

118TH CONGRESS
2^D SESSION

H. R. 5536

AN ACT

To require transparency in notices of funding opportunity,
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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Grant Transparency
3 Act of 2023”.

4 **SEC. 2. NOTICES OF FUNDING OPPORTUNITY TRANS-**
5 **PARENCY.**

6 (a) DEFINITIONS.—In this section:

7 (1) AGENCY.—The term “agency”—

8 (A) has the meaning given the term “Exec-
9 utive agency” in section 105 of title 5, United
10 States Code; and

11 (B) does not include the Government Ac-
12 countability Office.

13 (2) COMPETITIVE GRANT.—The term “competi-
14 tive grant” means a discretionary award (as defined
15 in section 200.1 of title 2, Code of Federal Regula-
16 tions) awarded by an agency—

17 (A) through a grant agreement or coopera-
18 tive agreement under which the agency makes
19 payment in cash or in kind to a recipient to
20 carry out a public purpose authorized by law;
21 and

22 (B) the recipient of which is selected from
23 a pool of applicants through the use of merit-
24 based selection procedures for the purpose of al-
25 locating funds authorized under a grant pro-
26 gram of the agency.

1 (3) EVALUATION OR SELECTION CRITERIA.—

2 The term “evaluation or selection criteria” means
3 standards or principles for judging, evaluating, or
4 selecting an application for a competitive grant.

5 (4) NOTICE OF FUNDING OPPORTUNITY.—The
6 term “notice of funding opportunity” has the mean-
7 ing given the term in section 200.1 of title 2, Code
8 of Federal Regulations.

9 (5) RATING SYSTEM.—The term “rating sys-
10 tem”—

11 (A) means a system of evaluation of com-
12 petitive grant applications to determine how
13 such applications advance through the selection
14 process; and

15 (B) includes—

- 16 (i) a merit criteria rating rubric;
17 (ii) an evaluation of merit criteria;
18 (iii) a methodology to evaluate and
19 rate based on a point scale; and
20 (iv) an evaluation to determine wheth-
21 er a competitive grant application meets
22 evaluation or selection criteria.

23 (b) TRANSPARENCY REQUIREMENTS.—Each notice
24 of funding opportunity issued by an agency for a competi-
25 tive grant shall include—

1 (1) a description of any rating system and eval-
2 uation and selection criteria the agency uses to as-
3 sess applications for the competitive grant;

4 (2) a statement of whether the agency uses a
5 weighted scoring method and a description of any
6 weighted scoring method the agency uses for the
7 competitive grant, including the amount by which
8 the agency weights each criterion; and

9 (3) any other qualitative or quantitative merit-
10 based approach the agency uses to evaluate an appli-
11 cation for the competitive grant.

12 (c) APPLICATIONS; DATA ELEMENTS.—

13 (1) IN GENERAL.—The Director of the Office of
14 Management and Budget, in coordination with the
15 Executive department designated under section
16 6402(a)(1) of title 31, United States Code, shall de-
17 velop data elements relating to grant applications to
18 ensure common reporting by each agency with re-
19 spect to applications received in response to each no-
20 tice of funding opportunity of the agency.

21 (2) CONTENTS.—The data elements developed
22 under paragraph (1) shall include—

23 (A) the number of applications received;
24 and

1 (B) the city and State of each organization
2 that submitted an application.

3 (d) RULE OF CONSTRUCTION.—With respect to a
4 particular competitive grant, nothing in this Act shall be
5 construed to supersede any requirement with respect to
6 a notice of funding opportunity for the competitive grant
7 in a law that authorizes the competitive grant.

8 (e) NO ADDITIONAL FUNDS.—No additional funds
9 are authorized to be appropriated for the purpose of car-
10 rying out this Act.

11 (f) EFFECTIVE DATE.—

12 (1) IN GENERAL.—This Act shall take effect on
13 the date that is 120 days after the date of enact-
14 ment of this Act.

15 (2) NO RETROACTIVE EFFECT.—This Act shall
16 not apply to a notice of funding opportunity issued
17 before the date of enactment of this Act.

Passed the House of Representatives November 18,
2024.

Attest:

Clerk.

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