

111TH CONGRESS  
1ST SESSION

# S. 303

To reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999.

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IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2009

Mr. VOINOVICH (for himself, Mr. LIEBERMAN, and Mr. CARPER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999.

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 “Federal Financial As-  
5       sistance Management Improvement Act of 2009”.

6       **SEC. 2. REAUTHORIZATION.**

7       Section 11 of the Federal Financial Assistance Man-  
8       agement Improvement Act of 1999 (31 U.S.C. 6101 note)  
9       is amended—

1 (1) in the section heading, by striking “**AND**  
 2 **SUNSET**”; and

3 (2) by striking “and shall cease to be effective  
 4 8 years after such date of enactment”.

5 **SEC. 3. WEBSITE RELATING TO FEDERAL GRANTS.**

6 Section 6 of the Federal Financial Assistance Man-  
 7 agement Improvement Act of 1999 (31 U.S.C. 6101 note)  
 8 is amended—

9 (1) by redesignating subsections (e) and (f) as  
 10 subsections (f) and (g), respectively;

11 (2) by inserting after subsection (d) the fol-  
 12 lowing:

13 “(e) WEBSITE RELATING TO FEDERAL GRANTS.—

14 “(1) IN GENERAL.—The Director shall establish  
 15 and maintain a public website that serves as a cen-  
 16 tral point of information and access for applicants  
 17 for Federal grants.

18 “(2) CONTENTS.—To the maximum extent pos-  
 19 sible, the website established under this subsection  
 20 shall include, at a minimum, for each Federal  
 21 grant—

22 “(A) the grant announcement;

23 “(B) the statement of eligibility relating to  
 24 the grant;

1           “(C) the application requirements for the  
2           grant;

3           “(D) the purposes of the grant;

4           “(E) the Federal agency funding the  
5           grant; and

6           “(F) the deadlines for applying for and  
7           awarding of the grant.

8           “(3) USE BY APPLICANTS.—The website estab-  
9           lished under this subsection shall, to the greatest ex-  
10          tent practical, allow grant applicants to—

11           “(A) search the website for all Federal  
12           grants by type, purpose, funding agency, pro-  
13           gram source, and other relevant criteria;

14           “(B) apply for a Federal grant using the  
15           website;

16           “(C) manage, track, and report on the use  
17           of Federal grants using the website; and

18           “(D) provide all required certifications and  
19           assurances for a Federal grant using the  
20           website.”; and

21          (3) in subsection (g), as so redesignated, by  
22          striking “All actions” and inserting “Except for ac-  
23          tions relating to establishing the website required  
24          under subsection (e), all actions”.

1 **SEC. 4. REPORT ON IMPLEMENTATION.**

2       The Federal Financial Assistance Management Im-  
3       provement Act of 1999 (31 U.S.C. 6101 note) is amended  
4       by striking section 7 and inserting the following:

5 **“SEC. 7. EVALUATION OF IMPLEMENTATION.**

6       “(a) IN GENERAL.—Not later than 9 months after  
7       the date of enactment of the Federal Financial Assistance  
8       Management Improvement Act of 2009, and every 2 years  
9       thereafter until the date that is 15 years after the date  
10      of enactment of the Federal Financial Assistance Manage-  
11      ment Improvement Act of 2009, the Director shall submit  
12      to Congress a report regarding the implementation of this  
13      Act.

14      “(b) CONTENTS.—

15           “(1) IN GENERAL.—Each report under sub-  
16      section (a) shall include, for the applicable period—

17           “(A) a list of all grants for which an appli-  
18      cant may submit an application using the  
19      website established under section 6(e);

20           “(B) a list of all Federal agencies that pro-  
21      vide Federal financial assistance to non-Federal  
22      entities;

23           “(C) a list of each Federal agency that has  
24      complied, in whole or in part, with the require-  
25      ments of this Act;

1 “(D) for each Federal agency listed under  
2 subparagraph (C), a description of the extent of  
3 the compliance with this Act by the Federal  
4 agency;

5 “(E) a list of all Federal agencies exempt-  
6 ed under section 6(d);

7 “(F) for each Federal agency listed under  
8 subparagraph (E)—

9 “(i) an explanation of why the Fed-  
10 eral agency was exempted; and

11 “(ii) a certification that the basis for  
12 the exemption of the Federal agency is still  
13 applicable;

14 “(G) a list of all common application forms  
15 that have been developed that allow non-Fed-  
16 eral entities to apply, in whole or in part, for  
17 multiple Federal financial assistance programs  
18 (including Federal financial assistance pro-  
19 grams administered by different Federal agen-  
20 cies) through a single common application;

21 “(H) a list of all common forms and re-  
22 quirements that have been developed that allow  
23 non-Federal entities to report, in whole or in  
24 part, on the use of funding from multiple Fed-  
25 eral financial assistance programs (including

1 Federal financial assistance programs adminis-  
2 tered by different Federal agencies);

3 “(I) a description of the efforts made by  
4 the Director and Federal agencies to commu-  
5 nicate and collaborate with representatives of  
6 non-Federal entities during the implementation  
7 of the requirements under this Act;

8 “(J) a description of the efforts made by  
9 the Director to work with Federal agencies to  
10 meet the goals of this Act, including a descrip-  
11 tion of working groups or other structures used  
12 to coordinate Federal efforts to meet the goals  
13 of this Act; and

14 “(K) identification and description of all  
15 systems being used to disburse Federal finan-  
16 cial assistance to non-Federal entities.

17 “(2) SUBSEQUENT REPORTS.—The second re-  
18 port submitted under subsection (a), and each sub-  
19 sequent report submitted under subsection (a), shall  
20 include—

21 “(A) a discussion of the progress made by  
22 the Federal Government in meeting the goals of  
23 this Act, including the amendments made by  
24 the Federal Financial Assistance Management  
25 Improvement Act of 2009, and in implementing

1 the strategic plan submitted under section 8,  
 2 including an evaluation of the progress of each  
 3 Federal agency that has not received an exemp-  
 4 tion under section 6(d) towards implementing  
 5 the strategic plan; and

6 “(B) a compilation of the reports sub-  
 7 mitted under section 8(c)(3) during the applica-  
 8 ble period.

9 “(c) DEFINITION OF APPLICABLE PERIOD.—In this  
 10 section, the term ‘applicable period’ means—

11 “(1) for the first report submitted under sub-  
 12 section (a), the most recent full fiscal year before  
 13 the date of the report; and

14 “(2) for the second report submitted under sub-  
 15 section (a), and each subsequent report submitted  
 16 under subsection (a), the period beginning on the  
 17 date on which the most recent report under sub-  
 18 section (a) was submitted and ending on the date of  
 19 the report.”.

20 **SEC. 5. STRATEGIC PLAN.**

21 (a) IN GENERAL.—The Federal Financial Assistance  
 22 Management Improvement Act of 1999 (31 U.S.C. 6101  
 23 note) is amended—

24 (1) by redesignating sections 8, 9, 10, and 11  
 25 as sections 9, 10, 11, and 12, respectively; and

1           (2) by inserting after section 7, as amended by  
2       this Act, the following:

3   **“SEC. 8. STRATEGIC PLAN.**

4       “(a) IN GENERAL.—Not later than 18 months after  
5   the date of enactment of the Federal Financial Assistance  
6   Management Improvement Act of 2009, the Director shall  
7   submit to Congress a strategic plan that—

8           “(1) identifies Federal financial assistance pro-  
9       grams that are suitable for common applications  
10      based on the common or similar purposes of the  
11      Federal financial assistance;

12          “(2) identifies Federal financial assistance pro-  
13      grams that are suitable for common reporting forms  
14      or requirements based on the common or similar  
15      purposes of the Federal financial assistance;

16          “(3) identifies common aspects of multiple Fed-  
17      eral financial assistance programs that are suitable  
18      for common application or reporting forms or re-  
19      quirements;

20          “(4) identifies changes in law, if any, needed to  
21      achieve the goals of this Act; and

22          “(5) provides plans, timelines, and cost esti-  
23      mates for—

1           “(A) developing an entirely electronic, web-  
2           based process for managing Federal financial  
3           assistance, including the ability to—

4                   “(i) apply for Federal financial assist-  
5           ance;

6                   “(ii) track the status of applications  
7           for and payments of Federal financial as-  
8           sistance;

9                   “(iii) report on the use of Federal fi-  
10          nancial assistance, including how such use  
11          has been in furtherance of the objectives or  
12          purposes of the Federal financial assist-  
13          ance; and

14                  “(iv) provide required certifications  
15          and assurances;

16          “(B) ensuring full compliance by Federal  
17          agencies with the requirements of this Act, in-  
18          cluding the amendments made by the Federal  
19          Financial Assistance Management Improvement  
20          Act of 2009;

21          “(C) creating common applications for the  
22          Federal financial assistance programs identified  
23          under paragraph (1), regardless of whether the  
24          Federal financial assistance programs are ad-  
25          ministered by different Federal agencies;

1           “(D) establishing common financial and  
2           performance reporting forms and requirements  
3           for the Federal financial assistance programs  
4           identified under paragraph (2), regardless of  
5           whether the Federal financial assistance pro-  
6           grams are administered by different Federal  
7           agencies;

8           “(E) establishing common applications and  
9           financial and performance reporting forms and  
10          requirements for aspects of the Federal finan-  
11          cial assistance programs identified under para-  
12          graph (3), regardless of whether the Federal fi-  
13          nancial assistance programs are administered  
14          by different Federal agencies;

15          “(F) developing mechanisms to ensure  
16          compatibility between Federal financial assist-  
17          ance administration systems and State systems  
18          to facilitate the importing and exporting of  
19          data;

20          “(G) developing common certifications and  
21          assurances, as appropriate, for all Federal fi-  
22          nancial assistance programs that have common  
23          or similar purposes, regardless of whether the  
24          Federal financial assistance programs are ad-  
25          ministered by different Federal agencies; and

1           “(H) minimizing the number of different  
2           systems used to disburse Federal financial as-  
3           sistance.

4           “(b) CONSULTATION.—In developing and imple-  
5           menting the strategic plan under subsection (a), the Direc-  
6           tor shall consult with representatives of non-Federal enti-  
7           ties and Federal agencies that have not received an exemp-  
8           tion under section 6(d).

9           “(c) FEDERAL AGENCIES.—

10           “(1) IN GENERAL.—Not later than 6 months  
11           after the date on which the Director submits the  
12           strategic plan under subsection (a), the head of each  
13           Federal agency that has not received an exemption  
14           under section 6(d) shall develop a plan that de-  
15           scribes how the Federal agency will carry out the re-  
16           sponsibilities of the Federal agency under the stra-  
17           tegic plan, which shall include—

18           “(A) clear performance objectives and  
19           timelines for action by the Federal agency in  
20           furtherance of the strategic plan; and

21           “(B) the identification of measures to im-  
22           prove communication and collaboration with  
23           representatives of non-Federal entities on an  
24           on-going basis during the implementation of  
25           this Act.

1           “(2) CONSULTATION.—The head of each Fed-  
 2       eral agency that has not received an exemption  
 3       under section 6(d) shall consult with representatives  
 4       of non-Federal entities during the development and  
 5       implementation of the plan of the Federal agency  
 6       developed under paragraph (1).

7           “(3) REPORTING.—Not later than 2 years after  
 8       the date on which the head of a Federal agency that  
 9       has not received an exemption under section 6(d) de-  
 10      velops the plan under paragraph (1), and every 2  
 11      years thereafter until the date that is 15 years after  
 12      the date of enactment of the Federal Financial As-  
 13      sistance Management Improvement Act of 2009, the  
 14      head of the Federal agency shall submit to the Di-  
 15      rector a report regarding the progress of the Federal  
 16      agency in achieving the objectives of the plan of the  
 17      Federal agency developed under paragraph (1).”.

18       (b) TECHNICAL AND CONFORMING AMENDMENT.—  
 19      Section 5(d) of the Federal Financial Assistance Manage-  
 20      ment Improvement Act of 1999 (31 U.S.C. 6101 note)  
 21      is amended by inserting “, until the date on which the  
 22      Federal agency submits the first report by the Federal  
 23      agency required under section 8(c)(3)” after “subsection  
 24      (a)(7)”.

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