

116TH CONGRESS
1ST SESSION

S. 1829

To modernize Federal grant reporting, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2019

Mr. LANKFORD (for himself, Mr. PETERS, Mr. ENZI, and Ms. HASSAN) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To modernize Federal grant reporting, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Grant Reporting Efficiency and Agreements Trans-
6 parency Act of 2019” or the “GREAT Act”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.
- Sec. 3. Definitions.
- Sec. 4. Data standards for grant reporting.
- Sec. 5. Single Audit Act.

Sec. 6. Consolidation of assistance-related information; publication of public information as open data.

Sec. 7. Evaluation of nonproprietary identifiers.

Sec. 8. Rule of construction.

Sec. 9. No additional funds authorized.

1 **SEC. 2. PURPOSES.**

2 The purposes of this Act are to—

3 (1) modernize reporting by recipients of Federal
4 grants and cooperative agreements by creating and
5 imposing data standards for the information that
6 those recipients are required by law to report to the
7 Federal Government;

8 (2) implement the recommendation by the Di-
9 rector of the Office of Management and Budget con-
10 tained in the report submitted under section 5(b)(6)
11 of the Federal Funding Accountability and Trans-
12 parency Act of 2006 (31 U.S.C. 6101 note) relating
13 to the development of a “comprehensive taxonomy of
14 standard definitions for core data elements required
15 for managing Federal financial assistance awards”;

16 (3) reduce burden and compliance costs of re-
17 cipients of Federal grants and cooperative agree-
18 ments by enabling technology solutions, existing or
19 yet to be developed, for use in both the public and
20 private sectors to better manage the data that re-
21 cipients already provide to the Federal Government;
22 and

1 (4) to strengthen oversight and management of
 2 Federal grants and cooperative agreements by agen-
 3 cies by consolidating the collection and display of
 4 and access to open data that has been standardized
 5 and, where appropriate, increasing transparency to
 6 the public.

7 **SEC. 3. DEFINITIONS.**

8 In this Act, the terms “agency”, “Director”, “Fed-
 9 eral award”, and “Secretary” have the meanings given
 10 those terms in section 6401 of title 31, United States
 11 Code, as added by section 4(a) of this Act.

12 **SEC. 4. DATA STANDARDS FOR GRANT REPORTING.**

13 (a) AMENDMENT.—Subtitle V of title 31, United
 14 States Code, is amended by inserting after chapter 63 the
 15 following:

16 **“CHAPTER 64—DATA STANDARDS FOR**
 17 **GRANT REPORTING**

“Sec.

“6401. Definitions.

“6402. Data standards for grant reporting.

“6403. Guidance applying data standards for grant reporting.

“6404. Agency requirements.

18 **“§ 6401. Definitions**

19 “In this chapter:

20 “(1) AGENCY.—The term ‘agency’ has the
 21 meaning given the term in section 552(f) of title 5.

22 “(2) CORE DATA ELEMENTS.—The term ‘core
 23 data elements’ means data elements relating to fi-

1 nancial management, administration, or manage-
2 ment that—

3 “(A) are not program-specific in nature or
4 program-specific outcome measures, as defined
5 in section 1115(h) of this title; and

6 “(B) are required by agencies for all or the
7 vast majority of recipients of Federal awards
8 for purposes of reporting.

9 “(3) DIRECTOR.—The term ‘Director’ means
10 the Director of the Office of Management and Budg-
11 et.

12 “(4) EXECUTIVE DEPARTMENT.—The term
13 ‘Executive department’ has the meaning given the
14 term in section 101 of title 5.

15 “(5) FEDERAL AWARD.—The term ‘Federal
16 award’—

17 “(A) means the transfer of anything of
18 value for a public purpose of support or stimu-
19 lation authorized by a law of the United States,
20 including financial assistance and Government
21 facilities, services, and property;

22 “(B) includes a grant, a subgrant, a coop-
23 erative agreement, or any other transaction;
24 and

1 “(C) does not include a transaction or
2 agreement—

3 “(i) that provides for conventional
4 public information services or procurement
5 of property or services for the direct ben-
6 efit or use of the Government; or

7 “(ii) that provides only—

8 “(I) direct Government cash as-
9 sistance to an individual;

10 “(II) a subsidy;

11 “(III) a loan;

12 “(IV) a loan guarantee; or

13 “(V) insurance.

14 “(6) SECRETARY.—The term ‘Secretary’ means
15 the head of the standard-setting agency.

16 “(7) STANDARD-SETTING AGENCY.—The term
17 ‘standard-setting agency’ means the Executive de-
18 partment designated under section 6402(a)(1).

19 “(8) STATE.—The term ‘State’ means each
20 State of the United States, the District of Columbia,
21 each commonwealth, territory, or possession of the
22 United States, and each federally recognized Indian
23 Tribe.

24 **“§ 6402. Data standards for grant reporting**

25 “(a) IN GENERAL.—

1 “(1) DESIGNATION OF STANDARD-SETTING
2 AGENCY.—The Director shall designate the Execu-
3 tive department that administers the greatest num-
4 ber of programs under which Federal awards are
5 issued in a calendar year as the standard-setting
6 agency.

7 “(2) ESTABLISHMENT OF STANDARDS.—Not
8 later than 2 years after the date of enactment of
9 this chapter, the Secretary and the Director shall es-
10 tablish Governmentwide data standards for informa-
11 tion reported by recipients of Federal awards.

12 “(3) DATA ELEMENTS.—The data standards
13 established under paragraph (2) shall include, at a
14 minimum—

15 “(A) standard definitions for data elements
16 required for managing Federal awards; and

17 “(B) unique identifiers for Federal awards
18 and recipients of Federal awards that can be
19 consistently applied Governmentwide.

20 “(b) SCOPE.—The data standards established under
21 subsection (a)—

22 “(1) shall include core data elements;

23 “(2) may cover information required by law to
24 be reported to any agency by recipients of Federal

1 awards, including audit-related information reported
2 under chapter 75 of this title; and

3 “(3) may not be used by the Director or any
4 agency to require the collection of any data not oth-
5 erwise required under Federal law.

6 “(c) REQUIREMENTS.—The data standards estab-
7 lished under subsection (a) shall, to the extent reasonable
8 and practicable—

9 “(1) render information reported by recipients
10 of Federal awards fully searchable and machine-
11 readable;

12 “(2) be nonproprietary;

13 “(3) incorporate standards developed and main-
14 tained by voluntary consensus standards bodies;

15 “(4) be consistent with and implement applica-
16 ble accounting and reporting principles; and

17 “(5) incorporate the data standards established
18 under the Federal Funding Accountability and
19 Transparency Act of 2006 (31 U.S.C. 6101 note).

20 “(d) CONSULTATION.—In establishing the data
21 standards under subsection (a), the Secretary and the Di-
22 rector shall consult with—

23 “(1) the Secretary of the Treasury to ensure
24 that the data standards established under subsection
25 (a) incorporate the data standards established under

1 the Federal Funding Accountability and Trans-
2 parency Act of 2006 (31 U.S.C. 6101 note);

3 “(2) the head of each agency that issues Fed-
4 eral awards;

5 “(3) recipients of Federal awards and organiza-
6 tions representing recipients of Federal awards;

7 “(4) private sector experts;

8 “(5) members of the public, including privacy
9 experts, privacy advocates, auditors, and industry
10 stakeholders; and

11 “(6) State and local governments.

12 **“§ 6403. Guidance applying data standards for grant**
13 **reporting**

14 “(a) IN GENERAL.—Not later than 3 years after the
15 date of enactment of this chapter—

16 “(1) the Secretary and the Director shall jointly
17 issue guidance to all agencies directing the agencies
18 to apply the data standards established under sec-
19 tion 6402(a) to all applicable reporting by recipients
20 of Federal awards; and

21 “(2) the Director shall prescribe guidance ap-
22 plying the data standards established under section
23 6402(a) to audit-related information reported under
24 chapter 75 of this title.

1 “(b) GUIDANCE.—The guidance issued under sub-
2 section (a) shall—

3 “(1) to the extent reasonable and practicable—

4 “(A) minimize the disruption of existing
5 reporting practices of, and not increase the re-
6 porting burden on, agencies or recipients of
7 Federal awards; and

8 “(B) explore opportunities to implement
9 modern technologies in reporting relating to
10 Federal awards;

11 “(2) allow the Director to permit exceptions for
12 classes of Federal awards, including exceptions for
13 Federal awards granted to Indian Tribes and Tribal
14 organizations consistent with the Indian Self-Deter-
15 mination and Education Assistance Act (25 U.S.C.
16 5301 et seq.), if the Director publishes a list of
17 those exceptions and submits the list to the Com-
18 mittee on Homeland Security and Governmental Af-
19 fairs of the Senate and the Committee on Oversight
20 and Reform of the House of Representatives; and

21 “(3) take into consideration the consultation re-
22 quired under section 6402(d).

23 “(c) UPDATING GUIDANCE.—

1 “(1) IN GENERAL.—Not less frequently than
2 once every 10 years, the Director shall update the
3 guidance issued under subsection (a).

4 “(2) PROCEDURES.—In updating guidance
5 under paragraph (1), the Director shall, to the max-
6 imum extent practicable, follow the procedures for
7 the development of the data standards and guidance
8 prescribed under this section and section 6402.

9 **“§ 6404. Agency requirements**

10 “Not later than 1 year after the date on which guid-
11 ance is issued or updated under subsection (b) or (c), re-
12 spectively, of section 6403, the head of each agency
13 shall—

14 “(1) ensure that all of the Federal awards that
15 the agency issues use data standards for all future
16 information collection requests; and

17 “(2) amend existing information collection re-
18 quests under chapter 35 of title 44 (commonly
19 known as the ‘Paperwork Reduction Act’) to comply
20 with the data standards established under section
21 6402 of this chapter, in accordance with the guid-
22 ance issued by the Director under section 6403 of
23 this chapter.”.

24 (b) TECHNICAL AND CONFORMING AMENDMENT.—
25 The table of chapters for subtitle V of title 31, United

1 States Code, is amended by inserting after the item relat-
 2 ing to chapter 63 the following:

“64. Data standards for grant reporting 6401”.

3 **SEC. 5. SINGLE AUDIT ACT.**

4 (a) AMENDMENTS.—

5 (1) AUDIT REQUIREMENTS.—Section 7502(h)
 6 of title 31, United States Code, is amended, in the
 7 matter preceding paragraph (1), by inserting “in an
 8 electronic form in accordance with the data stand-
 9 ards established under chapter 64 and” after “the
 10 reporting package,”.

11 (2) REGULATIONS.—Section 7505 of title 31,
 12 United States Code, is amended by adding at the
 13 end the following:

14 “(d) Such guidance shall require audit-related infor-
 15 mation reported under this chapter to be reported in an
 16 electronic form in accordance with the data standards es-
 17 tablished under chapter 64.”.

18 (b) GUIDANCE.—Not later than 3 years after the
 19 date of enactment of this Act, the Director shall issue
 20 guidance requiring audit-related information reported
 21 under chapter 75 of title 31, United States Code, to be
 22 reported in an electronic form consistent with the data
 23 standards established under chapter 64 of that title, as
 24 added by section 4(a) of this Act.

1 **SEC. 6. CONSOLIDATION OF ASSISTANCE-RELATED INFOR-**
2 **MATION; PUBLICATION OF PUBLIC INFORMA-**
3 **TION AS OPEN DATA.**

4 (a) **COLLECTION OF INFORMATION.**—Not later than
5 5 years after the date of enactment of this Act, the Sec-
6 retary and the Director shall, using the data standards
7 established under chapter 64 of title 31, United States
8 Code, as added by section 4(a) of this Act, enable the col-
9 lection, public display, and maintenance of Federal award
10 information as a Governmentwide data set, subject to rea-
11 sonable restrictions established by the Director to ensure
12 protection of personally identifiable information and other-
13 wise sensitive information.

14 (b) **PUBLICATION OF INFORMATION.**—The Secretary
15 and the Director shall require the publication of data re-
16 ported by recipients of Federal awards that is collected
17 from all agencies on a single public portal, which may be
18 an existing Governmentwide website, as determined appro-
19 priate by the Director.

20 (c) **FOIA.**—Nothing in this section shall require the
21 disclosure to the public of information that would be ex-
22 empt from disclosure under section 552 of title 5, United
23 States Code (commonly known as the “Freedom of Infor-
24 mation Act”).

1 **SEC. 7. EVALUATION OF NONPROPRIETARY IDENTIFIERS.**

2 (a) DETERMINATION REQUIRED.—The Director and
3 the Secretary shall determine whether to use nonpropri-
4 etary identifiers described in section 6402(a)(3)(B) of title
5 31, United States Code, as added by section 4(a) of this
6 Act.

7 (b) FACTORS TO BE CONSIDERED.—In making the
8 determination under subsection (a), the Director and the
9 Secretary shall consider factors such as accessibility and
10 cost to recipients of Federal awards, agencies that issue
11 Federal awards, private sector experts, and members of
12 the public, including privacy experts, privacy advocates,
13 transparency experts, and transparency advocates.

14 (c) PUBLICATION AND REPORT ON DETERMINA-
15 TION.—Not later than the earlier of 1 year after the date
16 of enactment of this Act or the date on which the Director
17 and the Secretary establish data standards under section
18 6402(a)(2) of title 31, United States Code, as added by
19 section 4(a) of this Act, the Director and the Secretary
20 shall publish and submit to the Committee on Homeland
21 Security and Governmental Affairs of the Senate and the
22 Committee on Oversight and Reform of the House of Rep-
23 resentatives a report explaining the reasoning for the de-
24 termination made under subsection (a).

1 **SEC. 8. RULE OF CONSTRUCTION.**

2 Nothing in this Act, or the amendments made by this
3 Act, shall be construed to require the collection of data
4 that is not otherwise required under any Federal law, rule,
5 or regulation.

6 **SEC. 9. NO ADDITIONAL FUNDS AUTHORIZED.**

7 No additional funds are authorized to carry out the
8 requirements of this Act and the amendments made by
9 this Act. Such requirements shall be carried out using
10 amounts otherwise authorized.

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