Open Government

David Curren – NIH

Today's Goals

- Recap from last meeting
- Legislative Update
  - DATA Act
  - GRANT Act
- Transparency Impact on Select Issues
  - Dual Use Research
  - Animal Welfare
  - Intellectual Property

Recap from Last Meeting – May 2013

- Discussion of "Open Government: Collaboration, Transparency, and Participation in Practice"
- Issues with FSRS Subaward Reporting
- Options for improving subaward reporting on Agency systems
- OpenGovernment National Action Plan and OMB Memo on making open and machine-readable the new default for government information.

Leg Update – GRANT Act

- <u>G</u>rant <u>R</u>eform and <u>N</u>ew <u>T</u>ransparency <u>Act</u> of 2013
- HR 3316 Introduced October 23, 2013 in House on by Representative Lankford (OK)
- Co-Sponsored by Reps. Issa and Walberg
- Still in Committee (Mark-up)
- Key Provisions:
  - Requires Merit-Based Selection Procedures
  - Established Pre-Award Evaluation Requirements

Leg Update – GRANT Act

- Key Transparency Provisions (continued)
  - Publicly posting the following information on awarded grants:
    - Executed grant agreement, including the terms and conditions
    - Copy of proposal, application, or plan, and subsequent amendments to the proposal, application, or plan
    - Documentation on the basis for selection and the numerical ranking of proposal if rankings were assigned.

Leg Update – GRANT Act

- Key Transparency Provisions (continued)
  - Publicly posting the following performance information:
    - Final report or other final written product required under the grant terms
    - Other data or related results of the grant…that the agency considers of value to future researchers or the public interest

Leg Update – DATA Act

- <u>D</u>igital <u>A</u>ccountability and <u>T</u>ransparency <u>Act</u> of 2013
- HR 2061 Introduced May 21, 2013 in House on by Representative Issa (CA)
- Passed by House on November 18, 2013
- Companion Legislation S.994 Introduced by Sen. Warner
- Senate version still in Committee

Leg Update – DATA Act

- From the House Report:

  "Recovery.gov has demonstrated better accuracy and relevance than USASpending.gov. Its recipient-reported data has proved more useful for government-wide oversight than USASpending's data. First, Recovery.gov's recipient-supplied reports are received quarterly, permitting activity to be tracked across time…Second, the recipients of stimulus grants, contracts, and loans have a strong incentive to report under ARRA, because they run the risk of listing their stimulus funding if they do not."

Leg Update – DATA Act

- Key Transparency Provisions
  - Expands the FFATA Act
  - Reduce reporting requirements by automating and consolidating financial reporting across the government
  - Creates pilot program to evaluate consolidated recipient reporting
    - Grantees/contractors with over $1 billion in awards
    - Display full cycle of Federal funds
    - Improve accuracy of Federal financial data

Leg Update – DATA Act

- Key Transparency Provisions (Continued)
  - Treasury will establish government-wide financial data standards for federal funds in consultation with public and private stakeholders
  - Expands sources from which USASpending.gov will incorporate data, including the Payment Automation Manager and Financial Information Repository
  - Established standard award identifiers

Additional Transparency Issues

- **Animal Welfare Issues**
  - Do current Agency transparency systems adequately protect researchers working with animals?
  - How does your institution balance the need for transparency on animal welfare against the public right to understand how funds are spent?
  - Does pending legislation or other Federal initiatives cause concern in this area?

Additional Transparency Issues

- **Intellectual Property**
  - Do current Agency transparency systems adequately protect intellectual property?
  - Does pending legislation or other Federal initiatives cause concern in this area?

Additional Transparency Issues

- **Dual Use Research**
  - Do current Agency transparency systems cause concern about dual use research?
  - Does pending legislation or other Federal initiatives cause concern in this area?

Thank You!

Additional Questions?