

118TH CONGRESS
1ST SESSION

H. R. 1390

To amend title 31, United States Code, to require the Chief Operating Officer of each agency to compile a list of unnecessary programs, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 7, 2023

Mr. CUELLAR (for himself and Ms. MACE) introduced the following bill; which was referred to the Committee on Oversight and Accountability

A BILL

To amend title 31, United States Code, to require the Chief Operating Officer of each agency to compile a list of unnecessary 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 “Identifying and Elimi-
5 nating Wasteful Programs Act”.

1 **SEC. 2. IDENTIFICATION AND ELIMINATION OF UNNECES-**
2 **SARY AGENCY PROGRAMS OR PROGRAM AC-**
3 **TIVITIES.**

4 (a) **TRANSPARENCY OF PROGRAMS, PRIORITY GOALS,**
5 **AND RESULTS.**—Section 1122(a)(3)(D) of title 31, United
6 States Code, is amended—

7 (1) by redesignating clauses (vi) and (vii) as
8 clauses (vii) and (viii), respectively;

9 (2) by inserting after clause (v) the following:

10 “(vi) to the extent practicable and
11 consistent with guidance issued by the Di-
12 rector of the Office of Management and
13 Budget, budget justification materials de-
14 scribed in section 3(b)(2)(B) of the Fed-
15 eral Funding Accountability and Trans-
16 parency Act of 2006 (31 U.S.C. 6101
17 note);”; and

18 (3) in clause (vii), as so redesignated, by strik-
19 ing “accountability; and” and inserting “account-
20 ability, including information included in the list
21 compiled under section 1127(b)(1); and”.

22 (b) **IDENTIFICATION OF UNNECESSARY AGENCY**
23 **PROGRAMS OR PROGRAM ACTIVITIES.**—Chapter 11 of title
24 31, United States Code, is amended by adding at the end
25 the following:

1 **“§ 1127. Identification of unnecessary agency pro-**
2 **grams or program activities**

3 “(a) DEFINITIONS.—In this section:

4 “(1) AGENCY.—The term ‘agency’ has the
5 meaning given the term in section 1108(a).

6 “(2) PROGRAM.—The term ‘program’ has the
7 meaning given the term in section 1122(a)(1).

8 “(3) PROGRAM ACTIVITY.—The term ‘program
9 activity’ has the meaning given the term in section
10 1115(h).

11 “(b) AGENCY IDENTIFICATION OF UNNECESSARY
12 PROGRAMS OR PROGRAM ACTIVITIES.—Not later than 20
13 days after the date on which the President submits the
14 budget of the United States Government under section
15 1105(a) each year, and based on guidance provided by the
16 Director of the Office of Management and Budget, the
17 Chief Operating Officer of each agency shall—

18 “(1) compile a list that identifies any program
19 or program activity of the agency that—

20 “(A) is unnecessary, defunct, or unneces-
21 sarily duplicative of another program or pro-
22 gram activity of the agency;

23 “(B) another agency could administer
24 more effectively; or

1 “(C) could operate more effectively if the
2 program or activity were consolidated with
3 other programs or activities;

4 “(2) publish the list compiled under paragraph
5 (1) in—

6 “(A) with respect to each list compiled be-
7 fore the date of the implementation described in
8 section 9601(b)(3) of title XCVI of the William
9 M. (Mac) Thornberry National Defense Author-
10 ization Act for Fiscal Year 2021 (31 U.S.C.
11 1122 note) of the program inventory described
12 in section 1122(a)(2)(B)(i) of this title, the
13 pilot program described in section
14 9601(b)(2)(B) of title XCVI of that Act; and

15 “(B) with respect to each successive list,
16 the program inventory described in section
17 1122(a)(2)(B)(i); and

18 “(3) submit the list compiled under paragraph
19 (1) to—

20 “(A) the relevant congressional committees
21 of jurisdiction of the agency;

22 “(B) the Committee on Appropriations of
23 the Senate;

24 “(C) the Committee on Homeland Security
25 and Governmental Affairs of the Senate;

1 “(D) the Committee on Appropriations of
2 the House of Representatives; and

3 “(E) the Committee on Oversight and Ac-
4 countability of the House of Representatives.

5 “(c) RECOMMENDATIONS.—Based on guidance issued
6 by the Director of the Office of Management and Budget,
7 the head of an agency may submit to Congress rec-
8 ommendations for statutory changes to eliminate or con-
9 solidate programs or program activities identified under
10 subsection (b)(1).”.

11 (c) CLERICAL AMENDMENT.—The table of sections
12 for chapter 11 of title 31, United States Code, is amended
13 by adding at the end the following:

“1127. Identification of unnecessary agency programs or program activities.”.

14 (d) EFFECTIVE DATE.—The amendments made by
15 this section shall take effect on the date that is 120 days
16 after the date of enactment of this Act.

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