

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H.R. 5536  
OFFERED BY MR. COMER OF KENTUCKY**

Strike all after the enacting clause and insert the following:

**1 SECTION 1. SHORT TITLE.**

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

**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

1 payment in cash or in kind to a recipient to  
2 carry out a public purpose authorized by law;  
3 and

4 (B) the recipient of which is selected from  
5 a pool of applicants through the use of merit-  
6 based selection procedures for the purpose of al-  
7 locating funds authorized under a grant pro-  
8 gram of the agency.

9 (3) EVALUATION OR SELECTION CRITERIA.—  
10 The term “evaluation or selection criteria” means  
11 standards or principles for judging, evaluating, or  
12 selecting an application for a competitive grant.

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

17 (5) RATING SYSTEM.—The term “rating sys-  
18 tem”—

19 (A) means a system of evaluation of com-  
20 petitive grant applications to determine how  
21 such applications advance through the selection  
22 process; and

23 (B) includes—

24 (i) a merit criteria rating rubric;

25 (ii) an evaluation of merit criteria;

1 (iii) a methodology to evaluate and  
2 rate based on a point scale; and

3 (iv) an evaluation to determine wheth-  
4 er a competitive grant application meets  
5 evaluation or selection criteria.

6 (b) **TRANSPARENCY REQUIREMENTS.**—Each notice  
7 of funding opportunity issued by an agency for a competi-  
8 tive grant shall include—

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

12 (2) a statement of whether the agency uses a  
13 weighted scoring method and a description of any  
14 weighted scoring method the agency uses for the  
15 competitive grant, including the amount by which  
16 the agency weights each criterion; and

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

20 (c) **RULE OF CONSTRUCTION.**—With respect to a  
21 particular competitive grant, nothing in this Act shall be  
22 construed to supersede any requirement with respect to  
23 a notice of funding opportunity for the competitive grant  
24 in a law that authorizes the competitive grant.

1           (d) NO ADDITIONAL FUNDS.—No additional funds  
2 are authorized to be appropriated for the purpose of car-  
3 rying out this Act.

4           (e) EFFECTIVE DATE.—

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

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

