

Calendar No. 30

111TH CONGRESS
1ST SESSION

S. 303

[Report No. 111–7]

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

MARCH 11, 2009

Reported by Mr. LIEBERMAN, without amendment

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”.

1 **SEC. 2. REAUTHORIZATION.**

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

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

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

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

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

13 (1) by redesignating subsections (e) and (f) as
14 subsections (f) and (g), respectively;

15 (2) by inserting after subsection (d) the fol-
16 lowing:

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

18 “(1) IN GENERAL.—The Director shall establish
19 and maintain a public website that serves as a cen-
20 tral point of information and access for applicants
21 for Federal grants.

22 “(2) CONTENTS.—To the maximum extent pos-
23 sible, the website established under this subsection
24 shall include, at a minimum, for each Federal
25 grant—

26 “(A) the grant announcement;

1 “(B) the statement of eligibility relating to
2 the grant;

3 “(C) the application requirements for the
4 grant;

5 “(D) the purposes of the grant;

6 “(E) the Federal agency funding the
7 grant; and

8 “(F) the deadlines for applying for and
9 awarding of the grant.

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

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

16 “(B) apply for a Federal grant using the
17 website;

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

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

23 (3) in subsection (g), as so redesignated, by
24 striking “All actions” and inserting “Except for ac-

1 tions relating to establishing the website required
 2 under subsection (e), all actions”.

3 **SEC. 4. REPORT ON IMPLEMENTATION.**

4 The Federal Financial Assistance Management Im-
 5 provement Act of 1999 (31 U.S.C. 6101 note) is amended
 6 by striking section 7 and inserting the following:

7 **“SEC. 7. EVALUATION OF IMPLEMENTATION.**

8 “(a) IN GENERAL.—Not later than 9 months after
 9 the date of enactment of the Federal Financial Assistance
 10 Management Improvement Act of 2009, and every 2 years
 11 thereafter until the date that is 15 years after the date
 12 of enactment of the Federal Financial Assistance Manage-
 13 ment Improvement Act of 2009, the Director shall submit
 14 to Congress a report regarding the implementation of this
 15 Act.

16 “(b) CONTENTS.—

17 “(1) IN GENERAL.—Each report under sub-
 18 section (a) shall include, for the applicable period—

19 “(A) a list of all grants for which an appli-
 20 cant may submit an application using the
 21 website established under section 6(e);

22 “(B) a list of all Federal agencies that pro-
 23 vide Federal financial assistance to non-Federal
 24 entities;

1 “(C) a list of each Federal agency that has
2 complied, in whole or in part, with the require-
3 ments of this Act;

4 “(D) for each Federal agency listed under
5 subparagraph (C), a description of the extent of
6 the compliance with this Act by the Federal
7 agency;

8 “(E) a list of all Federal agencies exempt-
9 ed under section 6(d);

10 “(F) for each Federal agency listed under
11 subparagraph (E)—

12 “(i) an explanation of why the Fed-
13 eral agency was exempted; and

14 “(ii) a certification that the basis for
15 the exemption of the Federal agency is still
16 applicable;

17 “(G) a list of all common application forms
18 that have been developed that allow non-Fed-
19 eral entities to apply, in whole or in part, for
20 multiple Federal financial assistance programs
21 (including Federal financial assistance pro-
22 grams administered by different Federal agen-
23 cies) through a single common application;

24 “(H) a list of all common forms and re-
25 quirements that have been developed that allow

1 non-Federal entities to report, in whole or in
2 part, on the use of funding from multiple Fed-
3 eral financial assistance programs (including
4 Federal financial assistance programs adminis-
5 tered by different Federal agencies);

6 “(I) a description of the efforts made by
7 the Director and Federal agencies to commu-
8 nicate and collaborate with representatives of
9 non-Federal entities during the implementation
10 of the requirements under this Act;

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

17 “(K) identification and description of all
18 systems being used to disburse Federal finan-
19 cial assistance to non-Federal entities.

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

24 “(A) a discussion of the progress made by
25 the Federal Government in meeting the goals of

1 this Act, including the amendments made by
2 the Federal Financial Assistance Management
3 Improvement Act of 2009, and in implementing
4 the strategic plan submitted under section 8,
5 including an evaluation of the progress of each
6 Federal agency that has not received an exemp-
7 tion under section 6(d) towards implementing
8 the strategic plan; and

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

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

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

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

1 **SEC. 5. STRATEGIC PLAN.**

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

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

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

9 **“SEC. 8. STRATEGIC PLAN.**

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

14 “(1) identifies Federal financial assistance pro-
15 grams that are suitable for common applications
16 based on the common or similar purposes of the
17 Federal financial assistance;

18 “(2) identifies Federal financial assistance pro-
19 grams that are suitable for common reporting forms
20 or requirements based on the common or similar
21 purposes of the Federal financial assistance;

22 “(3) identifies common aspects of multiple Fed-
23 eral financial assistance programs that are suitable
24 for common application or reporting forms or re-
25 quirements;

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

3 “(5) provides plans, timelines, and cost esti-
4 mates for—

5 “(A) developing an entirely electronic, web-
6 based process for managing Federal financial
7 assistance, including the ability to—

8 “(i) apply for Federal financial assist-
9 ance;

10 “(ii) track the status of applications
11 for and payments of Federal financial as-
12 sistance;

13 “(iii) report on the use of Federal fi-
14 nancial assistance, including how such use
15 has been in furtherance of the objectives or
16 purposes of the Federal financial assist-
17 ance; and

18 “(iv) provide required certifications
19 and assurances;

20 “(B) ensuring full compliance by Federal
21 agencies with the requirements of this Act, in-
22 cluding the amendments made by the Federal
23 Financial Assistance Management Improvement
24 Act of 2009;

1 “(C) creating common applications for the
2 Federal financial assistance programs identified
3 under paragraph (1), regardless of whether the
4 Federal financial assistance programs are ad-
5 ministered by different Federal agencies;

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

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

20 “(F) developing mechanisms to ensure
21 compatibility between Federal financial assist-
22 ance administration systems and State systems
23 to facilitate the importing and exporting of
24 data;

1 “(G) developing common certifications and
2 assurances, as appropriate, for all Federal fi-
3 nancial assistance programs that have common
4 or similar purposes, regardless of whether the
5 Federal financial assistance programs are ad-
6 ministered by different Federal agencies; and

7 “(H) minimizing the number of different
8 systems used to disburse Federal financial as-
9 sistance.

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

15 “(c) FEDERAL AGENCIES.—

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

1 “(A) clear performance objectives and
2 timelines for action by the Federal agency in
3 furtherance of the strategic plan; and

4 “(B) the identification of measures to im-
5 prove communication and collaboration with
6 representatives of non-Federal entities on an
7 on-going basis during the implementation of
8 this Act.

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

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

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

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