

United States Senate  
WASHINGTON, DC 20510

March 28, 2024

**VIA ELECTRONIC TRANSMISSION**

The Honorable Jessica Rosenworcel  
Chairwoman  
Federal Communications Commission

Dear Chairwoman Rosenworcel:

Under the Digital Accountability and Transparency Act of 2014 (DATA Act), agencies are required to report complete and accurate federal spending data to USA Spending.gov.<sup>1</sup> The organized and searchable data on this website is available to the public and provides transparency about how billions of U.S. tax dollars are spent.

USA Spending.gov provides information on agencies' overall budget and spending as well as on individual financial awards, such as grants and contracts, that an agency pays out. This information not only educates the public but also informs Congress, including the Senate Committee on the Budget, in its oversight role. When powered by good data, USA Spending.gov allows the user to search agency spending by category and individual financial awards based on a multitude of characteristics such as date, amount, recipient, and purpose.<sup>2</sup>

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<sup>1</sup> Laws and policies that have established and modified the reporting requirements include: Federal Funding Accountability and Transparency Act of 2006, Pub. L. No. 109-282, 120 Stat. 1186 (codified at 31 U.S.C. § 6101); Digital Accountability and Transparency Act of 2014, Pub. L. No. 113-101, 128 Stat. 1146 (signed on May 9, 2014); Coronavirus Aid, Relief, and Economic Security Act, Pub. L. No. 116-136, 134 Stat. 281 (signed on Mar. 27, 2020); 2 C.F.R. § 170.200 (2024); *Chapter 6000: Agency Reporting Requirements for USA Spending Gov.*, TREASURY FIN. MANUAL, <https://fpm.fiscal.treasury.gov/v1/p2/c600> (last visited Mar. 13, 2024); OFFICE OF MGMT. & BUDGET, EXEC. OFFICE OF THE PRESIDENT, OMB MEMORANDA 2016-03, ADDITIONAL GUIDANCE FOR DATA-CENTRIC APPROACH FOR REPORTING FEDERAL SPENDING INFORMATION (2016); OFFICE OF MGMT. & BUDGET, EXEC. OFFICE OF THE PRESIDENT, OMB MEMORANDA 17-04, ADDITIONAL GUIDANCE FOR DATA ACT IMPLEMENTATION: FURTHER REQUIREMENTS FOR REPORTING AND ASSURING DATA RELIABILITY (2016); OFFICE OF MGMT. & BUDGET, EXEC. OFFICE OF THE PRESIDENT, OMB MEMORANDA 20-21, IMPLEMENTATION GUIDANCE FOR SUPPLEMENTAL FUNDING PROVIDED IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19) (2020); OFFICE OF MGMT. & BUDGET, EXEC. OFFICE OF THE PRESIDENT, OMB MEMORANDA 21-20, PROMOTING PUBLIC TRUST IN THE FEDERAL GOVERNMENT THROUGH EFFECTIVE IMPLEMENTATION OF THE AMERICAN RESCUE PLAN ACT AND STEWARDSHIP OF THE TAXPAYER RESOURCES (2021), OFFICE OF MGMT. & BUDGET, EXEC. OFFICE OF THE PRESIDENT, OMB MEMORANDA 22-02, NEW FINANCIAL ASSISTANCE TRANSPARENCY REPORTING REQUIREMENTS (2021); U.S. GOV'T ACCOUNTABILITY OFF., GAO-24-106214, FEDERAL SPENDING TRANSPARENCY: OPPORTUNITIES TO IMPROVE USA SPENDING.GOV DATA, (Nov. 2023), at 2-3, <https://www.gao.gov/assets/d24106214.pdf>; *Government Spending Data Model (GSDM)*, U.S. DEP'T OF TREASURY (Nov. 16, 2023), <https://fiscal.treasury.gov/files/data-transparency/gsdm-overview-v1.0.pdf> (In November 2023, the Governmentwide Spending Data Model (GSDM) replaced the DATA Act Information Model Schema (DAIMS)).

<sup>2</sup> U.S. GOV'T ACCOUNTABILITY OFF., GAO-22-104702, FEDERAL SPENDING TRANSPARENCY: OPPORTUNITIES EXIST TO FURTHER IMPROVE THE INFORMATION AVAILABLE ON USA SPENDING.GOV, (Nov. 2021), at 7-8, <https://www.gao.gov/assets/d22104702.pdf>.

The DATA Act set up a system to evaluate agencies' compliance with requirements for submitting complete, timely, and accurate data. It called for Offices of Inspectors General (IGs) to evaluate the quality of each agency's data.<sup>3</sup> Additionally, it called for the U.S. Government Accountability Office (GAO) to issue reports on DATA Act implementation, including an analysis of the IG reports' findings.<sup>4</sup> The last, and most recent, GAO report stated that the overall quality of the Federal Communication Commission's (FCC) data submitted under the DATA Act was "Lower."<sup>5</sup> This was the worst of four possible ratings ranging from "Excellent" to "Lower" and only four, of the fifty-seven agencies that were evaluated, rated as poorly.<sup>6</sup>

According to the GAO, the methodology that IGs used to evaluate the quality of agencies' data was consistent and compared statistical samples of data files related to financial award obligations and outlays and also made evaluations in five non-statistical categories.<sup>7</sup> The statistical samples were evaluated for completeness, accuracy, and timeliness.<sup>8</sup> On November 8, 2021, the FCC OIG issued a report pursuant to the DATA Act which showed error rates of well over fifty percent in all three of these statistical benchmarks for the FCC.<sup>9</sup> These deficiencies mean that USA Spending.gov presented missing or bad data. This denies the American public and Congress a clear-eyed view into tax dollars the FCC has spent.

The FCC OIG report made several recommendations to improve the quality of data.<sup>10</sup> As of March 2024, six of these recommendations remain open and have remained open for well over two years. In order to inform Congressional oversight, particularly now that agencies are no longer subject to the DATA Act's mandatory IG review, provide an explanation of all actions the FCC has taken to address the IG's open recommendations, or other improvements that will improve the quality of data submitted to USA Spending.gov, along with a timeline for when you

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<sup>3</sup> U.S. Gov't ACCOUNTABILITY OFF., GAO-22-105427, FEDERAL SPENDING TRANSPARENCY: OIGs IDENTIFIED A VARIETY OF ISSUES WITH THE QUALITY OF AGENCIES' DATA SUBMISSIONS, (July 2022), GAO Highlights Page, <https://www.gao.gov/assets/gao-22-105427.pdf>.

<sup>4</sup> *Id. see also* U.S. Gov't ACCOUNTABILITY OFF., GAO-18-546, DATA ACT: REPORTED QUALITY OF AGENCIES' SPENDING DATA REVIEWED BY OIGs VARIED BECAUSE OF GOVERNMENT-WIDE AND AGENCY ISSUES, (July 2018), <https://www.gao.gov/assets/d22104702.pdf>; U.S. Gov't ACCOUNTABILITY OFF., GAO-20-540, DATA ACT: OIGs REPORT THE QUALITY OF AGENCY-SUBMITTED DATA VARIED, AND MOST RECOMMENDED IMPROVEMENTS, (July 2020), <https://www.gao.gov/assets/gao-20-540.pdf>.

<sup>5</sup> U.S. Gov't ACCOUNTABILITY OFF., GAO-22-105427, FEDERAL SPENDING TRANSPARENCY: OIGs IDENTIFIED A VARIETY OF ISSUES WITH THE QUALITY OF AGENCIES' DATA SUBMISSIONS, (July 2022), at 8, 43-45, <https://www.gao.gov/assets/gao-22-105427.pdf>.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 5-8, 9-17, 38-40. (The statistical sample represents 60 percent of the total score, while an evaluation of a non-statistical criteria accounts for 40 percent. The non-statistical categories evaluated were: timeliness of agency submission, completeness of summary-level data (Files A & B), suitability of File C for sample selection, record-level linkages (Files C & D1/D2), and COVID-19 outlay testing.)

<sup>8</sup> *Id.* at 11, 45-47. ("Completeness" measured whether an agency reported a required data element at all. "Accuracy" measured whether the value of the submitted data element did not agree with the agency's supporting documentation and the originating source system or whether the data element was incomplete. "Timeliness" measured whether the data element was not submitted within the required reporting time frame.)

<sup>9</sup> *Id.* at 45-50.

<sup>10</sup> U.S. FED. COMMUNICATIONS COMM'N, FEDERAL COMMUNICATIONS COMMISSION OFFICE OF INSPECTOR GENERAL: FISCAL YEAR 2021 IMPLEMENTATION OF THE DIGITAL ACCOUNTABILITY AND TRANSPARENCY ACT OF 2014 (DATA ACT) PERFORMANCE AUDIT (2021).

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plan to fully implement these recommendations.<sup>11</sup> Please provide your response by April 12, 2024.

Thank you for your prompt attention to this matter. Should you have any questions, please contact my Committee staff at (202) 224-0642.

Sincerely,



Charles E. Grassley  
Ranking Member  
Committee on the Budget

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<sup>11</sup> U.S. GOV'T ACCOUNTABILITY OFF., GAO-24-106214, FEDERAL SPENDING TRANSPARENCY: OPPORTUNITIES TO IMPROVE USASPENDING.GOV DATA, (Nov. 2023), at 7, <https://www.gao.gov/assets/870/863616.pdf>.