

~~HR 2146 IH~~

~~112th CONGRESS~~
~~1st Session~~
H. R. 2146

To amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

June 13, 2011

Mr. ~~ISSA~~ ~~ISSA~~ introduced the following bill; which was referred to the Committee on Oversight and Government Reform

A BILL

~~To amend title 31, United States Code, to require accountability and transparency in Federal spending, and for other purposes.~~

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ~~“Digital Accountability and Transparency Act of 2012”~~ ~~2011~~ or the ~~“DATA Act”~~. ~~Act~~.

~~SEC. 2. TABLE OF CONTENTS.~~

The table of contents for this Act is as follows:

- ~~Sec. 1. Short title.~~
- ~~Sec. 2. Table of contents.~~
- ~~Sec. 3. Definitions.~~

~~TITLE I--ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING~~

- ~~Sec. 101. General requirements for accountability and transparency in Federal spending.~~
- ~~Sec. 102. Data standardization for accountability and transparency in Federal spending.~~

~~Sec. 103. General provisions and deadlines for accountability and transparency in Federal spending.~~

~~TITLE II--FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY BOARD~~

~~Sec. 201. Federal Accountability and Spending Transparency Board.~~

~~Sec. 202. Conforming amendment relating to compensation of Chairperson.~~

~~Sec. 203. Amendments and repeal of Recovery Accountability and Transparency Board.~~

~~TITLE III--ADDITIONAL PROVISIONS~~

~~Sec. 301. Classified information.~~

~~Sec. 302. Paperwork Reduction Act exemption.~~

~~Sec. 303. Matching program.~~

~~Sec. 304. Transfer of Consolidated Federal Funds Report.~~

~~Sec. 305. Repeal of Federal Funding Accountability and Transparency Act of 2006.~~

~~Sec. 306. Effective date.~~

~~SEC. 3. DEFINITIONS.~~

In this Act:

(1) The term ~~“Commission”~~^{“Commission Board”} means the Federal Accountability and Spending Transparency ~~Commission~~^{Commission Board} established under subchapter III of chapter 36 of title 31, United States Code, as added by this Act.

(2) The term ~~“Executive agency”~~^{“agency”} has the meaning provided by section 105 of title 5, United States Code, except the term does not include the Government Accountability Office.

~~TITLE I--ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING~~

~~SEC. 101. GENERAL REQUIREMENTS FOR ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING.~~

(a) In General, ~~---~~ Subtitle III of title 31, United States Code, is amended by inserting after chapter 35 the following new chapter:

~~“§ CHAPTER 36--ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING~~

~~subchapter i--reporting requirements~~

- ~~Sec.~~
- ~~3601. Definitions.~~
- ~~3602. Recipient reporting requirement.~~
- ~~3603. Agency reporting requirement.~~
- ~~3604. Exemptions from recipient reporting requirement.~~

~~subchapter ii--data standardization~~

- ~~3611. Data standardization for reporting information.~~
- ~~3612. Full disclosure of information.~~
- ~~3613. Federal accountability portal.~~
- ~~3614. Agency responsibilities.~~
- ~~3615. Office of Management and Budget responsibilities.~~
- ~~3616. Treasury responsibilities.~~

~~subchapter iii--federal accountability and spending transparency board~~

- ~~3621. Establishment.~~
- ~~3622. Composition of the board.~~
- ~~3623. Functions.~~
- ~~3624. Powers.~~
- ~~3625. Employment, personnel, and related authorities.~~
- ~~3626. Rulemaking authority.~~
- ~~3627. Transfer of certain personnel.~~
- ~~3628. Authorization and availability of appropriations.~~

~~subchapter iv--general provisions~~

- ~~3641. Effective date.~~
- ~~3642. Sunset.~~

~~SUBCHAPTER I--REPORTING REQUIREMENTS~~

~~Sec. 3601. Definitions~~

~~“In this chapter:~~

~~“(1) RECIPIENT.——The term ‘recipient’ ~~recipient~~ means——~~

~~“(A) any person that receives Federal funds pursuant to a Federal award, either directly or through a subgrant~~subcontractor~~ or subcontract at any tier~~subgrantee~~; and~~

~~“(B) any State, local, or tribal government, or any government corporation, that receives Federal funds pursuant to a Federal award, either directly ~~or as a subcontractor~~ or through a subgrant or subcontract at any tier~~subgrantee~~.~~

~~“(2) FEDERAL AWARD.—The term ‘Federal award’ means Federal financial assistance and expenditures that—~~

~~“(A) include grants, subgrants, loans, awards, cooperative agreements, agreements entered into under other transactional authority, and other forms of financial assistance; and~~

~~“(B) include contracts, subcontracts, purchase orders, task orders, and delivery orders, blanket purchase agreements, schedule orders, and other transactions.~~

~~“(3) COMMISSION.—FEDERAL FUNDS—The term~~

~~‘Commission’ ‘Federal funds’ means any funds that are made available to an Executive agency through Federal appropriations.~~

~~“(4) BOARD—The term ‘Board’ means the Federal Accountability and Spending Transparency Commission established under subchapter III of this chapter, or any successor entity to the Federal Accountability and Spending Transparency Commission.~~

~~“(4) CHAIRMAN.—(5) CHAIRPERSON—The term~~

~~‘Chairman’ ‘Chairperson’ means the Chairman of the Federal Accountability and Spending Transparency Commission.~~

~~“(5) (6) EXECUTIVE AGENCY.—The term ‘Executive agency’ has the meaning provided by section 105 of title 5, except the term does not include the Government Accountability Office.~~

~~“(6) FOREIGN CORRUPT PRACTICES ACT OF 1977.—The term ‘Foreign Corrupt Practices Act of 1977’ means—~~

~~“(A) section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd-1); and~~

~~“(B) sections 104 and 104A of the Foreign Corrupt Practices Act (15 U.S.C. 78dd-2).~~

~~“§ 3602. Recipient reporting requirement~~

~~“(a) Requirement.—Each recipient shall report to the Commission each receipt and use of Federal funds pursuant to a Federal award ~~to the Board.~~~~

~~“(b) Characteristics of Reports.—~~

~~“(1) FREQUENCY OF REPORTS.—~~

~~“(A) IN GENERAL.—The Commission shall designate, by rule, the frequency of reports to be submitted by recipients under subsection (a), but the frequency shall not be less than once each quarter.~~

~~(B)~~ DEADLINES.—The Commission shall, by rule, specify deadlines by which a particular receipt or use of Federal funds must be reported by a recipient under subsection (a). In specifying deadlines under this subparagraph, the Commission shall take into account the capabilities of the management and accounting systems and processes of recipients. The Commission shall, by rule, provide for extensions of the deadlines specified under this subparagraph in cases of hardship or emergency.

~~(C)~~ CONTINUOUS OR AUTOMATIC REPORTING.—To the extent practicable, the Commission~~Board~~ shall require continuous or automatic reporting for compliance with this section.

~~(2)~~ CONTENT OF REPORTS.—Each report submitted by a recipient under subsection (a) shall contain the following information:—

~~(A)~~ an identification of the recipient, including the recipient's~~recipient's~~ name and location (including city, county, State, congressional district, and country), with location information provided in proper United States Postal Service standardized format, including ZIP+4, or proper international postal service standardized format where applicable.;

~~(B)~~ an identification of the recipient and the parent entity of the recipient, if the recipient is owned by another entity.~~Executive agency;~~

~~(C)~~ an identification of the Executive agency.

~~(D)~~ An identification of the Federal award.;

~~(E)~~ if applicable, an identification of the program pursuant to which the Federal award was awarded.;

~~(F)~~ the total amount of Federal funds received from that Executive agency for the Federal award, during the period covered by the report.;

~~(G)~~ the amount of Federal funds from the Federal award that were expended or obligated by the recipient to projects or activities during the period covered by the report.;

~~(H)~~ A~~(G)~~-a detailed list of all projects or activities for which Federal funds were expended or obligated.;~~and~~

~~(I)~~ If the Federal award is a prime award, an identification of its immediate subawards.

“(J) If the Federal award is a subaward, an identification of its immediate prime award.

“(K)(H) such additional information reasonably related to the receipt and use of Federal funds as the ~~Commission Board~~ shall, by rule, require.

“(3) USE OF DATA STANDARDS.—The reports submitted under this section shall use the common data elements and data reporting standards designated by the ~~Commission Board~~ under section 3611 of this title.

“(c) FULFILLMENT OF REQUIREMENTS BY PRIME AWARDEES.—The Commission shall, by rule, permit prime awardees to fulfill the requirements of this section on behalf of subawardees, so long as all subaward tiers are reported.

“(d) Guidance by ~~COMMISSION.—Board~~The ~~Commission Board~~ shall issue guidance to recipients on compliance with this section.

“(e) PREPOPULATION.—To the extent practicable, the Commission shall prepopulate its electronic systems for the submission of reports required by this section with data submitted to it by agencies under section 3603 of this title, and shall permit recipients either to confirm that prepopulated data is correct or, if it is incorrect, to make corrections.

“(f) ~~(d)~~Registration.—Recipients required to report information under subsection (a) shall register with the Central Contractor Registration database or complete such other registration requirements as the ~~Commission Board~~ shall, by rule, require.

“§. Sec. 3603. Agency reporting requirement

“(a) Requirement.—Each Executive agency shall report to the Commission all obligations and expenditures of Federal funds to the Board.

“(b) Characteristics of Reports.—

“(1) FREQUENCY OF REPORTS.—

“(A) IN GENERAL.—The ~~Commission Board~~ shall designate, by rule, and after consultation with the Office of Management and Budget, the frequency of reports to be submitted by agencies under subsection (a), but the frequency shall not be less than once each quarter.

“(B) DEADLINES.—The Commission shall, by rule, and after consultation with the Office of Management and Budget, specify the

deadline by which an obligation or expenditure must be reported by an agency under subsection (a).

“(C) CONTINUOUS OR AUTOMATIC REPORTING.—To the extent practicable, the CommissionBoard shall require continuous or automatic reporting for compliance with this section.

“(2) CONTENT OF REPORT.—

“(A) INFORMATION RELATING TO FEDERAL AWARDS.—Each report submitted by an Executive agency under subsection (a) that relates to a Federal award shall contain the following information for that Federal award:

“(i) An identification of the recipient, including the recipient’s name and location (including city, State, congressional district, and country), with location information provided in proper United States Postal Service standardized format, including ZIP+4, or proper international postal service standardized format where applicable.

“(ii) An identification of the recipient and the parent entity of the recipient, should the entity be owned by another entity.

“(iii) An identification of the Executive agency.

“(iv) An identification of the Federal award.

“(v) If applicable, an identification of the program pursuant to which the Federal award was awarded.

“(vi) If necessary, the total amount of the award.

“(vii) The total amount of Federal funds received by the recipient from the Executive agency for the Federal award, during the period covered by the report.

“(viii) Information on the award, including transaction type, funding agency, the North American Industry Classification System code or Catalog of Federal Domestic Assistance number (if

applicable), the program source, and an award title descriptive of the purpose of each funding action.

“(ix) Such additional information reasonably related to the Federal award as the Commission shall, by rule, require.

“(B) INFORMATION NOT RELATING TO FEDERAL AWARDS.—The Board shall designate the content of each report submitted by an Executive agency under subsection (a) that does not relate to a Federal award shall be designated by the Commission, by rule, and after consultation with the Office of Management and Budget.

“(C) IDENTIFICATION INFORMATION.—To the extent practicable, reports to be submitted by agencies under subsection (a) shall identify the programs, budget functions, Treasury accounts, and appropriations categories pursuant to which Federal funds are obligated or expended.)-

“(D) USE OF OTHER REPORTING INFORMATION.—(B) To the extent practicable, the Commission Board shall permit agencies to comply with subsection (a) by submitting the same information that they submit or contribute for other governmentwide reporting requirements, including the following:

“(i) For information about Federal awards—

“(I) the Federal assistance awards data system established pursuant to section 6102a of title 31, United States Code;

“(II) the Federal procurement data system established pursuant to section 1122(a)(4) of title 41, United States Code;

“(III) the common application and reporting system established pursuant to section 6 of the Federal Financial Assistance Management Improvement Act of 1999 (31 U.S.C. 6101 note); or

“(IV) such systems as may be established to replace or supplement the systems identified in this clause.

“(ii) For information about internal expenditures and accounting, the Federal Agencies' Agencies' Centralized Trial-Balance Systems (FACTS I and FACTS II), the Governmentwide Financial Report System (GFRS), the Intragovernmental Fiduciary Confirmation System (IFCS), or such systems as may be established to replace or supplement such systems.

~~“(3)~~ USE OF DATA STANDARDS.—The reports submitted under this section shall use the common data elements and data reporting standards designated by the Commission~~Board~~ under section 3611 of this title.

~~“(4)~~ INFORMATION ALSO SUBJECT TO RECIPIENT REPORTING REQUIREMENT.—In complying with this section, each Executive agency shall identify, to the extent practicable, Federal awards made by the agency that are subject to the recipient reporting requirement of section 3602 of this title so that information reported by recipients and information reported by the agency can be directly compared.

~~“(c)~~ Guidance by COMMISSION.~~—Board~~—The Commission~~Board~~ shall issue guidance to Executive agencies on compliance with this section.

~~“(d)~~ COMMISSION~~—Board~~ To Monitor Compliance.—The Commission~~Board~~ shall regularly report to Congress on each Executive agency~~'s~~agency's compliance with this section, including the timeliness, completeness, accuracy, and interoperability of the data submitted by each Executive agency. The Commission~~Board~~ shall make these reports publicly available contemporaneously online.

“§ ~~Sec.~~ 3604. Treasury reporting requirement

“(a) REQUIREMENT.—The Department of the Treasury shall report to the Commission disbursements of Federal funds.

“(b) CHARACTERISTICS OF REPORTS.—

“(1) FREQUENCY OF REPORTS.—

“(A) IN GENERAL.—The Commission and the Secretary of the Treasury shall determine the frequency of reports submitted by the Department of the Treasury under subsection (a), but the frequency shall not be less than once each quarter.

“(B) CONTINUOUS OR AUTOMATIC REPORTING.—To the extent practicable, the Commission and the Department of the Treasury shall establish continuous or automatic reporting for compliance with this section.

“(2) CONTENT OF REPORT.—

“(A) The Commission and the Secretary of the Treasury shall determine the content of reports submitted by the Department of the Treasury under subsection (a).

“(B) To the extent practicable, reports submitted by the Department of the Treasury under subsection (a) shall identify the programs, budget functions, Treasury accounts, and appropriations categories pursuant to which Federal funds are disbursed.

“(3) USE OF DATA STANDARDS.—The reports submitted under this section shall use the common data elements and data reporting standards designated by the Commission under section 3611 of this title.

“(c) COMMISSION TO MONITOR COMPLIANCE.—The Commission shall regularly submit to Congress reports on compliance by the Department of the Treasury with this section, including the timeliness, completeness, accuracy, and interoperability of the data submitted. The Commission shall make all reports submitted under this subsection publicly available contemporaneously online.

“§ 3605. Exemptions from recipient reporting requirement

“(a) Exemption.—A recipient is exempt from the reporting requirement of section 3602 of this title with respect to funds received pursuant to a Federal award if—

“(1) the recipient is an individual; and

“(2) either—

“(A) the total amount of Federal funds received by the recipient does not exceed \$100,000 in the current calendar year or fiscal year; or

“(B) no transaction in which the recipient has received Federal funds during the current calendar year or fiscal year has exceeded \$24,999.

“(b) Authority To Grant Additional Exemptions.—The Commission Board may, by rule, grant additional exemptions under this section for classes or categories of recipients.”

“(c) ADJUSTMENT FOR INFLATION.—The Commission shall, by rule, provide for an adjustment of the dollar thresholds specified in subsection (a)(2) to maintain the constant dollar value of the threshold.”

(b) Clerical Amendment.—The table of chapters at the beginning of subtitle III of title 31, United States Code, is amended by inserting after the item relating to chapter 35 the following new item:

“36. Accountability and Transparency in Federal Spending 3601”.

3601.:

~~SEC. 102. DATA STANDARDIZATION FOR ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING.~~

Chapter 36 of title 31, United States Code, as added by section 101, is amended by adding at the end the following new subchapter:

~~“§ SUBCHAPTER II DATA STANDARDIZATION~~

~~Sec. 3611. Data standardization for reporting information~~

~~“(a) Common Data Elements. —~~

~~“(1) REQUIREMENT. —~~The ~~Commission Board~~ shall, by rule, designate common data elements, such as codes, identifiers, and fields, for information required to be reported by recipients ~~and~~ agencies under this chapter, ~~including identifiers for recipients, awards, and agencies.~~

~~“(2) CHARACTERISTICS OF COMMON DATA ELEMENTS. —~~The common data elements designated under ~~this subsection~~~~paragraph (1)~~ shall, to the extent practicable, be nonproprietary.

~~“(3) EXISTING COMMON DATA ELEMENTS. —~~In designating common data elements under this subsection, the ~~Commission Board~~ shall, to the extent practicable, ~~ensure interoperability and~~ incorporate the following:

~~“(A) Common data elements developed and maintained by an international voluntary consensus standards body, as defined by the Office of Management and Budget, such as the International Organization for Standardization.~~

~~“(B) Common data elements developed and maintained by ~~intragovernmental~~intergovernmental partnerships, such as the National Information Exchange Model.~~

~~“(C) Common data elements developed and maintained by Federal entities with authority over contracting and financial assistance, such as the Federal Acquisition Regulatory Council.~~

~~“(D) Common data elements developed and maintained by accounting standards organizations.~~

~~“(b) Data Reporting Standards. —~~

~~“(1) REQUIREMENT. —~~The ~~Commission Board~~ shall, by rule, designate data reporting standards to govern the reporting required to be performed by recipients and agencies under this title.

~~“(2) CHARACTERISTICS OF DATA REPORTING STANDARDS.—The data reporting standards designated under this subsection required by paragraph (1) shall, to the extent practicable—~~

~~“(A) incorporate a widely accepted, nonproprietary, searchable, platform-independent computer-readable format;~~

~~“(B) be consistent with and implement applicable accounting principles; and~~

~~“(C) be capable of being continually upgraded as necessary.~~

~~“(3) EXISTING DATA REPORTING STANDARDS.—In designating reporting standards under this subsection, the Commission Board shall, to the extent practicable, incorporate existing nonproprietary standards, such as the eXtensible Business Reporting Language (XBRL).~~

~~“§ Sec. 3612. Full disclosure of information~~

~~“(a) Requirement—The Commission Board shall publish online all information submitted by recipients and agencies pursuant to sections 3602, 3603, and 3603.~~

~~“(b) Aggregation of Information That Is Exempt From Recipient Reporting Requirement—The Board shall publish, online and in the aggregate, information that is exempt from recipient reporting under section 3604 of but that is reported by an Executive agency under section 3606 in the aggregate.~~

~~“(c) Compliance With Open Data Principles and Best Practices—To the extent practicable, the Board shall publish data under this title section in a manner that complies with applicable principles and best practices in the private sector for the publication of open government data.~~

~~“(d) Online Publication—~~

~~“(1) IN GENERAL—The Board shall, in accordance with the Federal Funding Accountability and Transparency ~~this section and section 204 of the E-Government Act of 2006 (312002-44 U.S.C. 61013504 note).~~~~

~~“§ 3613. Federal accountability portal~~

~~“(a) REQUIREMENT.—The Commission shall), establish and maintain a government-wide ~~one or more Web sites for the publication of data required to be published online under this section.~~~~

~~“(2) PURPOSE OF WEB SITE OR WEB SITES—The Web site or Web sites established and maintained under this subsection shall serve as a public portal for Federal financial information, including information concerning all Federal awards and information concerning the expenditure of all Federal funds.~~

~~“(3) CONTENT AND FUNCTION OF WEB SITE OR WEB SITES—The Board shall ensure that the Web site or Web sites established and maintained under this subsection:~~

- ~~“(A) Makes available all information published under subsection (a) in a reasonably timely manner.~~
- ~~“(B) Makes available all information published under subsection (a) in its original format.~~
- ~~“(C) Makes available all information published under subsection (a) without charge, license, or registration requirement.~~
- ~~“(D) Permits all information published under subsection (a) to be searched and aggregated.~~
- ~~“(E) Permits all information published under subsection (a) to be downloaded in bulk.~~
- ~~“(F) To the extent practicable, disseminates information published under subsection (a) via automatic electronic means.~~
- ~~“(G) To the extent practicable, permits information published under subsection (a) to be freely shared by the public, such as by social media.~~
- ~~“(H) To the extent practicable, uses permanent uniform resource locators for information published under subsection (a).~~
- ~~“(I) Provide an opportunity for the public to provide input about the usefulness of the site and recommendations for improvements.~~
- ~~“(e) New Technologies—Notwithstanding any other provision in this section, the Board may comply with the requirements of this section using such new technologies as may replace Web sites for data publication and dissemination.~~
- ~~“(f) Transfer of Functions of Usaspending.gov—The Board and the Office of Management and Budget shall transfer the functions of USASpending.gov to the Web site or Web sites established under this section.~~

~~“Sec. 3613. Federal accountability portal~~

~~“(a) Requirement—The Board shall establish and maintain an integrated Internet-based data access system, consisting of one or more Web sites and to be known as a ‘Federal accountability portal’ portal”, to carry out the functions described in subsection (b).~~

~~“(b) Functions.—~~

~~“(1) IN GENERAL.—The Federal accountability portal shall incorporate—~~

~~“(A) information submitted by recipients and agencies under sections 3602, 3603, and 3604 of this title;~~

~~“(B) other information maintained by Federal, State, local, and foreign government agencies; and~~

~~“(C) other commercially and publicly available information.~~

“(2) SPECIFIC FUNCTIONS.—The Federal accountability portal shall be designed and operated to carry out the following functions:

“(A)(4) Combine information submitted by recipients and agencies under sections 3602, 3603, and 3604 of this title~~3603~~ with other compilations of information, including those listed in paragraph (1).~~such as Government databases and other proprietary and nonproprietary databases.~~

“(B)(2) Permit Executive agencies, in accordance with applicable law, to verify the eligibility and responsibility of recipients and potential recipients with respect to the receipt and use of~~receive~~ Federal funds.

“(C)(3) Permit Executive agencies, Inspectors General, ~~and~~ law enforcement agencies, and appropriate State authorities, in accordance with applicable law, to track Federal awards and recipients to detect and prevent~~find~~ waste, fraud, and abuse.

“(D) Serve as the primary accountability portal for the entire Federal Government.

“(c) Guidance by COMMISSION.—~~Board~~The Commission~~Board~~ shall issue guidance on the use of and access to the Federal accountability portal.

“§ ~~Sec.~~ 3614. Agency responsibilities

“(a) Requirement.—As a condition of receipt of Federal funds of an Executive agency pursuant to any Federal award, the Executive agency shall require any recipient of such funds to provide the information required under section 3602 of this title.

“(b) Penalties for ~~RECIPIENT~~Recipients' Noncompliance.—

“(1) IN GENERAL.—The head of an Executive agency may impose a civil penalty in an amount not more than \$250,000 on a recipient of Federal funds from that Executive agency that does not provide the information required under section 3602 of this title or provides information that contains a material omission or misstatement.

“(2) NONPRECLUSION.—The imposition of a civil penalty under this subsection does not preclude any other criminal or civil statutory, common law, or administrative remedy that is available by law to the United States or any other person. Any amounts received from a civil penalty under this subsection shall be deposited in the Treasury of the United States to the credit of the appropriation or appropriations from which the award is made.

“(3) NOTIFICATION.—The head of an Executive agency shall provide a written notification to a recipient that fails to provide the information required under section 3602 of this title or provides information that contains a material omission or misstatement. Such notification shall provide the recipient with

information on how to comply with the requirements of such section 3602 and notice of the penalties for failing to do so. The head of the Executive agency may not impose a civil penalty under paragraph (1) until 6030 days after the date of the notification.

“(c) Compliance With **COMMISSION** Board Guidance.—Executive agencies shall comply with the instructions and guidance issued by the Commission Board under this Act.

“(d) Information and Assistance.—

“(1) IN GENERAL.—Upon request of the Commission Board for information or assistance from any Executive agency or other entity of the Federal Government, the head of such entity shall, insofar as is practicable and not in contravention of any existing law, furnish such information or assistance to the Commission Board, or an authorized designee.

“(2) REPORT OF REFUSALS.—Whenever information or assistance requested by the Commission Board is, in the judgment of the Commission Board, unreasonably refused or not provided, the Commission Board shall report the circumstances to Congress.

“(e) **REQUIREMENT TO Use COMMON of Data ELEMENTS AND DATA REPORTING** Standards.—After the Commission Board designates any common data element or data reporting standard under section 3611 of this title, each Executive agency shall issue guidance that requires every recipient of Federal funds under any of its Federal awards to use that common data element or data reporting standard for any information reported to that Executive agency to which the common data element or data reporting standard is applicable.

“(f) **PREPOPULATION.—**To the extent practicable, each Executive agency shall use data from the website maintained by the Commission under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) to prepopulate any electronic systems maintained by that agency for the submission of reports on the receipt and use of Federal funds distributed by that agency.

“§ ~~Sec.~~ 3615. **Consolidated financial reporting**

“(a) **REPORT IDENTIFYING RECIPIENT FINANCIAL REPORTING REQUIREMENTS TO BE CONSOLIDATED.—**In consultation with the Office of Management and Budget, each Executive agency shall, not later than two years after the effective date of this chapter, submit to the President, Congress, and the Commission a report that—

“(1) describes any agency-specific financial reporting requirements for recipients of Federal funds pursuant to a Federal award from the agency;

“(2) identifies every element of information that such recipients must regularly submit to the agency pursuant to such requirements; and

“(3) for each element so identified, identifies whether that element or a similar element is already being reported to the Commission by such recipients under this title.

“(b) DATE CERTAIN THAT RECIPIENTS MAY USE CONSOLIDATED FINANCIAL REPORTING.—Beginning on the date that is three years after the effective date of this chapter, recipients of Federal funds are deemed to have satisfied the agency-specific financial reporting requirements identified in the reports required by subsection (a) by transmitting the same information to the Commission, in a manner prescribed by the Commission.

“(c) RECIPIENT NOTIFICATION.—After an Executive agency has submitted its report under subsection (a), the Executive agency shall issue guidance notifying recipients of Federal funds under its awards that they may, as of the date that is three years after the effective date of this chapter, satisfy those agency-specific financial reporting requirements identified by the agency in its report required under subsection (a) by reporting the same information to the Commission only.

“(d) COMMISSION RESPONSIBILITIES.—

“(1) After an Executive agency submits its report under subsection (a), the Commission shall promulgate rules describing the manner in which the agency-specific financial reporting requirements identified in the report may be met by recipients of Federal funds from that agency through reporting to the Commission only.

“(2) Upon receipt of agency-specific financial reporting information as described under this section, the Commission shall immediately make such information available to the Executive agency to which the information had previously been required to be submitted.

“§ 3616. Office of Management and Budget responsibilities

~~“After the CommissionBoard designates any common data element or data reporting standard under section 3611 of this title, the Director of the Office of Management and Budget shall issue guidance that requires Executive agencies to use that common data element or data reporting standard for any information reported by Executive agencies to the Office of Management and Budget to which the common data element or data reporting standard is applicable.~~

~~“§ 3617. Sec. 3616. Treasury responsibilities~~

~~“After the CommissionBoard designates any common data element or data reporting standard under section 3611 of this title, the Secretary of the Treasury shall issue guidance that requires Executive agencies to use that common data element or data reporting standard for any information reported by Executive agencies to the Department of the Treasury to which the common data element or data reporting standard is applicable.”~~

~~“§ 3618. General Services Administration responsibilities~~

~~“After the Commission designates any common data element or data reporting standard under section 3611 of this title, the Administrator of General Services shall apply that common data element or data reporting standard for any information contained in acquisition-related databases maintained by the General Services Administration to which the common data element or data reporting standard is applicable.”~~

~~(a) ADDITIONAL REQUIREMENTS FOR USASPENDING.GOV.—Section 2(c) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) is amended—~~

~~(1) by striking paragraphs (1) and (2);~~

~~(2) by redesignating paragraphs (3), (4), and (5) as paragraphs (1), (2), and (3), respectively; and~~

~~(3) by adding at the end the following new paragraphs:~~

~~“(4) shall, to the extent practicable, publish data under this section in a manner that complies with applicable principles and best practices in the private sector for the publication of open government data;~~

“(5) shall serve as a public portal for Federal financial information, including information concerning all Federal awards and information concerning the expenditure of all Federal funds;

“(6) shall—

“(A) make available all information published under subsections (b), (c), and (d) in a reasonably timely manner;

“(B) make available all information published under subsections (b), (c), and (d), using the common data elements and data reporting standards designated by the Commission under section 3611 of title 31, United States Code;

“(C) make available all information published under subsections (b), (c), and (d) without charge, license, or registration requirement;

“(D) permit all information published under subsections (b), (c), and (d) to be searched and aggregated;

“(E) permit all information published under subsections (b), (c), and (d) to be downloaded, including downloaded in bulk;

“(F) to the extent practicable, disseminate information published under subsections (b), (c), and (d) via automatic electronic means;

“(G) to the extent practicable, permit information published under subsections (b), (c), and (d) to be freely shared by the public, such as by social media; and

“(H) to the extent practicable, use permanent uniform resource locators for information published under subsections (b), (c), and (d).”.

(b) REQUIREMENT TO REPORT ALL DATA SUBMITTED UNDER DATA ACT AND CHAPTER 61 OF TITLE 31 ON USASPENDING.GOV.—Section 2 of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note), as amended by subsection (a), is further amended—

(1) by striking subsections (d) and (e);

(2) by redesignating subsection (c) as subsection (e); and

(3) by inserting after subsection (b) the following new subsections (c) and (d):

“(c) FULL DISCLOSURE OF DATA SUBMITTED UNDER THE DIGITAL ACCOUNTABILITY AND TRANSPARENCY ACT OF 2012.—

“(1) REQUIREMENT.—The Commission shall publish on the website established under this section all information submitted by recipients and agencies pursuant to sections 3602, 3603, and 3604 of title 31, United States Code, as added by the Digital Accountability and Transparency Act of 2012.

“(2) AGGREGATION OF INFORMATION THAT IS EXEMPT FROM RECIPIENT REPORTING REQUIREMENT.—The Commission shall publish, online and in the aggregate, information that is exempt from recipient reporting under section 3605 of such title but that is reported by an Executive agency under section 3603 of such title in the aggregate.

“(d) FULL DISCLOSURE OF INFORMATION REQUIRED BY CHAPTER 61 OF TITLE 31.—The Commission shall publish on the website established under this section all information contained in the information system required under section 6103 of title 31, United States Code.”.

(c) ADDITIONAL DEFINITIONS.—Subsection 2(a) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) is amended by adding at the end the following:

“(4) RECIPIENT.—The term ‘recipient’ means—

“(A) any person that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier; and

“(B) any State, local, or tribal government, or any government corporation, that receives Federal funds pursuant to a Federal award, either directly or through a subgrant or subcontract at any tier.

“(5) COMMISSION.—The term ‘Commission’ means the Federal Accountability and Spending Transparency Commission established under subchapter III of chapter 36 of title 31, United States Code, or any successor entity to the Federal Accountability and Spending Transparency Commission.”.

(d) NEW TECHNOLOGIES.—Section 2(f) of the Federal Funding Accountability and Transparency Act of 2006 is amended—

(1) by striking “Nothing” and inserting the following:

“(1) ACCESS TO OTHER DATA.—Nothing”; and

(2) by adding at the end the following new paragraph:

“(2) NEW TECHNOLOGIES.—Nothing in this Act shall prohibit the Commission from complying with the requirements of this section using such new technologies as may replace websites for data publication and dissemination.”.

(e) CONFORMING AMENDMENTS TO REPLACE OMB WITH COMMISSION FOR MANAGEMENT OF USASPENDING.GOV.—Section 2 of such Act (31 U.S.C. 6101 note) is further amended—

(1) in subsection (b), by striking “Office of Management and Budget” and inserting “Commission” both places it appears in paragraph (1); and

(2) in subsection (g), by striking “Director of the Office of Management and Budget” and inserting “Commission” in paragraph (1) and in paragraph (3).

(f) REPEAL OF SUPERSEDED PROVISIONS.—Section 2(b) of such Act (31 U.S.C. 6101 note) is further amended by striking paragraphs (3) and (4).

(g) TECHNICAL AND CONFORMING AMENDMENTS.—Such Act (31 U.S.C. 6101 note) is further amended—

(1) in section 2(b), by striking “Not later than January 1, 2008, the” and inserting “The”; and

(2) in section 2(g)—

(A) by striking “Committee on Government Reform” and inserting “Committee on Oversight and Government Reform”; and

(B) in paragraph (2)—

(i) by inserting “and” at the end of subparagraph (A);

(ii) by striking “; and” at the end of subparagraph (B) and inserting a period; and

(iii) by striking subparagraph (C).

(a) EFFECTIVE DATE.—SEC. 103. GENERAL PROVISIONS AND DEADLINES FOR ACCOUNTABILITY AND TRANSPARENCY IN FEDERAL SPENDING.

~~(a) Effective Date and Sunset~~ Chapter 36 of title 31, United States Code, as added by section 101, is further amended by adding at the end the following new subchapter:

“§ SUBCHAPTER IV--GENERAL PROVISIONS

~~Sec. 3641.~~ **Independence of inspectors general**

“Nothing in this chapter shall affect the independent authority or discretion of an inspector general to determine whether or how to conduct an audit, investigation, or any other function authorized by the Inspector General Act of 1978 (5 U.S.C. App.), or to disclose any information relating to an audit or investigation.

“§ 3642. Effective date

~~“This chapter takes effect on~~ the date of the enactment of this chapter.” ~~October 1, 2011.~~

~~Sec. 3642.~~ **Sunset**

~~This chapter shall cease to be in effect after September 30, 2018.”~~

(b) Deadlines for Implementation. ~~---~~

(1) DEADLINE FOR APPOINTMENT OF COMMISSIONERS.—Within 60 days after the effective date of this Act, the President shall appoint Commissioners to the Commission under section 3622 of title 31, United States Code, as added by this Act.

(2) COMMISSION~~(+)~~ BOARD DEADLINES.—

(A) Within 60 days after the effective date of this Act, the Commission shall establish the committee required under section 3627 of title 31, United States Code, as added by this Act.

(B)- Within 180 days after the effective date of this Act, the CommissionBoard shall ~~---~~

(i) promulgate rules and ~~(A)~~ issue guidance under sections 3602~~(e)~~ and 3603~~(e)~~ of title 31, United States Code, as added by this Act;

(ii) together with the Secretary of the Treasury, determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of such title, as so added;

~~(iii)(B)~~ designate common data elements under section 3611(a) of such title and data reporting standards under section 3611(b) of such title, as so added; and

~~(iv)(E)~~ establish one or more websitesWeb-sites under the Federal Funding Accountability and Transparency Act~~section 3612(d)~~ of 2006~~such title~~, as amended by this Act~~so added~~.

(3) ~~2~~ AGENCY AND DEPARTMENT DEADLINES.—

(A) Within one year after the effective date of this Act, each Executive agency shall implement section 3614(a) of title 31, United States Code, as added by this Act.

(B) Within two years after the CommissionBoard designates any common data element or data reporting standard under section 3611~~(a)~~ of such title, as so added ~~---~~

(i) each Executive agency shall issue guidance under section 3614(e) of such title, as so added;

(ii) the Director of the Office of Management and Budget shall issue guidance under section 3615 of such title, as so added; and

(iii) the Administrator of General Services shall take the actions required under section 3617 of such title, as so added.

(4) TREASURY DEADLINES.—

(A) Within 180 days after the effective date of this Act, the Secretary of the Treasury, together with the Commission, shall determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of title 31, United States Code, as added by this Act.

(B) Within 180 days after the Commission and the Secretary of the Treasury determine the frequency and content of reports to be submitted to the Commission by the Department of the Treasury under section 3604 of such title, as so added, the Department of the Treasury shall begin to submit such reports to the Commission.

(C) Within two years after the Commission designates any common data element or data reporting standard under section 3611 of such title, as so added, the Secretary of the Treasury shall issue guidance under section 3616 of such title, as so added.

(5) RECIPIENT DEADLINES.—Notwithstanding any other provision of this Act or the amendments made by this Act, no recipient shall be required to comply with this Act or such amendments until 180 days after the Commission has issued rules and guidance under section 3602 of title 31, United States Code, as added by this Act.

(6) TRANSFER OF USASPENDING.GOV.—Within 180 days after the effective date of this Act, the Commission and the Office of Management and Budget shall transfer the management and control of USASpending.gov from the Office of Management and Budget to the Commission, as required by the Federal Funding Accountability and Transparency Act of 2006, as amended by this Act.

~~**TITLE II—FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY BOARD**~~

~~SEC. 201. FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY BOARD.~~

Chapter 36 of title 31, United States Code, as added by section 101, is further amended by inserting after subchapter II the following new subchapter:

~~“§ SUBCHAPTER III--FEDERAL ACCOUNTABILITY AND SPENDING TRANSPARENCY BOARD~~

~~Sec. 3621. Establishment~~

~~“(a) Establishment.——~~There is established the Federal Accountability and Spending Transparency ~~Commission~~Board as an independent agency in the Executive Branch.

~~“(b) Functions and Powers Transferred.——~~

~~“(1) FUNCTIONS TRANSFERRED.——~~Except as provided in this section, there are transferred to the ~~Commission~~Board all functions of the Recovery Accountability and Transparency Board.

~~“(2) POWERS, AUTHORITIES, RIGHTS, AND DUTIES.——~~The Federal Accountability and Spending Transparency ~~Commission~~Board shall succeed to all powers, authorities, rights, and duties that were vested in the Recovery Accountability and Transparency Board on the day before the effective date of this ~~chapter~~Act.

~~“§ Sec. 3622. Composition of the Commission~~board

~~“(a) MEMBERS.——Chairperson-~~

~~“(1) IN GENERAL.——The Commission shall be composed of—There is a Chairperson of five Commissioners~~the Board, who shall be appointed by the President, by and with the ~~advice and~~ consent of the Senate.

~~“(2) PARTY AFFILIATION.—Not more than three HEAD OF BOARD-~~
~~The Chairperson is the head of the members of the Board and shall have direction, authority, and control over it.~~

~~“(3) COMMISSION ESTABLISHED—When a vacancy occurs in the office of Chairperson of the Board, a commission is established to recommend individuals to the President for appointment to the vacant office. The commission shall be members of the same political party, composed of—~~

~~“(3) (A) the Speaker of the House of Representatives;~~

~~(B) the President pro tempore of the Senate;~~

~~(C) the majority and minority leaders of the House of Representatives and the Senate; and~~

~~“(D) the chairmen and ranking minority members of the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Government Reform of the House of Representatives.~~

~~“(4) RECOMMENDATIONS—A commission established because of a vacancy in the office of the Comptroller General shall recommend at least three individuals. The President may ask the commission to recommend additional individuals.~~

~~“(5) TERM.—Each Commissioner shall hold office for a —The term of five service of the Chairperson of the Board shall be 5 years and, but the Chairperson may serve after the expiration of the Chairperson's term until a successor is appointed and has qualified, except that—has taken office.~~

~~“(A) a Commissioner shall not so continue to”~~
~~“(6) LIMITATION ON TERMS—No person may serve beyond as the expiration Chairperson of the next session of Congress subsequent to the expiration of such term of office;~~

~~“(B) any Commissioner appointed to fill a vacancy occurring prior to the expiration of the term Board for which that Commissioner's predecessor was appointed shall be appointed for the remainder of such term; and~~

~~“(C) the more than 2 terms of office of the Commissioners first taking office after the enactment of this paragraph shall expire as designated by the President at the time of nomination, one at the end of one year, one at the end of two years, one at the end of three years, one at the end of four years, and one at the end of five years; whether or not such terms of service are consecutive.~~

~~“(4) ”~~
~~“(7) COMPENSATION.—An individual appointed to the Commission as Chairperson under this subsection paragraph (1) shall be compensated at the rate of basic pay prescribed for level III of the Executive Schedule under section 5314 of title 5, United States Code.~~

~~“(b) CHAIRMAN.—~~

~~“(1) IN GENERAL.—Members—The President members of the Board shall appoint, by and with the advice and consent of the Senate, a member of the Commission as Chairman, who shall serve as Chairman at the pleasure of the President. An individual may be appointed as Chairman at the same time that person is appointed as a Commissioner. At any time, the President may appoint, by and with the advice and consent of the Senate, a different Chairman, and the Commissioner previously appointed~~

as Chairman may complete that Commissioner's term as a Commissioner.~~include—~~

“(2) DUTIES.—The Chairman shall be⁽⁺⁾ the chief administrative officer~~Inspectors—General~~ of the Commission and shall preside at meetings~~Department of Agriculture,~~ the Commission.

“(3) POWERS AND FUNCTIONS.—

“(A) Except as otherwise provided in this paragraph and in section 3625~~Department of~~ this chapter~~Defense,~~ the executive and administrative functions~~Department of Education,~~ the Commission, including functions~~Department of Energy,~~ the Commission with respect to~~Department of Health and Human Services,~~ the appointment and supervision of personnel employed under ~~Department of Homeland Security,~~ and the Commission, the distribution of business among such personnel and among administrative units of the Commission, and the use and expenditure of funds, according to budget categories, plans, programs, and priorities established and approved by the Commission, shall be exercised solely by the Chairman.~~Department of Transportation;~~

“(B) In carrying out any of his functions under⁽²⁾ the provisions~~Deputy Secretaries of the Department of~~ this paragraph, the Chairman shall be governed by~~Agriculture,~~ the general policies, plans, priorities, and budgets approved by~~Department of Education,~~ the Commission~~Department of Energy,~~ the ~~Department of Health and Human Services,~~ and by such regulatory decisions, findings, and determinations as the Commission may by law be authorized to make.

“(C) The appointment by the Chairman~~Department of Transportation;~~ the heads of major administrative units under ~~Chief Management Officer of the~~ Commission shall be subject to ~~Department of Defense,~~ and the approval~~Undersecretary for Management~~ of the Commission.

“(D) Personnel employed regularly~~Department of Homeland Security;~~ and full time in

(3) the immediate offices of Commissioners other than the Chairman shall not be affected by the provisions of this paragraph.

“(E) The Commission shall be responsible for the functions of revising budget estimates of the Commission and determining the distribution of appropriated funds according to major programs and purposes of the Controller of the Commission.

“(F) The Chairman may authorize the performance by any officer, employee, or administrative unit under the Chairman’s jurisdiction of any functions of Management and Budget and the Deputy Director for Management of the Chairman under this paragraph.

“(4) LIMITATION ON TERMS.—No person appointed as Chairman under this subsection shall serve as Chairman for more than 10 years, whether or not such service is consecutive.

“(5) INTERIM CHAIRMAN.—Upon the effective date of this chapter, the person serving as Chairperson of the Recovery Accountability and Transparency Board on the day before the effective date of this chapter shall serve as acting Chairman of the Commission until the President appoints a Chairman of the Commission pursuant to this subsection.

“(c) VACANCIES.—A vacancy in the Commission shall not impair the right of the remaining Commissioners to exercise all the powers of the Commission.

“§ 3623. Functions

“(a) In General.—The Commission shall—

“(1) be responsible for the collection, storage, and public disclosure of information about Federal spending;

“(2) serve as the authoritative government source for the information about Federal spending that it collects; and

“(3) coordinate and conduct oversight of Federal funds in order to prevent fraud, waste, fraud, and abuse.

“(b) Specific Functions.—The functions of the Commission shall include each of the following:

“(1) Receiving, storing, and publicly disseminating all of the information that is reported to it under sections 3602, 3603, and 3604 of this title.

~~“(2)~~ Reviewing whether reporting under section 3602 of this title meets applicable standards and specifies the purpose of the Federal award and measures of performance.

~~“(3) Identifying possible criminal activity~~~~Auditing, investigating, or reviewing Federal funds to determine whether fraud, wasteful spending, poor contract or grant management, or other abuses are occurring~~ and referring such matters ~~to it~~ considers appropriate Federal, State, and local law enforcement authorities.

“(4) Supporting ongoing criminal investigations, prosecutions, and related proceedings.

~~“(5) Furnishing research, analytical, and informational services for further investigation to the inspector general for the Executive~~ agencies, inspectors general, law enforcement agencies, and appropriate State authorities in the interest of detection, prevention, and prosecution of waste, fraud, and abuse of Federal funds~~agency that disbursed the Federal funds.~~

~~“(6)~~~~(4)~~ Regularly evaluating~~auditing~~ the quality of the data submitted to it under sections 3602, ~~and~~ 3603, and 3604 of this title.

~~“(7)~~~~(5)~~ Standardizing common data elements and data reporting standards to foster transparency and accountability for Federal spending, as required by section 3611 of this title.

~~“(8)~~~~(6)~~ Reviewing whether there are appropriate mechanisms for interagency collaboration relating to Federal funds, including coordinating and collaborating to the extent practicable with the Council of the Inspectors General ~~Council~~ on Integrity and Efficiency established by section 11 of the Inspector General ~~Reform~~ Act of 1978 (5 U.S.C. App.).~~2008 (Public Law 110-409).~~

“(9) Issuing a report in accordance with subsection (e) on the feasibility of collecting and publishing online tax expenditures data.

~~“(c)~~ PRIORITIES IN ANALYSES AND REVIEWS.—

“(1) IN GENERAL.—To the extent practicable, the Commission shall give high priority to analyses and reviews relating to Federal funds—

“(A) awarded without the use of competitive procedures; or

“(B) awarded to any contractor found to be in violation of the Foreign Corrupt Practices Act of 1977.

“(2) IDENTIFICATION.—The Commission shall identify any contractor found to be in violation of the Foreign Corrupt Practices Act of 1977 as a violator of such Act in any contract information related to such contractor published online under the Federal Funding Accountability and Transparency Act of 2006.

“(d) Report Requirements.—

“(1) REPORTS.—

“(A) REGULAR REPORTS ON DATA QUALITY AUDITS.—The CommissionBoard shall regularly submit to the President and Congress reports on its audits of the quality of the data submitted to it under sections 3602, 3603, and 3604 of this title~~3603~~.

“(B) SEMI-ANNUAL REPORTS ON ACTIVITIES.—The CommissionBoard shall submit semi-annual reports to the President and Congress, summarizing the activities and findings of the CommissionBoard and, in the Commission’s discretion, the findings of inspectors general of Executive agencies that relate to the Commission’s activities during the reporting period.

“(C) REPORT ON SAVINGS.—Not later than five years after the effective date of this chapterAct, the CommissionBoard shall submit to the President, Congress, and the Comptroller General of the United States a report containing estimates of the direct and indirect cost savings to the Treasury achieved as a result of the Commission’sBoard’s activities.

“(D) OTHER REPORTS.—Section 2(f) of the Federal Funding Accountability and Transparency Act of 2006 requires another report by the Commission.

“(2) PUBLIC AVAILABILITY.—The CommissionBoard shall make all reports submitted under paragraph (1) publicly available contemporaneously online.

“(3) GAO EVALUATION.—Upon receipt of the report submitted by the CommissionBoard under paragraph (1)(C), the Comptroller General shall conduct an evaluation of the report and submit the evaluation to Congress within six months after receipt of the report, with such findings and recommendations as the Comptroller General considers appropriate.

“(e) TAX EXPENDITURES REPORT.—

“(d) Recommendations—

“(1) IN GENERAL.—For purposes of subsection (b)(7), not later than one year after the effective date of this chapter, the Commission shall submit to the appropriate congressional committees a report on tax expenditures data that includes the following:

“(A) A description of processes that could be put in place to collect and disseminate tax expenditures data, and the potential effects of making such data publicly available on the Internal Revenue Service, taxpayers, and other relevant parties determined by the Commission.

“(B) Any changes in law that are needed to make such tax expenditures data publicly available.

“(2) TAX EXPENDITURES DEFINED.—In this section, the term ‘tax expenditures’ has the meaning given that term in section 3(3) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 622(3)).

“(3) PUBLIC AVAILABILITY.—The Commission shall make the report submitted under paragraph (1) publicly available.

“(f) RECOMMENDATIONS.—

“(1) IN GENERAL.—The Commission~~Board~~ shall make recommendations to Executive agencies on measures to prevent waste, fraud, ~~waste~~, and abuse relating to Federal funds.

“(2) RESPONSIVE REPORTS.—Not later than 30 days after receipt of a recommendation under paragraph (1), an Executive agency shall submit a report to the President, the congressional committees of jurisdiction, and the Commission~~Board~~ on whether the Executive agency agrees or disagrees with the recommendations and any actions the Executive agency will take to implement the recommendations. The Commission~~Board~~ shall make all reports submitted to it under this paragraph publicly available contemporaneously online.

“§ ~~Sec.~~ 3624. Powers

“(a) In General.—The Commission~~Board~~ shall conduct independent analyses~~audits, investigations~~, and reviews of spending of Federal funds, including analyses and reviews of information maintained in the Federal accountability portal established under section 3612 of this title, and

provide investigative and audit support to ~~and coordinate on such activities with~~ the inspectors general of ~~the relevant~~ Executive agencies ~~agency to avoid duplication and overlap of work.~~

~~“(b) ANALYSES~~ Audits and Reviews. ~~—~~ The Commission Board may ~~—~~

~~“(1) conduct its own independent~~ analyses ~~audits, investigations,~~ and reviews of spending of ~~relating to~~ Federal funds; and

~~“(2) collaborate~~ with and provide support for any inspector general of any Executive agency or other law enforcement authority on any audit, investigation, or other review ~~on audits, investigations, and reviews relating to Federal funds~~ ~~with any inspector general of an Executive agency.~~

~~“(c) Authorities. —~~

~~“(1) ANALYSES, —AUDITS, —INVESTIGATIONS, —AND—REVIEWS, AND INVESTIGATIVE AND AUDIT SUPPORT. —~~ In conducting analyses ~~audits, investigations,~~ and reviews, and in providing investigative and audit support to inspectors general and law enforcement authorities, the Commission Board shall have the authorities provided under paragraphs (1), (3), and (section 6) through (10) of section 6(a), and section 6(b), of the Inspector General Act of 1978 (5 U.S.C. App.).

~~“(2) MATCHING PROGRAM AUTHORITY WITH RESPECT TO EVALUATIONS AND REVIEWS. —~~ The authorities provided under section 6(a)(9) ~~Additionally, the Board may issue subpoenas to compel the testimony of persons who are not Federal officers or employees and may enforce such subpoenas in the same manner as provided for inspector general subpoenas under section 6~~ of the Inspector General Act of 1978 (provided to the Commission pursuant to paragraph (1)) may be used by the Commission while conducting an evaluation or other review authorized under such Act. 5 U.S.C. App.).

~~“(2) STANDARDS AND GUIDELINES~~ The Board shall carry out the powers under paragraphs (1) and (2) in accordance with section 4(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.).

~~“(d) Contracts. —~~

~~“(1) IN GENERAL. —~~ The Commission Board may enter into contracts to enable the Commission Board to discharge its duties under this chapter ~~sub~~title, including contracts and other arrangements for audits, studies, analyses, and other services with public agencies and with private persons, and make such payments as may be necessary to carry out the duties of the Commission Board.

“(2) CONTRACTING FOR MISSIONS OF OTHER AGENCIES.—The Commission may enter into contracts with any Federal agency (within or outside the executive branch) to enable such agency to identify waste, fraud, and abuse, including contracts and other arrangements for audits, studies, analyses, and other services.

“(3) CONTRACTING FOR PUBLICATION OF DATA.—The Commission may make contracts or agreements with any Federal agency (within or outside the executive branch) to publish data maintained by such agency on the website maintained under the Federal Funding Accountability and Transparency Act of 2006.

“(e) Transfer of Funds.—The ~~Commission Board~~ may transfer funds appropriated to the ~~Commission Board~~ for expenses to support administrative support services, ~~investigations, and~~ audits, reviews, or other activities related to oversight by the ~~Commission Board~~ of ~~Federal covered~~ funds to any office of inspector general, the Office of Management and Budget, and the General Services Administration.

“§ ~~Sec.~~ 3625. Employment, personnel, and related authorities

“(a) ~~Selection of~~ Executive Director.—~~The Commission—On behalf of the Board, the Chairperson~~ shall ~~have appoint~~ an Executive Director, who shall be appointed by the Commission ~~the chief executive officer of the Board~~ and serve at the pleasure of the Commission. ~~The Executive Director who~~ shall report directly to the Commission and carry out the functions of the ~~Commission Board~~ subject to the supervision and direction of the ~~Commission Board~~. The position of Executive Director shall be a career reserved position in the Senior Executive Service, as that position is defined under section 3132 of title 5, ~~United States Code~~.

“(b) OTHER EMPLOYEES.—The Commission may appoint and fix the compensation of such officers, attorneys, information technology professionals, and other employees as may be necessary for carrying out the functions of the Commission under this chapter.

“(c) Administrative Support.—The General Services Administration shall provide the ~~Commission Board~~ with administrative support services, including the provision of office space and facilities.

“§ ~~Sec.~~ 3626. ~~Rulemaking authority~~

~~The Board shall promulgate regulations to carry out this chapter.~~

~~Sec. 3627. Transfer of certain personnel~~

~~“(a) Recovery Accountability and Transparency Board Employees.—The ChairmanChairperson or Executive Director, or both, shall identify employees of the Recovery Accountability and Transparency Board for transfer to the CommissionBoard, and such identified employees shall be transferred to the CommissionBoard for employment.~~

~~“(b) Pay.—~~

~~“(1) Except as provided in paragraph (2), each transferred employee shall, during the 2-year period beginning on the effective date of this chapterAct, receive pay at a rate equal to not less than the basic rate of pay (including any geographic differential) that the employee received during the pay period immediately preceding the date of transfer.~~

~~“(2) Paragraph (1) does not limit the right of the CommissionBoard to reduce the rate of basic pay of a transferred employee for cause, for unacceptable performance, or with the consent of the employee.~~

~~“(3) Paragraph (1) applies to a transferred employee only while that employee remains employed by the CommissionBoard.~~

“§ 3627. Advisory committee to Commission

“(a) ESTABLISHMENT AND PURPOSE.—

“(1) ESTABLISHMENT.—The Commission shall establish an advisory committee to be known as the Federal Accountability and Spending Transparency Advisory Committee (in this section referred to as the ‘Advisory Committee’).

“(2) PURPOSE.—The Advisory Committee shall submit to the Commission such findings and recommendations related to the Commission’s implementation of this chapter as it determines are appropriate.

“(b) MEMBERSHIP AND CHAIRPERSON.—

“(1) IN GENERAL.—The Commission shall appoint no fewer than 10, and no more than 20, members to the Advisory Committee, from among individuals who—

“(A) represent the interests of recipients of Federal contracts;

“(B) represent the interests of State, local, and tribal governments receiving Federal grants;

“(C) represent the interests of other recipients of Federal funds; and

“(D) represent nonprofit organizations that advocate transparency and accountability in government.

“(2) TERM.—Each member of the Advisory Committee appointed under this section shall serve for a term of three years, except that the Commission may appoint original members of the Committee to one-year and two-year terms in order to achieve staggered terms. No person shall serve more than one term.

“(3) CHAIRPERSON.—The members of the Advisory Committee shall elect a chairperson.

“(c) MEETINGS.—The Advisory Committee shall meet not less frequently than six times annually, at the call of the chairperson of the Advisory Committee.

“(d) COMPENSATION AND TRAVEL EXPENSES.—Each member of the Committee who is not a full-time employee of the United States shall—

“(1) be entitled to receive compensation at a rate not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level V of the Executive Schedule under section 5316 of title 5 for each day during which the member is engaged in the actual performance of the duties of the Committee; and

“(2) while away from the home or regular place of business of the member in the performance of services for the Committee, be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5.

“(e) STAFF.—The Commission shall make available to the Advisory Committee such staff of the Commission as the chairperson of the Advisory Committee recommends is necessary to carry out this section.

“(f) REVIEW BY COMMISSION.—After receipt of any finding or recommendation from the Advisory Committee, the Commission shall—

“(1) review the finding or recommendation; and

“(2) promptly issue a public statement—

“(A) assessing the finding or recommendation of the Advisory Committee; and

“(B) disclosing the action, if any, the Commission intends to take with respect to the finding or recommendation.

“(g) ADVISORY COMMITTEE FINDINGS.—Nothing in this section shall be construed as requiring the Commission to agree to or act upon any finding or recommendation of the Advisory Committee.

“(h) FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall apply to the Advisory Committee.

“~~§~~ ~~Sec.~~ 3628. Authorization and availability of appropriations

“(a) Authorization of Appropriations.—There is authorized to be appropriated \$51,000,000 for each of fiscal years 2012, 2013, 2014, 2015, 2016, 2017, ~~and~~ 2018, and 2019 to carry out the functions of the Commission~~Board~~.

“(b) Availability of Appropriations.—If the Recovery Accountability and Transparency Board has unobligated appropriations as of the effective date of this chapter, such appropriations are authorized to~~shall~~ remain available to the Commission~~Board~~ until September 30, 2015~~!~~.

“§ 3629. Sunset

“This subchapter shall cease to be in effect after the date occurring seven years after the date of the enactment of this subchapter.”.

~~SEC. 202. CONFORMING AMENDMENT RELATING TO COMPENSATION OF CHAIRPERSON.~~

Section 5314 of title 5, United States Code, is amended by adding at the end the following new item:

(a) REPEAL OF SUPERSEDED PROVISIONS IN SUBTITLE B OF TITLE XV OF PUBLIC LAW 111-5.—Subtitle B of title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 287) is amended by striking sections 1521, 1522, 1525(a), 1529, and 1530.

(b) ~~Chairperson of the Federal Accountability and Spending Transparency Board.~~

SEC. 203. AMENDMENTS AND REPEAL OF RECOVERY ACCOUNTABILITY AND TRANSPARENCY BOARD.

(a) Conforming AMENDMENTS.—

(1) REFERENCES TO BOARD AND CHAIRPERSON.—

(A) Paragraph (2) of ~~Amendment to Name of Board~~ Section 1501(a)(2) of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 287) is amended to read as follows:

“(2) COMMISSION.—The term ‘Commission’ means the Federal ~~by striking Recovery~~ Accountability and Spending Transparency Commission established in chapter 36 of title 31, United States Code.”.

(B) Such section is further amended by striking paragraph (3).

(C) The following provisions of such Act are amended by striking “Board” each place it appears ~~Board~~ and inserting “Commission” in the headings or text, as the case may be: the heading of ~~Federal Accountability and Spending Transparency Board~~.

(b) Conforming Amendments to Subtitle B of title XV, and Public Law 111-5 Subtitle B of such Act is amended by striking sections 1523, 1524~~1521, 1522, 1525(b), 1525(a), and 1529.~~

(c), 1526, 1527, 1528, 1542, and 1553.

(D) Section 1513(b)(2) of such Act is amended by striking “the quarter in which the Board terminates under section 1530” and inserting “the quarter ending September 30, 2013”.

~~(c)~~ Repeal of Subtitle B of ~~TITLE XV OF~~ Public Law 111-5. Effective on October 1, 2013, subtitle B of title XV of division A of such Act is repealed.

(d) References in Federal Law to Board. On and after the effective date of this Act, any reference in Federal law to the Recovery Accountability and Transparency Board is deemed to be a reference to the Federal Accountability and Spending Transparency Commission~~Board~~.

~~TITLE III-ADDITIONAL PROVISIONS~~

~~SEC. 301. CLASSIFIED INFORMATION.~~

Nothing in this Act or the amendments made by this Act shall be construed to require the public disclosure of classified information.

~~SEC. 302. PAPERWORK REDUCTION ACT EXEMPTION.~~

Section 3518(c) of title 44, United States Code, is amended

(1) in paragraph (1), by striking ~~“paragraph (2)”~~ and inserting ~~“paragraph (3)”~~;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following new paragraph:

~~“(2)~~ Notwithstanding paragraph (3), this subchapter shall not apply to the collection of information during the conduct of any ~~audit, investigation, inspection,~~ evaluation, or other review conducted by the Federal Accountability and Spending Transparency Commission, or during the conduct of any audit, investigation, inspection, evaluation, or any other review conducted by~~Board~~, the Council of Inspectors General on Integrity and Efficiency, or any ~~Federal~~ office of Inspector General, including any office of Special Inspector General.”

~~SEC. 303. MATCHING PROGRAM.~~

Section 6(a) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended

(1) in paragraph (8), by striking ~~“and”~~;

(2) by redesignating paragraph (9) as paragraph (10); and

(3) by inserting after paragraph (8) the following new paragraph:

~~“(9)~~ notwithstanding subsections ~~(e)~~(12), (o), (p), (q), (r), and (u) of section 552a of title 5, United States Code, to compare, through a matching program (as defined in such section), any Federal records with other Federal or non-Federal records, while conducting an audit, investigation, or inspection, ~~evaluation, or other review~~ authorized under this Act to identify weaknesses that may lead to ~~to~~

~~fraud,~~ waste, fraud, or abuse and to detect improper payments and fraud;
and’~~.and~~’.

SEC. 304. TRANSFER OF CONSOLIDATED FEDERAL FUNDS REPORT.

(a) Transfer of Functions.—The Commission~~Federal Accountability and Transparency Board~~ and the Secretary of Commerce shall transfer the functions of the Consolidated Federal Funds Report to the website~~Web site or Web sites~~ established under the Federal Funding Accountability and Transparency Act~~section 3612 of 2006~~title 31, United States Code, as amended~~added~~ by this Act.

(b) Information.—Section 2(d) of~~The Board shall ensure that~~ the Federal Funding Accountability and Transparency Act of 2006, as amended by~~Web site or Web sites established under such~~ section 103 of this Act, is further amended—

(1) by striking the period at the end of paragraph (6) and inserting “; and”; and

(2) by adding at the end the following new paragraph:

“(7) shall permit~~3612 permits~~ users to determine the following information:

“(A)~~(+)~~ For each fiscal year, the total amount of Federal funds that were obligated in each State, county or parish, congressional district, and municipality of the United States.

“(B)~~(2)~~ For each fiscal year, the total amount of Federal funds that were actually expended in each State, county or parish, congressional district, and municipality of the United States.”~~.-~~

(c) Conforming Repeals of Superseded Provisions.—Chapter 62 of subtitle V of title 31, United States Code, is repealed. The item relating to that chapter in the table of chapters at the beginning of subtitle V of such title is repealed.

(a) TRANSFER OF AUTHORITY FROM ADMINISTRATOR OF GENERAL SERVICES AND DIRECTOR OF OFFICE OF MANAGEMENT AND BUDGET TO COMMISSION.—

(1) DEFINITION.—Paragraph (6) of section 6101 of title 31, United States Code, is amended to read as follows:

“(6) ‘Commission’ means the Federal Accountability and Spending Transparency Commission established in subchapter III of chapter 36 of this title.”.

(2) AMENDMENTS RELATING TO PROGRAM INFORMATION REQUIREMENTS.—Section 6102 of such title is amended—

(A) in subsections (a) and (b), by striking “Administrator” and inserting “Commission” both places it appears;

(B) in subsection (c)—

(i) by striking “Administrator” and inserting “Commission”;

(ii) in paragraph (3), by striking “and that the printed catalog” and all that follows through “printing”; and

(iii) in paragraph (4)—

(I) by striking “transmit annually” and inserting “make”; and

(II) by striking “to the Committee” and all that follows through the period and inserting the following: “available to the Committee on Oversight and Government Reform of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate.”.

(3) AMENDMENTS RELATING TO ASSISTANCE AWARDS INFORMATION SYSTEM.—Section 6102a of such title is amended—

(A) by striking subsection (b);

(B) by redesignating subsection (c) as subsection (b);

(C) by striking “Director” and inserting “Commission” each place it appears; and

(D) in subsection (b), as so redesignated—

(i) by striking “transmit promptly after the end of each calendar quarter, free of charge,” and insert “make available”; and

(ii) by striking “Oversight” and inserting “Administration”.

(4) AMENDMENTS RELATING TO ACCESS TO COMPUTER INFORMATION SYSTEM.—Section 6103 of such title is amended—

(A) in subsections (a) and (c), by striking “Administrator” and inserting “Commission” each place it appears; and

(B) by striking the text of subsection (b) and inserting the following: “The Commission shall publish online all of the information contained in the information system under subsection (a) in accordance with ~~SEC. 305. REPEAL OF FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2006.~~

The Federal Funding Accountability and Transparency Act of 2006 (~~31 Public Law 109-282; 31~~ U.S.C. 6101 note).”.

(5) AMENDMENTS RELATING TO CATALOG OF FEDERAL DOMESTIC ASSISTANCE PROGRAMS.—Section 6104 of such title if amended by striking “Administrator” and inserting “Commission” each place it appears.

(6) REPEAL OF AUTHORIZATION.—Section 6106 of such title) is repealed.

(b) DEADLINE FOR TRANSFER OF PROGRAM INFORMATION SYSTEM AND CATALOG OF FEDERAL DOMESTIC ASSISTANCE.—Within 180 days after the effective date of this Act, the Commission and the Administrator of General Services shall transfer the management and control of the following from the Administrator to the Commission, as required by chapter 61 of title 31, United States Code, as amended by subsection (a):

(1) The computer information system required under section 6103 of such title, as so amended.

(2) The catalog of Federal domestic assistance programs required under section 6104 of such title, as so amended.

(c) DEADLINE FOR TRANSFER OF ASSISTANCE AWARDS INFORMATION SYSTEM.—Within 180 days after the effective date of this Act, the Commission and the Director of the Office of Management and Budget shall transfer the management and control of the assistance awards information system from the Director to the Commission, as required by section 6102a of title 31, United States Code, as amended by subsection (a).

(a) AUTHORITY TO OBTAIN INFORMATION.—

(1) AUTHORITY TO OBTAIN RECORDS.—Section 716 of title 31, United States Code, is amended in subsection (a)—

(A) by striking “(a)” and inserting “(2)”; and

(B) by inserting after the section heading the following:

“(a)(1) The Comptroller General is authorized to obtain such agency records as the Comptroller General requires to discharge his duties (including audit, evaluation, and investigative duties), including through the bringing of civil actions under this section. In reviewing a civil action under this section, the court shall recognize the continuing force and effect of the authorization in the preceding sentence until such time as the authorization is repealed pursuant to law.”.

(2) COPIES.—Section 716(a) of title 31, United States Code, as amended by subsection (a), is further amended in the second sentence of paragraph (2) by striking “inspect an agency record” and inserting “inspect, and make and retain copies of, an agency record”.

(b) ADMINISTERING OATHS.—Section 711 of title 31, United States Code, is amended by striking paragraph (4) and inserting the following:

“(4) administer oaths to witnesses when auditing and settling accounts and, with the prior express approval of the Comptroller General, when investigating fraud or attempts to defraud the United States, or irregularity or misconduct of an employee or agent of the United States.”.

(c) ACCESS TO CERTAIN INFORMATION.—

(1) ACCESS TO CERTAIN INFORMATION.—Subchapter II of chapter 7 of title 31, United States Code, is amended by adding at the end the following:

“§ 721. Access to certain information

“(a) No provision of the Social Security Act, including section 453(l) of that Act (42 U.S.C. 653(l)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title.

“(b) No provision of the Federal Food, Drug, and Cosmetic Act, including section 301(j) of that Act (21 U.S.C. 331(j)), shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title.

“(c) No provision of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (Public Law 94–435) and the amendments made by that Act shall be construed to limit, amend, or supersede the authority of the Comptroller General to obtain any information or to inspect or copy any record under section 716 of this title, including with respect to any information disclosed to the Assistant Attorney General of the Antitrust Division of the Department of Justice or the Federal Trade Commission for purposes of pre-merger review under section 7A of the Clayton Act (15 U.S.C. 18a).

“(d)(1) The Comptroller General shall prescribe such policies and procedures as are necessary to protect from public disclosure proprietary or trade secret information obtained consistent with this section.

“(2) Nothing in this section shall be construed to—

“(A) alter or amend the prohibitions against the disclosure of trade secret or other sensitive information prohibited by section 1905 of title 18 and other applicable laws; or

“(B) affect the applicability of section 716(e) of this title, including the protections against unauthorized disclosure contained in that section, to information obtained consistent with this section.

“(e) Specific references to statutes in this section shall not be construed to affect access by the Government Accountability Office to information under statutes that are not so referenced.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 7 of title 31, United States Code, is amended by inserting after the item relating to section 720 the following:

(d) AGENCY REPORTS.—Section 720(b) of title 31, United States Code, is amended—

(1) in the matter preceding paragraph (1), by inserting “or planned” after “action taken”; and

(2) by striking paragraph (1) and inserting the following:

“(1) the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the congressional committees with jurisdiction over the agency program or activity that is the subject of the recommendation, and the Government Accountability Office before the 61st day after the date of the report; and”.

SEC. 307. AMENDMENTS TO THE INSPECTOR GENERAL ACT OF 1978 AND THE INSPECTOR GENERAL REFORM ACT OF 2008.

(a) INCORPORATION OF PROVISIONS FROM THE INSPECTOR GENERAL REFORM ACT OF 2008 INTO THE INSPECTOR GENERAL ACT OF 1978.—

(1) CLASSIFICATION AND PAY.—

(A) AMENDMENT.—Section 8G of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following new subsection:

“(i) CLASSIFICATION AND PAY.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, the Inspector General of each designated Federal entity shall, for pay and all other purposes, be classified at a grade, level, or rank designation, as the case may be, at or above those of a majority of the senior level executives of that designated Federal entity (such as a General Counsel, Chief Information Officer, Chief Financial Officer, Chief Human Capital Officer, or Chief Acquisition Officer). The pay of an Inspector General of a designated Federal entity shall be not less than the average total compensation (including bonuses) of the senior level executives of that designated Federal entity calculated on an annual basis.

“(2) LIMITATION ON ADJUSTMENT.—

“(A) IN GENERAL.—In the case of an Inspector General of a designated Federal entity whose pay is adjusted under paragraph (1), the total increase in pay in any fiscal year resulting from that adjustment may not exceed 25 percent of the average total compensation (including bonuses) of the Inspector General of that entity for the preceding 3 fiscal years.

“(B) SUNSET OF LIMITATION.—The limitation under subparagraph (A) shall not apply to any adjustment made in fiscal year 2013 or each fiscal year thereafter.”.

(B) CONFORMING REPEAL.—Section 4(b) of the Inspector General Reform Act of 2008 (Public Law 110–409; 122 Stat. 4304; 5 U.S.C. App. 3 note) is repealed.

(2) PAY RETENTION.—

(A) AMENDMENT.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding after section 8L the following new section:

“SEC. 8M. PAY RETENTION.

“(a) IN GENERAL.—The provisions of section 3392 of title 5, United States Code, other than the terms ‘performance awards’ and ‘awarding of ranks’ in subsection (c)(1) of such section, shall apply to career appointees of the Senior Executive Service who are appointed to the position of Inspector General.

“(b) NONREDUCTION IN PAY.—Notwithstanding any other provision of law, career Federal employees serving on an appointment made pursuant to statutory authority found other than in section 3392 of title 5, United States Code, shall not suffer a reduction in pay, not including any bonus or performance award, as a result of being appointed to the position of Inspector General.”.

(B) CONFORMING REPEAL.—Section 4(c) of the Inspector General Reform Act of 2008 (Public Law 110–409; 122 Stat. 4304; 5 U.S.C. App. 3 note) is repealed.

(3) ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

(A) AMENDMENT.—Section 11(d) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended by adding at the end the following new paragraph:

“(12) ALLEGATIONS OF WRONGDOING AGAINST SPECIAL COUNSEL OR DEPUTY SPECIAL COUNSEL.—

“(A) SPECIAL COUNSEL DEFINED.—In this paragraph, the term ‘Special Counsel’ means the Special Counsel appointed under section 1211(b) of title 5, United States Code.

“(B) AUTHORITY OF INTEGRITY COMMITTEE.—

“(i) IN GENERAL.—An allegation of wrongdoing against the Special Counsel or the Deputy Special Counsel may be received, reviewed, and referred for investigation by the Integrity Committee to the same extent and in the same manner as in the case of an allegation against an Inspector General (or a member of the staff of an Office of Inspector General), subject to the requirement that the Special Counsel recuse himself or herself from the consideration of any allegation brought under this paragraph.

“(ii) COORDINATION WITH EXISTING PROVISIONS OF LAW.—This paragraph does not eliminate access to the Merit Systems Protection Board for review under section 7701 of title 5, United

States Code. To the extent that an allegation brought under this subsection involves section 2302(b)(8) of that title, a failure to obtain corrective action within 120 days after the date on which that allegation is received by the Integrity Committee shall, for purposes of section 1221 of such title, be considered to satisfy section 1214(a)(3)(B) of that title.

“(C) REGULATIONS.—The Integrity Committee may prescribe any rules or regulations necessary to carry out this paragraph, subject to such consultation or other requirements as might otherwise apply.”.

(B) CONFORMING AMENDMENT.—Section 7(b) of the Inspector General Reform Act of 2008 (Public Law 110–409; 122 Stat. 4312; 5 U.S.C. 1211 note) is repealed.

(b) AGENCY APPLICABILITY.—

(1) AMENDMENTS.—The Inspector General Act of 1978 (5 U.S.C. App.), as amended by subsection (a), is further amended—

(A) in section 8L—

(i) in subsection (a)(1)—

(I) by striking the first “agency” and inserting “Federal agency and designated Federal entity”; and

(II) by striking the second and third “agency” and inserting “Federal agency or designated Federal entity”; and

(ii) in subsection (b)—

(I) in paragraph (1), by striking “agency” and inserting “Federal agency and designated Federal entity”; and

(II) in paragraph (2)—

(aa) in subparagraph (A), by striking “agency” and inserting “Federal agency and designated Federal entity”; and

(bb) in subparagraph (B), by striking “agency” and inserting “Federal agency and designated Federal entity”; and

(B) in section 11(c)(3)(A)(ii), by striking “department, agency, or entity of the executive branch” and inserting “Federal agency or designated Federal entity”.

(2) IMPLEMENTATION.—Not later than 180 days after the date of enactment of this Act, the head and the Inspector General of each Federal agency and each designated Federal entity (as such terms are defined in sections 12 and 8G of the Inspector General Act of 1978 (5 U.S.C. App.), respectively) shall implement the amendments made by this subsection.

(c) REQUIREMENTS FOR INSPECTORS GENERAL WEBSITES.—Section 8L(b)(1) of the Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(1) by striking “report or audit (or portion of any report or audit)” and inserting “audit report, inspection report, or evaluation report (or portion of any such report)”; and

(2) by striking “report or audit (or portion of that report or audit)” and inserting “report (or portion of that report)” each place it appears.

(d) CORRECTIONS.—

(1) EXECUTIVE ORDER NUMBER.—Section 7(c)(2) of the Inspector General Reform Act of 2008 (Public Law 110–409; 122 Stat. 4313; 31 U.S.C. 501 note) is amended by striking “12933” and inserting “12993”.

(2) PUNCTUATION AND CROSS-REFERENCES.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 6(a)(4), by striking “information, as well as any tangible thing” and inserting “information), as well as any tangible thing”; and

(B) in section 8G(g)(3), by striking “8C” and inserting “8D”.

(3) SPELLING.—The Inspector General Act of 1978 (5 U.S.C. App.) is amended—

(A) in section 3(a), by striking “subpena” and inserting “subpoena”;

(B) in section 6(a)(4), by striking “subpena” and “subpenas” and inserting “subpoena” and “subpoenas”, respectively;

(C) in section 8D(a)—

(i) in paragraph (1), by striking “subpenas” and inserting “subpoenas”; and

(ii) in paragraph (2), by striking “subpena” and inserting “subpoena”, each place it appears;

(D) in section 8E(a)—

(i) in paragraph (1), by striking “subpenas” and inserting “subpoenas”; and

(ii) in paragraph (2), by striking “subpena” and inserting “subpoena” each place it appears; and

(E) in section 8G(d), by striking “subpena” and inserting “subpoena”.

(e) REPEAL.—Section 744 of the Financial Services and General Government Appropriations Act, 2009 (division D of Public Law 111–8; 123 Stat. 693; 5 U.S.C. App. 8L) is repealed.

SEC. 308. LIMITS AND TRANSPARENCY FOR TRAVEL AND CONFERENCE SPENDING.

(a) TRAVEL EXPENSES OF FEDERAL AGENCIES RELATING TO CONFERENCES.—

(1) LIMITATIONS AND REPORTS ON TRAVEL EXPENSES TO CONFERENCES.—Chapter 57 of title 5, United States Code, is amended by inserting after section 5711 the following:

“§ 5712. Limitations and reports on travel expenses to conferences

“(a) In this section, the term—

“(1) ‘conference’ means a meeting that—

“(A) is held for consultation, education, or discussion;

“(B) is not held entirely at an agency facility;

“(C) involves costs associated with travel and lodging for some participants; and

“(D) is sponsored by 1 or more agencies, 1 or more organizations that are not agencies, or a combination of such agencies or organizations; and

“(2) ‘international conference’ means a conference attended by representatives of —

“(A) the United States Government; and

“(B) any foreign government, international organization, or foreign nongovernmental organization.

“(b) No agency may pay the travel expenses for more than 50 employees of that agency who are stationed in the United States, for any international conference occurring outside the United States, unless the Secretary of State determines that attendance for such employees is in the national interest.

“(c) At the beginning of each quarter of each fiscal year, each agency shall post on the public Internet website of that agency a report on each conference for which the agency paid travel expenses during the preceding 3 months that includes—

“(1) the itemized expenses paid by the agency, including travel expenses, the cost of scouting for and selecting the location of the conference, and any agency expenditures to otherwise support the conference;

“(2) the primary sponsor of the conference;

“(3) the location of the conference;

“(4) in the case of a conference for which that agency was the primary sponsor, a statement that—

“(A) justifies the location selected;

“(B) demonstrates the cost efficiency of the location; and

“(C) provides a cost benefit analysis of holding a conference rather than conducting a teleconference;

“(5) the date of the conference;

“(6) a brief explanation how the conference advanced the mission of the agency;

“(7) the title of any Federal employee or any individual who is not a Federal employee whose travel expenses or other conference expenses were paid by the agency; and

“(8) the total number of individuals whose travel expenses or other conference expenses were paid by the agency.

“(d) Each report posted on the public Internet website under subsection (c) shall—

“(1) be in a searchable electronic format; and

“(2) remain on that website for at least 5 years after the date of posting.”.

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 57 of title 5, United States Code, is amended by inserting after the item relating to section 5711 the following:

“5712. Limitations and reports on travel expenses to conferences.”.

(b) LIMITATIONS ON ANNUAL TRAVEL EXPENSES.—

(1) IN GENERAL.—In the case of each of fiscal years 2012 through 2016, an agency (as defined under section 5701(1) of title 5, United States Code) may not make, or obligate to make, expenditures for travel expenses, in an aggregate amount greater than 80 percent of the aggregate amount of such expenses for fiscal year 2010.

(2) IDENTIFICATION OF TRAVEL EXPENSES.—

(A) RESPONSIBILITIES.—Not later than September 1, 2012 and after consultation with the Administrator of General Services and the Director of the Administrative Office of the United States Courts, the Director of the Office of Management and Budget shall establish guidelines for the determination of what expenses constitute travel expenses for purposes of this subsection. The guidelines shall identify specific expenses, and classes of expenses, that are to be treated as travel expenses.

(B) EXEMPTION FOR MILITARY TRAVEL.—The guidelines required under subparagraph (A) shall exclude military travel expenses in determining what expenses constitute travel expenses. Military travel expenses shall include travel expenses involving military combat, the training or deployment of uniformed military personnel, and such other travel expenses as are determined under the guidelines.

(c) CONFERENCE TRANSPARENCY AND LIMITATIONS.—

(1) DEFINITIONS.—In this subsection—

(A) the term “agency” has the meaning given under section 5701(1) of title 5, United States Code; and

(B) the term “conference” has the meaning given under section 5712(a)(1) of that title (as added by subsection (a)).

(2) PUBLIC AVAILABILITY OF CONFERENCE MATERIALS.—Each agency shall post on the public Internet website of that agency detailed information on any presentation made by any employee of that agency at a conference, including—

(A) any minutes relating to the presentation;

(B) any speech delivered;

(C) any visual exhibit, including photographs or slides;

(D) any video, digital, or audio recordings of the conference; and

(E) information regarding any financial support or other assistance from a foundation or other non-Federal source used to pay or defray the costs of the conference, which shall include a certification by the head of the agency that there is no conflict of interest resulting from the support received from each such source.

(3) LIMITATION ON AMOUNT EXPENDED ON A CONFERENCE.—

(A) IN GENERAL.—No agency may expend more than \$500,000 to support a single conference.

(B) RULE OF CONSTRUCTION.—Nothing in this paragraph shall be construed to preclude an agency from receiving financial support or other assistance from a foundation or other non-Federal source to pay or defray the costs of a conference the total cost of which exceeds \$500,000.

(4) LIMITATION ON THE ANNUAL NUMBER OF CONFERENCES AN AGENCY MAY SUPPORT.—No agency may expend funds on more than a single conference sponsored or organized by an organization during any fiscal year, unless the agency is the primary sponsor and organizer of the conference.

Except as otherwise provided in this Act, **SEC. 306. EFFECTIVE DATE.**

This Act and the amendments made by this Act shall take effect on the date of the enactment of this Act~~October 1, 2014~~.