



Maintenance of Effort (MOE)

Basic Concepts and Waiver Principles



MOE requirement – 20 U.S.C. § 9133(c)(1)

- SLAA required to maintain certain level of State expenditures for library programs
- MOE requirement ensures that Federal funds enhance, rather than replace State funds
- IMLS required to reduce the allocation otherwise payable to a State if State fails to maintain proper MOE level of expenditure
 - (2017 MOE requirement affects the 2020 allotment)



MOE funds – 20 U.S.C. § 9133(c)(2)

“All State dollars expended by the SLAA for library programs” consistent with LSTA purposes (excluding capital expenditures, special one-time project costs, similar windfalls)



LSTA Purposes - 20 U.S.C. § 9121

- (1) to enhance coordination among Federal programs that relate to library, education and information services;
- (2) to promote continuous improvement in library services in all types of libraries in order to better serve the people of the United States;
- (3) to facilitate access to resources in all types of libraries for the purpose of cultivating an educated and informed citizenry;
- (4) to encourage resource sharing among all types of libraries for the purpose of achieving economical and efficient delivery of library services to the public;
- (5) to promote literacy, education, and lifelong learning, including by building learning partnerships with school libraries in our Nation's schools, including tribal schools, and developing resources, capabilities, and programs in support of State, tribal, and local efforts to offer a well-rounded educational experience to all students;

(continued)



LSTA Purposes - 20 U.S.C. § 9121

(6) to enable libraries to develop services that meet the needs of communities throughout the Nation, including people of diverse geographic, cultural, and socioeconomic backgrounds, individuals with disabilities, residents of rural and urban areas, Native Americans, military families, veterans, and caregivers;

(7) to enable libraries to serve as anchor institutions to support community revitalization through enhancing and expanding the services and resources provided by libraries, including those services and resources relating to workforce development, economic and business development, critical thinking skills, and health information, digital literacy skills, financial literacy and other types of literacy skills, and new and emerging technology;

(8) to enhance the skills of the current library workforce and to recruit future professionals, including those from diverse and underrepresented backgrounds, to the field of library and information services;

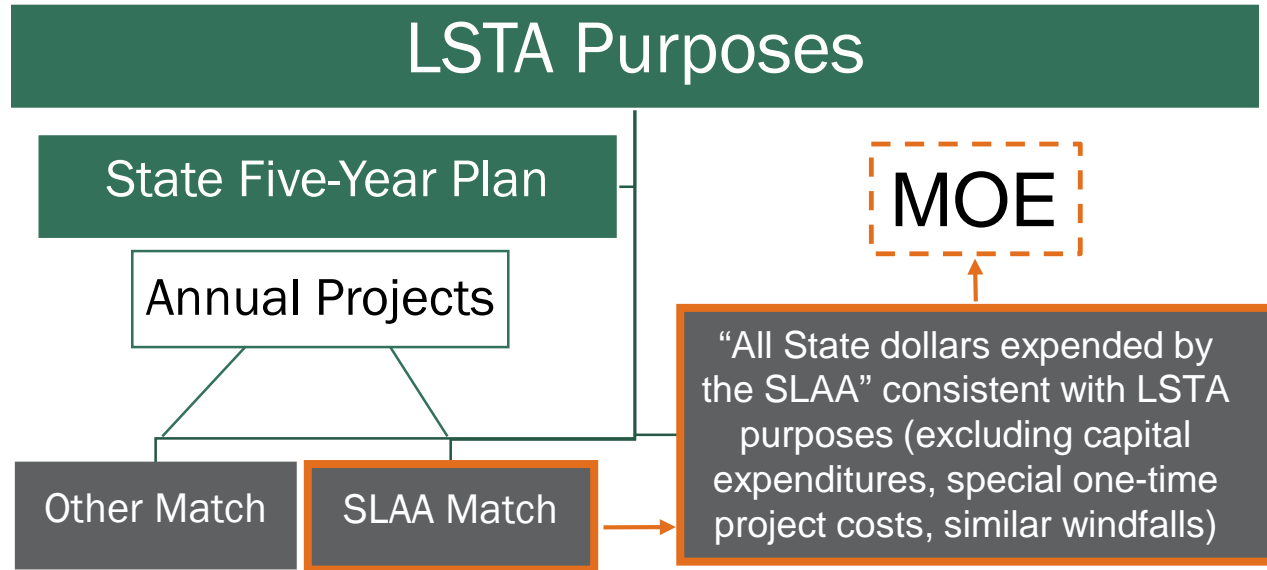
(continued)



LSTA Purposes - 20 U.S.C. § 9121

- (9) to ensure the preservation of knowledge and library collections in all formats and to enable libraries to serve their communities during disasters;
- (10) to enhance the role of libraries within the information infrastructure of the United States in order to support research, education, and innovation;
- (11) to promote library services that provide users with access to information through national, State, local, regional, and international collaborations and networks; and
- (12) to encourage, support, and disseminate model programs of library and museum collaboration.

MOE and the Purposes of LSTA



MOE calculation – 3-year average

FY 2014 MOE



FY 2015 MOE



FY 2016 MOE



3



FY 2017 MOE
requirement



MOE waiver – 20 U.S.C. § 9133(c)(3)

- IMLS authorized to waive MOE requirement if the agency determines that:
 - a waiver would be *equitable*...
 - based on *exceptional or uncontrollable* circumstances, such as...
 - (financial hardship) *precipitous and unforeseen* decline in the financial resources of the State; **or**
 - natural disaster



Financial hardship showing

- If based on State's financial resources, then must be:
 - Exceptional or Uncontrollable circumstances which are both
 - Precipitous and
 - Unforeseen

Financial hardship “equitability”

First threshold showing:

Overall State FFY budget

(Accompanied by comparison of FFY and previous year)

(1) State budget (total actual appropriations)

FFY15 (SFY15-16)	%Diff	FFY16 (SFY16-17)
\$13.245	1%	\$13.423
(in billions)		

Financial hardship “equitability”

Second threshold showing:

Actual total FFY SLAA appropriation

(Accompanied by comparison of FFY and previous year)

(2) SLAA budget (total actual appropriations)

FFY15 (SFY16)	%Diff	FFY16 (SFY17)
\$ 4,230,552	-5%	\$ 4,008,889

Financial hardship “equitability”

Third threshold showing:

Comparing proportionality of total State budget with total SLAA appropriation

(Is the % difference for both proportional?)

(1) State budget (total actual appropriations)

FFY15 (SFY15-16)	%Diff	FFY16 (SFY16-17)
\$13.245	1%	\$13.423
(in billions)		

(2) SLAA budget (total actual appropriations)

FFY15 (SFY16)	%Diff	FFY16 (SFY17)
\$ 4,230,552	-5%	\$ 4,008,889

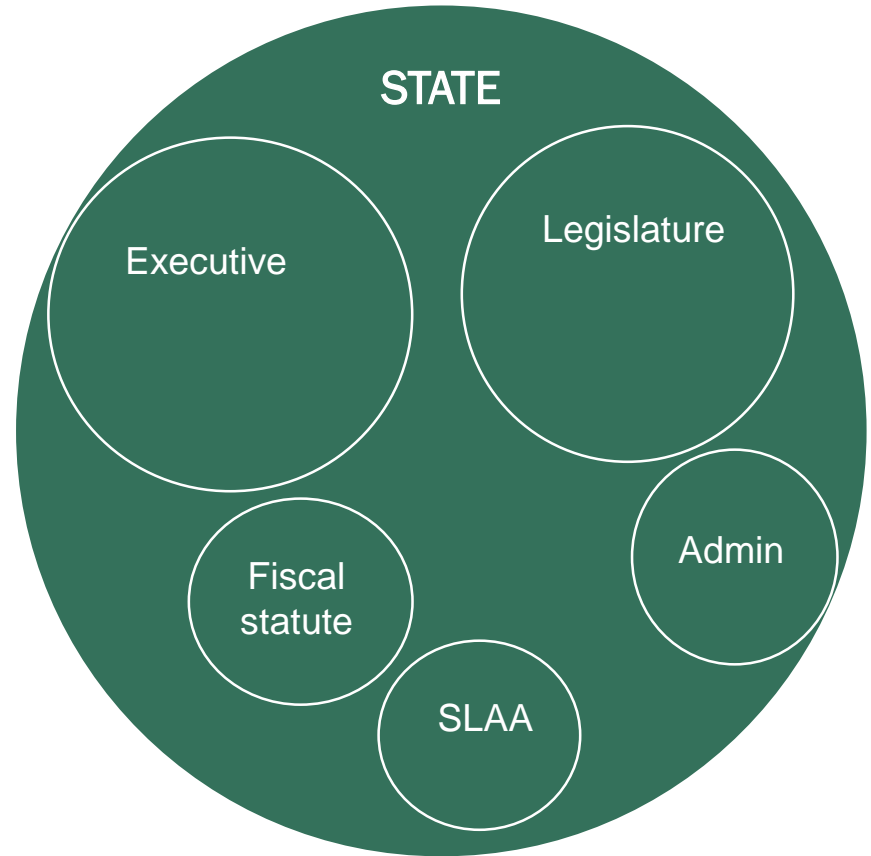


Natural disasters

- Exceptional or uncontrollable
- “Act of God”
- Impacting overall State financial resources

State overall

- Looking at the State in aggregate: SLAA, legislature, etc.
- “Uncontrollable” points back to the State: was it within the State’s control to avoid?





Contacts

- Grant to States Associate Deputy Director and Program Officers are always willing to answer questions
- Contacts: <https://www.ims.gov/grants/grant-programs/grants-states/grants-states-manual#contacts>