

# ARRA's Oversight and Information Technology Initiatives

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Dennis D. McDonald in ARRA, Governance, Information Technology, Legislation, RATB, Stimulus, eGovernment

By **Dennis D. McDonald**

The American Recovery and Reinvestment Act of 2009 (ARRA), passed by Congress and signed by the President, is now **available online**. The text below is my attempt to summarize sections of the law that do the following:

- Performance of administration, oversight, and public reporting on stimulus initiatives and impacts.
- Application of information management technologies in various government initiatives funded by the Act, especially in relation to health programs.

## **Administration, Oversight, and Public Reporting**

The following focus primarily on oversight and administration:

- Section 1521. Establishment of the Recovery Accountability and Transparency Board. The Board will "... coordinate and conduct oversight of covered funds to prevent fraud, waste, and abuse." Members will include the Inspectors General of the Departments of Agriculture, Commerce, Education, Energy, Health and Human Services, Homeland Security, Justice, Transportation, Treasury, and the Treasury Inspector General for Tax Administration. Reports to the President and Congress shall include "flash" reports that quickly report potential problems, quarterly reports, and annual reports. All reports shall be made public except those with information "...that is not subject to disclosure under sections 552 and 552a of title 5, United States Code."
- Section 1526. Board Website. The Board's website "... shall be a portal or gateway to key information relating to this Act and provide connections to other Government websites with related information." It will include information to enable the public to track the expenditures of funds including "... detailed information on Federal Government contracts and grants that expend covered funds." Also included will be estimates of the number of jobs created and information about employment opportunities. Significantly, the website "... shall provide a means for the public to give feedback on the performance of contracts that expend covered funds."
- Section 1541. Establishment of Recovery Independent Advisory Panel. The separate Panel shall "... make recommendations to the Board on actions the Board could take to prevent fraud, waste, and abuse relating to covered funds." Composed of 5 members, the Panel will be enabled to conduct hearings and to gather information from agencies as necessary.
- Section 1552. Set-aside for State and Local Government Reporting and

### Recordkeeping.

This authorizes the Federal government to adjust limits on administrative expenses for Federal awards to help state and local governments "... defray the costs of data collection requirements initiated pursuant to this Act."

- Section 1553. Protecting State and Local Government and Contractor Whistleblowers. This section specifies that government employees cannot be persecuted for reporting on waste, fraud, or abuse associated with the expenditures of funds authorized by the Act.
- Section 1554. Special Contracting Provisions. This brief section states that, generally speaking, the work specified by the Board shall be carried out competitively and on a fixed price basis. Where that is not possible, details shall be posted on the web site.

## **Provisions Related to Information Technology**

ARRA provisions that have special relevance to information technology include:

- Smart Grid Information Clearinghouse. The Energy Independence and Security Act of 2007 is modified to require establishment of a "smart grid information clearinghouse" that will make demonstration project data available to the public. The language of the ARRA calls specifically for the use of "open protocols and standards" when they are "available and appropriate."
- Small Business Administration. \$20M is specified for "... for improving, streamlining, and automating information technology systems related to lender processes and lender oversight."
- Health Resources and Services Administration. "\$1,500,000,000 shall be available for grants for construction, renovation and equipment, and for the acquisition of health information technology systems."
- Department of Education, Institute of Education Sciences. \$250M "... which may be used for Statewide data systems that include postsecondary and workforce information, of which up to \$5,000,000 may be used for State data coordinators and for awards to public or private organizations or agencies to improve data coordination."
- Veterans Benefits Administration. \$50M for "... information technology systems."
- Department of State. \$290M for "... information technology security and upgrades to support mission-critical operations" and working with United States Agency for International Development to "... coordinate information technology systems."
- Department of Commerce and FCC. Section 6001 establishes the Broadband Technology Opportunities Program. "The conference agreement includes \$4,700,000,000 for NTIA's Broadband Technology Opportunities Program (TOP), to be available until September 30, 2010. Funding is provided to award competitive grants to accelerate broadband deployment in unserved and underserved areas and to strategic institutions that are likely to create jobs or provide significant public benefits."
- Department of Health and Human Services. Creation of the "Office of the National Coordinator for Health Information Technology" is specified. The Office will be responsible for coordinating the development of standards based health information technology programs. Also called for is extensive research and analysis to develop

plans for national programs for health information exchange. In addition:

- Section 3011 calls for "... immediate funding to strengthen the health information technology infrastructure."
- Section 3012 specifies a "Health Information Technology Extension Program" and a "Health Information Technology Research Center."
- Section 3012 specifies "health information technology implementation assistance."
- Section 3013 specifies "state grants to promote health information technology."
- Section 3014 specifies "competitive grants to states and Indian tribes for the development of loan programs to facilitate the widespread adoption of certified EHR technology."
- Section 3015 specifies "demonstration programs to integrate information technology into clinical education."
- Section 4014, "Studies and Reports on Health Information Technology," includes a requirement for a "Study and Report on Availability of Open Source Health Information Technology Systems."

Did I leave something out? Let me know by emailing me at [\*\*ddmcd@yahoo.com\*\*](mailto:ddmcd@yahoo.com).

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