EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	**CLASSIFICATION** WIA/Wagner-Peyser
	CORRESPONDENCE SYMBOL OWI
	DATE May 1, 2013

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 25-12

TO: ALL STATE WORKFORCE AGENCIES
ALL STATE WORKFORCE LIAISONS

FROM: JANE OATES
Assistant Secretary

SUBJECT: Workforce Investment Act (WIA) Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2013; Final PY 2013 Allotments for the Wagner-Peyser Act Employment Service (ES) Program Allotments; and Workforce Information Grants to States Allotments for PY 2013.

1. **Purpose**. To provide States and outlying areas with WIA Title I Adult, Dislocated Worker and Youth Activities program allotments for PY 2013; final allotments for PY 2013 for the Wagner-Peyser ES Program, as required by section 6(b)(5) of the Wagner-Peyser Act, as amended; and the Workforce Information Grants to States allotments for PY 2013.

2. **References**.
   - Continuing Appropriations Act, 2013 (Pub. L. 112-175)
   - Balanced Budget and Emergency Deficit Control Act, as amended (Pub. L. 99-177)
   - Budget Control Act of 2011 (Pub. L. 112-25)
   - Full-Year Continuing Appropriations Act, 2013, Title I of Division F and Division G of the Consolidated and Further Continuing Appropriations Act, 2013, Public Law (Pub. L.) 113-6, signed March 26, 2013
   - Department of Labor Appropriations Act, 2012, Title I, III, and V of Division F of the Consolidated Appropriation Act, 2012, Pub. L. 112-74, signed December 23, 2011
   - Training and Employment Guidance Letter (TEGL) 21-12, *Updated Economically Disadvantaged Youth and Adult Data for use in Program Year (PY) 2013 and future Workforce Investment Act (WIA) Youth and Adult Within-State Allocation Formulas*
   - Workforce Investment Act of 1998, (29 United States Code (U.S.C) 2801 et seq.), Public Law 105-220, as amended
   - Wagner-Peyser Act, as amended (29 U.S.C. 49 et seq.)
   - WIA Final Rule, 20 Code of Federal Regulations parts 660-671
   - State Integrated Workforce Plan Requirements for Workforce Investment Act Title I/Wagner-Peyser Act and Department of Labor Workforce Programs (OMB No. 1205-0398)
   - Planning Guidance for State Unified Plans and Unified Plan Modifications Submitted under Section 501 of the Workforce Investment Act (WIA) (OMB No. 1205-0398)

RESCISSIONS None	**EXPIRATION DATE** Continuing

3. **Background**. On March 26, 2013, the Consolidated and Further Continuing Appropriations Act, 2013, Pub. L. 113-6 was signed into law (from this point forward, referred to as "the Act"). Section 3004 of Division G of the Act incorporated a mandatory across the board rescission of 0.2 percent impacting all Federal Fiscal Year (FY) 2013 discretionary funding. This 0.2 percent rescission applies to the PY 2013 funding for the programs covered by this TEGL and FY 2013 "advance" funds made available for PY2012 on October 1, 2012. Additionally, all FY 2013 discretionary program funding is subject to a 5.0 percent reduction under the sequestration order required by section 251A of the Balanced Budget and Emergency Deficit Control Act, as amended.

   The Youth, ES, and the Workforce Information Grants are each funded through a single appropriation and, as further described below both the sequestration and rescission reductions were applied to the PY 2013 appropriated level. However, the current and prior appropriations acts fund the WIA Adult and Dislocated Worker programs in two separate appropriations. The first becomes available for obligation on July 1; this portion is commonly referred to as the "base" funds. The second becomes available for obligation on October 1; this portion is commonly referred to as "advance" funds because they are provided in the appropriations act passed during the fiscal year preceding when the funds are available. For example, "advance" funds for PY 2012 that were made available on October 1, 2012 are funds appropriated during FY 2012, but not made available until FY 2013, and are called the FY 2013 "advance."

   Due to the funding structure of the Adult and Dislocated Worker programs, the sequestration amount and 0.2 percent rescission applicable to the "base" funds that States receive on July 1, 2013 were subtracted from the total appropriation before ETA executed the statutory funding formulas. Each State's share of the sequestration amount and 0.2 percent rescission applicable to the FY 2013 "advance" funds that States received on October 1, 2012 was determined based on each State's share of the total funding for October 1, 2012. To prevent the need to deobligate funding made available on October 1, 2012 and reduce disruption to PY 2012 activities, ETA subtracted the rescission amounts applicable to the October 1, 2012 funding for each State from the State's July 1, 2013 allotment level (PY 2013 "base"). ETA will issue forthcoming guidance on funds administration flexibility that may be helpful to states and local areas in managing the funding cuts.

   The Act also specifies the following provisions, which are applicable to utilization of the funds appropriated:

   - A local board still may transfer up to 30 percent of funds between the Adult and Dislocated Worker funding streams if approved by their Governor. Many states have waivers that allow their local boards to transfer up to 50 percent between those programs.
   - A local board still may award contracts for "class-size training," that is, a local board still may award a contract to an institution of higher education or other eligible training provider if the local board determines that the contract would facilitate the training of multiple individuals in high-demand occupations, and if the contract would not limit customer choice.
   - Notwithstanding section 128(a)(1) of WIA, the amount available for the Governor for Statewide workforce investment activities must not exceed 5 percent of the amount

allotted to the State from each of the WIA Youth, Adult, and Dislocated Worker, PY 2013 appropriations.

- Salary caps from FY 2010 are maintained (i.e., $179,700). No funds under the header "Employment and Training Administration" may be used by a recipient or sub-recipient to pay the salary and/or bonus of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. States also may establish lower salary caps.

While the WIA allotments for States are based on formula provisions defined in WIA (see Attachment A for WIA and Wagner-Peyser formula descriptions), the WIA allotments for the outlying areas (e.g., American Samoa, Guam, Northern Marianas, Palau, and the Virgin Islands) are based on a discretionary formula as authorized under WIA Title I. The Marshall Islands and Micronesia no longer receive WIA Title I funding; instead, these areas now receive funding from the Department of Education's appropriation (see Compact of Free Association Amendments of 2003, Pub. L. 108-188 (December 17, 2003), codified at 48 U.S.C. 1921d(f)(1)(B)(iii)(the "Compact"). The Compact also specified that the Republic of Palau remained eligible for WIA Title I funding. See 48 U.S.C. 1921d(f)(1)(B)(ix). The Consolidated Appropriations Act, 2012 (in the Department of Education's General Provisions at Section 306, Title III, Division F, Pub. L. 112-74) amended the Compact to extend the availability of WIA Title I funding to Palau through FY 2012. Section 1105 of Division F of the Consolidated and Further Continuing Appropriations Act, 2013, further extended the same funding to Palau through FY 2013.

In addition to this TEGL, allotments and descriptions of the allotment formulas will be published in the Federal Register. Comments may be submitted to the Employment and Training Administration (ETA), on the formula used to distribute funds to outlying areas.

4. State WIA Youth Activities Funds: Title I--Chapter 4--Youth Activities.

A. State Allotments. The appropriated level for PY 2013 for WIA Youth Activities totals $781,375,289, which includes $11,720,629 for Native Americans, $767,701,222 for States, and $1,953,438 for outlying areas. These amounts include the sequestration amount and 0.2 percent rescission. Attachment B contains a breakdown of the WIA Youth Activities program allotments by State for PY 2013 and provides a comparison of these allotments to PY 2012. Please note that the Department of Labor (the Department) will provide the Native American Youth allotments in a separate TEGL.

The three data factors required by WIA for the PY 2013 Youth Activities State formula allotments are:

1. The number of unemployed for Areas of Substantial Unemployment (ASUs) averages for the 12-month period, July 2011 through June 2012, as prepared by the States since PY 2006 using special 2000 Census data based on households, obtained under contract with the Census Bureau and provided to States by the Bureau of Labor Statistics (BLS);

2. The number of excess unemployed individuals or the ASU excess (depending on which is higher) averages for the same 12-month period as used for ASU unemployed data; and,

3. The number of economically disadvantaged Youth (age 16 to 21, excluding college students in the workforce and military) from special tabulations of data from the American Community Survey (ACS). The data used in the special tabulations for economically disadvantaged Youth were collected between January 1, 2006, and December 31, 2010.

Since the total amount available for States in PY 2013 is below the required $1 billion threshold specified in WIA section 127(b)(1)(C)(iv)(IV), which was also the case in PY 2012, the WIA additional minimum provisions (see Attachment A) are not applicable. Instead, as required by WIA, the Job Training Partnership Act (JTPA) section 262(a)(3) (as amended by section 701 of the Job Training Reform Amendments of 1992) minimums of 90 percent hold-harmless of the prior year allotment percentage and 0.25 percent State minimum floor apply. WIA also requires the application of a 130 percent stop-gain of the prior year allotment percentage.

B. PY 2013 Funding WIA Agreement/Notice of Obligations (NOOs). Upon execution of the PY 2013 WIA Annual Funding Agreement, Youth program funds will be available for States to use.

C. Within-State Allocations. States must distribute WIA Youth Activities funds among local workforce investment areas (subject to reservation of the 5 percent limitation for statewide workforce investment activities as discussed in the Background Section of this TEGL) in accordance with the provisions of WIA section 128 and the approved WIA/Wagner-Peyser Act State Plan. For purposes of identifying ASUs for the within-State Youth Activities allocation formula, as done since PY 2006, States should continue to use the special 2000 Census data based on households which were obtained under contract with the Census Bureau and which BLS provided to States in October 2006. States must continue to use the data provided in 2006 for the ASU identification process until further notice. For purposes of determining the number of economically disadvantaged Youth for the statutory formula, States should use the special tabulations of ACS data available at http://www.doleta.gov/budget/disadvantagedYouthAdults.cfm for the within-State Youth program allocations. See TEGL 21-12 for further information.

D. Transfers of Funds. Local workforce investment areas lack the authority to transfer funds to or from the Youth Activities program.

E. Reallotment of Funds. The Secretary of Labor reallots Youth Activities program formula funds, as provided for by WIA Section 127(c), based on completed PY financial reports that the States submitted. The Department with reallot funds among States under WIA during PY 2013 based on State obligations made during PY 2012 (20 CFR §667.150).

5. State Adult Employment and Training Activities Funds: Title I--Chapter 5--Adult and Dislocated Worker Employment and Training Activities.

A. State Allotments. After accounting for the 0.2 rescission and sequestration reductions, $730,624,342 is available for obligation to the States and outlying areas for PY 2013. The 0.2 rescission and sequestration reductions applied to both the FY 2013 "advance" funding (funds made available for PY 2012 on October 1, 2013) and the "regular" PY 2013 funding (available July 1, 2013). To avoid rescinding funding already allocated to States and localities, the Department fully applied the rescission and sequestration reductions from both the advance and regular appropriations to the July 1, 2013 portion of the PY 2013 allotments. Attachment C shows the initial PY 2013 Adult Employment and Training Activities allotments, the reductions related to the FY 2013 "advance," the final PY 2013 allotment amounts, and a comparison of the final PY 2013 allotments to PY 2012 allotments by State.

The three formula data factors for the Adult Activities program are the same as those used for the Youth Activities formula, except the Department used data for the number of economically disadvantaged Adults (age 22 to 72, excluding college students in the workforce and military). Since the total amount available for the Adult Activities program for States in PY 2013 is below the required $960 million threshold specified in WIA section 132(b)(1)(B)(iv)(IV), as was also the case in PY 2012, the WIA additional minimum provisions (See Attachment A) are not applicable. Instead, as required by WIA, the JTPA section 262(a)(3) (as amended by section 701 of the Job Training Reform Amendments of 1992) minimums of 90 percent hold-harmless of the prior year allotment percentage and 0.25 percent State minimum floor apply. Also, like the Youth program, the Department used the provision applying the 130 percent stop-gain of the prior year allotment percentage.

B. PY 2013 Funding WIA Agreement/Notices of Obligation (NOOs). For PY 2013, Congress appropriated funds for this program in two portions: $18,624,342 is available for obligation on July 1, 2013 (PY 2013) (including the 0.2 percent rescission and sequestration amounts applicable to both the July 1, 2013 and October 1, 2012 funds), and $712,000,000 available for obligation on October 1, 2013 (FY 2014). The Department prorated allotments to States and outlying areas based on these total amounts and will issue two NOOs: one for July 1, 2013, under the PY 2013 WIA grant agreement, and the other for October 1, 2013, also under the PY 2013 WIA grant agreement (see Attachment D).

C. Within-State Allocations. States must distribute WIA Adult Activities funds for PY 2013 allotments among local workforce investment areas (subject to reservation of the 5 percent limitation for Statewide workforce investment activities) in accordance with the provisions in WIA section 133 and the approved WIA/Wagner Peyser Act State Plan. The 5 percent which may be retained for statewide activities must be calculated on the total final allotment for PY 2013.

Similar to the Youth Activities program, for purposes of identifying ASUs for the within-state Adult Activities allocation formula, States must use the special 2000 Census data

provided to them by BLS in October 2006 until further notice. For purposes of developing the number of economically disadvantaged Adults for the statutory formula, States should use the special tabulations of ACS data available at http://www.doleta.gov/budget/disadvantagedYouthAdults.cfm for the within-state Adult allocations. See TEGL 21-12 for further information.

D. Transfers of Funds. WIA section 133(b)(4) provides the authority for local workforce investment areas, with approval of the Governor, to transfer up to 20 percent of the Adult Activities funds to Dislocated Worker Activities, and up to 20 percent of Dislocated Worker Activities funds to Adult Activities. The Department of Labor Appropriations Act, 2012, provided that notwithstanding section 133(b)(4), up to 30 percent of these funds could be transferred between programs, which is applicable for the life of the funds. This provision was extended by the appropriations act for 2013. Many States have waivers that allow them to transfer a higher percentage of funding between programs.

E. Reallotment of Funds. Reallotment of Adult Activities program formula funds, as provided for by WIA section 132(c), is based on completed PY financial reports submitted by the States. The Department will reallot funds among States under WIA during PY 2013 based on State obligations of PY 2012 funds made during PY 2012 (20 CFR §667.150).

6. State Dislocated Worker Employment and Training Funds: Title I--Chapter 5-Adult and Dislocated Worker Employment and Training Activities.

A total of $1,179,657,807 is available for Dislocated Worker activities in PY 2013. The total appropriation includes formula funds for the States, while the National Reserve is used for National Emergency Grants, technical assistance and training, demonstration projects, and the outlying areas' Dislocated Worker allotments. The 0.2 rescission and sequestration reductions applied to both the FY 2013 "advance" funding (funds made available for PY 2012 on October 1, 2013) and the "regular" PY 2013 funding (available July 1, 2013). For the National Reserve funding, the Department has fully applied the rescission and sequestration reductions for the FY 2013 "advance" funding. For the Dislocated Worker State formula funds, to avoid rescinding funding already allocated to States and localities, the Department has fully applied the rescission and sequestration reductions for the advance and regular appropriations to the July 1, 2013 portion of the PY 2013 allotments. The amount available for outlying areas is $3,061,235, leaving $221,005,193 for the National Reserve. This leaves a total of $955,591,379 available for States.

A. State Allotments. Attachment E shows the initial PY 2013 Dislocated Worker Activities fund allotments for PY 2013, the reductions related to the FY 2013 "advance," the final PY 2013 allotment amounts, and a comparison of the final PY 2013 allotments to PY 2012 allotments by State.

The three data factors required in WIA for the PY 2013 Dislocated Worker State formula allotments are:

1. The number of unemployed, averaged for the 12-month period, October 2011 through September 2012;

2. The number of excess unemployed, averaged for the 12-month period, October 2011 through September 2012; and

3. The number of long-term unemployed, averaged for the 12-month period, October 2011 through September 2012.

B. PY 2013 Funding WIA Agreement/NOOs. For PY 2013, Congress appropriated funds for this program in two portions for both formula funds and National Reserve funds. For State formula funds, $95,591,379 is available for obligation on July 1, 2013 (PY 2013) (including the 0.2 percent rescission and sequestration amounts for all funding available for federal obligation during FY 2013), and $860,000,000 is available for obligation on October 1, 2013 (FY 2014). For the National Reserve, which includes funds for the outlying areas, $24,066,428 is available for obligation on July 1, 2013 (PY 2013), and $200,000,000 is available for obligation on October 1, 2013 (FY 2014). Allotments to States and outlying areas are prorated based on the two amounts for formula funds and National Reserve, respectively. Allotments will be issued in two NOOs: one for July 1, 2013, under the PY 2013 WIA grant agreement, and the other for October 1, 2013, (also under the PY 2013 WIA grant agreement) (see Attachment F).

C. Within-State Allocations. Dislocated Worker Activities funds for PY 2013 allotments are to be distributed among local workforce investment areas (subject to the Governor's reservation of up to 25 percent for statewide rapid response activities and the 5 percent limitation for statewide workforce investment activities as discussed in the Background Section of this TEGL) in accordance with the provisions in WIA section 133 and the approved WIA/Wagner-Peyser Act State Plan. States must calculate the 5 percent which may be retained for statewide activities on the total final allotment for PY 2013.

D. Transfers of Funds. WIA section 133(b)(4) provides the authority for local workforce investment areas, with approval of the Governor, to transfer up to 20 percent of the Adult Activities funds to Dislocated Worker Activities, and up to 20 percent of Dislocated Worker Activities funds to Adult Activities. The Department of Labor Appropriations Act, 2012, provided that notwithstanding section 133(b)(4), up to 30 percent of these funds could be transferred between programs, which is applicable for the life of the funds. This provision was extended by the appropriations act for 2013. Many States have waivers that allow them to transfer a higher percentage of funding between programs.

E. Reallotment of Funds. The Department bases reallotment of Dislocated Worker program formula funds, as provided for by WIA section 132(c), on completed PY financial reports submitted by the States. The Department will reallot funds among States under WIA during PY 2013 based on State obligations made during PY 2012 (20 CFR §667.150).

7. **Wagner-Peyser ES Final Allotments**. The appropriated level for PY 2013 for grants for the ES programs totals $664,183,664 (including the 0.2 percent rescission and sequestration amounts). After determining the funding for outlying areas, ETA calculates allotments to States using the formula set forth at section 6 of the Wagner-Peyser Act (29 U.S.C. 49e). ETA based PY 2013 formula allotments on each State's share of calendar year 2012 monthly averages of the Civilian Labor Force (CLF) and unemployment. The distribution of Wagner-Peyser Act funds for PY 2013 includes $662,564,615 for States, as well as $1,619,049 for outlying areas. Attachment G shows the distribution of PY 2013 ES formula amounts by State compared to PY 2012.

   Under section 7(b) of the Wagner-Peyser Act, ten percent of the total sums allotted to each State shall be reserved for use by the governor to provide performance incentives, services for groups with special needs, and for the extra costs of exemplary models for delivering job services.

8. **Workforce Information Grants**. Total funds for PY 2013 are $31,939,520, the same as appropriated in PY 2012. Funds are distributed to States by administrative formula with $176,655 for Guam and the Virgin Islands. Guam and the Virgin Islands allotment amounts are partially based on CLF data, which was updated this year with data from the 2010 Census. The remaining funds are distributed to the States with 40 percent distributed equally to all States, and 60 percent distributed based on each State's share of the CLF for the 12 months ending September 2012. The allotment figures are listed in Attachment H. Policy guidance on the use of workforce information grants will be forthcoming.

9. **Submission**. In order to achieve greater efficiency and as part of ETA's ongoing effort to streamline the mandatory grant award process, all States are required to submit an electronically signed copy of an SF- 424, Application for Federal Assistance, through Grants.gov for **each** WIA funding stream under Funding Opportunity Numbers:

   - **ETA-TEGL-PY-YOUTH** [CFDA 17.259]
   - **ETA-TEGL-PY-FY ADULT** [CFDA 17.258]
   - **ETA-TEGL-PY-FY DW** [CFDA 17.278]

   An electronically submitted SF-424 through Grants.gov constitutes an official signed document and must reflect the amount for **each** WIA funding stream (Youth, Adult, and Dislocated Worker). The closing date for receipt of **each** SF-424 will be awarded three days after this advisory is published. ***A copy of the WIA Agreement [Attachment I] will be forwarded upon execution.***

   All States must submit an electronically signed SF- 424, Application for Federal Assistance, through Grants.gov for **each** ES funding program under Funding Opportunity Numbers:

   - **ETA-TEGL-ES** [CFDA 17.207]
   - **ETA-TEGL-WIG** [CFDA 17.207]

   An electronically submitted SF-424 through Grants.gov constitutes an official signed document and must reflect the amount for **each** ES program (Wagner-Peyser ES Program and Workforce Information Grants). The closing date for receipt of **each** SF-424 is **June 13,**

2013. The Wagner-Peyser Employment Service Program and Workforce Information funds will be awarded in July 2013. ***A copy of the ES Agreement [Attachment J] will be forwarded upon execution.***

Each SF-424 must reflect the exact amount of the designated State allotment in item #18, Estimated Funding. Item #11 must include the Catalog of Federal Domestic Assistance Number for the applicable Funding Opportunity.

This process can be complicated and time-consuming. As such, the Department strongly encourages States to initiate the process as soon as possible and to allow for time to resolve technical problems if necessary. The Department strongly recommends that States immediately initiate and complete the "Get Registered" registration steps at http://www.grants.gov/applicants/get_registered.jsp. States should read through the registration process carefully before registering. These steps may take as much as four weeks to complete, and this time should be factored into plans for electronic submission in order to avoid unexpected delays that could result in the rejection of an application. The site also contains registration checklists to help you walk through the process. The Department strongly recommends that States download the "Organization Registration Checklist" at http://www.grants.gov/assets/Organization_Steps_Complete_Registration.pdf and prepare the information requested before beginning the registration process. Reviewing and assembling required information before beginning the registration process will alleviate last minute searches for required information and save time.

All applicants for Federal grant and funding opportunities are required to have a Data Universal Numbering System (D-U-N-S®) number, and must supply their D-U-N-S® Number on the SF-424. Before submitting, States must register with the System for Award Management (SAM), which has replaced the Central Contractor Registry (CCR). Instructions for registering with SAM can be found at https://www.sam.gov. An awardee must maintain an active SAM registration with current information at all times during which it has an active Federal award or an application under consideration. To remain registered in the SAM database after the initial registration, there is a requirement to review and update the registration at least every 12 months from the date of initial registration or subsequently update the information in the SAM database to ensure it is current, accurate, and complete. Failure to register with SAM and maintain an active account will result in Grants.gov rejecting your submission.

The next step in the registration process is creating a username and password with Grants.gov to become an Authorized Organizational Representative (AOR). AORs will need to know the D-U-N-S® Number of the organization for which they will be submitting applications to complete this process. To read more detailed instructions for creating a profile on Grants.gov visit: http://www.grants.gov/applicants/org_step3.jsp.

After creating a profile on Grants.gov, the E-Biz point of Contact (E-Biz POC) - a representative from your organization who is the contact listed for SAM – will receive an email to grant the AOR permission to submit applications on behalf of their organization. The E-Biz POC will then log in to Grants.gov and approve an applicant as the AOR, thereby giving him or her permission to submit applications. To learn more about AOR Authorization visit:
http://www.grants.gov/applicants/org_step5.jsp, or to track AOR status visit:

http://www.grants.gov/applicants/org_step6.jsp. Submitting through Grants.gov constitutes an electronically signed SF-424, Application for Federal Assistance. The registration and account creation with Grants.gov, with E-Biz POC approval, establishes an AOR. When you submit the SF-424 through Grants.gov, the name of your AOR on file will be inserted into the signature line. States must register the individual who is able to make legally binding commitments as the AOR.

If States encounter a problem with Grants.gov and do not find an answer in any of the other resources, call 1-800-518-4726 or 606-545-5035 to speak to a Customer Support Representative or email support@grants.gov. The Contact Center is open 24 hours a day, seven days a week. It is closed on federal holidays.

States should e-mail all submission questions to Ms. Sharon Carter, Grants Management Specialist, at Carter.Sharon@dol.gov and must reference the specific Funding Opportunity Number, and along with question(s), include a contact name, email address, and phone number.

10. **Reporting**. For the WIA formula programs, States are required to submit the seven designated WIA quarterly financial status reports covering funds received for each of the programs (including separate reports for each of the fund year periods for the Adult and Dislocated Worker Activities programs -- July 1 funds and October 1 funds). These seven WIA reports provide financial data for Statewide Youth, Statewide Adult, Statewide Dislocated Worker, Statewide Rapid Response (Dislocated Worker Activities), local Youth, local Adult, and local Dislocated Worker activities. The Department also requires States to submit the designated financial reports each quarter for the Wagner-Peyser Act funds and the Workforce Information Grant funds.

11. **Inquiries**. Questions regarding these allotments may be directed to the appropriate Regional Office. Information on allotments and planning requirements may also be found on the ETA Web site at http://www.doleta.gov.

12. **Attachments**.

    A. WIA and Wagner-Peyser Statutory Formula Descriptions

    B. WIA Youth Activities Allotments,
    PY 2013 vs PY 2012

    C. WIA Adult Activities Allotments,
    PY 2013 vs PY 2012

    D. WIA Adult Activities Allotments,
    July 1 and October 1 Funding

    E. WIA Dislocated Worker Activities Allotments,
    PY 2013 vs PY 2012

    F. WIA Dislocated Worker Activities Allotments,
    July 1 and October 1 Funding

G. Employment Service (Wagner-Peyser) Allotments, PY 2013 vs PY 2012

H. Workforce Information Grants Allotments, PY 2013 vs PY 2012

I. WIA Agreement

J. ES Agreement

U. S. Department of Labor
Employment and Training Administration

Workforce Investment Act (WIA) and Wagner-Peyser Act Statutory Formulas for State Allotments

State Allotment Formula Descriptions

WIA Youth Activities

Formula:

1/3: State relative share of total unemployed in areas of substantial unemployment (ASU) (average 12 months ending 6/30)
1/3: State relative share of excess unemployed (average 12 months ending 6/30)
1/3: State relative share of economically disadvantaged youth (American Community Survey 2006-2010)

Minimums:

(a) If total amount available for States is $1 billion or less:
State allotment cannot be less than
(1) 90 percent of State relative share of prior year funding
(2) 0.25 percent of total available funds for States

(b) If total amount available for States exceeds $1 billion:
State allotment cannot be less than
(1) 90 percent of State relative share of prior year funding
(2) 1998 allotment amount
(3) 0.3 percent of first $1 billion plus 0.4 percent of amount over $1 billion

Maximum:

130% of State relative share of prior year funding

WIA Adult Activities

Same as Youth Activities, except
(a) Formula uses economically disadvantaged ADULTS instead of YOUTH
(b) Threshold for selecting minimum provisions is $960 million instead of $1 billion

WIA Dislocated Workers

Formula:

1/3: State relative share of total unemployed (average 12 months ending 09/30)
1/3: State relative share of excess unemployed (average 12 months ending 09/30)
1/3: State relative share of long-term unemployed (average 12 months ending 09/30)

Minimum: none
Maximum: none

Employment Service (Wagner-Peyser Act)

Formula for 97% of funds:

2/3: State relative share of civilian labor force (average 12 months ending 9/30 (preliminary) or 12/31 (final))
1/3: State relative share of total unemployment (average 12 months ending 9/30 (preliminary) or 12/31 (final))

Minimums:

(a) 90 percent of State relative share of prior year funding
(b) 0.28 percent of total available funds for States

Maximum:

Distribution of 3% of funds:

(1) States with civilian labor force below 1 million and under the national median civilian labor force density receive an amount which, when added to their share of the 97 percent portion, will result in an amount equal to 100 percent of their relative share of the prior year funding
(2) Remaining States losing in relative share receive a share of the remaining funds prorated based on the amount needed to achieve 100 percent of their relative share of prior year funding.

Formula Data Factor Definitions

WIA Youth and Adults Programs

ASU: contiguous areas with unemployment rate of 6.5 percent or more excess unemployed. Higher of:
(1) excess unemployed (unemployment in excess of 4.5 percent) in ASU's; or
(2) excess unemployed (unemployment in excess of 4.5 percent) in all areas

Economically disadvantaged adults: individuals, age 22-72, meeting (or member of family meeting):
OMB poverty level or
70 percent of lower living standard income level (LLSIL).

Economically disadvantaged youth: individuals, age 16-21, meeting (or member of family meeting):
OMB poverty level or
70 percent of lower living standard income level (LLSIL).

WIA Dislocated Workers Program

Excess unemployed: unemployment in excess of 4.5 percent
Long-term unemployed: number unemployed 15 or more weeks

Employment Service (Wagner-Peyser) - Self-explanatory

U.S. Department of Labor

Attachment B

Employment and Training Administration

WIA Youth Activities State Allotments

Comparison of PY 2013 vs PY 2012

State	PY 2012	PY 2013	Difference	% Difference
Total	$824,353,022	$781,375,289	($42,977,733)	-5.21%
Alabama	11,711,479	10,504,766	(1,206,713)	-10.30%
Alaska	2,024,817	1,919,253	(105,564)	-5.21%
Arizona	16,510,641	15,938,449	(572,192)	-3.47%
Arkansas	6,431,994	6,367,716	(64,278)	-1.00%
California	123,857,750	118,211,133	(5,646,617)	-4.56%
Colorado	11,882,561	11,600,883	(281,678)	-2.37%
Connecticut	8,794,724	8,152,502	(642,222)	-7.30%
Delaware	2,024,817	1,919,253	(105,564)	-5.21%
District of Columbia	2,323,591	2,074,840	(248,751)	-10.71%
Florida	53,892,125	47,791,321	(6,100,804)	-11.32%
Georgia	25,482,266	25,123,453	(358,813)	-1.41%
Hawaii	2,243,958	2,174,842	(69,116)	-3.08%
Idaho	4,027,145	3,623,538	(403,607)	-10.02%
Illinois	32,767,678	33,775,763	1,008,085	3.08%
Indiana	15,457,182	15,696,820	239,638	1.55%
Iowa	4,962,142	4,671,103	(291,039)	-5.87%
Kansas	5,511,824	5,304,061	(207,763)	-3.77%
Kentucky	12,676,374	11,299,654	(1,376,720)	-10.86%
Louisiana	11,409,318	9,733,043	(1,676,275)	-14.69%
Maine	2,831,274	2,888,765	57,491	2.03%
Maryland	10,354,690	10,289,216	(65,474)	-0.63%
Massachusetts	15,009,154	12,803,985	(2,205,169)	-14.69%
Michigan	37,407,571	31,911,591	(5,495,980)	-14.69%
Minnesota	10,523,152	9,841,004	(682,148)	-6.48%
Mississippi	9,452,885	8,556,357	(896,528)	-9.48%
Missouri	15,108,428	13,072,955	(2,035,473)	-13.47%
Montana	2,405,630	2,105,266	(300,364)	-12.49%
Nebraska	2,207,155	2,157,402	(49,753)	-2.25%
Nevada	9,104,832	9,407,590	302,758	3.33%
New Hampshire	2,024,817	1,919,253	(105,564)	-5.21%
New Jersey	20,322,861	21,422,496	1,099,635	5.41%
New Mexico	4,918,291	4,195,688	(722,603)	-14.69%
New York	45,892,839	46,093,646	200,807	0.44%
North Carolina	23,736,834	26,575,543	2,838,709	11.96%
North Dakota	2,024,817	1,919,253	(105,564)	-5.21%
Ohio	29,136,945	25,942,472	(3,194,473)	-10.96%
Oklahoma	6,676,111	5,982,158	(693,953)	-10.39%
Oregon	10,760,018	9,901,654	(858,364)	-7.98%
Pennsylvania	28,346,353	27,854,861	(491,492)	-1.73%
Puerto Rico	21,476,993	18,321,559	(3,155,434)	-14.69%
Rhode Island	3,687,520	3,676,868	(10,652)	-0.29%
South Carolina	12,754,206	12,151,961	(602,245)	-4.72%
South Dakota	2,024,817	1,919,253	(105,564)	-5.21%
Tennessee	15,784,120	15,045,025	(739,095)	-4.68%
Texas	55,664,646	52,525,623	(3,139,023)	-5.64%
Utah	5,347,985	4,562,251	(785,734)	-14.69%
Vermont	2,024,817	1,919,253	(105,564)	-5.21%
Virginia	13,020,339	12,509,940	(510,399)	-3.92%
Washington	16,959,549	16,388,794	(570,755)	-3.37%
West Virginia	4,577,244	3,904,748	(672,496)	-14.69%
Wisconsin	12,342,748	12,133,146	(209,602)	-1.70%
Wyoming	2,024,817	1,919,253	(105,564)	-5.21%
State Total	809,926,844	767,701,222	(42,225,622)	-5.21%
American Samoa	117,112	144,308	27,196	23.22%
Guam	953,260	813,205	(140,055)	-14.69%
Northern Marianas	352,754	367,640	14,886	4.22%
Palau	75,000	75,000	0	0.00%
Virgin Islands	562,757	553,285	(9,472)	-1.68%
Outlying Areas Total	2,060,883	1,953,438	(107,445)	-5.21%
Native Americans	12,365,295	11,720,629	(644,666)	-5.21%

U.S. Department of Labor
Employment and Training Administration
WIA Adult Activities State Allotments
Comparison of PY 2013 vs PY 2012

Attachment C

State	PY 2012	Initial PY 2013	Sequestration and Rescission on FY 2013 Advance (10/1/2012 funds)	Final PY 2013	Difference between PY 2012 and Final PY 2013	% Difference
Total	$770,810,637	$767,744,538	($37,120,196)	$730,624,342	($40,186,295)	-5.21%
Alabama	11,433,310	10,774,870	(550,598)	10,224,272	(1,209,038)	-10.57%
Alaska	1,922,209	1,914,563	(92,568)	1,821,995	(100,214)	-5.21%
Arizona	15,820,881	15,805,851	(761,892)	15,043,959	(776,922)	-4.91%
Arkansas	6,067,684	6,397,416	(292,204)	6,105,212	37,528	0.62%
California	120,000,208	119,072,199	(5,778,892)	113,293,307	(6,706,901)	-5.59%
Colorado	10,859,799	11,333,289	(522,979)	10,810,310	(49,489)	-0.46%
Connecticut	7,932,575	7,863,132	(382,012)	7,481,120	(451,455)	-5.69%
Delaware	1,922,209	1,914,563	(92,568)	1,821,995	(100,214)	-5.21%
District of Columbia	1,973,348	1,982,458	(95,031)	1,887,427	(85,921)	-4.35%
Florida	53,270,412	49,887,034	(2,565,362)	47,321,672	(5,948,740)	-11.17%
Georgia	24,047,603	25,377,504	(1,158,069)	24,219,435	171,832	0.71%
Hawaii	2,357,815	2,387,081	(113,546)	2,273,535	(84,280)	-3.57%
Idaho	3,566,489	3,541,566	(171,753)	3,369,813	(196,676)	-5.51%
Illinois	30,469,621	33,288,438	(1,467,336)	31,821,102	1,351,481	4.44%
Indiana	13,618,422	15,009,181	(655,827)	14,353,354	734,932	5.40%
Iowa	3,670,939	3,542,671	(176,783)	3,365,888	(305,051)	-8.31%
Kansas	4,614,871	4,711,647	(222,240)	4,489,407	(125,464)	-2.72%
Kentucky	13,197,513	12,213,672	(635,557)	11,578,115	(1,619,398)	-12.27%
Louisiana	10,605,200	9,506,714	(510,718)	8,995,996	(1,609,204)	-15.17%
Maine	2,687,582	2,763,826	(129,427)	2,634,399	(53,183)	-1.98%
Maryland	9,857,689	10,015,684	(474,720)	9,540,964	(316,725)	-3.21%
Massachusetts	13,525,014	12,124,093	(651,329)	11,472,764	(2,052,250)	-15.17%
Michigan	35,029,449	31,401,099	(1,686,925)	29,714,174	(5,315,275)	-15.17%
Minnesota	9,134,795	8,895,597	(439,908)	8,455,689	(679,106)	-7.43%
Mississippi	8,823,631	8,592,147	(424,923)	8,167,224	(656,407)	-7.44%
Missouri	14,003,193	12,806,269	(674,357)	12,131,912	(1,871,281)	-13.36%
Montana	2,348,495	2,106,672	(113,097)	1,993,575	(354,920)	-15.11%
Nebraska	1,922,209	1,914,563	(92,568)	1,821,995	(100,214)	-5.21%
Nevada	8,978,521	9,626,054	(432,382)	9,193,672	215,151	2.40%
New Hampshire	1,922,209	1,914,563	(92,568)	1,821,995	(100,214)	-5.21%
New Jersey	20,260,335	21,816,638	(975,684)	20,840,954	580,619	2.87%
New Mexico	4,727,107	4,246,174	(227,645)	4,018,529	(708,578)	-14.99%
New York	45,779,283	46,985,573	(2,204,609)	44,780,964	(998,319)	-2.18%
North Carolina	22,178,866	26,699,336	(1,068,075)	25,631,261	3,452,395	15.57%
North Dakota	1,922,209	1,914,563	(92,568)	1,821,995	(100,214)	-5.21%
Ohio	27,089,923	25,306,837	(1,304,579)	24,002,258	(3,087,665)	-11.40%
Oklahoma	6,289,462	6,077,467	(302,884)	5,774,583	(514,879)	-8.19%
Oregon	10,151,677	9,984,353	(488,878)	9,495,475	(656,202)	-6.46%
Pennsylvania	26,000,980	26,635,263	(1,252,138)	25,383,125	(617,855)	-2.38%
Puerto Rico	22,849,985	20,483,184	(1,100,395)	19,382,789	(3,467,196)	-15.17%
Rhode Island	3,182,636	3,350,098	(153,267)	3,196,831	14,195	0.45%
South Carolina	12,076,612	12,328,323	(581,578)	11,746,745	(329,867)	-2.73%
South Dakota	1,922,209	1,914,563	(92,568)	1,821,995	(100,214)	-5.21%
Tennessee	15,406,376	15,445,870	(741,930)	14,703,940	(702,436)	-4.56%
Texas	52,386,229	52,667,569	(2,522,782)	50,144,787	(2,241,442)	-4.28%
Utah	4,258,913	3,930,694	(205,098)	3,725,596	(533,317)	-12.52%
Vermont	1,922,209	1,914,563	(92,568)	1,821,995	(100,214)	-5.21%
Virginia	11,977,315	12,223,912	(576,796)	11,647,116	(330,199)	-2.76%
Washington	15,738,264	16,105,423	(757,913)	15,347,510	(390,754)	-2.48%
West Virginia	4,670,162	4,186,427	(224,903)	3,961,524	(708,638)	-15.17%
Wisconsin	10,586,754	11,009,368	(509,830)	10,499,538	(87,216)	-0.82%
Wyoming	1,922,209	1,914,563	(92,568)	1,821,995	(100,214)	-5.21%
State Total	768,883,610	765,825,177	(37,027,395)	728,797,782	(40,085,828)	-5.21%
American Samoa	109,218	141,419	(5,260)	136,159	26,941	24.67%
Guam	889,007	796,923	(42,812)	754,111	(134,896)	-15.17%
Northern Marianas	328,977	361,690	(15,843)	345,847	16,870	5.13%
Palau	75,000	75,000	(3,612)	71,388	(3,612)	-4.82%
Virgin Islands	524,825	544,329	(25,274)	519,055	(5,770)	-1.10%
Outlying Areas Total	1,927,027	1,919,361	(92,801)	1,826,560	(100,467)	-5.21%

U S Department of Labor
Employment and Training Administration
WIA Adult Activities
Revised PY 2013 Allotments - Post Reductions Associated with 10/1/2012 Funds

State	Initial Total PY 2013 Allotment	Initial 7/1/2013 Funds	10/1/2013 Funds	Sequestration Amount and 0.2% Rescission on FY 2013 Advance (10/1/2012 Funds)	Final Total PY 2013 Allotment	Final 7/1/2013 Funds	10/1/2013 Funds
Total	$767,744,538	$55,744,538	$712,000,000	($37,120,196)	$730,624,342	$18,624,342	$712,000,000
Alabama	10,774,870	782,344	9,992,526	(550,598)	10,224,272	231,746	9,992,526
Alaska	1,914,563	139,013	1,775,550	(92,568)	1,821,995	46,445	1,775,550
Arizona	15,805,851	1,147,634	14,658,217	(761,892)	15,043,959	385,742	14,658,217
Arkansas	6,397,416	464,505	5,932,911	(292,204)	6,105,212	172,301	5,932,911
California	119,072,199	8,645,617	110,426,582	(5,778,892)	113,293,307	2,866,725	110,426,582
Colorado	11,333,289	822,890	10,510,399	(522,979)	10,810,310	299,911	10,510,399
Connecticut	7,863,132	570,928	7,292,204	(382,012)	7,481,120	188,916	7,292,204
Delaware	1,914,563	139,013	1,775,550	(92,568)	1,821,995	46,445	1,775,550
District of Columbia	1,982,458	143,943	1,838,515	(95,031)	1,887,427	48,912	1,838,515
Florida	49,887,034	3,622,207	46,264,827	(2,565,362)	47,321,672	1,056,845	46,264,827
Georgia	25,377,504	1,842,614	23,534,890	(1,158,069)	24,219,435	684,545	23,534,890
Hawaii	2,387,081	173,322	2,213,759	(113,546)	2,273,535	59,776	2,213,759
Idaho	3,541,566	257,147	3,284,419	(171,753)	3,369,813	85,394	3,284,419
Illinois	33,288,438	2,417,013	30,871,425	(1,467,336)	31,821,102	949,677	30,871,425
Indiana	15,009,181	1,089,789	13,919,392	(655,827)	14,353,354	433,962	13,919,392
Iowa	3,542,671	257,227	3,285,444	(176,783)	3,365,888	80,444	3,285,444
Kansas	4,711,647	342,104	4,369,543	(222,240)	4,489,407	119,864	4,369,543
Kentucky	12,213,672	886,813	11,326,859	(635,557)	11,578,115	251,256	11,326,859
Louisiana	9,506,714	690,265	8,816,449	(510,718)	8,995,996	179,547	8,816,449
Maine	2,763,826	200,676	2,563,150	(129,427)	2,634,399	71,249	2,563,150
Maryland	10,015,684	727,221	9,288,463	(474,720)	9,540,964	252,501	9,288,463
Massachusetts	12,124,093	880,308	11,243,785	(651,329)	11,472,764	228,979	11,243,785
Michigan	31,401,099	2,279,977	29,121,122	(1,686,925)	29,714,174	593,052	29,121,122
Minnesota	8,895,597	645,893	8,249,704	(439,908)	8,455,689	205,985	8,249,704
Mississippi	8,592,147	623,860	7,968,287	(424,923)	8,167,224	198,937	7,968,287
Missouri	12,806,269	929,840	11,876,429	(674,357)	12,131,912	255,483	11,876,429
Montana	2,106,672	152,962	1,953,710	(113,097)	1,993,575	39,865	1,953,710
Nebraska	1,914,563	139,013	1,775,550	(92,568)	1,821,995	46,445	1,775,550
Nevada	9,626,054	698,930	8,927,124	(432,382)	9,193,672	266,548	8,927,124
New Hampshire	1,914,563	139,013	1,775,550	(92,568)	1,821,995	46,445	1,775,550
New Jersey	21,816,638	1,584,066	20,232,572	(975,684)	20,840,954	608,382	20,232,572
New Mexico	4,246,174	308,307	3,937,867	(227,645)	4,018,529	80,662	3,937,867
New York	46,985,573	3,411,537	43,574,036	(2,204,609)	44,780,964	1,206,928	43,574,036
North Carolina	26,699,336	1,938,590	24,760,746	(1,068,075)	25,631,261	870,515	24,760,746
North Dakota	1,914,563	139,013	1,775,550	(92,568)	1,821,995	46,445	1,775,550
Ohio	25,306,837	1,837,483	23,469,354	(1,304,579)	24,002,258	532,904	23,469,354
Oklahoma	6,077,467	441,274	5,636,193	(302,884)	5,774,583	138,390	5,636,193
Oregon	9,984,353	724,946	9,259,407	(488,878)	9,495,475	236,068	9,259,407
Pennylvania	26,635,263	1,933,938	24,701,325	(1,252,138)	25,383,125	681,800	24,701,325
Puerto Rico	20,483,184	1,487,247	18,995,937	(1,100,395)	19,382,789	386,852	18,995,937
Rhode Island	3,350,098	243,245	3,106,853	(153,267)	3,196,831	89,978	3,106,853
South Carolina	12,328,323	895,137	11,433,186	(581,578)	11,746,745	313,559	11,433,186
South Dakota	1,914,563	139,013	1,775,550	(92,568)	1,821,995	46,445	1,775,550
Tennessee	15,445,870	1,121,497	14,324,373	(741,930)	14,703,940	379,567	14,324,373
Texas	52,667,569	3,824,096	48,843,473	(2,522,782)	50,144,787	1,301,314	48,843,473
Utah	3,930,694	285,401	3,645,293	(205,098)	3,725,596	80,303	3,645,293
Vermont	1,914,563	139,013	1,775,550	(92,568)	1,821,995	46,445	1,775,550
Virginia	12,223,912	887,556	11,336,356	(576,796)	11,647,116	310,760	11,336,356
Washington	16,105,423	1,169,385	14,936,038	(757,913)	15,347,510	411,472	14,936,038
West Virginia	4,186,427	303,969	3,882,458	(224,903)	3,961,524	79,066	3,882,458
Wisconsin	11,009,368	799,370	10,209,998	(509,830)	10,499,538	289,540	10,209,998
Wyoming	1,914,563	139,013	1,775,550	(92,568)	1,821,995	46,445	1,775,550
State Total	765,825,177	55,605,177	710,220,000	(37,027,395)	728,797,782	18,577,782	710,220,000
American Samoa	141,419	10,268	131,151	(5,260)	136,159	5,008	131,151
Guam	796,923	57,862	739,061	(42,812)	754,111	15,050	739,061
Northern Marianas	361,690	26,262	335,428	(15,843)	345,847	10,419	335,428
Palau	75,000	5,446	69,554	(3,612)	71,388	1,834	69,554
Virgin Islands	544,329	39,523	504,806	(25,274)	519,055	14,249	504,806
Outlying Areas Total	1,919,361	139,361	1,780,000	(92,801)	1,826,560	46,560	1,780,000

Attachment E

U.S. Department of Labor
Employment and Training Administration
WIA Dislocated Worker Activities State Allotments
Comparison of PY 2013 vs PY 2012

State	PY 2012	Initial PY 2013	Sequestration and Rescission on FY 2013 Advance (10/1/2012 funds)	Final PY 2013	Difference between PY 2012 and Final PY 2013	% Difference
Total	$1,232,217,892	$1,224,493,999	($44,836,192)	$1,179,657,807	($52,560,085)	-4.27%
Alabama	15,469,879	13,143,816	(688,002)	12,455,814	(3,014,065)	-19.48%
Alaska	1,617,337	1,774,247	(71,929)	1,702,318	84,981	5.25%
Arizona	21,499,925	19,289,363	(956,180)	18,333,183	(3,166,742)	-14.73%
Arkansas	7,022,211	7,193,377	(312,303)	6,881,074	(141,137)	-2.01%
California	167,279,720	170,422,395	(7,439,542)	162,982,853	(4,296,867)	-2.57%
Colorado	16,138,114	16,390,208	(717,721)	15,672,487	(465,627)	-2.89%
Connecticut	12,425,813	12,465,716	(552,621)	11,913,095	(512,718)	-4.13%
Delaware	2,364,143	2,241,532	(105,142)	2,136,390	(227,753)	-9.63%
District of Columbia	2,584,544	2,848,708	(114,944)	2,733,764	149,220	5.77%
Florida	77,488,229	70,555,560	(3,446,185)	67,109,375	(10,378,854)	-13.39%
Georgia	36,619,541	35,530,708	(1,628,605)	33,902,103	(2,717,438)	-7.42%
Hawaii	2,544,104	2,771,633	(113,146)	2,658,487	114,383	4.50%
Idaho	4,848,656	4,329,125	(215,638)	4,113,487	(735,169)	-15.16%
Illinois	45,174,858	49,424,238	(2,009,091)	47,415,147	2,240,289	4.96%
Indiana	19,764,183	20,089,936	(878,986)	19,210,950	(553,233)	-2.80%
Iowa	5,396,211	4,719,599	(239,989)	4,479,610	(916,601)	-16.99%
Kansas	6,269,130	5,523,142	(278,811)	5,244,331	(1,024,799)	-16.35%
Kentucky	14,426,545	13,312,075	(641,601)	12,670,474	(1,756,071)	-12.17%
Louisiana	10,053,020	10,790,496	(447,095)	10,343,401	290,381	2.89%
Maine	3,411,860	3,710,044	(151,738)	3,558,306	146,446	4.29%
Maryland	13,446,336	14,758,342	(598,008)	14,160,334	713,998	5.31%
Massachusetts	18,123,153	15,492,951	(806,003)	14,686,948	(3,436,205)	-18.96%
Michigan	37,950,243	33,519,750	(1,687,786)	31,831,964	(6,118,279)	-16.12%
Minnesota	12,016,430	10,111,496	(534,415)	9,577,081	(2,439,349)	-20.30%
Mississippi	10,347,245	10,182,193	(460,180)	9,722,013	(625,232)	-6.04%
Missouri	19,339,341	15,732,664	(860,091)	14,872,573	(4,466,768)	-23.10%
Montana	2,228,454	1,919,192	(99,108)	1,820,084	(408,370)	-18.33%
Nebraska	1,769,045	1,858,504	(78,676)	1,779,828	10,783	0.61%
Nevada	14,404,698	14,631,230	(640,630)	13,990,600	(414,098)	-2.87%
New Hampshire	2,023,863	2,282,021	(90,009)	2,192,012	168,149	8.31%
New Jersey	30,891,644	35,654,527	(1,373,865)	34,280,662	3,389,018	10.97%
New Mexico	4,691,620	4,595,739	(208,654)	4,387,085	(304,535)	-6.49%
New York	53,040,830	66,651,917	(2,358,920)	64,292,997	11,252,167	21.21%
North Carolina	33,775,540	37,856,507	(1,502,122)	36,354,385	2,578,845	7.64%
North Dakota	491,586	488,019	(21,863)	466,156	(25,430)	-5.17%
Ohio	37,410,700	31,511,888	(1,663,791)	29,848,097	(7,562,603)	-20.22%
Oklahoma	5,818,181	5,489,616	(258,756)	5,230,860	(587,321)	-10.09%
Oregon	14,179,357	13,175,362	(630,608)	12,544,754	(1,634,603)	-11.53%
Pennsylvania	33,628,882	36,753,112	(1,495,600)	35,257,512	1,628,630	4.84%
Puerto Rico	13,792,527	14,271,193	(613,404)	13,657,789	(134,738)	-0.98%
Rhode Island	4,729,397	5,281,630	(210,334)	5,071,296	341,899	7.23%
South Carolina	17,247,928	16,220,200	(767,079)	15,453,121	(1,794,807)	-10.41%
South Dakota	914,615	758,427	(40,676)	717,751	(196,864)	-21.52%
Tennessee	21,002,405	19,051,046	(934,054)	18,116,992	(2,885,413)	-13.74%
Texas	65,045,270	61,165,151	(2,892,802)	58,272,349	(6,772,921)	-10.41%
Utah	6,236,314	4,576,801	(277,352)	4,299,449	(1,936,865)	-31.06%
Vermont	1,060,351	911,298	(47,158)	864,140	(196,211)	-18.50%
Virginia	16,429,934	16,371,344	(730,699)	15,640,645	(789,289)	-4.80%
Washington	22,715,887	22,486,699	(1,010,259)	21,476,440	(1,239,447)	-5.46%
West Virginia	4,805,556	4,206,385	(213,721)	3,992,664	(812,892)	-16.92%
Wisconsin	15,286,735	15,028,877	(679,857)	14,349,020	(937,715)	-6.13%
Wyoming	909,374	907,572	(40,443)	867,129	(42,245)	-4.65%
State Total	1,008,151,464	1,000,427,571	(44,836,192)	955,591,379	(52,560,085)	-5.21%
American Samoa	174,596	225,553	0	225,553	50,957	29.19%
Guam	1,421,166	1,271,032	0	1,271,032	(150,134)	-10.56%
Northern Marianas	525,903	576,868	0	576,868	50,965	9.69%
Palau	119,895	119,619	0	119,619	(276)	-0.23%
Virgin Islands	838,985	868,163	0	868,163	29,178	3.48%
Outlying Areas Total	3,080,545	3,061,235	0	3,061,235	(19,310)	-0.63%
National Reserve	220,985,883	221,005,193	0	221,005,193	19,310	0.01%

U. S. Department of Labor
Employment and Training Administration
WIA Dislocated Worker Activities
Revised PY 2013 Allotments - Post Reductions Associated with 10/1/2012 Funds

Attachment F

State	Initial Total PY 2013 Allotment	Initial 7/1/2013 Funds	10/1/2013 Funds	Sequestration Amount and 0.2% Rescission on FY 2013 Advance (10/1/2012 Funds)	Final Total PY 2013 Allotment	Final 7/1/2013 Funds	10/1/2013 Funds
Total	**$1,224,493,999**	**$164,493,999**	**$1,060,000,000**	**($44,836,192)**	**$1,179,657,807**	**$119,657,807**	**$1,060,000,000**
Alabama	13,143,816	1,844,965	11,298,851	(688,002)	12,455,814	1,156,963	11,298,851
Alaska	1,774,247	249,047	1,525,200	(71,929)	1,702,318	177,118	1,525,200
Arizona	19,289,363	2,707,601	16,581,762	(956,180)	18,333,183	1,751,421	16,581,762
Arkansas	7,193,377	1,009,717	6,183,660	(312,303)	6,881,074	697,414	6,183,660
California	170,422,395	23,921,774	146,500,621	(7,439,542)	162,982,853	16,482,232	146,500,621
Colorado	16,390,208	2,300,653	14,089,555	(717,721)	15,672,487	1,582,932	14,089,555
Connecticut	12,465,716	1,749,782	10,715,934	(552,621)	11,913,095	1,197,161	10,715,934
Delaware	2,241,532	314,638	1,926,894	(105,142)	2,136,390	209,496	1,926,894
District of Columbia	2,848,708	399,866	2,448,842	(114,944)	2,733,764	284,922	2,448,842
Florida	70,555,560	9,903,711	60,651,849	(3,446,185)	67,109,375	6,457,526	60,651,849
Georgia	35,530,708	4,987,359	30,543,349	(1,628,605)	33,902,103	3,358,754	30,543,349
Hawaii	2,771,633	389,047	2,382,586	(113,146)	2,658,487	275,901	2,382,586
Idaho	4,329,125	607,669	3,721,456	(215,638)	4,113,487	392,031	3,721,456
Illinois	49,424,238	6,937,559	42,486,679	(2,009,091)	47,415,147	4,928,468	42,486,679
Indiana	20,089,936	2,819,975	17,269,961	(878,986)	19,210,950	1,940,989	17,269,961
Iowa	4,719,599	662,479	4,057,120	(239,989)	4,479,610	422,490	4,057,120
Kansas	5,523,142	775,270	4,747,872	(278,811)	5,244,331	496,459	4,747,872
Kentucky	13,312,075	1,868,583	11,443,492	(641,601)	12,670,474	1,226,982	11,443,492
Louisiana	10,790,496	1,514,636	9,275,860	(447,095)	10,343,401	1,067,541	9,275,860
Maine	3,710,044	520,770	3,189,274	(151,738)	3,558,306	369,032	3,189,274
Maryland	14,758,342	2,071,592	12,686,750	(598,008)	14,160,334	1,473,584	12,686,750
Massachusetts	15,492,951	2,174,708	13,318,243	(806,003)	14,686,948	1,368,705	13,318,243
Michigan	33,519,750	4,705,085	28,814,665	(1,687,786)	31,831,964	3,017,299	28,814,665
Minnesota	10,111,496	1,419,326	8,692,170	(534,415)	9,577,081	884,911	8,692,170
Mississippi	10,182,193	1,429,250	8,752,943	(460,180)	9,722,013	969,070	8,752,943
Missouri	15,732,664	2,208,356	13,524,308	(860,091)	14,872,573	1,348,265	13,524,308
Montana	1,919,192	269,392	1,649,800	(99,108)	1,820,084	170,284	1,649,800
Nebraska	1,858,504	260,874	1,597,630	(78,676)	1,779,828	182,198	1,597,630
Nevada	14,631,230	2,053,750	12,577,480	(640,630)	13,990,600	1,413,120	12,577,480
New Hampshire	2,282,021	320,322	1,961,699	(90,009)	2,192,012	230,313	1,961,699
New Jersey	35,654,527	5,004,739	30,649,788	(1,373,865)	34,280,662	3,630,874	30,649,788
New Mexico	4,595,739	645,093	3,950,646	(208,654)	4,387,085	436,439	3,950,646
New York	66,651,917	9,355,766	57,296,151	(2,358,920)	64,292,997	6,996,846	57,296,151
North Carolina	37,856,507	5,313,825	32,542,682	(1,502,122)	36,354,385	3,811,703	32,542,682
North Dakota	488,019	68,502	419,517	(21,863)	466,156	46,639	419,517
Ohio	31,511,888	4,423,247	27,088,641	(1,663,791)	29,848,097	2,759,456	27,088,641
Oklahoma	5,489,616	770,564	4,719,052	(258,756)	5,230,860	511,808	4,719,052
Oregon	13,175,362	1,849,393	11,325,969	(630,608)	12,544,754	1,218,785	11,325,969
Pennylvania	36,753,112	5,158,944	31,594,168	(1,495,600)	35,257,512	3,663,344	31,594,168
Puerto Rico	14,271,193	2,003,212	12,267,981	(613,404)	13,657,789	1,389,808	12,267,981
Rhode Island	5,281,630	741,369	4,540,261	(210,334)	5,071,296	531,035	4,540,261
South Carolina	16,220,200	2,276,790	13,943,410	(767,079)	15,453,121	1,509,711	13,943,410
South Dakota	758,427	106,459	651,968	(40,676)	717,751	65,783	651,968
Tennessee	19,051,046	2,674,149	16,376,897	(934,054)	18,116,992	1,740,095	16,376,897
Texas	61,165,151	8,585,603	52,579,548	(2,892,802)	58,272,349	5,692,801	52,579,548
Utah	4,576,801	642,434	3,934,367	(277,352)	4,299,449	365,082	3,934,367
Vermont	911,298	127,917	783,381	(47,158)	864,140	80,759	783,381
Virginia	16,371,344	2,298,005	14,073,339	(730,699)	15,640,645	1,567,306	14,073,339
Washington	22,486,699	3,156,403	19,330,296	(1,010,259)	21,476,440	2,146,144	19,330,296
West Virginia	4,206,385	590,440	3,615,945	(213,721)	3,992,664	376,719	3,615,945
Wisconsin	15,028,877	2,109,567	12,919,310	(679,857)	14,349,020	1,429,710	12,919,310
Wyoming	907,572	127,394	780,178	(40,443)	867,129	86,951	780,178
State Total	1,000,427,571	140,427,571	860,000,000	(44,836,192)	955,591,379	95,591,379	860,000,000
American Samoa	225,553	24,226	201,327	0	225,553	24,226	201,327
Guam	1,271,032	136,519	1,134,513	0	1,271,032	136,519	1,134,513
Northern Marianas	576,868	61,960	514,908	0	576,868	61,960	514,908
Palau	119,619	12,848	106,771	0	119,619	12,848	106,771
Virgin Islands	868,163	93,247	774,916	0	868,163	93,247	774,916
Outlying Areas Total	3,061,235	328,800	2,732,435	0	3,061,235	328,800	2,732,435
National Reserve Total	221,005,193	23,737,628	197,267,565	0	221,005,193	23,737,628	197,267,565

U. S. Department of Labor

Attachment G

Employment and Training Administration

Employment Service (Wagner-Peyser)

PY 2013 vs PY 2012 Final Allotments

State	Final PY 2012	Final PY 2013	Difference	% Difference
Total	**$ 700,841,900**	**$ 664,183,664**	**$(36,658,236)**	**-5.23%**
Alabama	9,114,728	8,569,344	(545,384)	-5.98%
Alaska	7,618,486	7,219,993	(398,493)	-5.23%
Arizona	13,416,510	12,527,937	(888,573)	-6.62%
Arkansas	5,641,422	5,322,835	(318,587)	-5.65%
California	83,874,952	79,878,737	(3,996,215)	-4.76%
Colorado	11,123,996	10,701,027	(422,969)	-3.80%
Connecticut	7,886,732	7,579,931	(306,801)	-3.89%
Delaware	1,957,574	1,855,181	(102,393)	-5.23%
District of Columbia	2,361,773	2,168,988	(192,785)	-8.16%
Florida	41,597,929	38,965,509	(2,632,420)	-6.33%
Georgia	20,518,463	19,478,108	(1,040,355)	-5.07%
Hawaii	2,474,455	2,343,342	(131,113)	-5.30%
Idaho	6,347,555	6,015,540	(332,015)	-5.23%
Illinois	28,905,034	27,258,028	(1,647,006)	-5.70%
Indiana	13,614,524	12,822,043	(792,481)	-5.82%
Iowa	6,439,570	6,011,854	(427,716)	-6.64%
Kansas	5,924,673	5,554,935	(369,738)	-6.24%
Kentucky	9,063,496	8,512,743	(550,753)	-6.08%
Louisiana	8,712,855	8,134,111	(578,744)	-6.64%
Maine	3,774,830	3,577,384	(197,446)	-5.23%
Maryland	11,687,183	11,522,943	(164,240)	-1.41%
Massachusetts	14,148,935	13,248,486	(900,449)	-6.36%
Michigan	23,547,173	21,625,084	(1,922,089)	-8.16%
Minnesota	11,868,691	11,084,590	(784,101)	-6.61%
Mississippi	6,118,274	5,719,384	(398,890)	-6.52%
Missouri	12,837,723	11,976,795	(860,928)	-6.71%
Montana	5,187,254	4,915,929	(271,325)	-5.23%
Nebraska	6,234,060	5,725,191	(508,869)	-8.16%
Nevada	6,505,421	6,161,654	(343,767)	-5.28%
New Hampshire	2,803,840	2,642,832	(161,008)	-5.74%
New Jersey	19,163,297	19,163,183	(114)	0.00%
New Mexico	5,821,012	5,516,538	(304,474)	-5.23%
New York	39,748,915	38,535,164	(1,213,751)	-3.05%
North Carolina	19,836,199	19,585,198	(251,001)	-1.27%
North Dakota	5,282,176	5,005,887	(276,289)	-5.23%
Ohio	25,946,567	23,954,983	(1,991,584)	-7.68%
Oklahoma	6,779,019	6,384,955	(394,064)	-5.81%
Oregon	8,758,927	8,218,324	(540,603)	-6.17%
Pennsylvania	26,310,462	25,228,309	(1,082,153)	-4.11%
Puerto Rico	7,686,516	7,059,087	(627,429)	-8.16%
Rhode Island	2,618,648	2,471,893	(146,755)	-5.60%
South Carolina	9,785,215	9,156,659	(628,556)	-6.42%
South Dakota	4,881,946	4,626,591	(255,355)	-5.23%
Tennessee	13,308,517	12,520,213	(788,304)	-5.92%
Texas	49,945,739	47,277,917	(2,667,822)	-5.34%
Utah	7,113,078	6,532,457	(580,621)	-8.16%
Vermont	2,286,981	2,167,358	(119,623)	-5.23%
Virginia	15,905,779	15,425,187	(480,592)	-3.02%
Washington	14,673,520	13,893,830	(779,690)	-5.31%
West Virginia	5,587,868	5,295,589	(292,279)	-5.23%
Wisconsin	12,597,349	11,835,302	(762,047)	-6.05%
Wyoming	3,787,650	3,589,533	(198,117)	-5.23%
State Total	**699,133,491**	**662,564,615**	**(36,568,876)**	**-5.23%**
Guam	327,940	310,787	(17,153)	-5.23%
Virgin Islands	1,380,469	1,308,262	(72,207)	-5.23%
Outlying Areas Total	**1,708,409**	**1,619,049**	**(89,360)**	**-5.23%**

U. S. Department of Labor
Employment and Training Administration

Attachment H

Workforce Information Grants to States
PY 2013 vs PY 2012 Allotments

State	PY 2012	PY 2013	Difference	% Difference
Total	$31,939,520	$31,939,520	$0	0.00%
Alabama	508,082	507,498	(584)	-0.11%
Alaska	289,182	289,152	(30)	-0.01%
Arizona	634,754	611,887	(22,867)	-3.60%
Arkansas	411,636	413,051	1,415	0.34%
California	2,471,363	2,494,284	22,921	0.93%
Colorado	574,272	577,616	3,344	0.58%
Connecticut	476,928	477,665	737	0.15%
Delaware	296,619	298,044	1,425	0.48%
District of Columbia	285,345	287,102	1,757	0.62%
Florida	1,382,267	1,377,539	(4,728)	-0.34%
Georgia	822,490	824,786	2,296	0.28%
Hawaii	322,178	324,046	1,868	0.58%
Idaho	338,014	339,198	1,184	0.35%
Illinois	1,059,262	1,048,080	(11,182)	-1.06%
Indiana	628,745	633,362	4,617	0.73%
Iowa	450,398	446,571	(3,827)	-0.85%
Kansas	429,282	427,285	(1,997)	-0.47%
Kentucky	503,058	496,768	(6,290)	-1.25%
Louisiana	498,490	496,842	(1,648)	-0.33%
Maine	330,165	330,683	518	0.16%
Maryland	611,479	620,509	9,030	1.48%
Massachusetts	674,268	666,310	(7,958)	-1.18%
Michigan	826,454	812,448	(14,006)	-1.69%
Minnesota	610,066	607,376	(2,690)	-0.44%
Mississippi	409,097	407,924	(1,173)	-0.29%
Missouri	616,486	612,833	(3,653)	-0.59%
Montana	305,900	306,346	446	0.15%
Nebraska	365,623	368,239	2,616	0.72%
Nevada	406,858	411,657	4,799	1.18%
New Hampshire	335,775	334,747	(1,028)	-0.31%
New Jersey	797,757	803,433	5,676	0.71%
New Mexico	360,655	357,589	(3,066)	-0.85%
New York	1,421,421	1,408,967	(12,454)	-0.88%
North Carolina	796,599	814,453	17,854	2.24%
North Dakota	290,251	291,774	1,523	0.52%
Ohio	968,454	950,865	(17,589)	-1.82%
Oklahoma	458,559	463,255	4,696	1.02%
Oregon	489,737	486,746	(2,991)	-0.61%
Pennsylvania	1,024,530	1,030,074	5,544	0.54%
Puerto Rico	401,448	400,028	(1,420)	-0.35%
Rhode Island	314,447	312,502	(1,945)	-0.62%
South Carolina	510,204	506,743	(3,461)	-0.68%
South Dakota	299,393	298,818	(575)	-0.19%
Tennessee	626,347	624,764	(1,583)	-0.25%
Texas	1,751,537	1,778,866	27,329	1.56%
Utah	410,985	408,422	(2,563)	-0.62%
Vermont	288,917	288,122	(795)	-0.28%
Virginia	761,294	773,526	12,232	1.61%
Washington	674,609	671,854	(2,755)	-0.41%
West Virginia	340,288	342,244	1,956	0.57%
Wisconsin	620,620	618,228	(2,392)	-0.39%
Wyoming	280,277	281,744	1,467	0.52%
State Total	**31,762,865**	**31,762,865**	**0**	**0.00%**
Guam	92,818	93,009	191	0.21%
Virgin Islands	83,837	83,646	(191)	-0.23%
Outlying Areas Total	**176,655**	**176,655**	**0**	**0.00%**

Attachment I

WORKFORCE INVESTMENT ACT (WIA) PROGRAM
ANNUAL FUNDING AGREEMENT
(Including Mod 0, initial Notice of Obligation)
PY 2013

Grant/Agreement No. AA -
(To be completed by DOL)

CFDA #17.258 WIA Adult Program
CFDA #17.259 WIA Youth Activities
CFDA #17.278 WIA Dislocated Workers

1. Parties: Pursuant to the Governor/Secretary Agreement provided for at 20 CFR 667.110 and 20 CFR 667.105, this grant agreement is entered into between the U.S. Department of Labor, Employment and Training Administration (Grantor) and the STATE/COMMONWEALTH of (Grantee).

2. Grant Funds: This grant agreement applies to funds appropriated for Program Year (PY) 2013 for WIA Title I State formula-funded Youth, Adult and Dislocated Worker programs. Thus, it includes the Fiscal Year 2014 Advance funds to be appropriated for PY 2013.

3. Applicable Authority: Funds provided under this grant agreement must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Workforce Investment Act (as presently in effect and as may become effective during the terms of this Agreement); the applicable approved State WIA plan including approved modifications and amendments to the plan, and any waiver plan approved under 20 CFR 661.420 or Workforce Flexibility (Workflex) plan approved under 20 CFR 661.430; the negotiated performance levels and policies established pursuant to the Secretary's authority under WIA Section 136; and the applicable provisions in the appropriations act(s).

4. Grant Period: This period of availability of funds is effective April 1, 2013 for Youth funds (July 1, 2013 for Adult and Dislocated Worker funds) through June 30, 2016.

5. Notice of Obligation: Funds shall be obligated and allocated via a Notice of Obligation (NOO) grant modification. Obligations and costs may not exceed the amount obligated by the NOO modification unless otherwise modified by the Grantor. Upon execution of this agreement, the "Modification 0" supplement to the agreement will serve as the initial PY 2013, Notice of Obligation. Funds are obligated for the amount indicated in the "Modification 0" document in accordance with the Grantee's PY 2013 allotment levels. The Federal obligation level will be amended by the Grant Officer to increase (or adjust) amounts available to the Grantee as funds become available for obligation and additional Notice of Obligation (or Deobligation) grant modifications are required and issued.

6. Electronic Fund Transfers: Cash payments shall be made to the Grantee under the Department of Health and Human Services (HHS) Payment Management System (PMS).

7. Certifications and Assurances: The following are incorporated by reference and are a part of this agreement:

   - CERTIFICATION REGARDING LOBBYING
     (29 CFR Part 93)

   - DRUG-FREE WORKPLACE REQUIREMENTS CERTIFICATION
     (29 CFR Part 98)

   - NONDISCRIMINATION AND EQUAL OPPORTUNITY ASSURANCE
     (29 CFR Part 37)

   - CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS-- PRIMARY COVERED TRANSACTIONS
     (29 CFR Part 98)

   - STANDARD FORM 424B (STANDARD ASSURANCES (NON CONSTRUCTION PROGRAMS)

8. Veterans' Priority Provisions: 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 20 CFR Part 1010. The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. Agreement by a program operator to implement priority of service is a condition of receipt of DOL funds. 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 in whole or in part by the U.S. Department of Labor. In addition, the states are required to provide assurances that they will comply with the Veterans' Priority of Service Provisions established by the Jobs for Veterans Act (38 USC 4215) and Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009). TEGL No. 10-09 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

9. Buy American Notice Requirement: In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds available under the Workforce Investment Act, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products, as required by the Buy American Act (41 USC 10a et seq.). See WIA Section 505—Buy American Requirements.

10. Salary and Bonus Limitations: None of the funds appropriated under the heading 'Employment and Training' in the appropriation statute(s) may be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to

vendors providing goods and services as defined in OMB Circular A-133 (codified at 29 CFR Parts 96 and 99). Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment & Training Administration programs. See Public Laws 113-6 (Division F, Title I, Section 1101(a)(4)), 112-74 (Division F, Title I, section 105), and Training and Employment Guidance Letter number 05-06 for further clarification. TEGL No. 05-06 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262.

11. Intellectual Property Rights: The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities.

    If applicable, the following needs to be on all products developed in whole or in part with grant funds:

    This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use by an organization and/or personal use by an individual for non-commercial purposes is permissible. All other uses require the prior authorization of the copyright owner."

12. WIA PY 2013 Agreement Transparency Act: Federal Funding Accountability and Transparency Act of 2006 Pub. L. 109-282 as amended by section 6202 of Pub. L. 110-252 ("FFATA"). Grantees must ensure that they have the necessary processes and systems in place to comply with the reporting requirements of FFATA. See Training and Employment Guidance Letter (TEGL) No. 11-10 (issued November 15, 2010) http://wdr.doleta.gov/directives/attach/TEGL/TEGL11-10acc.pdf (and upcoming Change 1), and Attachment A to this agreement.

13. Executive Order 13333: This agreement may be terminated without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement." (22 U.S.C. § 7104(g))

14. SPECIAL REQUIREMENTS FOR CONFERENCES AND CONFERENCE SPACE: Grantee must obtain prior approval from the Grantor before holding any conference (which includes meeting, retreat, seminar, symposium, training activity or similar event held in either Federal on non-Federal space), or any activity related to holding a conference, including, but not limited to, obligating or expending Grantor funds, signing contracts for space or services, announcing Grantor's involvement in any conference, and using Grantor official's name or Grantor's name or logo. Grantor retains the right to obtain information from the Grantee about any conference that is funded in whole or in part with Grantor funds.

15. Seat Belts: Pursuant to Executive Order (EO) 13043 (April 16, 1997), Increasing the Use of Seat Belts in the United States, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating vehicles, whether organizationally owned or rented or personally owned.

16. Executive Order 13513: Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Subrecipients. Contractors, subcontractors, and recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or Government-owned, Government-leased, or Government-rented vehicles, or while driving privately-owned vehicles when on official Government business or when performing any work for or on behalf of the Government, and to conduct initiatives of the type described in section 3(a) of the Executive Order.

17. Signatory Information: By signing below, the signatories agree to the terms and conditions of this agreement, including all applicable assurances and certifications, on behalf of their respective agencies indicated below. In the absence of a signature by the Grantee only, this award is nevertheless effective by virtue of Grantee's electronic signature on the SF-424 upon which this award is based. In addition, the Grantee's expenditure of any funds properly granted hereunder constitutes acceptance of the award, including any new or additional terms and conditions as may be attached hereto.

FOR GRANTEE:

PMS EIN #:_____

PMS PIN ACCT #:_____

See SF-424 Signature and Clause 18 above

BY_____

(Governor/Authorized Signatory) Signature Date

FOR GRANTOR: U.S. Department of Labor/Employment and Training Administration
200 Constitution Ave NW; Room N-4716; Washington, DC 20210

THOMAS C. MARTIN Grant Officer	Signature	Date

Attachment to Workforce Investment Act (WIA) Program Annual Funding Agreement

WIA Agreement Clause No.13 ("Transparency Act") Attachment

This Grant is subject to the following Transparency Act requirements:

2 CFR Part 170

Appendix A to Part 170--Award Term

I. Reporting Subawards and Executive Compensation.

a. Reporting of first-tier subawards.

1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates $25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).

2. Where and when to report.

i. You must report each obligating action described in paragraph a.1. of this award term to http://www.fsrs.gov.

ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)

3. What to report. You must report the information about each obligating action that the submission instructions posted at http://www.fsrs.gov specify.

b. Reporting Total Compensation of Recipient Executives.

1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if--

i. the total Federal funding authorized to date under this award is $25,000 or more;

ii. in the preceding fiscal year, you received--

(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards) and

iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)

2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:

i. As part of your registration profile at http://www.ccr.gov.

ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.

1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year,

if--

i. in the subrecipient's preceding fiscal year, the subrecipient received--

(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and

(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and

ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)

2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:

i. To the recipient.

ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under $300,000, you are exempt from the requirements to report:
i. Subawards, and
ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:
i. A Governmental organization, which is a State, local government, or Indian tribe;
ii. A foreign public entity;
iii. A domestic or foreign nonprofit organization;
iv. A domestic or foreign for-profit organization;
v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:
i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ---- .210 of the attachment to OMB Circular A-133, ``Audits of States, Local Governments, and Non-Profit Organizations").
iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:
i. Receives a subaward from you (the recipient) under this award; and
ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):
i. Salary and bonus.
ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.
iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.
iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.
v. Above-market earnings on deferred compensation which is not tax-qualified.
vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

2 CFR Subtitle A, Chapter I and Part 25

Appendix A to Part 25--Award Term

I. Central Contractor Registration and Universal Identifier Requirements

A. Requirement for Central Contractor Registration (CCR)

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) Numbers

If you are authorized to make subawards under this award, you:
1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.
2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions

For purposes of this award term:

1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at http://www.ccr.gov).

2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained
from D&B by telephone (currently 866-705-5711) or the Internet (currently at http://fedgov.dnb.com/webform).

3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
a. A Governmental organization, which is a State, local government, or Indian Tribe;
b. A foreign public entity;
c. A domestic or foreign nonprofit organization;
d. A domestic or foreign for-profit organization; and
e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. Subaward:
a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ----.210 of the attachment to OMB Circular A-133, ``Audits of States, Local Governments, and Non-Profit Organizations'').
c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:
a. Receives a subaward from you under this award; and
b. Is accountable to you for the use of the Federal funds provided by the subaward.

Attachment J

WAGNER-PEYSER ACT (W-PA)
ANNUAL FUNDING AGREEMENT
(Including Mod 0, initial Notice of Obligation)
PY 2013/FY 2014

Grant Number:
(To be completed by DOL)

CFDA #17.207 Employment Service/Wagner-Peyser
CFDA #17.271 Work Opportunity Tax Credit Program

1. Parties. Consistent with the Governor/Secretary Agreement provided for at 20 CFR 652.4(b) and 20 CFR 667.110; this grant agreement is entered into between the U.S. Department of Labor (Grantor) and the **STATE/COMMONWEALTH OF** (Grantee).

2. Grant Funds. This grant agreement applies to funds appropriated for **Program Year (PY) 2013 and Fiscal Year (FY) 2014** for the purposes of carrying out activities authorized under Sections 7(a) through 7(e) of the Wagner-Peyser Act (W-PA), as amended.

3. Applicable Authority. Funds under this grant agreement must be expended in accordance with all applicable federal statutes, regulations and policies, including those of the Wagner-Peyser Act, as amended; the applicable and approved State plan(s) and any amendments; any negotiated performance levels; specifically approved statutory and regulatory waivers applicable to these funds; and the applicable provisions in the appropriation acts for these funds. The applicable State plans referenced above include the WIA/W-PA five-year Strategic State Plan and any modifications thereto *(and for CO, MA, and MI only: including any demonstration of alternative service delivery methods approved as part of the applicable State Plan)* and any other annual plans required for the receipt of funds under this agreement (e.g. cost reimbursable grants).

4. Grant Expenditure Period. This Annual Funding Agreement is effective July 1, 2013 and expires September 30, 2016 to allow for funds allocated under this agreement to be fully expended in accordance with the statutory/regulatory life of the different fund sources (subject to availability of Federal funds) including, but not limited to: **Wagner-Peyser Employment Service, Workforce Information Grants, and the Work Opportunity Tax Credit Program**. However, any non-formula or discretionary awards are subject to the terms and conditions of the specific awards and plan approvals which may include reduced expenditure periods. Commencement of expenditures is subject to the issuance of federal obligation authority for each grant account funded under this agreement, unless preaward costs are approved via a continuing resolution or otherwise.

5. Notice of Obligation. Funds shall be obligated to the Grantee via a Notice of Obligation (NOO). Obligations and costs may not exceed the amount obligated by the NOO unless

otherwise modified by the Grantor. This agreement includes the initial PY 2013 NOO for the program which is provided as a "Modification 0" NOO Attachment to this agreement. Funds are obligated for the amount indicated in the NOO in accordance with the Grantee's approved funding allocations. Subsequent PY 2013 and FY 2014 allocations will be provided via grant modification/NOOs.

6. Electronic Fund Transfers. Payments shall be made to the Grantee under the Department of Health and Human Services (HHS) Payment Management System (PMS).

7. Standard Certifications and Assurances. The following certifications and assurances are incorporated by reference and made a part of this agreement, include the following:

CERTIFICATION REGARDING LOBBYING
(29 CFR Part 93)

DRUG FREE WORKPLACE REQUIREMENTS CERTIFICATION
(29 CFR Part 98)

NONDISCRIMINATION AND EQUAL OPPORTUNITY ASSURANCE
(29 CFR Part 37)

STANDARD FORM 424b - STANDARD ASSURANCES (NON-CONSTRUCTION PROGRAMS)

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS PRIMARY COVERED TRANSACTIONS
(29 CFR PART 98)

8. Veterans' Priority Provisions: 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 20 CFR Part 1010. The JVA provides priority of service to veterans and spouses of certain veterans for the receipt of employment, training, and placement services. Agreement by a program operator to implement priority of service is a condition of receipt of DOL funds. 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 in whole or in part 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) and Training and Employment Guidance Letter (TEGL) No. 10-09 (issued November 10, 2009). TEGL No. 10-09 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2816.

9. Buy American Notice Requirement: In the case of any equipment or product that may be authorized to be purchased with financial assistance provided using funds available under this Agreement, it is the sense of the Congress that entities receiving the assistance should, in expending the assistance, purchase only American-made equipment and products, as required by the Buy American Act (41 USC 10a et seq.).

10. Salary and Bonus Limitations. None of the funds appropriated under the heading 'Employment and Training' in the appropriations statute(s) may be used by a recipient or subrecipient of such funds to pay the salary and bonuses of an individual, either as direct costs or indirect costs, at a rate in excess of Executive Level II. This limitation shall not apply to vendors providing goods and services as defined in OMB Circular A-133 (codified at 29 CFR Parts 96 and 99). Where States are recipients of such funds, States may establish a lower limit for salaries and bonuses of those receiving salaries and bonuses from subrecipients of such funds, taking into account factors including the relative cost-of-living in the State, the compensation levels for comparable State or local government employees, and the size of the organizations that administer Federal programs involved including Employment & Training Administration programs. See Public Laws 113-6 (Division F, Title I, Section 1101(a)(4)), 112-74 (Division F, Title I, section 105), TEGL No. 05-06 for further clarification. TEGL No. 05-06 is available at http://wdr.doleta.gov/directives/corr_doc.cfm?DOCN=2262.

11. Intellectual Property Rights: The Federal Government reserves a paid-up, nonexclusive and irrevocable license to reproduce, publish or otherwise use, and to authorize others to use for federal purposes: i) the copyright in all products developed under the grant, including a subgrant or contract under the grant or subgrant; and ii) any rights of copyright to which the grantee, subgrantee or a contractor purchases ownership under an award (including but not limited to curricula, training models, technical assistance products, and any related materials). Such uses include, but are not limited to, the right to modify and distribute such products worldwide by any means, electronically or otherwise. Federal funds may not be used to pay any royalty or license fee for use of a copyrighted work, or the cost of acquiring by purchase a copyright in a work, where the Department has a license or rights of free use in such work, although they may be used to pay costs for obtaining a copy which is limited to the developer/seller costs of copying and shipping. If revenues are generated through selling products developed with grant funds, including intellectual property, these revenues are program income. Program income is added to the grant and must be expended for allowable grant activities.

> If applicable, the following needs to be on all products developed in whole or in part with grant funds:
>
> This workforce product was funded by a grant awarded by the U.S. Department of Labor's Employment and Training Administration. The product was created by the grantee and does not necessarily reflect the official position of the U.S. Department of Labor. The Department of Labor makes no guarantees, warranties, or assurances of any kind, express or implied, with respect to such information, including any information on linked sites and including, but not limited to, accuracy of the information or its completeness, timeliness, usefulness, adequacy, continued availability, or ownership. This product is copyrighted by the institution that created it. Internal use by an organization and/or personal use by an individual for non-commercial purposes is permissible. All other uses require the prior authorization of the copyright owner."

12. W-PA PY 2013/FY 2014 Agreement Transparency Act: Federal Funding Accountability and Transparency Act of 2006 Pub. L. 109-282 as amended by section 6202 of Pub. L. 110-252 ("FFATA"). Grantees must ensure that they have the necessary processes and systems in place to comply with the reporting requirements of FFATA. See Training and Employment Guidance

Letter (TEGL) No. 11-10 (issued November 15, 2010)
http://wdr.doleta.gov/directives/attach/TEGL/TEGL11-10acc.pdf (and upcoming Change 1), and Attachment A to this agreement.

13. Executive Order 13333: This agreement may be terminated without penalty, if the grantee or any subgrantee, or the contractor or any subcontractor (i) engages in severe forms of trafficking in persons or has procured a commercial sex act during the period of time that the grant, contract, or cooperative agreement is in effect, or (ii) uses forced labor in the performance of the grant, contract, or cooperative agreement." (22 U.S.C. § 7104(g))

14. SPECIAL REQUIREMENTS FOR **CONFERENCES AND CONFERENCE SPACE:** Grantee must obtain prior approval from the Grantor before holding any conference (which includes meeting, retreat, seminar, symposium, training activity or similar event held in either Federal on non-Federal space), or any activity related to holding a conference, including, but not limited to, obligating or expending Grantor funds, signing contracts for space or services, announcing Grantor's involvement in any conference, and using Grantor official's name or Grantor's name or logo. Grantor retains the right to obtain information from the Grantee about any conference that is funded in whole or in part with Grantor funds.

15. Seat Belts: Pursuant to Executive Order (EO) 13043 (April 16, 1997), Increasing the Use of Seat Belts in the United States, recipients are encouraged to adopt and enforce on-the-job seat belt policies and programs for their employees when operating vehicles, whether organizationally owned or rented or personally owned.

16. Executive Order 13513: Sec. 4. Text Messaging While Driving by Government Contractors, Subcontractors, and Recipients and Subrecipients. Contractors, subcontractors, and recipients and subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving company-owned or -rented vehicles or Government-owned, Government-leased, or Government-rented vehicles, or while driving privately-owned vehicles when on official Government business, or when performing any work for or on behalf of the Government and to conduct initiatives of the type described in section 3(a) of the Executive Order.

17. Signatory Information: By signing below, the signatories agree to the terms and conditions of this agreement, including all applicable assurances and certifications, on behalf of their respective agencies indicated below. In the absence of a signature by the Grantee only, this award is nevertheless effective by virtue of Grantee's electronic signature on the SF-424 upon which this award is based. In addition, the Grantee's expenditure of any funds properly granted hereunder constitutes acceptance of the award, including any new or additional terms and conditions as may be attached hereto.

FOR GRANTEE:

PMS EIN #:_____

PMS PIN ACCT #:_____

See SF-424 Signature and Clause 18 above

BY_____

(Governor/Authorized Signatory) Signature Date

FOR GRANTOR: U.S. Department of Labor/Employment and Training Administration
200 Constitution Ave NW; Room N-4716; Washington, DC 20210

_____

THOMAS C. MARTIN Signature Date
Grant Officer

Attachment to Wagner-Peyser Act (W-PA) Annual Funding Agreement

W-PA Agreement Clause No.12 ("Transparency Act") Attachment
This Grant is subject to the following Transparency Act requirements:

2 CFR Part 170

Appendix A to Part 170--Award Term

I. Reporting Subawards and Executive Compensation.

a. Reporting of first-tier subawards.
1. Applicability. Unless you are exempt as provided in paragraph d. of this award term, you must report each action that obligates $25,000 or more in Federal funds that does not include Recovery funds (as defined in section 1512(a)(2) of the American Recovery and Reinvestment Act of 2009, Pub. L. 111-5) for a subaward to an entity (see definitions in paragraph e. of this award term).
2. Where and when to report.
i. You must report each obligating action described in paragraph a.1. of this award term to http://www.fsrs.gov.
ii. For subaward information, report no later than the end of the month following the month in which the obligation was made. (For example, if the obligation was made on November 7, 2010, the obligation must be reported by no later than December 31, 2010.)
3. What to report. You must report the information about each obligating action that the submission instructions posted at http://www.fsrs.gov specify.

b. Reporting Total Compensation of Recipient Executives.
1. Applicability and what to report. You must report total compensation for each of your five most highly compensated executives for the preceding completed fiscal year, if--
i. the total Federal funding authorized to date under this award is $25,000 or more;
iiin the preceding fiscal year, you received--
(A) 80 percent or more of your annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards) and
iii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)
2. Where and when to report. You must report executive total compensation described in paragraph b.1. of this award term:
i. As part of your registration profile at http://www.ccr.gov.
ii. By the end of the month following the month in which this award is made, and annually thereafter.

c. Reporting of Total Compensation of Subrecipient Executives.
1. Applicability and what to report. Unless you are exempt as provided in paragraph d. of this award term, for each first-tier subrecipient under this award, you shall report the names and total compensation of each of the subrecipient's five most highly compensated executives for the subrecipient's preceding completed fiscal year,
if--
i. in the subrecipient's preceding fiscal year, the subrecipient received--
(A) 80 percent or more of its annual gross revenues from Federal procurement contracts (and subcontracts) and Federal financial assistance subject to the Transparency Act, as defined at 2 CFR 170.320 (and subawards); and
(B) $25,000,000 or more in annual gross revenues from Federal procurement contracts (and subcontracts), and Federal financial assistance subject to the Transparency Act (and subawards); and
ii. The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or section 6104 of the Internal Revenue Code of 1986. (To determine if the public has access to the compensation information, see the U.S. Security and Exchange Commission total compensation filings at http://www.sec.gov/answers/execomp.htm.)
2. Where and when to report. You must report subrecipient executive total compensation described in paragraph c.1. of this award term:
i. To the recipient.
ii. By the end of the month following the month during which you make the subaward. For example, if a subaward is obligated on any date during the month of October of a given year (i.e., between October 1 and 31), you must report any required compensation information of the subrecipient by November 30 of that year.

d. Exemptions

If, in the previous tax year, you had gross income, from all sources, under $300,000, you are exempt from the requirements to report:

i. Subawards, and

ii. The total compensation of the five most highly compensated executives of any subrecipient.

e. Definitions. For purposes of this award term:

1. Entity means all of the following, as defined in 2 CFR part 25:

i. A Governmental organization, which is a State, local government, or Indian tribe;

ii. A foreign public entity;

iii. A domestic or foreign nonprofit organization;

iv. A domestic or foreign for-profit organization;

v. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

2. Executive means officers, managing partners, or any other employees in management positions.

3. Subaward:

i. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.

ii. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ---- .210 of the attachment to OMB Circular A-133, ``Audits of States, Local Governments, and Non-Profit Organizations").

iii. A subaward may be provided through any legal agreement, including an agreement that you or a subrecipient considers a contract.

4. Subrecipient means an entity that:

i. Receives a subaward from you (the recipient) under this award; and

ii. Is accountable to you for the use of the Federal funds provided by the subaward.

5. Total compensation means the cash and noncash dollar value earned by the executive during the recipient's or subrecipient's preceding fiscal year and includes the following (for more information see 17 CFR 229.402(c)(2)):

i. Salary and bonus.

ii. Awards of stock, stock options, and stock appreciation rights. Use the dollar amount recognized for financial statement reporting purposes with respect to the fiscal year in accordance with the Statement of Financial Accounting Standards No. 123 (Revised 2004) (FAS 123R), Shared Based Payments.

iii. Earnings for services under non-equity incentive plans. This does not include group life, health, hospitalization or medical reimbursement plans that do not discriminate in favor of executives, and are available generally to all salaried employees.

iv. Change in pension value. This is the change in present value of defined benefit and actuarial pension plans.

v. Above-market earnings on deferred compensation which is not tax-qualified.

vi. Other compensation, if the aggregate value of all such other compensation (e.g. severance, termination payments, value of life insurance paid on behalf of the employee, perquisites or property) for the executive exceeds $10,000.

2 CFR Subtitle A, Chapter I and Part 25

Appendix A to Part 25--Award Term

I. Central Contractor Registration and Universal Identifier Requirements

A. Requirement for Central Contractor Registration (CCR)

Unless you are exempted from this requirement under 2 CFR 25.110, you as the recipient must maintain the currency of your information in the CCR until you submit the final financial report required under this award or receive the final payment, whichever is later. This requires that you review and update the information at least annually after the initial registration, and more frequently if required by changes in your information or another award term.

B. Requirement for Data Universal Numbering System (DUNS) Numbers

If you are authorized to make subawards under this award, you:

1. Must notify potential subrecipients that no entity (see definition in paragraph C of this award term) may receive a subaward from you unless the entity has provided its DUNS number to you.

2. May not make a subaward to an entity unless the entity has provided its DUNS number to you.

C. Definitions

For purposes of this award term:

1. Central Contractor Registration (CCR) means the Federal repository into which an entity must provide information required for the conduct of business as a recipient. Additional information about registration procedures may be found at the CCR Internet site (currently at http://www.ccr.gov).

2. Data Universal Numbering System (DUNS) number means the nine-digit number established and assigned by Dun and Bradstreet, Inc. (D&B) to uniquely identify business entities. A DUNS number may be obtained
from D&B by telephone (currently 866-705-5711) or the Internet (currently at http://fedgov.dnb.com/webform).

3. Entity, as it is used in this award term, means all of the following, as defined at 2 CFR part 25, subpart C:
a. A Governmental organization, which is a State, local government, or Indian Tribe;
b. A foreign public entity;
c. A domestic or foreign nonprofit organization;
d. A domestic or foreign for-profit organization; and
e. A Federal agency, but only as a subrecipient under an award or subaward to a non-Federal entity.

4. Subaward:
a. This term means a legal instrument to provide support for the performance of any portion of the substantive project or program for which you received this award and that you as the recipient award to an eligible subrecipient.
b. The term does not include your procurement of property and services needed to carry out the project or program (for further explanation, see Sec. ----.210 of the attachment to OMB Circular A-133, ``Audits of States, Local Governments, and Non-Profit Organizations").
c. A subaward may be provided through any legal agreement, including an agreement that you consider a contract.

5. Subrecipient means an entity that:
a. Receives a subaward from you under this award; and
b. Is accountable to you for the use of the Federal funds provided by the subaward.