(7) monitor the financial execution of the budget of the agency in relation to actual expenditures, and prepare and submit to the head of the agency timely performance reports; and

(8) review, on a biennial basis, the fees, royalties, rents, and other charges imposed by the agency for services and things of value it provides, and make recommendations on revising those charges to reflect costs incurred by it in providing those services and things of value.

(b)(1) In addition to the authority otherwise provided by this section, each agency Chief Financial Officer—

(A) subject to paragraph (2), shall have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material which are the property of the agency or which are available to the agency, and which relate to programs and operations with respect to which that agency Chief Financial Officer has responsibilities under this section;

(B) may request such information or assistance as may be necessary for carrying out the duties and responsibilities provided by this section from any Federal, State, or local governmental entity; and

(C) to the extent and in such amounts as may be provided in advance by appropriations Acts, may—

(i) enter into contracts and other arrangements with public agencies and with private persons for the preparation of financial statements, studies, analyses, and other services; and

(ii) make such payments as may be necessary to carry out the provisions of this section.

(2) Except as provided in paragraph (1)(B), this subsection does not provide to an agency Chief Financial Officer any access greater than permitted under any other law to records, reports, audits, reviews, documents, papers, recommendations, or other material of any Office of Inspector General established under chapter 4 of title 5.

(Added Pub. L. 101–576, title II, § 205(a), Nov. 15, 1990, 104 Stat. 2843; amended Pub. L. 117–286, § 4(b)(49), Dec. 27, 2022, 136 Stat. 4348.)

Editorial Notes

REFERENCES IN TEXT

The Federal Managers' Financial Integrity Act of 1982, referred to in subsec. (a)(6)(D), is Pub. L. 97–255, Sept. 8, 1982, 96 Stat. 814, which added subsec. (d) to section 66a of former Title 31, Money and Finance. Section 66a of former Title 31 was repealed by Pub. L. 97–258, § 5(b), Sept. 13, 1982, 96 Stat. 1068, and reenacted by the first section thereof as section 3512 of this title. Provisions relating to reports on internal accounting and administrative control systems are restated in section 3512(d)(2) and (3) of this title.

AMENDMENTS

2022—Subsec. (b)(2). Pub. L. 117–286 substituted ''chapter 4 of title 5.'' for ''the Inspector General Act of 1978 (5 U.S.C. App.).''

§ 903. Establishment of agency Deputy Chief Financial Officers

(a) There shall be within each agency described in section 901(b) an agency Deputy Chief Financial Officer, who shall report directly to the agency Chief Financial Officer on financial management matters. The position of agency Deputy Chief Financial Officer shall be a career reserved position in the Senior Executive Service.

(b) Consistent with qualification standards developed by, and in consultation with, the agency Chief Financial Officer and the Director of the Office of Management and Budget, the head of each agency shall appoint as Deputy Chief Financial Officer an individual with demonstrated ability and experience in accounting, budget execution, financial and management analysis, and systems development, and not less than 6 years practical experience in financial management at large governmental entities.

(Added Pub. L. 101–576, title II, § 205(a), Nov. 15, 1990, 104 Stat. 2845.)

Editorial Notes

REFERENCES IN TEXT

Senior Executive Service, referred to in subsec. (a), see section 5382 of Title 5, Government Organization and Employees.

SUBTITLE II—THE BUDGET PROCESS

Chap.		Sec.
11.	**The Budget and Fiscal, Budget, and Program Information**	**1101**
13.	**Appropriations**	**1301**
15.	**Appropriation Accounting**	**1501**

CHAPTER 11—THE BUDGET AND FISCAL, BUDGET, AND PROGRAM INFORMATION

Sec.
1101. Definitions.
1102. Fiscal year.
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1105. Budget contents and submission to Congress.
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1107. Deficiency and supplemental appropriations.
1108. Preparation and submission of appropriations requests to the President.
1109. Current programs and activities estimates.
1110. Year-ahead requests for authorizing legislation.
1111. Improving economy and efficiency.
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[1114. Repealed.]
1115. Federal Government and agency performance plans.
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1117. Exemptions.[1]
[1118, 1119 Repealed.]
1120. Federal Government and agency priority goals.
1121. Progress reviews and use of performance information..[2]
1122. Transparency of programs, priority goals, and results.
1123. Chief Operating Officers.
1124. Performance Improvement Officers and the Performance Improvement Council.
1125. Elimination of unnecessary agency reporting.

[1] So in original. Does not conform to section catchline.
[2] So in original.

1126. Program Management Improvement Officers and Program Management Policy Council.[3]

Editorial Notes

AMENDMENTS

2024—Pub. L. 118–190, §§2(a)(2), 6(c), Dec. 23, 2024, 138 Stat. 2654, 2656, added item 1121 and struck out former item 1121 ''Quarterly priority progress reviews and use of performance information'' and items 1118 ''Pilot projects for performance goals'' and 1119 ''Pilot projects for performance budgeting''.

2011—Pub. L. 111–352, §13(b), (c), Jan. 4, 2011, 124 Stat. 3882, added items 1115, 1116, and 1120 to 1125, and struck out former items 1115 ''Performance plans'' and 1116 ''Program performance reports''.

1994—Pub. L. 103–355, title II, §2454(c)(3)(B), Oct. 13, 1994, 108 Stat. 3326, struck out item 1114 ''Budget information on consulting services''.

1993—Pub. L. 103–62, §11(b)(1), Aug. 3, 1993, 107 Stat. 295, added items 1115 to 1119.

§ 1101. Definitions

In this chapter—

(1) ''agency'' includes the District of Columbia government but does not include the legislative branch or the Supreme Court.

(2) ''appropriations'' means appropriated amounts and includes, in appropriate context—

(A) funds;

(B) authority to make obligations by contract before appropriations; and

(C) other authority making amounts available for obligation or expenditure.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 907.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1101(1)	31:2(1st–4th pars.).	June 10, 1921, ch. 18, §2(1st–5th pars.), 42 Stat. 20; Apr. 3, 1939, ch. 36, §201, 53 Stat. 565; July 31, 1953, ch. 302, §101(1st proviso in par. under heading ''Bureau of the Budget''), 67 Stat. 299.
1101(2)	31:2(last par.).	June 10, 1921, ch. 18, 42 Stat. 20, §2(last par.); added Sept. 12, 1950, ch. 946, §101, 64 Stat. 832.

In the section, a reference to 31:71 and 471 is omitted because the definitions in the section are not used in 31:71 and 471.

In clause (1), ''agency'' (which is defined for purposes of this title in section 101 to mean a department, agency, or instrumentality of the United States) is coextensive with and substituted for the term ''department or establishment'' which was defined in 31:2 as in part meaning ''any executive department, independent commission, board, bureau, office, agency, or other establishment of the Government, including any independent regulatory commission or board''. This definition merely restates and continues, and does not in any way change or expand, the definition in 31:2. Under that definition, entities such as the Tennessee Valley Authority that have been interpreted to be outside the purview of the definition will continue to be outside the purview in the same manner and to the same extent that they were under 31:2. The words ''includes the District of Columbia government'' are used because of existing law but the inclusion of these words is not to be interpreted as construing the extent to which the District of Columbia Self-Government and Governmental Reorganizational Act (Pub. L. 93–198, 87 Stat. 774) supersedes the provisions codified in this title. The words ''of the United States'' are omitted as surplus. The text of 31:2(2d–4th pars.) is omitted as unnecessary because of the restatement. The text of section 2(3d par.) of the Budget and Accounting Act, 1921 (ch. 18, 42 Stat. 20), is omitted as obsolete because of section 501 of the revised title.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2024 AMENDMENT

Pub. L. 118–190, §1, Dec. 23, 2024, 138 Stat. 2653, provided that: ''This Act [amending sections 1115, 1116, 1120 to 1122, and 9704 of this title and section 306 of Title 5, Government Organization and Employees, and repealing sections 1118 and 1119 of this title] may be cited as the 'Federal Agency Performance Act of 2024'.''

Pub. L. 118–172, §1, Dec. 23, 2024, 138 Stat. 2593, provided that: ''This Act [amending sections 1105 and 1125 of this title, enacting provisions set out as a note under section 1125 of this title, and amending provisions set out as a note preceding section 4101 of Title 44, Public Printing and Documents] may be cited as the 'Eliminate Useless Reports Act of 2024'.''

SHORT TITLE OF 2022 AMENDMENT

Pub. L. 117–263, div. E, title LIII, §5303(a), Dec. 23, 2022, 136 Stat. 3250, provided that: ''This section [amending section 1115 of this title] may be cited as the 'Performance Enhancement Reform Act'.''

SHORT TITLE OF 2019 AMENDMENT

Pub. L. 115–414, §1, Jan. 3, 2019, 132 Stat. 5430, provided that: ''This Act [amending section 720 of this title and enacting provisions set out as a note under section 1105 of this title] may be cited as the 'Good Accounting Obligation in Government Act' or the 'GAO–IG Act'.''

SHORT TITLE OF 2011 AMENDMENT

Pub. L. 111–352, §1(a), Jan. 4, 2011, 124 Stat. 3866, provided that: ''This Act [enacting sections 1115, 1116, and 1120 to 1125 of this title and section 306 of Title 5, Government Organization and Employees, amending section 1105 of this title, repealing sections 1115 and 1116 of this title and section 306 of Title 5, and enacting provisions set out as notes under section 1115 of this title and section 5105 of Title 5] may be cited as the 'GPRA Modernization Act of 2010'.''

SHORT TITLE OF 2010 AMENDMENT

Pub. L. 111–291, title IV, §401, Dec. 8, 2010, 124 Stat. 3097, provided that: ''This title [amending section 1105 of this title, enacting provisions set out as a note under section 1105 of this title, and amending provisions set out as a note under this section] may be cited as the 'Crow Tribe Water Rights Settlement Act of 2010'.''

SHORT TITLE OF 1993 AMENDMENT

Pub. L. 103–62, §1, Aug. 3, 1993, 107 Stat. 285, provided that: ''This Act [enacting sections 1115 to 1119, 9703, and 9704 of this title, section 306 of Title 5, Government Organization and Employees, and sections 2801 to 2805 of Title 39, Postal Service, amending section 1105 of this title, and enacting provisions set out as notes under section 1115 of this title] may be cited as the 'Government Performance and Results Act of 1993'.''

SHORT TITLE OF 1984 AMENDMENT

Pub. L. 98–501, title II, §201, Oct. 19, 1984, 98 Stat. 2324, provided that: ''This title [amending section 1105 of this title and enacting provisions set out as a note under section 1105 of this title] may be cited as the 'Federal Capital Investment Program Information Act of 1984'.''

CONSTRUCTION OF 1993 AMENDMENT

Pub. L. 103–62, §10, Aug. 3, 1993, 107 Stat. 295, provided that: ''No provision or amendment made by this Act

[3] Editorially supplied. Section 1126 added by Pub. L. 114–264 and Pub. L. 114–328 without corresponding amendment of chapter analysis.

[see Short Title of 1993 Amendment note set out above] may be construed as—

''(1) creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person who is not an officer or employee of the United States acting in such capacity shall have standing to file any civil action in a court of the United States to enforce any provision or amendment made by this Act; or

''(2) superseding any statutory requirement, including any requirement under section 553 of title 5, United States Code.''

CONGRESSIONAL FINDINGS AND STATEMENT OF PURPOSES

Pub. L. 103–62, § 2, Aug. 3, 1993, 107 Stat. 285, provided that:

''(a) FINDINGS.—The Congress finds that—

''(1) waste and inefficiency in Federal programs undermine the confidence of the American people in the Government and reduces the Federal Government's ability to address adequately vital public needs;

''(2) Federal managers are seriously disadvantaged in their efforts to improve program efficiency and effectiveness, because of insufficient articulation of program goals and inadequate information on program performance; and

''(3) congressional policymaking, spending decisions and program oversight are seriously handicapped by insufficient attention to program performance and results.

''(b) PURPOSES.—The purposes of this Act [see Short Title of 1993 Amendment note set out above] are to—

''(1) improve the confidence of the American people in the capability of the Federal Government, by systematically holding Federal agencies accountable for achieving program results;

''(2) initiate program performance reform with a series of pilot projects in setting program goals, measuring program performance against those goals, and reporting publicly on their progress;

''(3) improve Federal program effectiveness and public accountability by promoting a new focus on results, service quality, and customer satisfaction;

''(4) help Federal managers improve service delivery, by requiring that they plan for meeting program objectives and by providing them with information about program results and service quality;

''(5) improve congressional decisionmaking by providing more objective information on achieving statutory objectives, and on the relative effectiveness and efficiency of Federal programs and spending; and

''(6) improve internal management of the Federal Government.''

CONGRESSIONAL OVERSIGHT

Pub. L. 103–62, § 8(a), Aug. 3, 1993, 107 Stat. 294, provided that: ''Nothing in this Act [see Short Title of 1993 Amendment note set out above] shall be construed as limiting the ability of Congress to establish, amend, suspend, or annul a performance goal. Any such action shall have the effect of superseding that goal in the plan submitted under section 1105(a)(29) [now 1105(a)(28)] of title 31, United States Code.''

Executive Documents

EXECUTIVE ORDER NO. 13037

Ex. Ord. No. 13037, Mar. 3, 1997, 62 F.R. 10185, as amended by Ex. Ord. No. 13066, Oct. 29, 1997, 62 F.R. 59273; Ex. Ord. No. 13108, Dec. 11, 1998, 63 F.R. 69175, which established the Commission to Study Capital Budgeting, was revoked by Ex. Ord. No. 13138, § 3(d), Sept. 30, 1999, 64 F.R. 53880, formerly set out as a note under section 14 of the Appendix to Title 5, Government Organization and Employees.

§ 1102. Fiscal year

The fiscal year of the Treasury begins on October 1 of each year and ends on September 30 of the following year. Accounts of receipts and expenditures required under law to be published each year shall be published for the fiscal year.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 908.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1102	31:1020.	R.S. § 237; Oct. 1, 1890, ch. 1256, § 9, 26 Stat. 646; restated July 12, 1974, Pub. L. 93–344, § 501, 88 Stat. 321.

The words ''in all matters of accounts, receipts, expenditures, estimates, and appropriations'' are omitted as being included in ''fiscal''. The word ''prepared'' is omitted as being included in ''published''. The words ''as established by subsection (a) of this section'' are omitted as unnecessary because of the restatement. The text of 31:1020(a)(1) and the words ''beginning on October 1, 1976'' are omitted as executed.

Statutory Notes and Related Subsidiaries

FISCAL YEAR TRANSITION PERIOD OF JULY 1, 1976, THROUGH SEPTEMBER 30, 1976

Pub. L. 94–274, Apr. 21, 1976, 90 Stat. 383, provided for an orderly transition to the new Oct. 1 to Sept. 30 fiscal year for particular acts by specifying how the period of July 1, 1976, through Sept. 30, 1976, was to be treated for fiscal year purposes.

§ 1103. Budget ceiling

Congress reaffirms its commitment that budget outlays of the United States Government for a fiscal year may be not more than the receipts of the Government for that year.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 908.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1103	31:27.	Oct. 10, 1978, Pub. L. 95–435, § 7, 92 Stat. 1053; restated Oct. 7, 1980, Pub. L. 96–389, § 3, 94 Stat. 1553.

The word ''total'' is omitted as surplus. The words ''for a fiscal year'' are substituted for ''beginning with Fiscal Year 1981'' because of the restatement and to eliminate executed words. The words ''for that year'' are added because of the restatement.

§ 1104. Budget and appropriations authority of the President

(a) The President shall prepare budgets of the United States Government under section 1105 of this title and proposed deficiency and supplemental appropriations under section 1107 of this title. To the extent practicable, the President shall use uniform terms in stating the purposes and conditions of appropriations.

(b) Except as provided in this chapter, the President shall prescribe the contents and order of statements in the budget on expenditures and estimated expenditures and statements on proposed appropriations and information submitted with the budget and proposed appropriations. The President shall include with the budget and proposed appropriations information on personnel and other objects of expenditure in the way that information was included in the budget for fiscal year 1950. However, the requirement

that information be included in the budget in that way may be waived or changed by joint action of the Committees on Appropriations of both Houses of Congress. This subsection does not limit the authority of a committee of Congress to request information in a form it prescribes.

(c) When the President makes a basic change in the form of the budget, the President shall submit with the budget information showing where items in the budget for the prior fiscal year are contained in the present budget. However, the President may change the functional categories in the budget only in consultation with the Committees on Appropriations and on the Budget of both Houses of Congress. Committees of the House of Representatives and Senate shall receive prompt notification of all such changes.

(d) The President shall develop programs and prescribe regulations to improve the compilation, analysis, publication, and dissemination of statistical information by executive agencies. The President shall carry out this subsection through the Administrator for the Office of Information and Regulatory Affairs in the Office of Management and Budget.

(e) Under regulations prescribed by the President, each agency shall provide information required by the President in carrying out this chapter. The President has access to, and may inspect, records of an agency to obtain information.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 908; Pub. L. 99–177, title II, §224, Dec. 12, 1985, 99 Stat. 1060.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1104(a)	31:16(last sentence related to preparation of budgets and appropriations).	June 10, 1921, ch. 18, §207(last sentence related to preparation of budgets and appropriations), 42 Stat. 22; restated Sept. 12, 1950, ch. 946, §102(e), 64 Stat. 833; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
	31:623.	June 23, 1913, ch. 3, §3, 38 Stat. 75; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, §1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
1104(b)	31:581.	June 10, 1921, ch. 18, §204, 42 Stat. 21; restated Sept. 12, 1950, ch. 946, §102(c), 64 Stat. 833.
1104(c)	31:11d.	July 12, 1974, Pub. L. 93–344, §802, 88 Stat. 330.
	31:581a.	June 10, 1921, ch. 18, §205, 42 Stat. 21; restated Sept. 12, 1950, ch. 946, §102(d), 64 Stat. 833.
1104(d)	31:18b.	Sept. 12, 1950, ch. 946, §103, 64 Stat. 834; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
	44:3503(note).	Dec. 11, 1980, Pub. L. 96–511, §3(a), 94 Stat. 2825.
1104(e)	31:21.	June 10, 1921, ch. 18, §213, 42 Stat. 23; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, §1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.

In the section, the word ''President'' is substituted for ''Office'' in 31:16(last sentence), ''President, through the Director of the Office of Management and Budget'' in 31:18b, ''President and the Director of the Office of Management and Budget'' in 44:3503(note), and ''Office of Management and Budget'' in 31:21 and 623, because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085), designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

In subsection (a), the words ''under such rules and regulations as the President may prescribe'' in 31:16(last sentence) are omitted as unnecessary because of section 101 of Reorganization Plan No. 2 of 1970. The words ''use uniform terms in stating'' are substituted for ''make uniform the language commonly used in expressing'' in 31:623 for consistency. The words ''eliminate from all estimates unnecessary words'' are omitted as unnecessary because of the authority of the President under this subsection to prepare the budget. The text of section 3(words before semicolon) in the Act of June 23, 1913 (ch. 13, 38 Stat. 75) is omitted as superseded by 31:ch. 1 and 31:581.

In subsection (b), the word ''arrangement'' is omitted as being included in ''order''. The word ''information'' is substituted for ''notes and other data'', and the word ''submitted'' is substituted for ''transmitted'', for consistency. The words ''The President shall include'' are substituted for ''shall be accompanied by'' because of the authority of the President under subsection (a) to prepare the budget. The words ''proposed appropriations'' are substituted for ''proposed supplemental or deficiency appropriations'' because of the restatement. The word ''personnel'' is substituted for ''personal services'' for clarity. The word ''way'' is substituted for ''manner and form'' for consistency. The words ''either generally or in specific cases'' are omitted as surplus. The word ''request'' is substituted for ''request and receive'' to eliminate unnecessary words. The words ''it prescribes'' are substituted for ''as they may desire in consideration of and action upon budget estimates'' to eliminate unnecessary words.

In subsection (c), the words ''President makes'' are substituted for ''is made'' in 31:581a as being more precise. The word ''information'' is substituted for ''explanatory notes and tables'' for consistency in the revised title. The words ''to Congress'', ''as may be necessary'', and ''various'' are omitted as surplus. The words ''The President may change'' are substituted for ''Any change . . . shall be made only'' in 31:11d because the President prepares and submits the budget under 31:11. The word ''budget'' is substituted for ''Budget of the United States Government transmitted pursuant to section 11 of this title'' to eliminate unnecessary words and for consistency in the chapter.

In subsection (d), the word ''gathering'' in 31:18b is omitted as being included in ''compilation''. The text of 31:18b(last sentence) is omitted as unnecessary because of the restatement of the source provisions in subsection (e). The words ''carry out . . . through'' are substituted for ''delegate to'' in 44:3503(note) for consistency.

In subsection (e), the word ''provide'' is substituted for ''furnish'' for consistency. The words ''required by the President in carrying out this chapter'' are substituted for ''as the Office may from time to time require'' because of section 101 of Reorganization Plan No. 2 of 1970 and to provide comparable limiting language on when information may be required. The words ''the director and the assistant director, or any employee of the Office when duly authorized'' are omitted because of 3:301. The word ''inspect'' is substituted for ''examine'' for consistency in the revised title. The word ''records'' is substituted for ''books, documents, papers, or records'' for consistency in the revised title and with other titles of the United States Code.

Editorial Notes

AMENDMENTS

1985—Subsec. (c). Pub. L. 99–177 inserted provisions relating to notice to committees of House of Representatives and Senate.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99–177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, see section 275(a)(1) of Pub. L. 99–177, formerly set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress, prior to repeal by Pub. L. 112–25, title I, §104(a), Aug. 2, 2011, 125 Stat. 246.

Executive Documents

EX. ORD. NO. 10253. PROVISIONS FOR IMPROVEMENT OF WORK OF FEDERAL EXECUTIVE AGENCIES WITH RESPECT TO STATISTICAL INFORMATION

Ex. Ord. No. 10253, June 11, 1951, 16 F.R. 5605, as amended by Ex. Ord. No. 12013, Oct. 7, 1977, 42 F.R. 54931; Ex. Ord. No. 12318, Aug. 12, 1981, 46 F.R. 42833, provided:

SECTION 1. The Director of the Office of Management and Budget (hereinafter referred to as the Director) shall develop programs, and issue regulations and orders, for the improved gathering, compiling, analyzing, publishing, and disseminating of statistical information for any purpose by the various agencies in the executive branch of the Federal Government.

SEC. 2. In order to carry out the provisions of Section 1 of this order, the Director shall maintain a continuing study for the improvement of the statistical work of the agencies in the executive branch of the Federal Government with a view to obtaining the maximum benefit from the funds and facilities available for such work, giving due consideration to the constantly changing character of the various needs for statistical information both within and without the Government and, where the statistical work is primarily concerned with operating programs, giving due consideration to administrative needs, statutory requirements, and the needs involved in the development of administrative and legislative recommendations. The Director, either upon his own initiative or upon the request of any such agency, shall (a) provide for the interchange of information calculated to improve statistical work, (b) make appropriate arrangements for improving statistical work involving relationships between two or more agencies, and (c) assist the agencies, by other means, to improve their statistical work.

SEC. 3. The following shall be included among the objectives sought in carrying out the provisions of Section 1 hereof:

(a) To achieve an adequate program of statistical work in the agencies of the executive branch, in relation to over-all needs for statistical information, including the filling of gaps and overcoming of weaknesses in presently available statistical information.

(b) To achieve the most effective use of resources available for statistical work by the agencies, in relation to over-all needs.

(c) To minimize the burden upon those furnishing statistical data needed by the various Federal agencies.

(d) To improve the reliability and timeliness of statistical information.

(e) To achieve maximum comparability among the several statistical series and studies.

(f) To improve the presentation of statistical information and of explanations regarding the sources and reliability of such information, and regarding the limitations on the uses that can appropriately be made of it.

SEC. 4. Regulations and orders issued pursuant to Section 1 hereof shall be signed by the Director. When so signed, such regulations and orders shall require no further approval and shall be adhered to by all agencies in the executive branch. Any such regulation or order may pertain to a single agency, a group of agencies, or all agencies in the executive branch.

SEC. 5. In the development of programs and the preparation of regulations and orders for issuance pursuant to Section 1 hereof, the Director shall consult Federal agencies whose activities will be substantially affected, and may consult non-Federal groups to the extent he finds it necessary to carry out the purposes of this order.

SEC. 6. The authority outlined in this order is in addition to and not in substitution for the existing authority of the Director, or of the Office of Management and Budget, with respect to statistical and reporting activities. To the extent, however, that this order conflicts with any previous Executive order affecting statistical or reporting activities, the provisions of this order shall control.

SEC. 7. As required by Section 3(a) of the Paperwork Reduction Act of 1980 (94 Stat. 2825; 44 U.S.C. 3503 note), the Director shall redelegate to the Administrator for the Office of Information and Regulatory Affairs, Office of Management and Budget, all functions, authority, and responsibility under Section 103 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 18b) [31 U.S.C. 1104(d)] which have been vested in the Director by this Order.

SEC. 8. [Revoked by Ex. Ord. No. 12318, Aug. 21, 1981, 46 F.R. 42833.]

§ 1105. Budget contents and submission to Congress

(a) On or after the first Monday in January but not later than the first Monday in February of each year, the President shall submit a budget of the United States Government for the following fiscal year. Each budget shall include a budget message and summary and supporting information. The President shall include in each budget the following:

(1) information on activities and functions of the Government.

(2) when practicable, information on costs and achievements of Government programs.

(3) other desirable classifications of information.

(4) a reconciliation of the summary information on expenditures with proposed appropriations.

(5) except as provided in subsection (b) of this section, estimated expenditures and proposed appropriations the President decides are necessary to support the Government in the fiscal year for which the budget is submitted and the 4 fiscal years after that year.

(6) estimated receipts of the Government in the fiscal year for which the budget is submitted and the 4 fiscal years after that year under—

(A) laws in effect when the budget is submitted; and

(B) proposals in the budget to increase revenues.

(7) appropriations, expenditures, and receipts of the Government in the prior fiscal year.

(8) estimated expenditures and receipts, and appropriations and proposed appropriations, of the Government for the current fiscal year.

(9) balanced statements of the—

(A) condition of the Treasury at the end of the prior fiscal year;

(B) estimated condition of the Treasury at the end of the current fiscal year; and

(C) estimated condition of the Treasury at the end of the fiscal year for which the budget is submitted if financial proposals in the budget are adopted.

(10) essential information about the debt of the Government.

(11) other financial information the President decides is desirable to explain in practicable detail the financial condition of the Government.

(12) for each proposal in the budget for legislation that would establish or expand a Government activity or function, a table showing—

(A) the amount proposed in the budget for appropriation and for expenditure because of the proposal in the fiscal year for which the budget is submitted; and

(B) the estimated appropriation required because of the proposal for each of the 4 fiscal years after that year that the proposal will be in effect.

(13) an allowance for additional estimated expenditures and proposed appropriations for the fiscal year for which the budget is submitted.

(14) an allowance for unanticipated uncontrollable expenditures for that year.

(15) a separate statement on each of the items referred to in section 301(a)(1)–(5) of the Congressional Budget Act of 1974 (2 U.S.C. 632(a)(1)–(5)).

(16) the level of tax expenditures under existing law in the tax expenditures budget (as defined in section 3(a)(3) of the Congressional Budget Act of 1974 (2 U.S.C. 622(a)(3)) for the fiscal year for which the budget is submitted, considering projected economic factors and changes in the existing levels based on proposals in the budget.

(17) information on estimates of appropriations for the fiscal year following the fiscal year for which the budget is submitted for grants, contracts, and other payments under each program for which there is an authorization of appropriations for that following fiscal year when the appropriations are authorized to be included in an appropriation law for the fiscal year before the fiscal year in which the appropriation is to be available for obligation.

(18) a comparison of the total amount of budget outlays for the prior fiscal year, estimated in the budget submitted for that year, for each major program having relatively uncontrollable outlays with the total amount of outlays for that program in that year.

(19) a comparison of the total amount of receipts for the prior fiscal year, estimated in the budget submitted for that year, with receipts received in that year, and for each major source of receipts, a comparison of the amount of receipts estimated in that budget with the amount of receipts from that source in that year.

(20) an analysis and explanation of the differences between each amount compared under clauses (18) and (19) of this subsection.

(21) a horizontal budget showing—

(A) the programs for meteorology and of the National Climate Program established under section 5 of the National Climate Program Act (15 U.S.C. 2904);

(B) specific aspects of the program of, and appropriations for, each agency; and

(C) estimated goals and financial requirements.

(22) a statement of budget authority, proposed budget authority, budget outlays, and proposed budget outlays, and descriptive information in terms of—

(A) a detailed structure of national needs that refers to the missions and programs of agencies (as defined in section 101 of this title); and

(B) the missions and basic programs.

(23) separate appropriation accounts for appropriations under the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 et seq.) and the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 et seq.).

(24) recommendations on the return of Government capital to the Treasury by a mixed-ownership corporation (as defined in section 9101(2) of this title) that the President decides are desirable.

(25) a separate appropriation account for appropriations for each Office of Inspector General of an establishment defined under section 401 of title 5.

(26) a separate statement of the amount of appropriations requested for the Office of National Drug Control Policy and each program of the National Drug Control Program.

(27) a separate statement of the amount of appropriations requested for the Office of Federal Financial Management.

(28) beginning with fiscal year 1999, a Federal Government performance plan for the overall budget as provided for under section 1115.

(29) information about the Violent Crime Reduction Trust Fund, including a separate statement of amounts in that Trust Fund.

(30) an analysis displaying, by agency, proposed reductions in full-time equivalent positions compared to the current year's level in order to comply with section 5 of the Federal Workforce Restructuring Act of 1994.

(31) a separate statement of the amount of appropriations requested for the Chief Financial Officer in the Executive Office of the President.

(32) a statement of the levels of budget authority and outlays for each program assumed to be extended in the baseline as provided in section 257(b)(2)(A) and for excise taxes assumed to be extended under section 257(b)(2)(C) of the Balanced Budget and Emergency Deficit Control Act of 1985.

(33) a separate appropriation account for appropriations for the Council of the Inspectors General on Integrity and Efficiency, and, included in that account, a separate statement of the aggregate amount of appropriations requested for each academy maintained by the Council of the Inspectors General on Integrity and Efficiency.

(34) with respect to the amount of appropriations requested for use by the Export-Import Bank of the United States, a separate statement of the amount requested for its program budget, the amount requested for its administrative expenses, and of the amount requested for its administrative expenses, the amount requested for technology expenses.

(35)(A)(i) a detailed, separate analysis, by budget function, by agency, and by initiative area (as determined by the administration) for the prior fiscal year, the current fiscal year,

the fiscal years for which the budget is submitted, and the ensuing fiscal year identifying the amounts of gross and net appropriations or obligational authority and outlays that contribute to cybersecurity, with separate displays for mandatory and discretionary amounts, including—

(I) summaries of the total amount of such appropriations or new obligational authority and outlays requested for cybersecurity;

(II) an estimate of the current service levels of cybersecurity spending;

(III) the most recent risk assessment and summary of cybersecurity needs in each initiative area (as determined by the administration); and

(IV) an estimate of user fees collected by the Federal Government on behalf of cybersecurity activities;

(ii) with respect to subclauses (I) through (IV) of clause (i), amounts shall be provided by account for each program, project and activity; and

(iii) an estimate of expenditures for cybersecurity activities by State and local governments and the private sector for the prior fiscal year and the current fiscal year.

(B) Prior to implementing this paragraph, including determining what Federal activities or accounts constitute cybersecurity for purposes of budgetary classification, the Office of Management and Budget shall consult with the Committees on Appropriations and the Committees on the Budget of the House of Representatives and the Senate, the Committee on Homeland Security of the House of Representatives, and the Committee on Homeland Security and Government Affairs of the Senate.

(36) as supplementary materials, a separate analysis of the budgetary effects for all prior fiscal years, the current fiscal year, the fiscal year for which the budget is submitted, and ensuing fiscal years of the actions the Secretary of the Treasury has taken or plans to take using any authority provided in the Emergency Economic Stabilization Act of 2008, including—

(A) an estimate of the current value of all assets purchased, sold, and guaranteed under the authority provided in the Emergency Economic Stabilization Act of 2008 using methodology required by the Federal Credit Reform Act of 1990 (2 U.S.C. 661 et seq.) and section 123 of the Emergency Economic Stabilization Act of 2008;

(B) an estimate of the deficit, the debt held by the public, and the gross Federal debt using methodology required by the Federal Credit Reform Act of 1990 and section 123 of the Emergency Economic Stabilization Act of 2008;

(C) an estimate of the current value of all assets purchased, sold, and guaranteed under the authority provided in the Emergency Economic Stabilization Act of 2008 calculated on a cash basis;

(D) a revised estimate of the deficit, the debt held by the public, and the gross Federal debt, substituting the cash-based estimates in subparagraph (C) for the estimates calculated under subparagraph (A) pursuant to the Federal Credit Reform Act of 1990 and section 123 of the Emergency Economic Stabilization Act of 2008; and

(E) the portion of the deficit which can be attributed to any action taken by the Secretary using authority provided by the Emergency Economic Stabilization Act of 2008 and the extent to which the change in the deficit since the most recent estimate is due to a reestimate using the methodology required by the Federal Credit Reform Act of 1990 and section 123 of the Emergency Economic Stabilization Act of 2008.

(37) information on estimates of appropriations for the fiscal year following the fiscal year for which the budget is submitted for the following accounts of the Department of Veterans Affairs:

(A) Veterans Benefits Administration, Compensation and Pensions.

(B) Veterans Benefits Administration, Readjustment Benefits.

(C) Veterans Benefits Administration, Veterans Insurance and Indemnities.

(D) Veterans Health Administration, Medical Services.

(E) Veterans Health Administration, Medical Support and Compliance.

(F) Veterans Health Administration, Medical Facilities.

(G) Veterans Health Administration, Medical Community Care.

(38) a separate statement for the Crow Settlement Fund established under section 411 of the Crow Tribe Water Rights Settlement Act of 2010, which shall include the estimated amount of deposits into the Fund, obligations, and outlays from the Fund.

(b) Estimated expenditures and proposed appropriations for the legislative branch and the judicial branch to be included in each budget under subsection (a)(5) of this section shall be submitted to the President before October 16 of each year and included in the budget by the President without change.

(c) The President shall recommend in the budget appropriate action to meet an estimated deficiency when the estimated receipts for the fiscal year for which the budget is submitted (under laws in effect when the budget is submitted) and the estimated amounts in the Treasury at the end of the current fiscal year available for expenditure in the fiscal year for which the budget is submitted, are less than the estimated expenditures for that year. The President shall make recommendations required by the public interest when the estimated receipts and estimated amounts in the Treasury are more than the estimated expenditures.

(d) When the President submits a budget or supporting information about a budget, the President shall include a statement on all changes about the current fiscal year that were made before the budget or information was submitted.

(e)(1) The President shall submit with materials related to each budget transmitted under subsection (a) on or after January 1, 1985, an analysis for the ensuing fiscal year that shall

identify requested appropriations or new obligational authority and outlays for each major program that may be classified as a public civilian capital investment program and for each major program that may be classified as a military capital investment program, and shall contain summaries of the total amount of such appropriations or new obligational authority and outlays for public civilian capital investment programs and summaries of the total amount of such appropriations or new obligational authority and outlays for military capital investment programs. In addition, the analysis under this paragraph shall contain—

(A) an estimate of the current service levels of public civilian capital investment and of military capital investment and alternative high and low levels of such investments over a period of ten years in current dollars and over a period of five years in constant dollars;

(B) the most recent assessment analysis and summary, in a standard format, of public civilian capital investment needs in each major program area over a period of ten years;

(C) an identification and analysis of the principal policy issues that affect estimated public civilian capital investment needs for each major program; and

(D) an identification and analysis of factors that affect estimated public civilian capital investment needs for each major program, including but not limited to the following factors:

(i) economic assumptions;

(ii) engineering standards;

(iii) estimates of spending for operation and maintenance;

(iv) estimates of expenditures for similar investments by State and local governments; and

(v) estimates of demand for public services derived from such capital investments and estimates of the service capacity of such investments.

To the extent that any analysis required by this paragraph relates to any program for which Federal financial assistance is distributed under a formula prescribed by law, such analysis shall be organized by State and within each State by major metropolitan area if data are available.

(2) For purposes of this subsection, any appropriation, new obligational authority, or outlay shall be classified as a public civilian capital investment to the extent that such appropriation, authority, or outlay will be used for the construction, acquisition, or rehabilitation of any physical asset that is capable of being used to produce services or other benefits for a number of years and is not classified as a military capital investment under paragraph (3). Such assets shall include (but not be limited to)—

(A) roadways or bridges,

(B) airports or airway facilities,

(C) mass transportation systems,

(D) wastewater treatment or related facilities,

(E) water resources projects,

(F) hospitals,

(G) resource recovery facilities,

(H) public buildings,

(I) space or communications facilities,

(J) railroads, and

(K) federally assisted housing.

(3) For purposes of this subsection, any appropriation, new obligational authority, or outlay shall be classified as a military capital investment to the extent that such appropriation, authority, or outlay will be used for the construction, acquisition, or rehabilitation of any physical asset that is capable of being used to produce services or other benefits for purposes of national defense and security for a number of years. Such assets shall include military bases, posts, installations, and facilities.

(4) Criteria and guidelines for use in the identification of public civilian and military capital investments, for distinguishing between public civilian and military capital investments, and for distinguishing between major and nonmajor capital investment programs shall be issued by the Director of the Office of Management and Budget after consultation with the Comptroller General and the Congressional Budget Office. The analysis submitted under this subsection shall be accompanied by an explanation of such criteria and guidelines.

(5) For purposes of this subsection—

(A) the term ''construction'' includes the design, planning, and erection of new structures and facilities, the expansion of existing structures and facilities, the reconstruction of a project at an existing site or adjacent to an existing site, and the installation of initial and replacement equipment for such structures and facilities;

(B) the term ''acquisition'' includes the addition of land, sites, equipment, structures, facilities, or rolling stock by purchase, lease-purchase, trade, or donation; and

(C) the term ''rehabilitation'' includes the alteration of or correction of deficiencies in an existing structure or facility so as to extend the useful life or improve the effectiveness of the structure or facility, the modernization or replacement of equipment at an existing structure or facility, and the modernization of, or replacement of parts for, rolling stock.

(f) The budget transmitted pursuant to subsection (a) for a fiscal year shall be prepared in a manner consistent with the requirements of the Balanced Budget and Emergency Deficit Control Act of 1985 that apply to that and subsequent fiscal years.

(g)(1) The Director of the Office of Management and Budget shall establish the funding for advisory and assistance services for each department and agency as a separate object class in each budget annually submitted to the Congress under this section.

(2)(A) In paragraph (1), except as provided in subparagraph (B), the term ''advisory and assistance services'' means the following services when provided by nongovernmental sources:

(i) Management and professional support services.

(ii) Studies, analyses, and evaluations.

(iii) Engineering and technical services.

(B) In paragraph (1), the term ''advisory and assistance services'' does not include the following services:

(i) Routine automated data processing and telecommunications services unless such serv-

ices are an integral part of a contract for the procurement of advisory and assistance services.

(ii) Architectural and engineering services, as defined in section 1102 of title 40.

(iii) Research on basic mathematics or medical, biological, physical, social, psychological, or other phenomena.

(h)(1) If there is a medicare funding warning under section 801(a)(2) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 made in a year, the President shall submit to Congress, within the 15-day period beginning on the date of the budget submission to Congress under subsection (a) for the succeeding year, proposed legislation to respond to such warning.

(2) Paragraph (1) does not apply if, during the year in which the warning is made, legislation is enacted which eliminates excess general revenue medicare funding (as defined in section 801(c) of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003) for the 7-fiscal-year reporting period, as certified by the Board of Trustees of each medicare trust fund (as defined in section 801(c)(5) of such Act) not later than 30 days after the date of the enactment of such legislation.

(i)(1) The Director of the Office of Management and Budget shall make publicly available on a website, and continuously update, a tabular list for each fiscal year of each agency that submits budget justification materials, which shall include—

(A) the name of the agency;

(B) a unique identifier that identifies the agency;

(C) to the extent practicable, the date on which the budget justification materials of the agency are first submitted to Congress;

(D) the date on which the budget justification materials of the agency are posted online under section 3 of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note);

(E) the uniform resource locator where the budget justification materials are published on the website of the agency; and

(F) a single data set that contains the information described in subparagraphs (A) through (E) with respect to the agency for all fiscal years for which budget justifications of the agency are made available under section 3 of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) in a structured data format.

(2)(A) Each agency that submits budget justification materials shall make the materials available on the website of the agency, in accordance with the policies established by the Director of the Office of Management and Budget under subparagraph (B).

(B) Not later than 1 year after the date of enactment of this subsection, the Director of the Office of Management and Budget, in consultation with the Secretary of the Treasury, shall establish policies and data standards for agencies relating to making available materials under subparagraph (A), which shall include guidelines for making budget justification materials available in a format aligned with the requirements of section 3(b)(2)(C) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) and using a uniform resource locator that is in a consistent format across agencies and is descriptive, memorable, and pronounceable, such as the format of ''agencyname.gov/budget''.

(C) If the Director of the Office of Management and Budget maintains a public website that contains the budget of the United States Government submitted under subsection (a) and any related materials, such website shall also contain a link to the tabular list required under paragraph (1).

(3) In this subsection, the term ''budget justification materials'' has the meaning given that term in section 3(b)(2) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 908; Pub. L. 97–452, § 1(2), Jan. 12, 1983, 96 Stat. 2467; Pub. L. 98–501, title II, § 203, Oct. 19, 1984, 98 Stat. 2324; Pub. L. 99–177, title II, § 241, Dec. 12, 1985, 99 Stat. 1063; Pub. L. 100–119, title I, § 106(f), Sept. 29, 1987, 101 Stat. 781; Pub. L. 100–418, title V, § 5301, Aug. 23, 1988, 102 Stat. 1462; Pub. L. 100–504, title I, § 108, Oct. 18, 1988, 102 Stat. 2529; Pub. L. 100–690, title I, § 1006, Nov. 18, 1988, 102 Stat. 4187; Pub. L. 101–508, title XIII, § 13112(c), Nov. 5, 1990, 104 Stat. 1388–608; Pub. L. 101–576, title II, § 203(b), Nov. 15, 1990, 104 Stat. 2841; Pub. L. 103–62, § 4(a), Aug. 3, 1993, 107 Stat. 286; Pub. L. 103–272, § 4(f)(1)(E), July 5, 1994, 108 Stat. 1362; Pub. L. 103–322, title XXXI, § 310001(e), Sept. 13, 1994, 108 Stat. 2103; Pub. L. 103–355, title II, § 2454(a), Oct. 13, 1994, 108 Stat. 3326; Pub. L. 104–287, § 4(1), Oct. 11, 1996, 110 Stat. 3388; Pub. L. 105–33, title X, § 10209(b), Aug. 5, 1997, 111 Stat. 711; Pub. L. 105–277, div. C, title VII, § 713(c), Oct. 21, 1998, 112 Stat. 2681–693; Pub. L. 106–58, title VI, § 638(f), Sept. 29, 1999, 113 Stat. 475; Pub. L. 106–422, § 2(c), Nov. 1, 2000, 114 Stat. 1874; Pub. L. 107–189, § 4(a), June 14, 2002, 116 Stat. 699; Pub. L. 107–217, § 3(h)(3), Aug. 21, 2002, 116 Stat. 1299; Pub. L. 107–296, title VIII, § 889(a), Nov. 25, 2002, 116 Stat. 2250; Pub. L. 108–173, title VIII, § 802(a), Dec. 8, 2003, 117 Stat. 2360; Pub. L. 108–178, § 4(f)(1), Dec. 15, 2003, 117 Stat. 2641; Pub. L. 110–343, div. A, title II, § 203(a), Oct. 3, 2008, 122 Stat. 3801; Pub. L. 110–409, § 7(d)(2), Oct. 14, 2008, 122 Stat. 4313; Pub. L. 111–81, § 2, Oct. 22, 2009, 123 Stat. 2137; Pub. L. 111–291, title IV, §§ 411(h), 415, Dec. 8, 2010, 124 Stat. 3116, 3121; Pub. L. 111–352, § 11(a), Jan. 4, 2011, 124 Stat. 3881; Pub. L. 113–235, div. I, title II, § 244(d), Dec. 16, 2014, 128 Stat. 2569; Pub. L. 114–315, title VI, § 601(b), Dec. 16, 2016, 130 Stat. 1569; Pub. L. 115–31, div. E, title VI, § 630(a), May 5, 2017, 131 Stat. 375; Pub. L. 117–40, § 2(b), Sept. 24, 2021, 135 Stat. 338; Pub. L. 117–286, § 4(b)(50), Dec. 27, 2022, 136 Stat. 4348; Pub. L. 118–172, § 2(b), Dec. 23, 2024, 138 Stat. 2595.)

HISTORICAL AND REVISION NOTES
1982 ACT

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1105(a)(1)–(14).	31:11(a)(less (5)(words after 2d comma)).	June 10, 1921, ch. 18, §201(a), 42 Stat. 20; restated Sept. 12, 1950, ch. 946, §102(a), 64 Stat. 832; Aug. 1, 1956, ch. 814, §1(a), 70 Stat. 782; Oct. 26, 1970, Pub. L. 91–510, §221(a), 84 Stat. 1169; July 12, 1974, Pub. L. 93–344, §§603, 604, 88 Stat. 324.
	31:19.	June 10, 1921, ch. 18, §211, 42 Stat. 22; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, §1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
1105(a)(15)	31:11(d).	June 10, 1921, ch. 18, 42 Stat. 20, §201(d)–(f), (g)(last sentence)–(i)(1st sentence); added July 12, 1974, Pub. L. 93–344, §601, 88 Stat. 323.
1105(a)(16)	31:11(e).	
1105(a)(17)	31:11(h).	
1105(a)(18)–(20).	31:11(f).	
1105(a)(21)	31:25	Oct. 18, 1962, Pub. L. 87–843, §304(1st par.), 76 Stat. 1097; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085; Sept. 17, 1978, Pub. L. 95–367, §5(g)(2), 92 Stat. 603.
1105(a)(22)	31:11(i)(1st sentence).	
1105(a)(23)	31:11(note).	Nov. 9, 1977, Pub. L. 95–164, §305, 91 Stat. 1322.
1105(a)(24)	31:859.	Dec. 6, 1945, ch. 557, §204, 59 Stat. 601.
1105(b)	28:605(last par.). 31:11(a)(5)(words after 2d comma).	
1105(c)	31:13.	June 10, 1921, ch. 18, §202, 42 Stat. 21.
1105(d)	31:11(g)(last sentence).	

In the section, the word ''current'' is substituted for ''in progress'', and the word ''prior'' is substituted for ''last completed'', for consistency in the revised title.

In subsection (a), before clause (1), the text of 31:19 is omitted as superseded by the broader authority of 31:11(a)(5). The words ''for the following fiscal year'' are added for clarity. The words ''summary and supporting information'' are substituted for ''summary data and text, and supporting detail'' in the introductory matter of 31:11(a) for consistency. The words ''in such form and detail as the President may determine'' are omitted as unnecessary because of the authority of the President under section 1104(a) of the revised title to prepare the budget. The words ''The President shall . . . in each budget the following'' are substituted for ''The Budget transmitted pursuant to subsection (a) of this section for each fiscal year shall'' in 31:11(d)–(f), (h), and (i) because of the restatement. The word ''President'' is substituted for ''Office of Management and Budget'' in 31:25 because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The words ''in connection with the budget presentation for fiscal year 1964 and each succeeding year thereafter'' are omitted as executed.

In subsection (a)(1), the words ''information on'' are added for clarity.

In subsection (a)(2), the word ''Government'' is added for clarity.

In subsection (a)(3), the word ''information'' is substituted for ''data'' for consistency.

In subsection (a)(5) and (6), the words ''fiscal year for which the budget is submitted'' are substituted for ''ensuing fiscal year'' the first time they appear for clarity. The words ''the 4 fiscal years after that year'' are substituted for ''projections for the four fiscal years immediately following the ensuing fiscal year'' to eliminate unnecessary words.

In subsection (a)(6), the words ''proposals . . . to increase revenues'' are substituted for ''revenue proposals'' for consistency in the revised title.

In subsection (a)(7), the word ''actual'' is omitted as surplus.

In subsection (a)(8), the words ''appropriations and'' are substituted for ''actual or'' for clarity.

In subsection (a)(9), the words ''fiscal year for which the budget is submitted'' are substituted for ''ensuing fiscal year'' for clarity.

In subsection (a)(10), the words ''bonded and other'' are omitted as surplus.

In subsection (a)(11), the words ''information the President decides'' are substituted for ''statements and data as in his opinion'' for clarity and consistency. The word ''desirable'' is substituted for ''necessary or desirable'' and the words ''to explain'' are substituted for ''in order to make known'', to eliminate unnecessary words.

In subsection (a)(12), before subclause (A), the word ''legislation'' is substituted for ''new or additional legislation'' to eliminate unnecessary words. The words ''activity or function'' are substituted for ''function, activity, or authority'' for consistency. The words ''in addition to those functions, activities, and authorities then existing or as then being administered and operated'' are omitted as surplus.

In subsection (a)(16), the words ''fiscal year for which the budget is submitted'' are substituted for ''such fiscal year'' for clarity.

In subsection (a)(17), the words ''fiscal year following the fiscal year for which the budget is submitted'' are substituted for ''next succeeding fiscal year'', the words ''that following fiscal year'' are substituted for ''such succeeding fiscal year'', and the words ''fiscal year before'' are substituted for ''fiscal year preceding'', for clarity and consistency.

In subsection (a)(18), the words ''uncontrollable or'' are omitted as being included in ''relatively uncontrollable''.

In subsection (a)(19) and (20), the word ''receipts'' is substituted for ''revenues'' for consistency in the revised title.

Subsection (a)(20) is substituted for 31:11(f)(3) to eliminate unnecessary words.

In subsection (a)(21), the words ''the totality of'' are omitted as surplus.

In subsection (a)(22), the words ''budget outlays'' are substituted for ''outlays'' for consistency. The words ''beginning with the fiscal year ending September 30, 1979'' are omitted as executed.

In subsection (a)(23), the words ''for appropriations'' are substituted for ''amounts required for appropriations'' to eliminate unnecessary words. The words ''for mine health and safety'' and ''for occupational safety and health'' are omitted as unnecessary because of the restatement.

In subsection (a)(24), the words ''(as defined in section 9101(2) of this title)'' are added because the subsection is based on a law to which the defined term applies. The words ''decides are desirable'' are substituted for ''may wish to make'' for consistency.

In subsection (b), the words ''for such years'' in 31:11(a)(5)(words after 2d comma) are omitted because of the restatement. The words ''of the United States'' and ''by him'' are omitted as surplus. The words ''to be included in each budget under subsection (a)(5) of this section'' are added because of the restatement. The words ''before October 16'' are substituted for ''on or before October 15'', and the word ''change'' is substituted for ''revision'', for consistency.

In subsection (c), the words ''new taxes, loans, or other'' are omitted as being included in ''appropriate action''. The words ''in effect'' are substituted for ''existing'' for consistency. The word ''aggregate'' is omitted as surplus.

In subsection (d), the words ''When the President submits a budget or supporting information about a budget, the President'' are substituted for ''The Budget transmitted pursuant to subsection (a) of this section

for any fiscal year, or the supporting detail transmitted in connection therewith'' because of the restatement. The word ''changes'' is substituted for ''amendments and revisions'' to eliminate unnecessary words.

1983 ACT

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1105(a)(25)	31 App.:11(k)(1).	June 10, 1921, ch. 18, 42 Stat. 20, §201(k)(1); added Sept. 8, 1982, Pub. L. 97–255, §3, 96 Stat. 815.

The words ''The President shall include in the supporting detail accompanying each Budget'' are omitted as being included in the introductory provisions of 31:1105(a). The words ''submitted on or after January 1, 1983'' are omitted as executed. The words ''by the President'' and ''if any'' are omitted as surplus.

Editorial Notes

REFERENCES IN TEXT

The Occupational Safety and Health Act of 1970, referred to in subsec. (a)(23), is Pub. L. 91–596, Dec. 29, 1970, 84 Stat. 1590, which is classified principally to chapter 15 (§651 et seq.) of Title 29, Labor. For complete classification of this Act to the Code, see Short Title note set out under section 651 of Title 29 and Tables.

The Federal Mine Safety and Health Act of 1977, referred to in subsec. (a)(23), is Pub. L. 91–173, Dec. 30, 1969, 83 Stat. 742, as amended by Pub. L. 95–164, title I, §101, Nov. 9, 1977, 91 Stat. 1290, which is classified principally to chapter 22 (§801 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 801 of Title 30 and Tables.

Section 5 of the Federal Workforce Restructuring Act of 1994, referred to in subsec. (a)(30), is section 5 of Pub. L. 103–226, which is set out as a note under section 3101 of Title 5, Government Organization and Employees.

The Balanced Budget and Emergency Deficit Control Act of 1985, referred to in subsecs. (a)(32) and (f), is title II of Pub. L. 99–177, Dec. 12, 1985, 99 Stat. 1038. Section 257(b)(2) of the Act is classified to section 907(b)(2) of Title 2, The Congress. For complete classification of this Act to the Code, see Short Title note set out under section 900 of Title 2 and Tables.

The Emergency Economic Stabilization Act of 2008, referred to in subsec. (a)(36), is div. A of Pub. L. 110–343, Oct. 3, 2008, 122 Stat. 3765, which is classified principally to chapter 52 (§5201 et seq.) of Title 12, Banks and Banking. Section 123 of the Act is classified to section 5232 of Title 12. For complete classification of this Act to the Code, see Short Title note set out under section 5201 of Title 12 and Tables.

The Federal Credit Reform Act of 1990, referred to in subsec. (a)(36), is title V of Pub. L. 93–344, as added by Pub. L. 101–508, title XIII, §13201(a), Nov. 5, 1990, 104 Stat. 1388–609, which is classified generally to subchapter III (§661 et seq.) of chapter 17A of Title 2, The Congress. For complete classification of this Act to the Code, see Short Title note set out under section 621 of Title 2 and Tables.

Section 411 of the Crow Tribe Water Rights Settlement Act of 2010, referred to in subsec. (a)(38), is section 411 of Pub. L. 111–291, title IV, Dec. 8, 2010, 124 Stat. 3113, subsec. (h) of which amended this section. Subsecs. (a) to (g) of section 411, which relate to establishment of the Crow Settlement Fund, are not classified to the Code.

Section 801 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003, referred to in subsec. (h), is section 801 of Pub. L. 108–173, which is set out as a note under section 1395i of Title 42, The Public Health and Welfare.

Section 3 of the Federal Funding Accountability and Transparency Act of 2006, referred to in subsec. (i), is section 3 of Pub. L. 109–282, which is set out in a note under section 6101 of this title.

The date of enactment of this subsection, referred to in subsec. (i)(2)(B), is the date of enactment of Pub. L. 117–40, which was approved Sept. 24, 2021.

AMENDMENTS

2024—Subsec. (a)(39). Pub. L. 118–172 struck out par. (39) which read as follows: ''the list of plans and reports, as provided for under section 1125, that agencies identified for elimination or consolidation because the plans and reports are determined outdated or duplicative of other required plans and reports.''

2022—Subsec. (a)(25). Pub. L. 117–286 substituted ''section 401 of title 5.'' for ''section 11(2) of the Inspector General Act of 1978.''

2021—Subsec. (i). Pub. L. 117–40 added subsec. (i).

2017—Subsec. (a)(35). Pub. L. 115–31, §630(a)(2), substituted ''cybersecurity'' for ''homeland security'' wherever appearing.

Subsec. (a)(35)(B). Pub. L. 115–31, §630(a)(3), amended subpar. (B) generally. Prior to amendment, subpar. (B) read as follows: ''In implementing this paragraph, including determining what Federal activities or accounts constitute homeland security for purposes of budgetary classification, the Office of Management and Budget is directed to consult periodically, but at least annually, with the House and Senate Budget Committees, the House and Senate Appropriations Committees, and the Congressional Budget Office.''

Pub. L. 115–31, §630(a)(1), redesignated subpar. (C) as (B) and struck out former subpar. (B) which read as follows: ''In this paragraph, consistent with the Office of Management and Budget's June 2002 'Annual Report to Congress on Combatting Terrorism', the term 'homeland security' refers to those activities that detect, deter, protect against, and respond to terrorist attacks occurring within the United States and its territories.''

Subsec. (a)(35)(C). Pub. L. 115–31, §630(a)(1), redesignated subpar. (C) as (B).

2016—Subsec. (a)(37)(G). Pub. L. 114–315 added subpar. (G).

2014—Subsec. (a)(37). Pub. L. 113–235, §244(d)(1), added par. (37) and struck out former par. (37) relating to information on estimates of appropriations for certain medical care accounts of the Veterans Health Administration.

Subsec. (a)(39). Pub. L. 113–235, §244(d)(2), redesignated par. (37) relating to list of outdated or duplicative plans and reports identified for elimination or consolidation as par. (39).

2011—Subsec. (a)(33), (35). Pub. L. 111–352, §11(a)(1), made amendment identical to that made by Pub. L. 111–291, §411(h)(2). See 2010 Amendment note below.

Subsec. (a)(37). Pub. L. 111–352, §11(a)(2), added par. (37) relating to list of outdated or duplicative plans and reports identified for elimination or consolidation.

2010—Subsec. (a)(33), (35). Pub. L. 111–291, §411(h)(2), redesignated par. (33) relating to detailed, separate analysis of homeland security appropriations, obligational authority, and outlays as (35). Former par. (35) redesignated (36).

Subsec. (a)(36) to (38). Pub. L. 111–291, §411(h)(1), (3), redesignated par. (35) as (36) and (36) as (37) relating to information on estimates of appropriations for certain medical care accounts of the Veterans Health Administration and added par. (38).

2009—Subsec. (a)(36). Pub. L. 111–81 added par. (36).

2008—Subsec. (a)(33). Pub. L. 110–409 added par. (33) relating to appropriations for the Council of the Inspectors General on Integrity and Efficiency and struck out former subsec. (33) relating to separate account for Inspectors General Criminal Investigator Academy and Inspectors General Forensic Laboratory.

Subsec. (a)(35). Pub. L. 110–343 added par. (35).

2003—Subsec. (g)(2)(B)(ii). Pub. L. 108–178 inserted ''section'' before ''1102 of title 40''.

Subsec. (h). Pub. L. 108–173 added subsec. (h).

2002—Subsec. (a)(33). Pub. L. 107–296 added par. (33) relating to detailed, separate analysis of homeland security appropriations, obligational authority, and outlays.

Subsec. (a)(34). Pub. L. 107–189 added par. (34).

Subsec. (g)(2)(B)(ii). Pub. L. 107–217 substituted ''1102 of title 40'' for ''section 901 of the Brooks Architect-Engineers Act (40 U.S.C. 541)''.

2000—Subsec. (a)(33). Pub. L. 106–422 added par. (33) relating to separate account for Inspectors General Criminal Investigator Academy and Inspectors General Forensic Laboratory.

1999—Subsec. (a)(31). Pub. L. 106–58 added par. (31).

1998—Subsec. (a)(26). Pub. L. 105–277 added par. (26) relating to statement of appropriations requested for drug programs.

1997—Subsec. (a)(32). Pub. L. 105–33 added par. (32).

1996—Subsecs. (a)(26) to (31). Pub. L. 104–287 redesignated pars. (27) to (31) as (26) to (30), respectively. Former par. (26) previously terminated.

1994—Subsec. (a)(26), (27). Pub. L. 103–272 renumbered par. (26) as (27).

Subsec. (a)(30), (31). Pub. L. 103–322 added pars. (30) and (31).

Subsec. (g). Pub. L. 103–355 added subsec. (g).

1993—Subsec. (a)(29). Pub. L. 103–62 added par. (29).

1990—Subsec. (a). Pub. L. 101–508, §13112(c)(1), substituted ''On or after the first Monday in January but not later than the first Monday in February of each year'' for ''On or before the first Monday after January 3 of each year (or on or before February 5 in 1986)''.

Subsec. (a)(28). Pub. L. 101–576 added par. (28).

Subsec. (f). Pub. L. 101–508, §13112(c)(2), amended subsec. (f) generally, substituting ''The budget transmitted pursuant to subsection (a) for a fiscal year shall be prepared in a manner consistent with the requirements of the Balanced Budget and Emergency Deficit Control Act of 1985 that apply to that and subsequent fiscal years.'' for

''(f)(1) The budget transmitted pursuant to subsection (a) for a fiscal year shall be prepared on the basis of the best estimates then available, in such a manner as to ensure that the deficit for such fiscal year shall not exceed the maximum deficit amount for such fiscal year as determined under paragraph (7) of section 3 of the Congressional Budget and Impoundment Control Act of 1974.

''(2) The deficit set forth in the budget so transmitted for any fiscal year shall not exceed the maximum deficit amount for such fiscal year as determined under paragraph (7) of section 3 of the Congressional Budget and Impoundment Control Act of 1974, with budget outlays and Federal revenues at such levels as the President may consider most desirable and feasible.

''(3) The budget transmitted pursuant to subsection (a) for a fiscal year shall include a budget baseline estimate made in accordance with section 251(a)(6) of the Balanced Budget and Emergency Deficit Control Act of 1985 and using economic and technical assumptions consistent with the current services budget submitted under section 1109 for the fiscal year. If such budget baseline estimate differs from the estimate in the current services budget, the President shall explain the differences. The budget transmitted pursuant to subsection (a) for such fiscal year shall include the information required by section 251(a)(2) of such Act (other than account-level detail) assuming that the deficit in such budget baseline were the amount estimated by the Director of the Office of Management and Budget on August 25 of the calendar year in which the fiscal year begins.

''(4) Paragraphs (1) and (2) shall not apply with respect to fiscal year 1989 if the budget transmitted for such fiscal year provides for deficit reduction from a budget baseline deficit for such fiscal year (as defined by section 251(a)(6) of the Balanced Budget and Emergency Deficit Control Act of 1985 and based on laws in effect on January 1, 1988) equal to or greater than $36,000,000,000.

''(5) Paragraphs (1) and (2) shall not apply if a declaration of war by the Congress is in effect.''

1988—Subsec. (a)(25). Pub. L. 100–504 amended par. (25) generally. Prior to amendment, par. (25) read as follows: ''a separate statement, for each agency having an Office of Inspector General, of the amount of the appropriation requested for the Office.''

Subsec. (a)(26). Pub. L. 100–690, §§1006, 1009, temporarily added par. (26) relating to statement of appropriations requested for drug programs. See Effective and Termination Dates of 1988 Amendments note below.

Pub. L. 100–418, §§5301, 5303, temporarily added par. (26) which read as follows: ''an analysis, prepared by the Office of Management and Budget after consultation with the chairman of the Council of Economic Advisers, of the budget's impact on the international competitiveness of United States business and the United States balance of payments position and shall include the following projections, based upon the best information available at the time, for the fiscal year for which the budget is submitted—

''(A) the amount of borrowing by the Government in private credit markets;

''(B) net domestic savings (defined as personal savings, corporate savings, and the fiscal surplus of State and local governments);

''(C) net private domestic investment;

''(D) the merchandise trade and current accounts;

''(E) the net increase or decrease in foreign indebtedness (defined as net foreign investment); and

''(F) the estimated direction and extent of the influence of the Government's borrowing in private credit markets on United States dollar interest rates and on the real effective exchange rate of the United States dollar.''

See Effective and Termination Dates of 1988 Amendments note below.

1987—Subsec. (f)(3) to (5). Pub. L. 100–119 added pars. (3) and (4) and redesignated former par. (3) as (5).

1985—Subsec. (a). Pub. L. 99–177, §241(a), substituted ''On or before the first Monday after January 3 of each year (or on or before February 5 in 1986)'' for ''During the first 15 days of each regular session of Congress''.

Subsec. (f). Pub. L. 99–177, §241(b), added subsec. (f).

1984—Subsec. (e). Pub. L. 98–501 added subsec. (e).

1983—Subsec. (a)(25). Pub. L. 97–452 added par. (25).

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2017 AMENDMENT

Pub. L. 115–31, div. E, title VI, §630(b), May 5, 2017, 131 Stat. 376, provided that: ''The amendments made by subsection (a) [amending this section] shall apply to budget submissions under section 1105(a) of title 31, United States Code, for fiscal year 2018 and each subsequent fiscal year.''

EFFECTIVE DATE OF 2016 AMENDMENT

Pub. L. 114–315, title VI, §601(c), Dec. 16, 2016, 130 Stat. 1569, provided that: ''The amendments made by this section [amending this section and section 117 of Title 38, Veterans' Benefits] shall apply to fiscal years beginning on and after October 1, 2017.''

EFFECTIVE DATE OF 2008 AMENDMENT

Pub. L. 110–343, div. A, title II, §203(c), Oct. 3, 2008, 122 Stat. 3801, provided that: ''This section [amending this section and enacting provisions set out as a note under this section] and the amendment made by this section shall apply beginning with respect to the fiscal year 2010 budget submission of the President.''

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108–178 effective Aug. 21, 2002, see section 5 of Pub. L. 108–178, set out as a note under section 5334 of Title 5, Government Organization and Employees.

EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107–296 effective 60 days after Nov. 25, 2002, see section 4 of Pub. L. 107–296, set out as an Effective Date note under section 101 of Title 6, Domestic Security.

Pub. L. 107–296, title VIII, § 889(c), Nov. 25, 2002, 116 Stat. 2251, provided that: ''This section [amending this section and provisions set out as a note under section 2301 of Title 50, War and National Defense, and repealing provisions set out as a note under section 1113 of this title] and the amendment made by this section shall apply beginning with respect to the fiscal year 2005 budget submission.''

EFFECTIVE DATE OF 1999 AMENDMENT

Amendment by Pub. L. 106–58 effective at noon on Jan. 20, 2001, see section 638(h) of Pub. L. 106–58, set out as a note under section 503 of this title.

EFFECTIVE DATE OF 1994 AMENDMENT

For effective date and applicability of amendment by Pub. L. 103–355, see section 10001 of Pub. L. 103–355, set out as a note under section 8752 of Title 10, Armed Forces.

EFFECTIVE AND TERMINATION DATES OF 1988 AMENDMENTS

Amendment by Pub. L. 100–690 effective Jan. 21, 1989, and repealed Sept. 30, 1997, see sections 1012 and 1009, respectively, of Pub. L. 100–690.

Section 5303 of Pub. L. 100–418 provided that: ''The amendment made by section 5301 [amending this section] shall be effective for fiscal years 1989, 1990, 1991, and 1992, and shall be fully reflected in the budgets submitted by the President as required by section 1105(a) of title 31, United States Code, for each such fiscal year, and the amendment made by section 5302 [amending section 632 of Title 2, The Congress] shall be effective for fiscal years 1989, 1990, 1991, and 1992.''

Amendment by Pub. L. 100–504 effective 180 days after Oct. 18, 1988, see section 113 of Pub. L. 100–504, set out as a note under section 5315 of Title 5, Government Organization and Employees.

EFFECTIVE AND TERMINATION DATES OF 1985 AMENDMENT

Amendment of subsec. (a) and enactment of subsec. (f) of this section by Pub. L. 99–177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, but with subsec. (f) to expire Sept. 30, 2002, see section 275(a)(1), (b) of Pub. L. 99–177, formerly set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress, prior to repeal by Pub. L. 112–25, title I, § 104(a), Aug. 2, 2011, 125 Stat. 246.

REPEAL ON FAILURE TO MEET ENFORCEABILITY DATE

Pub. L. 111–291, title IV, § 415, Dec. 8, 2010, 124 Stat. 3121, provided that: ''If the Secretary does not publish a statement of findings under section 410(e) [124 Stat. 3112] not later than March 31, 2016, or the extended date agreed to by the Tribe and the Secretary, after reasonable notice to the State of Montana, as applicable—

''(1) this title [see Short Title of 2010 Amendment note set out under section 1101 of this title] is repealed effective April 1, 2016, or the day after the extended date agreed to by the Tribe and the Secretary after reasonable notice to the State of Montana, whichever is later;

''(2) any action taken by the Secretary and any contract or agreement pursuant to the authority provided under any provision of this title shall be void;

''(3) any amounts made available under section 414 [124 Stat. 3120], together with any interest on those amounts, shall immediately revert to the general fund of the Treasury;

''(4) any amounts made available under section 414 that remain unexpended shall immediately revert to the general fund of the Treasury; and

''(5) the United States shall be entitled to set off against any claims asserted by the Tribe against the United States relating to water rights—

''(A) any funds expended or withdrawn from the amounts made available pursuant to this title; and

''(B) any funds made available to carry out the activities authorized in this title from other authorized sources.''

[For definitions of terms used in section 415 of Pub. L. 111–291, set out above, see Pub. L. 111–291, title IV, § 403, Dec. 8, 2010, 124 Stat. 3097, which is not classified to the Code.]

[For notice of statement of findings under section 410(e) of Pub. L. 111–291 [124 Stat. 3112] effective June 22, 2016, see 81 F.R. 40720.]

CONSTRUCTION OF 1993 AMENDMENT

Amendment made by Pub. L. 103–62 not to be construed as creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person not an officer or employee of the United States acting in such capacity to have standing to file any civil action in any court of the United States to enforce any amendment made by Pub. L. 103–62, or to be construed as superseding any statutory requirement, see section 10 of Pub. L. 103–62, set out as a note under section 1101 of this title.

REPORTS ON OUTSTANDING GOVERNMENT ACCOUNTABILITY OFFICE AND INSPECTOR GENERAL RECOMMENDATIONS

Pub. L. 115–414, § 2, Jan. 3, 2019, 132 Stat. 5430, provided that:

''(a) DEFINITION.—In this section, the term 'agency' means—

''(1) a designated Federal entity, as defined in section 8G(a)(2) of the Inspector General Act of 1978 ([former] 5 U.S.C. App.) [see 5 U.S.C. 415(a)(1)];

''(2) an establishment, as defined in section 12(2) of the Inspector General Act of 1978 ([former] 5 U.S.C. App.) [see 5 U.S.C. 401(1)]; and

''(3) legislative branch agencies, including the Government Publishing Office, the Library of Congress, the Office of the Architect of the Capitol, and the United States Capitol Police.

''(b) REQUIRED REPORTS.—In the annual budget justification submitted to Congress, as submitted with the budget of the President under section 1105 of title 31, United States Code, each agency shall include—

''(1) a report listing each public recommendation of the Government Accountability Office that is designated by the Government Accountability Office as 'open' or 'closed, unimplemented' for a period of not less than 1 year preceding the date on which the annual budget justification is submitted;

''(2) a report listing each public recommendation for corrective action from the Office of Inspector General of the agency that—

''(A) was published not less than 1 year before the date on which the annual budget justification is submitted; and

''(B) for which no final action was taken as of the date on which the annual budget justification is submitted; and

''(3) a report on the implementation status of each public recommendation described in paragraphs (1) and (2), which shall include—

''(A) with respect to a public recommendation that is designated by the Government Accountability Office as 'open' or 'closed, unimplemented'—

''(i) that the agency has decided not to implement, a detailed justification for the decision; or

''(ii) that the agency has decided to adopt, a timeline for full implementation, to the extent practicable, if the agency determines that the recommendation has clear budget implications;

''(B) with respect to a public recommendation for corrective action from the Office of Inspector General of the agency for which no final action or action not recommended has been taken, an explanation of the reasons why no final action or action not recommended was taken with respect to each audit report to which the public recommendation for corrective action pertains;

''(C) with respect to an outstanding unimplemented public recommendation from the Office of Inspector General of the agency that the agency has decided to adopt, a timeline for implementation;

''(D) an explanation for any discrepancy between—

''(i) the reports submitted under paragraphs (1) and (2);

''(ii) the semiannual reports submitted by the Office of Inspector General of the agency under section 5 of the Inspector General Act of 1978 ([former] 5 U.S.C. App.) [see 5 U.S.C. 405]; and

''(iii) reports submitted by the Government Accountability Office relating to public recommendations that are designated by the Government Accountability Office as 'open' or 'closed, unimplemented'; and

''(E) for the first 12 months after a public recommendation is made, if the agency is determining whether to implement the public recommendation, a statement describing that the agency is doing so, which shall exempt the agency from the requirements under subparagraphs (B) and (C) with respect to that public recommendation.

''(c) COPIES OF SUBMISSIONS.—Each agency shall provide a copy of the information submitted under subsection (b) to the Government Accountability Office and the Office of Inspector General of the agency.''

ANNUAL AGENCY REPORTS REQUIRED

Pub. L. 113–235, div. D, title IV, § 404, Dec. 16, 2014, 128 Stat. 2331, provided that: ''For this fiscal year, and each fiscal year hereafter, each independent agency receiving funding under this title [see Tables for classification] shall submit to the Committees on Appropriations of the House of Representatives and the Senate a Congressional Budget Justification and a detailed annual report.''

ADMINISTRATIVE EXPENSES OF EXECUTIVE BRANCH ENTITIES; SEPARATE CATEGORIES

Pub. L. 111–85, title V, § 504, Oct. 28, 2009, 123 Stat. 2879, provided that:

''(a) DEFINITIONS.—In this section:

''(1) ADMINISTRATIVE EXPENSES.—The term 'administrative expenses' has the meaning as determined by the Director under subsection (b)(2).

''(2) AGENCY.—The term 'agency'—

''(A) means an agency as defined under section 1101 of title 31, United States Code, that is established in the executive branch and receives funding under this Act [Pub. L. 111–85, see Tables for classification]; and

''(B) shall not include the District of Columbia government.

''(3) DIRECTOR.—The term 'Director' means the Director of the Office of Management and Budget.

''(b) ADMINISTRATIVE EXPENSES.—

''(1) IN GENERAL.—All agencies shall include a separate category for administrative expenses when submitting their appropriation requests to the Office of Management and Budget for fiscal year 2011 and each fiscal year thereafter.

''(2) ADMINISTRATIVE EXPENSES DETERMINED.—In consultation with the agencies, the Director shall establish and revise as necessary a definition of administration expenses for the purposes of this section. All questions regarding the definition of administrative expenses shall be resolved by the Director.

''(c) BUDGET SUBMISSION.—Each budget of the United States Government submitted under section 1105 of title 31, United States Code, for fiscal year 2011 and each fiscal year thereafter shall include the amount requested for each agency for administrative expenses.''

CONSULTATION

Pub. L. 110–343, div. A, title II, § 203(b), Oct. 3, 2008, 122 Stat. 3801, provided that: ''In implementing this section [amending this section and enacting provisions set out as a note under this section], the Director of [the] Office of Management and Budget shall consult periodically, but at least annually, with the Committee on the Budget of the House of Representatives, the Committee on the Budget of the Senate, and the Director of the Congressional Budget Office.''

PROCEDURES IN THE HOUSE OF REPRESENTATIVES

Pub. L. 108–173, title VIII, § 803, Dec. 8, 2003, 117 Stat. 2360, provided that:

''(a) INTRODUCTION AND REFERRAL OF PRESIDENT'S LEGISLATIVE PROPOSAL.—

''(1) INTRODUCTION.—In the case of a legislative proposal submitted by the President pursuant to section 1105(h) of title 31, United States Code, within the 15-day period specified in paragraph (1) of such section, the Majority Leader of the House of Representatives (or his designee) and the Minority Leader of the House of Representatives (or his designee) shall introduce such proposal (by request), the title of which is as follows: 'A bill to respond to a medicare funding warning.' Such bill shall be introduced within 3 legislative days after Congress receives such proposal.

''(2) REFERRAL.—Any legislation introduced pursuant to paragraph (1) shall be referred to the appropriate committees of the House of Representatives.

''(b) DIRECTION TO THE APPROPRIATE HOUSE COMMITTEES.—

''(1) IN GENERAL.—In the House, in any year during which the President is required to submit proposed legislation to Congress under section 1105(h) of title 31, United States Code, the appropriate committees shall report medicare funding legislation by not later than June 30 of such year.

''(2) MEDICARE FUNDING LEGISLATION.—For purposes of this section, the term 'medicare funding legislation' means—

''(A) legislation introduced pursuant to subsection (a)(1), but only if the legislative proposal upon which the legislation is based was submitted within the 15-day period referred to in such subsection; or

''(B) any bill the title of which is as follows: 'A bill to respond to a medicare funding warning.'.

''(3) CERTIFICATION.—With respect to any medicare funding legislation or any amendment to such legislation to respond to a medicare funding warning, the chairman of the Committee on the Budget of the House shall certify—

''(A) whether or not such legislation eliminates excess general revenue medicare funding (as defined in section 801(c) [set out as a note under section 1395i of Title 42, The Public Health and Welfare]) for each fiscal year in the 7-fiscal-year reporting period; and

''(B) with respect to such an amendment, whether the legislation, as amended, would eliminate excess general revenue medicare funding (as defined in section 801(c)) for each fiscal year in such 7-fiscal-year reporting period.

''(c) FALLBACK PROCEDURE FOR FLOOR CONSIDERATION IF THE HOUSE FAILS TO VOTE ON FINAL PASSAGE BY JULY 30.—

''(1) After July 30 of any year during which the President is required to submit proposed legislation to Congress under section 1105(h) of title 31, United States Code, unless the House of Representatives has voted on final passage of any medicare funding legislation for which there is an affirmative certification under subsection (b)(3)(A), then, after the expiration of not less than 30 calendar days (and concurrently 5 legislative days), it is in order to move to discharge any committee to which medicare funding legislation which has such a certification and which has been referred to such committee for 30 calendar days from further consideration of the legislation.

''(2) A motion to discharge may be made only by an individual favoring the legislation, may be made only if supported by one-fifth of the total membership of

the House (a quorum being present), and is highly privileged in the House. Debate thereon shall be limited to not more than one hour, the time to be divided in the House equally between those favoring and those opposing the motion. An amendment to the motion is not in order, and it is not in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

''(3) Only one motion to discharge a particular committee may be adopted under this subsection in any session of a Congress.

''(4) Notwithstanding paragraph (1), it shall not be in order to move to discharge a committee from further consideration of medicare funding legislation pursuant to this subsection during a session of a Congress if, during the previous session of the Congress, the House passed medicare funding legislation for which there is an affirmative certification under subsection (b)(3)(A).

''(d) FLOOR CONSIDERATION IN THE HOUSE OF DISCHARGED LEGISLATION.—

''(1) In the House, not later than 3 legislative days after any committee has been discharged from further consideration of legislation under subsection (c), the Speaker shall resolve the House into the Committee of the Whole for consideration of the legislation.

''(2) The first reading of the legislation shall be dispensed with. All points of order against consideration of the legislation are waived. General debate shall be confined to the legislation and shall not exceed five hours, which shall be divided equally between those favoring and those opposing the legislation. After general debate the legislation shall be considered for amendment under the five-minute rule. During consideration of the legislation, no amendments shall be in order in the House or in the Committee of the Whole except those for which there has been an affirmative certification under subsection (b)(3)(B). All points of order against consideration of any such amendment in the Committee of the Whole are waived. The legislation, together with any amendments which shall be in order, shall be considered as read. During the consideration of the bill for amendment, the Chairman of the Committee of the Whole may accord priority in recognition on the basis of whether the Member offering an amendment has caused it to be printed in the portion of the Congressional Record designated for that purpose in clause 8 of Rule XVIII of the Rules of the House of Representatives. Debate on any amendment shall not exceed one hour, which shall be divided equally between those favoring and those opposing the amendment, and no pro forma amendments shall be offered during the debate. The total time for debate on all amendments shall not exceed 10 hours. At the conclusion of consideration of the legislation for amendment, the Committee shall rise and report the legislation to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the legislation and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of Rule XIV of the Rules of the House of Representatives, resolve into the Committee of the Whole for further consideration of the bill.

''(3) All appeals from the decisions of the Chair relating to the application of the Rules of the House of Representatives to the procedure relating to any such legislation shall be decided without debate.

''(4) Except to the extent specifically provided in the preceding provisions of this subsection, consideration of any such legislation and amendments thereto (or any conference report thereon) shall be governed by the Rules of the House of Representatives applicable to other bills and resolutions, amendments, and conference reports in similar circumstances.

''(e) LEGISLATIVE DAY DEFINED.—As used in this section, the term 'legislative day' means a day on which the House of Representatives is in session.

''(f) RESTRICTION ON WAIVER.—In the House, the provisions of this section may be waived only by a rule or order proposing only to waive such provisions.

''(g) RULEMAKING POWER.—The provisions of this section are enacted by the Congress—

''(1) as an exercise of the rulemaking power of the House of Representatives and, as such, shall be considered as part of the rules of that House and shall supersede other rules only to the extent that they are inconsistent therewith; and

''(2) with full recognition of the constitutional right of that House to change the rules (so far as they relate to the procedures of that House) at any time, in the same manner, and to the same extent as in the case of any other rule of that House.''

PROCEDURES IN THE SENATE

Pub. L. 108–173, title VIII, § 804, Dec. 8, 2003, 117 Stat. 2363, provided that:

''(a) INTRODUCTION AND REFERRAL OF PRESIDENT'S LEGISLATIVE PROPOSAL.—

''(1) INTRODUCTION.—In the case of a legislative proposal submitted by the President pursuant to section 1105(h) of title 31, United States Code, within the 15-day period specified in paragraph (1) of such section, the Majority Leader and Minority Leader of the Senate (or their designees) shall introduce such proposal (by request), the title of which is as follows: 'A bill to respond to a medicare funding warning.' Such bill shall be introduced within 3 days of session after Congress receives such proposal.

''(2) REFERRAL.—Any legislation introduced pursuant to paragraph (1) shall be referred to the Committee on Finance.

''(b) MEDICARE FUNDING LEGISLATION.—For purposes of this section, the term 'medicare funding legislation' means—

''(1) legislation introduced pursuant to subsection (a)(1), but only if the legislative proposal upon which the legislation is based was submitted within the 15-day period referred to in such subsection; or

''(2) any bill the title of which is as follows: 'A bill to respond to a medicare funding warning.'.

''(c) QUALIFICATION FOR SPECIAL PROCEDURES.—

''(1) IN GENERAL.—The special procedures set forth in subsections (d) and (e) shall apply to medicare funding legislation, as described in subsection (b), only if the legislation—

''(A) is medicare funding legislation that is passed by the House of Representatives; or

''(B) contains matter within the jurisdiction of the Committee on Finance in the Senate.

''(2) FAILURE TO QUALIFY FOR SPECIAL PROCEDURES.—If the medicare funding legislation does not satisfy paragraph (1), then the legislation shall be considered under the ordinary procedures of the Standing Rules of the Senate.

''(d) DISCHARGE.—

''(1) IN GENERAL.—If the Committee on Finance has not reported medicare funding legislation described in subsection (c)(1) by June 30 of a year in which the President is required to submit medicare funding legislation to Congress under section 1105(h) of title 31, United States Code, then any Senator may move to discharge the Committee of any single medicare funding legislation measure. Only one such motion shall be in order in any session of Congress.

''(2) DEBATE LIMITS.—Debate in the Senate on any such motion to discharge, and all appeals in connection therewith, shall be limited to not more than 2 hours. The time shall be equally divided between, and controlled by, the maker of the motion and the Majority Leader, or their designees, except that in the event the Majority Leader is in favor of such motion, the time in opposition thereto shall be controlled by

the Minority Leader or the Minority Leader's designee. A point of order under this subsection may be made at any time. It is not in order to move to proceed to another measure or matter while such motion (or the motion to reconsider such motion) is pending.

''(3) AMENDMENTS.—No amendment to the motion to discharge shall be in order.

''(4) EXCEPTION IF CERTIFIED LEGISLATION ENACTED.—Notwithstanding paragraph (1), it shall not be in order to discharge the Committee from further consideration of medicare funding legislation pursuant to this subsection during a session of a Congress if the chairman of the Committee on the Budget of the Senate certifies that medicare funding legislation has been enacted that eliminates excess general revenue medicare funding (as defined in section 801(c) [set out as a note under section 1395i of Title 42, The Public Health and Welfare]) for each fiscal year in the 7-fiscal-year reporting period.

''(e) CONSIDERATION.—After the date on which the Committee on Finance has reported medicare funding legislation described in subsection (c)(1), or has been discharged (under subsection (d)) from further consideration of, such legislation, it is in order (even though a previous motion to the same effect has been disagreed to) for any Member of the Senate to move to proceed to the consideration of such legislation.

''(f) RULES OF THE SENATE.—This section is enacted by the Senate—

''(1) as an exercise of the rulemaking power of the Senate and as such it is deemed a part of the rules of the Senate, but applicable only with respect to the procedure to be followed in the Senate in the case of a bill described in this paragraph, and it supersedes other rules only to the extent that it is inconsistent with such rules; and

''(2) with full recognition of the constitutional right of the Senate to change the rules (so far as relating to the procedure of the Senate) at any time, in the same manner, and to the same extent as in the case of any other rule of the Senate.''

[For definition of ''7-fiscal-year reporting period'' as used in section 804 of Pub. L. 108–173, set out above, see section 801(a)(3) of Pub. L. 108–173, set out as a note under section 1395i of Title 42, The Public Health and Welfare.]

TRANSPORTATION SECURITY ADMINISTRATION

Pub. L. 107–71, title I, §142, Nov. 19, 2001, 115 Stat. 644, provided that: ''The President's budget submission for fiscal year 2003 and each fiscal year thereafter shall reflect the establishment of the Transportation Security Administration.''

[For transfer of functions, personnel, assets, and liabilities of the Transportation Security Administration of the Department of Transportation, including the functions of the Secretary of Transportation, and of the Under Secretary of Transportation for Security, relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 203(2), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

ANNUAL STATEMENT AND REPORT ON RULES AND REGULATIONS

Pub. L. 106–554, §1(a)(3) [title VI, §624], Dec. 21, 2000, 114 Stat. 2763, 2763A–161, as amended by Pub. L. 117–286, §4(a)(194), Dec. 27, 2022, 136 Stat. 4327, provided that:

''(a) IN GENERAL.—For calendar year 2002 and each year thereafter, the Director of the Office of Management and Budget shall prepare and submit to Congress, with the budget submitted under section 1105 of title 31, United States Code, an accounting statement and associated report containing—

''(1) an estimate of the total annual costs and benefits (including quantifiable and nonquantifiable effects) of Federal rules and paperwork, to the extent feasible—

''(A) in the aggregate;

''(B) by agency and agency program; and

''(C) by major rule;

''(2) an analysis of impacts of Federal regulation on State, local, and tribal government, small business, wages, and economic growth; and

''(3) recommendations for reform.

''(b) NOTICE.—The Director of the Office of Management and Budget shall provide public notice and an opportunity to comment on the statement and report under subsection (a) before the statement and report are submitted to Congress.

''(c) GUIDELINES.—To implement this section, the Director of the Office of Management and Budget shall issue guidelines to agencies to standardize—

''(1) measures of costs and benefits; and

''(2) the format of accounting statements.

''(d) PEER REVIEW.—The Director of the Office of Management and Budget shall provide for independent and external peer review of the guidelines and each accounting statement and associated report under this section. Such peer review shall not be subject to chapter 10 of title 5, United States Code.''

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 106–58, title VI, §628, Sept. 29, 1999, 113 Stat. 472.

Pub. L. 105–277, div. A, §101(h) [title VI, §638], Oct. 21, 1998, 112 Stat. 2681–480, 2681–525.

FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION

Pub. L. 106–159, title I, §107(b), Dec. 9, 1999, 113 Stat. 1758, provided that: ''The President's budget submission for fiscal year 2001 and each fiscal year thereafter shall reflect the establishment of the Federal Motor Carrier Safety Administration in accordance with this Act [see Tables for classification].''

ADMINISTRATIVE EXPENSES OF LEGISLATIVE BRANCH ENTITIES; SEPARATE CATEGORIES; COMPLIANCE REPORTING

Pub. L. 103–69, title III, §308, Aug. 11, 1993, 107 Stat. 710, as amended by Pub. L. 104–316, title I, §115(c), Oct. 19, 1996, 110 Stat. 3834, for fiscal years 1995, 1996, and 1997, required submissions in support of amounts included in Budget for each entity of the legislative branch to set forth a separate category for administrative expenses, for fiscal years 1993 and 1994, required administrative expenses for each entity of the legislative branch to be calculated and submitted in a separate category in same format as if submitted in support of amounts included in the Budget, for fiscal years 1994, 1995, 1996, and 1997, required submissions in the separate category for administrative expenses for each entity of the legislative branch to include reductions by a specific percentage for fiscal years 1994 to 1997, and authorized the Comptroller General to carry out compliance reporting under this section.

SEPARATE OBJECT CLASS FOR CONSULTING SERVICES IN ANNUAL BUDGETS

Pub. L. 102–394, title V, §512, Oct. 6, 1992, 106 Stat. 1826, which directed the Office of Management and Budget to establish funding for consulting services for each department and agency as separate object class in each budget annually submitted to Congress under this section, was repealed and restated in subsec. (g) of this section by Pub. L. 103–355, title II, §2454(a), (b), Oct. 13, 1994, 108 Stat. 3326.

NASA TRIENNIAL BUDGET REQUESTS AND ESTIMATES

Pub. L. 100–685, title I, §104, Nov. 17, 1988, 102 Stat. 4086, provided that: ''Commencing in fiscal year 1990 and every year thereafter, the President shall submit to Congress a budget request for the National Aeronautics and Space Administration for the immediate fiscal year and the following fiscal year, and include budget estimates for the third fiscal year.''

TWO-YEAR BUDGET CYCLE FOR COAST GUARD

Pub. L. 102–241, §11, Dec. 19, 1991, 105 Stat. 2212, provided that: ''Notwithstanding another law, the Presi-

dent is not required to submit a two-year budget request for the Coast Guard until the President is required to submit a two-year budget request for the Department of Transportation.''

[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

Pub. L. 100–448, § 24, Sept. 28, 1988, 102 Stat. 1847, provided that:

''(a) OPINION OF CONGRESS.—It is the opinion of the Congress that the programs and activities of the Coast Guard could be more effectively and efficiently planned and managed if funds for the Coast Guard were provided on a 2-year cycle rather than annually.

''(b) SUBMISSION OF 2-YEAR BUDGET BY PRESIDENT.—The President shall include in the budget for fiscal year 1990 submitted to the Congress pursuant to section 1105 of title 31, United States Code, a single proposed budget for the Coast Guard for fiscal years 1990 and 1991. Thereafter, the President shall submit a proposed 2-year budget for the Coast Guard every other year.

''(c) REPORT.—Not later than October 1, 1988, the Secretary of the department in which the Coast Guard is operating shall submit to the Committee on Commerce, Science, and Transportation and the Committee on Appropriations of the Senate and to the Committee on Merchant Marine and Fisheries and the Committee on Appropriations of the House of Representatives a report containing—

''(1) the Secretary's views on the advantages and disadvantages of operating the Coast Guard on a 2-year budget cycle;

''(2) the Secretary's plans for converting to a 2-year budget cycle; and

''(3) a description of any impediments (statutory or otherwise) to converting the operations of the Coast Guard to a 2-year budget cycle beginning with fiscal year 1990.''

[For transfer of authorities, functions, personnel, and assets of the Coast Guard, including the authorities and functions of the Secretary of Transportation relating thereto, to the Department of Homeland Security, and for treatment of related references, see sections 468(b), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

WATER AND SEWER SERVICES FURNISHED TO GOVERNMENT FACILITIES IN DISTRICT OF COLUMBIA

Pub. L. 100–202, § 101(c) [title I, § 136], Dec. 22, 1987, 101 Stat. 1329–90, 1329–102, provided that: ''After the effective date of this Joint Resolution [Dec. 22, 1987], the President shall include, without change, in each annual budget submitted to the Congress under section 1105 of title 31, United States Code, the values estimated by the Mayor of the District of Columbia for water and water services and sanitary sewer services furnished to facilities of the United States Government under sections 106 and 212 of the District of Columbia Public Works Act of 1954, as amended (D.C. Code, sections 43–1552, 43–1612).''

TWO-YEAR BUDGET CYCLE FOR DEPARTMENT OF DEFENSE

Pub. L. 99–145, title XIV, § 1405, Nov. 8, 1985, 99 Stat. 744, which related to congressional findings concerning a two-year budget cycle for the Defense Department, requirement that President submit two-year budget proposals, and a report by the Secretary of Defense to be submitted not later than Apr. 1, 1986, was repealed by Pub. L. 110–181, div. A, title X, § 1006, Jan. 28, 2008, 122 Stat. 303.

FEDERAL CAPITAL INVESTMENT PROGRAM; CONGRESSIONAL STATEMENT OF PURPOSES

Pub. L. 98–501, title II, § 202, Oct. 19, 1984, 98 Stat. 2324, provided that: ''The purposes of this title [amending this section and enacting provisions set out as notes under this section and section 1101 of this title] are—

''(1) to provide budget projections for major Federal capital investment programs;

''(2) to provide a summary of the most recent needs assessment analyses for these programs;

''(3) to provide information on the sensitivity of the needs estimates to major policy issues and technical and economic variables;

''(4) to assist the planning capabilities of State and local governments on the assessment of major capital investment programs; and

''(5) to improve legislative oversight over Federal capital investment programs.''

DEFICIT REDUCTION FUND

For provisions requiring information about Deficit Reduction Fund, including a separate statement of amounts in and Federal debt redeemed by that Fund to be included in budget transmitted under this section, see Ex. Ord. No. 12858, § 3, Aug. 4, 1993, 58 F.R. 42185, set out as a note under section 900 of Title 2, The Congress.

BUDGET CONTROL

For provisions requiring annual review of direct spending and receipts to be part of each budget submitted under subsec. (a) of this section, see Ex. Ord. No. 12857, § 3, Aug. 4, 1993, 58 F.R. 42181, formerly set out as a note under section 900 of Title 2, The Congress.

Executive Documents

EX. ORD. NO. 6715. FILING OF FUNCTIONAL ORGANIZATION CHARTS WITH THE DIRECTOR OF THE BUREAU OF THE BUDGET

Ex. Ord. No. 6715, May 23, 1934, provided in part:

(1) Each executive department, independent establishment, and emergency agency shall file with the Director of the Bureau of the Budget [now Director of Office of Management and Budget] a functional organization chart, indicating its various existing bureaus, divisions, sections, etc., and containing a description of the functions respectively performed, and shall file such additional charts from time to time, as may be necessary to show all changes made therein.

(2) Every executive department, independent establishment, and emergency agency hereafter created shall within 5 days after the appointment of the head thereof file a preliminary functional organization chart with the Director of the Bureau of the Budget.

(3) The Director of the Bureau of the Budget is hereby authorized to prescribe, subject to the approval of the President, such rules and regulations as will indicate the information desired and the form of chart to be furnished.

FRANKLIN D. ROOSEVELT.

ASSIGNMENT OF FUNCTION REGARDING MEDICARE FUNDING

Memorandum of the President of the United States, Feb. 14, 2008, 73 F.R. 9169, provided:

Memorandum for the Secretary of Health and Human Services

By the authority vested in me as President by the Constitution and the laws of the United States, including section 301 of title 3, United States Code, you are directed to perform the function of the President as described under section 802 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108–173, 31 U.S.C. 1105(h)(1)).

You are authorized and directed to publish this memorandum in the Federal Register.

GEORGE W. BUSH.

§ 1106. Supplemental budget estimates and changes

(a) Before July 16 of each year, the President shall submit to Congress a supplemental summary of the budget for the fiscal year for which the budget is submitted under section 1105(a) of this title. The summary shall include—

(1) for that fiscal year—

(A) substantial changes in or reappraisals of estimates of expenditures and receipts;

(B) substantial obligations imposed on the budget after its submission;

(C) current information on matters referred to in section 1105(a)(8) and (9)(B) and (C) of this title; and

(D) additional information the President decides is advisable to provide Congress with complete and current information about the budget and current estimates of the functions, obligations, requirements, and financial condition of the United States Government;

(2) for the 4 fiscal years following the fiscal year for which the budget is submitted, information on estimated expenditures for programs authorized to continue in future years, or that are considered mandatory, under law; and

(3) for future fiscal years, information on estimated expenditures of balances carried over from the fiscal year for which the budget is submitted.

(b) Before July 16 of each year, the President shall submit to Congress a statement of changes in budget authority requested, estimated budget outlays, and estimated receipts for the fiscal year for which the budget is submitted (including prior changes proposed for the executive branch of the Government) that the President decides are necessary and appropriate based on current information. The statement shall include the effect of those changes on the information submitted under section 1105(a)(1)–(14) and (b) of this title and shall include supporting information as practicable. The statement submitted before July 16 may be included in the information submitted under subsection (a)(1) of this section.

(c) Subsection (f) of section 1105 shall apply to revisions and supplemental summaries submitted under this section to the same extent that such subsection applies to the budget submitted under section 1105(a) to which such revisions and summaries relate.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 911; Pub. L. 99–177, title II, § 242, Dec. 12, 1985, 99 Stat. 1063.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1106(a)	31:11(b), (c).	June 10, 1921, ch. 18, 42 Stat. 20, § 201(b), (c); added Aug. 25, 1958, Pub. L. 85–759, § 1, 72 Stat. 852; restated Oct. 26, 1970, Pub. L. 91–510, § 221(b), 84 Stat. 1169; July 12, 1974, Pub. L. 93–344, § 602, 88 Stat. 324.
1106(b)	31:11(g)(1st–3d sentences).	June 10, 1921, ch. 18, 42 Stat. 20, § 201(g)(1st–3d sentences); added July 12, 1974, Pub. L. 93–344, § 601, 88 Stat. 323.

In subsection (a), before clause (1), the words ''Before July 16'' are substituted for ''on or before July 15'' for consistency. The words ''budget for the fiscal year for which the budget is submitted'' are substituted for ''Budget for the ensuing fiscal year transmitted to the Congress by the President'' to eliminate unnecessary words and for consistency in the chapter. The words ''in such form and detail as he may determine'' are omitted as unnecessary. In clause (1)(D), the words ''in summary form'' and ''summary of'' are omitted as unnecessary. The word ''necessary'' is omitted as being included in ''advisable''. In clauses (2) and (3), the word ''information'' is substituted for ''summaries'' because of the restatement. In clause (2), the words ''programs authorized to continue in future years, or that are considered mandatory, under law'' are substituted for ''continuing programs which have a legal commitment for future years or are considered mandatory under existing law'' for consistency.

In subsection (b), the words ''Before April 11 and July 16'' are substituted for ''on or before April 10 and July 15'', the word ''changes'' is substituted for ''all amendments to or revisions in'', and the words ''budget outlays'' are substituted for ''outlays'', the words ''fiscal year for which the budget is submitted'' are substituted for ''ensuing fiscal year set forth in the Budget transmitted pursuant to subsection (a) of this section'', for consistency. The word ''information'' is substituted for ''summary data'' because of the restatement.

Editorial Notes

AMENDMENTS

1985—Subsec. (b). Pub. L. 99–177, § 242(a), struck out ''April 11 and'' before ''July 16''.

Subsec. (c). Pub. L. 99–177, § 242(b), added subsec. (c).

Statutory Notes and Related Subsidiaries

EFFECTIVE AND TERMINATION DATES OF 1985 AMENDMENT

Amendment by Pub. L. 99–177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, but with subsec. (c) to expire Sept. 30, 2002, see section 275(a)(1), (b) of Pub. L. 99–177, formerly set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress, prior to repeal by Pub. L. 112–25, title I, § 104(a), Aug. 2, 2011, 125 Stat. 246.

§ 1107. Deficiency and supplemental appropriations

The President may submit to Congress proposed deficiency and supplemental appropriations the President decides are necessary because of laws enacted after the submission of the budget or that are in the public interest. The President shall include the reasons for the submission of the proposed appropriations and the reasons the proposed appropriations were not included in the budget. When the total proposed appropriations would have required the President to make a recommendation under section 1105(c) of this title if they had been included in the budget, the President shall make a recommendation under that section. The President shall transmit promptly to Congress without change, proposed deficiency and supplemental appropriations submitted to the President by the legislative branch and the judicial branch.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 911; Pub. L. 112–74, div. C, title VI, § 619, Dec. 23, 2011, 125 Stat. 926.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1107	31:14.	June 10, 1921, ch. 18, §203, 42 Stat. 21; restated Sept. 12, 1950, ch. 946, §102(b), 64 Stat. 833.

In the section, the words ''reach an aggregate which'' are omitted as surplus.

Editorial Notes

AMENDMENTS

2011—Pub. L. 112–74 inserted at end ''The President shall transmit promptly to Congress without change, proposed deficiency and supplemental appropriations submitted to the President by the legislative branch and the judicial branch.''

§ 1108. Preparation and submission of appropriations requests to the President

(a) In this section (except subsections (b)(1) and (e)), ''agency'' means a department, agency, or instrumentality of the United States Government.

(b)(1) The head of each agency shall prepare and submit to the President each appropriation request for the agency. The request shall be prepared and submitted in the form prescribed by the President under this chapter and by the date established by the President. When the head of an agency does not submit a request by that date, the President shall prepare the request for the agency to be included in the budget or changes in the budget or as deficiency and supplemental appropriations. The President may change agency appropriation requests. Agency appropriation requests shall be developed from cost-based budgets in the way and at times prescribed by the President. The head of the agency shall use the cost-based budget to administer the agency and to divide appropriations or amounts.

(2) An officer or employee of an agency in the executive branch may submit to the President or Congress a request for legislation authorizing deficiency or supplemental appropriations for the agency only with the approval of the head of the agency.

(c) The head of an agency shall include with an appropriation request submitted to the President a report that the statement of obligations submitted with the request contains obligations consistent with section 1501 of this title. The head of the agency shall support the report with a certification of the consistency and shall support the certification with records showing that the amounts have been obligated. The head of the agency shall designate officials to make the certifications, and those officials may not delegate the duty to make the certifications. The certifications and records shall be kept in the agency—

(1) in a form that makes audits and reconciliations easy; and

(2) for a period necessary to carry out audits and reconciliations.

(d) To the extent practicable, the head of an agency shall—

(1) provide information supporting the agency's budget request for its missions by function and subfunction (including the mission of each organizational unit of the agency); and

(2) relate the agency's programs to its missions.

(e) Except as provided in subsection (f) of this section, an officer or employee of an agency (as defined in section 1101 of this title) may submit to Congress or a committee of Congress an appropriations estimate or request, a request for an increase in that estimate or request, or a recommendation on meeting the financial needs of the Government only when requested by either House of Congress.

(f) The Interstate Commerce Commission shall submit to Congress copies of budget estimates, requests, and information (including personnel needs), legislative recommendations, prepared testimony for congressional hearings, and comments on legislation at the same time they are sent to the President or the Office of Management and Budget. An officer of an agency may not impose conditions on or impair communication by the Commission with Congress, or a committee or member of Congress, about the information.

(g) Amounts available under law are available for field examinations of appropriation estimates. The use of the amounts is subject only to regulations prescribed by the appropriate standing committees of Congress.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 912.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1108(a)	(no source).	
1108(b)(1)	31:16(last sentence related to appropriations requests).	June 10, 1921, ch. 18, §207(last sentence related to appropriations requests), 42 Stat. 22; restated Sept. 12, 1950, ch. 946, §102(e), 64 Stat. 833; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
	31:22, 23.	June 10, 1921, ch. 18, §§214, 215, 42 Stat. 23; restated Sept. 12, 1950, ch. 946, §102(f), (g), 64 Stat. 833; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
	31:24(a).	June 10, 1921, ch. 18, §216(a), 42 Stat. 23; restated Sept. 12, 1950, ch. 946, §102(h), 64 Stat. 834; Aug. 1, 1956, ch. 814, §1(b), 70 Stat. 782; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
	31:24(b), (c).	June 10, 1921, ch. 18, 42 Stat. 20, §216(b), (c); added Aug. 1, 1956, ch. 814, §1(b), 70 Stat. 782.
1108(b)(2)	31:581b.	Sept. 12, 1950, ch. 946, §201, 64 Stat. 838; Reorg. Plan. No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
1108(c)	31:200(b).	Aug. 26, 1954, ch. 935, §1311(b), 68 Stat. 830; restated July 8, 1959, Pub. L. 86–79, §210(a), 73 Stat. 167; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
	31:200(c).	Aug. 26, 1954, ch. 935, §1311(c), 68 Stat. 831.
1108(d)	31:11(i)(last sentence).	June 10, 1921, ch. 18, 42 Stat. 20, §201(i)(last sentence); added July 12, 1974, Pub. L. 93–344, §601, 88 Stat. 323.
1108(e)	31:15.	June 10, 1921, ch. 18, §206, 42 Stat. 21.
1108(f)	31:11(j).	June 10, 1921, ch. 18, 42 Stat. 20, §201(j); added Feb. 5, 1976, Pub. L. 94–210, §311, 90 Stat. 60.
1108(g)	31:22a.	Aug. 7, 1953, ch. 340, §1314, 67 Stat. 438.

Subsection (a) is included because the source provisions restated in subsections (c), (d), (f), and (g) of the revised section are derived from laws that apply to all organizational units and branches of the United States Government rather than the units and branches included in the chapter-wide definition in section 1101.

In subsection (b)(1), the word ''President'' is substituted for ''Office'' in 31:16(last sentence) and ''Office of Management and Budget'' in 31:23 and 24(a) because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The words ''prepare'' is substituted for ''prepare or cause to be prepared'' in 31:22 to eliminate unnecessary words. The word ''appropriations'' is substituted for ''regular, supplementary, or deficiency appropriations'' in 31:22 and 24(a) to eliminate unnecessary words. The words ''in each year'' are omitted as surplus. The words ''in the form prescribed by the President under this chapter and by the date established by the President'' are substituted for ''on or before a date which the President shall determine'' in 31:23, and ''as the President may determine in accordance with the provisions of section 11 of this title'' and ''in such manner and at such times as may be determined by the President'' in 31:24, to eliminate unnecessary words and to provide a cross-reference to the authority of the President to prepare and submit budgets and appropriations request. The words ''prepare the request for the agency to be included in the budget or changes in the budget or as deficiency or supplemental appropriations'' are substituted for ''cause such requests to be prepared as are necessary to enable him to include such requests with the Budget in respect to the work of such department or establishment'' in 31:23 for clarity and because of the restatement. The word ''change'' is substituted for ''assemble, correlate, revise, reduce, or increase'' in 31:16 (last sentence) to eliminate unnecessary words. The words ''The head of the agency shall use'' are substituted for ''shall be used by all departments and establishments and their subordinate units'' and ''shall be made on the basis of'' in 31:24 as being more precise. The word ''operation'' is omitted as being included in ''administer''. The word ''amounts'' is substituted for ''funds'' for consistency in the revised title. The word ''divide'' is substituted for ''administrative subdivisions'' because of the restatement.

In subsection (b)(2), the words ''deficiency or supplemental appropriations'' are substituted for ''subsequent appropriations'' for consistency. The words ''the Office of Management and Budget'' are omitted because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The words ''the agency'' are substituted for ''by such department or establishment, or by any organization unit thereof'' to eliminate unnecessary words.

In subsection (c), before clause (1), the word ''President'' is substituted for ''Office of Management and Budget'' in 31:200(b) because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The words ''submitted with the request contains obligations consistent with'' are substituted for ''furnished therewith consists of valid obligations as defined in'' for clarity and because of the restatement. The words ''The head of the agency shall support the report with a certification of the consistency'' are substituted for ''Each report made pursuant to subsection (b) of this section shall be supported by certifications'' in 31:200(c) for clarity. The words ''duty to make certifications'' are substituted for ''responsibility'' for consistency.

In subsection (d)(1), the words ''its missions'' are substituted for ''its assigned mission'', and the words ''the mission'' are substituted for ''mission responsibilities'', to eliminate unnecessary words.

In subsection (d)(2), the word ''mission'' is substituted for ''agency missions'' to eliminate unnecessary words.

In subsection (e), the words ''Except as provided in subsection (f) of this section'' are added because of the restatement. The word ''financial'' is substituted for ''revenue'' for consistency in the revised title.

In subsection (f), the word ''personnel'' is substituted for ''manpower'', and the words ''at the same time'' are substituted for ''concurrently'', for clarity. The words ''officer of an agency'' are substituted for ''officer or agency'' as being more precise. The word ''prohibit'' is omitted as being included in ''impose conditions on or impair''. The word ''communication'' is substituted for ''free communication'' to eliminate a surplus word. The words ''about the information'' are substituted for ''with respect to any budget estimate or request of the Commission'' for consistency and to eliminate unnecessary words.

In subsection (g), the word ''Amounts'' is substituted for ''Funds'', the word ''law'' is substituted for ''Act'', and the words ''regulations prescribed'' are substituted for ''regulations'', for consistency in the revised title. The words ''of Congress'' are added for clarity.

Statutory Notes and Related Subsidiaries

ABOLITION OF INTERSTATE COMMERCE COMMISSION AND TRANSFER OF FUNCTIONS

Interstate Commerce Commission abolished and functions of Commission transferred, except as otherwise provided in Pub. L. 104–88, to Surface Transportation Board effective Jan. 1, 1996, by section 1302 of Title 49, Transportation, and section 101 of Pub. L. 104–88, set out as a note under section 1301 of Title 49. References to Interstate Commerce Commission deemed to refer to Surface Transportation Board, a member or employee of the Board, or Secretary of Transportation, as appropriate, see section 205 of Pub. L. 104–88, set out as a note under section 1301 of Title 49.

§ 1109. Current programs and activities estimates

(a) On or before the first Monday after January 3 of each year (on or before February 5 in 1986), the President shall submit to both Houses of Congress the estimated budget outlays and proposed budget authority that would be included in the budget for the following fiscal year if programs and activities of the United States Government were carried on during that year at the same level as the current fiscal year without a change in policy. The President shall state the estimated budget outlays and proposed budget authority by function and subfunction under the classifications in the budget summary table under the heading ''Budget Authority and Outlays by Function and Agency'', by major programs in each function, and by agency. The President also shall include a statement of the economic and program assumptions on which those budget outlays and budget authority are based, including inflation, real economic growth, and unemployment rates, program caseloads, and pay increases.

(b) The Joint Economic Committee shall review the estimated budget outlays and proposed budget authority and submit an economic evaluation of the budget outlays and budget authority to the Committees on the Budget of both Houses before March 1 of each year.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 913; Pub. L. 99–177, title II, § 222, Dec. 12, 1985, 99 Stat. 1060.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1109(a)	31:11a(a).	July 12, 1974, Pub. L. 93–344, § 605, 88 Stat. 325.
1109(b)	31:11a(b).	

In the section, the words ''budget outlays'' are substituted for ''outlays'' for consistency in the revised title.

In subsection (a), the words ''Before November 11'' are substituted for ''On or before November 10'', the words ''both Houses of Congress'' are substituted for ''the Senate and the House of Representatives'', the word ''following'' is substituted for ''ensuing'', and the word ''current'' is substituted for ''in progress'', for consistency. The words ''(beginning with 1975)'' are omitted as executed. The words ''of the United States Government'' are added for clarity. The words ''in such programs and activities'' are omitted as surplus. The words ''The President shall state'' are substituted for ''shall be shown'', and the words ''The President also shall include'' are substituted for ''Accompanying these estimates shall be'', because of the restatement.

In subsection (b), the words ''so submitted'' are omitted as unnecessary. The words ''before January 1'' are substituted for ''on or before December 31'' for consistency.

Editorial Notes

AMENDMENTS

1985—Subsec. (a). Pub. L. 99–177, § 222(a), substituted ''On or before the first Monday after January 3 of each year (on or before February 5 in 1986)'' for ''Before November 11 of each year''.

Subsec. (b). Pub. L. 99–177, § 222(b), substituted ''March 1'' for ''January 1''.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 1985 AMENDMENT

Amendment by Pub. L. 99–177 effective Dec. 12, 1985, and applicable with respect to fiscal years beginning after Sept. 30, 1985, see section 275(a)(1) of Pub. L. 99–177, formerly set out as an Effective and Termination Dates note under section 900 of Title 2, The Congress, prior to repeal by Pub. L. 112–25, title I, § 104(a), Aug. 2, 2011, 125 Stat. 246.

§ 1110. Year-ahead requests for authorizing legislation

A request to enact legislation authorizing new budget authority to continue a program or activity for a fiscal year shall be submitted to Congress before May 16 of the year before the year in which the fiscal year begins. If a new program or activity will continue for more than one year, the request must be submitted for at least the first and 2d fiscal years.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 913.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1110	31:11c.	July 12, 1974, Pub. L. 93–344, § 607, 88 Stat. 325.

The words ''Notwithstanding any other provision of law'' are omitted as unnecessary. The words ''the enactment of'' before ''new'' are omitted as surplus. The words ''(beginning with the fiscal year commencing October 1, 1976)'' are omitted as executed. The words ''a request for the enactment of legislation authorizing the enactment of new budget authority for'' are omitted for consistency in the chapter.

§ 1111. Improving economy and efficiency

To improve economy and efficiency in the United States Government, the President shall—

(1) make a study of each agency to decide, and may send Congress recommendations, on changes that should be made in—

(A) the organization, activities, and business methods of agencies;

(B) agency appropriations;

(C) the assignment of particular activities to particular services; and

(D) regrouping of services; and

(2) evaluate and develop improved plans for the organization, coordination, and management of the executive branch of the Government.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 913.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1111	31:18.	June 10, 1921, ch. 18, § 209, 42 Stat. 22; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, § 1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, § 102(a), 84 Stat. 2085.
	31:18a.	Sept. 12, 1950, ch. 946, § 104, 64 Stat. 834; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, § 102(a), 84 Stat. 2085.

In the section, before clause (1), the words ''To improve economy and efficiency in the United States Government'' are substituted for ''(with a view of securing greater economy and efficiency in the conduct of the public service)'' in 31:18 and ''with a view to efficient and economical service'' in 31:18a to eliminate unnecessary words. The word ''President'' is substituted for ''Office of Management and Budget, when directed by the President'' in 31:18 and ''President, through the Director of the Office of Management and Budget'' in 31:18a because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. In clause (1), the words ''existing'' and ''detailed'' are omitted as surplus.

Executive Documents

REGULATORY REDUCTIONS

For provisions requiring executive departments and agencies to undertake to eliminate not less than 50 percent of its civilian internal management regulations not required by law, see Ex. Ord. No. 12861, Sept. 11, 1993, 58 F.R. 48255, set out as a note under section 601 of Title 5, Government Organization and Employees.

§ 1112. Fiscal, budget, and program information

(a) In this section, ''agency'' means a department, agency, or instrumentality of the United States Government except a mixed-ownership Government corporation.

(b) In cooperation with the Comptroller General, the Secretary of the Treasury and the Director of the Office of Management and Budget shall establish and maintain standard data processing and information systems for fiscal, budget, and program information for use by agencies to meet the needs of the Government, and to the extent practicable, of State and local governments.

(c) The Comptroller General—

(1) in cooperation with the Secretary, the Director of the Office of Management and Budget, and the Director of the Congressional Budget Office, shall establish, maintain, and publish standard terms and classifications for fiscal, budget, and program information of the Government, including information on fiscal policy, receipts, expenditures, programs, projects, activities, and functions;

(2) when advisable, shall report to Congress on those terms and classifications, and recommend legislation necessary to promote the establishment, maintenance, and use of standard terms and classifications by the executive branch of the Government; and

(3) in carrying out this subsection, shall give particular consideration to the needs of the Committees on Appropriations and on the Budget of both Houses of Congress, the Committee on Ways and Means of the House, the Committee on Finance of the Senate, and the Congressional Budget Office.

(d) Agencies shall use the standard terms and classifications published under subsection (c)(1) of this section in providing fiscal, budget, and program information to Congress.

(e) In consultation with the President, the head of each executive agency shall take actions necessary to achieve to the extent possible—

(1) consistency in budget and accounting classifications;

(2) synchronization between those classifications and organizational structure; and

(3) information by organizational unit on performance and program costs to support budget justifications.

(f) In cooperation with the Director of the Congressional Budget Office, the Comptroller General, and appropriate representatives of State and local governments, the Director of the Office of Management and Budget (to the extent practicable) shall provide State and local governments with fiscal, budget, and program information necessary for accurate and timely determination by those governments of the impact on their budgets of assistance of the United States Government.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 913.)

HISTORICAL AND REVISION NOTES

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1112(a)	31:1157.	Oct. 26, 1970, Pub. L. 91–510, §207, 84 Stat. 1168.
1112(b)	31:1151.	Oct. 26, 1970, Pub. L. 91–510, §§201, 202(a), (b), 203(d), 84 Stat. 1167, 1168; restated July 12, 1974, Pub. L. 93–344, §801(a), 88 Stat. 327, 328, 329.
1112(c)	31:1152(a)(1)(1st, 2d sentences), (2), (b).	
1112(d)	31:1152(a)(1)(last sentence).	
1112(e)	31:18c.	Sept. 12, 1950, ch. 946, 64 Stat. 832, §106; added Aug. 1, 1956, ch. 814, §2(a), 70 Stat. 782; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, §102(a), 84 Stat. 2085.
1112(f)	31:1153(d).	

In the section, the words ''program information'' are substituted for ''program-related data and information'' to eliminate unnecessary words.

In subsection (a), the words '' 'agency' . . . of the United States Government except a mixed-ownership Government corporation'' are substituted for '' 'Federal agency' . . . wholly owned Government corporation'' for clarity and consistency in the revised title and with other titles of the United States Code. The word ''establishment'' is omitted as surplus. The words ''government of the District of Columbia'' are omitted as superseded by sections 441–455, 501, and 736 of the District of Columbia Self-Government and Governmental Reorganization Act (Pub. L. 93–198, 87 Stat. 798, 812, 823).

In subsections (b) and (c)(1), the word ''develop'' is omitted as being included in ''establish''.

In subsection (b), the words ''The development, establishment, and maintenance of such systems shall be carried out so as'' are omitted as unnecessary because of the restatement.

In subsection (c)(1) and (2), the words ''terms and classifications'' are substituted for ''terminology, definitions, classifications, and codes'' to eliminate unnecessary words. In clause (1), the words ''The authority contained in this section shall include, but not be limited to'' are omitted as surplus. In clause (2), the words ''After June 30, 1975'' are omitted as executed. The word ''additional'' is omitted as surplus. The words ''establishment, maintenance, and use of'' are substituted for ''development, establishment, and maintenance, modification . . . implementation'' to eliminate unnecessary words and for consistency in the revised section. The words ''by the executive branch of the Government'' are substituted for ''executive'' for clarity. The text of 31:1152(a)(2)(1st sentence) is omitted as executed. In clause (3), the words ''this subsection'' are substituted for ''this responsibility'' because of the restatement.

In subsection (c)(1), the word ''revenues'' is omitted as being included in ''receipts''. The word ''spending'' is substituted for ''expenditures'' for consistency in the revised title.

In subsection (e), the word ''President'' is substituted for ''Director of the Office of Management and Budget'' because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President.

§ 1113. Congressional information

(a)(1) When requested by a committee of Congress having jurisdiction over receipts or appropriations, the President shall provide the committee with assistance and information.

(2) When requested by a committee of Congress, additional information related to the amount of an appropriation originally requested by an Office of Inspector General shall be submitted to the committee.

(b) When requested by a committee of Congress, by the Comptroller General, or by the Director of the Congressional Budget Office, the Secretary of the Treasury, the Director of the Office of Management and Budget, and the head of each executive agency shall—

(1) provide information on the location and kind of available fiscal, budget, and program information;

(2) to the extent practicable, prepare summary tables of that fiscal, budget, and program information and related information the committee, the Comptroller General, or the Director of the Congressional Budget Office considers necessary; and

(3) provide a program evaluation carried out or commissioned by an executive agency.

(c) In cooperation with the Director of the Congressional Budget Office, the Secretary, and

the Director of the Office of Management and Budget, the Comptroller General shall—

(1) establish and maintain a current directory of sources of, and information systems for, fiscal, budget, and program information and a brief description of the contents of each source and system;

(2) when requested, provide assistance to committees of Congress and members of Congress in obtaining information from the sources in the directory; and

(3) when requested, provide assistance to committees and, to the extent practicable, to members of Congress in evaluating the information obtained from the sources in the directory.

(d) To the extent they consider necessary, the Comptroller General and the Director of the Congressional Budget Office individually or jointly shall establish and maintain a file of information to meet recurring needs of Congress for fiscal, budget, and program information to carry out this section and sections 717 and 1112 of this title. The file shall include information on budget requests, congressional authorizations to obligate and expend, apportionment and reserve actions, and obligations and expenditures. The Comptroller General and the Director shall maintain the file and an index to the file so that it is easier for the committees and agencies of Congress to use the file and index through data processing and communications techniques.

(e)(1) The Comptroller General shall—

(A) carry out a continuing program to identify the needs of committees and members of Congress for fiscal, budget, and program information to carry out this section and section 1112 of this title;

(B) assist committees of Congress in developing their information needs;

(C) monitor recurring reporting requirements of Congress and committees; and

(D) make recommendations to Congress and committees for changes and improvements in those reporting requirements to meet information needs identified by the Comptroller General, to improve their usefulness to congressional users, and to eliminate unnecessary reporting.

(2) Before September 2 of each year, the Comptroller General shall report to Congress on—

(A) the needs identified under paragraph (1)(A) of this subsection;

(B) the relationship of those needs to existing reporting requirements;

(C) the extent to which reporting by the executive branch of the United States Government currently meets the identified needs;

(D) the changes to standard classifications necessary to meet congressional needs;

(E) activities, progress, and results of the program of the Comptroller General under paragraph (1)(B)–(D) of this subsection; and

(F) progress of the executive branch in the prior year.

(3) Before March 2 of each year, the Director of the Office of Management and Budget and the Secretary shall report to Congress on plans for meeting the needs identified under paragraph (1)(A) of this subsection, including—

(A) plans for carrying out changes to classifications to meet information needs of Congress;

(B) the status of information systems in the prior year; and

(C) the use of standard classifications.

(Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 914; Pub. L. 97–452, § 1(3), Jan. 12, 1983, 96 Stat. 2467.)

HISTORICAL AND REVISION NOTES
1982 ACT

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1113(a)	31:20.	June 10, 1921, ch. 18, § 212, 42 Stat. 23; Reorg. Plan No. 1 of 1939, eff. July 1, 1939, § 1, 53 Stat. 1423; Reorg. Plan No. 2 of 1970, eff. July 1, 1970, § 102(a), 84 Stat. 2085.
1113(b)–(d)	31:1153(a)–(c).	Oct. 26, 1970, Pub. L. 91–510, § 203(a)–(c), 84 Stat. 1168; restated July 12, 1974, Pub. L. 93–344, § 801(a), 88 Stat. 328.
1113(e)(1)	31:1152(c), (d).	Oct. 26, 1970, Pub. L. 91–510, § 202(c)–(f), 84 Stat. 1167; restated July 12, 1974, Pub. L. 93–344, § 801(a), 88 Stat. 328.
1113(e)(2)	31:1152(e).	
1113(e)(3)	31:1152(f).	

In the section, the words ''committee of Congress'' are substituted for ''committee of either House, of any joint committee of the two Houses'' and variations of the substituted phrase to eliminate unnecessary words and for consistency in the revised title and with other titles of the United States Code.

In subsection (a), the word ''President'' is substituted for ''Office of Management and Budget'' because sections 101 and 102(a) of Reorganization Plan No. 2 of 1970 (eff. July 1, 1970, 84 Stat. 2085) designated the Bureau of the Budget as the Office of Management and Budget and transferred all functions of the Bureau to the President. The word ''assistance'' is substituted for ''aid'', and the word ''receipts'' is substituted for ''revenue'', for consistency in the revised title.

In subsections (b)–(d), the words ''program information'' are substituted for ''program-related data and information'' to eliminate unnecessary words.

In subsection (b)(1) and (3), the words ''to such committee or joint committee, the Comptroller General, or the Director of the Congressional Budget Office'' are omitted as unnecessary because of the restatement. In clause (1), the word ''kind'' is substituted for ''nature'' for consistency in the revised title. In clause (2), the words ''that fiscal, budgetary, and program information'' are substituted for ''such data and information'' because of the restatement.

In subsection (c), the word ''inventory'' is omitted as unnecessary. In clause (1), the word ''develop'' is omitted as being included in ''establish''. In clause (2), the word ''obtaining'' is substituted for ''securing'' as being more precise. In clause (3), the word ''evaluating'' is substituted for ''appraising and analyzing'' for clarity and to eliminate unnecessary words.

In subsection (d), the words ''individually or jointly . . . file'' are substituted for ''central file or files'' for clarity. The word ''information'' is substituted for ''data and information'', and the word ''needs'' is substituted for ''requirements'', for consistency in the section. The words ''carry out'' are substituted for ''carry out the purposes of'' because of the restatement. A cross reference to 31:1155–1156 is not included because those sections are not relevant to the information file described in the source provisions. The words ''so that it is easier'' are substituted for ''facilitate'' for clarity. The word ''modern'' is omitted as surplus.

In subsection (e)(1)(A), the word ''specify'' is omitted as being included in ''identify''. The words ''carry out'' are substituted for ''support the objectives'' for consistency. A cross reference to 31:1154–1156 is not included because those sections are not relevant to the con-

tinuing program described in the source provisions. In clause (B), the words ''including such needs expressed in legislative requirements'' are omitted as surplus. In clause (D), the word ''duplicative'' is omitted as being included in ''unnecessary''.

In subsection (e)(2), the words ''Before September 2 of each year'' are substituted for ''On or before September 1, 1974, and each year thereafter'' for consistency.

In subsection (e)(3), the words ''Before March 2 of each year'' are substituted for ''On or before March 1, 1975, and each year thereafter'' for consistency. The word ''codes'' is omitted as being included in ''classifications''. The words ''information systems'' are substituted for ''systems'', and the words ''use of standard classifications'' are substituted for ''classification implementations'', for consistency in the revised section.

1983 ACT

Revised Section	*Source (U.S. Code)*	*Source (Statutes at Large)*
1113(e)(2)	31 App.:11(k)(2).	June 10, 1921, ch. 18, 42 Stat. 20, §201(k)(2); added Sept. 8, 1982, Pub. L. 97–255, §3, 96 Stat. 815.

Editorial Notes

AMENDMENTS

1983—Subsec. (a). Pub. L. 97–452 redesignated existing provision as par. (1) and added par. (2).

Statutory Notes and Related Subsidiaries

TERMINATION OF REPORTING REQUIREMENTS CONTAINED IN THIS SECTION

For termination, effective May 15, 2000, of provisions of law requiring submittal to Congress of any annual, semiannual, or other regular periodic report listed in House Document No. 103–7 (in which certain reporting requirements under subsec. (e)(2)(A), (E), (3) of this section are listed on pages 9, 6, and 149, respectively), see section 3003 of Pub. L. 104–66, as amended, and section 1(a)(4) [div. A, §1402(1)] of Pub. L. 106–554, set out as notes below.

OVERSIGHT OF COUNTERTERRORISM AND ANTITERRORISM ACTIVITIES; REPORT

Pub. L. 105–85, div. A, title X, §1051, Nov. 18, 1997, 111 Stat. 1889, as amended by Pub. L. 105–261, div. A, title XIV, §1403, Oct. 17, 1998, 112 Stat. 2168, which authorized establishment of a reporting system for executive agencies with respect to the budget and expenditure of funds by such agencies for the purpose of carrying out counterterrorism and antiterrorism programs and activities and required annual report on amounts proposed to be expended and counterterrorism and antiterrorism programs and activities being implemented, was repealed by Pub. L. 107–296, title VIII, §889(b)(1), Nov. 25, 2002, 116 Stat. 2251.

TERMINATION OF REPORTING REQUIREMENTS

Pub. L. 108–203, title IV, §413, Mar. 2, 2004, 118 Stat. 529, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) shall not apply to any report required to be submitted under any of the following provisions of law:

''(1)(A) Section 201(c)(2) of the Social Security Act (42 U.S.C. 401(c)(2)).

''(B) Section 1817(b)(2) of the Social Security Act (42 U.S.C. 1395i(b)(2)).

''(C) Section 1841(b)(2) of the Social Security Act (42 U.S.C. 1395t(b)(2)).

''(2)(A) Section 221(c)(3)(C) of the Social Security Act (42 U.S.C. 421(c)(3)(C)).

''(B) Section 221(i)(3) of the Social Security Act (42 U.S.C. 421(i)(3)).''

Pub. L. 107–303, title III, §302(a), Nov. 27, 2002, 116 Stat. 2360, provided that:

''(a) IN GENERAL.—Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (31 U.S.C. 1113 note; Public Law 104–66) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) EFFECTS OF POLLUTION ON ESTUARIES OF THE UNITED STATES.—Section 104(n)(3) of the Federal Water Pollution Control Act (33 U.S.C. 1254(n)(3)).

''(2) IMPLEMENTATION OF GREAT LAKES WATER QUALITY AGREEMENT OF 1978.—Section 118(c)(10) of the Federal Water Pollution Control Act ([former] 33 U.S.C. 1268(c)(10)).

''(3) COMPREHENSIVE CONSERVATION AND MANAGEMENT PLAN FOR LONG ISLAND SOUND.—Section 119(c)(7) of the Federal Water Pollution Control Act (33 U.S.C. 1269(c)(7)).

''(4) LEVEL B PLAN ON ALL RIVER BASINS.—Section 209(b) of the Federal Water Pollution Control Act (33 U.S.C. 1289(b)).

''(5) STATE REPORTS ON WATER QUALITY OF ALL NAVIGABLE WATERS.—Section 305(b) of the Federal Water Pollution Control Act (33 U.S.C. 1315(b)).

''(6) EXEMPTIONS FROM WATER POLLUTION CONTROL REQUIREMENTS FOR EXECUTIVE AGENCIES.—Section 313(a) of the Federal Water Pollution Control Act (33 U.S.C. 1323(a)).

''(7) STATUS OF WATER QUALITY IN UNITED STATES LAKES.—Section 314(a) of the Federal Water Pollution Control Act (33 U.S.C. 1324(a)).

''(8) NATIONAL ESTUARY PROGRAM ACTIVITIES.—Section 320(j)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1330(j)(2)).

''(9) REPORTS ON CONTRACTS ENTERED INTO RELATING TO PROCUREMENT FROM VIOLATORS OF WATER QUALITY STANDARDS.—Section 508(e) of the Federal Water Pollution Control Act (33 U.S.C. 1368(e)).

''(10) NATIONAL REQUIREMENTS AND COSTS OF WATER POLLUTION CONTROL.—Section 516 of the Federal Water Pollution Control Act (33 U.S.C. 1375).''

Pub. L. 107–295, title III, §322(b), Nov. 25, 2002, 116 Stat. 2103, as amended by Pub. L. 116–283, div. G, title LVXXXVI [LXXXVI], §8605(b)(2), Jan. 1, 2021, 134 Stat. 4765, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) COAST GUARD OPERATIONS AND EXPENDITURES.—[Former] Section 651 of title 14, United States Code.

''(2) SUMMARY OF MARINE CASUALTIES REPORTED DURING PRIOR FISCAL YEAR.—Section 6307(c) of title 46, United States Code.

''(3) USER FEE ACTIVITIES AND AMOUNTS.—Section 664 of title 46 [14], United States Code.

''(4) CONDITIONS OF PUBLIC PORTS OF THE UNITED STATES.—Section 308(c) [now 308(b)] of title 49, United States Code.

''(5) ACTIVITIES OF FEDERAL MARITIME COMMISSION.—Section 46106(a) of title 46, United States Code.

''(6) ACTIVITIES OF INTERAGENCY COORDINATING COMMITTEE ON OIL POLLUTION RESEARCH.—Section 7001(e) of the Oil Pollution Act of 1990 (33 U.S.C. 2761(e)).''

Pub. L. 107–74, §1, Nov. 28, 2001, 115 Stat. 701, as amended by Pub. L. 110–69, title VII, §7024(a)(3), Aug. 9, 2007, 121 Stat. 689, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) Section 801(b) and (c) of the Department of Energy Organization Act (42 U.S.C. 7321(b) and (c)).

''(2) Section 822(b) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (42 U.S.C. 6687).

''(3) Section 7(a) of the Marine Resources and Engineering Development Act of 1966 (33 U.S.C. 1106(a)).

''(4) Section 206 of the National Aeronautics and Space Act of 1958 ([former] 42 U.S.C. 2476) [now 51 U.S.C. 20116].

''(5) Section 404 of the Communications Satellite Act of 1962 ([former] 47 U.S.C. 744).

''(6) Section 205(a)(1) of the National Critical Materials Act of 1984 (30 U.S.C. 1804(a)(1)).

''(7) Section 17(c)(2) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3711a(c)(2)).

''(8) Section 10(h) of the National Institute of Standards and Technology Act (15 U.S.C. 278(h)).

''(9) Section 212(f)(3) of the National Institute of Standards and Technology Authorization Act for Fiscal Year 1989 (15 U.S.C. 3704b(f)(3)).

''(10) Section 11(g)(2) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710(g)(2)).

''(11) Section 5(d)(9) of the National Climate Program Act (15 U.S.C. 2904(d)(9)).

''(12) Section 7 of the National Climate Program Act (15 U.S.C. 2906).

''(13) Section 703 of the Weather Service Modernization Act (15 U.S.C. 313 note).

''(14) Section 118(d)(2) of the Federal Water Pollution Control Act (33 U.S.C. 1268(d)(2)).

''(15) Section 304(d) of the Federal Aviation Administration Research, Engineering, and Development Authorization Act of 1992 (49 U.S.C. 47508 note).

''(16) Section 2367(c) of title 10, United States Code.

''(17) Section 303(c)(7) of the Federal Property and Administrative Services Act of 1949 ([former] 41 U.S.C. 253(c)(7)) [see 41 U.S.C. 3304(a)(7)].

''(18) Section 102(e)(7) of the Global Change Research Act of 1990 (15 U.S.C. 2932(e)(7)).

''(19) Section 5(b)(1)(C) and (D) of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7704(b)(1)(C) and (D)).

''(20) Section 11(e)(6) of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3710(e)(6)).

''(21) Section 2304(c)(7) of title 10, United States Code, but only to the extent of its application to the National Aeronautics and Space Administration.

''(22) Section 4(j)(1) of the National Science Foundation Act of 1950 (42 U.S.C. 1863(j)(1)).

''(23) Section 36(e) of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885c(e)).

''(24) Section 37 of the Science and Engineering Equal Opportunities Act (42 U.S.C. 1885d).

''(25) Section 108 of the National Science Foundation Authorization Act for Fiscal Year 1986 (42 U.S.C. 1886).

''(26) Section 101(a)(2) of the High-Performance Computing Act of 1991 (15 U.S.C. 5511(a)(2)).

''(27) Section 3(a)(7) and (f) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(a)(7) and (f)).

''(28) Section 7(a) of the National Science Foundation Authorization Act, 1977 (42 U.S.C. 1873 note).

''(29) Section 16 of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2215).''

Pub. L. 106–569, title XI, §1102, Dec. 27, 2000, 114 Stat. 3029, as amended by Pub. L. 111–67, §12(b)(2), Sept. 30, 2009, 123 Stat. 2022, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) shall not apply to any report required to be submitted under any of the following provisions of law:

''(1) Section 3 of the Employment Act of 1946 (15 U.S.C. 1022).

''(2) Section 723 of the Defense Production Act of 1950 [50 U.S.C. 4568].

''(3) Section 603 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3213).

''(4) Section 7(*o*)(1) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(*o*)(1)).

''(5) Section 540(c) of the National Housing Act (12 U.S.C. 1735f–18(c)).

''(6) Paragraphs (2) and (6) of section 808(e) of the Civil Rights Act of 1968 (42 U.S.C. 3608(e)[(2), (6)]).

''(7) Section 1061 of the Housing and Community Development Act of 1992 (42 U.S.C. 4856).

''(8) Section 203(v) [now 203(w)] of the National Housing Act (12 U.S.C. 1709(v) [now 1709(w)]), as added by section 504 of the Housing and Community Development Act of 1992 (Public Law 102–550; 106 Stat. 3780).

''(9) Section 802 of the Housing Act of 1954 (12 U.S.C. 1701*o*).

''(10) Section 8 of the Department of Housing and Urban Development Act (42 U.S.C. 3536).

''(11) Section 1320 of the National Flood Insurance Act of 1968 (42 U.S.C. 4027).

''(12) Section 4(e)(2) of the Department of Housing and Urban Development Act (42 U.S.C. 3533(e)(2)).

''(13) Section 205(g) of the National Housing Act ([former] 12 U.S.C. 1711(g)).

''(14) Section 701(c)(1) of the International Financial Institutions Act ([former] 22 U.S.C. 262d(c)(1)).

''(15) Paragraphs (1) and (2) of section 5302(c) of title 31, United States Code.

''(16) Section 18(f)(7) of the Federal Trade Commission Act (15 U.S.C. 57a(f)(7)).

''(17) Section 333 of the Revised Statutes of the United States (12 U.S.C. 14).

''(18) Section 3(g) of the Home Owners' Loan Act ([former] 12 U.S.C. 1462a(g)).

''(19) Section 304 of the Appalachian Regional Development Act of 1965 (40 U.S.C. App. 304) [now 40 U.S.C. 14310].

''(20) Sections 2(b)(1)(A), 8(a), 8(c) [there is no 8(c)], 10(g)(1), and 11(c) of the Export-Import Bank Act of 1945 (12 U.S.C. 635(b)(1)(A), 635g(a), 635g(c), 635i–3(g)[1], and 635i–5(c)).

''(21) Section 17(a) of the Federal Deposit Insurance Act (12 U.S.C. 1827(a)).

''(22) Section 13 of the Federal Financing Bank Act of 1973 (12 U.S.C. 2292).

''(23) Section 2B(d) of the Federal Home Loan Bank Act ([former] 12 U.S.C. 1422b(d)).

''(24) Section 1002(b) of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 [Pub. L. 101–73] (12 U.S.C. 1811 note).

''(25) Section 8 of the Fair Credit and Charge Card Disclosure Act of 1988 [Pub. L. 100–583] (15 U.S.C. 1637 note).

''(26) Section 136(b)(4)(B) of the Truth in Lending Act (15 U.S.C. 1646(b)(4)(B)).

''(27) Section 707 of the Equal Credit Opportunity Act (15 U.S.C. 1691f).

''(28) Section 114 of the Truth in Lending Act (15 U.S.C. 1613).

''(29) The seventh undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 247).

''(30) The tenth undesignated paragraph of section 10 of the Federal Reserve Act (12 U.S.C. 247a).

''(31) Section 815 of the Fair Debt Collection Practices Act (15 U.S.C. 1692m).

''(32) Section 102(d) of the Federal Credit Union Act (12 U.S.C. 1752a(d)).

''(33) Section 21B(i) of the Federal Home Loan Bank Act (12 U.S.C. 1441b(i)).

''(34) Section 607(a) of the Housing and Community Development Amendments of 1978 (42 U.S.C. 8106(a)).

''(35) Section 708(*l*) of the Defense Production Act of 1950 (50 U.S.C. App. 2158(*l*)) [now 50 U.S.C. 4558(*l*)].

''(36) Section 2546 of the Comprehensive Thrift and Bank Fraud Prosecution and Taxpayer Recovery Act of 1990 [Pub. L. 101–647] (28 U.S.C. 522 note) [now 34 U.S.C. 41306].

''(37) Section 202(b)(8) of the National Housing Act (12 U.S.C. 1708(b)(8)).''

Pub. L. 106–554, §1(a)(4) [div. A, §1402], Dec. 21, 2000, 114 Stat. 2763, 2763A–214, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) Sections 1105(a), 1106(a) and (b), and 1109(a) of title 31, United States Code, and any other law relating to the budget of the United States Government.

''(2) The Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900 et seq.) [see Short Title note set out under section 900 of Title 2, The Congress].

''(3) Sections 202(e)(1) and (3) of the Congressional Budget Act of 1974 (2 U.S.C. 602(e)(1) and (3)).

''(4) Section 1014(e) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 685(e)).''

Pub. L. 106–554, §1(a)(7) [title III, §301], Dec. 21, 2000, 114 Stat. 2763, 2763A–629, as amended by Pub. L. 117–286, §4(b)(51), Dec. 27, 2022, 136 Stat. 4349, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) shall not apply to any report required to be submitted under any of the following provisions of law:

''(1) Section 13031(f) of the Consolidated Omnibus Budget Reconciliation Act of 1985 (19 U.S.C. 58c(f)).

''(2) Section 16(c) of the Foreign Trade Zones Act (19 U.S.C. 81p(c)).

''(3) The following provisions of the Tariff Act of 1930:

''(A) Section 330(c)(1) (19 U.S.C. 1330(c)(1)).

''(B) Section 607(c) (19 U.S.C. 1607(c)).

''(4) Section 5 of the International Coffee Agreement Act of 1980 ([former] 19 U.S.C. 1356n).

''(5) Section 351(a)(2) of the Trade Expansion Act of 1962 (19 U.S.C. 1981(a)(2)).

''(6) Section 502 of the Automotive Products Trade Act of 1965 (19 U.S.C. 2032).

''(7) Section 3131 of the Customs Enforcement Act of 1986 (19 U.S.C. 2081).

''(8) The following provisions of the Trade Act of 1974 (19 U.S.C. 2101 et seq.):

''(A) Section 102(b)(4)(A)(ii)(I) (19 U.S.C. 2112(b)(4)(A)(ii)(I)).

''(B) Section 102(e)(1) (19 U.S.C. 2112(e)(1)).

''(C) Section 102(e)(2) (19 U.S.C. 2112(e)(2)).

''(D) Section 104(d) (19 U.S.C. 2114(d)).

''(E) Section 125(e) (19 U.S.C. 2135(e)).

''(F) Section 135(e)(1) (19 U.S.C. 2155(e)(1)).

''(G) Section 141(c) (19 U.S.C. 2171(c)).

''(H) Section 162 (19 U.S.C. 2212).

''(I) Section 163(b) (19 U.S.C. 2213(b)).

''(J) Section 163(c) (19 U.S.C. 2213(c)).

''(K) Section 203(b) (19 U.S.C. 2253(b)).

''(L) Section 302(b)(2)(C) (19 U.S.C. 2412(b)(2)(C)).

''(M) Section 303 (19 U.S.C. 2413).

''(N) Section 309 (19 U.S.C. 2419).

''(O) Section 407(a) (19 U.S.C. 2437(a)).

''(P) Section 502(f) (19 U.S.C. 2462(f)).

''(Q) Section 504 (19 U.S.C. 2464).

''(9) The following provisions of the Trade Agreements Act of 1979 (19 U.S.C. 2501 et seq.):

''(A) Section 2(b) (19 U.S.C. 2503(b)).

''(B) Section 3(c) (19 U.S.C. 2504(c)).

''(C) Section 305(c) (19 U.S.C. 2515(c)).

''(10) Section 303(g)(1) of the Convention on Cultural Property Implementation Act (19 U.S.C. 2602(g)(1)).

''(11) The following provisions of the Caribbean Basin Economic Recovery Act (19 U.S.C. 2701 et seq.):

''(A) Section 212(a)(1)(A) (19 U.S.C. 2702(a)(1)(A)).

''(B) Section 212(a)(2) (19 U.S.C. 2702(a)(2)).

''(12) The following provisions of the Omnibus Trade and Competitiveness Act of 1988 (19 U.S.C. 2901 et seq.):

''(A) Section 1102 (19 U.S.C. 2902).

''(B) Section 1103 (19 U.S.C. 2903).

''(C) Section 1206(b) (19 U.S.C. 3006(b)).

''(13) Section 123(a) of the Customs and Trade Act of 1990 (Public Law 101–382) (19 U.S.C. 2083).

''(14) Section 243(b)(2) of the Caribbean Basin Economic Recovery Expansion Act of 1990 (Public Law 101–382) [104 Stat. 665].

''(15) The following provisions of the Internal Revenue Code of 1986 [26 U.S.C. 1 et seq.]:

''(A) Section 6103(p)(5).

''(B) Section 7608.

''(C) Section 7802(f)(3).

''(D) Section 8022(3).

''(E) Section 9602(a).

''(16) The following provisions relating to the revenue laws of the United States:

''(A) Section 1552(c) of the Tax Reform Act of 1986 [Pub. L. 99–514, 26 U.S.C. 7441 note] (100 Stat. 2753).

''(B) Section 231 of the Deficit Reduction Act of 1984 [Pub. L. 98–369] (26 U.S.C. 801 note).

''(C) Section 208 of the Tax Treatment Extension Act of 1977 [Pub. L. 95–615] (26 U.S.C. 911 note).

''(D) Section 7105 of the Technical and Miscellaneous Revenue Act of 1988 (45 U.S.C. 369).

''(17) Section 4008 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1308).

''(18) Section 426 of the Black Lung Benefits Act (30 U.S.C. 936(b)).

''(19) Section 7502(g) of title 31, United States Code.

''(20) The following provisions of the Social Security Act:

''(A) Section 215(i)(2)(C)(i) (42 U.S.C. 415(i)(2)(C)(i)).

''(B) Section 221(i)(2) (42 U.S.C. 421(i)(2)).

''(C) Section 221(i)(3) (42 U.S.C. 421(i)(3)).

''(D) Section 233(e)(1) (42 U.S.C. 433(e)(1)).

''(E) Section 452(a)(10) (42 U.S.C. 652(a)(10)).

''(F) Section 452(g)(3)(B) (42 U.S.C. 652(g)(3)(B)).

''(G) Section 506(a)(1) (42 U.S.C. 706(a)[(1)]).

''(H) Section 908 (42 U.S.C. 1108).

''(I) Section 1114(f) (42 U.S.C. 1314(f)).

''(J) Section 1120 (42 U.S.C. 1320).

''(K) Section 1161 (42 U.S.C. 1320c–10).

''(L) Section 1875(b) (42 U.S.C. 1395*ll*(b)).

''(M) Section 1881 (42 U.S.C. 1395rr).

''(N) Section 1882 (42 U.S.C. 1395ss(f)(2)).

''(21) Section 104(b) of the Social Security Independence and Program Improvements Act of 1994 [Pub. L. 103–296] (42 USC [sic] 904 note).

''(22) Section 10 of the Railroad Retirement Act of 1937 [probably means section 7 of the Railroad Retirement Act of 1974] (45 U.S.C. 231f).

''(23) The following provisions of the Railroad Retirement Act of 1974:

''(A) Section 22(a)(1) (45 U.S.C. 231u(a)(1)).

''(B) Section 22(b)(1) (45 U.S.C. 231u(b)(1)).

''(24) Section 502 of the Railroad Retirement Solvency Act of 1983 (45 U.S.C. 231f–1).

''(25) Section 47121(c) of title 49, United States Code.

''(26) The following provisions of the Omnibus Budget Reconciliation Act of 1987 (Public Law 100–203; 101 Stat. 1330–182 [101 Stat. 1330]):

''(A) Section 4007(c)(4) (42 U.S.C. 1395ww note).

''(B) Section 4079 (42 U.S.C. 1395mm note).

''(C) Section 4205 (42 U.S.C. 1395i–3 note).

''(D) Section 4215 (42 U.S.C. 1396r note).

''(27) The following provisions of chapter 4 of title 5, United States Code:

''(A) Section 405(c).

''(B) Section 405(e).

''(28) The following provisions of the Public Health Service Act:

''(A) In section 308(a) (42 U.S.C. 242m(a)), subparagraphs (A), (B), (C), and (D) of paragraph (1).

''(B) Section 403 (42 U.S.C. 283).

''(29) Section 404 of the Health Services and Centers Amendments of 1978 (42 U.S.C. 242p) (Public Law 95–626).

''(30) The following provisions of the Older Americans Act of 1965:

''(A) Section 206(d) [now 206(e)] (42 U.S.C. 3017(d) [3017(e)]).

''(B) Section 207 (42 U.S.C. 3018).

''(31) Section 308 of the Age Discrimination Act of 1975 (42 U.S.C. 6106a(b)).

''(32) Section 509(c)(3) [509(3)] of the Americans with Disabilities Act 0f [of] 1990 (42 U.S.C. 12209(c)(3) [12209(3)]).

''(33) Section 4207(f) of the Omnibus Budget Reconciliation Act of 1990 [Pub. L. 101–508] (42 U.S.C. 1395b–1 note).''

Pub. L. 106–476, title I, §1463, Nov. 9, 2000, 114 Stat. 2173, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) Section 163 of the Trade Act of 1974 (19 U.S.C. 2213).

''(2) Section 181 of the Trade Act of 1974 (19 U.S.C. 2241).''

Pub. L. 106–419, title IV, §403(a), Nov. 1, 2000, 114 Stat. 1863, provided that: ''Section 3003(a)(1) of the Federal

Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following: sections 503(c), 529, 541(c), 542(c), 3036, and 7312(d) of title 38, United States Code.''

Pub. L. 106–197, § 1, May 2, 2000, 114 Stat. 246, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) The following sections of title 18, United States Code: sections 2519(3), 2709(e), 3126, and 3525(b).

''(2) The following sections of title 28, United States Code: sections 522, 524(c)(6), 529, 589a(d), and 594.

''(3) Section 3718(c) of title 31, United States Code.

''(4) Section 9 of the Child Protection Act of 1984 [Pub. L. 98–292] (28 U.S.C. 522 note) [now 34 U.S.C. 41301].

''(5) Section 8 of the Civil Rights of Institutionalized Persons Act (42 U.S.C. 1997f).

''(6) The following provisions of the Omnibus Crime Control and Safe Streets Act of 1968: sections 102(b) (42 U.S.C. 3712(b)) [now 34 U.S.C. 10102(b)], 520 (42 U.S.C. 3766) [now 34 U.S.C. 10201], 522 (42 U.S.C. 3766b) [now 34 U.S.C. 10203], and 810 (42 U.S.C. 3789e) [now 34 U.S.C. 10229].

''(7) The following provisions of the Immigration and Nationality Act: sections 103 (8 U.S.C. 1103), 207(c)(3) (8 U.S.C. 1157(c)(3)), 412(b) (8 U.S.C. 1522(b)), and 413 (8 U.S.C. 1523), and subsections (h), (*l*), (*o*), (q), and (r) of section 286 (8 U.S.C. 1356).

''(8) Section 3 of the International Claims Settlement Act of 1949 (22 U.S.C. 1622).

''(9) Section 9 of the War Claims Act of 1948 (50 U.S.C. App. 2008) [now 50 U.S.C. 4107].

''(10) Section 13(c) of the Act of September 11, 1957 (8 U.S.C. 1255b(c)).

''(11) Section 203(b) of the Aleutian and Pribilof Islands Restitution Act (50 U.S.C. App. 1989c–2(b)) [now 50 U.S.C. 4233].

''(12) Section 801(e) of the Immigration Act of 1990 (29 U.S.C. 2920(e)).

''(13) Section 401 of the Immigration Reform and Control Act of 1986 (8 U.S.C. 1364).

''(14) Section 707 of the Equal Credit Opportunity Act (15 U.S.C. 1691f).

''(15) Section 201(b) of the Privacy Protection Act of 1980 (42 U.S.C. 2000aa–11(b)).

''(16) Section 609U of the Justice Assistance Act of 1984 ([former] 42 U.S.C. 10509).

''(17) Section 13(a) of the Classified Information Procedures Act (18 U.S.C. App.).

''(18) Section 1004 of the Civil Rights Act of 1964 (42 U.S.C. 2000g–3).

''(19) Section 1114 of the Right to Financial Privacy Act of 1978 (12 U.S.C. 3414).

''(20) Section 11 of the Foreign Agents Registration Act of 1938 (22 U.S.C. 621).

''(21) The following provisions of the Foreign Intelligence Surveillance Act of 1978: sections 107 (50 U.S.C. 1807) and 108 (50 U.S.C. 1808).

''(22) Section 102(b)(5) of the Department of Justice and Related Agencies Appropriations Act, 1993 [Pub. L. 102–395] (28 U.S.C. 533 note).''

Pub. L. 106–181, title I, § 163, Apr. 5, 2000, 114 Stat. 91, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) Section 44501 of title 49, United States Code.

''(2) Section 47103 of such title.

''(3) [Former] Section 47131 of such title.''

Pub. L. 106–113, div. B, § 1000(a)(7) [div. A, title II, § 209(e)], Nov. 29, 1999, 113 Stat. 1536, 1501A–423, as amended by Pub. L. 110–246, title III, § 3001(c), June 18, 2008, 122 Stat. 1821, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sunset Act of 1995 (Public Law 104–66; 31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) Section 1205 of the International Security and Development Cooperation Act of 1985 (Public Law 99–83; 22 U.S.C. 2346 note) (relating to annual reports on economic conditions in Egypt, Israel, Turkey, and Portugal).

''(2) Section 1307(f)(1)(A) of the International Financial Institutions Act [22 U.S.C. 262m–7(f)(1)(A)] (Public Law 95–118) (relating to an assessment of the environmental impact of proposed multilateral development bank actions).

''(3) Section 118(f) of the Foreign Assistance Act of 1961 (Public Law 87–195; 22 U.S.C. 2151p–1 [(f)]) (relating to the protection of tropical forests).

''(4) Section 586J(c)(4) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1991 (Public Law 101–513 [50 U.S.C. 1701 note]) (relating to sanctions taken by other nations against Iraq).

''(5) Section 3 of the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1; 105 Stat. 3 [50 U.S.C. 1541 note]) (relating to the status of efforts to obtain Iraqi compliance with United Nations Security Council resolutions).

''(6) Section 124 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (Public Law 100–204; 22 U.S.C. 2680 note) (relating to expenditures for emergencies in the diplomatic and consular service).

''(7) Section 620C(c) of the Foreign Assistance Act of 1961 (Public Law 87–195; 22 U.S.C. 2373(c)) (relating to progress made toward the conclusion of a negotiated solution to the Cyprus problem).

''(8) Section 533(b) of the Foreign Operations, Export Financing, and Related Programs Appropriations Act, 19991 [1991] (Public Law 101–513 [104 Stat. 2013]) (relating to international natural resource management initiatives).

''(9) Section 3602 of the Omnibus Trade and Competitiveness Act of 1988 (Public Law 100–418; 22 U.S.C. 5352) (relating to foreign treatment of United States financial institutions).

''(10) Section 1702 of the International Financial Institutions Act (Public Law 95–118; 22 U.S.C. 262r-1) (relating to operating summaries of the multilateral development banks).

''(11) Section 1303(c) of the International Financial Institutions Act (Public Law 95–118; 22 U.S.C. 262m-2(c)) (relating to international environmental assistance programs).

''(12) Section 1701(a) of the International Financial Institutions Act (Public Law 95–118; 22 U.S.C. 262r) (relating to United States participation in international financial institutions).

''(13) Section 163(a) of the Trade Act of 1974 (Public Law 93–618; 19 U.S.C. 2213) (relating to the trade agreements program and national trade policy agenda).

''(14) Section 8 of the Export-Import Bank Act (Public Law 79–173; 12 U.S.C. 635g) (relating to Export-Import Bank activities).

''(15) Section 407(f) of the Food for Peace Act (Public Law 83–480; 7 U.S.C. 1736a) (relating to Public Law 480 programs and activities).

''(16) Section 239(c) of the Foreign Assistance Act of 1961 (Public Law 87–195; [former] 22 U.S.C. 2199(c)) (relating to OPIC audit report).

''(17) Section 504(i) of the National Endowment for Democracy Act (Public Law 98–164; 22 U.S.C. 4413(i)) (relating to the activities of the National Endowment for Democracy).

''(18) Section 5(b) of the Japan-United States Friendship Act (Public Law 94–118; 22 U.S.C. 2904(b)) (relating to Japan-United States Friendship Commission activities).''

Pub. L. 106–65, div. A, title X, § 1031, Oct. 5, 1999, 113 Stat. 749, as amended by Pub. L. 115–232, div. A, title VIII, § 813(i)(2), Aug. 13, 2018, 132 Stat. 1852; Pub. L. 116–283, div. G, title LVXXXVI [LXXXVI], § 8605(b)(3), Jan. 1, 2021, 134 Stat. 4765, provided that: ''Section 3003(a)(1) of the Federal Reports Elimination and Sun-

set Act of 1995 [Pub. L. 104–66] (31 U.S.C. 1113 note) does not apply to any report required to be submitted under any of the following provisions of law:

''(1) The following sections of title 10, United States Code: sections 113, 115a, 116, 139(f) [now 139(g)], 221, [former] 226, 401(d), [former] 662(b), 946, [former] 1464(c), [former] 2006(e)(3), 2010, 2011(e), 2391(c), 2431(a), 2432, 2457(d), 2461(g), 2537, 2662(b), 2706, 2859, 2861, 2902(g)(2), 4542(g)(2), 7424(b), 7425(b), 7431(c), 10541, 12302(d), and 16137.

''(2) Section 1121(f) of the National Defense Authorization Act for Fiscal Year 1988 and 1989 (Public Law 100–180; 10 U.S.C. 113 note).

''(3) Section 1405 of the Defense Dependents' Education Act of 1978 (20 U.S.C. 924).

''(4) Section 1411(b) of the Barry Goldwater Scholarship and Excellence in Education Act (20 U.S.C. 4710(b)).

''(5) Section 1097 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 [Pub. L. 102–190] (22 U.S.C. 2751 note).

''(6) Section 30A(d) of the Arms Export Control Act (22 U.S.C. 2770a(d)).

''(7) Sections 1516(f) and 1518(c) of the Armed Forces Retirement Home Act of 1991 (Public Law 101–510; 24 U.S.C. 416(f), 418(c)).

''(8) Sections 3554(e)(2) and [former] 9503(a) of title 31, United States Code.

''(9) Section 300110(b) of title 36, United States Code.

''(10) Sections 301a(f) and 1008 of title 37, United States Code.

''(11) Section 8111(f) of title 38, United States Code.

''(12) Section 205(b) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 486(b)) [now 40 U.S.C. 121(b)].

''(13) Section 3732 of the Revised Statutes, popularly known as the 'Food and Forage Act' ([former] 41 U.S.C. 11) [now 41 U.S.C. 6301(a), (b)].

''(14) Section 101(b)(6) of the Uniformed and Overseas Citizens Absentee Voting Act ([former] 42 U.S.C. 1973ff(b)(6)) [now 52 U.S.C. 20301(b)(6)].

''(15) Section 1436(e) of the National Defense Authorization Act, Fiscal Year 1989 (Public Law 100–456; [former] 42 U.S.C. 2121 note).

''(16) Section 165 of the Energy Policy and Conservation Act (42 U.S.C. 6245).

''(17) Section 603(e) of the National Science and Technology Policy, Organization, and Priorities Act of 1976 ([former] 42 U.S.C. 6683(e)).

''(18) Section 822(b) of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (42 U.S.C. 6687(b)).

''(19) Section 208 of the Department of Energy National Security and Military Applications of Nuclear Energy Authorization Act of 1979 ([former] 42 U.S.C. 7271).

''(20) Section 3134 of the National Defense Authorization Act for Fiscal Year 1991 (42 U.S.C. 7274c [now 50 U.S.C. 2587]).

''(21) Section 3135 of the National Defense Authorization Act for Fiscal Years 1992 and 1993 (42 U.S.C. 7274g).

''(22) Section 12 of the Act of March 9, 1920 (popularly known as the 'Suits in Admiralty Act') (46 App. U.S.C. 752) [now 46 U.S.C. 30918].

''(23) Sections 44106(a) [probably should be ''46106(a)''] and 55305(d) of title 46, United States Code.

''(24) Sections 11 and 14 of the Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98h–2, 98h–5).

''(25) Section 108 of the National Security Act of 1947 ([former] 50 U.S.C. 404a) [now 50 U.S.C. 3043].

''(26) Section 4 of the Act entitled 'An Act to authorize the making, amending, and modification of contracts to facilitate the national defense', approved August 28, 1958 ([former] 50 U.S.C. 1434).

''(27) Section 1412(g) of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521(g)).

''(28) Section 3 of the Authorization for Use of Military Force Against Iraq Resolution [Pub. L. 102–1] (50 U.S.C. 1541 note).

''(29) Sections 202(d) and 401(c) of the National Emergencies Act (50 U.S.C. 1622(d), 1641(c)).

''(30) Section 10(g) of the Military Selective Service Act (50 U.S.C. App. 460(g)) [now 50 U.S.C. 3809(g)].

''(31) Section 708 of the Defense Production Act of 1950 (50 U.S.C. App. 2158) [now 50 U.S.C. 4558].

''[(32) Repealed. Pub. L. 115–232, div. A, title VIII, §813(i)(2), Aug. 13, 2018, 132 Stat. 1852.]

''(33) Section 704 of the Military Construction Authorization Act, 1982 (Public Law 97–99; 95 Stat. 1377).

''(34) Section 113(b) of the National Defense Authorization Act for Fiscal Year 1990 and 1991 (Public Law 101–189; 103 Stat. 1373).''

Pub. L. 104–66, title III, §3003, Dec. 21, 1995, 109 Stat. 734, as amended by Pub. L. 106–113, div. B, §1000(a)(5) [title II, §236], Nov. 29, 1999, 113 Stat. 1536, 1501A–302; Pub. L. 110–314, title II, §203(b), Aug. 14, 2008, 122 Stat. 3040; Pub. L. 117–286, §4(b)(52), Dec. 27, 2022, 136 Stat. 4349, provided that:

''(a) TERMINATION.—

''(1) IN GENERAL.—Subject to the provisions of paragraph (2) of this subsection and subsection (d), each provision of law requiring the submittal to Congress (or any committee of the Congress) of any annual, semiannual, or other regular periodic report specified on the list described under subsection (c) shall cease to be effective, with respect to that requirement, May 15, 2000.

''(2) EXCEPTION.—The provisions of paragraph (1) shall not apply to any report required under—

''(A) chapter 4 of title 5, United States Code; or

''(B) the Chief Financial Officers Act of 1990 (Public Law 101–576) [see Short Title of 1990 Amendment note set out under section 501 of this title], including provisions enacted by the amendments made by that Act.

''(b) IDENTIFICATION OF WASTEFUL REPORTS.—The President shall include in the first annual budget submitted pursuant to section 1105 of title 31, United States Code, after the date of enactment of this Act [Dec. 21, 1995] a list of reports that the President has determined are unnecessary or wasteful and the reasons for such determination.

''(c) LIST OF REPORTS.—The list referred to under subsection (a) is the list prepared by the Clerk of the House of Representatives for the first session of the One Hundred Third Congress under clause 2 of rule III [now cl. 2(b) of rule II] of the Rules of the House of Representatives (House Document No. 103–7).

''(d) SPECIFIC REPORTS EXEMPTED.—Subsection (a)(1) shall not apply to any report required under—

''(1) section 116 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151n);

''(2) section 306 of that Act (22 U.S.C. 2226);

''(3) section 489 of that Act (22 U.S.C. 2291h);

''(4) section 502B of that Act (22 U.S.C. 2304);

''(5) section 634 of that Act (22 U.S.C. 2394);

''(6) section 406 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (22 U.S.C. 2414a);

''(7) section 25 of the Arms Export Control Act (22 U.S.C. 2765);

''(8) section 28 of that Act (22 U.S.C. 2768);

''(9) section 36 of that Act (22 U.S.C. 2776);

''(10) section 6 of the Multinational Force and Observers Participation Resolution (22 U.S.C. 3425);

''(11) section 104 of the FREEDOM Support Act ([former] 22 U.S.C. 5814);

''(12) section 508 of that Act (22 U.S.C. 5858);

''(13) section 4 of the War Powers Resolution (50 U.S.C. 1543);

''(14) section 204 of the International Emergency Economic Powers Act (50 U.S.C. 1703);

''(15) [former] section 14 of the Export Administration Act of 1979 (50 U.S.C. App. 2413) [former 50 U.S.C. 4616];

''(16) section 207 of the International Economic Policy Act of 1972 (Public Law 92–412; 86 Stat. 648) [former 22 U.S.C. 2846];

''(17) section 4 of Public Law 93–121 (87 Stat. 448) [former 22 U.S.C. 2846];

''(18) section 108 of the National Security Act of 1947 ([former] 50 U.S.C. 404a) [now 50 U.S.C. 3043];

''(19) section 704 of the Support for East European Democracy (SEED) Act of 1989 (22 U.S.C. 5474);

''(20) section 804 of the Foreign Relations Authorization Act, Fiscal Years 1990 and 1991 (Public Law 101–246; 104 Stat. 72);

''(21) section 140 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f);

''(22) section 2 of the Act of September 21, 1950 (Chapter 976; 64 Stat. 903) [22 U.S.C. 262a];

''(23) section 3301 of the Panama Canal Act of 1979 (22 U.S.C. 3871);

''(24) section 2202 of the Export Enhancement Act of 1988 ([former] 15 U.S.C. 4711);

''(25) section 1504 of Public Law 103–160 (10 U.S.C. 402 note);

''(26) section 502 of the International Security and Development Coordination Act of 1985 (22 U.S.C. 2349aa–7);

''(27) section 23 of the Act of August 1, 1956 (Chapter 841 [probably should be section 515(b)(2) of Public Law 95–105]; 22 U.S.C. 2694(2));

''(28) [former] section 5(c)(5) of the Export Administration Act of 1979 (50 U.S.C. App. 2404(c)(5)) [former 50 U.S.C. 4604(c)(5)];

''(29) [former] section 14 of the Export Administration Act of 1979 (50 U.S.C. App. 2413) [former 50 U.S.C. 4616];

''(30) section 50 of Public Law 87–297 (22 U.S.C. 2590);

''(31) section 240A of the Foreign Assistance Act of 1961 ([former] 22 U.S.C. 2200a);

''(32) section 27(k) of the Consumer Product Safety Act (15 U.S.C. 2076(k)); or

''(33) section 604 of the United States Information and Educational Exchange Act of 1948 (22 U.S.C. 1469).''

AUTHORITY TO INCREASE EFFICIENCY IN REPORTING TO CONGRESS

Pub. L. 103–356, title III, § 301, Oct. 13, 1994, 108 Stat. 3412, provided that:

''(a) PURPOSE.—The purpose of this title is to improve the efficiency of executive branch performance in implementing statutory requirements for reports to Congress and committees of Congress such as the elimination or consolidation of duplicative or obsolete reporting requirements and adjustments to deadlines that shall provide for more efficient workload distribution or improve the quality of reports.

''(b) AUTHORITY OF THE DIRECTOR.—The Director of the Office of Management and Budget may publish annually in the budget submitted by the President to the Congress, recommendations for consolidation, elimination, or adjustments in frequency and due dates of statutorily required periodic reports to the Congress or committees of Congress. For each recommendation, the Director shall provide an individualized statement of the reasons that support the recommendation. In addition, for each report for which a recommendation is made, the Director shall state with specificity the exact consolidation, elimination, or adjustment in frequency or due date that is recommended.

''(c) RECOMMENDATIONS.—The Director's recommendations shall be consistent with the purpose stated in subsection (a).

''(d) CONSULTATION.—Before the publication of the recommendations under subsection (b), the Director or his designee shall consult with the appropriate congressional committees concerning the recommendations.''

[§ 1114. Repealed. Pub. L. 103–355, title II, § 2454(c)(2), Oct. 13, 1994, 108 Stat. 3326]

Section, Pub. L. 97–258, Sept. 13, 1982, 96 Stat. 916, related to budget information on consulting services.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF REPEAL

For effective date and applicability of repeal, see section 10001 of Pub. L. 103–355, set out as an Effective Date of 1994 Amendment note under section 8752 of Title 10, Armed Forces.

§ 1115. Federal Government and agency performance plans

(a) FEDERAL GOVERNMENT PERFORMANCE PLANS.—In carrying out the provisions of section 1105(a)(28), the Director of the Office of Management and Budget shall coordinate with agencies to develop the Federal Government performance plan. In addition to the submission of such plan with each budget of the United States Government, the Director of the Office of Management and Budget shall ensure that all information required by this subsection is concurrently made available on a website described in section 1122 and updated periodically, but no less than annually. The Federal Government performance plan shall—

(1) establish Federal Government performance goals to define the level of performance to be achieved during the year in which the plan is submitted and the next fiscal year for each of the Federal Government priority goals required under section 1120(a) of this title;

(2) identify the agencies, organizations, program activities, regulations, tax expenditures, policies, and other activities contributing to each Federal Government performance goal during the current fiscal year;

(3) for each Federal Government performance goal, identify, as appropriate, not fewer than 2 lead Government officials who shall jointly be responsible for coordinating the efforts to achieve the goal, of whom—

(A) not less than 1 shall be from the Executive Office of the President; and

(B) not less than 1 shall be from an agency identified as contributing to the Federal Government performance goal described in paragraph (2);

(4) establish common Federal Government performance indicators with quarterly targets to be used in measuring or assessing—

(A) overall progress toward each Federal Government performance goal; and

(B) the individual contribution of each agency, organization, program activity, regulation, tax expenditure, policy, and other activity identified under paragraph (2);

(5) establish clearly defined quarterly milestones; and

(6) identify major management challenges that are Governmentwide or crosscutting in nature and describe plans to address such challenges, including relevant performance goals, performance indicators, and milestones.

(b) AGENCY PERFORMANCE PLANS.—Not later than the first Monday in February of each year, the head of each agency shall make available on a public website of the agency, and notify the President and the Congress of its availability, a performance plan covering each program activity set forth in the budget of such agency. Such plan shall—

(1) establish performance goals to define the level of performance to be achieved during the year in which the plan is submitted and the next fiscal year;

(2) express such goals in an objective, quantifiable, and measurable form unless author-

ized to be in an alternative form under subsection (c);

(3) describe how the performance goals contribute to—

(A) the general goals and objectives established in the agency's strategic plan required by section 306(a)(2) of title 5; and

(B) any of the Federal Government performance goals established in the Federal Government performance plan required by subsection (a)(1);

(4) identify among the performance goals those which are designated as agency priority goals as required by section 1120(b) of this title, if applicable;

(5) provide a description of how the performance goals are to be achieved, including—

(A) the human capital, training, data and evidence, information technology, and skill sets required to meet the performance goals;

(B) the technology modernization investments, system upgrades, staff technology skills and expertise, stakeholder input and feedback, and other resources and strategies needed and required to meet the performance goals;

(C) clearly defined milestones;

(D) an identification of the organizations, program activities, regulations, policies, operational processes, and other activities that contribute to each performance goal, both within and external to the agency;

(E) a description of how the agency is working with other agencies and the organizations identified in subparagraph (D) to measure and achieve its performance goals as well as relevant Federal Government performance goals; and

(F) an identification of the agency officials responsible for the achievement of each performance goal, who shall be known as goal leaders;

(6) establish a balanced set of performance indicators to be used in measuring or assessing progress toward each performance goal, including, as appropriate, customer service, efficiency, output, and outcome indicators;

(7) provide a basis for comparing actual program results with the established performance goals;

(8) a description of how the agency will ensure the accuracy and reliability of the data used to measure progress towards its performance goals, including an identification of—

(A) the means to be used to verify and validate measured values;

(B) the sources for the data;

(C) the level of accuracy required for the intended use of the data;

(D) any limitations to the data at the required level of accuracy; and

(E) how the agency will compensate for such limitations if needed to reach the required level of accuracy;

(9) describe major management challenges the agency faces and identify—

(A) planned actions to address such challenges;

(B) performance goals, performance indicators, and milestones to measure progress toward resolving such challenges; and

(C) the agency official responsible for resolving such challenges; and

(10) identify low-priority program activities based on an analysis of their contribution to the mission and goals of the agency and include an evidence-based justification for designating a program activity as low priority.

(c) ALTERNATIVE FORM.—If an agency, in consultation with the Director of the Office of Management and Budget, determines that it is not feasible to express the performance goals for a particular program activity in an objective, quantifiable, and measurable form, the Director of the Office of Management and Budget may authorize an alternative form. Such alternative form shall—

(1) include separate descriptive statements of—

(A)(i) a minimally effective program; and

(ii) a successful program; or

(B) such alternative as authorized by the Director of the Office of Management and Budget, with sufficient precision and in such terms that would allow for an accurate, independent determination of whether the program activity's performance meets the criteria of the description; or

(2) state why it is infeasible or impractical to express a performance goal in any form for the program activity.

(d) TREATMENT OF PROGRAM ACTIVITIES.—For the purpose of complying with this section, an agency may aggregate, disaggregate, or consolidate program activities, except that any aggregation or consolidation may not omit or minimize the significance of any program activity constituting a major function or operation for the agency.

(e) APPENDIX.—An agency may submit with an annual performance plan an appendix covering any portion of the plan that—

(1) is specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy; and

(2) is properly classified pursuant to such Executive order.

(f) INHERENTLY GOVERNMENTAL FUNCTIONS.—The functions and activities of this section shall be considered to be inherently governmental functions. The drafting of performance plans under this section shall be performed only by Federal employees.

(g) PREPARATION OF PERFORMANCE PLAN.—The Performance Improvement Officer of each agency (or the functional equivalent) shall collaborate with the Chief Human Capital Officer (or the functional equivalent), the Chief Information Officer (or the functional equivalent), the Chief Data Officer (or the functional equivalent), and the Chief Financial Officer (or the functional equivalent) of that agency to prepare that portion of the annual performance plan described under subsection (b)(5) for that agency.

(h) DEFINITIONS.—For purposes of this section and sections 1116 through 1125, and sections 9703 and 9704, the term—

(1) ''agency'' has the same meaning as such term is defined under section 306(f) of title 5;

(2) ''crosscutting'' means across organizational (such as agency) boundaries;

(3) ''customer service measure'' means an assessment of service delivery to a customer, client, citizen, or other recipient, which can include an assessment of quality, timeliness, and satisfaction among other factors;

(4) ''efficiency measure'' means a ratio of a program activity's inputs (such as costs or hours worked by employees) to its outputs (amount of products or services delivered) or outcomes (the desired results of a program);

(5) ''major management challenge'' means programs or management functions, within or across agencies, that have greater vulnerability to waste, fraud, abuse, and mismanagement (such as issues identified by the Government Accountability Office as high risk or issues identified by an Inspector General) where a failure to perform well could seriously affect the ability of an agency or the Government to achieve its mission or goals;

(6) ''milestone'' means a scheduled event signifying the completion of a major deliverable or a set of related deliverables or a phase of work;

(7) ''outcome measure'' means an assessment of the results of a program activity compared to its intended purpose;

(8) ''output measure'' means the tabulation, calculation, or recording of activity or effort that can be expressed in a quantitative or qualitative manner;

(9) ''performance goal'' means a target level of performance expressed as a tangible, measurable objective, against which actual achievement can be compared, including a goal expressed as a quantitative standard, value, or rate;

(10) ''performance indicator'' means a particular value or characteristic used to measure output or outcome;

(11) ''program activity'' means a specific activity or project as listed in the program and financing schedules of the annual budget of the United States Government; and

(12) ''program evaluation'' means an assessment, through objective measurement and systematic analysis, of the manner and extent to which Federal programs achieve intended objectives.

(Added Pub. L. 111–352, § 3, Jan. 4, 2011, 124 Stat. 3867; amended Pub. L. 116–283, div. H, title XCVI, § 9601(c)(2)(A), Jan. 1, 2021, 134 Stat. 4827; Pub. L. 117–263, div. E, title LIII, § 5303(b), Dec. 23, 2022, 136 Stat. 3250; Pub. L. 118–190, § 5, Dec. 23, 2024, 138 Stat. 2656.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1115, added Pub. L. 103–62, § 4(b), Aug. 3, 1993, 107 Stat. 287; amended Pub. L. 107–296, title XIII, § 1311(a), Nov. 25, 2002, 116 Stat. 2289; Pub. L. 108–136, div. A, title XIV, § 1421(b), Nov. 24, 2003, 117 Stat. 1667, related to performance plans, prior to repeal by Pub. L. 111–352, § 3, Jan. 4, 2011, 124 Stat. 3867.

AMENDMENTS

2024—Subsec. (a)(3). Pub. L. 118–190 added par. (3) and struck out former par. (3) which read as follows: ''for each Federal Government performance goal, identify a lead Government official who shall be responsible for coordinating the efforts to achieve the goal;''.

2022—Subsec. (b)(5). Pub. L. 117–263, § 5303(b)(1), amended par. (5) generally. Prior to amendment, par. (5) provided standards for a description of how the performance goals were to be achieved.

Subsec. (g). Pub. L. 117–263, § 5303(b)(2), amended subsec. (g) generally. Prior to amendment, subsec. (g) required the Chief Human Capital Officer to prepare the portion of the annual performance plan described under subsec. (b)(5)(A).

2021—Subsec. (a). Pub. L. 116–283 substituted ''a website described in'' for ''the website provided under'' in introductory provisions.

Statutory Notes and Related Subsidiaries

FORMAT OF PERFORMANCE PLANS AND REPORTS

Pub. L. 111–352, § 10, Jan. 4, 2011, 124 Stat. 3880, as amended by Pub. L. 116–283, div. H, title XCVI, § 9601(c)(2)(B), Jan. 1, 2021, 134 Stat. 4827, provided that:

''(a) SEARCHABLE, MACHINE-READABLE PLANS AND REPORTS.—For fiscal year 2012 and each fiscal year thereafter, each agency required to produce strategic plans, performance plans, and performance updates in accordance with the amendments made by this Act [see Short Title of 2011 Amendment note set out under section 1101 of this title] shall—

''(1) not incur expenses for the printing of strategic plans, performance plans, and performance reports for release external to the agency, except when providing such documents to the Congress;

''(2) produce such plans and reports in searchable, machine-readable formats; and

''(3) make such plans and reports available on a website described in section 1122 of title 31, United States Code.

''(b) WEB-BASED PERFORMANCE PLANNING AND REPORTING.—

''(1) IN GENERAL.—Not later than June 1, 2012, the Director of the Office of Management and Budget shall issue guidance to agencies to provide concise and timely performance information for publication on a website described in section 1122 of title 31, United States Code, including, at a minimum, all requirements of sections 1115 and 1116 of title 31, United States Code, except for section 1115(e).

''(2) HIGH-PRIORITY GOALS.—For agencies required to develop agency priority goals under section 1120(b) of title 31, United States Code, the performance information required under this section shall be merged with the existing information required under section 1122 of title 31, United States Code.

''(3) CONSIDERATIONS.—In developing guidance under this subsection, the Director of the Office of Management and Budget shall take into consideration the experiences of agencies in making consolidated performance planning and reporting information available on a website described in section 1122 of title 31, United States Code.''

IMPLEMENTATION OF Pub. L. 111–352

Pub. L. 111–352, § 14, Jan. 4, 2011, 124 Stat. 3883, provided that:

''(a) INTERIM PLANNING AND REPORTING.—

''(1) IN GENERAL.—The Director of the Office of Management and Budget shall coordinate with agencies to develop interim Federal Government priority goals and submit interim Federal Government performance plans consistent with the requirements of this Act [see Short Title of 2011 Amendment note set out under section 1101 of this title] beginning with the submission of the fiscal year 2013 Budget of the United States Government.

''(2) REQUIREMENTS.—Each agency shall—

''(A) not later than February 6, 2012, make adjustments to its strategic plan to make the plan consistent with the requirements of this Act;

''(B) prepare and submit performance plans consistent with the requirements of this Act, including the identification of agency priority goals, beginning with the performance plan for fiscal year 2013; and

''(C) make performance reporting updates consistent with the requirements of this Act beginning in fiscal year 2012.

''(3) QUARTERLY REVIEWS.—The quarterly priority progress reviews required under this Act shall begin—

''(A) with the first full quarter beginning on or after the date of enactment of this Act [Jan. 4, 2011] for agencies based on the agency priority goals contained in the Analytical Perspectives volume of the Fiscal Year 2011 Budget of the United States Government; and

''(B) with the quarter ending June 30, 2012 for the interim Federal Government priority goals.

''(b) GUIDANCE.—The Director of the Office of Management and Budget shall prepare guidance for agencies in carrying out the interim planning and reporting activities required under subsection (a), in addition to other guidance as required for implementation of this Act.''

CONGRESSIONAL OVERSIGHT AND LEGISLATION

Pub. L. 111–352, §15, Jan. 4, 2011, 124 Stat. 3883, provided that:

''(a) IN GENERAL.—Nothing in this Act [see Short Title of 2011 Amendment note set out under section 1101 of this title] shall be construed as limiting the ability of Congress to establish, amend, suspend, or annul a goal of the Federal Government or an agency.

''(b) GAO REVIEWS.—

''(1) INTERIM PLANNING AND REPORTING EVALUATION.—Not later than June 30, 2013, the Comptroller General shall submit a report to Congress that includes—

''(A) an evaluation of the implementation of the interim planning and reporting activities conducted under section 14 of this Act [set out as a note above]; and

''(B) any recommendations for improving implementation of this Act as determined appropriate.

''(2) IMPLEMENTATION EVALUATIONS.—

''(A) IN GENERAL.—The Comptroller General shall evaluate the implementation of this Act subsequent to the interim planning and reporting activities evaluated in the report submitted to Congress under paragraph (1).

''(B) AGENCY IMPLEMENTATION.—

''(i) EVALUATIONS.—The Comptroller General shall evaluate how implementation of this Act is affecting performance management at the agencies described in section 901(b) of title 31, United States Code, including whether performance management is being used by those agencies to improve the efficiency and effectiveness of agency programs.

''(ii) REPORTS.—The Comptroller General shall submit to Congress—

''(I) an initial report on the evaluation under clause (i), not later than September 30, 2015; and

''(II) a subsequent report on the evaluation under clause (i), not later than September 30, 2017.

''(C) FEDERAL GOVERNMENT PLANNING AND REPORTING IMPLEMENTATION.—

''(i) EVALUATIONS.—The Comptroller General shall evaluate the implementation of the Federal Government priority goals, Federal Government performance plans and related reporting required by this Act.

''(ii) REPORTS.—The Comptroller General shall submit to Congress—

''(I) an initial report on the evaluation under clause (i), not later than September 30, 2015; and

''(II) subsequent reports on the evaluation under clause (i), not later than September 30, 2017 and every 4 years thereafter.

''(D) RECOMMENDATIONS.—The Comptroller General shall include in the reports required by subparagraphs (B) and (C) any recommendations for improving implementation of this Act and for streamlining the planning and reporting requirements of the Government Performance and Results Act of 1993 [Pub. L. 103–62, Aug. 3, 1993, 107 Stat. 285; see Short Title of 1993 Amendment note set out under section 1101 of this title].''

STRATEGIC PLANNING AND PERFORMANCE MEASUREMENT TRAINING

Pub. L. 103–62, §9, Aug. 3, 1993, 107 Stat. 295, provided that: ''The Office of Personnel Management shall, in consultation with the Director of the Office of Management and Budget and the Comptroller General of the United States, develop a strategic planning and performance measurement training component for its management training program and otherwise provide managers with an orientation on the development and use of strategic planning and program performance measurement.''

Executive Documents

EX. ORD. NO. 13450. IMPROVING GOVERNMENT PROGRAM PERFORMANCE

Ex. Ord. No. 13450, Nov. 13, 2007, 72 F.R. 64519, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, including sections 305 and 306 of title 5, sections 1115, 1116, and 9703 of title 31, and chapter 28 of title 39, United States Code, and to improve the effectiveness and efficiency of the Federal Government and promote greater accountability of that Government to the American people, it is hereby ordered as follows:

SECTION 1. *Policy*. It is the policy of the Federal Government to spend taxpayer dollars effectively, and more effectively each year. Agencies shall apply taxpayer resources efficiently in a manner that maximizes the effectiveness of Government programs in serving the American people.

SEC. 2. *Definitions*. As used in this order:

(a) ''agency'' means:

(i) an executive agency as defined in section 105 of title 5, United States Code, other than the Government Accountability Office; and

(ii) the United States Postal Service and the Postal Regulatory Commission;

(b) ''agency Performance Improvement Officer'' means an employee of an agency who is a member of the Senior Executive Service or equivalent service, and who is designated by the head of the agency to carry out the duties set forth in section 5 of this order.

SEC. 3. *Duties of Heads of Agencies*. To assist in implementing the policy set forth in section 1 of this order, the head of each agency shall, with respect to each program administered in whole or in part by the agency:

(a) approve for implementation:

(i) clear annual and long-term goals defined by objectively measurable outcomes; and

(ii) specific plans for achieving the goals, including:

(A) assignments to specified agency personnel of:

(1) the duties necessary to achieve the goals; and

(2) the authority and resources necessary to fulfill such duties;

(B) means to measure:

(1) progress toward achievement of the goals; and

(2) efficiency in use of resources in making that progress; and

(C) mechanisms for ensuring continuous accountability of the specified agency personnel to the head of the agency for achievement of the goals and efficiency in use of resources in achievement of the goals;

(b) assist the President, through the Director of the Office of Management and Budget (Director), in making recommendations to the Congress, including budget and appropriations recommendations, that are justified based on objective performance information and accurate estimates of the full costs of achieving the annual

and long-term goals approved under subsection (a)(i) of this section; and

(c) ensure that agency Internet websites available to the public include regularly updated and accurate information on the performance of the agency and its programs, in a readily useable and searchable form, that sets forth the successes, shortfalls, and challenges of each program and describes the agency's efforts to improve the performance of the program.

SEC. 4. *Additional Duties of the Director of the Office of Management and Budget.* (a) To assist in implementing the policy set forth in section 1 of this order, the Director shall issue instructions to the heads of agencies concerning:

(i) the contents, and schedule for approval, of the goals and plans required by section 3 of this order; and

(ii) the availability to the public in readily accessible and comprehensible form on the agency's Internet website (or in the Federal Register for any agency that does not have such a website), of the information approved by the head of each agency under section 3 of this order and other information relating to agency performance.

(b) Instructions issued under subsection (a) of this section shall facilitate compliance with applicable law, presidential guidance, and Office of Management and Budget circulars and shall be designed to minimize duplication of effort and to assist in maximizing the efficiency and effectiveness of agencies and their programs.

SEC. 5. *Duties of Agency Performance Improvement Officers.* Subject to the direction of the head of the agency, each agency Performance Improvement Officer shall:

(a) supervise the performance management activities of the agency, including:

(i) development of the goals, specific plans, and estimates for which section 3 of this order provides; and

(ii) development of the agency's strategic plans, annual performance plans, and annual performance reports as required by law;

(b) advise the head of the agency, with respect to a program administered in whole or in part by the agency, whether:

(i) goals proposed for the approval of the head of the agency under section 3(a)(i) of this order are:

(A) sufficiently aggressive toward full achievement of the purposes of the program; and

(B) realistic in light of authority and resources assigned to the specified agency personnel referred to in section 3(a)(ii)(A) of this order with respect to that program; and

(ii) means for measurement of progress toward achievement of the goals are sufficiently rigorous and accurate;

(c) convene the specified agency personnel referred to in section 3(a)(ii)(A) of this order, or appropriate subgroups thereof, regularly throughout each year to:

(i) assess performance of each program administered in whole or in part by the agency; and

(ii) consider means to improve the performance and efficiency of such program;

(d) assist the head of the agency in the development and use within the agency of performance measures in personnel performance appraisals, and, as appropriate, other agency personnel and planning processes; and

(e) report to the head of the agency on the implementation within the agency of the policy set forth in section 1 of this order.

SEC. 6. *Establishment and Operation of Performance Improvement Council.* (a) The Director shall establish, within the Office of Management and Budget for administrative purposes only, a Performance Improvement Council (Council), consistent with this order.

(b) The Council shall consist exclusively of:

(i) the Deputy Director for Management of the Office of Management and Budget, who shall serve as Chair;

(ii) such agency Performance Improvement Officers, as determined by the Chair; and

(iii) such other full-time or permanent part-time employees of an agency, as determined by the Chair with the concurrence of the head of the agency concerned.

(c) The Chair or the Chair's designee, in implementing subsection (d) of this section, shall convene and preside at the meetings of the Council, determine its agenda, direct its work, and establish and direct subgroups of the Council, as appropriate to deal with particular subject matters, that shall consist exclusively of members of the Council.

(d) To assist in implementing the policy set forth in section 1 of this order, the Council shall:

(i) develop and submit to the Director, or when appropriate to the President through the Director, at times and in such formats as the Chair may specify, recommendations concerning:

(A) performance management policies and requirements; and

(B) criteria for evaluation of program performance;

(ii) facilitate the exchange among agencies of information on performance management, including strategic and annual planning and reporting, to accelerate improvements in program performance;

(iii) coordinate and monitor a continuous review by heads of agencies of the performance and management of all Federal programs that assesses the clarity of purpose, quality of strategic and performance planning and goals, management excellence, and results achieved for each agency's programs, with the results of these assessments and the evidence on which they are based made available to the public on or through the Internet website referred to in subsection (d)(iv);

(iv) to facilitate keeping the public informed, and with such assistance of heads of agencies as the Director may require, develop an Internet website that provides the public with information on how well each agency performs and that serves as a comprehensive source of information on:

(A) current program performance; and

(B) the status of program performance plans and agency Performance and Accountability Reports; and

(C) consistent with the direction of the head of the agency concerned after consultation with the Director, any publicly available reports by the agency's Inspector General concerning agency program performance;

(v) monitor implementation by agencies of the policy set forth in section 1 of this order and report thereon from time to time as appropriate to the Director, or when appropriate to the President through the Director, at such times and in such formats as the Chair may specify, together with any recommendations of the Council for more effective implementation of such policy;

(vi) at the request of the head of an agency, unless the Chair declines the request, promptly review and provide advice on a proposed action by that agency to implement the policy set forth in section 1 of this order; and

(vii) obtain information and advice, as appropriate, in a manner that seeks individual advice and does not involve collective judgment or consensus advice or deliberation, from:

(A) State, local, territorial, and tribal officials; and

(B) representatives of entities or other individuals.

(e)(i) To the extent permitted by law, the Office of Management and Budget shall provide the funding and administrative support the Council needs, as determined by the Director, to implement this section; and

(ii) the heads of agencies shall provide, as appropriate and to the extent permitted by law, such information and assistance as the Chair may request to implement this section.

SEC. 7. *General Provisions.* (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to an agency or the head thereof; or

(ii) functions of the Director relating to budget, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law (including laws and executive orders relating to the protection of information from disclosure) and subject to the availability of appropriations.

(c) In implementing this order, the Director of National Intelligence shall perform the functions assigned

to the Director of National Intelligence by the National Security Act of 1947, as amended ([former] 50 U.S.C. 401 *et seq.*) [now 50 U.S.C. 3001 et seq.], consistent with section 1018 of the Intelligence Reform and Terrorism Prevention Act (Public Law 108–458), and other applicable laws.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity, by any party against the United States, its agencies, or entities, its officers, employees, or agents, or any other person.

GEORGE W. BUSH.

§ 1116. Agency performance reporting

(a) The head of each agency shall make available on a public website of the agency and to the Office of Management and Budget an update on agency performance.

(b)(1) Each update shall compare actual performance achieved with the performance goals established in the agency performance plan under section 1115(b) and shall occur not later than 150 days after the end of each fiscal year, with more frequent updates of actual performance on indicators that provide data of significant value to the Government, Congress, or program partners at a reasonable level of administrative burden.

(2) If performance goals are specified in an alternative form under section 1115(c), the results shall be described in relation to such specifications, including whether the performance failed to meet the criteria of a minimally effective or successful program.

(c) Each update shall—

(1) review the success of achieving the performance goals and include actual results for the 5 preceding fiscal years;

(2) evaluate the performance plan for the current fiscal year relative to the performance achieved toward the performance goals during the period covered by the update;

(3) explain and describe where a performance goal has not been met (including when a program activity's performance is determined not to have met the criteria of a successful program activity under section 1115(c)(1)(A)(ii) or a corresponding level of achievement if another alternative form is used)—

(A) why the goal was not met;

(B) those plans and schedules for achieving the established performance goal; and

(C) if the performance goal is impractical or infeasible, why that is the case and what action is recommended;

(4) describe the use and assess the effectiveness in achieving performance goals of any waiver under section 9703 of this title;

(5) include a review of the performance goals and evaluation of the performance plan relative to the agency's strategic human capital management;

(6) describe how the agency ensures the accuracy and reliability of the data used to measure progress towards its performance goals, including an identification of—

(A) the means used to verify and validate measured values;

(B) the sources for the data;

(C) the level of accuracy required for the intended use of the data;

(D) any limitations to the data at the required level of accuracy; and

(E) how the agency has compensated for such limitations if needed to reach the required level of accuracy;

(7) include the summary findings of those program evaluations completed during the period covered by the update; and

(8) include a summary of the findings of the review of the agency under section 1121(c).

(d) If an agency performance update includes any program activity or information that is specifically authorized under criteria established by an Executive Order to be kept secret in the interest of national defense or foreign policy and is properly classified pursuant to such Executive Order, the head of the agency shall make such information available in the classified appendix provided under section 1115(e).

(e) The functions and activities of this section shall be considered to be inherently governmental functions. The drafting of agency performance updates under this section shall be performed only by Federal employees.

(Added Pub. L. 111–352, §4, Jan. 4, 2011, 124 Stat. 3871; amended Pub. L. 118–190, §§2(b), 7(b), Dec. 23, 2024, 138 Stat. 2654, 2656.)

Editorial Notes

PRIOR PROVISIONS

A prior section 1116, added Pub. L. 103–62, §4(b), Aug. 3, 1993, 107 Stat. 288; amended Pub. L. 106–531, §5(a)(1), (b), Nov. 22, 2000, 114 Stat. 2539; Pub. L. 107–296, title XIII, §1311(b), Nov. 25, 2002, 116 Stat. 2290, related to program performance reports, prior to repeal by Pub. L. 111–352, §4, Jan. 4, 2011, 124 Stat. 3871.

AMENDMENTS

2024—Subsec. (b)(1). Pub. L. 118–190, §7(b), substituted ''shall occur not later than 150 days after'' for ''shall occur no less than 150 days after''.

Subsec. (c)(8). Pub. L. 118–190, §2(b)(1), added par. (8).

Subsecs. (f) to (i). Pub. L. 118–190, §2(b)(2), struck out subsecs. (f) to (i) which related to determination of unmet performance goals and various action plans to address unmet goals after 1, 2, and 3 consecutive fiscal years.

Statutory Notes and Related Subsidiaries

MERIT SYSTEMS PROTECTION BOARD

Pub. L. 112–199, title I, §116(b), Nov. 27, 2012, 126 Stat. 1474, provided that:

''(1) IN GENERAL.—Each report submitted annually by the Merit Systems Protection Board under section 1116 of title 31, United States Code, shall, with respect to the period covered by such report, include as an addendum the following:

''(A) Information relating to the outcome of cases decided by the Merit Systems Protection Board during the period covered by such report in which violations of section 2302(b)(8) or (9)(A)(i), (B)(i), (C), or (D) of title 5, United States Code, were alleged.

''(B) The number of such cases filed in the regional and field offices, and the number of petitions for review filed in such cases, during the period covered by such report, and the outcomes of any such cases or petitions for review (irrespective of when filed) decided during such period.

''(2) FIRST REPORT.—The first report described under paragraph (1) submitted after the date of enactment of this Act [Nov. 27, 2012] shall include an addendum required under that paragraph that covers the period be-

ginning on the effective date of this Act [see Effective Date of 2012 Amendment note set out under section 1204 of Title 5, Government Organization and Employees] and ending at the end of the fiscal year in which such effective date occurs.''

§ 1117. Exemption

The Director of the Office of Management and Budget may exempt from the requirements of sections 1115 and 1116 of this title and section 306 of title 5, any agency with annual outlays of $20,000,000 or less.

(Added Pub. L. 103–62, § 4(b), Aug. 3, 1993, 107 Stat. 289.)

Statutory Notes and Related Subsidiaries

CONSTRUCTION

No provision or amendment made by Pub. L. 103–62 to be construed as creating any right, privilege, benefit, or entitlement for any person who is not an officer or employee of the United States acting in such capacity, and no person not an officer or employee of the United States acting in such capacity to have standing to file any civil action in any court of the United States to enforce any provision or amendment made by Pub. L. 103–62, or to be construed as superseding any statutory requirement, see section 10 of Pub. L. 103–62, set out as a Construction of 1993 Amendment note under section 1101 of this title.

[§§ 1118, 1119. Repealed. Pub. L. 118–190, § 6(a), Dec. 23, 2024, 138 Stat. 2656]

Section 1118, added Pub. L. 103–62, § 6(a), Aug. 3, 1993, 107 Stat. 290, designated agencies as pilot projects in performance measurement for fiscal years 1994, 1995, and 1996.

Section 1119, added Pub. L. 103–62, § 6(c), Aug. 3, 1993, 107 Stat. 291, designated agencies as pilot projects in performance budgeting for fiscal years 1998 and 1999.

§ 1120. Federal Government and agency priority goals

(a) FEDERAL GOVERNMENT PRIORITY GOALS.—

(1) The Director of the Office of Management and Budget shall coordinate with agencies to develop priority goals to improve the performance and management of the Federal Government. Such Federal Government priority goals shall include—

(A) outcome-oriented goals covering a limited number of crosscutting policy areas; and

(B) goals for management improvements needed across the Federal Government, including—

(i) financial management;

(ii) human capital management;

(iii) information technology management;

(iv) procurement and acquisition management; and

(v) real property management;

(2) The Federal Government priority goals shall be long-term in nature. Such goals shall—

(A) be updated and revised not less frequently than during the first year of each Presidential term;

(B) be made publicly available not less frequently than concurrently with the submission of the budget of the United States Government under section 1105(a) made during the first full fiscal year following any year during which a term of the President commences under section 101 of title 3;

(C) include plans for the successful achievement of each goal within each single Presidential term; and

(D) explicitly cite to any specific contents of the budget described in subparagraph (B) that support the achievement of each goal. As needed, the Director of the Office of Management and Budget may make adjustments to the Federal Government priority goals to reflect significant changes in the environment in which the Federal Government is operating, with appropriate notification of Congress.

(3) When developing or making adjustments to Federal Government priority goals, the Director of the Office of Management and Budget shall consult periodically with the Congress, including obtaining majority and minority views from—

(A) the Committees on Appropriations of the Senate and the House of Representatives;

(B) the Committees on the Budget of the Senate and the House of Representatives;

(C) the Committee on Homeland Security and Governmental Affairs of the Senate;

(D) the Committee on Oversight and Government Reform of the House of Representatives;

(E) the Committee on Finance of the Senate;

(F) the Committee on Ways and Means of the House of Representatives; and

(G) any other committees as determined appropriate;

(4) The Director of the Office of Management and Budget shall consult with the appropriate committees of Congress at least once every 2 years.

(5) The Director of the Office of Management and Budget shall make information about the Federal Government priority goals available on a website described in section 1122 of this title.

(6) The Federal Government performance plan required under section 1115(a) of this title shall be consistent with the Federal Government priority goals.

(b) AGENCY PRIORITY GOALS.—

(1) Every 2 years, the head of each agency listed in section 901(b) of this title, or as otherwise determined by the Director of the Office of Management and Budget, shall identify agency priority goals from among the performance goals of the agency. The Director of the Office of Management and Budget shall determine the total number of agency priority goals across the Government, and the number to be developed by each agency. The agency priority goals shall—

(A) reflect the highest priorities of the agency, as determined by the head of the agency and informed by the Federal Government priority goals provided under subsection (a) and the consultations with Congress and other interested parties required by section 306(d) of title 5;

(B) have ambitious targets that can be achieved within a 2-year period;

(C) have a clearly identified agency official, known as a goal leader, who is responsible for the achievement of each agency priority goal;

(D) have interim quarterly targets for performance indicators if more frequent updates of actual performance provides data of significant value to the Government, Congress, or program partners at a reasonable level of administrative burden; and

(E) have clearly defined quarterly milestones.

(2) If an agency priority goal includes any program activity or information that is specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and is properly classified pursuant to such Executive order, the head of the agency shall make such information available in the classified appendix provided under section 1115(e).

(c) The functions and activities of this section shall be considered to be inherently governmental functions. The development of Federal Government and agency priority goals shall be performed only by Federal employees.

(Added Pub. L. 111–352, §5, Jan. 4, 2011, 124 Stat. 3873; amended Pub. L. 116–283, div. H, title XCVI, §9601(c)(2)(C), Jan. 1, 2021, 134 Stat. 4828; Pub. L. 118–190, §4, Dec. 23, 2024, 138 Stat. 2655.)

Editorial Notes

AMENDMENTS

2024—Subsec. (a)(2). Pub. L. 118–190 substituted ''Such goals shall—'' and subpars. (A) to (D) for ''At a minimum, the Federal Government priority goals shall be updated or revised every 4 years and made publicly available concurrently with the submission of the budget of the United States Government made in the first full fiscal year following any year in which the term of the President commences under section 101 of title 3.''

2021—Subsec. (a)(5). Pub. L. 116–283 substituted ''a website described in'' for ''the website described under''.

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Oversight and Government Reform of House of Representatives changed to Committee on Oversight and Reform of House of Representatives by House Resolution No. 6, One Hundred Sixteenth Congress, Jan. 9, 2019. Committee on Oversight and Reform of House of Representatives changed to Committee on Oversight and Accountability of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

§1121. Progress reviews and use of performance information

(a) USE OF PERFORMANCE INFORMATION TO ACHIEVE FEDERAL GOVERNMENT PRIORITY GOALS.—Not less than quarterly, the Director of the Office of Management and Budget, with the support of the Performance Improvement Council, shall—

(1) for each Federal Government priority goal required by section 1120(a) of this title, review with the appropriate lead Government official the progress achieved during the most recent quarter, overall trend data, and the likelihood of meeting the planned level of performance;

(2) include in such reviews officials from the agencies, organizations, and program activities that contribute to the accomplishment of each Federal Government priority goal;

(3) assess whether agencies, organizations, program activities, regulations, tax expenditures, policies, and other activities are contributing as planned to each Federal Government priority goal;

(4) categorize the Federal Government priority goals by risk of not achieving the planned level of performance; and

(5) for the Federal Government priority goals at greatest risk of not meeting the planned level of performance, identify prospects and strategies for performance improvement, including any needed changes to agencies, organizations, program activities, regulations, tax expenditures, policies or other activities.

(b) AGENCY USE OF PERFORMANCE INFORMATION TO ACHIEVE AGENCY PRIORITY GOALS.—Not less than quarterly, at each agency required to develop agency priority goals required by section 1120(b) of this title, the head of the agency and Chief Operating Officer, with the support of the agency Performance Improvement Officer, shall—

(1) for each agency priority goal, review with the appropriate goal leader the progress achieved during the most recent quarter, overall trend data, and the likelihood of meeting the planned level of performance;

(2) coordinate with relevant personnel within and outside the agency who contribute to the accomplishment of each agency priority goal;

(3) assess whether relevant organizations, program activities, regulations, policies, and other activities are contributing as planned to the agency priority goals;

(4) categorize agency priority goals by risk of not achieving the planned level of performance; and

(5) for agency priority goals at greatest risk of not meeting the planned level of performance, identify prospects and strategies for performance improvement, including any needed changes to agency program activities, regulations, policies, or other activities.

(c) AGENCY REVIEWS OF PROGRESS TOWARDS STRATEGIC GOALS AND OBJECTIVES.—

(1) COVERED GOAL DEFINED.—In this subsection, the term ''covered goal'' means a goal or objective established in the strategic plan of the agency under section 306(a) of title 5.

(2) REVIEW.—Not less frequently than annually and consistent with guidance issued by the Director of the Office of Management and Budget, the head and Chief Operating Officer of each agency,[1] shall—

(A) for each covered goal, review with the appropriate agency official responsible for the covered goal—

[1] So in original.

(i) the progress achieved toward the covered goal—

(I) during the most recent fiscal year; or

(II) from recent sources of evidence available at the time of the review; and

(ii) the likelihood that the agency will achieve the covered goal;

(B) coordinate with relevant personnel within and outside the agency who contribute to the accomplishment of each covered goal;

(C) assess progress toward each covered goal by reviewing performance information and other types of evidence relating to each covered goal, such as program evaluations and statistical data;

(D) identify whether additional evidence is necessary to better assess progress toward each covered goal, and prioritize the development of the evidence described in subparagraph (C), such as through the plans required under section 312 of title 5, if applicable;

(E) assess whether relevant organizations, program activities, regulations, policies, and other activities contribute as planned to each covered goal;

(F) as appropriate, leverage the assessment performed under subparagraph (E) as part of the portfolio reviews required under section 503(c)(1)(G);

(G) identify any risks or impediments that would reduce or otherwise decrease the likelihood that the agency will achieve the covered goal; and

(H) for each covered goal at greatest risk of not being achieved, identify prospects and strategies for performance improvement, including any necessary changes to program activities, regulations, policies, or other activities of the agency.

(3) SUPPORT.—In fulfilling the requirements of paragraph (2), the head and Chief Operating Officer of each agency shall be supported by—

(A) the Performance Improvement Officer of the agency;

(B) as appropriate, the Chief Data Officer, Evaluation Officer, Program Management Improvement Officer, and Statistical Official of the agency; and

(C) any other senior agency official designated by the head of the agency, the sustained involvement of whom may help the agency increase the likelihood of achieving 1 or more covered goals.

(Added Pub. L. 111–352, §6, Jan. 4, 2011, 124 Stat. 3875; amended Pub. L. 118–190, §2(a)(1), Dec. 23, 2024, 138 Stat. 2653.)

Editorial Notes

AMENDMENTS

2024—Pub. L. 118–190, §2(a)(1)(A), substituted ''Progress reviews and use of performance information'' for ''Quarterly priority progress reviews and use of performance information'' in section catchline.

Subsec. (c). Pub. L. 118–190, §2(a)(1)(B), added subsec. (c).

§ 1122. Transparency of programs, priority goals, and results

(a) TRANSPARENCY OF AGENCY PROGRAMS.—

(1) DEFINITIONS.—For purposes of this subsection—

(A) the term ''Federal financial assistance'' has the meaning given that term under section 7501;

(B) the term ''open Government data asset'' has the meaning given that term under section 3502 of title 44;

(C) the term ''program'' means a single program activity or an organized set of aggregated, disaggregated, or consolidated program activities by one or more agencies directed toward a common purpose or goal; and

(D) the term ''program activity'' has the meaning given that term in section 1115(h).

(2) WEBSITE AND PROGRAM INVENTORY.—The Director of the Office of Management and Budget shall—

(A) ensure the effective operation of a single website that includes the information required under subsections (b) and (c);

(B) include on the website described in subparagraph (A), or another appropriate Federal Government website where related information is made available, as determined by the Director—

(i) a program inventory that shall identify each program; and

(ii) for each program identified in the program inventory, the information required under paragraph (3);

(C) make the information required to be included on the single website under subparagraph (A) and the information in the program inventory required under subparagraph (B) available as an open Government data asset;

(D) at a minimum—

(i) update the information required to be included on the single website under subparagraph (A) on a quarterly basis; and

(ii) update the program inventory required under subparagraph (B) on an annual basis; and

(E) ensure that the website described in subparagraph (A) conforms with the requirements for websites under section 3(a) of the 21st Century Integrated Digital Experience Act (44 U.S.C. 3501 note).

(3) INFORMATION.—Information for each program identified in the program inventory required under paragraph (2)(B) shall include—

(A) an identification of how the agency defines the term ''program'', consistent with guidance provided by the Director of the Office of Management and Budget, including the program activities that are aggregated, disaggregated, or consolidated to be considered a program by the agency;

(B) a description of the purposes of the program and the contribution of the program to the mission and goals of the agency;

(C) an identification of funding for the current fiscal year and previous 2 fiscal years and,

(D) for each program activity that is part of a program—

(i) a description of the purposes of the program activity and the contribution of

the program activity to the mission and goals of the agency;

(ii) a consolidated view for the current fiscal year and each of the 2 fiscal years before the current fiscal year of—

(I) the amount appropriated;

(II) the amount obligated; and

(III) the amount outlayed;

(iii) to the extent practicable and permitted by law, links to any related evaluation, assessment, or program performance review by the agency, an inspector general, or the Government Accountability Office (including program performance reports required under section 1116), and other related evidence assembled in response to implementation of the Foundations for Evidence-Based Policymaking Act of 2018 (Public Law 115–435; 132 Stat. 5529);

(iv) an identification of the statutes that authorize the program activity or the authority under which the program activity was created or operates;

(v) an identification of any major regulations specific to the program activity;

(vi) any other information that the Director of the Office of Management and Budget determines relevant relating to program activity data in priority areas most relevant to Congress or the public to increase transparency and accountability; and

(vii) for each assistance listing under which Federal financial assistance is provided, for the current fiscal year and each of the 2 fiscal years before the current fiscal year and consistent with existing law relating to the protection of personally identifiable information—

(I) a linkage to the relevant program activities that fund Federal financial assistance by assistance listing;

(II) information on the population intended to be served by the assistance listing based on the language of the solicitation, as required under section 6102;

(III) to the extent practicable and based on data reported to the agency providing the Federal financial assistance, the results of the Federal financial assistance awards provided by the assistance listing;

(IV) to the extent practicable, the percentage of the amount appropriated for the assistance listing that is used for management and administration;

(V) the identification of each award of Federal financial assistance and, to the extent practicable, the name of each direct or indirect recipient of the award; and

(VI) any information relating to the award of Federal financial assistance that is required to be included on the website established under section 2(b) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).

(4) ARCHIVING.—The Director of the Office of Management and Budget shall—

(A) archive and preserve—

(i) the information included in the program inventory required under paragraph (2)(B), including the information described in paragraph (3), after the end of the period during which that information is made available; and

(ii) the information included in the single website under paragraph (2)(A) in accordance with subsections (b) and (c) after the end of the period during which such information is made available on the website; and

(B) make information archived in accordance with subparagraph (A) publicly available as an open Government data asset.

(b) TRANSPARENCY OF AGENCY PRIORITY GOALS AND RESULTS.—The head of each agency required to develop agency priority goals shall make information about each agency priority goal available to the Office of Management and Budget for publication on the website described in subsection (a)(2)(A), with the exception of any information covered by section 1120(b)(2) of this title. In addition to an identification of each agency priority goal, the website described in subsection (a)(2)(A) shall also consolidate information about each agency priority goal, including—

(1) a description of how the agency incorporated any views and suggestions obtained through congressional consultations about the agency priority goal;

(2) an identification of key factors external to the agency and beyond its control that could significantly affect the achievement of the agency priority goal;

(3) a description of how each agency priority goal will be achieved, including—

(A) the strategies and resources required to meet the priority goal;

(B) clearly defined milestones;

(C) the organizations, program activities, regulations, policies, and other activities that contribute to each goal, both within and external to the agency;

(D) how the agency is working with other agencies to achieve the goal; and

(E) an identification of the agency official responsible for achieving the priority goal;

(4) the performance indicators to be used in measuring or assessing progress;

(5) a description of how the agency ensures the accuracy and reliability of the data used to measure progress towards the priority goal, including an identification of—

(A) the means used to verify and validate measured values;

(B) the sources for the data;

(C) the level of accuracy required for the intended use of the data;

(D) any limitations to the data at the required level of accuracy; and

(E) how the agency has compensated for such limitations if needed to reach the required level of accuracy;

(6) the results achieved toward the agency priority goals established under section 1120(b)—

(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

(B) at the end of the 2-year agency priority goal period compared to the overall planned level of performance;

(7) an assessment of whether relevant organizations, program activities, regulations, policies, and other activities are contributing as planned;

(8) an identification of the agency priority goals at risk of not achieving the planned level of performance; and

(9) any prospects or strategies for performance improvement.

(c) TRANSPARENCY OF FEDERAL GOVERNMENT PRIORITY GOALS AND RESULTS.—The Director of the Office of Management and Budget shall also make available on the website described in subsection (a)(2)(A)—

(1) a brief description of each of the Federal Government priority goals required by section 1120(a) of this title;

(2) a description of how the Federal Government priority goals incorporate views and suggestions obtained through congressional consultations;

(3) the Federal Government performance goals and performance indicators associated with each Federal Government priority goal as required by section 1115(a) of this title;

(4) an identification of the lead Government official for each Federal Government performance goal;

(5) the results achieved toward the priority goals developed under section 1120(a)(1)—

(A) during the most recent quarter and overall trend data for each quarter compared to the planned level of performance; and

(B) at the end of the 4-year Federal Government priority goal period compared to the overall planned level of performance;

(6) an identification of the agencies, organizations, program activities, regulations, tax expenditures, policies, and other activities that contribute to each Federal Government priority goal;

(7) an assessment of whether relevant agencies, organizations, program activities, regulations, tax expenditures, policies, and other activities are contributing as planned;

(8) an identification of the Federal Government priority goals at risk of not achieving the planned level of performance; and

(9) any prospects or strategies for performance improvement.

(d) INFORMATION.—The information made available under this section shall be readily accessible and easily found on the Internet by the public and members and committees of Congress. Such information shall also be presented in a searchable, machine-readable format. The Director of the Office of Management and Budget shall issue guidance to ensure that such information is provided in a way that presents a coherent picture of all Federal programs, and the performance of the Federal Government as well as individual agencies.

(Added Pub. L. 111–352, §7, Jan. 4, 2011, 124 Stat. 3876; amended Pub. L. 116–283, div. H, title XCVI, §9601(a), (c)(1), Jan. 1, 2021, 134 Stat. 4823, 4827; Pub. L. 118–190, §3, Dec. 23, 2024, 138 Stat. 2654.)

Editorial Notes

REFERENCES IN TEXT

Section 3(a) of the 21st Century Integrated Digital Experience Act, referred to in subsec. (a)(2)(E), is section 3(a) of Pub. L. 115–336, which is set out in a note under section 3501 of Title 44, Public Printing and Documents.

The Foundations for Evidence-Based Policymaking Act of 2018, referred to in subsec. (a)(3)(D)(iii), is Pub. L. 115–435, Jan. 14, 2019, 132 Stat. 5529. For complete classification of this Act to the Code, see Short Title of 2019 Amendment note set out under section 101 of Title 5, Government Organization and Employees, and Tables.

Section 2(b) of the Federal Funding Accountability and Transparency Act of 2006, referred to in subsec. (a)(3)(D)(vii)(VI), is section 2(b) of Pub. L. 109–282, which is set out in a note under section 6101 of this title.

AMENDMENTS

2024—Subsec. (a)(2)(C). Pub. L. 118–190, §3(1)(A)(i)(I), inserted ''required to be included on the single website under subparagraph (A) and the information'' before ''in the program inventory''.

Subsec. (a)(2)(E). Pub. L. 118–190, §3(1)(A)(i)(II)–(iii), added subpar. (E).

Subsec. (a)(4)(A). Pub. L. 118–190, §3(1)(B), added subpar. (A) and struck out former subpar. (A) which read as follows: ''archive and preserve the information included in the program inventory required under paragraph (2)(B) after the end of the period during which such information is made available under paragraph (3); and''.

Subsec. (b)(6). Pub. L. 118–190, §3(2), added par. (6) and struck out former par. (6) which read as follows: ''the results achieved during the most recent quarter and overall trend data compared to the planned level of performance;''.

Subsec. (c)(5). Pub. L. 118–190, §3(3), added par. (5) and struck out former par. (5) which read as follows: ''the results achieved during the most recent quarter and overall trend data compared to the planned level of performance;''.

2021—Subsec. (a)(1). Pub. L. 116–283, §9601(a)(2), added par. (1). Former par. (1) redesignated (2).

Subsec. (a)(2). Pub. L. 116–283, §9601(a)(1), (3)(A), redesignated former par. (1) as (2) and substituted ''Website and program inventory'' for ''In general'' in heading and ''The Director of the Office of Management and Budget shall'' for ''Not later than October 1, 2012, the Office of Management and Budget shall'' in introductory provisions. Former par. (2) redesignated (3).

Subsec. (a)(2)(A). Pub. L. 116–283, §9601(a)(3)(B), inserted ''that includes the information required under subsections (b) and (c)'' after ''a single website''.

Subsec. (a)(2)(B). Pub. L. 116–283, §9601(a)(3)(C), added subpar. (B) and struck out former subpar. (B) which read as follows: ''at a minimum, update the website on a quarterly basis; and''.

Subsec. (a)(2)(C). Pub. L. 116–283, §9601(a)(3)(C), added subpar. (C) and struck out former subpar. (C) which read as follows: ''include on the website information about each program identified by the agencies.''

Subsec. (a)(2)(D). Pub. L. 116–283, §9601(a)(3)(C), added subpar. (D).

Subsec. (a)(3). Pub. L. 116–283, §9601(a)(1), (4)(A), redesignated former subpar. (2) as (3) and substituted ''identified in the program inventory required under paragraph (2)(B) shall include'' for ''described under paragraph (1) shall include'' in introductory provisions.

Subsec. (a)(3)(D). Pub. L. 116–283, §9601(a)(4)(B)–(D), added subpar. (D).

Subsec. (a)(4). Pub. L. 116–283, §9601(a)(5), added par. (4).

Subsec. (b). Pub. L. 116–283, §9601(c)(1)(A), inserted ''described in subsection (a)(2)(A)'' after ''the website'' in two places in introductory provisions.

Subsec. (c). Pub. L. 116–283, §9601(c)(1)(B), inserted ''described in subsection (a)(2)(A)'' after ''the website'' in introductory provisions.

Subsec. (d). Pub. L. 116–283, §9601(c)(1)(C), struck out ''on Website'' after ''Information'' in heading and ''on the website'' after ''available'' in text.

Statutory Notes and Related Subsidiaries

GUIDANCE, IMPLEMENTATION, REPORTING, AND REVIEW

Pub. L. 116–283, div. H, title XCVI, §9601(b), Jan. 1, 2021, 134 Stat. 4825, provided that:

''(1) DEFINITIONS.—In this subsection—

''(A) the term 'appropriate congressional committees' means the Committee on Oversight and Reform [now Committee on Oversight and Accountability] of the House of Representatives and the Committee on Homeland Security and Governmental Affairs of the Senate;

''(B) the term 'Director' means the Director of the Office of Management and Budget;

''(C) the term 'program' has the meaning given that term in section 1122(a)(1) of title 31, United States Code, as amended by subsection (a) of this section;

''(D) the term 'program activity' has the meaning given that term in section 1115(h) of title 31, United States Code; and

''(E) the term 'Secretary' means the Secretary of the Treasury.

''(2) PLAN FOR IMPLEMENTATION AND RECONCILING PROGRAM DEFINITIONS.—Not later than 180 days after the date of enactment of this Act [Jan. 1, 2021], the Director, in consultation with the Secretary, shall submit to the appropriate congressional committees a report that—

''(A) includes a plan that—

''(i) discusses how making available on a website the information required under subsection (a) of section 1122 of title 31, United States Code, as amended by subsection (a), will leverage existing data sources while avoiding duplicative or overlapping information in presenting information relating to program activities and programs;

''(ii) indicates how any gaps in data will be assessed and addressed;

''(iii) indicates how the Director will display such data; and

''(iv) discusses how the Director will expand the information collected with respect to program activities to incorporate the information required under the amendments made by subsection (a);

''(B) sets forth details regarding a pilot program, developed in accordance with best practices for effective pilot programs—

''(i) to develop and implement a functional program inventory that could be limited in scope; and

''(ii) under which the information required under the amendments made by subsection (a) with respect to program activities shall be made available on the website required under section 1122(a) of title 31, United States Code;

''(C) establishes an implementation timeline for—

''(i) gathering and building program activity information;

''(ii) developing and implementing the pilot program;

''(iii) seeking and responding to stakeholder comments;

''(iv) developing and presenting findings from the pilot program to the appropriate congressional committees;

''(v) notifying the appropriate congressional committees regarding how program activities will be aggregated, disaggregated, or consolidated as part of identifying programs; and

''(vi) implementing a Governmentwide program inventory through an iterative approach; and

''(D) includes recommendations, if any, to reconcile the conflicting definitions of the term 'program' in relevant Federal statutes, as it relates to the purpose of this section.

''(3) IMPLEMENTATION.—

''(A) IN GENERAL.—Not later than 3 years after the date of enactment of this Act, the Director shall make available online all information required under the amendments made by subsection (a) with respect to all programs.

''(B) EXTENSIONS.—The Director may, based on an analysis of the costs of implementation, and after submitting to the appropriate congressional committees a notification of the action by the Director, extend the deadline for implementation under subparagraph (A) by not more than a total of 1 year.

''(4) REPORTING.—Not later than 2 years after the date on which the Director makes available online all information required under the amendments made by subsection (a) with respect to all programs, the Comptroller General of the United States shall submit to the appropriate congressional committees a report regarding the implementation of this section and the amendments made by this section, which shall—

''(A) review how the Director and agencies determined how to aggregate, disaggregate, or consolidate program activities to provide the most useful information for an inventory of Government programs;

''(B) evaluate the extent to which the program inventory required under section 1122 of title 31, United States Code, as amended by this section, provides useful information for transparency, decision-making, and oversight;

''(C) evaluate the extent to which the program inventory provides a coherent picture of the scope of Federal investments in particular areas; and

''(D) include the recommendations of the Comptroller General, if any, for improving implementation of this section and the amendments made by this section.''

§ 1123. Chief Operating Officers

(a) ESTABLISHMENT.—At each agency, the deputy head of agency, or equivalent, shall be the Chief Operating Officer of the agency.

(b) FUNCTION.—Each Chief Operating Officer shall be responsible for improving the management and performance of the agency, and shall—

(1) provide overall organization management to improve agency performance and achieve the mission and goals of the agency through the use of strategic and performance planning, measurement, analysis, regular assessment of progress, and use of performance information to improve the results achieved;

(2) advise and assist the head of agency in carrying out the requirements of sections 1115 through 1122 of this title and section 306 of title 5;

(3) oversee agency-specific efforts to improve management functions within the agency and across Government; and

(4) coordinate and collaborate with relevant personnel within and external to the agency who have a significant role in contributing to and achieving the mission and goals of the agency, such as the Chief Financial Officer, Chief Human Capital Officer, Chief Acquisition Officer/Senior Procurement Executive, Chief Information Officer, and other line of business chiefs at the agency.

(Added Pub. L. 111–352, §8, Jan. 4, 2011, 124 Stat. 3878.)

§ 1124. Performance Improvement Officers and the Performance Improvement Council

(a) PERFORMANCE IMPROVEMENT OFFICERS.—

(1) ESTABLISHMENT.—At each agency, the head of the agency, in consultation with the agency Chief Operating Officer, shall designate a senior executive of the agency as the agency Performance Improvement Officer.

(2) FUNCTION.—Each Performance Improvement Officer shall report directly to the Chief Operating Officer. Subject to the direction of the Chief Operating Officer, each Performance Improvement Officer shall—

(A) advise and assist the head of the agency and the Chief Operating Officer to ensure that the mission and goals of the agency are achieved through strategic and performance planning, measurement, analysis, regular assessment of progress, and use of performance information to improve the results achieved;

(B) advise the head of the agency and the Chief Operating Officer on the selection of agency goals, including opportunities to collaborate with other agencies on common goals;

(C) assist the head of the agency and the Chief Operating Officer in overseeing the implementation of the agency strategic planning, performance planning, and reporting requirements provided under sections 1115 through 1122 of this title and sections 306 of title 5, including the contributions of the agency to the Federal Government priority goals;

(D) support the head of agency and the Chief Operating Officer in the conduct of regular reviews of agency performance, including at least quarterly reviews of progress achieved toward agency priority goals, if applicable;

(E) assist the head of the agency and the Chief Operating Officer in the development and use within the agency of performance measures in personnel performance appraisals, and, as appropriate, other agency personnel and planning processes and assessments; and

(F) ensure that agency progress toward the achievement of all goals is communicated to leaders, managers, and employees in the agency and Congress, and made available on a public website of the agency.

(b) PERFORMANCE IMPROVEMENT COUNCIL.—

(1) ESTABLISHMENT.—There is established a Performance Improvement Council, consisting of—

(A) the Deputy Director for Management of the Office of Management and Budget, who shall act as chairperson of the Council;

(B) the Performance Improvement Officer from each agency defined in section 901(b) of this title;

(C) other Performance Improvement Officers as determined appropriate by the chairperson; and

(D) other individuals as determined appropriate by the chairperson.

(2) FUNCTION.—The Performance Improvement Council shall—

(A) be convened by the chairperson or the designee of the chairperson, who shall preside at the meetings of the Performance Improvement Council, determine its agenda, direct its work, and establish and direct subgroups of the Performance Improvement Council, as appropriate, to deal with particular subject matters;

(B) assist the Director of the Office of Management and Budget to improve the performance of the Federal Government and achieve the Federal Government priority goals;

(C) assist the Director of the Office of Management and Budget in implementing the planning, reporting, and use of performance information requirements related to the Federal Government priority goals provided under sections 1115, 1120, 1121, and 1122 of this title;

(D) work to resolve specific Government-wide or crosscutting performance issues, as necessary;

(E) facilitate the exchange among agencies of practices that have led to performance improvements within specific programs, agencies, or across agencies;

(F) coordinate with other interagency management councils;

(G) seek advice and information as appropriate from nonmember agencies, particularly smaller agencies;

(H) consider the performance improvement experiences of corporations, nonprofit organizations, foreign, State, and local governments, Government employees, public sector unions, and customers of Government services;

(I) receive such assistance, information and advice from agencies as the Council may request, which agencies shall provide to the extent permitted by law; and

(J) develop and submit to the Director of the Office of Management and Budget, or when appropriate to the President through the Director of the Office of Management and Budget, at times and in such formats as the chairperson may specify, recommendations to streamline and improve performance management policies and requirements.

(3) SUPPORT.—

(A) IN GENERAL.—The Administrator of General Services shall provide administrative and other support for the Council to implement this section.

(B) PERSONNEL.—The heads of agencies with Performance Improvement Officers serving on the Council shall, as appropriate and to the extent permitted by law, provide at the request of the chairperson of the Performance Improvement Council up to 2 personnel authorizations to serve at the direction of the chairperson.

(Added Pub. L. 111–352, § 9, Jan. 4, 2011, 124 Stat. 3878.)

§ 1125. Elimination of unnecessary agency reporting

(a) DEFINITIONS.—In this section:

(1) BUDGET JUSTIFICATION MATERIALS.—The term ''budget justification materials'' has the meaning given the term in section 3(b)(2) of

the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note; Public Law 109–282).

(2) PLAN OR REPORT.—The term ''plan or report'' means any plan or report submitted to Congress, any committee of Congress, or subcommittee thereof, by not less than 1 agency—

(A) in accordance with Federal law; or

(B) at the direction or request of a congressional report.

(3) RECURRING PLAN OR REPORT.—The term ''recurring plan or report'' means a plan or report submitted on a recurring basis.

(4) RELEVANT CONGRESSIONAL COMMITTEE.—The term ''relevant congressional committee''—

(A) means a congressional committee to which a recurring plan or report is required to be submitted; and

(B) does not include any plan or report that is required to be submitted solely to the Committee on Armed Services of the House of Representatives or the Senate.

(b) AGENCY IDENTIFICATION OF UNNECESSARY REPORTS.—

(1) IN GENERAL.—The head of each agency shall include in the budget justification materials of the agency the following:

(A) Subject to paragraphs (2) and (3), the following:

(i) A list of each recurring plan or report submitted by the agency.

(ii) An identification of whether the recurring plan or report listed in clause (i) was included in the most recent report issued by the Clerk of the House of Representatives concerning the reports that any agency is required by law or directed or requested by a committee report to make to Congress, any committee of Congress, or subcommittee thereof.

(iii) If applicable, the unique alphanumeric identifier for the recurring plan or report as required by section 7243(b)(1)(C)(vii) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263).

(iv) The identification of any recurring plan or report the head of the agency determines to be outdated or duplicative.

(B) With respect to each recurring plan or report identified in subparagraph (A)(iv), the following:

(i) A recommendation on whether to sunset, modify, consolidate, or reduce the frequency of the submission of the recurring plan or report.

(ii) A citation to each provision of law or directive or request in a congressional report that requires or requests the submission of the recurring plan or report.

(iii) A list of the relevant congressional committees for the recurring plan or report.

(C) A justification explaining, with respect to each recommendation described in subparagraph (B)(i) relating to a recurring plan or report—

(i) why the head of the agency made the recommendation, which may include an estimate of the resources expended by the agency to prepare and submit the recurring plan or report; and

(ii) the understanding of the head of the agency of the purpose of the recurring plan or report.

(2) AGENCY CONSULTATION.—

(A) IN GENERAL.—In preparing the list required under paragraph (1)(A), if, in submitting a recurring plan or report, an agency is required to coordinate or consult with another agency or entity, the head of the agency submitting the recurring plan or report shall consult with the head of each agency or entity with whom consultation or coordination is required.

(B) INCLUSION IN LIST.—If, after a consultation under subparagraph (A), the head of each agency or entity consulted under that subparagraph agrees that a recurring plan or report is outdated or duplicative, the head of the agency required to submit the recurring plan or report shall—

(i) include the recurring plan or report in the list described in paragraph (1)(A); and

(ii) identify each agency or entity with which the head of the agency is required to coordinate or consult in submitting the recurring plan or report.

(C) DISAGREEMENT.—If the head of any agency or entity consulted under subparagraph (A) does not agree that a recurring plan or report is outdated or duplicative, the head of the agency required to submit the recurring plan or report shall not include the recurring plan or report in the list described in paragraph (1)(A).

(3) GOVERNMENT-WIDE OR MULTI-AGENCY PLAN AND REPORT SUBMISSIONS.—With respect to a recurring plan or report required to be submitted by not less than 2 agencies, the Director of the Office of Management and Budget shall—

(A) determine whether the requirement to submit the recurring plan or report is outdated or duplicative; and

(B) make recommendations to Congress accordingly.

(4) PLAN AND REPORT SUBMISSIONS CONFORMITY TO THE ACCESS TO CONGRESSIONALLY MANDATED REPORTS ACT.—With respect to an agency recommendation, citation, or justification made under subparagraph (B) or (C) of paragraph (1) or a recommendation by the Director of the Office of Management and Budget under paragraph (3), the agency or Director, as applicable, shall also provide this information to the Director of the Government Publishing Office in conformity with the agency submission requirements under section 7244(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; chapter 41 of title 44 note) in conformity with guidance issued by the Director of the Office of Management and Budget under section 7244(b) of such Act.

(c) RULE OF CONSTRUCTION ON AGENCY REQUIREMENTS.—Nothing in this section shall be construed to exempt the head of an agency from a

requirement to submit a recurring plan or report.

(d) REQUEST FOR ELIMINATION OF UNNECESSARY REPORTS.—In addition to including the list of plans and reports determined to be outdated or duplicative by each agency in the budget justification materials of each agency, the Director of the Office of Management and Budget may concurrently submit to Congress legislation to eliminate or consolidate such plans and reports.

(Added Pub. L. 111–352, § 11(b), Jan. 4, 2011, 124 Stat. 3881; amended Pub. L. 118–172, § 2(a), Dec. 23, 2024, 138 Stat. 2593.)

Editorial Notes

REFERENCES IN TEXT

Sections 7243(b)(1)(C)(vii) and 7244(a), (b) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, referred to in subsec. (b)(1)(A)(iii), (4), are sections 7243(b)(1)(C)(vii) and 7244(a), (b) of Pub. L. 117–263, which are set out in a note preceding section 4101 of Title 44, Public Printing and Documents.

AMENDMENTS

2024—Subsecs. (a), (b). Pub. L. 118–172, § 2(a)(2), added subsecs. (a) and (b) and struck out former subsecs. (a) and (b) which related to agency identification of unnecessary reports and plans and reports for first year of implementation and subsequent years, respectively.

Subsec. (c). Pub. L. 118–172, § 2(a)(2), added subsec. (c). Former subsec. (c) redesignated (d).

Subsec. (d). Pub. L. 118–172, § 2(a)(3), substituted ''in the budget justification materials of each agency'' for ''in the budget of the United States Government, as provided by section 1105(a)(37)''.

Pub. L. 118–172, § 2(a)(1), redesignated subsec. (c) as (d).

Statutory Notes and Related Subsidiaries

UPDATED OMB GUIDANCE

Pub. L. 118–172, § 2(c)(2), Dec. 23, 2024, 138 Stat. 2596, provided that: ''Not later than 180 days after the date of the enactment of this Act [Dec. 23, 2024], the Director of the Office of Management and Budget shall issue updated guidance to agencies to ensure that the requirements under subsections (a) and (b) of section 1125 of title 31, United States Code, as amended by this Act, for agency submissions of recommendations and justifications for plans and reports to sunset, modify, consolidate, or reduce the frequency of the submission of [sic] are also submitted as a separate attachment in conformity with the agency submission requirements of electronic copies of reports submitted by agencies under section 7244(a) of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (Public Law 117–263; chapter 41 of title 44, United States Code, note [44 U.S.C. 4101 note prec.]) for publication on the online portal established under section 7243 of such Act.''

§ 1126. Program Management Improvement Officers and Program Management Policy Council

(a) PROGRAM MANAGEMENT IMPROVEMENT OFFICERS.—

(1) DESIGNATION.—The head of each agency described in section 901(b) shall designate a senior executive of the agency, who has significant program and project management oversight responsibilities, as the Program Management Improvement Officer of the agency.

(2) FUNCTIONS.—The Program Management Improvement Officer of an agency designated under paragraph (1) shall—

(A) implement program management policies established by the agency under section 503(c); and

(B) develop a strategy for enhancing the role of program managers within the agency that includes the following:

(i) Enhanced training and educational opportunities for program managers that shall include—

(I) training in the relevant competencies encompassed with program and project manager within the private sector for program managers; and

(II) training that emphasizes cost containment for large projects and programs.

(ii) Mentoring of current and future program managers by experienced senior executives and program managers within the agency.

(iii) Improved career paths and career opportunities for program managers.

(iv) A plan to encourage the recruitment and retention of highly qualified individuals to serve as program managers.

(v) Improved means of collecting and disseminating best practices and lessons learned to enhance program management across the agency.

(vi) Common templates and tools to support improved data gathering and analysis for program management and oversight purposes.

(3) APPLICATION TO DEPARTMENT OF DEFENSE.—This subsection shall not apply to the Department of Defense to the extent that the provisions of this subsection are substantially similar to or duplicative of the provisions of chapter 87 of title 10. For purposes of paragraph (1), the Under Secretary of Defense for Acquisition and Sustainment (or a designee of the Under Secretary) shall be considered the Program Management Improvement Officer.

(b) PROGRAM MANAGEMENT POLICY COUNCIL.—

(1) ESTABLISHMENT.—There is established in the Office of Management and Budget a council to be known as the ''Program Management Policy Council'' (in this subsection referred to as the ''Council'').

(2) PURPOSE AND FUNCTIONS.—The Council shall act as the principal interagency forum for improving agency practices related to program and project management. The Council shall—

(A) advise and assist the Deputy Director for Management of the Office of Management and Budget;

(B) review programs identified as high risk by the Government Accountability Office and make recommendations for actions to be taken by the Deputy Director for Management of the Office of Management and Budget or a designee;

(C) discuss topics of importance to the workforce, including—

(i) career development and workforce development needs;

(ii) policy to support continuous improvement in program and project management; and

(iii) major challenges across agencies in managing programs;

(D) advise on the development and applicability of standards governmentwide for program management transparency; and

(E) review the information published on a website described in section 1122.

(3) MEMBERSHIP.—

(A) COMPOSITION.—The Council shall be composed of the following members:

(i) Five members from the Office of Management and Budget as follows:

(I) The Deputy Director for Management.

(II) The Administrator of the Office of Electronic Government.

(III) The Administrator of Federal Procurement Policy.

(IV) The Controller of the Office of Federal Financial Management.

(V) The Director of the Office of Performance and Personnel Management.

(ii) The Program Management Improvement Officer from each agency described in section 901(b).

(iii) Any other full-time or permanent part-time officer or employee of the Federal Government or member of the Armed Forces designated by the Chairperson.

(B) CHAIRPERSON AND VICE CHAIRPERSON.—

(i) IN GENERAL.—The Deputy Director for Management of the Office of Management and Budget shall be the Chairperson of the Council. A Vice Chairperson shall be elected by the members and shall serve a term of not more than 1 year.

(ii) DUTIES.—The Chairperson shall preside at the meetings of the Council, determine the agenda of the Council, direct the work of the Council, and establish and direct subgroups of the Council as appropriate.

(4) MEETINGS.—The Council shall meet not less than four times per fiscal year and may meet at the call of the Chairperson or a majority of the members of the Council.

(5) SUPPORT.—The head of each agency with a Project Management Improvement Officer serving on the Council shall provide administrative support to the Council, as appropriate, at the request of the Chairperson.

(Added Pub. L. 114–264, §2(b)(1), Dec. 14, 2016, 130 Stat. 1372; amended Pub. L. 116–92, div. A, title IX, §902(86), Dec. 20, 2019, 133 Stat. 1554; Pub. L. 116–283, div. A, title VIII, §884, div. H, title XCVI, §9601(c)(2)(D), Jan. 1, 2021, 134 Stat. 3790, 4828.)

Editorial Notes

SIMILAR PROVISIONS

Another section 1126, added Pub. L. 114–328, div. A, title VIII, §861(b)(1), Dec. 23, 2016, 130 Stat. 2299, which was substantially identical to section 1126 as added by Pub. L. 114–264, was repealed by Pub. L. 115–91, div. A, title VIII, §810(b), Dec. 12, 2017, 131 Stat. 1458.

AMENDMENTS

2021—Subsec. (a)(1). Pub. L. 116–283, §884(1), inserted '', who has significant program and project management oversight responsibilities,'' after ''senior executive of the agency''.

Subsec. (b)(2)(E). Pub. L. 116–283, §9601(c)(2)(D), substituted ''a website described in'' for ''the website of the Office of Management and Budget pursuant to''.

Subsec. (b)(4). Pub. L. 116–283, §884(2), substituted ''four times'' for ''twice''.

2019—Subsec. (a)(3). Pub. L. 116–92 substituted ''Under Secretary of Defense for Acquisition and Sustainment'' for ''Under Secretary of Defense for Acquisition, Technology, and Logistics''.

Statutory Notes and Related Subsidiaries

PROGRAM AND PROJECT MANAGEMENT PERSONNEL STANDARDS

Pub. L. 114–264, §2(c), Dec. 14, 2016, 130 Stat. 1374, provided that:

''(1) DEFINITION.—In this subsection, the term 'agency' means each agency described in section 901(b) of title 31, United States Code, other than the Department of Defense.

''(2) REGULATIONS REQUIRED.—Not later than 180 days after the date on which the standards, policies, and guidelines are issued under section 503(c) of title 31, United States Code, as added by subsection (a)(1), the Director of the Office of Personnel Management, in consultation with the Director of the Office of Management and Budget, shall issue regulations that—

''(A) identify key skills and competencies needed for a program and project manager in an agency;

''(B) establish a new job series, or update and improve an existing job series, for program and project management within an agency; and

''(C) establish a new career path for program and project managers within an agency.''

Similar provisions were contained in Pub. L. 114–328, div. A, title VIII, §861(c), Dec. 23, 2016, 130 Stat. 2301, prior to repeal by Pub. L. 115–91, div. A, title VIII, §810(c), Dec. 12, 2017, 131 Stat. 1458.

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