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FY 1985
Personnel General*

RECORD OF ORAL RESPONSE

BILLS AND LEGISLATIVE REFERRALS

Date: 12/19/84

Office: OMB

Person: Brandon Blum

Subject: Congressional Reports
Elimination Act.

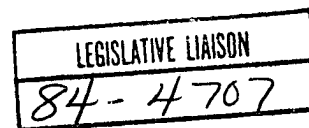
Bill No.: S. 3080

Comment: I informed Mr. Blum that we
had no objections to S. 3080 and did
not desire to expand the legislation to
cover CIA.

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503



Recd

December 4, 1984

LEGISLATIVE REFERRAL MEMORANDUM

TO: LEGISLATIVE LIAISON OFFICER

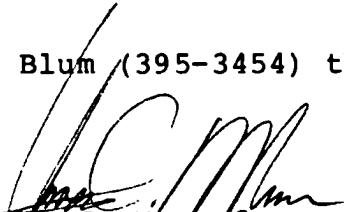
SEE DISTRIBUTION

SUBJECT: OMB draft bill introduced as S. 3080 (98th Congress),
the "Congressional Reports Elimination Act of 1984"

During the previous session of Congress, Senator Danforth introduced the "Congressional Reports Elimination Act of 1984" (S. 3080), the Administration's proposal to discontinue or amend requirements for recurring agency reports to the Congress. This legislation, which was circulated to the agencies on July 20, 1984, as a draft bill, would eliminate, consolidate, or modify recurring reports to the Congress that are no longer considered necessary or desirable. We intend to resubmit the proposal to the Congress early next year.

Therefore, agencies should review S. 3080 (copy attached) and provide comments (both substantive and technical) by January 4, 1985. Recommendations for expanding the legislation to modify or eliminate additional report requirements should follow the instructions contained in OMB Bulletin No. 84-10 (attached in part).

Direct your questions to Branden Blum (395-3454) the legislative attorney in this office.


James C. Murr for
Assistant Director for
Legislative Reference

Enclosures

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EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

BULLETIN NO. 84-10

March 28, 1984

TO THE HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES

SUBJECT: Reducing Executive Branch Reports to the Congress

1. Purpose: This Bulletin provides instructions for the identification of recurring reports to Congress for potential elimination, consolidation, reduction in frequency, or other modification. This activity is designed to achieve cost savings and improve program efficiencies by reducing existing reporting requirements upon executive branch agencies and streamlining executive branch communication with the Congress. It is a follow-on to the review process which resulted in P.L. 96-470, the Congressional Reports Elimination Act of 1980 and P.L. 97-375, the Congressional Reports Elimination Act of 1982.

2. Background: In its report entitled The Cost of Congressional Encroachment, the President's Private Sector Survey on Cost Control stated:

"There is no question that Congress is entitled to information from agencies on Federal programs so as to properly discharge its Constitutional responsibilities. Unfortunately many of the reports Congress requires of the Executive Branch are: not useful, excessively costly to produce, no longer relevant, and not even read or used by their intended audience, as will be shown. Worse, the number of reports Congress requires has been rising."

The report contained an explicit recommendation that OMB "seek legislation that would eliminate requirements for the Executive Branch to produce reports for Congress that are expensive and unnecessary."

Together the "Congressional Reports Elimination Act of 1980" and the "Congressional Reports Elimination Act of 1982" discontinued or modified about 150 recurring reporting requirements to Congress. This was accomplished after a review of over 2,000 congressionally mandated reports by all Federal agencies, OMB, and the General Accounting Office (GAO). These efforts resulted in a substantial reduction in the reporting burden on executive branch agencies, with a cost savings estimated by GAO and the Congressional Budget Office of over \$12 million annually.

Since all agencies continue to work under personnel and budget restrictions and since the number of congressionally mandated reports continues to grow by several hundred per year (a recent estimate is that at least 2,800 recurring reports must be submitted to the Congress), OMB believes that developing another legislative proposal in this area is desirable. In addition, a number of agencies have requested that OMB prepare another legislative proposal.

3. Action Required. Agencies are requested to provide recommendations to eliminate, simplify, or consolidate existing legislatively mandated reports. GAO maintains an inventory of reporting requirements for all agencies and has recently requested data to update the inventory. This request included a listing of agencies' current requirements, and should be a useful document in preparing recommendations. Agencies should consider all existing recurring requirements to fall within the scope of this exercise, with particular attention to those previously recommended for termination or modification (Attachment 1) but not enacted as part of P.L. 96-470 or P.L. 97-375.

Suggested criteria for identifying reports for elimination or modification include:

a. Duplication and overlap with other reports (i.e., information provided to Congress by the agency in another form, or information provided by other agencies or the public);

b. Reporting burden and other costs (i.e., cost and reporting burden to the reporting agency and other Federal agencies, or cost and reporting burden of collecting information from outside the Federal Government);

c. Original rationale for requiring report (i.e., is this rationale still valid?);

d. Uses (i.e., use to the reporting agency, and use to Congress in the opinion of the agency).

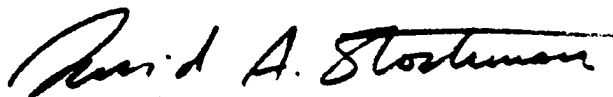
After OMB review of agency recommendations and consultations with the GAO, the Administration will propose an omnibus bill similar to P.L. 96-470 and 97-375. Upon its introduction all agencies will be asked to contact relevant congressional committees to discuss their individual legislative recommendations.

4. Material To Be Submitted. Recommendations should be submitted in accordance with the format in Attachment 2. Statutory references must be as complete as possible, following precisely this format. All eliminations should be given Section 100 numbers. All consolidations, reductions in frequency, or other modifications should be given Section 200 numbers. In addition, a section-by-section analysis and justification for each recommendation should be provided as shown in Attachment 2.

Agencies are requested to provide the principal reason for the recommendation, and to the extent possible, estimates of cost savings associated with each recommendation. An explanation should be provided in instances in which reports previously included in the 1982 bill, but not enacted, are not included in this year's list.

Material should be sent within 45 days of issuance of this Bulletin to the Director, Office of Management and Budget, c/o Office of Information and Regulatory Affairs, Room 3208, New Executive Office Building, Washington, D.C. 20503.

5. Notification and Inquiries. Upon receipt of this Bulletin, please notify the Office of Information and Regulatory Affairs (395-7316) to identify the officials in your agency who will be responsible for this review. Inquiries concerning this Bulletin may also be directed to this Office.



David A. Stockman
Director

Attachments

- Attachment 1 - 1982 bill identifying those sections not enacted as part of P.L. 97-375
- Attachment 2 - Sample format for required material

ATTACHMENT 1

BULLETIN NO. 84-10

II

97TH CONGRESS
2D SESSION

S. 2258

To discontinue or amend certain requirements for agency reports to Congress.

IN THE SENATE OF THE UNITED STATES

MARCH 23 (legislative day, FEBRUARY 22), 1982

Mr. DANFORTH (for himself, Mr. ROTH, Mr. CHILES, and Mr. EAGLETON) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To discontinue or amend certain requirements for agency reports to Congress.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act be cited as the "Congressional Reports Elimina-
4 tion Act of 1982".

5 TITLE I—ELIMINATIONS

6 REPORTS BY MORE THAN ONE AGENCY

7 SEC. 101. (a) Section 3104(b) of title 5, United States
8 Code, is repealed.

9 (b) Section 4396 of the Revised Statutes (16 U.S.C.
10 744; 24 Stat. 523) is amended by striking out "He shall

1 submit annually to Congress a detailed statement of expendi-
2 tures under all appropriations for 'propagation of food
3 fishes.'".

ENACTED

4 (c)(1) Section 616(b) of the Act of December 15, 1980,
5 entitled "An Act making appropriations for Agriculture,
6 Rural Development and Related Agencies programs for the
7 fiscal year ending September 30, 1981, and for other pur-
8 poses" (94 Stat. 3117) is repealed.

9 (2) Section 307(b) of the Supplemental Appropriations
10 and Rescission Act, 1980 (94 Stat. 928) is repealed.

11 (3) Section 309(c) of the Department of the Interior and
12 Related Agencies Appropriations for fiscal year 1981 (94
13 Stat. 2984) is repealed.

ENACTED

14 (4) Section 126(b) of the Military Construction Act of
15 1981 (94 Stat. 1869) is repealed.

16 (5) Section 323(c) of the Department of Transportation
17 and Related Agencies Appropriations Act, 1981 (94 Stat.
18 1699) is repealed.

19 (d)(1) Section 309(b) of the Act of December 12, 1980
20 (Public Law 96-514) is repealed.

21 (2) Section 126(a) of the Act of October 13, 1980
22 (Public Law 96-436) is repealed.

23 (3) Section 323(b) of the Act of October 9, 1980 (Public
24 Law 96-400) is repealed.

REPORT BY THE OFFICE OF SCIENCE AND TECHNOLOGY POLICY

SEC. 215. The National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601, et seq.; Public Law 94-282) is amended as follows:

- (1) section 209 is deleted; and
- (2) in section 205(a)(11), strike out "section 209" and insert in lieu thereof "section 206";
- (3) section 206 is amended to read as follows:

Section-by-Section Analysis

Section 215

Amends the National Science and Technology Policy Organization and Priorities Act of 1976 to consolidate the Science and Technology Report and the Five Year Outlook Report.

The consolidated report will be issued biennially and is required to be submitted to the Congress.

Reason for Recommendation

These two reports are costly and often contain overlapping and redundant information with annual turn-around times too short to provide for any meaningful and reflective changes. The proposed merger of the two reports, to be issued not less frequently than biennially, would cut costs by at least one-half, eliminate duplication, and provide for a single report on Federal and national matters related to science and technology.

Costs for the two reports currently total approximately \$450,000 per year. Consolidation of the reports will save approximately \$250,000 per year.

98TH CONGRESS
2D SESSION

S. 3080

To discontinue or amend certain requirements for agency reports to Congress.

IN THE SENATE OF THE UNITED STATES

OCTOBER 5 (legislative day, SEPTEMBER 24), 1984

Mr. DANFORTH (for himself and Mr. ROTH) (by request) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To discontinue or amend certain requirements for agency reports to Congress.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act be cited as the "Congressional Reports Elimi-
4 nation Act of 1984".

TITLE I—ELIMINATIONS

REPORTS BY MORE THAN ONE AGENCY

7 SEC. 101. (a) Section 218(a) of the Biomass Energy and
8 Alcohol Fuels Act of 1980 (42 U.S.C. 8818(a)) is repealed.

9 (b) Section 202 of Positions in Top Grades of Classifica-
10 tion Act of 1949 (5 U.S.C. 3104(c)) is amended by—

1 (1) striking subsection (b);

2 (2) paragraphs (a)(1), (a)(2), and (a)(3) are redesignated as subsections (a), (b), and (c) respectively; and

3 (3) references to former paragraph (1) of subsection (a) hereafter will be references to subsection (a).

4 (c) Section 26(e)(2) of the Toxic Substances Control Act
5 (15 U.S.C. 2625(e)(2)) is amended to read as follows:

6 “(A) Define the term ‘known financial interests’
7 for purposes of paragraph (1), and

8 “(B) Establish the methods by which the requirement to file written statements specified in paragraph
9 (1) will be monitored and enforced, including appropriate provisions for review by the Administrator and the
10 Secretary of such statements.”

11 (d) Section 307(b) of the Supplemental Appropriations
12 and Rescission Act of 1980 (31 U.S.C. 28(b)) is repealed.

13 (e) Section 1113(e)(3) of title 31, United States Code,
14 “Money and Finance” (Public Law 97-258; 31 U.S.C.
15 1113(e)(3)) is repealed.

16 (f) Section 311(c) of title 37, United States Code, is repealed.

17 (g) Section 203(o) of the Federal Property and Administrative Services Act of 1949 (40 U.S.C. 484(o)) is amended
18 in the first sentence by striking out “and the head of each
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