

111TH CONGRESS  
1ST SESSION

# S. 1064

To amend the American Recovery and Reinvestment Act of 2009 to provide for enhanced State and local oversight of activities conducted under such Act, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

MAY 18, 2009

Mr. LIEBERMAN (for himself, Ms. COLLINS, Mr. BURRIS, and Mrs. MCCASKILL) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

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## A BILL

To amend the American Recovery and Reinvestment Act of 2009 to provide for enhanced State and local oversight of activities conducted under such Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Enhanced Oversight  
5 of State and Local Economic Recovery Act”.

1 **SEC. 2. REQUIREMENTS FOR FUNDING FOR STATE AND**  
2 **LOCAL OVERSIGHT UNDER AMERICAN RE-**  
3 **COVERY AND REINVESTMENT ACT OF 2009.**

4 (a) **FEDERAL AGENCY REQUIREMENT.**—Section  
5 1552 of the American Recovery and Reinvestment Act of  
6 2009 (Public Law 111–5; 123 Stat. 297) is amended—

7 (1) by inserting “(a) **FEDERAL AGENCY RE-**  
8 **QUIREMENT.**—” before “Federal agencies receiving”;

9 (2) by striking “may,” and all that follows  
10 through “reasonably” and inserting “shall, subject  
11 to guidance from the Director of the Office of Man-  
12 agement and Budget,”; and

13 (3) by striking “data collection requirements”  
14 and inserting “data collection requirements, audit-  
15 ing, contract and grant planning and management,  
16 and investigations of waste, fraud, and abuse”.

17 (b) **STATE AND LOCAL GOVERNMENT AUTHORITY.**—  
18 Such section is further amended by adding at the end the  
19 following:

20 “(b) **STATE AND LOCAL GOVERNMENT AUTHOR-**  
21 **ITY.**—Notwithstanding any other provision of law, State  
22 and local governments receiving funds under this Act may  
23 set aside an amount up to 0.5 percent of such funds, in  
24 addition to any funds already allocated to administrative  
25 expenditures, to conduct planning and oversight to prevent  
26 and detect waste, fraud, and abuse.”.

1 (c) TECHNICAL AND CONFORMING AMENDMENT.—  
2 The heading for section 1552 of such Act is amended to  
3 read as follows:

4 **“SEC. 1552. FUNDING FOR STATE AND LOCAL GOVERNMENT**  
5 **OVERSIGHT.”.**

6 **SEC. 3. AUTHORIZATION FOR ACQUISITION BY STATE AND**  
7 **LOCAL GOVERNMENTS THROUGH FEDERAL**  
8 **SUPPLY SCHEDULES.**

9 Section 502 of title 40, United States Code, is  
10 amended by adding at the end the following:

11 “(e) USE OF SUPPLY SCHEDULES FOR ECONOMIC  
12 RECOVERY.—

13 “(1) IN GENERAL.—The Administrator may  
14 provide for the use by State or local governments of  
15 Federal supply schedules of the General Services Ad-  
16 ministration for goods or services that are funded by  
17 the American Recovery and Reinvestment Act of  
18 2009 (Public Law 111–5).

19 “(2) VOLUNTARY USE.—In the case of the use  
20 by a State or local government of a Federal supply  
21 schedule under paragraph (1), participation by a  
22 firm that sells to the Federal Government through  
23 the supply schedule shall be voluntary with respect  
24 to a sale to the State or local government through  
25 such supply schedule.

1           “(3) DEFINITIONS.—The definitions in sub-  
2           section (c)(3) shall apply for purposes of this sub-  
3           section.”.

4 **SEC. 4. DEFINITION OF JOBS CREATED AND JOBS RE-**  
5           **TAINED.**

6           Section 1512(g) of the American Recovery and Rein-  
7           vestment Act of 2009 (Public Law 111–5; 123 Stat. 288)  
8           is amended by adding at the end “The Director of the  
9           Office of Management and Budget shall issue guidance to  
10          ensure accurate and consistent reporting of ‘jobs created’  
11          and ‘jobs retained’ as those terms are used in subsection  
12          (c)(3)(D).”.

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