

## FFIS WEEKLY UPDATE – NOVEMBER 17, 2009

### FFIS Updates Publication on Matching/MOE Requirements

FFIS recently distributed *Special Analysis 09-01*, an inventory of matching and maintenance-of-effort (MOE) requirements for federal formula grant programs. This information was culled from the Catalog of Federal Domestic Assistance (CFDA). We were subsequently informed that the information for two programs, the Drinking Water Revolving Loan Fund and School Lunch, were incorrect. They have been corrected on the brief that is currently available on our website, [www.ffis.org](http://www.ffis.org).

Note that the matching and MOE requirements described in *Special Analysis 09-01* refer to non-ARRA grants. The CFDA has now isolated ARRA grants at the following location on its website so users can see the ARRA-specific matching and MOE requirements for funds provided under that law:

<https://www.cfda.gov/index?s=program&tab=searchresults&mode=list&filt=rec>

### AGRICULTURE

#### USDA Announces \$35 Million for Distance Learning and Telemedicine Projects

On November 12, 2009, the Department of Agriculture (USDA) announced that 111 projects in 35 states have been selected to receive more than \$34.9 million in grants intended to increase educational opportunities and expand access to health care services in rural areas. For more details and a list of the selected projects, go to:

<http://www.usda.gov/wps/portal/!ut/p/s.7.0.A/7.0.IOB?contentidonly=true&contentid=2009/11/0568.xml>

### HEALTH AND HUMAN SERVICES

#### 1) CMS Actuary Releases Analysis of House Health Care Reform Bill

On November 13, 2009, the Centers for Medicare and Medicaid Services (CMS), Office of the Actuary issued a memo with its analysis of certain provisions in the House-passed health care reform bill, the America's Affordable Health Choices Act (H.R. 3962). The analysis includes estimates for the net federal expenditures of certain coverage provisions, the number of people by insured status, changes in Medicare and Medicaid expenditures and revenues, and the overall impact on total national health expenditures. The analysis does not reflect the impact of the various income and excise taxes, the impact on income and payroll, and net federal administrative expenses. The report is available at:

[http://republicans.waysandmeans.house.gov/UploadedFiles/OACT\\_Memorandum\\_on\\_Financial\\_Impact\\_of\\_H\\_R\\_3962\\_11-13-09.pdf](http://republicans.waysandmeans.house.gov/UploadedFiles/OACT_Memorandum_on_Financial_Impact_of_H_R_3962_11-13-09.pdf)

#### 2) HHS Releases Updated Information on Emergency Declaration and 1135 Waivers for H1N1 Flu

On October 24, 2009, President Obama signed a proclamation declaring the 2009 H1N1 influenza pandemic a national emergency. This provides HHS with the ability to waive certain legal requirements for health care facilities in response to emergencies. For additional information on the waiver process, see the following links:

Guidance: <http://www.flu.gov/professional/federal/h1n1emergency10242009.html>

Fact Sheet on Requesting a Waiver: <http://www.cms.hhs.gov/H1N1/Downloads/RequestingAWaiver101.pdf>

Secretary Issues Waiver: [http://www.flu.gov/professional/federal/h1n1\\_1135waiver\\_10272009.html](http://www.flu.gov/professional/federal/h1n1_1135waiver_10272009.html)

#### 3) CMS Releases Letter on CHIPRA Mental Health and Substance Use Disorder Parity Requirements

On November 4, 2009, the Centers for Medicare and Medicaid Services (CMS) released a State Health Official (SHO) letter that provides general guidance on implementation of section 502 of the Children's Health Insurance Program Reauthorization Act of 2009 (CHIPRA), Public Law 111-3, which imposes mental health and substance use disorder parity requirements on all Children's Health Insurance Program (CHIP) State plans. The letter is available at: <http://www.cms.hhs.gov/SMDL/downloads/SHO110409.pdf>

#### 4) ACF Releases Updated Information on CCDF

In November 2009, the Administration for Children and Families (ACF) released 2008 preliminary and 2007 final data tables on the Child Care Development Fund (CCDF).

2008 Preliminary CCDF Data Tables:

[http://www.acf.hhs.gov/programs/ccb/data/ccdf\\_data/08acf800\\_preliminary/list.htm](http://www.acf.hhs.gov/programs/ccb/data/ccdf_data/08acf800_preliminary/list.htm)

2007 Final CCDF Data Dates: [http://www.acf.hhs.gov/programs/ccb/data/ccdf\\_data/07acf800/list.htm](http://www.acf.hhs.gov/programs/ccb/data/ccdf_data/07acf800/list.htm)

## HOUSING

### 1) Cost Adjustment Factors Announced

On November 12, 2009, the Department of Housing and Urban Development (HUD) released its FY 2010 operating cost adjustment factors (OCAFs) for Section 8 rents renewed under section 524 of the Multifamily Assisted Housing Reform and Affordability Act of 1997. The new OCAFs go into effect on February 11, 2010. For a state listing of FY 2010 OCAFs, see the *Federal Register* at:

<http://edocket.access.gpo.gov/2009/pdf/E9-27340.pdf>

### 2) Corrections Made to Continuum of Care NOFA

On November 4, 2009, HUD released a memo with technical corrections to the 2009 Continuum of Care Homeless Assistance Programs NOFA that had been released on September 25, 2009. Changes outlined in the memo include an extension of the grant applications to November 25, 2009. More information can be found at:

<http://www.hudhre.info/index.cfm?do=viewWhatIsNew#w82>

## LABOR

### 1) DOL Issues Guidance on Priority of Service for Veterans in Job Training Programs

On November 12, 2009, the Department of Labor's (DOL) Employment and Training Administration and the Veterans' Employment and Training Service issued joint guidance on the final rule (effective January 19, 2009) related to the priority of service for veterans and eligible spouses. The 2002 Jobs for Veterans Act established a priority of service requirement for veterans, spouses, widows, and widowers in qualified job training programs, and since that time, recipients and sub-grantees of DOL funds have been required to provide the veteran's preference. The Training and Employment Guidance Letter (TEGL) provides additional information to state agencies and state workforce boards operating programs funded by the DOL and signals to grant recipients to review and revise current policies and procedures to ensure adequate protocols are in place. DOL-funded programs subject to the regulations include all Workforce Investment Act and Wagner-Peyser activities and the Trade Adjustment Assistance programs. To view a copy of the TEGL, go to: <http://wdr.doleta.gov/directives/attach/TEGL/TEGL10-09.pdf>

### 2) DOL Releases Guidance on Emergency Unemployment Compensation Expansion

On November 13, 2009, the Employment and Training Administration (ETA) at DOL released Unemployment Insurance Program Letter (UIPL) 23-08, Change 5, to advise states on the Emergency Unemployment Compensation 2008, Program Expansion, that recently passed in the Worker, Homeownership, and Business Act of 2009 (P.L. 111-92). The letter and an attached question and answer document can be found at:

[http://wdr.doleta.gov/directives/corr\\_doc.cfm?docn=2818](http://wdr.doleta.gov/directives/corr_doc.cfm?docn=2818)

## NUTRITION

### Report Released on State Progress Implementing Direct Certification of the National School Lunch Program

On November 3, 2009, the Department of Agriculture's (USDA) Food and Nutrition Service (FNS) published a report, "Direct Certification of the National School Lunch Program: State Implementation Progress." This report responds to the legislative requirement of the Food Conservation and Energy Act of 2008 (P.L. 110-246) to assess the effectiveness of state and local efforts to directly certify children for free school meals. Under direct certification, children are determined eligible for free school meals without the need for household applications by using data from other means-tested programs. The 2004 Child Nutrition and WIC Reauthorization Act (P.L. 108-265) required local educational agencies (LEAs) to establish, by school year 2008-2009, a system of direct certification of children from households that receive Supplemental Nutrition Assistance Program (formerly Food Stamp Program) benefits. The mandate was phased in over three years. To read the report, see:

<http://www.fns.usda.gov/ORA/menu/Published/CNP/cnp.htm>

## TRANSPORTATION

### 1) FHWA Releases Updated Emergency Relief Manual

On November 10, 2009, the Federal Highway Administration (FHWA) released an update of the Emergency Relief Manual, Interim. The manual provides guidance and instructions on FHWA's Emergency Relief program, and provides information for state and local transportation agency personnel on policies and procedures for requesting, obtaining, and administering emergency relief funds. To view the manual, go to:

<http://WWW.FHWA.DOT.GOV/REPORTS/ERM/>

### 2) FHWA Releases Data on Bridges and Structures

On November 13, 2009, FHWA released data tables on bridges and structures based on posting status and by state and county.

The tables are available at: <http://www.fhwa.dot.gov/bridge/nbi/posting.cfm> and <http://www.fhwa.dot.gov/bridge/nbi/county09.cfm>

### **3) FTA Extends Comment Period for Proposed Rulemaking on Project Management Oversight Rule**

On September 10, 2009, the Federal Transit Administration (FTA) issued an Advance Notice of Proposed Rulemaking (ANPRM) to start the process of revising its Project Management Oversight rule at 49 CFR Part 633, which emphasizes a set of standards and principles for sound project management that will affect all FTA-funded fixed guideway capital projects and major capital projects. On November 10, 2009, FTA announced the extension of the public comment period by 60 days (to January 8, 2010) and its intention to hold two webinars to discuss the ANPRM. To view the *Federal Register* notice, go to: <http://edocket.access.gpo.gov/2009/E9-27107.htm>

### **4) FTA Releases Proposed Policy Statement on the Eligibility of Pedestrian and Bicycle Improvements Under Federal Transit Law**

On November 13, 2009, the Federal Transit Administration (FTA) announced a notice describing the eligibility of pedestrian and bicycle improvements for FTA funding and proposes a formal policy in regards to pedestrians and bicyclists in relationship to public transportation stops and stations. Comments on the proposal must be received by January 12, 2010. To view the full *Federal Register* notice, see: <http://edocket.access.gpo.gov/2009/E9-27240.htm>

## **ARRA:**

### **GENERAL**

#### **GAO Reissues ARRA Report**

On November 6, 2009, the General Accounting Office reissued the following report: Recovery Act: Funds Continue to Provide Fiscal Relief to States and Localities, While Accountability and Reporting Challenges Need to Be Fully Addressed (GAO-09-1016, September 23, 2009). To view the revised report, go to: <http://www.gao.gov/cgi-bin/getrpt?GAO-09-1016>

### **COMMERCE**

#### **1) Commerce and USDA Release Joint Request for Information on Broadband Programs**

On November 16, 2009, the Department of Commerce's National Telecommunications and Information Administration (NTIA), along with USDA's Rural Utilities Service (RUS), issued a joint request for information seeking public comment on certain issues relating to the implementation of the Broadband Initiatives Program (BIP) and the Broadband Technology Opportunities Program (BTOP). Additional details are available at: <http://edocket.access.gpo.gov/2009/pdf/E9-27359.pdf>

#### **2) GAO Reports on Needed Action to Improve Implementation of Commerce and USDA Broadband Programs**

On November 16, 2009, the Government Accountability Office released a report on the scheduling, staffing, and data challenges facing NTIA and RUS in implementing their broadband technology programs. The full report is available here: <http://www.gao.gov/new.items/d1080.pdf>

### **EDUCATION**

#### **1) ED Releases Final Application for Race to the Top Fund**

On November 12, 2009, the Department of Education (ED) released the final application for more than \$4 billion from the Race to the Top Fund, which is intended to reward states that have improved student performance in the past and have the capacity to continue achievement gains with additional reforms. For additional details, click here: <http://www.ed.gov/news/pressreleases/2009/11/11122009.html>

#### **2) ED Extends Application Deadline for ARRA Funding through Statewide Longitudinal Data Systems**

On November 4, 2009, ED extended the deadline date for the transmittal of applications to the Statewide Longitudinal Data Systems program under ARRA. Eligible applicants now have until December 4, 2009, to apply for funding under this competition. Additional details are available here: <http://edocket.access.gpo.gov/2009/pdf/E9-26628.pdf>

#### **3) ED Releases Updated State-by-State ARRA Spending Data**

ED recently released updated ARRA spending reports. To view state-by-state data for all ED programs receiving funding through the Recovery Act, click here: <http://www.ed.gov/policy/gen/leg/recovery/spending/state.xls>

### **ENERGY**

#### **DOE Offering Webinar on State Policy Affecting Renewable Energy Technology**

The Department of Energy (DOE) Technical Assistance Project (TAP) for state and local officials is offering a web seminar on how state policies affect the development of markets for renewable energy technologies. DOE officials will present state rankings for renewable energy installations and use these data to make some conclusions of the effectiveness of some state policies. The presentation will take place November 18, from 3:00 to 4:15 PM EST. The seminar is free, but you must register in advance. You can register online, find information about the presenters, and read background materials on the TAP webinar section of the DOE Weatherization and Intergovernmental Program

site: [http://apps1.eere.energy.gov/wip/tap\\_webinars.cfm](http://apps1.eere.energy.gov/wip/tap_webinars.cfm)

## **HEALTH AND HUMAN SERVICES**

### **1) ARRA Funding to Improve Care in Ambulatory Surgical Centers**

On November 10, 2009, the Department of Health and Human Services (HHS) announced the availability of up to \$9 million in ARRA funding for state survey agencies targeted at reducing health care-associated infections (HAIs) in ambulatory surgical centers

(ASCs). Additional information is available at: <http://www.hhs.gov/news/press/2009pres/11/20091110a.html>

### **2) HHS Updates ARRA Medicaid FMAP Funding**

On November 5, 2009, HHS updated its Medicaid funding chart to reflect FY 2009 grant award adjustments and FY 2010 awards through October 25, 2009:

<http://transparency.cit.nih.gov/RecoveryGrants/grant.cfm?grant=Reinvestment>

### **3) CCDF Financial Reporting Forms**

On October 29, 2009, the Administration for Children and Families (ACF) released a program instruction that provides the Child Care Development Fund Financial Form (ACF-696) for FY 2009 and guidance on the changes related to ARRA funding. To view the program instruction, go to:

<http://www.acf.hhs.gov/programs/ccb/law/guidance/current/pi2009-08/pi2009-08.htm>

## **HOUSING**

### **1) Neighborhood Stabilization Program Corrections Posted**

On November 16, 2009, the Department of Housing and Urban Development (HUD) posted a notice making corrections to the Notice of Funding Availability (NOFA) for the Neighborhood Stabilization Program (NSP) under ARRA. This is the second correction to the NSP NOFA that HUD has announced. This notice (1) corrects an inconsistency in the NSP2 NOFA regarding when the lead member of a consortium must enter into consortium funding agreements with consortium members; and (2) extends the deadline for submitting such agreements to HUD to January 29, 2010. This notice only affects applications for funding that have already been submitted to HUD by consortium applicants. HUD notes that the deadline for applications was July 17, 2009, and, as a result, will not accept new applications for funding. For more information, see the notices section at:

[http://portal.hud.gov/portal/page/portal/RECOVERY/programs/NEIGHBORHOOD\\_STABILIZATION](http://portal.hud.gov/portal/page/portal/RECOVERY/programs/NEIGHBORHOOD_STABILIZATION)

### **2) Deadline for Accepting Green Retrofit Applications Nears**

On November 16, 2009, HUD published a notice in the *Federal Register* that it will not accept applications for the Green Retrofit Program for Multifamily Housing (GRP) after November 18, 2009. This program was authorized under ARRA for the purpose of making, primarily, loans and grants to facilitate utility-saving retrofits and other retrofits that produce environmental benefits in certain existing HUD-assisted multifamily housing. To view the notice, go to: <http://edocket.access.gpo.gov/2009/pdf/E9-27414.pdf>

### **3) Process for Reallocating CDBG-R Funds Announced**

On November 12, 2009, HUD published in the *Federal Register* its process for re-allocating and awarding Community Development Block Grant-ARRA (CDBG-R) funds that were not already allocated to eligible jurisdictions during the original round of CDBG-R awards. Only one jurisdiction did not apply to receive its CDBG-R allocation. This process is described in the announcement at: <http://edocket.access.gpo.gov/2009/pdf/E9-27093.pdf>

### **4) Indian Community Block Grant Funding Announced**

On November 12, 2009, HUD announced funding awards for the Indian Community Development Block Grant (ICDBG) Recovery Act Program. The announcement contains the consolidated names and addresses of the award recipients under the ICDBG Recovery Act Program and can be found at:

<http://edocket.access.gpo.gov/2009/pdf/E9-27341.pdf>

## **TRANSPORTATION**

### **ARRA "After Action" Webinar on Reporting for FTA Grant Recipients**

The Federal Transit Administration (FTA) will hold a webinar November 2 from 1:00-2:30 PM EST. The webinar will allow ARRA grant recipients the opportunity to provide feedback to FTA on their experiences with 1201(c) and 1512 reporting. In addition, FTA staff will debrief the grant recipients on the agency's experience implementing the ARRA reporting requirements. For more information see: [http://www.fta.dot.gov/index\\_9440\\_10804.html](http://www.fta.dot.gov/index_9440_10804.html)