

114TH CONGRESS
2D SESSION

S. _____

To improve the Governmentwide management of unnecessarily duplicative Government programs and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. CARPER introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To improve the Governmentwide management of unnecessarily duplicative Government programs and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Getting Results
5 through Enhanced Accountability and Transparency Act
6 of 2016”.

7 **SEC. 2. PURPOSE.**

8 The purpose of this Act is to increase the efficiency
9 and effectiveness of the Federal Government in measuring
10 and managing unnecessary duplication, fragmentation,

1 and overlap in Government programs and in addressing
2 recommendations from the Government Accountability Of-
3 fice.

4 **SEC. 3. IDENTIFICATION, CONSOLIDATION, AND ELIMI-**
5 **NATION OF UNNECESSARILY DUPLICATIVE**
6 **GOVERNMENT PROGRAMS.**

7 Section 21 of the Joint Resolution entitled “Joint
8 Resolution increasing the statutory limit on the public
9 debt” (Public Law 111–139; 31 U.S.C. 712 note) is
10 amended to read as follows:

11 **“SEC. 21. IDENTIFICATION, CONSOLIDATION, AND ELIMI-**
12 **NATION OF UNNECESSARILY DUPLICATIVE**
13 **GOVERNMENT PROGRAMS.**

14 “(a) IN GENERAL.—The Comptroller General of the
15 United States shall—

16 “(1) conduct routine investigations to identify
17 programs, agencies, offices, and initiatives with un-
18 necessarily duplicative goals and activities within de-
19 partments and agencies and Governmentwide; and

20 “(2) submit to Congress an annual report on
21 the findings of the investigations under paragraph
22 (1).

23 “(b) CONTENTS OF REPORTS.—Each report sub-
24 mitted under subsection (a)(2) shall, to the extent pos-
25 sible—

1 “(1) include—

2 “(A) information from available reports es-
3 timating the cost of unnecessary duplication
4 identified under subsection (a)(1); and

5 “(B) recommendations for consolidation,
6 coordination, and elimination to reduce unnec-
7 essary duplication, which shall identify specific
8 rescissions; and

9 “(2) aggregate separately—

10 “(A) estimates of related costs reported by
11 the Comptroller General for instances of actual
12 and potential unnecessary duplication; and

13 “(B) estimates of other potential cost sav-
14 ings and revenue collection reported by the
15 Comptroller General during the period covered
16 by the report.”.

17 **SEC. 4. IMPROVEMENTS TO ELIMINATION OF UNNECES-**
18 **SARY DUPLICATION.**

19 (a) **SYSTEMATIC AGENCY REVIEW OF OPER-**
20 **ATIONS.**—Section 305(c) of title 5, United States Code,
21 is amended—

22 (1) in paragraph (1), by inserting “, and ways
23 in which the agency might improve its performance
24 toward its mission” before the semicolon;

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

3 (3) by inserting after paragraph (1) the fol-
4 lowing:

5 “(2) informing the processes of the agency for
6 learning and decision making;

7 “(3) assessing potential opportunities to im-
8 prove coordination within the agency and with other
9 agencies, and to address actual and potential unnec-
10 essary duplication;”;

11 (4) in paragraph (5), as so redesignated, by in-
12 sserting “and performance toward achieving the mis-
13 sion of the agency” before the period.

14 (b) CHIEF OPERATING OFFICERS.—Section 1123(b)
15 of title 31, United States Code, is amended—

16 (1) in paragraph (1)—

17 (A) by inserting “evaluation,” after “meas-
18 urement,”; and

19 (B) by inserting “risk management,” after
20 “progress,”;

21 (2) by redesignating paragraphs (2), (3), and
22 (4) as paragraphs (3), (4), and (5), respectively;

23 (3) by inserting after paragraph (1) the fol-
24 lowing:

1 “(2) address crosscutting program and manage-
2 ment issues, including opportunities to improve co-
3 ordination and address unnecessary duplication,
4 within and external to the agency using an enter-
5 prise risk management approach;”;

6 (4) in paragraph (4), as so redesignated, by in-
7 serting “of mission-oriented components and units
8 and mission support” after “management”; and

9 (5) in paragraph (5), as so redesignated—

10 (A) by striking “such as the Chief” and in-
11 serting the following: “such as—

12 “(A) the heads of mission-related compo-
13 nents and units at the agency and the major
14 components of the agency; and

15 “(B) the Chief”; and

16 (B) by striking “other line of business”
17 and all that follows and inserting “heads of
18 mission support functions at the agency and at
19 the major components of the agency.”.

20 (c) FEDERAL GOVERNMENT AND AGENCY PERFORM-
21 ANCE PLANS.—Section 1115 of title 31, United States
22 Code, is amended—

23 (1) in subsection (a)(6), by inserting “, includ-
24 ing actual or potential unnecessary duplication,”
25 after “crosscutting in nature”;

1 (2) in subsection (b)(9), in the matter pre-
2 ceding subparagraph (A), by inserting “, including
3 actual or potential unnecessary duplication,” after
4 “agency faces”; and

5 (3) in subsection (h)—

6 (A) by redesignating paragraphs (5)
7 through (12) as paragraphs (6) through (13),
8 respectively;

9 (B) by inserting after paragraph (4) the
10 following:

11 “(5) ‘enterprise risk management’ means the
12 processes that are used to address the full spectrum
13 of risks across multiple programs and organizations
14 that are located within a larger entity or initiative,
15 placing the risks into an integrated and interrelated
16 portfolio, and prioritizing their mitigation;”;

17 (C) in paragraph (12), as so redesignated,
18 by striking “and” at the end;

19 (D) in paragraph (13), as so redesignated,
20 by striking the period and inserting a semi-
21 colon; and

22 (E) by adding at the end the following:

23 “(14) ‘risk’ means the possibility of—

24 “(A) an adverse event or phenomenon oc-
25 curring; or

1 “(B) a beneficial opportunity remaining
2 unexploited; and

3 “(15) ‘risk management’ means the processes
4 that are used to identify, assess, prioritize, monitor,
5 mitigate, and report on risks to achieving the mis-
6 sions, goals, and objectives of a department, agency,
7 or program, or group thereof, using resources and
8 processes appropriate to the nature of the risks and
9 resources available.”.

10 (d) FEDERAL GOVERNMENT AND AGENCY PRIORITY
11 GOALS.—Section 1120 of title 31, United States Code, is
12 amended—

13 (1) in subsection (a)—

14 (A) in paragraph (1)(B)—

15 (i) in the matter preceding clause (i),
16 by inserting “and mission support” after
17 “management”; and

18 (ii) in clause (v), by striking the semi-
19 colon and inserting a period; and

20 (B) in paragraph (3)—

21 (i) by redesignating subparagraphs
22 (A) through (G) as clauses (i) through (vii)
23 and adjusting the margin accordingly;

24 (ii) by striking “shall consult” and in-
25 serting the following: “shall—

1 “(A) consider recommendations of the Gov-
2 ernment Accountability Office in—

3 “(i) the annual report submitted
4 under section 21 of the Joint Resolution
5 entitled ‘Joint Resolution increasing the
6 statutory limit on the public debt’ (Public
7 Law 111–139; 31 U.S.C. 712 note); or

8 “(ii) the High Risk list; and

9 “(B) consult”; and

10 (iii) in subparagraph (B)(vii), as so
11 redesignated, by striking the semicolon and
12 inserting a period; and

13 (2) in subsection (b)(1)(A), by inserting “bien-
14 nial” before “consultations”.

15 (e) PERFORMANCE IMPROVEMENT OFFICERS AND
16 THE PERFORMANCE IMPROVEMENT COUNCIL.—Section
17 1124 of title 31, United States Code, is amended—

18 (1) in subsection (a)(2)(A)—

19 (A) by inserting “, in collaboration with
20 heads of agency components and mission sup-
21 port functions,” after “Officer”;

22 (B) by inserting “evaluation,” after “meas-
23 urement,”; and

24 (C) by inserting “risk management,” after
25 “progress,”; and

1 (2) in subsection (b)(2)—

2 (A) in subparagraph (D), by inserting “in-
3 cluding issues relating to coordination and un-
4 necessary duplication,” after “issues,”;

5 (B) in subparagraph (E), by inserting
6 “and with non-Federal stakeholders, including
7 States and local governments,” after “exchange
8 among agencies”;

9 (C) in subparagraph (F), by inserting
10 “and mission support” after “management”;

11 (D) in subparagraph (I), by striking “and”
12 at the end;

13 (E) in subparagraph (J), by striking the
14 period at the end and inserting a semicolon;
15 and

16 (F) by adding at the end the following:

17 “(K) establish a public website; and

18 “(L) place annually and archive on the
19 website a detailed annual report describing the
20 Performance Improvement Council’s—

21 “(i) structure (including any commit-
22 tees or task forces);

23 “(ii) budget and relevant sources of
24 funds;

1 “(iii) staffing, on a full-time equiva-
2 lent basis (including an accounting of de-
3 tails from agencies); and

4 “(iv) past, current, and planned ac-
5 tivities.”.

6 (f) ELIMINATION OF UNNECESSARY AGENCY RE-
7 PORTING.—Section 1125(a)(1) of title 31, United States
8 Code, is amended by striking “reports;” and inserting the
9 following: “reports, and place the list on a public website,
10 which shall include, for each plan or report—

11 “(A) a citation to the relevant statutory re-
12 quirement or direction in a congressional re-
13 port; and

14 “(B) an indication of whether and how the
15 agency is complying with the requirement to
16 produce the plan or report, including a citation
17 to the means through which the agency submits
18 the plan or report;”.

19 (g) AGENCY REPORTS.—Section 720(b) of title 31,
20 United States Code, is amended, in the matter preceding
21 paragraph (1), by inserting “, including the annual report
22 on unnecessarily duplicative goals and activities within de-
23 partments and governmentwide required under section 21
24 of the joint resolution entitled ‘A joint resolution increas-
25 ing the statutory limit on the public debt’ (Public Law

1 111–139; 31 U.S.C. 712 note) and the High Risk list of
2 the Government Accountability Office,” after “makes a re-
3 port”.

4 (h) EXECUTIVE AGENCY ACCOUNTING AND OTHER
5 FINANCIAL MANAGEMENT REPORTS AND PLANS.—Sec-
6 tion 3512 of title 31, United States Code, is amended—

7 (1) in subsection (c)(1)—

8 (A) in subparagraph (B), by striking
9 “and” at the end;

10 (B) by redesignating subparagraph (C) as
11 subparagraph (D); and

12 (C) by inserting after subparagraph (B)
13 the following:

14 “(C) high-priority enterprise risks are ad-
15 dressed; and”; and

16 (2) in subsection (d)(1)(A), by inserting “, in-
17 cluding systems and processes for coordination to
18 provide enterprise risk management (as defined in
19 section 1115) for high-priority enterprise risks,”
20 after “systems of the agency”.