared in accordance with United
5 States generally accepted accounting prin-
6 ciples;”.

7 (C) by redesignating paragraph (8) as
8 paragraph (10);

9 (D) by redesignating paragraphs (5)
10 through (7) as paragraphs (6) through (8), re-
11 spectively;

12 (E) by inserting after paragraph (4) the
13 following:

14 “(5) prepare, in consultation with financial manage-
15 ment and other appropriate experts, an agency plan to im-
16 plement the 4-year financial management plan prepared
17 by the Director of the Office of Management and Budget
18 under section 3512(a)(2) of this title and to achieve and
19 sustain effective financial management in the agency,
20 which shall—

21 “(A) be completed within 90 days of the
22 issuance of a governmentwide plan under section
23 3512(a)(2) of this title;

24 “(B) be revised as determined necessary by the
25 Chief Financial Officer;

1 “(C) include performance-based financial man-
2 agement metrics against which the financial man-
3 agement performance of the agency shall be as-
4 sessed; and

5 “(D) be submitted upon completion or revision
6 to the head of the agency, the Director of the Office
7 of Management and Budget, the Comptroller Gen-
8 eral, and appropriate committees of Congress, and
9 be made publicly available;”;

10 (F) in paragraph (6), as so redesignated—

11 (i) by striking subparagraph (A);

12 (ii) by redesignating subparagraphs
13 (B) through (E) as subparagraphs (A)
14 through (D), respectively; and

15 (iii) in subparagraph (C), as so redesi-
16 gnated, by adding “and” at the end;

17 (G) in paragraph (7), as so redesignated—

18 (i) in the matter preceding subpara-
19 graph (A), by striking “and the Director of
20 the Office of Management and Budget,”
21 and inserting “, the Director of the Office
22 of Management and Budget, the Comp-
23 troller General, and appropriate commit-
24 tees of Congress, which shall be made pub-
25 licly available and”;

1 (ii) in subparagraph (A), by striking
2 “agency;” and inserting “agency, includ-
3 ing—

4 “(i) the progress of the agency in imple-
5 menting the agency plan described in paragraph
6 (5);

7 “(ii) the progress of the agency in imple-
8 menting the governmentwide 4-year financial
9 management plan prepared by the Director of
10 the Office of Management and Budget under
11 section 3512(a)(2) of this title; and

12 “(iii) the performance of the agency
13 against financial management metrics estab-
14 lished by the Director of the Office of Manage-
15 ment and Budget;”; and

16 (iii) in subparagraph (D)—

17 (I) by striking “of the reports”
18 and inserting “of—

19 “(i) the reports”;

20 (II) in clause (i), as so des-
21 ignated, by striking “the amendments
22 made by the Federal Managers’ Fi-
23 nancial Integrity Act of 1987 (Public
24 law 97–255); and” and inserting “sec-
25 tion 3512(d) of this title;”; and

1 (III) by adding at the end the
2 following:

3 “(ii) agency spending data published under
4 the Federal Funding Accountability and Trans-
5 parency Act of 2006 (31 U.S.C. 6101 note);
6 and

7 “(iii) the reporting of the agency under the
8 Federal Financial Management Improvement
9 Act of 1996 (31 U.S.C. 3512 note); and”;

10 (H) in paragraph (8), as so redesignated—

11 (i) by striking “monitor the” and in-
12 sert “manage the formulation and”;

13 (ii) by striking “, and prepare and
14 submit to the head of the agency timely
15 performance reports; and” and inserting a
16 semicolon;

17 (I) by inserting after paragraph (8), as so
18 redesignated, the following:

19 “(9) be responsible for linking performance and cost
20 information, including the preparation and submission to
21 the head of the agency of timely performance reports that
22 incorporate cost information;”;

23 (J) in paragraph (10), as so redesign-
24 nated—

1 (i) by inserting “inflation and” before
2 “costs”; and

3 (ii) by striking the period at the end
4 and inserting “; and”; and

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

6 “(11) coordinate with senior agency personnel,
7 including the Chief Data Officer, Chief Information
8 Officer, Chief Performance Officer, Chief Acquisition
9 Officer, Chief Risk Officer, and Chief Evaluation Of-
10 ficer of the agency on—

11 “(A) the exercise of authorities under this
12 subsection; and

13 “(B) the strategic planning, performance
14 measurement and reporting, and risk manage-
15 ment functions of the agency.”; and

16 (2) in section 903—

17 (A) in subsection (a), by inserting “and
18 who shall assist the agency Chief Financial Of-
19 ficer in the performance of each of the duties
20 of the agency Chief Financial Officer under this
21 chapter” after “matters”; and

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

23 “(c) Notwithstanding subchapter III of chapter 33 of
24 title 5, United States Code, in the event of a vacancy in
25 the position of Chief Financial Officer of an agency, only

1 the Deputy Chief Financial Officer of the agency shall
2 serve as the acting Chief Financial Officer.”.

3 (b) GOVERNMENTWIDE FINANCIAL MANAGEMENT
4 PLAN.—Section 3512 of title 31, United States Code, is
5 amended—

6 (1) in subsection (a)—

7 (A) in paragraph (1), by striking “a finan-
8 cial management status report and a govern-
9 mentwide 5-year financial management plan”
10 and inserting “a governmentwide 4-year finan-
11 cial management plan and a financial manage-
12 ment status report”;

13 (B) by striking paragraph (2);

14 (C) by redesignating paragraph (3) as
15 paragraph (2);

16 (D) in paragraph (2), as so redesignated—

17 (i) in subparagraph (A)—

18 (I) by striking “5-year” and in-
19 serting “4-year”;

20 (II) by striking “shall describe”
21 and inserting the following: “shall—

22 “(i) describe”;

23 (III) in clause (i), as so des-
24 igned, by striking “5 fiscal years to
25 improve the financial management of

1 the Federal Government.” and insert-
2 ing “4 fiscal years to improve the fi-
3 nancial management of the Federal
4 Government in a manner that is stra-
5 tegic, comprehensive, and cost-effec-
6 tive; and”;

7 (IV) by adding at the end the fol-
8 lowing:

9 “(ii) be developed in consultation with the
10 Chief Financial Officers Council, the Chief In-
11 formation Officers Council, the Chief Data Offi-
12 cer Council, the Chief Acquisition Officers
13 Council, the Council of the Inspectors General
14 on Integrity and Efficiency, the Government
15 Accountability Office, and other appropriate fi-
16 nancial management experts.”;

17 (ii) in subparagraph (B)—

18 (I) in the matter preceding clause
19 (i), by striking “5-year” and inserting
20 “4-year”;

21 (II) in clause (iii)—

22 (aa) by striking “for devel-
23 oping” and inserting “for im-
24 proving financial management
25 systems, including—

1 “(I) developing”; and

2 (bb) by adding at the end
3 the following:

4 “(II) linking performance and cost in-
5 formation to facilitate effective and effi-
6 cient decision making;

7 “(III) eliminating duplicative and un-
8 necessary systems; and

9 “(IV) identifying opportunities for
10 agencies to share systems and encouraging
11 agencies to do so where practicable;”;

12 (III) by striking clause (iv);

13 (IV) by redesignating clause (v)
14 as clause (iv);

15 (V) by inserting after clause (iv),
16 as so redesignated, the following:

17 “(v) provide a strategy for reporting per-
18 formance and cost information;”;

19 (VI) in clause (vi), by striking
20 “5-year” and inserting “4-year”;

21 (VII) in clause (vii), by striking
22 “identify” and inserting “provide a
23 strategy for strengthening the Federal
24 financial management workforce, in-
25 cluding identification of”;

1 (VIII) in clause (viii), by striking
2 “and” at the end;

3 (IX) by redesignating clause (ix)
4 as clause (x);

5 (X) by inserting after clause
6 (viii) the following:

7 “(ix) include comprehensive financial man-
8 agement performance-based metrics against
9 which the financial management performance of
10 executive agencies can be assessed; and”;

11 (XI) in clause (x), as so redesign-
12 nated, by striking “5-year” and in-
13 serting “4-year”;

14 (E) by inserting after paragraph (2) the
15 following:

16 “(3) A financial management status report under this
17 subsection shall include—

18 “(A) a description and analysis of the status of
19 financial management in the executive branch, in-
20 cluding the progress made towards implementing the
21 governmentwide 4-year financial management plan,
22 the status of remaining challenges, and cost esti-
23 mates of improvements to Federal financial manage-
24 ment;

1 “(B) a summary of the performance of agencies
2 against the metrics developed and identified by the
3 Director of the Office of Management and Budget in
4 the governmentwide 4-year financial management
5 plan;

6 “(C) a summary of the most recently completed
7 financial statements—

8 “(i) of Federal agencies under section
9 3515 of this title; and

10 “(ii) of Government corporations;

11 “(D) a summary of the most recently completed
12 financial statement audits and reports—

13 “(i) of Federal agencies under subsections
14 (e) and (f) of section 3521 of this title; and

15 “(ii) of Government corporations;

16 “(E) a summary of reports on internal account-
17 ing and administrative control systems submitted to
18 the President and Congress under subsection (d);

19 “(F) a listing of agencies whose financial man-
20 agement systems do not comply substantially with
21 the requirements of section 803(a) of the Federal
22 Financial Management Improvement Act of 1996
23 (31 U.S.C. 3512 note), and a summary statement of
24 the efforts underway to remedy the noncompliance;
25 and

1 “(G) any other information the Director con-
2 siders appropriate to fully inform Congress regard-
3 ing the financial management of the Federal Gov-
4 ernment.”;

5 (F) in paragraph (4)—

6 (i) in subparagraph (A)—

7 (I) by striking “15 months after
8 the date of the enactment of this sub-
9 section” and inserting “January 31
10 after the date of enactment of the
11 CFO Vision Act of 2020”; and

12 (II) by striking “5-year” and in-
13 serting “4-year”; and

14 (ii) in subparagraph (B)—

15 (I) in clause (i)—

16 (aa) by striking “Not later
17 than January 31 of each year
18 thereafter” and inserting “At a
19 minimum, concurrently with the
20 submission of the budget of the
21 United States Government under
22 section 1105(a) of this title made
23 in the first full fiscal year fol-
24 lowing any year in which the

1 term of the President commences
2 under section 101 of title 3”;

3 (bb) by striking “financial
4 management status report and a
5 revised governmentwide 5-year”
6 and inserting “governmentwide
7 4-year”; and

8 (cc) by striking “5 fiscal
9 years” and all that follows
10 through the period at the end
11 and inserting “4 fiscal years.”;
12 and

13 (II) in clause (ii), by striking
14 “revised governmentwide 5-year” and
15 inserting “governmentwide 4-year”;
16 and

17 (iii) by adding at the end the fol-
18 lowing:

19 “(C) Each year, concurrently with the submis-
20 sion of the budget of the United States Government
21 under section 1105(a) of this title, the Director of
22 the Office of Management and Budget shall submit
23 to the appropriate committees of Congress and the
24 Comptroller General a financial management status
25 report.”; and

1 (G) by striking paragraph (5);

2 (2) in subsection (d)(2)—

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

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

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

8 “(C) a separate report on the results of the as-
9 sessment required under subsection (e)(2).”;

10 (3) by redesignating subsections (e), (f), and
11 (g) as subsections (f), (g), and (h), respectively; and

12 (4) by inserting after subsection (d) the fol-
13 lowing:

14 “(e) The head of each executive agency shall—

15 “(1) in establishing the internal accounting and
16 administrative controls under subsection (c), identify
17 the key financial management information needed
18 for effective financial management decision making;
19 and

20 “(2) annually assess the effectiveness of the in-
21 ternal controls of the executive agency over financial
22 reporting and key financial management information
23 identified under paragraph (1).”.

24 (c) AUDITS BY AGENCIES.—Section 3521 of title 31,
25 United States Code, is amended—

1 (1) in subsection (e)—

2 (A) by redesignating paragraphs (1) and
3 (2) as subparagraphs (A) and (B), respectively,
4 and adjusting the margins accordingly;

5 (B) by striking “(e) Each financial” and
6 inserting “(e)(1) Each financial”;

7 (C) in paragraph (1), as so designated, by
8 striking “standards—” and inserting “stand-
9 ards.”; and

10 (D) by inserting after paragraph (1), as so
11 designated, the following:

12 “(2) As part of each audit under this subsection, the
13 auditor shall—

14 “(A) evaluate the design of the internal control
15 of the agency over financial reporting and key finan-
16 cial information, as assessed and reported on by the
17 head of the agency under section 3512(d)(2)(C) of
18 this title;

19 “(B) determine whether those controls have
20 been implemented;

21 “(C) for controls that are properly designed and
22 implemented, perform sufficient tests of those con-
23 trols to conclude whether the controls are operating
24 effectively and to support a low level of assessed con-
25 trol risk; and

1 “(D) communicate controls that the auditor
2 concludes are not suitably designed and implemented
3 or are not operating effectively, as appropriate under
4 applicable generally accepted government auditing
5 standards.

6 “(3) Audits under this subsection shall be con-
7 ducted—”; and

8 (2) in subsection (h), by striking “section
9 3512(a)(3)(B)(viii)” and inserting “section
10 3512(a)(2)(B)(viii)”.

11 (d) TECHNICAL AND CONFORMING AMENDMENT.—
12 Section 3348(e) of title 5, United States Code, is amend-
13 ed—

14 (1) in paragraph (3), by adding “or” at the
15 end;

16 (2) by striking paragraph (4); and

17 (3) by redesignating paragraph (5) as para-
18 graph (4).

○