

Legislative Fiscal Office

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Joint Committee on Ways and Means

Sen. Betsy Johnson, Senate Co-Chair
Sen. Elizabeth Steiner Hayward, Senate Co-Chair
Rep. Dan Rayfield, House Co-Chair

Sen. Fred Girod, Senate Co-Vice Chair
Rep. David Gomberg, House Co-Vice Chair
Rep. Greg Smith, House Co-Vice Chair

Laurie Byerly, Interim Legislative Fiscal Officer
Amanda Beitel, Deputy Legislative Fiscal Officer (Budget)
Paul Siebert, Deputy Legislative Fiscal Officer (Audit/IT)

To: Agency Directors and SABRs Coordinators/Budget Managers

From: Laurie Byerly, Legislative Fiscal Office

Date: January 21, 2021

Subject: **Federal Grant Applications and Agency Reports/Requests
Receipt of Federal Funding Notifications**

Federal Grant Applications and Agency Reports/Requests

The following process will be used to handle agency federal grant application requests and other Emergency Board type issues (reports and funding requests) during the 2021 legislative session. Please start using this process immediately, if you have questions on any unresolved requests submitted under the interim process or on federal grant application deadlines that may not fit within this guidance, please consult your Legislative Fiscal Office (LFO) analyst.

- Submit an official agency request letter along with the grant application or other supporting materials to the Chief Financial Office (CFO) of the Department of Administrative Services and LFO in an email.
- Use the following email addresses (same as interim) for transmitting requests and material to CFO and LFO and be sure to copy your CFO and LFO analysts:
CFO.LegRequests@oregon.gov
LFO.LegRequests@oregonlegislature.gov
- Letters should be addressed to the Co-Chairs of the Joint Committee on Ways and Means: Senator Betsy Johnson, Senator Elizabeth Steiner Hayward, and Representative Dan Rayfield.
- If the item is a federal grant application request, it must be received by CFO and LFO at least 10 session working days before the application is due to be submitted to allow for processing time.
- Once an official agency request letter is received, CFO and LFO staff will review the request; if the request is approved by CFO and LFO, LFO staff will prepare a brief analysis and recommendation for the Co-Chairs of the Joint Committee on Ways and Means.
- The Co-Chairs will review the recommendation and request and, if approved for action, will authorize the appropriate subcommittee to schedule the item.

- LFO staff will work with the subcommittee co-chairs to schedule a hearing and work session on the item.
- The request will be handled in subcommittee with a presentation of the item by the agency, followed by analyses and recommendations by the CFO analyst and the LFO analyst (the same process used during the interim for Emergency Board action).
- The subcommittee will make a recommendation to the Full Committee.
- The item will appear on the next possible Full Committee agenda with the subcommittee's recommendation.
- If the item is a federal grant application request, it needs the Full Committee's approval and can then be submitted to the federal agency (with the timing exception discussed below).
- If the item is a report, it is acknowledged by the Full Committee. Other requests will be reviewed and included in either the agency's budget bill or in a separate vehicle depending on the timing of the request (rebalance budget bill, end-of-session omnibus budget bill, etc.).
- If the item is a budget related request for the early session 2019-21 biennium budget rebalance bill, the letter and supporting materials need to be submitted by close of business on February 12th.
- LFO may also address technical or legislatively-directed budget adjustments in the early session 2019-21 biennium budget rebalance bill without requiring an agency request letter. Please consult with your LFO and CFO analysts on these items.
- Prior to scheduling, all items will need to be reviewed by LFO and CFO analysts.

Since the Legislature is in session, there should be no retroactive grant application approval requests submitted. Agencies will need to provide sufficient advance notice to the Joint Committee on Ways and Means to allow this process to work. Agencies will be expected to submit federal grant application request letters to the Co-Chairs with adequate time to meet federal grant submittal deadlines.

However, since Full Committee meetings are held sporadically at various points during the session, subcommittee approval of the federal grant application request will be considered sufficient for agency grant submittal in cases where the deadline occurs before the next scheduled Full Committee meeting. In such cases, the request to submit a federal grant will not be considered retroactive if the subcommittee process has been completed in a timely fashion. If the Full Committee subsequently decides to not approve the grant application request, the agency will be instructed to withdraw the application.

Receipt of Federal Funding Notifications

Consistent with direction received in early 2020, agencies should formally notify legislative leadership and executive branch management about various pandemic relief dollars coming to agencies through existing federal agreements and programs. This includes further funding through programs or revenue streams established initially by the CARES Act last Spring. The federal grant approval process outlined above should be used for all new federal grant opportunities, whether COVID-19 related or from normal grant award cycles.

For those other federal dollars coming through existing agreement and programs, please continue to use the following process:

- Upon notification from a federal agency that additional dollars are being provided through an established agreement or funding mechanism not subject to the legislative federal grant application approval process, the agency must provide a “Receipt of Federal Funding” notification letter. This must be sent in an email, along with all supporting documentation, to the Interim Legislative Fiscal Officer, Laurie Byerly (laurie.byerly@oregonlegislature.gov), to the Chief Financial Officer, George Naughton (george.m.naughton@oregon.gov), and to the agency’s assigned LFO/CFO Analysts.

The letter should be addressed to the Co-Chairs of the Joint Committee on Ways and Means (Senator Betsy Johnson, Senator Elizabeth Steiner Hayward, and Representative Dan Rayfield) and have your agency director’s electronic signature. Once the notification letter is received by LFO, copies will be forwarded to the Co-Chairs of the Joint Committee on Ways and Means by LFO, not by the agency. No hard copies need to be submitted to either LFO or CFO.

- Supporting documentation should include, but need not be limited to, information on the federal program, dollar amount, funding purpose, usage constraints, matching requirements, state agency spending plan, and expenditure limitation need/timing. If you have questions about this process or letter content, please contact your LFO/CFO Analysts.
- After letter submittal, agencies may proceed to work with federal partners to access and spend the additional federal dollars. Agencies may be asked to provide more information or to report on the federal funding at a future meeting of a legislative review body; LFO/CFO Analysts will let agencies know if any further response or action is requested.

Thank you for your assistance.