

## The “DATA Act”

### **Sponsors: Chairman Issa and Ranking Member Cummings**

#### Section 1. Short Title and Table of Contents

The short title of the bill is the “Digital Accountability and Transparency Act of 2013.” This section also contains the Table of Contents.

#### Section 2. Purposes

This section explains the purposes of the Act:

- 1) to expand the Federal Funding Accountability and Transparency Act of 2006 (FFATA) by disclosing direct Federal agency expenditures.
- 2) to provide consistent, reliable, searchable spending data and make it available to the public.
- 3) to analyze Federal spending data to prevent waste, fraud, abuse, and improper payments.
- 4) to simplify and streamline reporting requirements for entities receiving Federal funds.
- 5) to improve the quality of data submitted to USASpending.gov.

#### Section 3. Amendments to the Federal Funding Accountability and Transparency Act of 2006

This section amends FFATA in the following ways:

- 1) The website established under FFATA, USASpending.gov, will no longer be maintained by the Office of Management and Budget (OMB). Instead, Treasury will run USASpending.gov and maintain the data.
- 2) USASpending.gov will incorporate data from more sources, including the Payment Automation Manager and Financial Information Repository and other data or databases from the Department of the Treasury, the MAX Information System of the Office of Management and Budget, and other data from agencies collected and identified by OMB. All information shall

be available in a machine-readable, searchable format and be bulk downloadable.

3) Reporting will be expanded from all federal “awards” to all federal funds. All agencies must now report the following for all federal funds:

- i) The amount of budget authority available;
- ii) The amount obligated;
- iii) The amount of outlays; and
- iv) The amount of expired and unexpired unobligated balances.

Additionally, entities receiving funds from the government shall be assigned unique identifiers. Reporting for all federal funds shall be updated not less than once each quarter.

4) The Secretary of the Treasury shall establish data standards for all federal funds, and shall apply the standards to all data collection, dissemination, and publication. The standards shall include common data elements, such as codes, unique award identifiers, and fields. Treasury shall issue guidance on data standards no later than 1 year after the date of enactment.

5) OMB shall review financial reporting requirements and make recommendations to simplify the requirements. No later than 1 year after enactment, OMB shall instruct agencies on how to simplify reporting requirements to reduce duplicative reporting and compliance costs. Not later than 18 months after enactment, OMB shall issue a report to Congress identifying any legislative action required to consolidate, streamline, or reduce the cost of reporting requirements.

6) The Inspector General of each agency shall review a sampling of data submitted under this Act by each agency every two years. It shall report to Congress on the quality, accuracy, and timeliness of data submitted, as well as compliance with this Act. The Comptroller General shall also report on the quality of data and compliance with this Act.

- 7) The Recovery Accountability and Transparency Board shall serve as a resource for Inspectors General to use to identify fraud, waste, abuse, and improper payments. The Board shall develop resources and mechanisms to detect and remediate waste, fraud, and abuse. It shall maintain a website to inform the public of its activities. It shall also run the Recovery Operations Center (ROC). The ROC shall act as a data access system that shall incorporate data reported under this Act as well as other data from Federal, State, local, and foreign governments and commercially and publicly available information.
- 8) The data reported under this Act shall be provided to the Recovery Accountability and Transparency Board to be included in its Recovery Operations Center and used for detecting fraud, waste, abuse, and improper payments.

#### Section 4. Pilot Program to Evaluate Consolidated Recipient Reporting

The Recovery Accountability and Transparency Board shall conduct a 3-year pilot program to evaluate consolidated reporting and its ability to increase financial transparency and reduce compliance burden on federal fund awardees. The pilot will include recipients that collectively receive more than \$1 billion in federal funds, received funds from multiple agencies, and in the form of contracts, grants, and subawards. At the end of the pilot, the Board shall submit its findings and recommendations to Congress.

#### Section 5. Classified and Protected Information

This amends FFATA to specify that nothing in this Act shall require the disclosure of information protected under the Freedom of Information Act, the Privacy Act of 1974, or section 6103 of the Internal Revenue Code of 1986.

#### Section 6. American Recovery and Reinvestment Act of 2009 Amendments

This section amends the American Recovery and Reinvestment Act of 2009 (ARRA) by setting expiration dates for the requirements under the Act as September 30, 2013. The Recovery Accountability and Transparency Board shall be extended from September 30, 2013 to September 30, 2017.

*Section 7. Disaster Relief Appropriations Act of 2013 Amendments*

This section amends the Disaster Relief Appropriations Act of 2013 by striking the requirement that the Recovery Accountability and Transparency Board may review funds “appropriated for the impact of Hurricane Sandy.”

*Section 8. Executive Agency Accounting and Other Financial Management Reports and Plans*

This section amends Section 3512(a) of title 31, U.S.C. by requiring information reported under this section to be made available on a public website. It also requires the Director of OMB to make available on the website a report on specific goals related to implementation of this Act and the status of achieving those goals.