

<b>EMPLOYMENT AND TRAINING ADMINISTRATION          ADVISORY SYSTEM          U.S. DEPARTMENT OF LABOR          Washington, D.C. 20210</b>	<b>CLASSIFICATION</b> SCSEP
	<b>CORRESPONDENCE SYMBOL</b> OWI-DAS
	<b>DATE</b> March 18, 2009

**TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 15-08**

**TO:** ALL SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM (SCSEP) GRANTEEES

**FROM:** DOUGLAS F. SMALL *Douglas F. Small*  
 Deputy Assistant Secretary

**SUBJECT:** American Recovery and Reinvestment Act (Recovery Act) Planning Instructions for All Current SCSEP Grantees.

- Purpose.** The purposes of this guidance are: 1) To provide all current SCSEP grantees with further instructions and procedures for the American Recovery and Reinvestment Act of 2009 (Recovery Act) funds that are available on February 17, 2009, with a period of performance to June 30, 2010; and 2) To extend the period of performance of current Program Year (PY) 2008 grants for an additional six months to December 31, 2009.
- References.** The following references may be used for additional information: 2006 Older Americans Act (OAA) Amendments, (Pub. L. 109-365,) 42 USC 3056 et. seq. 20 CFR part 641 subpart G; SCSEP Performance Accountability Interim Rule, 72 Fed. Reg. 35831 (June 29, 2007); Training and Employment Guidance Letter (TEGL) 26-07; TEGL 30-07; TEGL 12-06; Priority of Service for Covered Persons: Final Rule 20 CFR Part 1010, 73 Fed. Reg. 78132 (Dec. 19, 2008); OMB No. 1205-0040; the American Recovery and Reinvestment Act of 2009 (Public Law 111-05); March 4, 2009 Grant Allocation Letter from SCSEP Grant Officer.
- Background.** The Recovery Act, enacted by Congress and signed into law by President Obama on February 17, 2009, is intended to preserve and create jobs, promote the nation's economic recovery, and assist those most impacted by the recession. Title VIII of Division A of that Act makes available \$120 million to the Department of Labor for use by SCSEP to serve additional

<b>RESCISSIONS:</b> None	<b>EXPIRATION DATE:</b> Continuing
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unemployed low-income senior citizens. SCSEP grantees are expected to expand the number of SCSEP participants assigned to community service work, especially in the growth industries emphasized in the Recovery Act (e.g., health care, child care, education, green jobs, energy efficiency and environmental services) and in expanded community service activities that utilize Recovery Act funds. For the SCSEP grant community to meet both the letter and the spirit of the law and fulfill its critical role in U.S. economic recovery, it must implement the Act expeditiously and effectively, with full transparency and accountability of the expenditure of funds. The system's implementation of the Recovery Act should yield not only increased services and training for unemployed low-income seniors, but also provide increased community services that will invigorate and advance prosperity in the communities in which they live. For grantees who are currently over-enrolled, the Department will approve a limited number of SCSEP participants enrolled between January 1, 2009 and the present to be served with Recovery Act funding. However, the overall intent of Recovery Act funding is to supplement, not supplant, current SCSEP activities.

4. **Overall Approach.** The Department's SCSEP Grant Office notified all current grantees on March 4, 2009 of its plans to distribute available funds in proportion to each grantee's PY 2008 SCSEP allocation and provided instructions on how to apply for those funds to be issued as new grants (copy attached). Initial signed grant documents, including an Initial Statement of Work, were due to the Department on March 10, 2009. This TEGL provides the additional instructions referenced in the Grant Officer's letter to address in greater detail each grantee's plans for program implementation. The funds are intended as a one-time addition to the current program as presently being implemented. For grantees that are currently over-enrolled, the Department will approve a limited number of SCSEP participants enrolled between January 1, 2009 and the present to be served with Recovery Act funding. The transfer utility in the SCSEP Performance and Results Quarterly Progress Report (SPARQ) system will be used for these approvals. However, the overall intent of Recovery Act funding is to supplement, not supplant, current SCSEP activities.
5. **Data Collection and Reporting Requirements.** The Department will issue separate guidance on the data collection and reporting requirements for the Recovery Act supported portions of the program, in accordance with the information on collection forms in OMB No. 1205-0040, the SCSEP Performance Measurement System. Based on Section 1512 of the Recovery Act, the Department expects grantees to comply with all data collection and reporting requirements determined by the Department to be necessary to provide timely and accurate information on the expenditure of stimulus

funds, persons served, and outcomes obtained. Financial reporting requirements will be provided in a separate document.

6. **Grant Application Requirements**: As provided in the Grant Officer's March 4, 2009, notification and the initial Recovery Act grant award documents, the Department requires the following items to address full program implementation for the supplemental Recovery Act funds:

*Program Narrative (Attachment A)*. The program narrative must cover the following subject areas: recruitment of participants and host agencies; maintenance of effort strategies; simultaneous management of Recovery Act funding and regular SCSEP funding; relevant notice requirements for participants; efforts to manage the smooth transition of participants once Recovery Act funding is depleted; and strategies to expand the number of SCSEP participants assigned to community service work, especially in those growth industries emphasized in the Recovery Act (e.g., health care, child care, education, green jobs, energy efficiency and environmental services) and in expanded public service activities that utilize Recovery Act funds. Grantees should base their programmatic strategies on the funding allocations contained in the March 4, 2009, Grant Officer letter.

*Revised Budget Information*. Additional budget information, including detailed budget narrative, will be required in accordance with program strategies as outlined in the program narrative. The revised budget information will replace the budget and budget narrative initially supplied.

*Programmatic Assurances (Attachment B)*. Per the PY 2008 guidance, grantees must submit signed programmatic assurances that reflect standard grant management requirements.

*Recovery Act Assurances (Attachment F)*. Grantees must submit signed Recovery Act assurances, as contained in Attachment F.

*Optional Special Requests*. Additional optional narratives, described in Attachment C, are required from any applicant with special requests in one or more of the following areas:

Waiver for additional funds for training and supportive services;  
Administration cap limit changes;  
On-the-job experience (OJE) training option; and/or  
Cross-border agreements.

The items listed above are in addition to the documentation each grantee supplied in response to the Grant Officer's letter of March 4, 2009. When completed and approved, the program narrative (as described in Attachment A) will serve as a Revised Statement of Work to replace the Initial Statement of Work currently contained in the Notice of Obligation.

7. **Method of Submission.** Applicants must submit electronic copies of the items listed in Section 6 of this TEGL. The materials should be sent via e-mail to: **grants.SCSEP2009@dol.gov** and to their SCSEP Federal Project Officer (FPO) (Attachment E). If a grantee is unable to submit electronically, the grantee must submit hard copy applications via overnight delivery or by fax to 202-693-3817. If mailing, application packages must be mailed to:  
Ms. Alexandra Kielty  
Division of Adult Services  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Room S-4209  
Washington, D.C. 20210
8. **Grant Application Intergovernmental Review.** The assurance of efficient intrastate coordination contained in Section 502(d) of the OAA 2006 Amendments is deemed to have been met by the PY 2008 grant application requirements. Because this additional funding is based on current PY 2008 allocations and positions allotments, no changes in service areas will result.
9. **Schedule.** Grant materials meeting the requirements of this TEGL must be submitted to the address in section 7 no later than April 17, 2009. However, applicants are encouraged to submit their materials as soon as possible.
10. **Extension of PY 2008 Period of Performance.** The period of performance for all current PY 2008 grants will be extended for an additional six months to December 31, 2009. Under sec. 517(b) of the Older Americans Act, we have determined that this extension is necessary to ensure the effective use of such funds because of the severe economic downturn. Giving grantees the authority to obligate and expend for an additional six months any funds that remain unexpended at the close of PY 2008 (June 30, 2009) will allow more SCSEP participants to be served. The grant officer will issue the necessary PY 2008 grant modifications.
11. **Action Requested.** Grantees with Recovery Act grants must submit the additional materials required by this TEGL by April 17, 2009.

12. **Paperwork Reduction Act (PRA) Statement.** The public reporting burden for this collection of information is estimated to average approximately sixteen (16) hours per response including time for gathering and maintaining the data needed to complete the required disclosure.

This TEGL contains a new collection of information in the form of a grant application narrative, special requests, and SCSEP grant management assurances required to receive a grant under the Recovery Act. According to the Paperwork Reduction Act of 1995 (Public Law 104-13), no persons are required to respond to a collection of information unless such collection displays a valid Office of Management and Budget (OMB) control number. The Department is planning to submit an Information Collection Request (ICR) to OMB requesting a new OMB Control Number. The Department notes that a Federal agency cannot conduct or sponsor a collection of information unless it is approved by OMB under the PRA, and displays a currently valid OMB control number, and the public is not required to respond to a collection of information unless it displays a currently valid OMB control number (see 44 U.S.C. Section 3507). Also, notwithstanding any other provisions of law, no person shall be subject to penalty for failing to comply with a collection of information if the collection of information does not display a currently valid OMB control number (see 44 U.S.C. Section 3512). The Department will notify SCSEP Recovery Act grantees of OMB's decision upon review of the Department's ICR, including any changes that may result from this review process.

13. **Inquiries.** Questions may be directed to the appropriate SCSEP FPO.

14. **Attachments.**

Attachment A:	Content of Program Narrative
Attachment B:	Programmatic Assurances
Attachment C:	Optional Special Requests
Attachment D:	Grant Officer's Letter of March 4, 2009, with funding allocations
Attachment E:	SCSEP Federal Project Officers
Attachment F:	Recovery Act Assurances

## PROGRAM NARRATIVE

**Format:** *Text of the application must be double-spaced with one-inch margins at the top, bottom, right, and left sides. Pages must be numbered with the grantee's name on each page. The Department permits the use of graphs, maps, and tables, but these must be properly labeled. The Department encourages applicants to use brief topic headings for paragraphs in the text. The narrative may not exceed 20 pages in length, excluding any attachments.*

**Content:** All applicants must provide a narrative that covers the following areas:

(1) Identify specific strategies that will expand the number of Senior Community Service Employment Program (SCSEP) participants assigned to community service work:

- In the growth industries emphasized in the American Recovery and Reinvestment Act of 2009 (Recovery Act) (e.g., health care, child care, education, green jobs, energy efficiency and environmental services); and
- In expanded public service activities that utilize Recovery Act funds.

(2) Identify specific recruitment strategies, along with a timeline, that will enable the applicant to recruit a sufficient number of participants to meet the enrollment objectives of the Recovery Act funding, as well as the regular program enrollment objectives.

(3) Identify specific recruitment strategies, along with a timeline, that will enable the applicant to recruit and retain a sufficient number of host agencies that will be necessary to meet the increased number of participants served by the Recovery Act funding, as well as in the regular program.

(4) Identify specific strategies and policies to ensure that maintenance of effort violations do not occur (see Older Americans Act (OAA) Amendments of 2006, PL 109-365, Title V, Section 502 (b)(1)(G)).

(5) Provide a description of how the Recovery Act funding will be managed so that:

- Enrollment of new participants in the stimulus program is maximized while ensuring that there is no deterioration of enrollment and services in the regular program.
- Seniors are provided with opportunities that support other activities funded by the Recovery Act, such as the summer youth program, year

round employment programs for youth, and One Stop Career Centers, i.e. tutoring, mentoring, greeters.

- Strategies, methods and/or protocols will be used to determine whether a participant is assigned to either the Recovery Act funding or the regular program funding.

(6) Provide a description of the methods that grantees will use to ensure the least disruption possible to participants enrolled under the Recovery Act program when the funding expires on June 30, 2010. Detail specific action steps that will be utilized to ensure participants receive timely and coordinated transition planning to the most appropriate service delivery system. In particular, address how partners in the One-Stop Career Centers will be utilized; also, identify other relevant community partners and services; and, to the extent feasible, how participants will be transitioned into the regular SCSEP program.

(7) Provide a statement that all Recovery Act program participants will be informed verbally and in writing at the time of enrollment that:

- A. They are being enrolled with Recovery Act funding that is due to expire on June 30, 2010.
- B. They are subject to the same rights and responsibilities as enrollees in the regular SCSEP program.
- C. Every effort will be made to help them obtain unsubsidized employment prior to the expiration of the Recovery Act program.
- D. Prior to the expiration of Recovery Act funding, timely transition planning will be undertaken to determine the most appropriate services that may still be needed by the participant, including referral of job-ready participants to the One-Stop Career Center, and transfer of participants who require additional community service training into the regular program provided sufficient funds are available in that program. If they are not able to transition to the regular program, they may be terminated at the expiration of the Recovery Act funding availability. However, they will be given priority for re-enrollment in SCSEP consistent with eligibility requirements and statutory priorities of service.

**PROGRAMMATIC ASSURANCES**

The programmatic assurances delineated below reflect standard grant requirements—i.e., those that are required by law or those that are consistent with sound program practices. The applicant certifies by check mark that its agency or organization will conform to the following assurances and will continue to conform to these assurances throughout the period of this grant:

**Participant-Related Assurances**Recruitment and Selection of Participants

- The agency or organization has developed and implemented methods for recruiting and selecting participants that assure that the maximum number of eligible individuals have an opportunity to participate in the program.
- The income definitions and income inclusions and exclusions for determining Senior Community Service Employment Program (SCSEP) eligibility, as described in Training and Employment Guidance Letter (TEGL) 12-06, are used to determine and document participant eligibility. TEGL 12-06 may be accessed on [www.doleta.gov/seniors](http://www.doleta.gov/seniors) under Technical Assistance.
- The applicant has developed strategies to recruit applicants who have priority for service as defined at Older Americans Act (OAA) Section 518(b)(1)-(2). Priority is to be afforded to individuals who are 65 years of age or older or:
- a) Are veterans or eligible spouses of veterans as defined in 20 CFR 1010.110 (73 Fed. Reg. 78142, 78142 (Dec. 19, 2008));
  - b) Have a disability;
  - c) Have limited English proficiency or low literacy skills;
  - d) Reside in a rural area;
  - e) Have low employment prospects;
  - f) Have failed to find employment after utilizing services provided through the One-Stop Delivery System; or
  - g) Are homeless or are at risk for homelessness (OAA Section 518(b)(1)-(2)).



### Assessment

- Assesses participants at least two times per 12 month period.
- Uses assessment information to determine the most appropriate community service assignments for participants.

### Individual Employment Plan (IEP)

- Establishes an initial goal of unsubsidized employment for all participants.
- Updates the IEP at least as frequently as the assessments.

### Community Service Employment Assignment (CSEA)

- Ensures that the initial CSEA is based on the assessment done at the time of enrollment.
- Uses the IEP as the basis for determining when, as appropriate, to rotate participants through assignments within a CSEA or to other CSEAs to acquire the skills necessary to obtain unsubsidized employment.
- Selects host agencies that are designated 501(c)(3) organizations or public agencies.
- Has procedures in place for assuring adequate supervision of participants at the host agencies.
- Has procedures in place to ensure safe and healthy working conditions.

### Recertification of Participants

- Recertifies the income eligibility of each participant at least once every 12 months, or more frequently if circumstances warrant.
- Has a written policy setting forth actions to be taken to deal with those found to be ineligible (including notification of their right to appeal the finding).

### Physical Examinations

- Offers physicals to participants upon program entry and each year thereafter as a benefit.
- Obtains a written waiver from each participant who declines to have a physical.

## Orientation

Provides orientations for its participants and host agencies which include information on:

### *Participant Orientation*

- Project goals and objectives
- Community service employment assignments
- Training opportunities
- Available supportive services
- The availability of a free physical examination
- Participant rights and responsibilities
- Host Agencies
- Sub-recipients provide sufficient orientations, which may include the following information:
  - Grantee and local project roles, policies and procedures
  - SCSEP goals and objectives
  - Role of supervisors
  - Evaluation of participant progress
  - Provision of safe working environment
  - Annual monitoring and safety assessment
  - Documentation requirements
  - Termination policies
  - Grievance procedures

### *Participant Benefits*

- Provides benefits that are required by State or Federal law (such as workers' compensation or unemployment insurance), and the costs of physical examinations.
- Has established written policies relating to compensation for scheduled work hours during which an applicant's or sub-recipient's business is closed for Federal holidays.
- Has established written policies relating to necessary sick leave that is not part of an accumulated sick leave program.
- Does not use grant funds to pay the cost of pension benefits, annual leave, accumulated sick leave, or bonuses.

### *Durational Limits*

#### *Average Participation of 27 Months*

- Complies with an average participation cap for eligible individuals (in the aggregate) of 27 months, unless a waiver is approved.

#### *Maximum Duration of Program Participation 48 Months \*

- Complies with the requirement that participants may participate in the program no longer than 48 months in the aggregate (whether or not consecutive) unless the participant receives a waiver of this requirement.
- Notifies participants of its policy pertaining to the maximum duration requirement at the time of enrollment.
- Allows participants a 48-month maximum lifetime participation in SCSEP unless it has applied for a waiver to establish a lesser maximum duration of program participation.
- Notifies participants if they are enrolled under the American Recovery and Reinvestment Act.

### Termination Procedures

- Grantees will provide a reason for termination and inform participants of grievance policies. An IEP termination policy must be approved by DOL prior to implementation.

### Written Termination Policies Are in Effect for:

- Provision of false information (immediate)
- Incorrect initial eligibility determination (30 days written notice)
- Income ineligibility determined at recertification (30 days written notice)
- Cause (immediate or corrective action, depending on infraction)
- If applicable and there are no extenuating circumstances that would hinder the participant from moving to unsubsidized employment, refusal to accept a reasonable number of job offers or referrals to unsubsidized employment consistent with the IEP

### Equitable Distribution

- Manages slot allotments within equitable distribution guidelines, to the extent feasible, so that potential participants have equal access for program participation.

### Over-Enrollment

- Manages over-enrollment to minimize impact on participants and avoid layoffs.

### Administrative Systems

- Communicates grant policy, data collection, and performance developments and directives to staff and sub-recipients and/or local project operators.
- Has developed a written monitoring tool and procedures for its SCSEP grant that lists items to be reviewed during monitoring visits, and provided this tool to sub-recipients and/or local project operators.
- Has developed a monitoring schedule, notified sub-grantees and/or local project operators of its monitoring plans, and monitors sub-grantees and/or local project operators on a regular basis.
- Provides training to increase sub-recipients' and/or local project operators skills, knowledge, and abilities.
- Prescribes corrective action and follow-up procedures for sub-recipients and/or local project operators to ensure that identified problems have been remedied, when appropriate.
- Monitors the financial systems and expenditures of sub-recipients and/or local project operators on a regular basis.
- Ensures that sub-recipients and/or local project operators receive adequate resources to effectively operate local projects.
- Has trained sub-recipients and/or local project operators on SCSEP financial requirements to help them effectively manage their own expenditures, and provides more general financial training as needed.
- Ensures that all financial reports are accurate and are submitted in a timely manner, as required.

### **Sub-Recipient Selection (If Applicable)**

- In areas where a substantial population of individuals with barriers to employment exists, a national grantee shall, in selecting sub-recipients, give special consideration to organizations (including former recipients of such national grants) with demonstrated expertise in serving individuals with barriers to employment, as defined in the statute.

### Complaint Resolution

- Grantee establishes and uses written grievance procedures for complaint resolution for applicants, employees and participants.
- Provides applicants, employees and participants with a copy of such procedures.

### Maintenance of Effort

- Does not reduce the number of employment opportunities or vacancies that would otherwise be available to individuals not participating in the program.
- Does not displace currently employed workers (including partial displacement, such as a reduction in the hours of non-overtime work, wages, or employment benefits).
- Does not impair existing contracts or result in the substitution of federal funds for other funds in connection with work that would otherwise be performed.
- Does not assign or continue to assign any eligible individual to perform the same work or substantially the same work as that performed by any other individual who is on layoff.

### Procedures for Payroll and Payment of Workers' Compensation

- Makes all required payments for payroll and Workers' Compensation premiums on a timely basis.
- Ensures that host agencies do not pay Workers' Compensation costs for participants.

### Maintenance of Files and Privacy Information

- Maintains participant files for three (3) years after the program year in which all follow-up activity for a participant has been completed.
- Participant records are securely stored and access is limited to appropriate staff to safeguard personal identifying information.
- Safeguards to preclude tampering with electronic media are established (e.g., Personal Identification Numbers (also known as "PINs")) for recordkeeping.
- Ensures that the SCSEP National Program Office at the Department of Labor is immediately notified in the event of any potential security breach of personal Identifying Information (PII), whether electronic/paper files and/or equipment is involved.
- Complies with, and ensures that authorized users under its grant comply with all SPARQ access and security rules.

### Documentation

- Maintains documentation of waivers of physical examinations by participant.
- Maintains documentation of the provision of complaint procedures to participants.
- Maintains documentation of eligibility determinations and re-determinations.
- Maintains documentations of terminations and the reasons for such terminations.

- Maintains records of grievances and outcomes.

Data Collection and Reporting

- Ensures that accurate data are submitted timely to SPARQ, as required.
- Ensures that those capturing and recoding data are familiar with the latest instructions for data collection, including Department administrative issuances, such as Older Worker Bulletins, TEGs, the Data Collection Handbook and Internet postings.
- Legally obligates sub-recipients to turn over complete data files in the specified electronic format, as well as hard copy case files, to the grantee at the time that the sub-recipient ceases to administer SCSEP.
- Legally obligates any new sub-recipients to enter complete data related to any participants whom they acquire upon becoming sub-recipients.
- Non-Web Data Collection System users ensure that accurate data are uploaded to SPARQ in accordance with Department timelines and administrative guidance.

**If the applicant has not checked a specific box(es) herein, information must be provided on a separate attachment indicating what specific steps it will take to conform with this standard grant requirement(s).**

**Signature of Authorized Representative:** \_\_\_\_\_

## SPECIAL REQUESTS

Any applicant that has special requests in one or more of the following areas must submit such requests and any supporting documentation as a separate attachment(s) to their American Recovery and Reinvestment Act (Recovery Act) application. Even though any such special requests may have been granted for the PY 08 program year grant, they will need to be resubmitted as part of this Recovery Act application.

(1) **Older Americans Act Section 502(c)(6)(C), Additional Funds for Participant Training and Supportive Services.** Any applicant that wishes to request such additional funds must provide the specific information listed in this section. In addition, any applicant that requests these additional funds for participant training and supportive services should not submit a separate budget narrative for these activities. Instead, their application's detailed budget narrative should identify the specific training and supportive service activities that they intend to provide to participants if their request is accepted. Costs associated with this request should also be included in their SF 424 and 424A.

The 2006 Amendments permit an exception to the 75 percent minimum level of expenditures on participant wages and fringe benefits that allows grantees to request to use not less than 65 percent of program funds for wages, benefits, and other costs, so that up to an additional 10 percent of funds are available for training and supportive services for the direct benefit of participants. As required in Section 502(C)(6)(C)(IV), applicants interested in seeking this waiver must provide a work plan that includes the following:

- (a) A detailed description of the additional training and supportive services;
- (b) An explanation of how activities will directly benefit participants, improve project effectiveness and employment outcomes for individuals served;
- (c) A sequence and timeline for these activities;
- (d) If applicable, an explanation concerning whether any displacement of eligible individuals or elimination of positions for such individuals will occur, information on the number of such individuals to be displaced and of such positions to be eliminated; and

(e) The performance measures that are expected to be improved by expenditure of additional funds and the amounts by which each measure is expected to improve.

(2) **20 CFR 641.870, Increase in Administrative Cost Limitations.** The Department of Labor may authorize an increase in the amount available for administrative costs to not more than 15 percent if it determines that it is necessary to carry out the project, and the applicant demonstrates that:

(a) It is incurring major administrative cost increases in necessary program components; or

(b) The number of employment positions in the project or the number of eligible minority individuals participating in the project will decline if the amount available for paying the cost of administration is not increased; or

(c) The size of the project is so small that the amount of administrative expenses incurred to carry out the project necessarily exceeds 13.5 percent of the amount for such project.

General statements that costs have increased do not constitute adequate justification. The applicant must identify which costs have increased, why they have increased, and how these costs relate to program operations.

(3) **On-the-Job Experience (OJE).** If an applicant wants to utilize OJE as an additional training option, it must meet the requirements delineated in Older Worker Bulletin 04-04. DOL must approve the OJE policy and sample contracts before the grantee may exercise this option.

(4) **20 CFR 641.500(b), Cross-Border Agreements.** State applicants may enter into agreements to permit cross-border enrollment of eligible participants. Such agreements must cover both state and national grantee slots and must be submitted for approval by the Department.



## ATTACHMENT D

**U.S. Department of Labor**

**Employment and Training Administration  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210**



March 4, 2009

Dear SCSEP State, Territorial and National Grantees:

The Department of Labor (DOL) intends to issue a new grant to each Senior Community Service Employment Program (SCSEP) State, Territorial and National grantee for the funds appropriated by the American Recovery and Reinvestment Act (Recovery Act), PL 111-05. As required by the Recovery Act, DOL will allocate the funds based on each grantee's current share of its PY 2008 SCSEP allocation. Each grantee must provide SCSEP services in the same counties and geographic areas as currently authorized. The funding attachment indicates the amount of funds for which each grantee is eligible. The funds will be available from the date DOL obligates the funds through June 30, 2010.

***Authority for Funding, Activities and Reporting:*** DOL expects grantees to adhere to the current statutory and regulatory requirements for SCSEP as follows:

- 2006 Older Americans Act (OAA) Amendments, Public Law 109-365, 42 United States Code 3056 et. seq.,
- SCSEP Performance Accountability Interim Rule, 72 Fed. Reg. 35831 (June 29, 2007);
- SCSEP Final Rule 20 CFR Part 641 (April 9, 2004) ;
- Priority of Service for Covered Persons: Final Rule 20 CFR Part 1010, 78132 (December 19, 2008); and
- The American Recovery and Reinvestment Act of 2009, PL 111-05.

***Initial Statement of Work:*** The Department intends to issue additional guidance by late March on requirements for a grantee-specific statement of work that addresses in greater detail plans for program implementation using the Recovery Act funding. In the interim, DOL will incorporate the attached statement of work into each grant agreement. The signature of the grantee's authorized representative on the SF 424 application will indicate

## ATTACHMENT D

acceptance of the Initial Statement of Work. DOL will review each grantee's revised grant plan based on additional guidance in late March and will issue a grant modification by June 30, 2009.

***Application Instructions:*** In order to obligate Recovery Act funds within the thirty days required by the Recovery Act, the Department must receive the following items from each grantee by **March 10, 2009**:

- Signed SF 424 application for federal funding (using the dollar figures in the attached chart)
- SF 424A budget
- Preliminary budget narrative

These three items must be submitted electronically to [grants.SCSEP2009@dol.gov](mailto:grants.SCSEP2009@dol.gov) on or before March 10, 2009. However, if you are unable to submit the required items electronically, they may be faxed to 202-693-3718 or sent by overnight mail to Ms. Alexandra Kielty, Division of Adult Services, 200 Constitution Ave. NW, Room S-4209, Washington, D.C. 20210, to be received by the March 10 deadline.

***Questions:*** The Older Workers unit will conduct an all-grantee conference call as previously scheduled on Wednesday, March 4, 2009 at 3 pm EST to address any questions about this announcement of Recovery Act fund availability. If you have any questions regarding this grant announcement in the meantime, please contact me at 202-693-3296.

/S/

B. Jai Johnson  
Grant Officer

Attachments:

- Attachment A – Funding Allocation table
- Attachment B – SF 424 Funding Application form
- Attachment C – SF 424A budget form
- Attachment D – Instructions for SF 424 and SF 424A
- Attachment E – Initial Statement of Work

ATTACHMENT D

Recovery Act Funding Allocations

Grantee	Allotment	Grantee	Allotment
<b>Total</b>	<b>\$118,800,000</b>		
<b>STATES:</b>		<b>TERRITORIES:</b>	
Alabama	439,546	American Samoa	269,887
Alaska	507,317	Guam	269,887
Arizona	315,621	Northern Marianas	89,962
Arkansas	431,800	Virgin Islands	269,887
California	2,035,078	<b>Territories Total</b>	<b>899,623</b>
Colorado	240,104		
Connecticut	259,468	<b>NATIONAL:</b>	
Delaware	507,317	AARP	18,176,224
District of Columbia	137,479	ABLE	1,530,525
Florida	1,399,963	ANPPM	2,258,061
Georgia	526,680	Easter Seals	4,396,073
Hawaii	507,317	Experience Works	23,714,787
Idaho	126,306	Goodwill Industries	2,901,952
Illinois	923,627	Mature Services	1,366,683
Indiana	621,560	NCBA	3,602,648
Iowa	304,003	NCOA	6,966,654
Kansas	242,041	National Urban League	2,380,246
Kentucky	451,164	Quality Career Services	400,367
Louisiana	400,819	SER	6,872,984
Maine	147,161	SSAI	13,761,413
Maryland	327,239	The Workplace	536,101
Massachusetts	516,999	Vermont Associates	507,863
Michigan	791,957	<b>NonMinority Nat'l Total</b>	<b>89,372,581</b>
Minnesota	563,471		
Mississippi	294,321	<b>NATIONAL MINORITY:</b>	
Missouri	586,706	Inst. For Indian Development	404,540
Montana	149,097	NAPCA	1,636,363
Nebraska	182,015	NICOA	1,225,755
Nevada	126,306	<b>Minority NS Total</b>	<b>3,266,658</b>
New Hampshire	126,306		
New Jersey	669,969		
New Mexico	133,606		
New York	1,568,423		
North Carolina	621,560		
North Dakota	143,288		
Ohio	1,035,934		
Oklahoma	381,456		
Oregon	348,538		
Pennsylvania	1,270,229		
Puerto Rico	325,303		
Rhode Island	127,797		
South Carolina	323,366		
South Dakota	164,588		
Tennessee	484,081		
Texas	1,316,701		
Utah	158,779		
Vermont	131,670		
Virginia	515,062		
Washington	350,475		
West Virginia	267,213		
Wisconsin	608,006		
Wyoming	126,306		
<b>State Total</b>	<b>25,261,138</b>		

## ATTACHMENT E

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## RECOVERY ACT ASSURANCES

1. **Grant Funds:** These grant assurances addresses additional requirements applicable to funds appropriated in the American Recovery and Reinvestment Act of 2009 (ARRA or the Recovery Act, P.L. 111-5).
2. **Purposes and Principles:** In accordance with the intent of the Recovery Act, funds must be spent expeditiously and effectively, with full transparency and accountability in the expenditure of funds. The Recovery Act provides more than an injection of workforce development resources into communities in need across the country. The significant investment of stimulus funds presents an extraordinary and unique opportunity for the workforce system to accelerate its transformational efforts and demonstrate its full capacity to innovate and implement effective One-Stop service delivery strategies. As grantees plan how they will make immediate use of the Recovery Act funds, ETA encourages them to take an expansive view of how the funds can be integrated into transformational efforts to achieve a new level of effectiveness throughout the public workforce system. In this system, the needs of workers and employers are equally important in developing thriving communities where all citizens succeed and businesses prosper. Successful implementation of the Recovery Act includes quick and effective provision of services and training for workers in need. Grantees are advised that the Recovery Act funds are intended to supplement, not supplant, existing funds.
3. **Limit on Funds:** None of the funds appropriated or otherwise made available in the Recovery Act may be used by any State or local government, or any private entity, for any casino or other gambling establishment, aquarium, zoo, golf course, or swimming pool.
4. **DUNS/CCR:** Grantees and their subrecipients (first tier) must have a Dun and Bradstreet Numbering System (DUNS) number ([www.dnb.com](http://www.dnb.com)) and must maintain active and current profiles in the Central Contractor Registration (CCR) ([www.ccr.gov](http://www.ccr.gov)).
5. **Schedule of Expenditures of Federal Awards:** Grantees agree to separately identify the expenditures for each grant award funded under the Recovery Act on the Schedule of Expenditures of Federal Awards (SEFA) and the Data Collection Form (SF-SAC) required by Office of Management and Budget Circular A-133, "Audits of States, Local Governments, and Non-Profit Organizations." This identification on the SEFA and SF-SAC shall include the Federal award number, the Catalog of Federal Domestic Assistance (CFDA) number, and amount such that separate accountability and disclosure is provided for the Recovery Act funds by

Federal award number consistent with the recipient reports required by the Recovery Act Section 1512(c).

6. **Responsibilities for Informing Sub-recipients:** Grantees agree to separately identify to each sub-recipient and document at the time of sub-award and at the time of disbursement of funds, the Federal award number, CFDA number, and amount of Recovery Act funds.
7. **Reporting: Program Management and Financial Expenditure:** Accountability guidelines for the Recovery Act emphasize data quality, streamlining data collection, and collection of information that shows measurable program outputs. The Act also emphasizes transparency and frequent communication with the American public about the nature of the Recovery Act investments. Accordingly, the Grantor is developing reporting guidelines that will minimize any new collection burdens yet provide timely accurate accounting of system performance and outcomes. Grantees shall collect and report information as conveyed in upcoming ARRA reporting instructions to be issued by the Grantor. **NOTE:** Recovery Act reports will be due 10 days after the end of each calendar quarter, starting with the quarter ending June 30, 2009.
8. **Veterans' Priority Provisions:** NOTE: this provision applies to all PY 2008 funds in place of the version of the Veterans' Priority Provisions clause in the original agreement. This program, funded by the U.S. Department of Labor is subject to the provisions of the "Jobs for Veterans Act" (JVA), Public Law 107-288 (38 USC 4215), as implemented by the Final Rule published on December 19, 2008 at 73 Fed. Reg. 78132. The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. The Planning Guidance (either the Stand-Alone Planning Guidance at 73 FR 72853 (December 1, 2008)) or the Unified Planning Guidance at 73 FR 73730 (December 3, 2008) requires states to describe the policies and strategies in place to ensure, pursuant to the Jobs for Veterans Act and the regulations, that priority of service is provided to veterans (and certain spouses) who otherwise meet the eligibility requirements for all employment and training programs funded by the U.S. Department of Labor. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority Provisions established by the Jobs for Veterans Act (38 USC 4215).
9. **General Provisions of the Recovery Act, as applicable:** The following clauses are specific to usage of ARRA funds and are intended to supplement, not replace any existing terms and conditions.
  - **Wage Rate Requirements:** Subject to further clarification issued by the Office of Management and Budget and notwithstanding any other provision of law



and in a manner consistent with other provisions of ARRA, all laborers and mechanics employed by contractors and subcontractors on projects funded directly by or assisted in whole or in part by and through the Grantor pursuant to this award shall be paid wages at rates not less than those prevailing on projects of a character similar in the locality as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code. With respect to the labor standards specified in this section, the Secretary of Labor shall have the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (64 Stat. 1267; 5 U.S.C. App.) and section 3145 of title 40, United States Code. (ARRA Sec. 1606)

- **Whistleblower Protection:** Each Grantee or sub-recipient awarded funds made available under the ARRA shall promptly refer to the Grantor Office of Inspector General any credible evidence that a principal, employee, agent, contractor, sub-recipient, subcontractor, or other person has submitted a false claim under the False Claims Act or has committed a criminal or civil violation of laws pertaining to fraud, conflict of interest, bribery, gratuity, or similar misconduct involving those funds. (ARRA Sec. 1553)
- **Buy American – Use of American Iron, Steel, and Manufactured Goods:** None of the funds appropriated or otherwise made available by the Recovery Act may be used for a project for the construction, alteration, maintenance, or repair of a public building or public work unless all of the iron, steel, and manufactured goods used in the project are produced in the United States. See the Recovery Act Section 1605 – Buy American Requirements. All prohibitions on construction remain applicable to Grantees.

## ACCEPTANCE

Signature of Authorized Representative: \_\_\_\_\_