

# GRANT REPORTING EFFICIENCY AND AGREEMENTS TRANSPARENCY ACT OF 2018

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4887) to modernize Federal grant reporting, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4887

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

## SECTION 1. SHORT TITLE.

This Act may be cited as the “Grant Reporting Efficiency and Agreements Transparency Act of 2018” or the “GREAT Act”.

## SEC. 2. 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 grants and cooperative agreement recipients must report to the Federal Government;

(2) implement the recommendation by the Director of the Office of Management and Budget, under section 5(b)(6) of the Federal Funding Accountability and Transparency Act of 2006 (31 U.S.C. 6101 note), which includes the development of a “comprehensive taxonomy of 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, by both the public and private sectors, to better manage data recipients already provide to the Federal Government; and

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

## SEC. 3. DATA STANDARDS FOR GRANT REPORTING.

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

### “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. Definitions

“In this chapter:

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

“(2) CORE DATA ELEMENTS.—The term ‘core data elements’ means data elements that are not program-specific in nature and are required by agencies for all or the vast majority of Federal grant and cooperative assistance recipients for purposes of reporting.

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

“(4) 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 grants, subgrants, awards, and cooperative agreements; and

“(C) does not include—

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

“(ii) an agreement that provides only—

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

“(II) a subsidy;

“(III) a loan;

“(IV) a loan guarantee; or

“(V) insurance.

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

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

“(7) 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. Data standards for grant reporting

“(a) IN GENERAL.—

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

“(2) ESTABLISHMENT OF STANDARDS.—Not later than 1 year after the date of the 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 entities receiving Federal awards that can be consistently applied Governmentwide.

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

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

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

“(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, as appropriate—

“(1) the Secretary of the Treasury, to ensure that the data standards incorporate the data standards created 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, and industry stakeholders; and

“(6) State and local governments.

#### “§ 6403. Guidance applying data standards for grant reporting

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

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

“(2) the Director shall prescribe guidance applying the data standards to audit-related information reported under chapter 75.

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

“(1) to the extent reasonable and practicable—

“(A) minimize the disruption to existing reporting practices for agencies and for recipients of Federal grant and cooperative agreement awards; and

“(B) explore opportunities to implement modern technologies within Federal award reporting;

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

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

#### “§ 6404. Agency requirements

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

(b) 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 new item:

“64. Data Standards for Grant Reporting ..... 6401”.

## SEC. 4. SINGLE AUDIT ACT.

(a) AMENDMENTS.—

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

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

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

(b) GUIDANCE.—Not later than 2 years after the date of the 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 title 31, United States Code, as added by section 3.

**SEC. 5. CONSOLIDATION OF ASSISTANCE-RELATED INFORMATION; PUBLICATION OF PUBLIC INFORMATION AS OPEN DATA.**

(a) **COLLECTION OF INFORMATION.**—Not later than 4 years after the date of the enactment of this Act, the Secretary and the Director shall enable the collection, public display, and maintenance of Federal award information as a Governmentwide data set, using the data standards established under chapter 64 of title 31, United States Code, as added by section 3, subject to reasonable restrictions established by the Director to ensure protection of personally identifiable and otherwise sensitive information.

(b) **PUBLICATION OF INFORMATION.**—The Secretary and the Director shall require the publication of recipient-reported data collected from all agencies on a single public portal. Information may be published on 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. 6. EVALUATION OF NONPROPRIETARY IDENTIFIERS.**

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

(b) **FACTORS TO BE CONSIDERED.**—In making the determination required pursuant to 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 and privacy advocates.

(c) **PUBLICATION AND REPORT ON DETERMINATION.**—Not later than the earlier of 1 year after the date of the enactment of this Act or the date on which the Secretary and Director establish data standards pursuant to section 6402(a)(2) of title 31, United States Code, as added by section 3(a), the Secretary and the Director shall publish and submit to the Committees on Oversight and Government Reform of the House of Representatives and Homeland Security and Governmental Affairs of the Senate a report explaining the reasoning for the determination made pursuant to subsection (a).

**SEC. 7. DEFINITIONS.**

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

**SEC. 8. 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 pursuant to 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.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

**GENERAL LEAVE**

Mr. RUSSELL. Mr. Speaker, I ask unanimous consent that all Members

may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. RUSSELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I urge support of H.R. 4887, the GREAT Act, introduced by Congresswoman FOXX of North Carolina.

The GREAT Act would amend previously enacted legislation to improve reporting on Federal grants.

In 2014, Congress enacted the Digital Accountability and Transparency Act, or DATA Act. The DATA Act required the Office of Management and Budget and the Department of Health and Human Services to conduct a pilot program to alleviate reporting burdens for grant recipients.

Through the pilot, it became clear that grant recipients often have to enter the same data multiple times, and there is no single location where all the data can be analyzed. This redundancy is burdensome for both the grant recipient and for those conducting oversight of Federal awards.

In fiscal year 2017, the Federal Government awarded over \$660 billion in grants. Congress has a fiscal responsibility to review this spending, but without standardized data, it is difficult to do.

The GREAT Act fixes both of these problems by tasking the Office of Management and Budget and an executive branch agency with creating standardized reporting elements for Federal awards. The data elements must be machine readable, nonproprietary, and comply with standards in the DATA Act.

The GREAT Act requires the data collected to be made publicly available within 4 years of enactment. The bill exempts personally identifying information, sensitive data, and data otherwise exempt from public disclosure under the Freedom of Information Act.

The GREAT Act increases transparency for public and private oversight, helping to ensure taxpayers get the best possible return on their \$660 billion investment in Federal grants.

Improved reporting processes will also ease the burden on grant recipients, so these individuals and organizations can focus on doing the work, rather than filling out duplicative information.

The GREAT Act is supported by the DATA Coalition, the National Grants Management Association, and the Association of Government Accountants.

Mr. Speaker, I thank Representative FOXX and Representative GOMEZ for their work on this important issue.

Mr. Speaker, I urge my colleagues to support the bill, and I reserve the balance of my time.

Mr. GOMEZ. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to begin by thanking Representative FOXX for her leadership on this important piece of legislation and working closely with me. I also want to thank the staff, who spent countless hours over the past months negotiating and drafting this legislation.

I know it might come as a surprise to see a working class progressive Member of Congress from Los Angeles working with a conservative Member from North Carolina. But with some common sense on both sides of the aisle, we can come together to solve problems facing working families across the country. So I hope that Congress can come together, as we have, to make progress.

The GREAT Act is a straightforward bill that seeks to modernize the grant reporting process by standardizing the information reported by grant recipients.

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By simplifying the grant reporting process, the GREAT Act will create a more open and transparent grant process for all recipients. In Los Angeles, that means greater opportunities for organizations working to make government work better for my constituents.

When signed into law, this bill will help universities, city departments, and other organizations automate their recording costs, reduce compliance costs, and focus their energy where it belongs—on maximizing millions in Federal grants to Los Angeles to make it a more prosperous city.

By making grant reports machine readable and fully searchable, the GREAT Act will also improve the performance of the grants process and break down barriers to grants. Nonprofits and local groups will have better access to Federal grants so they can leverage funds to maximize their impact.

This bipartisan effort represents a major step toward ensuring government works as efficiently as possible for all Americans.

Mr. Speaker, I look forward to working with Representative FOXX and others to continue our bipartisan efforts to help government work better, and I reserve the balance of my time.

Mr. RUSSELL. Mr. Speaker, I yield 5 minutes to the gentlewoman from North Carolina (Ms. FOXX), who is a sponsor of this bill.

Ms. FOXX. Mr. Speaker, I thank Mr. RUSSELL for yielding time.

Mr. Speaker, I would like to start by thanking Representative JIMMY GOMEZ for his comments tonight and for helping all through this piece of legislation, the Grant Reporting Efficiency and Agreements Transparency Act, or GREAT Act. Representative GOMEZ has been an outstanding partner on this bipartisan bill to create more transparency, efficiency, and accountability in the Federal grant reporting process, and I thank him very much for his hard work.

The GREAT Act represents bipartisan legislation to modernize the Federal grant reporting process. It would do so by mandating a standardized data structure for information that recipients report to Federal agencies.

Unless the reporting requirements for Federal grants are searchable, the auditing process will continue to yield waste and inefficiency at best, allowing fraud and abuse at worst.

Mr. Speaker, in 2017, the Federal Government awarded \$662.7 billion in grants funding to State agencies, local and Tribal governments, agencies, nonprofits, universities, and other organizations. Roughly translated, this equates to the gross domestic product of Switzerland or more than the GDP of every country outside the G20.

Within our Federal Government, there are 26 agencies awarding Federal grants, and all of them continue to rely on outdated, burdensome, document-based forms to collect and track grant dollars. Society has moved into a new age of information and technology, and it is time that our government follow suit.

Adopting a governmentwide open data structure for all the information grantees will report will alleviate compliance burdens; provide instant insights for grantor agencies and Congress; and enable easy access to data for oversight, analytics, and program evaluation.

Digitizing and, therefore, automating the reporting process would have a twofold effect. First, it would allow greater scrutiny of how the money is being spent. Second, it allows grantees to maximize every dollar they receive from the government to ensure it goes back into communities supporting local businesses, organizations, and education.

In order to fix the way Federal grants are reported, we must move from a document-centric reporting system to a data superhighway. I urge my colleagues in the House and the Senate to support the GREAT Act and bring grant reporting into the 21st century.

Again, Mr. Speaker, I would like to thank Representative GOMEZ for his hard work on this bipartisan bill. I would also like to thank Representative DARRELL ISSA for his authorship of the DATA Act of 2014. It laid the foundation for the GREAT Act by applying data standardization to a pilot universe of Federal grants. And I thank him for his original cosponsorship of this bill.

I would also like to thank OMB Director Mulvaney for his office's advice on this legislation and leadership in advancing open data in the grant reporting process this year through the President's management agenda.

Lastly, I would like to thank Leader MCCARTHY for bringing this bill to the floor and for his broader leadership in pursuing an innovative agenda this Congress.

Mr. GOMEZ. Mr. Speaker, I urge passage of the GREAT Act, and I yield back the balance of my time.

Mr. RUSSELL. Mr. Speaker, I urge passage of the bill, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. RUSSELL) that the House suspend the rules and pass the bill, H.R. 4887, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### CORRECTING MISCALCULATIONS IN VETERANS' PENSIONS ACT

Mr. RUSSELL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4431) to amend title 5, United States Code, to provide for interest payments by agencies in the case of administrative error in processing certain annuity deposits for prior military service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 4431

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

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Correcting Miscalculations in Veterans' Pensions Act".

#### SEC. 2. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR FORMER MEMBERS OF THE UNIFORMED SERVICES.

(a) CSRS.—Section 8334(j) of title 5, United States Code, is amended by adding at the end the following:

"(6)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the employing agency of such employee, Member, or annuitant makes an administrative error, such employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(B) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or Congressional employee.

"(C) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph."

(b) FERS.—Section 8422(e) of title 5, United States Code, is amended by adding at the end the following:

"(7)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the employing agency of such employee, Member, or annuitant makes an administrative error, such employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(B) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or Congressional employee.

"(C) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph."

#### SEC. 3. ERROR IN PROCESSING OF ANNUITY DEPOSIT FOR CERTAIN VOLUNTEERS.

(a) CSRS.—Section 8334(l) of title 5, United States Code, is amended by adding at the end of the following:

"(5)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if an employing agency of such employee, Member, or annuitant makes an administrative error that causes additional interest assessed to accrue on the deposit, the employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(B) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the Office of Personnel Management makes an administrative error that causes additional interest assessed to accrue on the deposit, the Office of Personnel Management may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(C) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or congressional employee.

"(D) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph."

(b) FERS.—Section 8422(f) of title 5, United States Code, is amended by adding at the end of the following:

"(5)(A) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if an employing agency of such employee, Member, or annuitant makes an administrative error that causes additional interest assessed to accrue on the deposit, the employee, Member, or annuitant's employing agency may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(B) In calculating and processing the deposit under paragraph (1) with respect to an employee, Member, or annuitant, if the Office of Personnel Management makes an administrative error that causes additional interest assessed to accrue on the deposit, the Office of Personnel Management may pay, on behalf of the employee, Member, or annuitant, any additional interest assessed due to the administrative error.

"(C) For purposes of subparagraph (A), the Secretary of the Senate or the Chief Administrative Officer of the House of Representatives, as appropriate, shall be considered the employing agency of a Member or congressional employee.

"(D) The Director of the Office of Personnel Management shall issue such regulations as are necessary to carry out this paragraph."

(c) AUTHORIZATION OF PAYMENTS.—All payments from the Office of Personnel Management authorized by subsections (a) and (b) shall be paid from the Civil Service Retirement and Disability Fund, and together with administrative expenses incurred by the Office in administering these subsections, shall be deemed to have been authorized to be paid from that Fund, which is appropriated for the payment thereof.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. RUSSELL) and the gentleman from California (Mr. GOMEZ) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.