

American Recovery and Reinvestment Act of 2009 (HR1)

Title XV- Accountability and Transparency

Subtitle A-Transparency and Oversight Requirements

Sec 1512 Reports on use of Funds

(C) Not later than 10 days after the end of each calendar quarter, each recipient that received recovery funds from a Federal agency shall submit a report to that agency that contains: 1) the total amount of recovery funds received from that agency; 2) the amount of recovery funds received that were expended or obligated to projects or activities; 3) a detailed list of all projects or activities for which recovery funds were expended or obligated; 4) Detailed information on any subcontracts or sub grants awarded by the recipient to include the data elements required to comply with the Federal Funding Accountability and Transparency Act of 2006

(H) Funding recipients required to report information per subsection C4 (a sub-contractee or sub grantee) must register with the Central Contractor database or complete other registration requirements as determined by the Director of the Office of Management and Budget.

Sec 1515 Access of offices of Inspector General To Certain Records and Employees

(a) Access- With respect to each contract or grant awarded using covered funds, any representative of any appropriate inspector general is authorized : 1) to examine any records of the contractor or grantee, any of its subcontractors or sub grantees, or any State or local agency administering such contract, that pertain to, and involve transactions relating to, the contract, subcontract, grant or sub grant; and 2) to interview any officer or employee of the contractor, grantee, sub grantee, or agency regarding such transactions

Subtitle B- Recovery Accountability and Transparency Board

Sec 1526 Board Website-Recovery.Gov

(a) Establishment- The Board shall establish and maintain, no later than 30 days after enactment of this Act, a user-friendly, public-facing website to foster greater accountability and transparency in the use of covered funds.

(c) Content and Function- In establishing the website and maintained under subsection (a) the Board shall ensure the following: 1) the website shall provide materials about what this Act means for citizens; 2) website shall provide accountability information, including findings from audits, inspectors general, and the GAO; 3) website shall provide data on relevant economic, financial, grant, and contract information in user friendly visual presentations to enhance public awareness; 4) website shall provide detailed data on contracts awarded by the Federal Govt that expend covered funds, including information about the competitiveness of the contracting process, information about the process that was used for the award of contracts, and for contracts over \$500,000 a summary of the contract; 5) website shall provide printable reports on covered funds obligated by month to each State and congressional district; 6)website shall provide a means for the public to give feedback on the performance of contracts that expend covered funds;

7) website shall include detailed information on Federal government contracts and grants that expend covered funds, to include data elements required to Comply with the Federal Funding Accountability and Transparency Act of 2006; 8) website shall provide a link to estimates of the jobs sustained or created by the Act; 9) website shall provide a link to information about announcements of grant competitions and sollicitations for contracts to be awarded 10) website shall include appropriate links to other government websites with information concerning covered funds, including Federal agency and State websites; 11) website shall include a plan from each Federal agency for using funds made available under this Act; 12) website shall provide information on Federal allocations of formula grants and awards of competitive grants using covered funds; 13) website shall provide information on Federal allocations of mandatory and other entitlement programs by State or county; 14) website shall provide links and information about how to access job opportunities

Subtitle D- Additional Accountability and Transparency Requirements

Sec 1554 Special Contracting Provisions

To the maximum extent possible, contracts awarded under this Act shall be awarded as fixed-price contracts through the use of competitive procedures. A summary of any contract awarded with such funds that is not fixed-price and not awarded using competitive procedures shall be posted in a special section of the website

Title XVI-General Provisions

Sec 1602 **Preference for Quick- Start Activities**

In using funds made available under this Act for infrastructure investment, recipients shall give preference to activities that can be started and completed expeditiously, including a goal of using at least 50 percent of the funds for activities that can be initiated not later than 120 days after the date of enactment of this Act. Recipients shall also use grant funds in a manner that maximizes job creation and economic benefit

Sec 1603 **Period of Availability**

All funds appropriated in this Act shall remain available for obligation until September 30, 2010, unless expressly provided otherwise

Sec 1604 **Limit on Funds**

None of the funds appropriated or otherwise made available in this Act may be used by an state or local government, or any private entity, for any casino, or other gambling establishment, aquarium, zoo, golf course, or swimming pool

Sec 1607 **Additional Funding Distribution and Assurance of Appropriate Use of Funds**

(a) Certification by Governor- Not later than 45 days after the date of enactment of this Act, for funds provided to any State or agency thereof, the Governor of the State shall certify that: 1) the State will request and use funds provided by this Act; 2) The funds will be used to create jobs and promote economic growth

(b) Acceptance by State legislature- If funds provided to any State in any division of this Act are not accepted for use by the Governor, then acceptance by the State legislature, by means of the adoption of a concurrent resolution, shall be sufficient to provide funding to such State

(c) Distribution- After the adoption of a State legislature's concurrent resolution, funding to the State will be for distribution to local governments, councils of government, public entities, and public-private entities within the State either by formula or at the State's discretion

Program	Funding	ARRA Restrictions	Legislative Text Location	Federal Department/Agency	State/Local Agency	Funding Process
Hunger						
The Emergency Food Assistance Program (TEFAP)	150M	Secretary may use up to \$50M for costs associated with the distribution of commodities, of which up to \$25M shall be made available in FY09	Title I- Agriculture, Rural Development, Food and Drug Administration, and Related Agencies	USDA: Food Nutrition Service	State Distributing Agency: http://www.fns.usda.gov/fdd/contacts/sdacontacts.htm	State Disbursing Agency selects local organizations that either directly distribute to households or serve meals, or distribute to other local organizations that perform these functions. TEFAP fact sheet from FNS: http://www.fns.usda.gov/fdd/programs/tefap/pfs-tefap.pdf
Senior Nutrition Services	100M	65M shall be for Congregate Nutrition Services, \$32M shall be for Home-Delivered Nutrition Services and \$3M for Nutrition Services for Native Americans	Title VIII-Departments of Labor, Health and Human Services, and Education, and Related Agencies	HHS: Administration on Aging	State Aging Units: http://www.nasua.org/about_nasua/sua/sua_links.html	AOA funds the State Aging Units (SAU's) which in turn fund approximately 655 Area Agencies on Aging. These agencies contract out with approximately 4,000 local organizations that provide direct nutrition services. Elderly Nutrition Program Fact sheet: http://www.frac.org/pdf/ENPfactsheet.PDF
Emergency Food and Shelter Program (EFSP)	100M	Total administrative costs shall not exceed 3.5 percent of the total amount made available under this heading	Title VI- Department of Homeland Security	DHS: FEMA/National EFSP Board	Local EFSP Board	Under the program's operating plan, the national board is responsible for selecting jurisdictions for annual EFS awards and disbursing the funds to non-profit community and government agencies that are chosen by local boards in the qualifying jurisdictions. In addition to allocating funds, the local boards advertise the availability of awards, establish priorities among community needs and monitor program compliance.
Housing						
Neighborhood Stabilization Program	2B	Funding under this paragraph shall be allocated by competitions for which eligible entities shall be States, units of general local government, and nonprofit entities or consortia of nonprofit entities which may submit proposals in partnerships with for-profit entities. That in selecting grantees, the Secretary shall ensure that the grantees are in areas with the greatest number and percentage of foreclosures. <u>That the Secretary shall publish criteria on which to base competition for any grants awarded under this heading not later than 75 days after the enactment of this Act and applications shall be due to HUD not later than 150 days after the enactment of this Act. The Secretary may also use up to 10 percent of the funds provided under this heading for grantees for the provision of capacity building and support for local communities receiving funding.</u>	Title XII-Transportation, Housing and Urban Development, and Related Agencies.	HUD: Community Planning and Development	State NSP Grantee List: http://www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoodspg/nspstatedcontacts.doc . Local NSP Grantee List: http://www.hud.gov/offices/cpd/about/staff/fodirectors/	Each grantee will have to determine how best to allocate its NSP grant so long as it complies with the eligible uses described in Title III of the Housing and Economic Recovery Act of 2008. When NSP grantees submit their action plan amendment to receive their NSP allocation, they will indicate how they plan to manage the funds. Local governments & states can distribute funds to other local governments, to nonprofits and other governmental entities, and can carry out activities directly. In some cases, NSP grantees may choose to manage their grants collaboratively with other NSP grantees or contract out to a private organization. Individual citizens or nonprofits should check with their local government or state to find out how they may receive assistance. HUD NSP factsheet: http://www.hud.gov/offices/cpd/communitydevelopment/programs/neighborhoodspg/
Emergency Shelter Grant (ESG)	1.5B	Grantees receiving assistance shall collect data on the use of the funds awarded and persons served with this assistance in the HUD Homeless Management Information System (HMIS). <u>Grantees shall expend at least 60 percent of funds within 2 years of the date that funds shall become available to them for obligation, and 100 percent of funds within 3 years of such date.</u>	Title XII-Transportation, Housing and Urban Development, and Related Agencies.	HUD: Special Needs Assistance Programs	HUD Local Field Office: http://www5.hud.gov:63001/po/i/netlocator/	Grants are provided to states, metro cities, urban counties, and territories. Local governments receiving formula allocations may distribute all or part of their grants to nonprofit recipients to be used for ESG activities. Only local governments and nonprofit organizations may apply for ESG funds directly from states. <u>Nonprofit recipients apply to their states or local governments for ESG funds. Note that activities such as buying or building a shelter (other than renovation, major rehabilitation, or conversion of an existing building) are not eligible.</u> ESG Desk Guide: http://hudhre.info/index.cf?do=viewEsgDeskguide

Program	Funding	ARRA Restrictions	Legislative Text Location	Federal Department/Agency	State/Local Agency	Funding Process
HOME Investment Partnerships	2.25B	Housing credit agencies shall give priority to projects that are expected to be completed within 3 years of enactment	Title XII-Transportation, Housing and Urban Development, and Related Agencies.	HUD: Affordable Housing Programs	State Housing Agencies: http://www.statelocalgov.net/	States, cities, urban counties, local government consortia, and U.S. territories are eligible to receive formula allocations. <u>Nonprofit intermediary organizations are eligible to receive funds from a HOME technical assistance set-aside.</u> The HOME program provides funds to states, local governments, and Indian tribes for housing rehabilitation, tenant-based assistance, assistance to first time homebuyers, and new construction.
Healthcare						
Head Start	2.1B	That of the funds provided in this paragraph, up to 10 percent shall be available for the provision of training and technical assistance to such programs and up to 3 percent shall be available for monitoring the operation of such programs	Title VIII-Departments of Labor, Health and Human Services, and Education, and Related Agencies	HHS: Administration for Children and Families	Administration for Children and Families Regional Offices: http://www.acf.hhs.gov/programs/oro/regions/regional_contacts.html	The Head Start program provides grants to local public and private non profit and for-profit agencies to provide comprehensive child development services to economically disadvantaged children and families, with a special focus on helping preschoolers develop the early reading and math skills they need to be successful in school. Head Start Factsheets: http://eclkc.ohs.acf.hhs.gov/hslc/About%20Head%20Start/headstart_factsheet.html
Temporary Assistance for Needy Families (TANF)	5B	In no case may the Secretary make a grant from the Emergency Fund after FY10	Division B, Title II- Assistance for Un-employed Workers and Struggling Families	HHS: Administration for Children and Families	Names of State TANF Programs: http://www.acf.hhs.gov/programs/ofa/states/tfnames.htm AND Contact: http://www.acf.hhs.gov/programs/ofa/states/tanf-num.htm	Agencies can enter into contracts with State TANF programs to provide education and training , drug treatment, and counseling services for TANF recipients. Agencies can also provide child care services for TANF recipients. TANF state programs contract out to local agencies for these services.
Federal Medicaid Assistance Percentage (FMAP)	86.7B	None	Division B, Title V- State Fiscal Relief	HHS	NA	FMAPs are used in determining the amount of federal matching funds for state expenditures for assistance payments for certain social services, and state medical and medical insurance expenditures.
Child Care and Development Block Grant	2B	None	Title VIII-Departments of Labor, Health and Human Services, and Education, and Related Agencies	HHS: Administration for Children and Families	Child Care and Development Fund State Contacts: http://nccic.acf.hhs.gov/statedata/dirs/display.cfm?title=ccdf	CCDF funds received via reimbursements of child care services from the State CCDF. With the exception of relative providers, all providers of care to CCDF children, must meet the basic health and safety standards--whether through licensure or regulation or through requirements designed by the Lead Agency that apply to unregulated providers serving CCDF-subsidized families.
Education and Workforce Development						
Economic Development Assistance	150M	That in allocating the funds provided in the previous provision, the Secretary shall give priority consideration to areas of the Nation that have experienced sudden and severe economic dislocation and job loss due to corporate restructuring. Also up to 50M of the funds provided under this heading may be transferred to federally authorized regional economic development commissions	Title II- Commerce, Justice, Science and Related Agencies	Commerce: Economic Development Administration	Economic Development State Agencies: http://www.statelocalgov.net/index.cfm	Eligible applicants include economic development districts; states, cities or other local governments; Indian tribes; institutions of higher learning; consortiums of eligible applicants; <u>or public or nonprofit organizations or associations working with local government officials.</u> <u>The Economic Adjustment Assistance program helps states and localities to design and implement strategies for changing their economies.</u> <u>The program focuses on areas that have experienced or are under threat of serious structural damage to the underlying economic base.</u>

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Weatherization	5B	None	Title IV- Energy and Water Development	DOE: Office of Energy Efficiency and Renewable Energy	State Weatherization Contacts: http://apps1.eere.energy.gov/weatherization/state_contacts.cfm	States, the District of Columbia and, in certain instances, Indian tribal organizations are eligible. <u>If a state does not apply, local governments, community action agencies, and/or other nonprofit agencies within that state become eligible to apply.</u>
Energy Efficiency and Conservation Block Grant	3.2B	2.8B is available via formula	Title IV- Energy and Water Development	DOE	State Departments of Energy: http://www.statelocalgov.net/index.cfm	Nonprofits are eligible "for the provision of grants to nonprofit organizations and governmental agencies for the purpose of performing energy efficiency retrofits" (Sub E, Sec 544,(5))
Workforce Investment Act	3.95B	Funds made available in this paragraph shall remain available through June 30,2010.	Title VIII-Departments of Labor, Health and Human Services, and Education, and Related Agencies	DOL	State Labor Offices: http://www.dol.gov/esa/contacts/state_of.htm	Agencies can enter into contracts with State Labor agencies to provide workforce services to WIA program participants.
Community Service for Older Americans	120M	Funds made available in this paragraph shall remain available through June 30,2010. Funds shall be allocated within 30 days of such enactment to current grantees in proportion to their allotment in program year 2008	Title VIII-Departments of Labor, Health and Human Services, and Education, and Related Agencies	DOL: Education and Training Administration	Senior Community Service Employment Program State Offices: http://www.doleta.gov/SENIORS/html_docs/docs/statecontacts04.cfm	Grants are made to 18 national non-profit organizations and the states. Agencies could also participate by applying for a program participant at their agency. The SCEP places participants in a wide variety of community service activities at non-profit and public facilities, including day-care centers, senior centers, schools and hospitals. It is intended that these community service experiences serve as a bridge to other employment positions that are not supported with Federal funds.
Youthbuild	50M (From the 3.395 for WIA)	That for program years 2008 and 2009, the Youthbuild Program may serve an individual who has dropped out of high school and re-enrolled in an alternative school, If that re-enrollment is part of a sequential service strategy	Title VIII-Departments of Labor, Health and Human Services, and Education, and Related Agencies	HUD: Office of Community Planning and Development	NA	The Youthbuild program provides grants to nonprofit organizations to assist high-risk youth between the ages of 16 and 24 to learn housing construction skills and to complete their high school education. Grants are available to public or private nonprofit agencies, public housing authorities, state and local governments, Indian tribes, and organizations eligible to provide education and employment training under federal employment training programs.
Family Economic Security						
Community Services Block Grant	1B	1 percent of funds made available to each State from this additional amount shall be used for benefits enrollment coordination activities relating to the id and enrollment of eligible individuals and families in Federal, State, and local benefit programs	Title VIII-Departments of Labor, Health and Human Services, and Education, and Related Agencies	HHS: Office of Community Service	State Departments of Economic Development List: http://www.acf.hhs.gov/programs/ocs/csbgrantees/stateOfficials.html	Local organizations can apply for discretionary grants if they are: "Statewide or local organizations, or associations with demonstrated expertise in providing training to individuals and organizations on methods of effectively addressing the needs of low-income families, and communities and organizations that are officially designated as a Community Action Agency (CAA) or a community action program under section 673(1) of the CSBG Act, as amended by the Human Service Amendments of 1994 (P.L. 103-252)
Capacity Building Program	50M	Funds for carrying out activities under section 1110 of the Social Security Act matters. This will be a new program	Title VIII-Departments of Labor, Health and Human Services, and Education, and Related Agencies	HHS: Administration for Children and Families	NA	Sec 1110:"...making grants to States and public <u>and other organizations and agencies</u> for paying part of the cost of research or demonstration projects such as those relating to the prevention and reduction of dependency, or which will aid in effecting coordination of planning between private and public welfare agencies or which will help improve the administration and effectiveness of programs carried on or assisted under the Social Security Act and programs related thereto, and (B) making contracts or jointly financed cooperative arrangements with States and public and other organizations and agencies for the conduct of research or demonstration projects relating to such matters

Program	Funding	ARRA Restrictions	Legislative Text Location	Federal Department/Agency	State/Local Agency	Funding Process
Community Development Financial Institutions	100M	No later than 60 days after the date of enactment of this Act, the Department of the Treasury shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading	Title V- Financial Services and General Government	Treasury :Community Development Financial Institutions Fund	State Award History: http://www.cdfifund.gov/impact_we_make/state_reports.asp	The CDFI Fund provides monetary awards for Financial Assistance (FA) and Technical Assistance (TA) through the CDFI Program. CDFIs use FA awards to further goals such as: 1) Economic development (job creation, business development, and commercial real estate development; 2) Affordable Housing; 3) Community development financial services . Information for applicants: http://www.cdfifund.gov/what_we_do/applicants.asp
Violence Against Women	225M	50M shall be for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by Sec 40299 of the Violent Crime Control and Law Enforcement Act of 1994	Title II- Commerce, Justice, Science and Related Agencies	DOJ: Office on Violence Against Women	NA	For the transitional housing assistance grants: Transitional Housing Assistance Program grants may be awarded to States, units of government, Indian tribes, <u>and other organizations, including domestic violence and sexual assault victim service providers</u> , domestic violence and sexual assault coalitions, other nonprofit, nongovernmental organizations, or community-based and culturally specific organizations, that have a documented history of effective work concerning domestic violence, dating violence, sexual assault, or stalking. Community and Faith Based Organizations factheet: http://www.ovw.usdoj.gov/docs/fbco-resources051608.pdf