

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

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

S. 4477

To amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes.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 Mr. OSSOFF

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 “Eliminate Useless Re-
5 ports Act of 2022”.

6 **SEC. 2. SUNSETS FOR AGENCY REPORTS.**

7 (a) IN GENERAL.—Section 1125 of title 31, United
8 States Code, is amended—

9 (1) by redesignating subsection (c) as sub-
10 section (d);

1 (2) by striking subsections (a) and (b) and in-
2 serting the following:

3 “(a) DEFINITIONS.—In this section:

4 “(1) BUDGET JUSTIFICATION MATERIALS.—
5 The term ‘budget justification materials’ has the
6 meaning given the term in section 3(b)(2) of the
7 Federal Funding Accountability and Transparency
8 Act of 2006 (31 U.S.C. 6101 note; Public Law 109–
9 282).

10 “(2) RECURRING PLAN OR REPORT.—The term
11 ‘recurring plan or report’—

12 “(A) means any plan or report submitted
13 to Congress by not less than 1 agency on a re-
14 curring basis—

15 “(i) in accordance with Federal law;

16 or

17 “(ii) at the direction of a congres-
18 sional report; and

19 “(B) does not include any plan or report
20 that is required to be submitted to the Com-
21 mittee on Armed Services of the Senate.

22 “(3) RELEVANT CONGRESSIONAL COM-
23 MITTEE.—In this section, the term ‘relevant con-
24 gressional committee’ means a congressional com-

1 mittee to which a recurring plan or report is re-
2 quired to be submitted.

3 “(b) AGENCY IDENTIFICATION OF UNNECESSARY
4 REPORTS.—

5 “(1) IN GENERAL.—The head of each agency
6 shall include in the budget justification materials of
7 the agency—

8 “(A) subject to paragraph (2), a list of
9 each recurring plan or report submitted by the
10 agency that the head of the agency determines
11 to be outdated or duplicative;

12 “(B) with respect to each recurring plan or
13 report described in subparagraph (A)—

14 “(i) a recommendation on whether to
15 sunset, modify, consolidate, or reduce the
16 frequency of the submission of the recur-
17 ring plan or report;

18 “(ii) a citation to each provision of
19 law that requires or requests the submis-
20 sion of the recurring plan or report; and

21 “(iii) a list of the relevant congress-
22 sional committees for the recurring plan or
23 report; and

24 “(C) a justification explaining, with respect
25 to each recommendation described in subpara-

1 graph (B)(i) relating to a recurring plan or re-
2 port—

3 “(i) why the head of the agency made
4 the recommendation, which may include an
5 estimate of the resources expended by the
6 agency to prepare and submit the recur-
7 ring plan or report; and

8 “(ii) the understanding of the head of
9 the agency of the purpose of the recurring
10 plan or report.

11 “(2) AGENCY CONSULTATION.—

12 “(A) IN GENERAL.—In preparing the list
13 required under paragraph (1)(A), if, in submit-
14 ting a recurring plan or report, an agency is re-
15 quired to coordinate or consult with another
16 agency or entity, the head of the agency sub-
17 mitting the recurring plan or report shall con-
18 sult with the head of each agency or entity with
19 whom consultation or coordination is required.

20 “(B) INCLUSION IN LIST.—If, after a con-
21 sultation under subparagraph (A), the head of
22 each agency or entity consulted under that sub-
23 paragraph agrees that a recurring plan or re-
24 port is outdated or duplicative, the head of the

1 agency required to submit the recurring plan or
2 report shall—

3 “(i) include the recurring plan or re-
4 port in the list described in paragraph
5 (1)(A); and

6 “(ii) identify each agency or entity
7 with which the head of the agency is re-
8 quired to coordinate or consult in submit-
9 ting the recurring plan or report.

10 “(C) DISAGREEMENT.—If the head of any
11 agency or entity consulted under subparagraph
12 (A) does not agree that a recurring plan or re-
13 port is outdated or duplicative, the head of the
14 agency required to submit the recurring plan or
15 report shall not include the recurring plan or
16 report in the list described in paragraph (1)(A).

17 “(c) DISPOSITION OF RECOMMENDATIONS.—

18 “(1) IN GENERAL.—With respect to a rec-
19 ommendation on a recurring plan or report included
20 in budget justification materials by the head of an
21 agency under subsection (b)(1)(B)(i), the chair and
22 ranking member of each relevant congressional com-
23 mittee may—

24 “(A) in coordination with any other rel-
25 evant congressional committee, as necessary,

1 agree or disagree with the recommendation or
2 postpone a decision on the recommendation;
3 and

4 “(B) notify each agency that submits a
5 recommendation of the disposition of the rec-
6 ommendation under subparagraph (A).

7 “(2) LEGISLATIVE STEPS.—If a relevant con-
8 gressional committee agrees with an agency rec-
9 ommendation submitted under subsection
10 (b)(1)(B)(i), the relevant congressional committee
11 may take the necessary legislative steps to accom-
12 plish the recommendation, which may include con-
13 sulting with the agency that submits the recurring
14 plan or report that is the subject of the rec-
15 ommendation to prepare appropriate legislation.

16 “(3) AGENCY REQUIREMENTS.—Nothing in this
17 section shall be construed to relieve the head of an
18 agency from a requirement to submit a recurring
19 plan or report.”; and

20 (3) in subsection (d), as so redesignated, by
21 striking “the budget of the United States Govern-
22 ment, as provided by section 1105(a)(37)” and in-
23 serting “in the budget justification materials of each
24 agency”.

1 (b) BUDGET CONTENTS.—Section 1105(a) of title
2 31, United States Code, is amended by striking paragraph
3 (39).