

2.11 When will the recipient reporting required by Section 1512 begin?

Section 1512(f) of the Recovery Act requires recipient reporting to begin 180 days after enactment, and for reports to be submitted by recipients 10 days after the end of each calendar quarter. This results in an initial statutory reporting deadline of October 10, 2009, with quarterly reports due 10 days after the end of each calendar quarter thereafter.

Agencies should instruct recipients to submit reports by October 10, 2009, which cover cumulative activity since the passage of the Recovery Act, including all sub-awards (or modifications to existing awards) made which utilize Recovery Act funding. Therefore, agencies must require recipients to maintain cumulative data through the October 10th reporting period.

OMB will work with agencies to determine the most appropriate method for collecting information from recipients for July 10th reporting.

Detailed reporting instructions will be made available at www.FederalReporting.gov no less than 45 days before the October 10, 2009 reporting deadline.

2.12 Will OMB publish standardized guidance on the recipient reporting required by Section 1512 of the Recovery Act that will apply across all federal agencies?

Yes. Recovery Act reporting requirements must be consistent across agencies, and OMB has coordinated the development of standard terms and conditions for Federal grants, loans, contracts and other awards. While Federal agencies will continue to have discretion in the data they choose to collect for their programs, the information required for display on Recovery.gov will be standardized to the extent possible. Please see Appendix 8 for the terms and conditions for Contracts information and Appendix 9 for the terms and conditions applicable to grants, loans, and other assistance.

The current terms and conditions leave significant discretion to Federal agencies on how recipients should report the quantitative outputs and outcomes the result from the projects and activities. To the extent possible, agencies should instruct recipients to collect and report performance information as part of their quarterly submissions that is consistent with the agency's program performance measures.

Detailed reporting instructions will be made available at www.FederalReporting.gov within no less than 45 days before a reporting deadline.

There may be some cases in which agencies have finalized their award terms and conditions before the government-wide language became available. Federal agencies should ensure any discrepancies are identified and corrected before reporting begins.

2.13 What are the requirements for reporting the number of jobs created?



There are two distinct types of jobs reports that the Recovery Act requires.

First, the Council of Economic Advisers, in consultation with OMB and Treasury, are required by the Recovery Act to submit quarterly reports to Congress that detail the impact of programs funded through Recovery funds on employment, economic growth, and other key economic indicators. The Council of Economic Advisers has developed macro-level job estimates at both the national and State levels. OMB and agencies will continue to partner with CEA on these quarterly reports and other questions regarding macro-level jobs estimates. Agencies with questions about reporting macro-level or indirect jobs estimates should continue to contact Council of Economic Advisers at (202) 395-5084.

The second type of job estimates should be submitted by recipients of Recovery funds for each project or activity, as required by Section 1512(c)3(D) of the Recovery Act. These reporting requirements only apply to non-Federal recipients who receive funding provided through discretionary appropriations. In order to ensure recipient reporting of estimated jobs created or retained, OMB has worked with agencies to include job reporting requirements in the terms and conditions of contract, grant, and loan agreements. On March 31st, changes to the Federal Acquisition Regulation were published on reporting for contracts that includes jobs reporting requirements (See FAR Case 2009-009 at Appendix 8 of this document or at 74 FR 14639). Other financial assistance programs (including grants and loans programs) will adopt the same guidelines for reporting project and activity level jobs estimates, which will be published in the Federal Register. Changes to jobs guidance resulting from consideration of public comments submitted on these interim rules will be communicated to agencies.

For recipient reporting of jobs, the requirements state that prime recipients should provide a description of the employment impact of the Recovery Act funded work, including the types of jobs (e.g., job titles or broader labor categories), and an estimate of the number of jobs created or retained by project and activity or contract. Only jobs that are compensated should be reported. Recipients should report full-time equivalent (FTE) estimates cumulatively created or retained for each calendar quarter. FTE calculations are based on aggregate hours worked to ensure temporary or part-time labor is not overstated. Grant recipients are also encouraged to clarify in their narrative job description where projects or activities are funded by multiple Federal awards as well as specifying the jobs attributable to Recovery Act funds as part of the project or activity total. If known, grant recipients will also address the impact on the workforces of sub-recipients. Certain recipients, such as those funded by Department of Transportation, have job reporting requirements that go beyond Section 1512 and should comply with program and agency-specific requirements. At a minimum, each recipient shall provide:

- (1) A brief description of the types of jobs created or jobs retained in the United States and outlying areas. "Jobs created" means those new positions created and filled, or previously existing unfilled positions that are filled, as a result of Recovery Act funding. "Jobs or positions retained" means those previously existing filled positions that are retained as a result of Recovery Act funding. Recipient descriptions may rely on job titles, broader labor categories, or the recipients existing practice for describing jobs as long as the terms used are widely understood and explain the general nature of

the work. Note that a job cannot be reported as both created and retained. See the definition for “outlying areas” in FAR Part 2.101.

- (2) An estimate of the number of jobs created and jobs retained in the United States and outlying areas. At a minimum, this estimate shall include any new positions created and any existing filled positions that were retained to support or carry out Recovery Act projects or activities managed directly by the recipient, and if known, by sub-recipients. The number shall be expressed as “full-time equivalent” (FTE), calculated cumulatively as all hours worked divided by the total number of hours in a full-time schedule, as defined by the recipient. For instance, two full-time employees and one part-time employee working half days would be reported as 2.5 FTE in each calendar quarter. Because FTE is calculated based on aggregate hours worked, temporary or part-time labor is not overstated. Recipients are encouraged to include information in their narrative used to calculate the FTE figure.

Prime Recipients are also encouraged to work closely with their Governors and State Workforce Investment Boards to facilitate the listing of all jobs generated through the Recovery Act on their State Job Banks. Links to State job banks are available at the Department of Labor’s Employment and Training Administration sponsored CareerOneStop Web site (www.jobbankinfo.org). In order to foster greater accountability and transparency in the use of Recovery funds, recipients should also note that the Act requires the Federal government to include links to and information about how to access job and registered apprenticeship opportunities, local employment agencies, and State Job Banks on Recovery.gov

2.14 Will recipient information be collected centrally, or should agencies modify current systems to collect this information?

OMB intends to oversee the development a central collection system for the information required to be reported by Section 1512 of the Act. Since the Initial Guidance was issued, OMB has concluded that the development of a central collection and reporting capability is likely to lower system development costs across the Federal government, improve the consistency of the data collected, improve access to the information by citizens and others outside federal agencies, and prevent recipients from having to enter data into separate systems for multiple agencies.

As this system is developed, existing agency capabilities and reporting requirements will be accommodated to the extent possible, and duplication of effort minimized. There will be two main exceptions to a standardized, central approach:

- Addition of agency and program specific data elements. The central system will be developed with the flexibility to collect agency and program specific reporting elements from recipients in addition to the standard information required by Section 1512. Agencies should work with OMB to develop capabilities within the central system to collect agency and program specific information, and the system will deliver this information to the Agency as well as make it available on Recovery.gov. For additional information see Section 2.15.

Limited exemptions from central collection. In some limited circumstances where Section 1512 reporting is required in addition to new and existing agency or program specific reporting requirements, OMB may allow agencies to collect Section 1512 information in existing systems and deliver this data to a central repository in a standard format and according to a fixed schedule. In order to be considered for an exception agencies should develop a short plan identifying: (1) the existing systems collecting this information, (2) how the information collected in these systems would be presented to a central system in a standard format, (3) development costs for meeting the Recovery Act reporting requirements using these systems, (4) clear delineation of gaps if any in business processes, data elements or semantics, quality and integrity, or other between the requirements of this guidance and the central system, and the proposed approach of the agency, and (5) plan for testing and certifying compliance with Recovery Act requirements and maintaining that compliance going forward. Agencies should refrain from investing in system modifications pending approval from OMB.

OMB is moving aggressively to develop the capability to centrally collect the recipient reports due on October 10th, 2009. For planning purposes, agencies should assume the central system capability will be online and available no less than 45 days before the October 10th, 2009, statutory quarterly reporting deadline. Detailed reporting instructions will be made available at www.FederalReporting.gov.

2.15 If an Agency determines that additional recipient reporting is necessary for effective oversight of Recovery Act funds, beyond that required by Section 1512, can this information also be collected? This could include additional data fields or a requirement to collect information from sub-recipients directly instead of just from the prime recipient.

The reporting required by Section 1512 of the Recovery Act is the minimum which must be collected. Agencies requiring additional information for oversight should rely on existing authorities and reflect these requirements in their award terms and conditions as necessary, following existing procedures. Agencies choosing to collect additional data elements must coordinate their requests in advance with OMB and design their requests to be fully complementary with OMB Recovery Act data models and reporting standards. To the extent possible, agencies should assume this additional information will be collected in the central reporting tool currently being developed by OMB, and that all additional information collected from recipients will be made available on Recovery.gov.

In addition, the Director of the Office of Management and Budget has the authority under the Federal Funding Accountability and Transparency Act of 2006 (the Transparency Act) to require Federal agencies to collect information from all Federal recipients on all tiers of sub-awards. The Director also has the authority under the Transparency Act to expand reporting requirements to include additional relevant information. To the extent agencies feel there is a clear and compelling case for immediately expanding recipient reporting requirements beyond those specified in the Recovery Act or beyond existing agency authority, agencies should raise these cases to OMB by submitting a recommendation in writing to recovery@omb.eop.gov and their OMB contacts.