

# State Clearinghouse



## Presidential Executive Order (EO) 12372, 1982

**“Intergovernmental Review Of Federal Programs”**

- **Mechanism/Federal Authority for Developing State Clearinghouse**
- **Identifies a Single Point Of Contact (SPOC) For Federal Projects and Grant Review**

# State Clearinghouse – EO 12372



- Mandates federal policy governing review and coordination with state and local government officials regarding any federal government actions affecting their jurisdictions, including the awarding of federal grants.
- Mandates that states, in consultation with their local governments, decide whether or not to participate in an intergovernmental review process, design their own review system and identify which federal programs will be reviewed.
- Issued with the desire to foster the intergovernmental partnership and strengthen federalism by relying on State and local processes for the coordination and review of proposed Federal financial assistance and direct Federal development.
- Allows Governor of each State to designate an entity to perform this function.

# State EOs and/or Agreements



- ***States with Single Point of Contacts (SPOC) and Clearinghouses reference EO 12372 within Governor's EO (i.e. Delaware EO 75) or statute that establishes the clearinghouse agency.***
  - *To become a SPOC/clearinghouse state, the state needs only to make a decision to do so and communicate the requirement statewide. The Office of Management and Budget (OMB) maintains the list of states.*
- ***States often develop tiered MOUs with individual Federal Agencies (i.e. BLM, USFS, USFWS, etc.) to further identify SPOC/clearinghouse needs***

Note: Benchmark states with established clearinghouses and SPOCs have identified having a 'hit or miss' situation with some federal agencies regarding federal project notification.

# AZ Clearinghouse History



- AZ is not currently listed on the Office of Management and Budget (OMB) web page as a participating agency in the intergovernmental review process, and therefore does not have a SPOC.
- In the past, Arizona had two Arizona State Executive Orders (EO) [75-7 (1975) and 90-21 (1990)] directing state agencies to submit notice of intent to apply, status of application, and other grant information for federal grants-in-aid to the 'State Clearinghouse'.
- The 1975 EO designated the Arizona Office of Economic Planning and Development, and the 1990 EO designated the Arizona Department of Commerce as the state clearinghouse.
- Arizona was included on the federal list of states with SPOC agreements up until at least 2001.

# Example: Maryland EO, 1983



..."WHEREAS, The President of the United States has, by Executive Order 12372, as amended by Executive Order 12416, directed federal agencies to provide opportunities for consultation with state and local governments when these governments are directly affected by proposed federal financial assistance or direct federal development; and

WHEREAS, In order to foster an intergovernmental partnership and a strengthened federalism, the President has specifically ordered federal agencies to:

- (a) Use designated state processes to determine official views of state and local elected officials,
- (b) Communicate with state and local elected officials as early in the planning cycle as is reasonably feasible,
- (c) Seek the coordination of views of elected officials of affected state and local governments in one state with those of similar officials in other states, when proposed federal financial assistance or direct federal development has a potential impact on interstate metropolitan or other interstate areas..."

"...In order to carry out federal law and this Executive Order, the Department of State Planning is designated as the single point of contact for federal agencies seeking the views of State, regional, and local public officials. In this capacity, the Department shall:..."