§ 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.

(Added Pub. L. 116–103, § 4(a), Dec. 30, 2019, 133 Stat. 3268.)

CONSOLIDATION OF ASSISTANCE-RELATED INFORMATION; PUBLICATION OF PUBLIC INFORMATION AS OPEN DATA

Pub. L. 116–103, § 6, Dec. 30, 2019, 133 Stat. 3270, provided that:

''(a) COLLECTION OF INFORMATION.—Not later than 5 years after the date of enactment of this Act [Dec. 30, 2019], 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').''

[For definitions of terms used in section 6 of Pub. L. 116–103, set out above, see section 3 of Pub. L. 116–103, set out as a note under section 6401 of this title.]

EVALUATION OF NONPROPRIETARY IDENTIFIERS

Pub. L. 116–103, § 7, Dec. 30, 2019, 133 Stat. 3270, provided that:

''(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 [Dec. 30, 2019] 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).''

[For definitions of terms used in section 7 of Pub. L. 116–103, set out above, see section 3 of Pub. L. 116–103, set out as a note under section 6401 of this title.]

§ 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