

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIA/Planning/Section 166
	CORRESPONDENCE SYMBOL OWI / INAP
	DATE March 19, 2009

TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 16-08

TO: ALL WORKFORCE INVESTMENT ACT SECTION 166 INDIAN AND NATIVE AMERICAN GRANTEEES

FROM: DOUGLAS F. SMALL 
Deputy Assistant Secretary

SUBJECT: Guidance for Implementation of the Workforce Investment Act (WIA) Funding in the American Recovery and Reinvestment Act of 2009 as required by Subtitle D, Section 166, Native American Programs

1. **Purpose.** On March 9, 2009, the Employment and Training Administration (ETA) emailed Indian and Native American grantees a letter and Modification Addendum regarding the availability and use of funds under the American Recovery and Reinvestment Act of 2009 (the Recovery Act), and stated that specific guidance would be forthcoming. Accordingly, the purpose of this Training and Employment Guidance Letter (TEGL) is to provide further policy guidance and direction regarding the Recovery Act funding for activities authorized under the WIA, Subtitle D, Section 166, Native American Programs. Through this guidance, ETA is also providing specific instructions about the requirements for Indian and Native American grantees to modify the currently approved two year plan. More specifically, this guidance provides policy on:

- The use of WIA, Section 166 Supplemental Youth Service Program (SYSP) funds provided in the Recovery Act
- The submission of a modification to the grantees' current two SYSP plans, addressing how the additional funding will be utilized under the Recovery Act consistent with WIA subtitle D, Sec. 166 and the Recovery Act; and
- General program and financial reporting requirements under the Recovery Act

RESCISSIONS None	EXPIRATION DATE Continuing
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2. **References.**

- Workforce Investment Act of 1998, as amended (29 U.S.C. 2801 et seq.)
- The American Recovery and Reinvestment Act of 2009 (Pub. Law 111-5)
- WIA regulation, 20 CFR part 668; and
- Priority of Service for Covered Persons: Final Rule 20 CFR part 1010, 73 Fed. Reg. 78132 (December 19, 2008)

3. **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 to assist those most impacted by the recession. The Indian and Native American Program (INA) program plays a pivotal role in helping Indian and Native American youth prepare for and find employment. The Recovery Act made available to ETA \$1.2 billion for training and employment services for WIA Youth Activities. To allocate Recovery Act funds to INA grantees, ETA will reserve 1.5% of Recovery Act funds appropriated for youth activities to make available \$17.82 million for the WIA Section 166, Indian and Native American Supplement Youth Service program. See Attachment A for individual grant allotments.

In order for the INA 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 Recovery Act expeditiously and effectively, with full transparency and accountability for the expenditure of funds. The implementation of the Recovery Act should yield not only increased services and training for Indian and Native American youth, but also invigorate and advance prosperity in these indigenous communities.

In general, the Recovery Act envisions a stronger workforce environment for youth, including Indian and Native Americans, in which they can easily transition between the labor market and further education and training in order to advance in their careers. Education and training should be closely aligned with jobs and employment opportunities available on or near reservations (or Oklahoma, Alaska Natives, and Native Hawaiians.) Every level of education and training should afford Indian and Native American youth the ability to advance in school or at work, with assessments and certifications articulated to the requirements of the next level of education and employment.

4. **General Policy Guidelines.** In utilizing the funding in the Recovery Act, the INA program grantees must ensure: 1) transparency and accountability in the use of Recovery Act funding; 2) timely expenditure of the funds and implementation of activities; and 3) that workforce information is used to guide strategic planning and service delivery.

The Recovery Act contains many provisions stressing transparency in the use of the funds provided in the Recovery Act. That is, the public will have access to how funding is being used and the outcomes of program activities. Updates regarding the accountability for Recovery Act funds will be posted on the Website www.recovery.gov. The modifications made to the INA program grants described in this guidance will be important sources of information to ensure the transparency and accountability of the workforce funds provided in the Recovery Act.

Another guiding principle is the timely spending of funding and implementation of activities contained in the Recovery Act. The Act is intended to stimulate the nation's economy and provide quick assistance to those impacted by the economic downturn. In turn, ETA is requiring INA grantees to move quickly and use the funding to provide youth access to the services they need to pursue education and employment. We strongly encourage grantees to use as much as possible of this funding during the summer of 2009. (See discussion under "Allowable Activities" below.)

ETA expects that INA grantees will fully utilize the Recovery Act funding to substantially increase the number of youth served and expand summer employment or training services. To that end, the Recovery Act funding is to be spent concurrently with existing WIA Section 166, SYSP funding.

Workforce information will be particularly critical as INA grantees seek to identify those businesses and sectors of the economy that are still in need of workers, even in the economic downturn, and those that will begin to grow as the economy recovers. Furthermore, the INA community should consider the value of working with State and local workforce investment areas to obtain information on how the Recovery Act is being implemented and utilize funding to assist the low-income, displaced and under-skilled, and disconnected youth population in their communities.

5. **WIA Section 166 Native American Programs**. As authorized by WIA section 127(b)(1)(C)(i)(I), to allocate Recovery Act funds to INA grantees, ETA has reserved 1.5% of the Recovery Act funds appropriated for youth activities to make available \$17.82 million for the WIA Section 166 INA SYSP. Funds are allocated based on the PY 08 formula. See Attachment A.

A. Allowable Activities:

Except as otherwise stated in the Recovery Act or this and other applicable TEGLs, youth activities authorized under WIA Section 166 SYSP are allowable activities under the Recovery Act. Grantees should refer to 20 CFR Part 668, Subpart D – Supplemental Youth Services, for specific guidance regarding the proposed activities and requirements for operating this program. A significant change under the Recovery Act is that youth services are extended to individuals

up to and including age 24. The Recovery Act also states that the work readiness indicator described in WIA section 136(b)(2)(A)(ii)(1) is the only measure of performance used to assess the effectiveness of the summer youth programs provided with the Recovery Act funds. The Recovery Act funds may not 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. A complete list of the Recovery Act Assurances can be found in Attachment B.

While the Recovery Act does not limit the use of the Recovery Act funds for only summer employment, the Congressional explanatory statement for the Recovery Act states that "the conferees are particularly interested in these funds being used to create summer employment opportunities for youth." ETA strongly encourages grantees to use as much of these funds as possible to operate expanded summer youth employment opportunities during the summer of 2009, and provide as many youth as possible with summer employment opportunities and other work experiences while still ensuring that these summer employment opportunities and work experiences are high quality. For purposes of the Recovery Act funds, the period of "summer" will be from May 1 through September 30. "Summer employment" may include any set of allowable WIA Section 166 youth services that occur during the above referenced summer months as long as it includes a work experience component.

ETA is also particularly interested in and encourages INA grantees to develop work experiences and other activities that expose youth to opportunities in "green" educational and career pathways, as well as opportunities to work in registered apprenticeship programs. Additional guidance regarding supplemental youth services can be found at 20 CFR 668.450.

B. Suggested Strategies:

Under the Recovery Act, the Indian and Native American community plays a significant role in providing work experience and employment opportunities for Indian and Native American youth. ETA encourages INA grantees to consider these service delivery strategies as priority guidance for utilizing the Recovery Act funds:

- 1) Develop plans and strategies that target the use of WIA Section 166, SYSP Recovery Act funds on the services that most efficiently and effectively provide positive educational and employment outcomes for at-risk youth (e.g. out-of-school, high school dropouts, youth at-risk of dropping out of school, parenting teens, runaway and homeless youth, youth in-foster care or aging of foster care, youth with disabilities, and youth offenders.)

- 2) Incorporate culturally relevant training approaches, including mentorships, internships, placements at tribal colleges or at other training centers that develop academic, occupational, and literacy skills. In addition, INA SYSP grantees are encouraged to use on-the-job training as a mechanism for introducing youth job seekers to industries and jobs that employ “green” skills or technologies.
 - 3) ETA encourages INA program grantees to adhere to current workplace safety guidelines and applicable federal/state wage laws. For information and resources on safety and child labor laws, consult <http://www.youthrules.dol.gov/about.htm> and <http://www.osha.gov/teens>. Provisions for wages under the amendments to the Fair Labor Standards Act (FLSA) apply to all youth participants employed under WIA. Current law specifies a minimum wage of \$6.55 per hour effective July 24, 2008; and \$7.25 per hour effective July 24, 2009. Depending on the facts, FLSA regulations may apply only to the workplace portion, and not to the classroom portion, of summer employment. Any hours spent in classroom training as part of a summer employment opportunity may or may not fall under the FLSA. (If you have questions regarding whether an individual is an employee, or whether an employee’s time spent in training is compensable, please contact the Wage and Hour Division at 1-866-4-USWAGE, or at <http://www.dol.gov/esa/WHD>.) INA summer youth service programs may provide wages or stipends to youth in a classroom-based component of a summer employment opportunity. INA programs should have a policy guiding the payment of classroom-based stipends and wages.
6. **Priority of Service.** Since the Recovery Act expanded the age range for participants in youth programs to 24, grantees may encounter an increased volume of veterans in the SYSP youth program. Veterans age 21-24 have a particularly high incidence of unemployment immediately upon discharge. Grantees are required to provide priority of service for veterans and eligible spouses pursuant to 20 CFR Part 1010, the regulations implementing priority of service for veterans and eligible spouses, in Department of Labor job training programs under the Jobs for Veterans Act, published at 73 Fed. Reg. 78132 on December 19, 2008.
7. **Availability of Funds.** The Recovery Act funding for all WIA youth funds is considered Program Year (PY) 2008 formula funding, and therefore, must be expended by June 30, 2011. While the Recovery Act does not mandate the use of the funds solely for summer employment, grantees are strongly encouraged to utilize this funding during the summer of 2009.

8. **Monitoring.** Pursuant to WIA regulations 20 CFR 667.410, each recipient and its sub-recipient(s) of the Recovery Act funds must conduct regular oversight and monitoring of its activities in order to determine that expenditures have been made against the appropriate cost categories and within the cost limitations. Oversight and monitoring should determine whether or not there is compliance with programmatic, accountability, and transparency provisions of the Recovery Act and this TEGL, as well as the regular provisions of WIA, and its associated regulations and other applicable laws and regulations. The INA program office will provide technical assistance as necessary and appropriate. In the INA, SYSP plan modification amendment, the grantees must be able to demonstrate that there will be monitoring and oversight of the funds provided under the Recovery Act.
9. **Reporting.** Accountability guidelines provided by the Office of Management and Budget (OMB) for the Recovery Act emphasize data quality, streamlining data collection, and collection of information that shows measurable program outputs. As noted above, the Recovery Act states that a work readiness indicator must be used to assess the effectiveness of the summer youth programs. Final guidance on participant and performance reporting will be issued under the PY 2009 Program Guidance TEGL, which will be published within 30 days from the date of this announcement. Participants served during the PY 2009 youth summer program will be included in the Department of Labor's (DOL) report on Recovery Act activities.

ETA is separately developing reporting guidelines on how the Recovery Act funds will be monitored. To the extent that new information or reports are required for the Recovery Act activities, ETA will seek OMB clearance through the Paperwork Reduction Act process.

10. **Paperwork Reduction Act (PRA).** The public reporting burden for this collection of information is estimated to average approximately (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 specifically for the delivery of youth services and INA program grant management assurances required to receive a grant under the Recovery Act. According to the Paperwork Reduction Act of 1995 (Pub. L. 104-13), no persons are required to respond to a collection of information unless such collection displays a valid 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. § 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. § 3512. The Department will notify grantees of OMB's decision upon review of the Department's ICR, including any changes that may result from this review process.

11. Action Requested. Grantees receiving WIA Section 166 INA summer youth funding under the Recovery Act are required to submit a modification to their current two year plan, which should describe the delivery of program services specific to Recovery Act funding. Grantees should address the following questions:

- How will the grantee ensure that the Recovery Act funds are tracked separately?
- What strategies will the grantee implement to provide employment and training opportunities to an increased number of youth participants year round and/or for the summer 2009 program?
- How will the grantees address the employment and training needs of those participants ages 18-24?
- Does the program currently have access to and use the SYSP Bear Tracks reporting system? If not, does the program have the capability to install the Bear Tracks reporting system?
- Describe how the grantee will implement the veteran priority of service requirement?
- How does the grantee intend to work with state or local WIA programs to leverage resources and access services made available by the Recovery Act funding?
- How does the grantee intend to meet the transparency requirements of the Recovery Act?
- How does the grantee intend to meet the other requirements listed under "Allowable Activities" (5A) and "Suggested Strategies" (5B) of this TEGL?

Grantees should include their responses to these questions in the plan modification. Grantee plans are due no later than 30 days from the date of this announcement. Additionally, along with the plans, grantees must submit signed Recovery Act assurances, as contained in Attachment B.

The information can be submitted electronically to taylor.belinda@dol.gov. However, if you are unable to submit the required information electronically, it may be faxed to (202) 693-3817 or sent by overnight mail attention to the U.S. Department of Labor, Division of Adult Services, Indian and Native American Program, 200 Constitution Ave. NW, Room S-4209, Washington, DC 20210. ATTN: Belinda Taylor.

12. **Inquiries**. If you have questions regarding this planning guidance, please contact your Federal Project Officer (FPO).

Midwest:

Dawn Anderson (202) 693-3745

Craig Lewis (202) 693-3384

Duane Hall (972) 850-4637

Eastern Region

Andrea Brown (202) 693-3736

Western Region

Sibert Seciwa (415) 625-7987

Guy Suetopka (415) 625-7988

13. **Attachment**.

Attachment A: WIA Title I Sec. 166 Supplemental Youth Service
Recovery Act Allotments

Attachment B: American Recovery and Reinvestment Act of 2009
Assurances

U. S. Department of Labor
Employment and Training Administration
WIA Title I Sec. 166 Supplemental Youth Services for Native Americans
2009 Recovery Act Allotments

ATTACHMENT A

Grantee CID	Grant Type	Seq#	State	Grantee	Total
					\$17,820,000
1		1	AL	Inter-Tribal Council of Alabama	6,554
2		2	AL	Poarch Band of Creek Indians	0
3	477	3	AK	Aleutian/Pribilof Islands Association	15,522
6	477	4	AK	Association of Village Council Presidents	212,479
7	477	5	AK	Bristol Bay Native Association	62,088
8	477	6	AK	Central Council of Tlingit and Haida	87,958
9	477	7	AK	Chugachmiut	7,589
10	477	8	AK	Cook Inlet Tribal Council	189,024
189	477	9	AK	Copper River Native Association	12,072
11	477	10	AK	Kawerak Incorporated	77,610
12		11	AK	Kenaitze Indian Tribe	29,320
13	477	12	AK	Kodiak Area Native Association	12,072
196	477	13	AK	Maniilaq Association Inc.	67,262
15	477	14	AK	Metlakatla Indian Community	6,898
16	477	15	AK	Orutsararmuit Native Council	20,696
17	477	16	AK	Tanana Chiefs Conference, Inc.	146,597
18		17	AZ	Affiliation of Arizona Ind. Cntrs. Inc.	0
19		18	AZ	American Indian Association of Tucson	0
20		19	AZ	Colorado River Indian Tribes	41,392
21		20	AZ	Gila River Indian Community	272,498
23		21	AZ	Hopi Tribal Council	151,771
22		22	AZ	Hualapai Tribe	25,870
24		23	AZ	Inter Tribal Council of Arizona, Inc.	49,325
25		24	AZ	Native Americans for Community Action	0
26		25	AZ	Navajo Nation	3,956,397
27		26	AZ	Pasqua Yaqui Tribe	70,712
28		27	AZ	Phoenix Indian Center, Inc.	0
29		28	AZ	Quechan Indian Tribe	22,420
30		29	AZ	Salt River Pima-Maricopa Indian Council	67,262
31		30	AZ	San Carlos Apache Tribe	286,295
32	477	31	AZ	Tohono O'Odham Nation	288,020
33		32	AZ	White Mountain Apache Tribe	343,210
34		33	AR	American Indian Center of Arkansas, Inc.	0
35		34	CA	California Indian Manpower Consortium, Inc.	195,233
36		35	CA	Candelaria American Indian Council	0
37		36	CA	Indian Human Resources Center, Inc.	0
38		37	CA	Northern CA Indian Development Council, Inc.	31,389
39		38	CA	Southern CA Indian Center, Inc.	0
40		39	CA	Tule River Tribal Council	10,348
41		40	CA	United Indian Nations, Inc.	0
42		41	CA	Ya-Ka-Ama Indian Education & Development	0
43		42	CO	Denver Indian Center	0
44		43	CO	Southern Ute Indian Tribe	13,798
45		44	CO	Ute Mountain Ute Indian Tribe	29,320
46		45	DE	Nanticoke Indian Association, Inc.	0
47		46	FL	Florida Governor's Council on Indian Affairs	0
48		47	FL	Miccosukee Corporation	7,244
50		48	HI	Alu Like, Inc.	2,411,092
51	477	49	ID	Nez Perce Tribe	20,007
52	477	50	ID	Shoshone-Bannock Tribes	74,161
4		51	IN	American Indian Center of Indiana, Inc.	0
54		52	KS	United Tribes of Kansas and S.E. Nebraska	13,452
55		53	LA	Inter-Tribal Council of Louisiana, Inc.	5,174
56		54	ME	Penobscot Nation	32,424

U. S. Department of Labor
Employment and Training Administration
WIA Title I Sec. 166 Supplemental Youth Services for Native Americans
2009 Recovery Act Allotments

ATTACHMENT A

Grantee CID	Grant Type	Seq#	State	Grantee	Total
58		55	25	MA Mashpee-Wampahoag Indian Tribal Council, Inc.	0
59		56	25	MA North American Indian Center of Boston, Inc.	0
60	477	57	26	MI Grand Traverse Band of Ottawa & Chippewa Indians	0
61		58	26	MI Inter-Tribal Council of Michigan, Inc.	37,942
62		59	26	MI MI Indian Employment and Training Services, I	0
179		60	26	MI North American Indian Association of Detroit	0
63		61	26	MI Potawatomi Indian Nation	0
64		62	26	MI Sault Ste. Marie Tribe of Chippewa Indians	25,181
65		63	26	MI Southeastern Michigan Indians. Inc.	0
66		64	27	MN American Indian OIC	0
67		65	27	MN Bois Forte R.B.C.	11,728
68		66	27	MN Fond Du Lac R.B.C.	23,455
69		67	27	MN Leech Lake R.B.C.	68,642
70	477	68	27	MN Mille Lacs Band of Chippewa Indians	30,699
71		69	27	MN Minneapolis American Indian Center	0
72	477	70	27	MN Red Lake Tribal Council	108,654
73	477	71	27	MN White Earth R.B.C.	70,712
74		72	28	MS Mississippi Band of Choctaw Indians	87,613
75		73	29	MO American Indian Council	12,072
76	477	74	30	MT Assiniboine & Sioux Tribes	177,641
78		75	30	MT B.C. of the Chippewa Cree Tribe	50,016
77	477	76	30	MT Blackfeet Tribal Business Council	163,844
79	477	77	30	MT Confederated Salish & Kootenai Tribes	179,366
80		78	30	MT Crow Indian Tribe	113,483
81	477	79	30	MT Fort Belknap Indian Community	65,538
82		80	30	MT Montana United Indian Association	0
83		81	30	MT Northern Cheyenne Tribe	127,626
84		82	31	NE Indian Center, Inc.	0
85		83	31	NE Omaha Tribe of Nebraska	60,364
86	477	84	31	NE Winnebago Tribe	27,594
87		85	32	NV Inter-Tribal Council of Nevada	59,673
88		86	32	NV Las Vegas Indian Center, Inc.	0
188	477	87	32	NV Reno Sparks Indian Colony	12,072
89	477	88	32	NV Shoshone-Paiute Tribes	18,972
91		89	35	NM Alamo Navajo School Board	63,813
93		90	35	NM Eight Northern Indian Pueblo Council	35,183
94		91	35	NM Five Sandoval Indian Pueblos, Inc.	120,383
95		92	35	NM Jicarilla Apache Tribe	36,218
96		93	35	NM Mescalero Apache Tribe	79,335
97		94	35	NM National Indian Youth Council	0
98		95	35	NM Pueblo of Acoma	39,668
92		96	35	NM Pueblo of Isleta	15,177
99	477	97	35	NM Pueblo of Laguna	48,291
100	477	98	35	NM Pueblo of Taos	24,146
101	477	99	35	NM Pueblo of Zuni	167,293
102		100	35	NM Ramah Navajo School Board, Inc.	39,668
103		101	35	NM Santa Clara Indian Pueblo	17,246
104		102	35	NM Santo Domingo Tribe	58,639
105		103	36	NY American Indian Community House, Inc.	11,728
107		104	36	NY Native Am. Comm. Services of Erie & Niagara Co	0
106		105	36	NY Native American Cultural Center, Inc.	4,139
109	477	106	36	NY Seneca Nation of Indians	41,392
108		107	36	NY St. Regis Mohawk Tribe	29,320
110		108	37	NC Cumberland County Association for Indian People	0
111		109	37	NC Eastern Band of Cherokee Indians	74,161
112		110	37	NC Guilford Native American Association	0

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Grantee CID	Grant Type	Seq#	State	Grantee	Total
113		111	37	NC Haliwa-Saponi Tribe, Inc.	0
114		112	37	NC Lumbee Regional Development Association	0
115		113	37	NC Metrolina Native American Association	0
116		114	37	NC North Carolina Commission of Indian Affairs	0
117	477	115	38	ND Spirit Lake Sioux Tribe	96,582
118		116	38	ND Standing Rock Sioux Tribe	160,395
120	477	117	38	ND Three Affiliated Tribes - Ft. Berthold Reservation	72,436
121		118	38	ND Turtle Mountain Band of Chippewa Indians	165,569
119		119	38	ND United Tribes Technical College	0
122		120	39	OH North America Indian Cultural Centers	0
123		121	40	OK Absentee Shawnee Tribe of Oklahoma	16,902
125	477	122	40	OK Cherokee Nation of Oklahoma	871,304
126		123	40	OK Cheyenne-Arapaho Tribes	134,525
127	477	124	40	OK Chickasaw Nation of Oklahoma	261,805
128	477	125	40	OK Choctaw Nation of Oklahoma	375,978
129	477	126	40	OK Citizen Band Potawatomi Indians of Oklahoma	282,502
130		127	40	OK Comanche Tribe of Oklahoma	93,132
131	477	128	40	OK Creek Nation of Oklahoma	458,763
133		129	40	OK Four Tribes Consortium of Oklahoma	87,613
134		130	40	OK Inter-Tribal Council of N.E. Oklahoma	34,838
135		131	40	OK Kiowa Tribe of Oklahoma	116,243
136	477	132	40	OK Osage Tribal Council	67,262
137		133	40	OK OTOE-Missouria Tribe of Oklahoma	21,731
138	477	134	40	OK Pawnee Tribe of Oklahoma	18,972
139		135	40	OK Ponca Tribe of Oklahoma	72,091
140		136	40	OK Seminole Nation of Oklahoma	93,132
181		137	40	OK Tonkawa Tribe of Oklahoma	36,218
141		138	40	OK United Urban Indian Council, Inc.	256,976
182		139	40	OK Wyandotte Tribe of Oklahoma	0
142	477	140	41	OR Confed. Tribes of Siletz Indians of Orego	1,380
143	477	141	41	OR Confed. Tribes of the Umatilla Indian Res	18,972
144		142	41	OR Confederated Tribes of Warm Springs	53,465
145		143	41	OR Organization of Forgotten Americans	7,933
146		144	42	PA Council of Three Rivers	0
147		145	44	RI Rhode Island Indian Council	0
148		146	45	SC South Carolina Indian Development Council, Inc.	3,450
149	477	147	46	SD Cheyenne River Sioux Tribe	182,815
150		148	46	SD Lower Brule Sioux Tribe	25,870
151		149	46	SD Oglala Sioux Tribe	536,373
152	477	150	46	SD Rosebud Sioux Tribe	315,615
153	477	151	46	SD Sisseton-Wahpeton Sioux Tribe	75,886
154		152	46	SD United Sioux Tribe Development Corp.	17,246
180		153	46	SD Yankton Sioux Tribe	68,987
155		154	48	TX Alabama-Coushatta Indian Tribal Council	1,380
156		155	48	TX Dallas Inter-Tribal Center	0
157		156	48	TX Ysleta del Sur Pueblo	22,420
158		157	49	UT Indian Training & Education Center	7,589
159		158	49	UT Ute Indian Tribe	77,610
160		159	50	VT Abenaki Self-Help Association/ NH Ind. Council.	0
161		160	51	VA Mattaponi Pamunkey Monacan Consortium	0
162		161	53	WA American Indian Community Center	23,455
184	477	162	53	WA Colville Confederated Tribes	63,813
163	477	163	53	WA Confederated Tribes & Bands of the Yakama Nation	141,079
165	477	164	53	WA Makah Tribal Council	17,246
166		165	53	WA Puyallup Tribe of Indians	18,626
167		166	53	WA Seattle Indian Center	0

U. S. Department of Labor
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WIA Title I Sec. 166 Supplemental Youth Services for Native Americans
2009 Recovery Act Allotments

ATTACHMENT A

Grantee CID	Grant Type	Seq#	State	Grantee	Total
197	477	167	53	WA Spokane Reservation	31,044
168	477	168	53	WA The Tulalip Tribes	27,594
169		169	53	WA Western WA Indian Empl. and Trng Pgm.	135,559
170	477	170	55	WI Ho-Chunk Nation	6,209
171		171	55	WI Lac Courte Oreilles Tribal Governing Board	43,117
172		172	55	WI Lac Du Flambeau Band of Lake Superior Chippewa	15,522
173	477	173	55	WI Menominee Indian Tribe of Wisconsin	63,813
175		174	55	WI Oneida Tribe of Indians of WI, Inc.	20,696
174		175	55	WI Spotted Eagle, Inc.	0
176	477	176	55	WI Stockbridge-Munsee Community	4,829
177		177	55	WI Wisconsin Indian Consortium	34,149
178	477	178	56	WY Eastern Shoshone Tribe	46,221
185		179	56	WY Northern Arapaho Business Council	103,826

ASSURANCES

AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009
(Recovery Act)

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) and must maintain active and current profiles in the Central Contractor Registration (CCR). (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. **NOTE: WIA Title I prohibition on construction, in accordance with 20 CFR 667.260, remains applicable to Grantees.**

ACCEPTANCE

Signature of Authorized Representative_____