

118TH CONGRESS
1ST SESSION

S. 2286

To improve the effectiveness and performance of certain Federal financial assistance programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2023

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

A BILL

To improve the effectiveness and performance of certain Federal financial assistance programs, 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 “Streamlining Federal
5 Grants Act of 2023”.

6 **SEC. 2. PURPOSE.**

7 The purposes of this Act are to—

1 (1) improve the effectiveness and performance
2 of Federal grant and cooperative agreement pro-
3 grams;

4 (2) simplify the application and reporting re-
5 quirements of Federal grant and cooperative agree-
6 ment programs;

7 (3) improve the delivery of services to the pub-
8 lic, particularly services to communities and organi-
9 zations that historically have not received Federal
10 grants or cooperative agreements; and

11 (4) facilitate greater coordination among agen-
12 cies that award Federal grants and non-Federal en-
13 tities responsible for delivering services to the public.

14 **SEC. 3. DEFINITIONS.**

15 In this Act:

16 (1) AGENCY.—The term “agency” has the
17 meaning given the term in section 551 of title 5,
18 United States Code.

19 (2) AGENCY CO-CHAIR.—The term “agency co-
20 chair” means the agency designated by the Director
21 or the Council under section 5(e)(1).

22 (3) APPROPRIATE CONGRESSIONAL COMMIT-
23 TEES.—The term “appropriate congressional com-
24 mittees” means—

1 (A) the Committee on Homeland Security
2 and Governmental Affairs of the Senate; and

3 (B) the Committee on Oversight and Ac-
4 countability of the House of Representatives.

5 (4) CONSULTATION WITH NON-FEDERAL ENTI-
6 TIES.—The term “consultation with non-Federal en-
7 tities” means regular and ongoing engagement
8 with—

9 (A) recipients and potential recipients of
10 grants or cooperative agreements and entities
11 that represent those recipients and potential re-
12 cipients; and

13 (B) particular attention to the recipients
14 and potential recipients described in subpara-
15 graph (A) that have not historically received
16 grants or cooperative agreements.

17 (5) COOPERATIVE AGREEMENT.—The term “co-
18 operative agreement” has the meaning given the
19 term in section 6302 of title 31, United States Code.

20 (6) COUNCIL.—The term “Council” means the
21 Grants Council established under section 5(a).

22 (7) DIRECTOR.—The term “Director” means
23 the Director of the Office of Management and Budg-
24 et.

1 (8) FEDERAL FINANCIAL ASSISTANCE.—The
2 term “Federal financial assistance” has the meaning
3 given the term in section 7501 of title 31, United
4 States Code.

5 (9) GRANT.—The term “grant” has the mean-
6 ing given the term “grant agreement” in section
7 6302 of title 31, United States Code.

8 (10) INDIAN TRIBE.—The term “Indian Tribe”
9 has the meaning given the term in section 4 of the
10 Indian Self Determination and Education Assistance
11 Act (25 U.S.C. 5304).

12 (11) INSTITUTION OF HIGHER EDUCATION.—
13 The term “institution of higher education” has the
14 meaning given the term in section 101 of the Higher
15 Education Act of 1965 (20 U.S.C. 1001).

16 (12) LOCAL GOVERNMENT.—The term “local
17 government” means any unit of government within
18 a State, including—

- 19 (A) a county;
20 (B) a borough;
21 (C) a municipality;
22 (D) a city;
23 (E) a town;
24 (F) a township;
25 (G) a parish;

1 (H) a local public authority, including any
2 public housing agency (as defined in section
3 2(b) of the United States Housing Act of 1937
4 (42 U.S.C. 1437(b)));

5 (I) a special district;

6 (J) a school district;

7 (K) an intrastate district;

8 (L) a council of governments, whether or
9 not incorporated as a nonprofit corporation
10 under State law; and

11 (M) any other agency or instrumentality of
12 a multi-State, regional, or intra-State or local
13 government.

14 (13) NON-FEDERAL ENTITY.—The term “non-
15 Federal entity” means a State, local government, In-
16 dian Tribe, institution of higher education, or non-
17 profit organization.

18 (14) NONPROFIT ORGANIZATION.—The term
19 “nonprofit organization” means any corporation,
20 trust, association, cooperative, or other organization
21 that—

22 (A) is operated primarily for scientific,
23 educational, service, charitable, or similar pur-
24 poses in the public interest;

25 (B) is not organized primarily for profit;

1 (C) uses net proceeds to maintain, im-
 2 prove, or expand the operations of the organiza-
 3 tion; and

4 (D) is not an institution of higher edu-
 5 cation.

6 (15) SENIOR AGENCY OFFICIAL FOR GRANTS.—
 7 The term “senior agency official for grants” means
 8 an agency official designated under section 4(a).

9 (16) STATE.—The term “State” means any
 10 State of the United States, the District of Columbia,
 11 the Commonwealth of Puerto Rico, the U.S. Virgin
 12 Islands, Guam, American Samoa, the Common-
 13 wealth of the Northern Mariana Islands, the Trust
 14 Territory of the Pacific Islands, any instrumentality
 15 thereof, and any multi-State, regional, or interstate
 16 entity that has governmental functions.

17 **SEC. 4. SENIOR AGENCY OFFICIALS FOR GRANTS.**

18 (a) SENIOR AGENCY OFFICIAL FOR GRANTS.—Not
 19 later than 60 days after the date of enactment of this Act,
 20 the head of each agency shall—

21 (1) designate a senior official of the agency to
 22 be responsible for—

23 (A) agency-wide grant and cooperative
 24 agreement policy, management, strategic plan-
 25 ning, and implementation; and

1 (B) the responsibilities of the agency under
2 this Act; and

3 (2) notify the Director of the designation under
4 paragraph (1).

5 (b) LIST.—The Director shall—

6 (1) maintain a list of senior agency officials for
7 grants; and

8 (2) not later than 90 days after the date of en-
9 actment of this Act, make the list maintained under
10 paragraph (1) available to the public on the website
11 of the Office of Management and Budget.

12 **SEC. 5. GRANTS COUNCIL.**

13 (a) IN GENERAL.—Not later than 90 days after the
14 date of enactment of this Act, the Director shall establish
15 a council to be known as the Grants Council.

16 (b) MEMBERSHIP.—The Council shall be composed
17 of—

18 (1) the Controller of the Office of Federal Fi-
19 nancial Management of the Office of Management
20 and Budget, who shall act as the Chair of the Coun-
21 cil;

22 (2) with respect to each agency that distributes
23 grants or enters into cooperative agreements, the
24 senior agency official for grants of the agency; and

1 (3) other relevant agency officials, as deter-
2 mined necessary by the Chair.

3 (c) ADMINISTRATIVE SUPPORT.—The Administrator
4 of General Services shall provide administrative support
5 for the Council.

6 (d) SOLICITATION OF FEEDBACK.—The Director
7 shall—

8 (1) consistently and regularly solicit input and
9 collect feedback and user experience information
10 with respect to the application, administration, and
11 reporting of grants and cooperative agreements, in-
12 cluding from non-Federal entities; and

13 (2) incorporate the information collected under
14 paragraph (1) into the work of the Council.

15 (e) IMPLEMENTATION ASSISTANCE.—

16 (1) AGENCY CO-CHAIR.—

17 (A) IN GENERAL.—The Director shall des-
18 ignate an agency with representation on the
19 Council to serve as the agency co-chair to assist
20 the Director in carrying out the responsibilities
21 under this section.

22 (B) TERM.—The term of service of the
23 agency co-chair shall be 2 years.

1 (C) RENEWAL.—At the discretion of the
2 Council, an agency may serve as the agency co-
3 chair for not more than 2 consecutive terms.

4 (D) SUCCESSOR.—Upon the expiration of
5 a term of service of an agency co-chair, the
6 members of the Council shall designate a suc-
7 cessor agency co-chair.

8 (2) INTERAGENCY WORKING GROUPS.—The Di-
9 rector may use interagency working groups to assist
10 in carrying out the responsibilities under this sec-
11 tion.

12 (f) INTERAGENCY DUTIES.—The Director, in con-
13 sultation with the Council, shall direct, coordinate, and as-
14 sist agencies in—

15 (1) designing and implementing common data
16 standards under chapter 64 of title 31, United
17 States Code;

18 (2) creating guidelines for simplified notice of
19 funding opportunities that improve the user experi-
20 ence for grants and cooperative agreements;

21 (3) improving interagency and intergovern-
22 mental coordination of information collection and
23 data sharing relating to grant and cooperative agree-
24 ment programs, including for the purpose of per-
25 formance management and program evaluation;

1 (4) improving the timeliness, completeness, and
2 quality of information received by agencies from re-
3 cipients of grants and cooperative agreements;

4 (5) ensuring the consistent application and in-
5 terpretation of governmentwide Federal financial as-
6 sistance policy, oversight, and management;

7 (6) supporting the development of the Federal
8 financial assistance workforce; and

9 (7) identifying and improving other procedures
10 and policies relating to the application, administra-
11 tion, and reporting of grants and cooperative agree-
12 ments, as identified by the Council.

13 (g) REPORT ON IMPROVEMENTS.—Not later than 1
14 year after the date of enactment of this Act, and every
15 2 years thereafter until the date that is 15 years after
16 the date of enactment of this Act, the Director, in con-
17 sultation with the Council, shall submit to the appropriate
18 congressional committees a report relating to the imple-
19 mentation of this Act.

20 (h) REPORT ON RECOMMENDED CHANGES IN
21 LAW.—Not later than 4 years after the date of enactment
22 of this Act, the Director, in consultation with the Council,
23 shall submit to the appropriate congressional committees
24 a report containing recommendations for changes in law

1 to improve the effectiveness, performance, and coordina-
2 tion of grant and cooperative agreement programs.

3 **SEC. 6. AGENCY GRANT IMPROVEMENT PLANS.**

4 (a) AGENCY GUIDANCE.—Not later than 270 days
5 after the date of enactment of this Act, the Director, in
6 consultation with the Council, shall issue guidance for the
7 development of agency plans to—

8 (1) streamline and simplify the application, ad-
9 ministrative, and reporting procedures for each
10 grant and cooperative agreement program adminis-
11 tered by the agency;

12 (2) simplify and improve user experience with
13 respect to notices of funding opportunity, including
14 by implementing—

15 (A) the use of plain language;

16 (B) the listing of the availability of, and
17 contact information for, training and assistance
18 relating to applying for, administering, and re-
19 porting on grants and cooperative agreements;
20 and

21 (C) the inclusion of a summary of the
22 funding opportunity of not more than 500
23 words;

24 (3) demonstrate active participation by the
25 agency in the Council;

1 (4) demonstrate appropriate coordination with
2 the Grants Quality Service Management Office, or
3 any successor organization, with respect to the adop-
4 tion by the agency, or plans for adoption by the
5 agency, of grant management solutions or services
6 that meet usability and modernization standards es-
7 tablished by the Director;

8 (5) ensure potential applicants for grant and
9 cooperative agreement programs have opportunities
10 to receive training and assistance;

11 (6) improve the abilities of recipients of grants
12 and cooperative agreements to provide timely, com-
13 plete, and high-quality information in response to
14 Federal reporting requirements; and

15 (7) establish specific annual goals and objec-
16 tives to further the purposes of this Act and meas-
17 ure annual performance in achieving those goals and
18 objectives.

19 (b) REVIEW OF PLANS AND REPORTS.—Upon re-
20 quest by the Director, the head of each agency shall sub-
21 mit to the Director information and reporting relating to
22 the implementation of this Act by the agency.

23 (c) EXEMPTIONS.—

24 (1) IN GENERAL.—The Director may exempt an
25 agency, a component of an agency, or a particular

1 grant or cooperative agreement program of an agen-
2 cy from the requirements of this Act if the Director
3 determines that the agency does not administer a
4 significant number of grant and cooperative agree-
5 ment programs.

6 (2) LIST OF EXEMPTED AGENCIES.—The Direc-
7 tor shall—

8 (A) maintain a list of agencies, components
9 of agencies, and grant and cooperative agree-
10 ment programs exempted under paragraph (1);
11 and

12 (B) make the list maintained under sub-
13 paragraph (A) available to the public on the
14 website of the Office of Management and Budg-
15 et.

16 (d) AGENCY PLANS.—Subject to subsection (e), not
17 later than the earlier of 1 year after the date on which
18 the Director issues guidance under subsection (a) and 635
19 days after the date of enactment of this Act, the head of
20 each agency shall develop, implement, and submit to the
21 Director and the appropriate congressional committees a
22 plan in response to the guidance.

23 (e) EXTENSION.—If the head of an agency is unable
24 to comply with the deadline established under subsection
25 (d) to develop and implement a plan, the Director may

1 extend the period during which the agency may develop
2 and implement the plan by not more than 1 year.

3 (f) COMMENT AND CONSULTATION ON AGENCY
4 PLANS.—

5 (1) COMMENT.—

6 (A) IN GENERAL.—The head of each agen-
7 cy shall publish the plan developed in accord-
8 ance with the guidance issued under subsection
9 (a) in the Federal Register.

10 (B) PUBLIC COMMENT.—With respect to a
11 plan published in the Federal Register by the
12 head of an agency in accordance with subpara-
13 graph (A)—

14 (i) the head of the agency shall review
15 public comments on the plan submitted
16 through the Federal Register and by other
17 means; and

18 (ii) to the maximum extent prac-
19 ticable, the head of the agency shall hold
20 a public forum on the plan.

21 (2) CONSULTATION.—The senior agency official
22 for grants of each agency shall participate in con-
23 sultation with non-Federal entities during the devel-
24 opment and implementation of the plan developed in

1 accordance with the guidance issued under sub-
2 section (a).

3 (g) ANNUAL REPORT.—

4 (1) IN GENERAL.—Not later than 1 year after
5 the date of the submission of the plan of an agency
6 under subsection (d), and annually thereafter, the
7 senior agency official for grants of the agency or the
8 head of the agency, as applicable, shall submit to the
9 Director and the appropriate congressional commit-
10 tees a report on—

11 (A) the implementation of the plan; and

12 (B) the performance of the agency in
13 meeting the goals and objectives described in
14 subsection (a)(7).

15 (2) INCLUSION IN OTHER REPORTS.—Effective
16 on the date on which the head of an agency submits
17 a plan under subsection (d), the head of the agency
18 shall update and include the goals and objectives de-
19 scribed in subsection (a)(7) in each performance
20 plan of the agency required under section 1115 of
21 title 31, United States Code.

22 **SEC. 7. GRANTS.GOV.**

23 (a) REPORT.—Not later than 1 year after the date
24 of enactment of this Act, the Director, in coordination
25 with the Secretary of Health and Human Services, shall

1 submit to the appropriate congressional committees a re-
2 port that—

3 (1) contains findings from a study on the acces-
4 sibility and user experience of Grants.gov, or any
5 successor website; and

6 (2) provides recommendations based on the
7 findings described in paragraph (1) to improve the
8 access to the function of Grants.gov, or any suc-
9 cessor website.

10 (b) IMPROVEMENTS.—Not later than 3 years after
11 the date of enactment of this Act, the Director, in coordi-
12 nation with the Secretary of Health and Human Services,
13 shall implement the recommendations described in sub-
14 section (a)(2).

15 **SEC. 8. EVALUATION.**

16 (a) IN GENERAL.—Not later than 5 years after the
17 date of enactment of this Act, the Comptroller General
18 of the United States, in consultation with non-Federal en-
19 tities, shall submit to the appropriate congressional com-
20 mittees an evaluation of the effectiveness of this Act.

21 (b) CONTENTS.—The evaluation under subsection (a)
22 shall—

23 (1) assess the implementation of this Act and
24 the extent to which the implementation meets the
25 purposes of this Act;

1 (2) make specific recommendations to further
2 the implementation of this Act;

3 (3) evaluate the actual performance of each
4 agency in achieving the goals and objectives stated
5 in the plan of the agency developed in accordance
6 with the guidance issued under section 6(a); and

7 (4) assess the level of coordination among the
8 Director and non-Federal entities in implementing
9 this Act.

○