

111TH CONGRESS
1ST SESSION

S. 303

IN THE HOUSE OF REPRESENTATIVES

MARCH 18, 2009

Referred to the Committee on Oversight and Government Reform

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Federal Financial As-
3 sistance Management Improvement Act of 2009”.

4 **SEC. 2. REAUTHORIZATION.**

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

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

10 (2) by striking “and shall cease to be effective
11 8 years after such date of enactment”.

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

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

16 (1) by redesignating subsections (e) and (f) as
17 subsections (f) and (g), respectively;

18 (2) by inserting after subsection (d) the fol-
19 lowing:

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

21 “(1) IN GENERAL.—The Director shall establish
22 and maintain a public website that serves as a cen-
23 tral point of information and access for applicants
24 for Federal grants.

25 “(2) CONTENTS.—To the maximum extent pos-
26 sible, the website established under this subsection

1 shall include, at a minimum, for each Federal
2 grant—

3 “(A) the grant announcement;

4 “(B) the statement of eligibility relating to
5 the grant;

6 “(C) the application requirements for the
7 grant;

8 “(D) the purposes of the grant;

9 “(E) the Federal agency funding the
10 grant; and

11 “(F) the deadlines for applying for and
12 awarding of the grant.

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

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

19 “(B) apply for a Federal grant using the
20 website;

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

23 “(D) provide all required certifications and
24 assurances for a Federal grant using the
25 website.”; and

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

5 **SEC. 4. REPORT ON IMPLEMENTATION.**

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

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

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

18 “(b) CONTENTS.—

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

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

1 “(B) a list of all Federal agencies that pro-
2 vide Federal financial assistance to non-Federal
3 entities;

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

7 “(D) for each Federal agency listed under
8 subparagraph (C), a description of the extent of
9 the compliance with this Act by the Federal
10 agency;

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

13 “(F) for each Federal agency listed under
14 subparagraph (E)—

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

17 “(ii) a certification that the basis for
18 the exemption of the Federal agency is still
19 applicable;

20 “(G) a list of all common application forms
21 that have been developed that allow non-Fed-
22 eral entities to apply, in whole or in part, for
23 multiple Federal financial assistance programs
24 (including Federal financial assistance pro-

grams administered by different Federal agencies) through a single common application;

“(H) a list of all common forms and requirements that have been developed that allow non-Federal entities to report, in whole or in part, on the use of funding from multiple Federal financial assistance programs (including Federal financial assistance programs administered by different Federal agencies);

“(I) a description of the efforts made by the Director and Federal agencies to communicate and collaborate with representatives of non-Federal entities during the implementation of the requirements under this Act;

“(J) a description of the efforts made by the Director to work with Federal agencies to meet the goals of this Act, including a description of working groups or other structures used to coordinate Federal efforts to meet the goals of this Act; and

“(K) identification and description of all systems being used to disburse Federal financial assistance to non-Federal entities.

“(2) SUBSEQUENT REPORTS.—The second report submitted under subsection (a), and each sub-

1 sequent report submitted under subsection (a), shall
2 include—

3 “(A) a discussion of the progress made by
4 the Federal Government in meeting the goals of
5 this Act, including the amendments made by
6 the Federal Financial Assistance Management
7 Improvement Act of 2009, and in implementing
8 the strategic plan submitted under section 8,
9 including an evaluation of the progress of each
10 Federal agency that has not received an exemp-
11 tion under section 6(d) towards implementing
12 the strategic plan; and

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

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

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

21 “(2) for the second report submitted under sub-
22 section (a), and each subsequent report submitted
23 under subsection (a), the period beginning on the
24 date on which the most recent report under sub-

1 section (a) was submitted and ending on the date of
2 the report.”.

3 **SEC. 5. STRATEGIC PLAN.**

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

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

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

11 **“SEC. 8. STRATEGIC PLAN.**

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

16 “(1) identifies Federal financial assistance pro-
17 grams that are suitable for common applications
18 based on the common or similar purposes of the
19 Federal financial assistance;

20 “(2) identifies Federal financial assistance pro-
21 grams that are suitable for common reporting forms
22 or requirements based on the common or similar
23 purposes of the Federal financial assistance;

24 “(3) identifies common aspects of multiple Fed-
25 eral financial assistance programs that are suitable

1 for common application or reporting forms or re-
2 quirements;

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

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

7 “(A) developing an entirely electronic, web-
8 based process for managing Federal financial
9 assistance, including the ability to—

10 “(i) apply for Federal financial assist-
11 ance;

12 “(ii) track the status of applications
13 for and payments of Federal financial as-
14 sistance;

15 “(iii) report on the use of Federal fi-
16 nancial assistance, including how such use
17 has been in furtherance of the objectives or
18 purposes of the Federal financial assist-
19 ance; and

20 “(iv) provide required certifications
21 and assurances;

22 “(B) ensuring full compliance by Federal
23 agencies with the requirements of this Act, in-
24 cluding the amendments made by the Federal

1 Financial Assistance Management Improvement
2 Act of 2009;

3 “(C) creating common applications for the
4 Federal financial assistance programs identified
5 under paragraph (1), regardless of whether the
6 Federal financial assistance programs are ad-
7 ministered by different Federal agencies;

8 “(D) establishing common financial and
9 performance reporting forms and requirements
10 for the Federal financial assistance programs
11 identified under paragraph (2), regardless of
12 whether the Federal financial assistance pro-
13 grams are administered by different Federal
14 agencies;

15 “(E) establishing common applications and
16 financial and performance reporting forms and
17 requirements for aspects of the Federal finan-
18 cial assistance programs identified under para-
19 graph (3), regardless of whether the Federal fi-
20 nancial assistance programs are administered
21 by different Federal agencies;

22 “(F) developing mechanisms to ensure
23 compatibility between Federal financial assist-
24 ance administration systems and State systems

1 to facilitate the importing and exporting of
2 data;

3 “(G) developing common certifications and
4 assurances, as appropriate, for all Federal fi-
5 nancial assistance programs that have common
6 or similar purposes, regardless of whether the
7 Federal financial assistance programs are ad-
8 ministered by different Federal agencies; and

9 “(H) minimizing the number of different
10 systems used to disburse Federal financial as-
11 sistance.

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

17 “(c) FEDERAL AGENCIES.—

18 “(1) IN GENERAL.—Not later than 6 months
19 after the date on which the Director submits the
20 strategic plan under subsection (a), the head of each
21 Federal agency that has not received an exemption
22 under section 6(d) shall develop a plan that de-
23 scribes how the Federal agency will carry out the re-
24 sponsibilities of the Federal agency under the stra-
25 tegic plan, which shall include—

1 “(A) clear performance objectives and
2 timelines for action by the Federal agency in
3 furtherance of the strategic plan; and

4 “(B) the identification of measures to im-
5 prove communication and collaboration with
6 representatives of non-Federal entities on an
7 on-going basis during the implementation of
8 this Act.

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

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

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

Passed the Senate March 17, 2009.

Attest:

NANCY ERICKSON,

Secretary.