


Executive Order
Commonwealth of Pennsylvania
Governor's Office

Subject: Pennsylvania Stimulus Oversight Commission	Number: 2009-01
 By Direction of: Edward G. Rendell, Governor	Date: March 27, 2009

WHEREAS, the American Recovery and Reinvestment Act (ARRA) will increase federal funds available to the Commonwealth by nearly \$10 billion from February 2009 through September 2011; and

WHEREAS, the Legislature annually appropriates approximately \$16 billion in federal funds received by the Commonwealth; and

WHEREAS, the Commonwealth has a proven track record of effective oversight of these federal funds; and

WHEREAS, the Pennsylvania Legislature enacted Right-to-Know Law legislation that assures citizen access via the internet to grants and contracts more than \$5,000 and enables citizens to request access to related materials associated with the expenditure of Commonwealth funds; and

WHEREAS, existing federal and state laws, regulations, and directives prescribe oversight procedures for how the Commonwealth can procure and enter into contracts or grant agreements and the procedures that must be followed for the release and tracking of any federal funds; these procedures are enumerated by the United States General Accounting Office and the Governmental Accounting Standards Board; and

WHEREAS, the Commonwealth enables citizens to track and review via the internet state contracts and grants made through the Commonwealth's largest environmental and economic development programs; and

WHEREAS, the Commonwealth seeks to ensure that citizens and elected officials can track both the use and impact of these time-limited federal stimulus funds with respect to job creation, job retention, productivity, and sustainability; and

WHEREAS, both the United States Congress and the Pennsylvania Legislature will have appropriated these funds and each body has interest in confirming that the Commonwealth executive branch agencies spend these funds in a manner that complies with all relevant federal and state laws, as does the public at large; and

WHEREAS, the United States Congress and the Pennsylvania Legislature share a common interest with the public to ensure that citizens understand how these funds can be used as well as track both the potential and realized impact of these funds.

NOW, THEREFORE, I, Edward G. Rendell, Governor of the Commonwealth of Pennsylvania, by virtue of the authority vested in me by the Constitution of the Commonwealth of Pennsylvania and other laws, do hereby establish the **Pennsylvania Stimulus Oversight Commission** (hereinafter referred to as the "Commission") as hereinafter set forth.

1. Composition and Appointments.

a. The Commission shall consist of the following members:

- (1) The Governor or his designee;
- (2) The Commonwealth of Pennsylvania ARRA Chief Implementation Officer;
- (3) The Commonwealth of Pennsylvania ARRA Chief Accountability Officer;
- (4) One sitting Senator designated by the Majority Leader of the Senate of Pennsylvania;
- (5) One sitting Senator designated by the Minority Leader of the Senate of Pennsylvania;
- (6) One sitting Representative designated by the Majority Leader of the Pennsylvania House of Representatives;
- (7) One sitting Representative designated by the Minority Leader of the Pennsylvania House of Representatives;
- (8) One sitting Congressperson or their designee appointed by the Pennsylvania members of the Majority Party of the United States House of Representatives;
- (9) One sitting Congressperson or their designee appointed by the Pennsylvania members of the Minority Party of the United States House of Representatives;
- (10) Each Pennsylvania United States Senator or their designee;
- (11) One member designated by the United Way of Pennsylvania;
- (12) One member designated by the Pennsylvania AFL-CIO; and
- (13) One member designated by the Pennsylvania Chamber of Business and Industry.

b. The Governor shall designate the Chair of the Commission.

2. Responsibilities of the Commission.

a. The Commission shall:

- (1)** Review the ARRA, including all relevant federal statutes that define the funding streams associated with ARRA as well as state law in order to ensure that the Commonwealth is complying with relevant statutes prescribing how the ARRA funds can be spent.
- (2)** Review the expectations of the ARRA relating to timelines required for the obligation of ARRA funds, review how the Commonwealth plans to comply with these timelines, evaluate the likelihood that the Commonwealth is meeting the timeline requirements, and make recommendations for improvements, if necessary.
- (3)** Review the Commonwealth's approach to allocating and disbursing these funds, evaluate the degree to which the Commonwealth is minimizing administrative expenses associated with the distribution of the funds, and make recommendations for improvements, if necessary.
- (4)** Review the Commonwealth's approach to complying with the federal requirements for tracking and publicly displaying the expenditure of these funds, determine if the Commonwealth is executing this responsibility appropriately, and make recommendations for improvements, if necessary.
- (5)** Review the Commonwealth's methods of performance tracking and transparency as required by the ARRA, evaluate if the Commonwealth is executing this responsibility appropriately, and make recommendations for improvements, if necessary.
- (6)** Review the Commonwealth's approach to competing for additional ARRA funds and make recommendations to improve the Commonwealth's ability to succeed in the competitive grant processes, if necessary.
- (7)** Review the Commonwealth's approach to ARRA grants management and oversight and make recommendations for improvements, if necessary.
- (8)** Review the Commonwealth's oversight structure for the ARRA efforts and make recommendations to improve the oversight structure, if necessary.
- (9)** Determine whether any new federal or state legislation or procedures are necessary or would be beneficial to effectively disburse or distribute ARRA resources, if necessary.

- (10) Make recommendations to the Governor for additional areas of review to be conducted by the Commission or other relevant Commonwealth entities, if necessary.
 - (11) Receive copies of all reports submitted to the federal government pertaining to Commonwealth use of ARRA funds.
- b. The Commission shall establish a schedule of meetings. In addition, meetings may be called by the Governor or the Chair of the Commission.
 - c. All meetings of the Commission shall be public.
- 3. Support to the Commission.** The Governor's Office will designate executive branch agencies to provide technical, administrative, and staffing support to the Commission.
- 4. Cooperation by State Agencies.** The Commonwealth of Pennsylvania ARRA Chief Implementation Officer and the Commonwealth of Pennsylvania ARRA Chief Accountability Officer will have the authority to ensure that agencies under the Governor's jurisdiction provide all necessary materials to the Commission and, where necessary, make presentations or otherwise participate in Commission meetings. All agencies under the Governor's jurisdiction shall cooperate with and provide assistance and support as needed by the Commission to carry out its functions effectively.
- 5. Effective Date.** This Executive Order shall take effect immediately.
- 6. Termination.** This Executive Order shall remain in effect until September 30, 2011.