

FEDERAL PROCESS

Presidential Executive Order 12372

Executive Order 12372 (E.O. 12372), *Intergovernmental Review of Federal Programs*, was created in 1982 under the direction of President Ronald Reagan. The purpose of the E.O. 12372 was to foster an intergovernmental partnership and a strengthened federalism by relying on state and local processes. Under E.O. 12372, states, in consultation with their local governments, design their own review processes and select those federal financial assistance and direct development activities they wish to review. Therefore, in order to comply with E.O. 12372, grant applicants need to meet the requirements of their intergovernmental consultation process established by the state in which they are applying and its local governments before federal agencies take action on the application.

During the 2004 General Session, the Utah State Legislature passed House Bill 231, *Review and Approval of Federal Monies Received by the State*. This bill established procedures for review and approval of state agency efforts to obtain federal funds or participate in new federal programs. Higher education institutions, political subdivisions, and non-state entities are not subject to the review. Statute requires that an agency submit a federal funds request to the Governor's Office of Planning and Budget no later than three months after submitting a federal funds request, and, where possible, before formally submitting a federal funds request to the federal government. Approval must be given before obligating the State to accept or receive federal funds or to participate in a new federal program.

Single Point of Contact (SPOC)

Executive Order 12372 allows each state to designate an entity to perform the function of coordination and review of proposed federal financial assistance and direct federal development. This designee is known as the State Single Point of Contact (SPOC). The Governor's Office of Planning and Budget is designated as the SPOC for the State of Utah for all activities under the Executive Order.

A. State Agency Applicants

All state agencies applying for federal financial assistance must submit a federal Standard Form 424 as well as the State Budget Impact Form to the Governor's Office of Planning and Budget no later than three months after submitting a federal funds request, and, where possible, before formally submitting a federal funds request to the federal government. This requirement includes all applications for continuation, supplemental or renewal grants.

B. Other Applicants

Applicants other than state agencies will be responsible for determining whether or not the financial aid program of concern is available for review under the terms of the Executive Order 12372. If the application is subject to the Executive Order, the applicant should mark the box on the application indicating the grant may be subject to Executive Order 12372, however, it has not been selected by the State for review. The review applies only to state agency applicants.