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**U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES  
Administration for Children, Youth and Families**

**1. Log No:** ACYF-IM-90-26

**2. Issuance Date:** 12/12/90

**3. Originating Office:** Children's Bureau

**4. Key Words:** Independent Living Initiatives

## INFORMATION MEMORANDUM

**TO:** State Agencies Administering or Supervising the Administration of Title IV-E of the Social Security Act and Indian Tribes and Indian Tribal Organizations

**SUBJECT:** Availability of FY 1991 Funds for the Independent Living Program

**LEGAL AND RELATED REFERENCES:** Sections 472, 474(a), 475(1), and 477 of Title IV-E of the Social Security Act; ACYF-PI-90-01, issued January 12, 1990; [ACYF-PI-90-16](#), issued October 2, 1990

**BACKGROUND:** The Omnibus Budget Reconciliation Act of 1989, Public Law (P.L.) 101-239, reauthorized the Independent Living (IL) Program for fiscal years (FY) 1990 through 1992 and provided an increase in IL funds from \$45 million for FY 1989 to \$50 million for FY 1990. For FY 1991, \$60 million is authorized; for FY 1992, \$70 million.

The Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508) appropriated \$60 million for the Independent Living Program for FY 1991. For FY 1991, all States are entitled to their share of \$45 million with no requirement for cost sharing. However, State matching funds will be required for any State that elects to receive some or all of its share of the additional amount above \$45 million (\$15 million).

P.L. 101-508 also amended section 477 to extend, at State option, eligibility for IL services supported with Federal funds to children formerly in foster care, up to age 21.

**PURPOSE:** The purpose of this Information Memorandum is to provide information regarding (1) the procedures to be followed in applying for FY 1991 IL funds and in reporting on program activities and services; (2) the extension of eligibility for IL programs up to age 21; and (3) the amount of individual State allotments under the FY 1991 appropriation of \$60 million for the IL Initiatives Program.

**INFORMATION:** FY 1991 Application Procedures. The instructions provided by Program Instruction [ACYF-PI-90-01](#) (Attachment A), issued January 12, 1990, remain in effect and must

be followed in order to receive FY 1991 IL funds. The Program Instruction sets forth information regarding the availability of funds, definition of eligible participants (amended by P.L. 101-508), IL programs and activities, prohibition of the use of IL funds for room and board, application requirements and submittal, reallocation of funds, reporting requirements, and application approval and changes.

The closing date for receipt of FY 1991 applications is January 31, 1991. The funds awarded in FY 1991 must be obligated and expended by September 30, 1992.

The Program Report covering FY 1990 activities and services is due not later than January 1, 1991.

Extension of Age Eligibility. P.L. 101-508 amended section 477(a)(2)(C) to allow States the option to include youth in IL services and participation in IL programs after leaving foster care until they reach the age of 21. For example, if a youth left foster care at age 17 (whether title IV-E eligible or non-title IV-E eligible), the State could, if it wished, continue to provide assistance to the youth up to age 21. This provision amended section 477(a)(2)(C) and was effective October 1, 1990.

The legislation, as amended, not only continues the option for a State to provide IL services after foster care but extends the time during which IL services may be provided. Previously, a State could opt to provide IL services for a six-month period after discharge from foster care. Under the amendment, States may now opt to provide IL services up to the time a former foster child reaches age 21.

Therefore, the State should indicate in its application (1) whether it elects to provide IL services to children after foster care and (2) if so, provide information on how this option will be integrated into the State's overall planning and implementation of IL services.

FY 1991 IL Allotments. On October 20, 1990, Program Instruction [ACYF-PI-90-16](#) (Attachment B) was issued to provide information on the requirement for dollar-for-dollar State match of Federal IL funds over \$45 million. The PI also provided instructions on regulatory requirements as well as on other limitations regarding the State match.

Therefore, as part of the FY 1991 application process, each State must (1) indicate whether or not it will apply for and match the additional funds over the \$45 million basic amount; (2) specify the amount of the funds it will apply for and match, if applicable; (3) state whether or not it will accept and match additional funds that may become available through the reallocation of IL funds; and (4) specify the minimum and maximum amount of reallocated funds the State will apply for and match, if available. These new application requirements are summarized in outline form in Attachment C.

Attachment D provides the FY 1991 IL allotments for each State and includes both the basic amount (the State's share of \$45 million) and the additional amount available for State match (the State's share of the additional \$15 million appropriated).

**INQUIRIES TO:** Regional Administrators, OHDS  
Regions I - X  
or  
Irene Hammond (202) 245-0666  
Program Operations Division, Children's Bureau Washington, D. C.

/s/

Wade F. Horn, Ph.D.  
Commissioner

**Attachments:**

[Attachment A:](#) ACYF-PI-90-01

[Attachment B:](#) ACYF-PI-90-16

[Attachment C:](#) Outline

Attachment D: FY 1991 Independent Living Program Allotments [*Not available in electronic format*]

**OUTLINE**  
**FY 1991 INDEPENDENT LIVING ALLOTMENTS**  
**State of \_\_\_\_\_**

1. Share of FY 1992 IL Basic Amount (\$45 million) requested \_\_\_\_\_  
(Indicate specific amount or "all.")
2. Will the State apply for funds at a higher level than the basic amount and match the additional funds over the \$45 million basic amount?

**Yes** \_\_\_\_\_

**No** \_\_\_\_\_

If yes, specify the additional amount of funds the State will apply for and the amount of the required match.

Federal \$ \_\_\_\_\_ State \$ \_\_\_\_\_

3. If funds become available through reallocation, will the State apply for and match these funds?

**Yes** \_\_\_\_\_

**No** \_\_\_\_\_

If yes, specify the minimum and maximum amount of reallocated funds (if available) the State will accept, and the amount of the required match.

**Federal Minimum** \$ \_\_\_\_\_

**Federal Maximum** \$ \_\_\_\_\_

**State Match** \$ \_\_\_\_\_ **State Match** \$ \_\_\_\_\_