

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—116th Cong., 1st Sess.

S. 565

To require the Director of the Office of Management and Budget to submit to Congress an annual report on projects that are over budget and behind schedule, 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. JOHNSON (for himself and Mr. PETERS)

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 “Billion Dollar Boon-
5 doggle Act of 2019”.

6 **SEC. 2. ANNUAL REPORT.**

7 (a) DEFINITIONS.—In this section—

8 (1) the term “covered agency” means—

9 (A) an Executive agency, as defined in sec-
10 tion 105 of title 5, United States Code; and

1 (B) an independent regulatory agency, as
2 defined in section 3502 of title 44, United
3 States Code;

4 (2) the term “covered project” means a project
5 funded by a covered agency—

6 (A) that is more than 5 years behind
7 schedule; or

8 (B) for which the amount spent on the
9 project is not less than \$1,000,000,000 more
10 than the original cost estimate for the project;
11 and

12 (3) the term “project” means a major acquisi-
13 tion, a major defense acquisition program (as de-
14 fined in section 2430 of title 10, United States
15 Code), a procurement, a construction project, a re-
16 mediation or clean-up effort, or any other time-lim-
17 ited endeavor, that is not funded through direct
18 spending (as defined in section 250(c) of the Bal-
19 anced Budget and Emergency Deficit Control Act of
20 1985 (2 U.S.C. 900(c)).

21 (b) REQUIREMENT.—Not later than 1 year after the
22 date of enactment of this Act, the Director of the Office
23 of Management and Budget shall issue guidance requiring
24 covered agencies to include, on an annual basis in a report
25 described in paragraph (2) of section 3516(a) of title 31,

1 United States Code, or a consolidated report described in
2 paragraph (1) of such section, information relating to each
3 covered project of the covered agency, which shall in-
4 clude—

5 (1) a brief description of the covered project,
6 including—

7 (A) the purpose of the covered project;

8 (B) each location in which the covered
9 project is carried out;

10 (C) the contract or award number of the
11 covered project, where applicable;

12 (D) the year in which the covered project
13 was initiated;

14 (E) the Federal share of the total cost of
15 the covered project; and

16 (F) each primary contractor, subcon-
17 tractor, grant recipient, and subgrantee recipi-
18 ent of the covered project;

19 (2) an explanation of any change to the original
20 scope of the covered project, including by the addi-
21 tion or narrowing of the initial requirements of the
22 covered project;

23 (3) the original expected date for completion of
24 the covered project;

1 (4) the current expected date for completion of
2 the covered project;

3 (5) the original cost estimate for the covered
4 project, as adjusted to reflect increases in the Con-
5 sumer Price Index for All Urban Consumers, as
6 published by the Bureau of Labor Statistics;

7 (6) the current cost estimate for the covered
8 project, as adjusted to reflect increases in the Con-
9 sumer Price Index for All Urban Consumers, as
10 published by the Bureau of Labor Statistics;

11 (7) an explanation for a delay in completion or
12 an increase in the original cost estimate for the cov-
13 ered project, including, where applicable, any impact
14 of insufficient or delayed appropriations; and

15 (8) the amount of and rationale for any award,
16 incentive fee, or other type of bonus, if any, awarded
17 for the covered project.