

115TH CONGRESS
2D SESSION

H. R. 4887

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 27, 2018

Received; read twice and referred to the Committee on Homeland Security and
Governmental Affairs

AN ACT

To modernize Federal grant reporting, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Grant Reporting Effi-
3 ciency and Agreements Transparency Act of 2018” or the
4 “GREAT Act”.

5 **SEC. 2. PURPOSES.**

6 The purposes of this Act are to—

7 (1) modernize reporting by recipients of Federal
8 grants and cooperative agreements by creating and
9 imposing data standards for the information that
10 grants and cooperative agreement recipients must
11 report to the Federal Government;

12 (2) implement the recommendation by the Di-
13 rector of the Office of Management and Budget,
14 under section 5(b)(6) of the Federal Funding Ac-
15 countability and Transparency Act of 2006 (31
16 U.S.C. 6101 note), which includes the development
17 of a “comprehensive taxonomy of standard defini-
18 tions for core data elements required for managing
19 Federal financial assistance awards”;

20 (3) reduce burden and compliance costs of re-
21 cipients of Federal grants and cooperative agree-
22 ments by enabling technology solutions, existing or
23 yet to be developed, by both the public and private
24 sectors, to better manage data recipients already
25 provide to the Federal Government; and

1 (4) to strengthen oversight and management of
 2 Federal grants and cooperative agreements by agen-
 3 cies through consolidated collection and display of
 4 and access to open data that has been standardized,
 5 and where appropriate, transparency to the public.

6 **SEC. 3. DATA STANDARDS FOR GRANT REPORTING.**

7 (a) AMENDMENT.—Subtitle V of title 31, United
 8 States Code, is amended by inserting after chapter 63 the
 9 following new chapter:

10 **“CHAPTER 64—DATA STANDARDS FOR**
 11 **GRANT REPORTING**

“Sec.

“6401. Definitions.

“6402. Data standards for grant reporting.

“6403. Guidance applying data standards for grant reporting.

“6404. Agency requirements.

12 **“§ 6401. Definitions**

13 “In this chapter:

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

16 “(2) CORE DATA ELEMENTS.—The term ‘core
 17 data elements’ means data elements that are not
 18 program-specific in nature and are required by agen-
 19 cies for all or the vast majority of Federal grant and
 20 cooperative assistance recipients for purposes of re-
 21 porting.

1 “(3) DIRECTOR.—The term ‘Director’ means
2 the Director of the Office of Management and Budg-
3 et.

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

6 “(A) means the transfer of anything of
7 value for a public purpose of support or stimu-
8 lation authorized by a law of the United States,
9 including financial assistance and Government
10 facilities, services, and property;

11 “(B) includes grants, subgrants, awards,
12 and cooperative agreements; and

13 “(C) does not include—

14 “(i) conventional public information
15 services or procurement of property or
16 services for the direct benefit or use of the
17 Government; or

18 “(ii) an agreement that provides
19 only—

20 “(I) direct Government cash as-
21 sistance to an individual;

22 “(II) a subsidy;

23 “(III) a loan;

24 “(IV) a loan guarantee; or

25 “(V) insurance.

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

3 “(6) STANDARD-SETTING AGENCY.—The term
4 ‘standard-setting agency’ means the Executive de-
5 partment designated under section 6402(a)(1).

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

11 **“§ 6402. Data standards for grant reporting**

12 “(a) IN GENERAL.—

13 “(1) DESIGNATION OF STANDARD-SETTING
14 AGENCY.—The Director shall designate the Execu-
15 tive department (as defined in section 101 of title 5)
16 that issues the most Federal awards in a calendar
17 year as the standard-setting agency.

18 “(2) ESTABLISHMENT OF STANDARDS.—Not
19 later than 1 year after the date of the enactment of
20 this chapter, the Secretary and the Director shall es-
21 tablish Governmentwide data standards for informa-
22 tion reported by recipients of Federal awards.

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

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

3 “(B) unique identifiers for Federal awards
4 and entities receiving Federal awards that can
5 be consistently applied Governmentwide.

6 “(b) SCOPE.—The data standards established under
7 subsection (a) shall include core data elements and may
8 cover any information required to be reported to any agen-
9 cy by recipients of Federal awards, including audit-related
10 information reported under chapter 75 of this title.

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

14 “(1) render information reported by recipients
15 of Federal grant and cooperative agreement awards
16 fully searchable and machine-readable;

17 “(2) be nonproprietary;

18 “(3) incorporate standards developed and main-
19 tained by voluntary consensus standards bodies;

20 “(4) be consistent with and implement applica-
21 ble accounting and reporting principles; and

22 “(5) incorporate the data standards established
23 under the Federal Funding Accountability and
24 Transparency Act of 2006 (31 U.S.C. 6101 note).

1 “(d) CONSULTATION.—In establishing the data
2 standards under subsection (a), the Secretary and the Di-
3 rector shall consult with, as appropriate—

4 “(1) the Secretary of the Treasury, to ensure
5 that the data standards incorporate the data stand-
6 ards created under the Federal Funding Account-
7 ability and Transparency Act of 2006 (31 U.S.C.
8 6101 note);

9 “(2) the head of each agency that issues Fed-
10 eral awards;

11 “(3) recipients of Federal awards and organiza-
12 tions representing recipients of Federal awards;

13 “(4) private sector experts;

14 “(5) members of the public, including privacy
15 experts, privacy advocates, and industry stake-
16 holders; and

17 “(6) State and local governments.

18 **“§ 6403. Guidance applying data standards for grant**
19 **reporting**

20 “(a) IN GENERAL.—Not later than 2 years after the
21 date of the enactment of this chapter—

22 “(1) the Secretary and the Director shall issue
23 guidance to all agencies directing the agencies to
24 apply the data standards established under section

1 6402 to all applicable reporting by recipients of Fed-
2 eral grant and cooperative agreement awards; and

3 “(2) the Director shall prescribe guidance ap-
4 plying the data standards to audit-related informa-
5 tion reported under chapter 75.

6 “(b) GUIDANCE.—The guidance issued under this
7 section shall—

8 “(1) to the extent reasonable and practicable—

9 “(A) minimize the disruption to existing
10 reporting practices for agencies and for recipi-
11 ents of Federal grant and cooperative agree-
12 ment awards; and

13 “(B) explore opportunities to implement
14 modern technologies within Federal award re-
15 porting;

16 “(2) allow the Director to permit exceptions for
17 categories of grants if the Director publishes a list
18 of such exceptions, including exceptions for Indian
19 Tribes and Tribal organizations consistent with the
20 Indian Self-Determination and Education Assistance
21 Act; and

22 “(3) take into consideration the consultation re-
23 quired under section 6402(d).

1 **“§ 6404. Agency requirements**

2 “Not later than 3 years after the date of the enact-
 3 ment of this chapter, the head of each agency shall ensure
 4 that all of the agency’s grants and cooperative agreements
 5 use data standards for all future information collection re-
 6 quests and amend existing information collection requests
 7 covered by chapter 35 of title 44 (commonly referred to
 8 as the Paperwork Reduction Act) to comply with the data
 9 standards established under section 6402, consistent with
 10 the guidance issued by the Secretary and the Director
 11 under section 6403.”.

12 (b) TECHNICAL AND CONFORMING AMENDMENT.—
 13 The table of chapters for subtitle V of title 31, United
 14 States Code, is amended by inserting after the item relat-
 15 ing to chapter 63 the following new item:

“64. Data Standards for Grant Reporting 6401”.

16 **SEC. 4. SINGLE AUDIT ACT.**

17 (a) AMENDMENTS.—

18 (1) Section 7502(h) of title 31, United States
 19 Code, is amended by inserting before “to a Federal
 20 clearinghouse” the following “in an electronic form
 21 consistent with the data standards established under
 22 chapter 64,”.

23 (2) Section 7505 of title 31, United States
 24 Code, is amended by adding at the end the following
 25 new subsection:

1 “(d) Such guidance shall require audit-related infor-
2 mation reported under this chapter to be reported in an
3 electronic form consistent with the data standards estab-
4 lished under chapter 64.”.

5 (b) GUIDANCE.—Not later than 2 years after the
6 date of the enactment of this Act, the Director shall issue
7 guidance requiring audit-related information reported
8 under chapter 75 of title 31, United States Code, to be
9 reported in an electronic form consistent with the data
10 standards established under chapter 64 of title 31, United
11 States Code, as added by section 3.

12 **SEC. 5. CONSOLIDATION OF ASSISTANCE-RELATED INFOR-**
13 **MATION; PUBLICATION OF PUBLIC INFORMA-**
14 **TION AS OPEN DATA.**

15 (a) COLLECTION OF INFORMATION.—Not later than
16 4 years after the date of the enactment of this Act, the
17 Secretary and the Director shall enable the collection, pub-
18 lic display, and maintenance of Federal award information
19 as a Governmentwide data set, using the data standards
20 established under chapter 64 of title 31, United States
21 Code, as added by section 3, subject to reasonable restric-
22 tions established by the Director to ensure protection of
23 personally identifiable and otherwise sensitive information.

24 (b) PUBLICATION OF INFORMATION.—The Secretary
25 and the Director shall require the publication of recipient-

1 reported data collected from all agencies on a single public
2 portal. Information may be published on an existing Gov-
3 ernmentwide website as determined appropriate by the Di-
4 rector.

5 (c) FOIA.—Nothing in this section shall require the
6 disclosure to the public of information that would be ex-
7 empt from disclosure under section 552 of title 5, United
8 States Code (commonly known as the “Freedom of Infor-
9 mation Act”).

10 **SEC. 6. EVALUATION OF NONPROPRIETARY IDENTIFIERS.**

11 (a) DETERMINATION REQUIRED.—The Director and
12 the Secretary shall determine whether to use nonpropri-
13 etary identifiers under section 6402(a)(3)(B) of title 31,
14 United States Code, as added by section 3(a).

15 (b) FACTORS TO BE CONSIDERED.—In making the
16 determination required pursuant to subsection (a), the Di-
17 rector and the Secretary shall consider factors such as ac-
18 cessibility and cost to recipients of Federal awards, agen-
19 cies that issue Federal awards, private-sector experts, and
20 members of the public, including privacy experts and pri-
21 vacy advocates.

22 (c) PUBLICATION AND REPORT ON DETERMINA-
23 TION.—Not later than the earlier of 1 year after the date
24 of the enactment of this Act or the date on which the Sec-
25 retary and Director establish data standards pursuant to

1 section 6402(a)(2) of title 31, United States Code, as
2 added by section 3(a), the Secretary and the Director shall
3 publish and submit to the Committees on Oversight and
4 Government Reform of the House of Representatives and
5 Homeland Security and Governmental Affairs of the Sen-
6 ate a report explaining the reasoning for the determination
7 made pursuant to subsection (a).

8 **SEC. 7. DEFINITIONS.**

9 In this Act, the terms “agency”, “Director”, “Fed-
10 eral award”, and “Secretary” have the meaning given
11 those terms in section 6401 of title 31, United States
12 Code, as added by section 3(a).

13 **SEC. 8. RULE OF CONSTRUCTION.**

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

18 **SEC. 9. NO ADDITIONAL FUNDS AUTHORIZED.**

19 No additional funds are authorized to carry out the
20 requirements of this Act and the amendments made by

1 this Act. Such requirements shall be carried out using
2 amounts otherwise authorized.

Passed the House of Representatives September 26,
2018.

Attest:

KAREN L. HAAS,
Clerk.