

106TH CONGRESS
1ST SESSION

S. 166

To require the Secretary of Commerce to determine any surpluses or shortfalls in certain grant amounts made available to States by reason of an undercount in the most recent decennial census conducted by the Bureau of the Census.

IN THE SENATE OF THE UNITED STATES

JANUARY 19, 1999

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

A BILL

To require the Secretary of Commerce to determine any surpluses or shortfalls in certain grant amounts made available to States by reason of an undercount in the most recent decennial census conducted by the Bureau of the Census.

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. DEFINITIONS.**

4 In this Act:

5 (1) COVERED FEDERAL FORMULA GRANT.—The
6 term “covered Federal formula grant” means a
7 grant awarded by the Federal Government on the

1 basis of a formula that provides for the distribution
2 of funds to States.

3 (2) SECRETARY.—The term “Secretary” means
4 the Secretary of Commerce.

5 (3) STATE.—The term “State” means each of
6 the several States of the United States, the District
7 of Columbia, the Commonwealth of Puerto Rico, the
8 Virgin Islands, Guam, American Samoa, and the
9 Commonwealth of the Northern Mariana Islands.

10 **SEC. 2. CALCULATIONS OF SHORTFALLS AND SURPLUS**
11 **AMOUNTS.**

12 (a) IN GENERAL.—

13 (1) DETERMINATION OF FUNDING AMOUNTS.—
14 As soon as practicable after receiving the informa-
15 tion concerning the fiscal year immediately preced-
16 ing the date of enactment of this Act, and annually
17 thereafter, the Secretary, in consultation with the
18 Comptroller General of the United States and the
19 heads of appropriate Federal agencies, shall deter-
20 mine, for the immediately preceding fiscal year—

21 (A) the amount of funds made available
22 for that fiscal year for each covered Federal
23 formula grant program; and

1 (B) for each covered Federal formula
2 grant program, the amount distributed to each
3 grant recipient.

4 (2) INFORMATION.—Not later than 120 days
5 after the date of enactment of this Act, and not
6 later than 120 days after the end of each fiscal year
7 thereafter, the head of each Federal agency that ad-
8 ministers a covered Federal formula grant program
9 shall submit to the Secretary—

10 (A) the amount of funds made available
11 for that program for that fiscal year; and

12 (B) for each State recipient of a covered
13 Federal formula grant, the amount distributed
14 as a grant award under that grant to that re-
15 cipient.

16 (b) DETERMINATIONS FOR FORMULA GRANT PRO-
17 GRAMS THAT RECEIVED THE GREATEST AMOUNT OF
18 FUNDING.—Upon making the determinations under sub-
19 section (a), the Secretary shall determine—

20 (1) the 100 covered Federal formula grant pro-
21 grams that received the greatest amounts of funding
22 during the preceding fiscal year; and

23 (2) whether, on the basis of undercounting for
24 the most recent decennial census (as determined by
25 the Secretary, acting through the Bureau of the

1 Census), any State recipient of a grant award under
2 paragraph (1) received an amount less than or
3 greater than the amount that the recipient would
4 otherwise have received if an adjustment to the
5 grant award had been made for that undercounting.

6 (c) REPORTS.—

7 (1) IN GENERAL.—Upon making the determina-
8 tions under subsection (b), the Secretary shall pre-
9 pare, for each State, an annual report that
10 includes—

11 (A) a listing of any grant award under
12 subsection (b)(1) provided to that State that
13 was an amount less than or greater than
14 amount that the State would otherwise have re-
15 ceived if an adjustment for undercounting re-
16 ferred to in that subsection had been made; and

17 (B) for each grant award listed under sub-
18 paragraph (A), the amount of the shortfall or
19 surplus determined under subsection (b)(2).

20 (2) DISTRIBUTION.—The Secretary shall pro-
21 vide to the Governor of each State (or the equivalent
22 official) a copy of the report prepared under para-
23 graph (1) for that State.

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