

***In the House of Representatives, U. S.,***

*December 14, 2009.*

*Resolved*, That the bill from the Senate (S. 303) entitled “An Act to reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999.”, do pass with the following

**AMENDMENT:**

Strike out all after the enacting clause and insert:

1 ***SECTION 1. SHORT TITLE; TABLE OF CONTENTS.***

2       (a) *SHORT TITLE.*—*This Act may be cited as the*  
3 *“Federal Financial Assistance Management Improvement*  
4 *Act of 2009”.*

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

*Sec. 1. Short title; table of contents.*  
*Sec. 2. Reauthorization.*  
*Sec. 3. Website relating to Federal grants.*  
*Sec. 4. Report on implementation.*  
*Sec. 5. Strategic plan.*  
*Sec. 6. Data standard requirements.*

7 ***SEC. 2. REAUTHORIZATION.***

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

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

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

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

4           Section 6 of the Federal Financial Assistance Manage-  
5   ment Improvement Act of 1999 (31 U.S.C. 6101 note) is  
6   amended—

7           (1) by redesignating subsections (e) and (f) as  
8           subsections (g) and (h), respectively;

9           (2) by inserting after subsection (d) the following  
10   new subsections:

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

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

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

20                       “(A) the grant announcement;

21                       “(B) the statement of eligibility relating to  
22           the grant;

23                       “(C) the application requirements for the  
24           grant;

25                       “(D) the purposes of the grant;

1                   “(E) the Federal agency funding the grant;

2                   “(F) the deadlines for applying for and  
3                   awarding of the grant.

4                   “(G) all applications received for the grant,  
5                   set forth in the single data standard adopted  
6                   under section 9(b); and

7                   “(H) all reports relating to the use of the  
8                   grant, set forth in the single data standard  
9                   adopted under section 9(b).

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

13                         “(A) use the website with any computer  
14                         platform;

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

18                         “(C) apply for a Federal grant using the  
19                         website;

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

22                         “(E) provide all required certifications and  
23                         assurances for a Federal grant using the website.

1           “(4) *USE BY THE PUBLIC.*—*The website estab-*  
 2           *lished under this subsection shall, to the greatest ex-*  
 3           *tent practicable, allow members of the public to—*

4                       “(A) *view the items described in paragraph*  
 5                       *(2);*

6                       “(B) *navigate easily among and between the*  
 7                       *items described in paragraph (2) and other sup-*  
 8                       *porting materials;*

9                       “(C) *download grant applications and re-*  
 10                      *ports, in the single data standard adopted under*  
 11                      *section 9, individually or as a single data set;*  
 12                      *and*

13                      “(D) *access individual grant applications*  
 14                      *and reports at web addresses that are distinct,*  
 15                      *permanent, unique, and searchable.*

16           “(f) *PUBLICATION OF INFORMATION.*—*Nothing in this*  
 17           *section shall be construed as requiring the publication of*  
 18           *information otherwise exempt under section 552 of title 5,*  
 19           *United States Code (popularly referred to as the ‘Freedom*  
 20           *of Information Act’).”; and*

21                      (3) *in subsection (h), 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 the  
 7 date of the 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 of  
 10 the 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 subsection  
 16 (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 exempted  
6           under section 6(d);

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

9                 “(i) an explanation of why the Federal  
10                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-Federal  
16           entities to apply, in whole or in part, for mul-  
17           tiple Federal financial assistance programs (in-  
18           cluding Federal financial assistance programs  
19           administered by different Federal agencies)  
20           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 the  
 4       *Director and Federal agencies to communicate*  
 5       *and collaborate with representatives of non-Fed-*  
 6       *eral entities during the implementation of the re-*  
 7       *quirements under this Act;*

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

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

17       “(2) *SUBSEQUENT REPORTS.*—*The second report*  
 18       *submitted under subsection (a), and each subsequent*  
 19       *report submitted under subsection (a), shall include—*

20               “(A) a discussion of the progress made by  
 21       *the Federal Government in meeting the goals of*  
 22       *this Act, including the amendments made by the*  
 23       *Federal Financial Assistance Management Im-*  
 24       *provement Act of 2009, and in implementing the*  
 25       *strategic plan submitted under section 8, includ-*

ing an evaluation of the progress of each Federal agency that has not received an exemption under section 6(d) towards implementing the strategic plan; and

“(B) a compilation of the reports submitted under section 8(c)(3) during the applicable period.

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

“(1) for the first report submitted under subsection (a), the most recent full fiscal year before the date of the report; and

“(2) for the second report submitted under subsection (a), and each subsequent report submitted under subsection (a), the period beginning on the date on which the most recent report under subsection (a) was submitted and ending on the date of the report.”.

**SEC. 5. STRATEGIC PLAN.**

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

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

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



1 **“SEC. 8. STRATEGIC PLAN.**

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

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

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

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

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

20 “(5) provides plans, timelines, and cost estimates  
21 for—

22 “(A) developing an entirely electronic, web-  
23 based process for managing Federal financial as-  
24 sistance, including the ability to—

25 “(i) apply for Federal financial assist-  
26 ance;

1           “(ii) track the status of applications  
2           for and payments of Federal financial as-  
3           sistance;

4           “(iii) report on the use of Federal fi-  
5           nancial assistance, including how such use  
6           has been in furtherance of the objectives or  
7           purposes of the Federal financial assistance;  
8           and

9           “(iv) provide required certifications  
10          and assurances;

11          “(B) ensuring full compliance by Federal  
12          agencies with the requirements of this Act, in-  
13          cluding the amendments made by the Federal Fi-  
14          nancial Assistance Management Improvement  
15          Act of 2009;

16          “(C) creating common applications for the  
17          Federal financial assistance programs identified  
18          under paragraph (1), regardless of whether the  
19          Federal financial assistance programs are ad-  
20          ministered by different Federal agencies;

21          “(D) establishing common financial and  
22          performance reporting forms and requirements  
23          for the Federal financial assistance programs  
24          identified under paragraph (2), regardless of  
25          whether the Federal financial assistance pro-

1        *grams are administered by different Federal*  
2        *agencies;*

3                *“(E) establishing common applications and*  
4        *financial and performance reporting forms and*  
5        *requirements for aspects of the Federal financial*  
6        *assistance programs identified under paragraph*  
7        *(3), regardless of whether the Federal financial*  
8        *assistance programs are administered by dif-*  
9        *ferent Federal agencies;*

10               *“(F) developing mechanisms to ensure com-*  
11        *patibility between Federal financial assistance*  
12        *administration systems and State systems to fa-*  
13        *cilitate the importing and exporting of data;*

14               *“(G) developing common certifications and*  
15        *assurances, as appropriate, for all Federal finan-*  
16        *cial assistance programs that have common or*  
17        *similar purposes, regardless of whether the Fed-*  
18        *eral financial assistance programs are adminis-*  
19        *tered by different Federal agencies;*

20               *“(H) minimizing the number of different*  
21        *systems used to disburse Federal financial assist-*  
22        *ance; and*

23               *“(I) applying the single data standard*  
24        *adopted under section 9 to Federal grants and*  
25        *grant applications.*

1       “(b) *CONSULTATION.*—*In developing and imple-*  
 2 *menting the strategic plan under subsection (a), the Direc-*  
 3 *tor shall consult with representatives of non-Federal entities*  
 4 *and Federal agencies that have not received an exemption*  
 5 *under section 6(d).*

6       “(c) *FEDERAL AGENCIES.*—

7               “(1) *IN GENERAL.*—*Not later than 6 months*  
 8 *after the date on which the Director submits the stra-*  
 9 *tegic plan under subsection (a), the head of each Fed-*  
 10 *eral agency that has not received an exemption under*  
 11 *section 6(d) shall develop a plan that describes how*  
 12 *the Federal agency will carry out the responsibilities*  
 13 *of the Federal agency under the strategic plan, which*  
 14 *shall include—*

15                       “(A) *clear performance objectives and*  
 16 *timelines for action by the Federal agency in*  
 17 *furtherance of the strategic plan; and*

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

23               “(2) *CONSULTATION.*—*The head of each Federal*  
 24 *agency that has not received an exemption under sec-*  
 25 *tion 6(d) shall consult with representatives of non-*

1     *Federal entities during the development and imple-*  
 2     *mentation of the plan of the Federal agency developed*  
 3     *under paragraph (1).*

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

15            (b) *TECHNICAL AND CONFORMING AMENDMENT.*—Sec-  
 16    *tion 5(d) of the Federal Financial Assistance Management*  
 17    *Improvement Act of 1999 (31 U.S.C. 6101 note) is amended*  
 18    *by inserting “, until the date on which the Federal agency*  
 19    *submits the first report by the Federal agency required*  
 20    *under section 8(c)(3)” after “subsection (a)(7)”.*

21    **SEC. 6. DATA STANDARD REQUIREMENTS.**

22            (a) *DATA STANDARD REQUIREMENTS.*—*The Federal*  
 23    *Financial Assistance Management Improvement Act of*  
 24    *1999 (31 U.S.C. 6101 note) is further amended—*

1           (1) *by redesignating sections 9, 10, 11, and 12*  
 2           *as sections 10, 11, 12, and 13, respectively; and*

3           (2) *by inserting after section 8, as added by this*  
 4           *Act, the following new section:*

5   **“SEC. 9. DATA STANDARD REQUIREMENTS.**

6           “(a) *DATA STANDARD REQUIREMENTS.—*

7                   “(1) *REQUIREMENT.—The Director of the Office*  
 8                   *of Management and Budget shall adopt a single data*  
 9                   *standard for the collection, analysis, and dissemina-*  
 10                   *tion of business and financial information for use by*  
 11                   *private sector entities in accordance with subsection*  
 12                   *(b) for information required to be reported to the Fed-*  
 13                   *eral Government, and a single data standard for use*  
 14                   *by agencies within the Federal Government in accord-*  
 15                   *ance with subsection (c) for Federal financial infor-*  
 16                   *mation.*

17                   “(2) *CHARACTERISTICS OF DATA STANDARDS.—*  
 18                   *The single data standards required by paragraph (1)*  
 19                   *shall—*

20                           “(A) *be common across all agencies, to the*  
 21                           *maximum extent practicable;*

22                           “(B) *be a widely accepted, non-proprietary,*  
 23                           *searchable, computer-readable format for business*  
 24                           *and financial data;*

25                           “(C) *be consistent with and implement—*

1                   “(i) *United States generally accepted*  
 2                   *accounting principles or Federal financial*  
 3                   *accounting standards (as appropriate);*

4                   “(ii) *industry best practices; and*

5                   “(iii) *Federal regulatory requirements;*

6                   “(D) *improve the transparency, consistency,*  
 7                   *and usability of business and financial informa-*  
 8                   *tion; and*

9                   “(E) *be capable of being continually up-*  
 10                  *graded to be of maximum use as technologies and*  
 11                  *content evolve over time.*

12               “(b) *IMPLEMENTATION OF SINGLE DATA STANDARD*  
 13               *FOR PRIVATE SECTOR.—*

14               “(1) *OMB GUIDANCE.—Not later than 180 days*  
 15               *after the date of the enactment of the Federal Finan-*  
 16               *cial Assistance Management Improvement Act of*  
 17               *2009, the Director of the Office of Management and*  
 18               *Budget shall issue guidance to agencies on the use*  
 19               *and implementation of the single data standard re-*  
 20               *quired by subsection (a) for information required to*  
 21               *be reported to agencies by the private sector.*

22               “(2) *AGENCY REQUIREMENTS.—*

23               “(A) *REQUIREMENT.—To the maximum ex-*  
 24               *tent practicable and consistent with the guidance*  
 25               *provided by the Office of Management and Budg-*

1 *et under paragraph (1), the head of each agency*  
 2 *shall require the use of the single data standard*  
 3 *required by subsection (a) for business and fi-*  
 4 *nancial information reported to the agency by*  
 5 *private sector companies.*

6 “(B) *IMPLEMENTATION.*—*The head of the*  
 7 *agency shall begin implementing the requirement*  
 8 *of subparagraph (A) within one year after the*  
 9 *date of the enactment of the Federal Financial*  
 10 *Assistance Management Improvement Act of*  
 11 *2009.*

12 “(c) *IMPLEMENTATION OF SINGLE DATA STANDARD*  
 13 *FOR FEDERAL GOVERNMENT.*—

14 “(1) *OMB DEVELOPMENT.*—*Not later than 1*  
 15 *year after the date of the enactment of the Federal Fi-*  
 16 *nancial Assistance Management Improvement Act of*  
 17 *2009, the Director of the Office of Management and*  
 18 *Budget shall develop the single data standard re-*  
 19 *quired by subsection (a) for use by agencies within*  
 20 *the Federal Government for Federal financial infor-*  
 21 *mation.*

22 “(2) *OMB GUIDANCE.*—*Not later than 18*  
 23 *months after the date of the enactment of the Federal*  
 24 *Financial Assistance Management Improvement Act*  
 25 *of 2009, the Director shall issue guidance to agencies*



1        *on the use and implementation of the single data*  
 2        *standard developed under paragraph (1).*

3        “(d) *PUBLIC ACCESS TO DATA.*—*The head of each*  
 4        *agency shall ensure that information collected using the sin-*  
 5        *gle data standards required under this section is accessible*  
 6        *to the general public in that format to the extent permitted*  
 7        *by law.*

8        “(e) *REPORT.*—*Within one year after the date of the*  
 9        *enactment of the Federal Financial Assistance Management*  
 10        *Improvement Act of 2009, the Director of the Office of Man-*  
 11        *agement and Budget shall submit to the Committee on*  
 12        *Oversight and Government Reform of the House of Rep-*  
 13        *resentatives and the Committee on Homeland Security and*  
 14        *Governmental Affairs of the Senate a report on the status*  
 15        *of the implementation of this section.*

16        “(f) *DEFINITIONS.*—*In this section:*

17                “(1) *AGENCY.*—*The term ‘agency’ means any ex-*  
 18                *ecutive department, military department, Government*  
 19                *corporation, Government controlled corporation, inde-*  
 20                *pendent establishment, or other establishment in the*  
 21                *executive branch of the Government (including the*  
 22                *Executive Office of the President), or any independent*  
 23                *regulatory agency, but does not include—*

24                        “(A) *the Government Accountability Office;*

25                        “(B) *the Federal Election Commission;*

1                   “(C) the governments of the District of Co-  
 2                   lumbia and of the territories and possessions of  
 3                   the United States, and their various subdivi-  
 4                   sions; or

5                   “(D) Government-owned contractor-operated  
 6                   facilities, including laboratories engaged in na-  
 7                   tional defense research and production activities.

8                   “(2) *EXECUTIVE DEPARTMENT, MILITARY DE-*  
 9                   *PARTMENT, GOVERNMENT CORPORATION, GOVERN-*  
 10                  *MENT CONTROLLED CORPORATION, INDEPENDENT ES-*  
 11                  *TABLISHMENT.*—*The terms ‘Executive department’,*  
 12                  *‘military department’, ‘Government corporation’,*  
 13                  *‘Government controlled corporation’, and ‘inde-*  
 14                  *pendent establishment’ have the meanings given those*  
 15                  *terms by chapter 1 of title 5, United States Code.*

16                  “(3) *INDEPENDENT REGULATORY AGENCY.*—*The*  
 17                  *term ‘independent regulatory agency’ has the mean-*  
 18                  *ing given that term by section 3502(5) of title 44,*  
 19                  *United States Code.”.*

20                  “(b) *REQUIREMENT FOR USE OF SINGLE DATA STAND-*  
 21                  *ARD BY FEDERAL AGENCIES.*—*Section 5 of the Federal Fi-*  
 22                  *nancial Assistance Management Improvement Act of 1999*  
 23                  *(31 U.S.C. 6101 note) is amended by adding at the end*  
 24                  *the following new subsection:*

1       “(e) *SINGLE DATA STANDARD REQUIREMENT.*—*To the*  
 2       *maximum extent practicable and consistent with the guid-*  
 3       *ance provided by the Director under section 9, each Federal*  
 4       *agency shall require the use of the single data standard*  
 5       *adopted under section 9(b) for—*

6               “(1) *all applications for Federal financial assist-*  
 7       *ance; and*

8               “(2) *all reports on the use of Federal financial*  
 9       *assistance that the agency requires non-Federal enti-*  
 10       *ties to submit.”.*

Attest:

*Clerk.*

11<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

# S. 303

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## AMENDMENT