

111TH CONGRESS
1ST SESSION

S. 303

To reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999.

IN THE SENATE OF THE UNITED STATES

JANUARY 22, 2009

Mr. VOINOVICH (for himself, Mr. LIEBERMAN, and Mr. CARPER) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To reauthorize and improve the Federal Financial Assistance Management Improvement Act of 1999.

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 “Federal Financial As-
5 sistance Management Improvement Act of 2009”.

6 **SEC. 2. REAUTHORIZATION.**

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

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

3 (2) by striking “and shall cease to be effective
4 8 years after such date of enactment”.

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

6 Section 6 of the Federal Financial Assistance Man-
7 agement Improvement Act of 1999 (31 U.S.C. 6101 note)
8 is amended—

9 (1) by redesignating subsections (e) and (f) as
10 subsections (f) and (g), respectively;

11 (2) by inserting after subsection (d) the fol-
12 lowing:

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

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

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

22 “(A) the grant announcement;

23 “(B) the statement of eligibility relating to
24 the grant;

1 “(C) the application requirements for the
2 grant;

3 “(D) the purposes of the grant;

4 “(E) the Federal agency funding the
5 grant; and

6 “(F) the deadlines for applying for and
7 awarding of the grant.

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

11 “(A) search the website for all Federal
12 grants by type, purpose, funding agency, pro-
13 gram source, and other relevant criteria;

14 “(B) apply for a Federal grant using the
15 website;

16 “(C) manage, track, and report on the use
17 of Federal grants using the website; and

18 “(D) provide all required certifications and
19 assurances for a Federal grant using the
20 website.”; and

21 (3) in subsection (g), 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
7 the date of 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
10 of 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 sub-
16 section (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 exempt-
6 ed under section 6(d);

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

9 “(i) an explanation of why the Fed-
10 eral 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-Fed-
16 eral entities to apply, in whole or in part, for
17 multiple Federal financial assistance programs
18 (including Federal financial assistance pro-
19 grams administered by different Federal agen-
20 cies) 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
4 the Director and Federal agencies to commu-
5 nicate and collaborate with representatives of
6 non-Federal entities during the implementation
7 of the requirements under this Act;

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

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

17 “(2) SUBSEQUENT REPORTS.—The second re-
18 port submitted under subsection (a), and each sub-
19 sequent report submitted under subsection (a), shall
20 include—

21 “(A) a discussion of the progress made by
22 the Federal Government in meeting the goals of
23 this Act, including the amendments made by
24 the Federal Financial Assistance Management
25 Improvement Act of 2009, and in implementing

1 the strategic plan submitted under section 8,
2 including an evaluation of the progress of each
3 Federal agency that has not received an exemp-
4 tion under section 6(d) towards implementing
5 the strategic plan; and

6 “(B) a compilation of the reports sub-
7 mitted under section 8(c)(3) during the applica-
8 ble period.

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

11 “(1) for the first report submitted under sub-
12 section (a), the most recent full fiscal year before
13 the date of the report; and

14 “(2) for the second report submitted under sub-
15 section (a), and each subsequent report submitted
16 under subsection (a), the period beginning on the
17 date on which the most recent report under sub-
18 section (a) was submitted and ending on the date of
19 the report.”.

20 **SEC. 5. STRATEGIC PLAN.**

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

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

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

3 **“SEC. 8. STRATEGIC PLAN.**

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

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

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

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

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

22 “(5) provides plans, timelines, and cost esti-
23 mates for—

1 “(A) developing an entirely electronic, web-
2 based process for managing Federal financial
3 assistance, including the ability to—

4 “(i) apply for Federal financial assist-
5 ance;

6 “(ii) track the status of applications
7 for and payments of Federal financial as-
8 sistance;

9 “(iii) report on the use of Federal fi-
10 nancial assistance, including how such use
11 has been in furtherance of the objectives or
12 purposes of the Federal financial assist-
13 ance; and

14 “(iv) provide required certifications
15 and assurances;

16 “(B) ensuring full compliance by Federal
17 agencies with the requirements of this Act, in-
18 cluding the amendments made by the Federal
19 Financial Assistance Management Improvement
20 Act of 2009;

21 “(C) creating common applications for the
22 Federal financial assistance programs identified
23 under paragraph (1), regardless of whether the
24 Federal financial assistance programs are ad-
25 ministered by different Federal agencies;

1 “(D) establishing common financial and
2 performance reporting forms and requirements
3 for the Federal financial assistance programs
4 identified under paragraph (2), regardless of
5 whether the Federal financial assistance pro-
6 grams are administered by different Federal
7 agencies;

8 “(E) establishing common applications and
9 financial and performance reporting forms and
10 requirements for aspects of the Federal finan-
11 cial assistance programs identified under para-
12 graph (3), regardless of whether the Federal fi-
13 nancial assistance programs are administered
14 by different Federal agencies;

15 “(F) developing mechanisms to ensure
16 compatibility between Federal financial assist-
17 ance administration systems and State systems
18 to facilitate the importing and exporting of
19 data;

20 “(G) developing common certifications and
21 assurances, as appropriate, for all Federal fi-
22 nancial assistance programs that have common
23 or similar purposes, regardless of whether the
24 Federal financial assistance programs are ad-
25 ministered by different Federal agencies; and

1 “(H) minimizing the number of different
2 systems used to disburse Federal financial as-
3 sistance.

4 “(b) CONSULTATION.—In developing and imple-
5 menting the strategic plan under subsection (a), the Direc-
6 tor shall consult with representatives of non-Federal enti-
7 ties and Federal agencies that have not received an exemp-
8 tion under section 6(d).

9 “(c) FEDERAL AGENCIES.—

10 “(1) IN GENERAL.—Not later than 6 months
11 after the date on which the Director submits the
12 strategic plan under subsection (a), the head of each
13 Federal agency that has not received an exemption
14 under section 6(d) shall develop a plan that de-
15 scribes how the Federal agency will carry out the re-
16 sponsibilities of the Federal agency under the stra-
17 tegic plan, which shall include—

18 “(A) clear performance objectives and
19 timelines for action by the Federal agency in
20 furtherance of the strategic plan; and

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

1 “(2) CONSULTATION.—The head of each Fed-
2 eral agency that has not received an exemption
3 under section 6(d) shall consult with representatives
4 of non-Federal entities during the development and
5 implementation of the plan of the Federal agency
6 developed under paragraph (1).

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

18 (b) TECHNICAL AND CONFORMING AMENDMENT.—
19 Section 5(d) of the Federal Financial Assistance Manage-
20 ment Improvement Act of 1999 (31 U.S.C. 6101 note)
21 is amended by inserting “, until the date on which the
22 Federal agency submits the first report by the Federal
23 agency required under section 8(c)(3)” after “subsection
24 (a)(7)”.

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