

Grant Reporting Efficiency and Agreements Transparency Act of 2019

[Public Law 116–103]

[This law has not been amended]

【Currency: This publication is a compilation of the text of Public Law 116–103. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To modernize Federal grant reporting, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. [31 U.S.C. 6401 note] SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Grant Reporting Efficiency and Agreements Transparency Act of 2019” or the “GREAT Act”.

(b) TABLE OF CONTENTS.—The table of contents for 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.

SEC. 2. [31 U.S.C. 6401 note] PURPOSES.

The purposes of this Act are to—

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

(2) implement the recommendation by the Director of the Office of Management and Budget contained in the report submitted under section 5(b)(6) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note) relating to the development of a “comprehensive taxonomy of

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standard definitions for core data elements required for managing Federal financial assistance awards”;

(3) reduce burden and compliance costs of recipients of Federal grants and cooperative agreements by enabling technology solutions, existing or yet to be developed, for use in both the public and private sectors to better manage the data that recipients already provide to the Federal Government; and

(4) strengthen oversight and management of Federal grants and cooperative agreements by agencies by consolidating the collection and display of and access to open data that has been standardized and, where appropriate, increasing transparency to the public.

SEC. 3. [31 U.S.C. 6401 note] DEFINITIONS.

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

SEC. 4. DATA STANDARDS FOR GRANT REPORTING.

(a) [31 U.S.C. 6401] AMENDMENT.—Subtitle V of title 31, United States Code, is amended by inserting after chapter 63 the following:

“CHAPTER 64—DATA STANDARDS FOR GRANT REPORTING

“Sec.

“6401. Definitions.

“6402. Data standards for grant reporting.

“6403. Guidance applying data standards for grant reporting.

“6404. Agency requirements.

“§ 6401. [31 U.S.C. 6401] Definition

In this chapter:

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

“(2) CORE DATA ELEMENTS.—The term ‘core data elements’ means data elements relating to financial management, administration, or management that—

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

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

“(3) DIRECTOR.—The term ‘Director’ means the Director of the Office of Management and Budget.

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

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

“(A) means the transfer of anything of value for a public purpose of support or stimulation authorized by a law of the United States, including financial assistance and Government facilities, services, and property;

“(B) includes a grant, a subgrant, a cooperative agreement, or any other transaction; and

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

“(i) that provides for conventional public information services or procurement of property or services for the direct benefit or use of the Government; or

“(ii) that provides only—

“(I) direct Government cash assistance to an individual;

“(II) a subsidy;

“(III) a loan;

“(IV) a loan guarantee; or

“(V) insurance.

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

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

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

“§ 6402. [31 U.S.C. 6402] Data standards for grant reportin

“(a) IN GENERAL.—

“(1) DESIGNATION OF STANDARD-SETTING AGENCY.—The Director shall designate the Executive department that administers the greatest number of programs under which Federal awards are issued in a calendar year as the standard-setting agency.

“(2) ESTABLISHMENT OF STANDARDS.—Not later than 2 years after the date of enactment of this chapter, the Secretary and the Director shall establish Governmentwide data standards for information reported by recipients of Federal awards.

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

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

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

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

“(1) shall include core data elements;

“(2) may cover information required by law to be reported to any agency by recipients of Federal awards, including audit-related information reported under chapter 75 of this title; and

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

“(c) REQUIREMENTS.—The data standards established under subsection (a) shall, to the extent reasonable and practicable—

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

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- “(2) be nonproprietary;
 - “(3) incorporate standards developed and maintained by voluntary consensus standards bodies;
 - “(4) be consistent with and implement applicable accounting and reporting principles; and
 - “(5) incorporate the data standards established under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note).
- “(d) CONSULTATION.—In establishing the data standards under subsection (a), the Secretary and the Director shall consult with—
- “(1) the Secretary of the Treasury to ensure that the data standards established under subsection (a) incorporate the data standards established under the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note);
 - “(2) the head of each agency that issues Federal awards;
 - “(3) recipients of Federal awards and organizations representing recipients of Federal awards;
 - “(4) private sector experts;
 - “(5) members of the public, including privacy experts, privacy advocates, auditors, and industry stakeholders; and
 - “(6) State and local governments.

“§ 6403. [31 U.S.C. 6403] Guidance applying data standards for grant reportin

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

“(1) the Secretary and the Director shall jointly issue guidance to all agencies directing the agencies to apply the data standards established under section 6402(a) to all applicable reporting by recipients of Federal awards; and

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

“(b) GUIDANCE.—The guidance issued under subsection (a) shall—

“(1) to the extent reasonable and practicable—

“(A) minimize the disruption of existing reporting practices of, and not increase the reporting burden on, agencies or recipients of Federal awards; and

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

“(2) allow the Director to permit exceptions for classes of Federal awards, including exceptions for Federal awards granted to Indian Tribes and Tribal organizations consistent with the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5301 et seq.), if the Director publishes a list of those exceptions and submits the list to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives; and

“(3) take into consideration the consultation required under section 6402(d).

“(c) UPDATING GUIDANCE.—

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

“(2) PROCEDURES.—In updating guidance under paragraph (1), the Director shall, to the maximum extent practicable, follow the procedures for the development of the data standards and guidance prescribed under this section and section 6402.

“§ 6404. [31 U.S.C. 6404] Agency requirement

Not later than 1 year after the date on which guidance is issued or updated under subsection (b) or (c), respectively, of section 6403, the head of each agency shall—

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

“(2) amend existing information collection requests under chapter 35 of title 44 (commonly known as the ‘Paperwork Reduction Act’) to comply with the data standards established under section 6402 of this chapter, in accordance with the guidance issued by the Secretary and the Director under section 6403 of this chapter.”.

(b) **[31 U.S.C. 6101] TECHNICAL AND CONFORMING AMENDMENT.**—The table of chapters for subtitle V of title 31, United States Code, is amended by inserting after the item relating to chapter 63 the following:

“64. Data standards for grant reporting”

SEC. 5. SINGLE AUDIT ACT.

(a) AMENDMENTS.—

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

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

“(d) Such guidance shall require audit-related information reported under this chapter to be reported in an electronic form in accordance with the data standards established under chapter 64.”.

(b) **[31 U.S.C. 7505 note] GUIDANCE.**—Not later than 3 years after the date of enactment of this Act, the Director shall issue guidance requiring audit-related information reported under chapter 75 of title 31, United States Code, to be reported in an electronic form consistent with the data standards established under chapter 64 of that title, as added by section 4(a) of this Act.

SEC. 6. [31 U.S.C. 6402 note] CONSOLIDATION OF ASSISTANCE-RELATED INFORMATION; PUBLICATION OF PUBLIC INFORMATION AS OPEN DATA.

(a) COLLECTION OF INFORMATION.—Not later than 5 years after the date of enactment of this Act, the Secretary and the Director shall, using the data standards established under chapter 64 of title 31, United States Code, as added by section 4(a) of this Act, enable the collection, public display, and maintenance of Federal award information as a Governmentwide data set, subject to rea-

sonable restrictions established by the Director to ensure protection of personally identifiable information and otherwise sensitive information.

(b) PUBLICATION OF INFORMATION.—The Secretary and the Director shall require the publication of data reported by recipients of Federal awards that is collected from all agencies on a single public portal, which may be an existing Governmentwide website, as determined appropriate by the Director.

(c) FOIA.—Nothing in this section shall require the disclosure to the public of information that would be exempt from disclosure under section 552 of title 5, United States Code (commonly known as the “Freedom of Information Act”).

SEC. 7. [31 U.S.C. 6402 note] EVALUATION OF NONPROPRIETARY IDENTIFIERS.

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

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

(c) PUBLICATION AND REPORT ON DETERMINATION.—Not later than the earlier of 1 year after the date of enactment of this Act or the date on which the Director and the Secretary establish data standards under section 6402(a)(2) of title 31, United States Code, as added by section 4(a) of this Act, the Director and the Secretary shall publish and submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Oversight and Reform of the House of Representatives a report explaining the reasoning for the determination made under subsection (a).

SEC. 8. [31 U.S.C. 6401 note] RULE OF CONSTRUCTION.

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

SEC. 9. NO ADDITIONAL FUNDS AUTHORIZED.

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