

AMENDMENT NO. \_\_\_\_\_ Calendar No. \_\_\_\_\_

Purpose: In the nature of a substitute.

**IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.**

**S. 2073**

To amend title 31, United States Code, to require agencies to include a list of outdated or duplicative reporting requirements in annual budget justifications, and for other purposes.

Referred to the Committee on \_\_\_\_\_ and  
ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended  
to be proposed by Mr. OSSOFF

Viz:

1       Strike all after the enacting clause and insert the fol-  
2       lowing:

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Eliminate Useless Re-  
5       ports Act of 2023”.

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

7       (a) IN GENERAL.—Section 1125 of title 31, United  
8       States Code, is amended—

9               (1) by redesignating subsection (c) as sub-  
10       section (d);

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

3           “(a) DEFINITIONS.—In this section:

4           “(1) BUDGET JUSTIFICATION MATERIALS.—  
5           The term ‘budget justification materials’ has the  
6           meaning given the term in section 3(b)(2) of the  
7           Federal Funding Accountability and Transparency  
8           Act of 2006 (31 U.S.C. 6101 note; Public Law 109–  
9           282).

10          “(2) RECURRING PLAN OR REPORT.—The term  
11          ‘recurring plan or report’—

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

15                         “(i) in accordance with Federal law;

16                                 or

17                         “(ii) at the direction of a congress-  
18                         sional report; and

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

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

1       “(b) AGENCY IDENTIFICATION OF UNNECESSARY  
2 REPORTS.—

3           “(1) IN GENERAL.—The head of each agency  
4 shall include in the budget justification materials of  
5 the agency—

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

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

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

16           “(ii) a citation to each provision of  
17 law or directive in a congressional report  
18 that requires or requests the submission of  
19 the recurring plan or report; and

20           “(iii) a list of the relevant congres-  
21 sional committees for the recurring plan or  
22 report; and

23          “(C) a justification explaining, with respect  
24 to each recommendation described in subpara-

1 graph (B)(i) relating to a recurring plan or re-  
2 port—

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

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

11 “(2) AGENCY CONSULTATION.—

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

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

1 agency required to submit the recurring plan or  
2 report shall—

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

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

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

17 “(3) GOVERNMENT-WIDE OR MULTI-AGENCY  
18 PLAN AND REPORT SUBMISSIONS.—With respect to  
19 a recurring plan or report required to be submitted  
20 by not less than 2 agencies, the Director of the Of-  
21 fice of Management and Budget shall—

22 “(A) determine whether the requirement to  
23 submit the recurring plan or report is outdated  
24 or duplicative; and

1           “(B) make recommendations to Congress  
2           accordingly.

3           “(c) DISPOSITION OF RECOMMENDATIONS.—

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

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

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

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

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

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

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

12 (b) BUDGET CONTENTS.—Section 1105(a) of title  
13 31, United States Code, is amended by striking paragraph  
14 (39).