

FFIS WEEKLY UPDATE - NOVEMBER 3, 2009

APPROPRIATIONS UPDATE

Interior Appropriations Bill Passes Congress, Includes Continuing Resolution

As of October 29, 2009, both the House and Senate approved a conference report funding the Department of Interior, Environmental Protection Agency (EPA), and the U.S. Forest Service for fiscal year (FY) 2010. The report appropriates nearly \$11 billion for Interior, \$10.3 billion for EPA, and \$5.3 billion for the Forest Service, a combined 17% increase from FY 2009. The conference report establishes dedicated, annually appropriated funds for emergency fire suppression activities for both the Department of Interior and the Forest Service that are separate from regularly budgeted funding for fighting wildfires. The measure also includes a continuing resolution (CR) to keep the federal government running through December 18, 2009, allowing Congress more time to wrap up the appropriations process. In addition, it includes an extension of highway and transit programs through December 18, 2009. The bill now moves to the president, who is expected to sign the legislation.

EDUCATION

1) ED Publishes Final Regulations on Perkins, FFEL, and Direct Loan Programs

On October 29, 2009, the Department of Education (ED) published in the *Federal Register* final regulations amending the Federal Perkins Loan Program, the Federal Family Education Loan (FFEL) Program, and the William D. Ford Federal Direct Loan Program. These regulations implement provisions of the Higher Education Opportunity Act of 2008 (P.L. 110-315) and are effective July 1, 2010. To read these new regulations, click here: <http://edocket.access.gpo.gov/2009/E9-25190.htm>

2) ED Publishes Final Regulations for Various Other Higher Education Programs

On October 29, 2009, ED published in the *Federal Register* final regulations amending the regulations for institutional eligibility under the Higher Education Act of 1965, the student assistance general provisions, the Federal Work Study programs, the Teacher Education Assistance for College and Higher Education (TEACH) Grant Program, the Federal Pell Grant Program, and the Leveraging Educational Assistance Partnership Program (LEAP). These regulations implement provisions of the Higher Education Opportunity Act of 2008 (P.L. 110-315) and are effective July 1, 2010. To read these new regulations, click here: <http://edocket.access.gpo.gov/2009/E9-25373.htm>

HEALTH AND HUMAN SERVICES

1) Proposed Rule Would Delay Two Final Medicaid Rules

On October 30, 2009, the Centers for Medicare and Medicaid Services (CMS) published a proposed rule in the *Federal Register* that proposes to temporarily delay the effective date of the November 25, 2008 final rule, "Medicaid Program; Premiums and Cost Sharing" and the December 3, 2008 final rule, "Medicaid Program; State Flexibility for Medicaid Benefit Packages". CMS is asking for public comment on delaying the effective date of the final rules until July 1, 2010. The *Federal Register* notice is available at: <http://edocket.access.gpo.gov/2009/pdf/E9-26297.pdf>

2) House Releases Merged Health Care Reform Bill

On October 29, 2009, the House released legislative language for a comprehensive health care reform proposal, the Affordable Health Care for America Act (H.R. 3260). The bill combines language approved earlier this year by the three primary committees of jurisdiction. Beginning in 2013, the proposal would expand Medicaid to cover all non-elderly individuals with income at or below 150% of the federal poverty level (FPL), as compared to 133% FPL in the committee measures. The federal government would pay 100% of the cost of services for Medicaid expansion enrollees for the first two years. Beginning in 2015, the federal share would drop to 91%. The bill also extends the FMAP provisions under ARRA for two quarters, through June 30, 2011. Additional information on the bill, including the preliminary analysis from the Congressional Budget Office, is available at: http://energycommerce.house.gov/index.php?option=com_content&view=article&id=1687:health-care-reform&catid=169:legislation&Itemid=55

HOMELAND SECURITY

DHS Announces New Cyber Security Coordination Center

On October 30, 2009, the Department of Homeland Security (DHS) announced the opening of a new 24-hour coordinated watch and warning center for cyber security and communications. The National Cyber Security and Communications Integration Center (NCCIC) will serve as an integrated incident response center to mitigate risks that could disrupt critical information technology services. The NCCIC is expected to include a representative of the Multi-State Information Sharing and Analysis Center (MS-ISAC) to provide for better coordination and information sharing with state and local governments. To read the full press release, see:

http://www.dhs.gov/ynews/releases/pr_1256914923094.shtm

HOUSING

1) Updated Information Available on Voucher Management System

The Office of Housing Choice Vouchers at the Department of Housing and Urban Development (HUD) has posted a slide show about the Voucher Management System that includes 2010 updates and cost saving measurements. To view, go to:

<http://www.hud.gov/offices/pih/programs/hcv/webcasts/vms-changes-slides.pdf>

2) Proposed Rule Issued for Public and Assisted Housing Programs

On October 15, 2009, HUD issued a proposed rule for public comment that is designed to make the final rule on refinement of income and rent determination requirements in public and assisted housing programs more clear, and return other regulatory provisions to their pre-final rule content. To view the proposed rule, go to:

<http://www.hud.gov/offices/cpd/affordablehousing/programs/home/74FR52931ProposedRule.pdf>

NUTRITION

1) Additional SNAP Guidance Issued Regarding Income Exclusion for Temporary Employees of Census Demonstration Project

On October 28, 2009, the Food and Nutrition Service (FNS) issued additional guidance on the Supplemental Nutrition Assistance Program (SNAP) Census 2010 Demonstration Project income exclusion. To view the guidance, go to:

<http://www.fns.usda.gov/snap/rules/Memo/2009/102809.pdf>

2) Clarifying Guidance Issued on Payments in Exchange for Food

On October 21, 2009, FNS issued a National Policy Memorandum (FD-097) clarifying regulations and policies regarding the allowability of requiring participant payment and contributions for donated foods. The memorandum applies to the Commodity Supplemental Food Program, Food Distribution Program on Indian Reservations, The Emergency Food Assistance Program, and the Supplemental Nutrition Assistance Program. It can be viewed at:

http://www.fns.usda.gov/fdd/policymemo/pmf097_CSFP_FDPIR_TEFAP_SNAP-AllowabilityofPayments.pdf

ARRA:

EDUCATION

1) On October 29, 2009, the Department of Education (ED), Office of Inspector General released a report presenting the results of its audit of the Department's quality review performance of recipient reporting under ARRA. Follow this link to view the report:

<http://www.ed.gov/about/offices/list/oig/auditreports/fy2010/a19j0004.pdf>

2) On October 21, 2009, Secretary of Education Arne Duncan wrote a letter to state-level education administrators highlighting new program guidance for ARRA funds provided through Part B of the Individuals with Disabilities Education Act (IDEA). Click the following link for access to the new guidance:

<http://www.ed.gov/policy/gen/leg/recovery/guidance/idea-b-reform.pdf>

In addition, the Secretary expressed concern with some states changing their IDEA, Part B performance determinations simply so that additional local educational agencies can qualify to reduce their maintenance of effort (MOE). The letter is available here: <http://www.ed.gov/policy/elsec/guid/secletter/091021.html>

ENERGY

On October 28, 2009, the Department of Energy (DOE) announced up to \$338 million in ARRA funding for the exploration and development of new geothermal fields and research into advanced geothermal technologies. These grants will support 123 projects in 39 states, with recipients including private industry, academic institutions, tribal entities, local governments, and DOE's National Laboratories. The grants will be matched more than one-for-one, with an additional \$353 million in private and non-Federal cost-share funds. For more information, including a list of project selections, click here: <http://www.energy.gov/news2009/8233.htm>

HEALTH AND HUMAN SERVICES

As of October 27, 2009, the Office of Family Assistance (OFA) at the Department of Health and Human Services (HHS) has posted a series of questions and answers on administrative costs, use of third-party expenditures, and use of gift cards in TANF Emergency Contingency Funds. OFA has also posted more detail on approved TANF Emergency Contingency Fund applications. TANF Emergency Contingency Funds were authorized and appropriated under ARRA (see FFIS Issue Brief 09-19). In order to be eligible to receive resources from the Emergency Fund, a state must demonstrate an increase in the number of families receiving assistance from the TANF program or an increase in expenditures on employment subsidies or short-term, one-time benefits in at least one quarter during FY 2009 or FY 2010. HHS announced the availability of these funds on April 3, 2009, see the HHS press release at <http://www.hhs.gov/news/press/2009pres/04/20090403a.htm> .

The Questions and Answers can be found at:

<http://www.acf.hhs.gov/programs/ofa/recovery/tanf-faq.htm>

Detail on approved TANF Emergency Contingency Fund applications can be found under Data and Reports at:

<http://www.acf.hhs.gov/programs/ofa/tanf/index.html>

TRANSPORTATION

The Recovery Act Data System (RADS) Version 2.0 guidance has been released. To view this information, see:

http://www.fhwa.dot.gov/economicrecovery/rads_guidance_20091029.pdf