

*Controller Alerts are designed to bring your attention to emerging financial management issues that may require agency attention or action. These Alerts are intended to make sure that the Chief Financial Officer (CFO) community is aware of key issues where the Office of Management and Budget (OMB) believes further action may be warranted, but do not constitute official guidance or include specific tasks for agencies beyond consideration of appropriate steps to address the issue. Additional Controller Alerts can be viewed at <https://max.omb.gov/community/x/ihXjJg>.*

This Controller Alert provides notification of the recent repeal of the Recipient Reporting Requirements for Federal financial assistance awards that were in Section 1512 of the American Recovery and Reinvestment Act (Recovery Act) and the related enactment of a requirement for agencies to “make available to the public detailed spending data” pursuant to the Federal Funding Accountability and Transparency Act of 2006, as amended (FFATA).

These statutory changes are effective tomorrow, February 1, 2014.

On January 17, 2014, the President signed into law the Consolidated Appropriations Act, 2014, Public Law 113-76. In Section 627 of Division E of that Act (reprinted below), Congress –

- 1) “repealed effective February 1, 2014” the recipient-reporting requirements of the Recovery Act that were in section 1512(c) and (e)-(h) of that Act; and
- 2) amended section 1512(d) of the Recovery Act so that it now states that – “Starting February 1, 2014, each agency that made recovery funds available to any recipient shall make available to the public detailed spending data as prescribed by the Office of Management and Budget and pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282).”

Section 627 also included other amendments to the Recovery Act.

Consistent with repeal of the Section 1512 recipient-reporting requirements, agencies shall rescind effective February 1, 2014, any requirements for financial assistance reporting under Section 1512.

However, as the amended Section 1512(d) makes clear, requirements for reporting under FFATA will continue for all Federal awards. In this regard, please note that – when the Section 1512 reporting requirements were in effect – compliance with the Section 1512 requirements had satisfied the reporting requirements for FFATA for financial assistance awards. See OMB Memorandum of August 27, 2010, on “*Open Government Directive – Federal Spending Transparency and Subaward and Compensation Data Reporting*,” at page 3 n.6 (“Compliance with Section 1512 of the Recovery Act includes the subaward reporting requirements under the Transparency Act.”), available at [www.fsrs.gov](http://www.fsrs.gov). With the sunset of the Section 1512 reporting requirements, it will now be the case that all applicable federal awards, including federal grants, must comply with the FFATA reporting requirements as they are outlined in the OMB Memorandum of August 27, 2010.

As a result of these statutory changes, there will be a single, consistent USAspending.gov website to view federal award spending data pursuant to FFATA.

Forthcoming OMB and/or Recovery Board guidance will address (1) how to transition to FFATA financial assistance reporting requirements and (2) the final reporting requirements to Recovery.gov. Please direct questions regarding this alert to Karen Lee at [klee@omb.eop.gov](mailto:klee@omb.eop.gov).

Thank you for your efforts to provide transparency and accountability for federal spending.

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The following is Section 627 of Division E of the Consolidated Appropriations Act, 2014:

Sec. 627. (a) Section 1511 of title XV of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) (“Act”) is amended by striking, “and linked to the website established by section 1526”.

(b)(1) Subsection (c) and subsections (e) through (h) of section 1512 of the Act are repealed effective February 1, 2014.

(2) Subsection (d) of section 1512 of the Act is amended to read as follows:

“(d) Agency Reports- Starting February 1, 2014, each agency that made recovery funds available to any recipient shall make available to the public detailed spending data as prescribed by the Office of Management and Budget and pursuant to the Federal Funding Accountability and Transparency Act of 2006 (Public Law 109-282).”.

(c) Subsection (a) of section 1514 of the Act is amended by striking “and linked to the website established by section 1526”.

(d) Subparagraph (A) of section 1523(b)(4) of the Act is amended by striking “the website established by section 1526” and inserting “a public website”.

(e) Sections 1526 and 1554 of the Act are repealed.

(f) Section 1530 of the Act is amended by striking “2013” and inserting “2015”.