



## **FFIS Weekly Update – March 23, 2010**

### **Weekly News:**

#### **GENERAL**

##### **1) Update on Program Extensions**

On March 18, 2010, the president signed into law the Hiring Incentives to Restore Employment (HIRE) Act (P.L. 111- 147). The law includes payroll tax forgiveness for employers hiring unemployed individuals, extensions of small business expensing provisions, an expansion of the Build America Bonds program, and authorization for the surface transportation program through the end of the calendar year.

On March 17, 2010, the House passed the Continuing Extension Act of 2010 (H.R. 4851), which would provide a temporary extension of several programs. The measure grants another temporary extension through April 30, 2010, for federal Consolidated Omnibus Budget Reconciliation Act (COBRA) health insurance premium subsidies and an extension of federally funded extended unemployment benefits through May 5, 2010. COBRA premium subsidies are currently set to expire on March 30, 2010, and emergency unemployment insurance (UI) benefits are set to expire on April 5, 2010. The House has not taken up a broader bill, H.R. 4213, passed by the Senate last week that would extend the COBRA premium subsidy program and emergency UI benefits through the end of this year and provide a six-month extension of ARRA's enhanced Medicaid funding provisions, among other provisions. The Continuing Extension Act of 2010 now goes to the Senate for consideration.

##### **2) March 22, 2010: OMB Issues Guidance on Improper Payments**

A few weeks ago the president signed Executive Order 13520 in response to the \$100 billion in improper payments reported by agencies for FY 2009. The Office of Management and Budget (OMB) has now issued government-wide guidance on the implementation of the executive order. To view the memorandum, see: [http://www.whitehouse.gov/omb/assets/memoranda\\_2010/m10-13.pdf](http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-13.pdf)

#### **EDUCATION**

##### **March 21, 2010: House Approves Student Loan Reforms through Reconciliation Bill**

The House of Representatives passed the Reconciliation Act of 2010 (H.R. 4872). In addition to the changes to health care reform (described below), this legislation would eliminate subsidies to lenders in the federal student loan programs, and instead originate all loans directly through the federal government's Direct Loan program. Under the bill, 100% of direct loans will be serviced by private lenders. These private lenders will compete for contracts to service the loans and will be required to maintain a U.S. workforce. This change would save \$61 billion over 10 years, according to the Congressional Budget Office (CBO), \$36 billion of which would be invested in the Pell Grant program over 10 years.

These cost savings will be used to increase the maximum annual Pell Grant award from \$5,550 in 2010 to \$5,975 by 2017, with the grants indexed to the Consumer Price Index in 2013. An Income-Based Repayment program will allow new borrowers to cap their monthly federal student loan payments at 10% of income after 2014. The bill also includes \$750 million for a College Access

Challenge Grant program, a \$2 billion competitive grant program for community colleges, and \$2.55 billion for Historically Black Colleges and Universities and minority-serving institutions. Funding for early-childhood education programs was not included in the legislation.

## **ELECTION REFORM**

### **March 19, 2010: EAC Issues Request for Public Comment on MOE Proposal**

The Election Assistance Commission (EAC) is seeking public comment on a Maintenance of Effort (MOE) proposed policy as amended on February 19, 2010. This MOE policy applies directly to all states, the District of Columbia, and territories that are eligible to receive HAVA Requirements Payments. For additional details, follow this link: <http://edocket.access.gpo.gov/2010/pdf/2010-6006.pdf>

## **ENERGY**

### **1) March 17, 2010: DOE Publishes Notice of Request for Information Concerning Sustainable Energy Resources for Consumers Grants**

The Department of Energy (DOE) is seeking information from stakeholders on a potential competitive Funding Opportunity Announcement (FOA) in support of the Sustainable Energy Resources for Consumers Grants. Click here for additional information: <http://edocket.access.gpo.gov/2010/pdf/2010-5799.pdf>

### **2) March 11, 2010: DOE Issues Interim Final Rule on Weatherization**

DOE is amending its regulations to require all states and other service providers that participate in the Weatherization Assistance Program (WAP) to treat all requests for information concerning applicants and recipients of WAP funds in a manner consistent with the treatment of information requested under the Freedom of Information Act (FOIA). For more information, click here: <http://edocket.access.gpo.gov/2010/pdf/2010-5195.pdf>

## **ENVIRONMENT**

### **March 9, 2010: EPA Announces Supplemental Funding of \$8 Million for Brownfields Revolving Loan Fund**

The Environmental Protection Agency's (EPA) Office of Brownfields and Land Revitalization (OBLR) is now accepting requests for funding to supplement the Revolving Loan Fund capitalization grants previously awarded. Click here for details: <http://edocket.access.gpo.gov/2010/pdf/2010-4965.pdf>

## **HEALTH AND HUMAN SERVICES**

### **1) March 21, 2010: House Approves Two Separate Health Care Reform Measures**

The House of Representatives passed the Senate's version of health care reform (H.R. 3590). The legislation will now be sent to the president for signature. The House also approved the Reconciliation Act of 2010 (H.R. 4872), which includes changes to H.R. 3590 negotiated by House and Senate leaders. With regard to the Medicaid program, the reconciliation bill would maintain the Senate provision to expand Medicaid to all individuals under age 65 with incomes up to 133% of the federal poverty level, beginning January 1, 2014. However, the bill would require Medicaid to apply a 5% income disregard when determining eligibility; replace the federal funding for the newly eligibles in the Senate bill to 100% for 2014-2106, 95% for 2017, 94% for 2018, 93% for 2019, and 90% for 2020 and subsequent years; provide increased federal matching rates to early-expansion states to help pay for the cost of childless adults currently receiving coverage; provide additional funding for territories; and mandate that Medicaid physician rates for primary care services be at least 100% of the applicable Medicare rate for 2013 and 2014 (increases would be 100% federally funded). The reconciliation bill is available at: <http://rules.house.gov/>

The Senate is expected to begin debate on the compromise reconciliation measure this week. The reconciliation process restricts floor debate to 20 hours and requires 51 votes for passage.

### **2) March 17, 2010: ACF Releases Guidance on LIHEAP Funds**

The Administration for Children and Families (ACF) released information on the distribution of LIHEAP emergency contingency funds that took place on January 20, 2010. To view the Information Memorandum, see:

[http://www.acf.hhs.gov/programs/ocs/liheap/guidance/information\\_memoranda/im10-04.html](http://www.acf.hhs.gov/programs/ocs/liheap/guidance/information_memoranda/im10-04.html)

On March 16, 2010, ACF released guidance on LIHEAP appropriations for FY 2010:

[http://www.acf.hhs.gov/programs/ocs/liheap/guidance/information\\_memoranda/im10-03.html](http://www.acf.hhs.gov/programs/ocs/liheap/guidance/information_memoranda/im10-03.html)

### **3) March 19, 2010: ACF Releases Guidance to State Refugee Coordinators**

ACF released State Letter #10-05 regarding assistance for child victims of human trafficking. To view the letter, see: <http://www.acf.hhs.gov/programs/orr/policy/sl10-05.htm>

## **NUTRITION**

### **1) March 19, 2010: FNS Releases Report on Disaster Responses**

The Food and Nutrition Services (FNS) released a report on federal, state, and tribal disaster responses for FYs 2008 and 2009. It provides new lessons learned and best practices for disaster responders to incorporate into their disaster plans and operations. To view the report, go to:

[http://www.fns.usda.gov/disasters/response/2008-2009\\_lessons.pdf](http://www.fns.usda.gov/disasters/response/2008-2009_lessons.pdf)

### **2) March 18, 2010: FNS Clarifies SNAP Cost Principle for the Employment and Training Program**

FNS released a clarifying memorandum on the cost principles of the Supplemental Nutrition Assistance Program (SNAP) Employment and Training (E&T) program. The memo comes in response to inquiries from states that are contracting with community colleges and using third-party reimbursement models to fund their E&T components. To view the memo, go to:

<http://www.fns.usda.gov/snap/rules/Memo/2010/031810.pdf>

### **3) March 17, 2010: Senate Committee Proposes Child Nutrition Act Reauthorization**

The Senate Committee on Agriculture, Nutrition and Forestry unveiled the Healthy, Hunger-Free Kids Act of 2010, which would reauthorize programs contained under the Child Nutrition Act. The bipartisan bill provides \$4.5 billion in new child nutrition program funding over 10 years. The bill would create a competitive grant program for states to increase the number of children directly certified for school meals; fund demonstration programs that use Medicaid as a model to directly certify children eligible for free meals; provide performance-based reimbursement rate increase of 6 cents to school districts that adopt new nutrition standards for reimbursable meals; grant the secretary of Agriculture the authority to establish national nutrition standards for all foods sold on the school campus throughout the school day; expand upon school wellness policies; extend the after-school feeding program to all 50 states; and implement restrictions on prices school districts could charge for "full price" meals. To view the full bill text and summary visit:

<http://ag.senate.gov/site/legislation.html>

### **4) March 16, 2010: Call for Public Comment on Federal Childhood Obesity Task Force**

The departments of Agriculture, Education, and Health and Human Services issued a joint request in the *Federal Register* calling for the public to submit comments to the Task Force on Childhood Obesity. This task force was created as an advisory body comprised of officials from the White House and several federal agencies to conduct a review of every program and policy relating to child nutrition and physical activity and develop a national action plan that maximizes federal resources and sets benchmarks toward the goals of Michelle Obama's Let's Move initiative on childhood obesity. The deadline for comment is on or before March 26, 2010. To view the notice, go to:

<http://edocket.access.gpo.gov/2010/2010-5719.htm>

### **5) March 15, 2010: FNS Clarifies Questions from States about Emergency SNAP Administrative Funding**

FNS released a series of questions and answers in response to issues raised by states concerning the additional SNAP administrative funding through the Department of Defense (DoD) Appropriations

Act of 2010 (P.L. 111-118). To view the information, go to:  
<http://www.fns.usda.gov/snap/rules/Memo/2010/031510.pdf>

## **TRANSPORTATION**

### **March 15, 2010: DOT Issues Policy on Bicycle and Pedestrian Accommodation**

Under the new DOT policy, the federal government would treat bicycling and walking as equal to motorized transportation modes. The new policy calls for state and local action such as: treating walking and bicycling as equal with other transportation modes rather than an afterthought in roadway design; ensuring convenient access for people of all ages and abilities; exceeding minimum design standards for biking and walking facilities, and long-term planning for increased usage; integrating bicycle and pedestrian areas on bridge projects; collecting and analyzing data on walking and biking; and protecting sidewalks and shared-use paths in the same manner as roadways (for example, snow removal). The policy and recommendations are available at:

[http://www.fhwa.dot.gov/environment/bikeped/policy\\_accom.htm](http://www.fhwa.dot.gov/environment/bikeped/policy_accom.htm)

## **ARRA:**

## **GENERAL**

### **March 22, 2010: OMB Releases Updated Guidance on ARRA Reporting**

The Office of Management and Budget (OMB) issued a memorandum that provides guidance to federal agencies and recipients intended to improve the ARRA reporting process. To view the guidance, go to: [http://www.whitehouse.gov/omb/assets/memoranda\\_2010/m10-14.pdf](http://www.whitehouse.gov/omb/assets/memoranda_2010/m10-14.pdf)

## **AGRICULTURE**

### **March 18, 2010: USDA Announces Water System Projects in 20 States**

The Department of Agriculture (USDA) announced the funding of projects in 20 states designed to protect public health by improving water quality and public sanitation services. For information about the communities receiving support, click here:

<http://www.usda.gov/wps/portal/!ut/p/ s.7 0 A/7 0 1RD?printable=true&contentidonly=true&contentid=2010/03/0137.xml>

## **EDUCATION**

### **1) March 22, 2010: ED Issues Notice of Proposed Priority under Centers for Independent Living Program**

The Department of Education (ED) has proposed a priority that may be used in competitions for ARRA funds appropriated for the Centers for Independent Living program. For information about the proposed priority, click here: <http://edocket.access.gpo.gov/2010/pdf/2010-6229.pdf>

### **2) March 17, 2010: Treasury and Education Announce 2010 School Bond Allocation**

The Treasury Department and ED announced \$11 billion in allocation authority to issue qualified school construction bonds under ARRA. Qualified school construction bonds can be used to finance the construction, rehabilitation, or repair of a public school facility or for the acquisition of land where a school will be built. Click here for additional details:

<http://www2.ed.gov/news/pressreleases/2010/03/03172010a.html>

### **3) March 12, 2010: ED Publishes Final Requirements for Investing in Innovation Fund**

The final priorities, requirements, definitions, and selection criteria for the Investing in Innovation Fund are effective May 11, 2010. To view the final notice, see:

<http://edocket.access.gpo.gov/2010/pdf/2010-5147.pdf>

More detailed information about the application process for this new program is available here:

<http://edocket.access.gpo.gov/2010/pdf/2010-5139.pdf>

## **HEALTH AND HUMAN SERVICES**

**1) March 22, 2010: House Adds TANF Emergency Fund Provision to Small Business Jobs Bill**

A provision to extend the Temporary Assistance for Needy Families (TANF) Emergency Fund for one year and add \$2.5 billion for 2011 was added to the Small Business and Infrastructure Jobs Tax Act of 2010 (H.R. 4849) by action taken in the House Rules Committee. The provision also specifies that the subsidized employment category can include a member of a needy family, whether or not receiving TANF cash assistance, or an individual that has exhausted or will soon exhaust all UI benefits and who is needy, regardless of whether the household includes a child. The full bill is expected to go to the House floor for a vote later this week. The Rules Committee action means that TANF Emergency Fund extension will be automatically added to the bill that comes to the House floor. The language of the amendment can be found at:

[http://www.rules.house.gov/111/SpecialRules/hr4849/111\\_4849\\_amnd.pdf](http://www.rules.house.gov/111/SpecialRules/hr4849/111_4849_amnd.pdf)

**2) March 19, 2010: OCSE Releases Guidance on TANF Emergency Funds for Non-Custodial Parents**

The Office of Child Support Enforcement (OCSE) released a Dear Colleague Letter (DCL-10-04) that provides guidance to states on using the ARRA TANF Emergency Fund to reduce or pay off child support arrearages owed to families. To view the guidance, go to:

<http://www.acf.hhs.gov/programs/cse/pol/DCL/2010/dcl-10-04.htm>

**3) March 19, 2010: HHS Awards \$372 Million in ARRA Prevention and Wellness Grants**

The U.S. Department of Health and Human Services (HHS) announced awards of more than \$372 million to 44 communities to support public health efforts to reduce obesity and smoking, increase physical activity, and improve nutrition. For more information, including a listing of grant awardees, see: <http://www.hhs.gov/news/press/2010pres/03/20100319a.html>

**LABOR**

**1) March 19, 2010: DOL Releases Updated Information on COBRA Subsidy Extension**

The Department of Labor (DOL) released updated model notice packages to enable group health plans and employers to provide notice on the availability of the COBRA continuation coverage premium reductions through March 31, 2010. For more information, see:

<http://www.dol.gov/ebsa/cobra.html>

**2) March 17, 2010: DOL Releases Report on Youth Summer Jobs Initiative**

DOL released a report on the ARRA Summer Youth Employment Initiative, which analyzes monthly performance data submitted by states and looks closely at the experiences of 20 select local areas. To view the report, go to:

[http://wdr.doleta.gov/research/keyword.cfm?fuseaction=dsp\\_resultDetails&pub\\_id=2436&mp=y](http://wdr.doleta.gov/research/keyword.cfm?fuseaction=dsp_resultDetails&pub_id=2436&mp=y)

**TRANSPORTATION**

**March 17, 2010: FHWA Releases Guidance on Redistribution of Highway Funds**

The Federal Highway Administration (FHWA) issued a notice regarding the redistribution of ARRA Highway Infrastructure Investment funds one year after the initial date of apportionment to states. According to the notice, all states had obligated 100% of their funds so no funds are available for redistribution. For more information, see:

<http://www.fhwa.dot.gov/legsregs/directives/notices/n4510721.htm>

**March 22, 2010: FTA Recovery Act Update Webinar**

FTA will hold a webinar on March 24, 2010, from 11:00 AM-1:00 PM EST to update ARRA recipients on the recently issued reporting guidance from the Office of Management and Budget (OMB) and provide tips on the April reporting process. This webinar is geared toward agencies that are submitting a Section 1512 report for the first time or individuals who are reporting on behalf of their agency for the first time. FTA will also hold refresher training (for agencies that have reported in prior reporting periods or individuals who have previously reported on behalf of their agency) on March 26, 2010, from 1:00 PM to 3:00 PM EST and March 30, 2010, from 2:00 PM to 4:00 PM EST. For additional details, see: [http://www.fta.dot.gov/index\\_9440\\_10870.html](http://www.fta.dot.gov/index_9440_10870.html)