

Calendar No. 269118TH CONGRESS
1ST SESSION**S. 2260****[Report No. 118–125]**

To require transparency in notices of funding opportunity, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2023

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

DECEMBER 11, 2023

Reported by Mr. PETERS, without amendment

A BILL

To require transparency in notices of funding opportunity,
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 “Grant Transparency
5 Act of 2023”.

1 **SEC. 2. NOTICES OF FUNDING OPPORTUNITY TRANS-**
2 **PARENCY.**

3 (a) DEFINITIONS.—In this section:

4 (1) AGENCY.—The term “agency”—

5 (A) has the meaning given the term “Exec-
6 utive agency” in section 105 of title 5, United
7 States Code; and

8 (B) does not include the Government Ac-
9 countability Office.

10 (2) COMPETITIVE GRANT.—The term “competi-
11 tive grant” means a discretionary award (as defined
12 in section 200.1 of title 2, Code of Federal Regula-
13 tions) awarded by an agency—

14 (A) through a grant agreement or coopera-
15 tive agreement under which the agency makes
16 payment in cash or in kind to a recipient to
17 carry out a public purpose authorized by law;
18 and

19 (B) the recipient of which is selected from
20 a pool of applicants through the use of merit-
21 based selection procedures for the purpose of al-
22 locating funds authorized under a grant pro-
23 gram of the agency.

24 (3) EVALUATION OR SELECTION CRITERIA.—
25 The term “evaluation or selection criteria” means

1 standards or principles for judging, evaluating, or
2 selecting an application for a competitive grant.

3 (4) NOTICE OF FUNDING OPPORTUNITY.—The
4 term “notice of funding opportunity” has the mean-
5 ing given the term in section 200.1 of title 2, Code
6 of Federal Regulations.

7 (5) RATING SYSTEM.—The term “rating sys-
8 tem”—

9 (A) means a system of evaluation of com-
10 petitive grant applications to determine how
11 such applications advance through the selection
12 process; and

13 (B) includes—

- 14 (i) a merit criteria rating rubric;
15 (ii) an evaluation of merit criteria;
16 (iii) a methodology to evaluate and
17 rate based on a point scale; and
18 (iv) an evaluation to determine wheth-
19 er a competitive grant application meets
20 evaluation or selection criteria.

21 (b) TRANSPARENCY REQUIREMENTS.—Each notice
22 of funding opportunity issued by an agency for a competi-
23 tive grant shall include—

1 (1) a description of any rating system and eval-
2 uation and selection criteria the agency uses to as-
3 sess applications for the competitive grant;

4 (2) a statement of whether the agency uses a
5 weighted scoring method and a description of any
6 weighted scoring method the agency uses for the
7 competitive grant, including the amount by which
8 the agency weights each criterion; and

9 (3) any other qualitative or quantitative merit-
10 based approach the agency uses to evaluate an appli-
11 cation for the competitive grant.

12 (c) RULE OF CONSTRUCTION.—With respect to a
13 particular competitive grant, nothing in this Act shall be
14 construed to supersede any requirement with respect to
15 a notice of funding opportunity for the competitive grant
16 in a law that authorizes the competitive grant.

17 (d) NO ADDITIONAL FUNDS.—No additional funds
18 are authorized to be appropriated for the purpose of car-
19 rying out this Act.

20 (e) EFFECTIVE DATE.—

21 (1) IN GENERAL.—This Act shall take effect on
22 the date that is 120 days after the date of enact-
23 ment of this Act.

1 (2) NO RETROACTIVE EFFECT.—This Act shall
2 not apply to a notice of funding opportunity issued
3 before the date of enactment of this Act.

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