

116TH CONGRESS
1ST SESSION

H. R. 50

To modernize Federal grant reporting, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Ms. FOXX of North Carolina introduced the following bill; which was referred to the Committee on Oversight and Reform

A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Grant Reporting Effi-
5 ciency and Agreements Transparency Act of 2019” or the
6 “GREAT Act”.

7 **SEC. 2. PURPOSES.**

8 The purposes of this Act are to—

9 (1) modernize reporting by recipients of Federal
10 grants and cooperative agreements by creating and
11 imposing data standards for the information that

1 grants and cooperative agreement recipients must
2 report to the Federal Government;

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

11 (3) reduce burden and compliance costs of re-
12 cipients of Federal grants and cooperative agree-
13 ments by enabling technology solutions, existing or
14 yet to be developed, by both the public and private
15 sectors, to better manage data recipients already
16 provide to the Federal Government; and

17 (4) to strengthen oversight and management of
18 Federal grants and cooperative agreements by agen-
19 cies through consolidated collection and display of
20 and access to open data that has been standardized,
21 and where appropriate, transparency to the public.

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

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

1 **“CHAPTER 64—DATA STANDARDS FOR**
2 **GRANT REPORTING**

3 **“SEC. 6401. DEFINITIONS.**

4 “In this chapter:

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

7 “(2) CORE DATA ELEMENTS.—The term ‘core
8 data elements’ means data elements that are not
9 program-specific in nature and are required by agen-
10 cies for all or the vast majority of Federal grant and
11 cooperative assistance recipients for purposes of re-
12 porting.

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

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

18 “(A) means the transfer of anything of
19 value for a public purpose of support or stimu-
20 lation authorized by a law of the United States,
21 including financial assistance and Government
22 facilities, services, and property;

23 “(B) includes grants, subgrants, awards,
24 and cooperative agreements; and

25 “(C) does not include—

1 “(i) conventional public information
2 services or procurement of property or
3 services for the direct benefit or use of the
4 Government; or

5 “(ii) an agreement that provides
6 only—

7 “(I) direct Government cash as-
8 sistance to an individual;

9 “(II) a subsidy;

10 “(III) a loan;

11 “(IV) a loan guarantee; or

12 “(V) insurance.

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

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

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

23 **“SEC. 6402. DATA STANDARDS FOR GRANT REPORTING.**

24 “(a) IN GENERAL.—

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

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

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

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

16 “(B) unique identifiers for Federal awards
17 and entities receiving Federal awards that can
18 be consistently applied Governmentwide.

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

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

4 “(1) render information reported by recipients
5 of Federal grant and cooperative agreement awards
6 fully searchable and machine-readable;

7 “(2) be nonproprietary;

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

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

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

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

18 “(1) the Secretary of the Treasury, to ensure
19 that the data standards incorporate the data stand-
20 ards created under the Federal Funding Account-
21 ability and Transparency Act of 2006 (31 U.S.C.
22 6101 note);

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

1 “(3) recipients of Federal awards and organiza-
2 tions representing recipients of Federal awards;

3 “(4) private sector experts;

4 “(5) members of the public, including privacy
5 experts, privacy advocates, and industry stake-
6 holders; and

7 “(6) State and local governments.

8 **“SEC. 6403. GUIDANCE APPLYING DATA STANDARDS FOR**
9 **GRANT REPORTING.**

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

12 “(1) the Secretary and the Director shall issue
13 guidance to all agencies directing the agencies to
14 apply the data standards established under section
15 6402 to all applicable reporting by recipients of Fed-
16 eral grant and cooperative agreement awards; and

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

20 “(b) GUIDANCE.—The guidance issued under this
21 section shall—

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

23 “(A) minimize the disruption to existing
24 reporting practices for agencies and for recipi-

1 ents of Federal grant and cooperative agree-
2 ment awards; and

3 “(B) explore opportunities to implement
4 modern technologies within Federal award re-
5 porting;

6 “(2) allow the Director to permit exceptions for
7 categories of grants if the Director publishes a list
8 of such exceptions, including exceptions for Indian
9 Tribes and Tribal organizations consistent with the
10 Indian Self-Determination and Education Assistance
11 Act; and

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

14 **“SEC. 6404. AGENCY REQUIREMENTS.**

15 “Not later than 3 years after the date of the enact-
16 ment of this chapter, the head of each agency shall ensure
17 that all of the agency’s grants and cooperative agreements
18 use data standards for all future information collection re-
19 quests and amend existing information collection requests
20 covered by chapter 35 of title 44 (commonly referred to
21 as the Paperwork Reduction Act) to comply with the data
22 standards established under section 6402, consistent with
23 the guidance issued by the Secretary and the Director
24 under section 6403.”.

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

“64. Data Standards for Grant Reporting 6401”.

5 **SEC. 4. SINGLE AUDIT ACT.**

6 (a) AMENDMENTS.—

7 (1) Section 7502(h) of title 31, United States
8 Code, is amended by inserting before “to a Federal
9 clearinghouse” the following “in an electronic form
10 consistent with the data standards established under
11 chapter 64,”.

12 (2) Section 7505 of title 31, United States
13 Code, is amended by adding at the end the following
14 new subsection:

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

19 (b) GUIDANCE.—Not later than 2 years after the
20 date of the enactment of this Act, the Director shall issue
21 guidance requiring audit-related information reported
22 under chapter 75 of title 31, United States Code, to be
23 reported in an electronic form consistent with the data
24 standards established under chapter 64 of title 31, United
25 States Code, as added by section 3.

1 **SEC. 5. CONSOLIDATION OF ASSISTANCE-RELATED INFOR-**
2 **MATION; PUBLICATION OF PUBLIC INFORMA-**
3 **TION AS OPEN DATA.**

4 (a) COLLECTION OF INFORMATION.—Not later than
5 4 years after the date of the enactment of this Act, the
6 Secretary and the Director shall enable the collection, pub-
7 lic display, and maintenance of Federal award information
8 as a Governmentwide data set, using the data standards
9 established under chapter 64 of title 31, United States
10 Code, as added by section 3, subject to reasonable restric-
11 tions established by the Director to ensure protection of
12 personally identifiable and otherwise sensitive information.

13 (b) PUBLICATION OF INFORMATION.—The Secretary
14 and the Director shall require the publication of recipient-
15 reported data collected from all agencies on a single public
16 portal. Information may be published on an existing Gov-
17 ernmentwide website as determined appropriate by the Di-
18 rector.

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

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

25 (a) DETERMINATION REQUIRED.—The Director and
26 the Secretary shall determine whether to use nonpropri-

1 etary identifiers under section 6402(a)(3)(B) of title 31,
2 United States Code, as added by section 3(a).

3 (b) FACTORS TO BE CONSIDERED.—In making the
4 determination required pursuant to subsection (a), the Di-
5 rector and the Secretary shall consider factors such as ac-
6 cessibility and cost to recipients of Federal awards, agen-
7 cies that issue Federal awards, private-sector experts, and
8 members of the public, including privacy experts and pri-
9 vacy advocates.

10 (c) PUBLICATION AND REPORT ON DETERMINA-
11 TION.—Not later than the earlier of 1 year after the date
12 of the enactment of this Act or the date on which the Sec-
13 retary and Director establish data standards pursuant to
14 section 6402(a)(2) of title 31, United States Code, as
15 added by section 3(a), the Secretary and the Director shall
16 publish and submit to the Committees on Oversight and
17 Government Reform of the House of Representatives and
18 Homeland Security and Governmental Affairs of the Sen-
19 ate a report explaining the reasoning for the determination
20 made pursuant to subsection (a).

21 **SEC. 7. DEFINITIONS.**

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

1 **SEC. 8. RULE OF CONSTRUCTION.**

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

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

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

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