



UNITED STATES DEPARTMENT OF COMMERCE
The Inspector General
Washington, D.C. 20230

July 30, 2010

The Honorable Darrell E. Issa
Ranking Member
Committee on Oversight and Government Reform
United States House of Representatives
Washington, DC 20515

Dear Mr. Issa:

This letter responds to your June 24 request to the Recovery Accountability and Transparency Board. In your letter, you asked for information regarding federal requirements for stimulus funding recipients to post signs showing that their projects have been funded by the Recovery Act.

You specifically requested information on: 1) guidance issued to recipients of stimulus funds on the posting of signs, logos, or emblems at Recovery Act-funded projects; 2) the statutory authority by which federal agencies require the posting of such signs; and 3) whether any federal agencies have relaxed any of these requirements. The original letter included a request for a cost assessment of the signs, but the Recovery Accountability and Transparency Board has determined that this would be best provided by the Senior Accountability Officer for each Department replying to your request. Therefore, our response does not include information about the costs associated with signs.

The Department of Commerce has five bureaus—the Census Bureau, the Economic Development Administration (EDA), the National Institute of Standards and Technology (NIST), the National Oceanic and Atmospheric Administration (NOAA), and the National Telecommunications and Information Administration (NTIA)—that have awarded stimulus funding. Each bureau is subject to Commerce-wide guidance for grant awards requiring that construction projects funded by the Recovery Act display signage featuring the Recovery Act logo. This guidance mirrors the Recovery Act guidance provided by OMB in the “General Guidelines for Emblem and Logo Applications” issued March 20, 2009. Similar Commerce-wide guidance does not exist for Department of Commerce contracts funded by the Recovery Act.

In addition to Commerce’s guidance on grants, agencies awarding stimulus funds are permitted to provide further instructions regarding the sign specifications. This has resulted in varied signage requirements across the five Commerce bureaus. For example, one agency provided specific guidance on the size of the sign, the material used in its construction, and its placement. Another agency required only that there be a sign and that it display the Recovery Act logo. Enclosed is a table identifying the Department-wide requirements and the statutory authority for the requirements, including agency-specific signage guidance. Except for a requirement for non-federal employers receiving stimulus dollars to post a whistleblower protection poster on site, there is no statutory requirement in the Recovery Act itself for the posting of signs.



We should note that the Commerce requirement for signage did not begin with the Recovery Act. The Department's *Grants Manual* instructs agencies that fund construction projects to require recipients to erect a sign at the project site indicating that the federal government is participating in the project. Only when the major purpose of the award is construction is there a requirement for a sign. Therefore, not all Commerce Recovery Act projects included a requirement to post a sign. For example, Census did not use any of its funds on construction projects so it issued no guidance to its recipients regarding signs.

There are some exceptions to the signage requirements, such as alteration of facilities (e.g., upgrading electrical systems) and projects in their early stages (before environmental assessments are completed or prior to the arrival of building materials and equipment). In such cases, a signage requirement is not applicable. Finally, our review found no instances in which a bureau had relaxed the Commerce's Recovery Act signage policy requirements or the implementation of those requirements.

If you have any questions or need further services, please contact me at (202) 482-4661, or Ann Eilers, principal assistant inspector general for audit and evaluation, at (202) 482-4328.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd J. Zinser", with a stylized flourish at the end.

Todd J. Zinser

Enclosure

cc: The Honorable Edolphus Towns, Chairman, Committee on Oversight and Government Reform
Earl Devaney, Chairman, Recovery Accountability and Transparency Board
Scott B. Quehl, Chief Financial Officer and Assistant Secretary for Administration,
Senior Accountability Officer for Recovery Act, Department of Commerce

Department-Wide and Agency-Specific Requirements for Signs on Commerce Funded Projects

U.S. Department of Commerce, Office of Inspector General

July 30, 2010

Bureau	General Guidance	Recovery Act Specific Guidance	Statutory Authority
Commerce-wide	<p>Department of Commerce Grants Manual Chapter 17 Sections E(2)(a)(2)(e) and E(2)(b)(7)(a)(vi) on pages 5 and 9 requires recipients to construct and maintain signs indicating federal involvement. http://oamweb.ossec.doc.gov/gmd_updated-doc.html</p> <p>No general guidance for contracts.</p>	<p>Recovery Act Standard Terms and Conditions Section B.2, page 3, requires all Recovery Act funded projects to display the Recovery Act sign throughout the construction phase. The agency awarding funds will provide additional instructions regarding specifications. http://oam.ocs.doc.gov/docs/4-27-09-OAM%20ARRA%20final%20guidance%20PDF.pdf</p> <p>This guidance mirrors the Recovery Act guidance provided by OMB in the "General Guidelines for Emblem and Logo Applications" issued March 20, 2009, and available on the MAX website. MAX is a website used by OMB and the federal community to share information and collaborate.</p>	<p>Manuals issued pursuant to the authority of 5 U.S.C. § 301, Department Organizational Order 10-5, and Department Administrative Order 203-26.</p>
EDA	<p>EDA's Standard Terms and Conditions for Construction Projects require the recipient to construct and maintain a sign indicating federal involvement. http://www.eda.gov/InvestmentsGrants/Directives.xml (citing 13 C.F.R. § 305.12) Page 12</p>	<p>Recovery Act General Guidelines for Emblem and Logo Applications (document provided by General Services Administration) provides specifications for logo appearance; however, no other Recovery Act specific guidance provided.</p>	<p>No signage requirement mentioned in Recovery Act or the statutes for Public Works and Economic Development at 42 U.S.C. § 3121 et. seq. for EDA. EDA's general regulations require the recipient of federal funds to construct and maintain a sign indicating federal involvement in the construction project. See 13 C.F.R. § 305.12.</p>
NIST	<p>NIST communicated the Department's Grants Manual signage requirements to grant recipients.</p>	<p>Guidance exists but it is not posted on-line.^a</p>	<p>No signage requirements mentioned in Recovery Act or statutes for NIST at 15 U.S.C. § 271 et. seq. NIST's general regulations do not address signage. See 15 C.F.R. pts. 200-299.</p>
NOAA	<p>Recipients are directed to Department guidance. http://www.ago.noaa.gov/ago/grants/policy.cfm Chapter 17, pages 5 and 9</p> <p>No general guidance for contracts.</p>	<p>NOAA Habitat Restoration Template provided to recipients for banners/signs - "Vinyl Banner Files (pdf)" under Outreach Resources drop down (June 2009), page 1. http://www.habitat.noaa.gov/partners/toolkits/recoveryact.html</p>	<p>No signage requirements mentioned in Recovery Act or statutes for NOAA at 15 U.S.C. § 311 et. seq. NOAA's general regulations do not address signage. See 15 C.F.R. pts. 902-999.</p>
NTIA	<p>None</p>	<p>The Broadband Technology Opportunities Program (BTOP) has Recovery Act-specific guidance for signage. http://www2.ntia.doc.gov/signage, page 1. Signage requirements are also discussed in a BTOP Recipient Handbook in Section 8.1, page 103. http://www2.ntia.doc.gov/recipienthandbook</p>	<p>No signage requirements mentioned in statutes for NTIA at 47 U.S.C. § 900 et. seq. NTIA's general regulations do not address signage. See C.F.R. pt. 2301; 47 C.F.R. pts. 300-01, 400.</p>

Source: OIG

^a Printed Guidance is available upon request.