

104TH CONGRESS
1ST SESSION

S. 1308

To amend chapter 73 of title 31, United States Code, to provide for performance standards for block grant programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

OCTOBER 11 (legislative day, OCTOBER 10), 1995

Mr. BINGAMAN introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To amend chapter 73 of title 31, United States Code, to provide for performance standards for block grant programs, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Block Grant Perform-
5 ance Standards Act of 1995”.

6 **SEC. 2. ADMINISTRATION OF BLOCK GRANTS.**

7 Chapter 73 of title 31, United States Code, is amend-
8 ed by adding at the end thereof the following new sub-
9 chapter:

1 “SUBCHAPTER II—CONDITIONS APPLICABLE
2 TO BLOCK GRANTS

3 **“§ 7321. Purposes**

4 “The purposes of this subchapter are to—

5 “(1) enable more efficient use of Federal, State,
6 and local resources;

7 “(2) establish accountability for achieving the
8 purposes of block grant programs; and

9 “(3) establish effective partnerships to address
10 critical issues of public interest.

11 **“§ 7322. Definitions**

12 “For purposes of this subchapter, the term—

13 “(1) ‘block grant program’ means a program in
14 which Federal funds are directly allocated to States,
15 localities, or other recipients for use at the discretion
16 of such States, localities, or recipients in meeting
17 stated Federal purposes; and

18 “(2) ‘plan’ means a block grant strategic plan
19 described under section 7324.

20 **“§ 7323. Requirement of approved block grant strate-
21 gic plans**

22 “No payment may be paid under any block grant pro-
23 gram to any eligible entity unless such entity has submit-
24 ted and received approval for a plan.

1 **“§ 7324. Block grant strategic plans**

2 “The head of an agency administering a block grant
3 program shall designate the criteria that shall be included
4 in a block grant strategic plan. At a minimum, each plan
5 shall contain—

6 “(1) a description of goals and objectives, in-
7 cluding outcome related goals and objectives for each
8 of the designated program activities for each of the
9 first 6 fiscal years of the plan;

10 “(2) a description of how the goals and objec-
11 tives are to be achieved, including a description of
12 the operational processes, skills and technology, and
13 the human, capital, information and other objectives
14 required to meet the goals and objectives for the
15 current fiscal year;

16 “(3) a description of performance indicators to
17 be used in measuring or assessing the relevant out-
18 put service levels and outcomes of each of the man-
19 datory program activities; and

20 “(4) a description of the program evaluation to
21 be used in comparing actual results with established
22 goals and objectives, and the designation of results
23 as highly successful or failing to meet the goals and
24 objectives of the program.

1 **“§ 7325. Review and approval of block grant strategic**
2 **plans**

3 “After receipt of a plan, the head of an agency
4 shall—

5 “(1) no later than 90 days after the receipt of
6 the application, approve or disapprove all or part of
7 the plan;

8 “(2) no later than 15 days after the date of
9 such approval or disapproval, notify the applicant in
10 writing of the approval or disapproval; and

11 “(3) in the case of any disapproval of a plan,
12 include a written justification of the reasons for dis-
13 approval in the written notice of disapproval.

14 **“§ 7326. Community advisory committees**

15 “(a) An entity applying for a block grant shall estab-
16 lish a community advisory committee in accordance with
17 this section.

18 “(b) A community advisory committee shall advise an
19 applicant in the development and implementation of a
20 plan, including advice with respect to—

21 “(1) conducting public hearings; and

22 “(2) receiving comment and reviews from com-
23 munities affected by the plan.

24 “(c) Membership of the community advisory commit-
25 tee shall include—

1 “(1) persons with leadership experience in pri-
2 vate business and voluntary organizations;

3 “(2) elected officials representing jurisdictions
4 included in the plan;

5 “(3) representatives of participating qualified
6 organizations;

7 “(4) the general public; and

8 “(5) individuals and representatives of commu-
9 nity organizations who shall help to enhance the
10 leadership role of the local government in developing
11 a plan.

12 “(d) Before submitting an application for approval,
13 or any reports required as a condition of receiving any
14 payment under a block grant program, the applicant shall
15 submit such application or report to the community advi-
16 sory committee for review and comment. Any comments
17 of the committee shall be submitted with the application
18 or report to the head of an agency.

19 **“§ 7327. Technical and other assistance**

20 “The head of an agency administering a block grant
21 program may provide technical assistance to applicants for
22 block grants in developing information necessary for the
23 design or implementation of a plan.

1 **“§ 7328. Conditional termination or alteration of**
2 **block grant strategic plan**

3 “(a) The head of an agency administering a block
4 grant program shall establish procedures by regulation for
5 implementing penalties of not less than 5 percent of the
6 grant a recipient would otherwise receive for failing to
7 meet the goals and objectives included in the plan for a
8 block grant.

9 “(b) The head of an agency shall establish procedures
10 by regulation for—

11 “(1) suspending the grant a recipient would
12 otherwise receive for a period of 3 years for failure
13 for 2 consecutive years to meet the goals and objec-
14 tives included in the plan for a block grant; and

15 “(2) reallocating the amount of the grant a re-
16 cipient would otherwise receive to other govern-
17 mental or nonprofit institutions within the plan.

18 **“§ 7329. Administration with other conditions of**
19 **block grant programs**

20 “The provisions of this subchapter (including all con-
21 ditions and requirements) shall supersede any other provi-
22 sion of law relating to the administration of any block
23 grant program only to the extent of any inconsistency with
24 such other provision.”.

1 **SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.**

2 (a) TABLE OF SECTIONS.—Chapter 73 of title 31,
3 United States Code, is amended by striking out the chap-
4 ter heading and the table of sections and inserting in lieu
5 thereof the following:

6 **“CHAPTER 73—ADMINISTERING BLOCK**
7 **GRANTS**

“SUBCHAPTER I—BLOCK GRANT AMOUNTS

“Sec.

“7301. Purpose.

“7302. Definitions.

“7303. Reports and public hearings on proposed uses of amounts.

“7304. Availability of records.

“7305. State auditing requirements.

“SUBCHAPTER II—CONDITIONS APPLICABLE TO BLOCK GRANTS

“7321. Purposes.

“7322. Definitions.

“7323. Requirement of approved block grant strategic plans.

“7324. Block grant strategic plans.

“7325. Review and approval of block grant strategic plans.

“7326. Community advisory committees.

“7327. Technical and other assistance.

“7328. Conditional termination or alteration of block grant strategic plan.

“7329. Administration with other conditions of block grant programs.

8 “SUBCHAPTER I—BLOCK GRANT AMOUNTS”.

9 (b) CHAPTER REFERENCES.—Chapter 73 of title 31,
10 United States Code, is amended—

11 (1) in section 7301 in the matter preceding
12 paragraph (1) by striking out “chapter” and insert-
13 ing in lieu thereof “subchapter”; and

14 (2) in section 7302 in the matter preceding
15 paragraph (1) by striking out “chapter” and insert-
16 ing in lieu thereof “subchapter”.

1 **SEC. 4. EFFECTIVE DATE.**

2 This Act shall take effect on October 1, 1997, and
3 shall apply to payments under block grant programs on
4 and after such date.

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