

Mr. McCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution on documentary production by the Permanent Subcommittee on Investigations, and ask for its immediate consideration.

Mr. President, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs recently conducted an investigation into China's impact on the U.S. education system. The Subcommittee has now received a request from the U.S. Department of Education seeking access to records that the Subcommittee obtained during the investigation.

In keeping with the Senate's practice under its rules, this resolution would authorize the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations, acting jointly, to provide records, obtained by the Subcommittee in the course of its investigation, in response to this request and requests from other Federal or State government entities and officials with a legitimate need for the records.

**SENATE CONCURRENT RESOLUTION 27—PROVIDING FOR THE USE OF THE CATAFALQUE SITUATED IN THE EXHIBITION HALL OF THE CAPITOL VISITOR CENTER IN CONNECTION WITH MEMORIAL SERVICES TO BE CONDUCTED IN THE HOUSE WING OF THE CAPITOL FOR THE HONORABLE ELLIJAH E. CUMMINGS, LATE A REPRESENTATIVE FROM THE STATE OF MARYLAND**

Mr. BLUNT (for himself and Ms. KLOBUCHAR) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 27

*Resolved by the Senate (the House of Representatives concurring),* That the Architect of the Capitol is authorized and directed to transfer the catafalque which is situated in the Exhibition Hall of the Capitol Visitor Center to the House Wing of the Capitol so that such catafalque may be used in connection with services to be conducted there for the Honorable Elijah E. Cummings, late a Representative from the State of Maryland.

**AUTHORIZING THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS**

Mr. HOEVEN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 368, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 368) to authorize the production of records by the Permanent Sub-

committee on Investigations of the Committee on Homeland Security and Governmental Affairs.

There being no objection, the Senate proceeded to consider the resolution.

Mr. HOEVEN. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 368) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

**GRANT REPORTING EFFICIENCY AND AGREEMENTS TRANSPARENCY ACT OF 2019**

Mr. HOEVEN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 200, H.R. 150.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 150) to modernize Federal grant reporting, and for other purposes.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

**SECTION 1. 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. 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 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. 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) **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. Definitions**

"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. Data standards for grant reporting**

"(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;

“(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. Guidance applying data standards for grant reporting

“(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. Agency requirements

“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) 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 ..... 6401”.

#### 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) 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. 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 reasonable 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. 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. 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.

Mr. HOEVEN. I ask unanimous consent that the committee-reported substitute amendment be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 150), as amended, was passed.

#### ORDERS FOR TUESDAY, OCTOBER 22, 2019

Mr. HOEVEN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, October 22; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to