INFORMATION MEMORANDUM

TO: Directors, State Administering Agencies
Chairpersons, State Planning Councils
Directors, Protection and Advocacy Agencies
Executive Directors, State Planning Councils

SUBJECT: Reallotment of Federal Funds

LEGAL AND RELATED REFERENCES:
- Developmental Disabilities Assistance and
Bill of Rights Act of 1984, Public Law 98-527
- 45 CFR Part 1386, Developmental Disabilities
Program, Final Rules

INFORMATION: SECTION 125(d) of the Developmental Disabilities Act
of 1984 states:

"The amount of an allotment to a State for a fiscal year which the Secretary determines will not be required by the State during the period for which it is available for the purpose for which allotted shall be available for reallocation by the Secretary from time to time, on such date or dates as the Secretary may fix (but not earlier than thirty days after the Secretary has published notice of the intention of the Secretary to make such reallocation in the Federal Register), to other States with respect to which such a determination has not been made, in proportion to the original allotments of such State for such fiscal year, but with such proportionate amount of any of such other States being reduced to the extent it exceeds the sum the Secretary estimates such State needs and will be able to use during such period; and the total of such reductions
shall be similarly reallocated among the States whose proportionate amounts were not so reduced. Any amount so reallocated to a State for a fiscal year shall be deemed to be a part of its allotment under subsection (a) for such fiscal year."

Accordingly, the Administration on Developmental Disabilities (ADD) will publish a notice in the Federal Register announcing the intention to reallocate funds. The notice will instruct the States to notify ADD of the following information within thirty (30) days:

1) The amount of its funds that will not be obligated prior to the end of such fiscal year under its approved State plan, or

2) The amount of any additional funds which could be used and obligated prior to the end of such fiscal year under its approved State plan or a statement that no additional funds are needed.

At the end of the thirty (30) day period the information provided by the States will be used to calculate the amounts to be reallocated to the States and the reallocation will be made.

EFFECTIVE DATE: October 1, 1984

INQUIRES TO: HDS Regional Administrators

Jean K. Elder, Ph.D.
Commissioner
Administration on Developmental Disabilities