

Calendar No. 655117TH CONGRESS
2^D SESSION**S. 4477****[Report No. 117-264]**

To amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 23, 2022

Mr. OSSOFF (for himself, Mr. PORTMAN, and Mr. LANKFORD) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

DECEMBER 15, 2022

Reported by Mr. PETERS, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Eliminate Useless Re-
3 ports Act of 2022”.

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

5 (a) **IN GENERAL.**—Section 1125 of title 31, United
6 States Code, is amended—

7 (1) by redesignating subsection (e) as sub-
8 section (d);

9 (2) by striking subsections (a) and (b) and in-
10 sserting the following:

11 “(a) **DEFINITIONS.**—In this section:

12 “(1) **BUDGET JUSTIFICATION MATERIALS.**—

13 The term ‘budget justification materials’ has the
14 meaning given the term in section 3(b)(2) of the
15 Federal Funding Accountability and Transparency
16 Act of 2006 (31 U.S.C. 6101 note; Public Law 109-
17 282).

18 “(2) **RECURRING PLAN OR REPORT.**—The term

19 ‘recurring plan or report’ mean any plan or report
20 submitted to Congress by not less than 1 agency on
21 a recurring basis—

22 “(A) in accordance with Federal law; or

23 “(B) at the direction of a congressional re-
24 port.

25 “(3) **RELEVANT CONGRESSIONAL COM-**

26 **MITTEE.**—In this section, the term ‘relevant con-

1 gressional committee' means a congressional com-
2 mittee to which a recurring plan or report is re-
3 quired to be submitted.

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

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

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12 to be outdated or duplicative;

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

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

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

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

1 “(C) a justification explaining, with respect
2 to each recommendation described in subpara-
3 graph (B)(i) relating to a recurring plan or re-
4 port—

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

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

13 “(2) AGENCY CONSULTATION.—

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

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

1 port is outdated or duplicative, the head of the
2 agency required to submit the recurring plan or
3 report shall—

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

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

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

18 “(e) DISPOSITION OF RECOMMENDATIONS.—

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

1 ~~“(A) in coordination with any other rel-~~
2 ~~evant congressional committee, as necessary,~~
3 ~~agree or disagree with the recommendation or~~
4 ~~postpone a decision on the recommendation;~~
5 ~~and~~

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

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

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

22 ~~(3) in subsection (d), as so redesignated, by~~
23 ~~striking “the budget of the United States Govern-~~
24 ~~ment, as provided by section 1105(a)(37)” and in-~~

1 serting “in the budget justification materials of each
2 agency”.

3 (b) ~~BUDGET CONTENTS.~~—Section 1105(a) of title
4 31, United States Code, is amended by striking paragraph
5 (39).

6 **SECTION 1. SHORT TITLE.**

7 This Act may be cited as the “Eliminate Useless Re-
8 ports Act of 2022”.

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

10 (a) ~~IN GENERAL.~~—Section 1125 of title 31, United
11 States Code, is amended—

12 (1) by redesignating subsection (c) as sub-
13 section (d);

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

16 “(a) ~~DEFINITIONS.~~—In this section:

17 “(1) ~~BUDGET JUSTIFICATION MATERIALS.~~—

18 The term ‘budget justification materials’ has the
19 meaning given the term in section 3(b)(2) of the
20 Federal Funding Accountability and Transparency
21 Act of 2006 (31 U.S.C. 6101 note; Public Law 109–
22 282).

23 “(2) ~~RECURRING PLAN OR REPORT.~~—The term
24 ‘recurring plan or report’—

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

4 “(i) in accordance with Federal law;
5 or

6 “(ii) at the direction of a congres-
7 sional report; and

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

11 “(3) RELEVANT CONGRESSIONAL COM-
12 MITTEE.—The term ‘relevant congressional com-
13 mittee’ means a congressional committee to which a
14 recurring plan or report is required to be submitted.

15 “(b) AGENCY IDENTIFICATION OF UNNECESSARY
16 REPORTS.—

17 “(1) IN GENERAL.—The head of each agency
18 shall include in the budget justification materials of
19 the agency—

20 “(A) subject to paragraph (2), a list of
21 each recurring plan or report submitted by the
22 agency that the head of the agency determines
23 to be outdated or duplicative;

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

1 “(i) a recommendation on whether to
2 sunset, modify, consolidate, or reduce the
3 frequency of the submission of the recur-
4 ring plan or report;

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

8 “(iii) a list of the relevant congress-
9 sional committees for the recurring plan or
10 report; and

11 “(C) a justification explaining, with respect
12 to each recommendation described in subpara-
13 graph (B)(i) relating to a recurring plan or re-
14 port—

15 “(i) why the head of the agency made
16 the recommendation, which may include an
17 estimate of the resources expended by the
18 agency to prepare and submit the recur-
19 ring plan or report; and

20 “(ii) the understanding of the head of
21 the agency of the purpose of the recurring
22 plan or report.

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24 “(A) IN GENERAL.—In preparing the list
25 required under paragraph (1)(A), if, in submit-

1 ting a recurring plan or report, an agency is re-
2 quired to coordinate or consult with another
3 agency or entity, the head of the agency sub-
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5 sult with the head of each agency or entity with
6 whom consultation or coordination is required.

7 “(B) INCLUSION IN LIST.—If, after a con-
8 sultation under subparagraph (A), the head of
9 each agency or entity consulted under that sub-
10 paragraph agrees that a recurring plan or re-
11 port is outdated or duplicative, the head of the
12 agency required to submit the recurring plan or
13 report shall—

14 “(i) include the recurring plan or re-
15 port in the list described in paragraph
16 (1)(A); and

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18 with which the head of the agency is re-
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21 “(C) DISAGREEMENT.—If the head of any
22 agency or entity consulted under subparagraph
23 (A) does not agree that a recurring plan or re-
24 port is outdated or duplicative, the head of the
25 agency required to submit the recurring plan or

1 report shall not include the recurring plan or
2 report in the list described in paragraph (1)(A).

3 “(c) DISPOSITION OF RECOMMENDATIONS.—

4 “(1) IN GENERAL.—With respect to a rec-
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6 in budget justification materials by the head of an
7 agency under subsection (b)(1)(B)(i), the chair and
8 ranking member of each relevant congressional com-
9 mittee may—

10 “(A) in coordination with any other rel-
11 evant congressional committee, as necessary,
12 agree or disagree with the recommendation or
13 postpone a decision on the recommendation;
14 and

15 “(B) notify each agency that submits a
16 recommendation of the disposition of the rec-
17 ommendation under subparagraph (A).

18 “(2) LEGISLATIVE STEPS.—If a relevant con-
19 gressional committee agrees with an agency rec-
20 ommendation submitted under subsection
21 (b)(1)(B)(i), the relevant congressional committee
22 may take the necessary legislative steps to accom-
23 plish the recommendation, which may include con-
24 sulting with the agency that submits the recurring

1 plan or report that is the subject of the rec-
2 ommendation to prepare appropriate legislation.

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

7 (3) in subsection (d), as so redesignated, by
8 striking “in the budget of the United States Govern-
9 ment, as provided by section 1105(a)(37)” and in-
10 sserting “in the budget justification materials of each
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12 (b) BUDGET CONTENTS.—Section 1105(a) of title
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