

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: FFATA COMPENSATION DATA REPORTING REQUIREMENTS

SUBJECT MATTER HIGHLIGHTS

PLEASE NOTE

This draft directive will replace Directive WSD12-11, dated January 18, 2013

Changes include removing references to the *American Recovery and Reinvestment Act* and updates to reflect the new *Workforce Innovation and Opportunity Act Law*.

COMMENTS DUE

February 29, 2016

Comments can be submitted through one of the following ways:

Fax	WSD, Attention: Michael Garcia at 916-954-9119
E-Mail	Michael.Garcia@edd.ca.gov (Include "draft comments" in the subject line)
Mail	WSD / P.O. Box 826880 / MIC 50 / Sacramento, CA 94280-0001

All comments received by the end of the comment period will be considered before the final directive is issued. The Workforce Services Branch does not respond individually to each comment received. However, a summary of comments will be released with the final directive. **Comments received after the specified due date will not be considered.**

If you have any questions, contact Michael Garcia at (916) 654-8060.

WORKFORCE SERVICES DRAFT DIRECTIVE

Number: WSDD-137

Date: February 16, 2016
69:125:mg:17622

TO: WORKFORCE DEVELOPMENT COMMUNITY

SUBJECT: FFATA COMPENSATION DATA REPORTING REQUIREMENTS

EXECUTIVE SUMMARY

Purpose

This provides guidance to federally funded subawardees and subrecipients on the Federal Funding Accountability and Transparency Act (FFATA) reporting requirements.

Scope

This directive applies to all entities that receive at least \$25,000 in federal funding from the Employment Development Department (EDD).

Effective Date

This directive is effective on the date of issuance.

REFERENCES

- The FFATA of 2006, Public Law 109-282, 120 Stat. 1186, S. 2590 (enacted September 26, 2006) and subsequent 2008 amendments 31 USC 6101
- Title 2 *Code of Federal Regulations* (CFR) Part 170
- *Federal Register* Volume 80, Number 222, Page 72035
- Training and Employment Guidance Letter (TEGL) 11-10, *Sub-award and Executive Compensation Data Reporting Requirements Under the FFATA* (November 15, 2010)

The EDD is an equal opportunity employer/program. Auxiliary aids and services are available upon request to individuals with disabilities.

- TEGL 29-08, *Dun & Bradstreet Data Universal Numbering System (DUNS) Number/Central Contractor Registration (CCR) Mandatory Requirement for Federal Grant Sub-recipients under the American Recovery and Reinvestment Act of 2009* (June 10, 2009)
- Memorandum for Senior Accountable Officials Over the Quality of Federal Spending Information, *Open Government Directive – Federal Spending Transparency* (April 6, 2010): www.whitehouse.gov/sites/default/files/omb/assets/open_gov/OpenGovernmentDirective_04062010.pdf
- Memorandum for Senior Accountable Officials, *Open Government Directive – Federal Spending and Transparency and Compensation Data Reporting* (August 27, 2010): www.whitehouse.gov/sites/default/files/omb/open/Executive_Compensation_Reporting_08272010.pdf

STATE-IMPOSED REQUIREMENTS

This directive does not contain any state-imposed requirements.

FILING INSTRUCTIONS

This directive replaces WSD12-11, dated January 18, 2013, and provides final guidance regarding FFATA reporting requirements imposed by the federal government. Retain this directive until further notice.

BACKGROUND

On November 15, 2010, the Department of Labor (DOL) issued TEGL 11-10 to notify all Employment and Training Administration (ETA) workforce system agencies of additional Office of Management and Budget (OMB) reporting requirements under the FFATA.

The FFATA requires full disclosure to the public of federal spending information by all entities and organizations receiving federal funding under federal grant awards. The intent of the Act is to (1) have federal spending information available to the public, (2) make the information easily accessible, and (3) reduce wasteful spending by the federal government.

As required by the FFATA and subsequent OMB guidance, recipients of federal awards are required to report subaward and executive compensation information for certain entities and organizations. The legislation also requires information about federal awards to be made available to the public via a single searchable website. USASpending.gov has been designated

as the website to be used to display data about grants, loans, cooperative agreements and other forms of federal financial assistance.

POLICY AND PROCEDURES

Federal Grant Awardees Subject to the Subaward and Executive Compensation Reporting Requirements

Under the April, 6, 2010, OMB Memorandum, entitled *Open Government Directive – Federal Spending Transparency*, prime recipients of federal grants and cooperative agreements are required to report subaward information and executive compensation information, including the total compensation and names of the top five executives of the prime recipient and of the first tier subrecipients in the FFATA Subaward Reporting System (FSRS) database. The EDD is the prime grant awardee and must report all information associated with a federal grant, either regarding executive compensation data for prime awardees or subrecipients. The subrecipient, however, has an obligation to provide the EDD all information required for such reporting through completion of the attached *FFATA Report Data* sheet.

ACTION

The OMB and DOL require reporting to be done in accordance with the instructions and the timelines contained in this directive, and in accordance with the references provided. The *FFATA Report Data Sheet*, with descriptions of the data required, is attached to this directive. Use the data sheet to identify each funding stream your organization receives from the EDD. If the answer is “yes” to the three questions in Section 2 of the *FFATA Report Data Sheet*, complete Section 3. If the response is “no” to any of the questions in Section 2 of the *FFATA Report Data Sheet*, do not complete Section 3. Submit the completed Data Sheet to EDDWSBFFATAREporting@edd.ca.gov.

Required FFATA Report Data Sheet (Attached)

The following data elements must be reported to the EDD by all subrecipients of federal funds by March 1 of each program year. Requirements under this directive only relate to federal funding received from the EDD by an entity.

Subrecipient/Organization’s Legal Name

Subrecipients must provide the legal name of their organization as listed in the federal Central Contract Registration (CCR) database and the Data Universal Numbering System (DUNS), also known as the Unique Entity Identifier. If the parent organization, and not the EDD funded entity, is listed in the CCR, provide the name of the Local Workforce Development Area on the data sheet.

The CCR is the primary registrant database for the U.S. Federal Government. The CCR collects, validates, stores, and disseminates data in support of agency acquisition missions. Additional

information about the CCR is available at the following Web site: www.osdbu.dot.gov/related/ccr.cfm.

The DUNS is a system developed and is registered by the Dun & Bradstreet (D&B). D&B assigns a unique nine-digit numeric identifier for each physical location of a business entity. The DUNS number will be recognized as the “Unique Entity Identifier” until further notice. DUNS number assignment is free for all businesses required to register with the federal government for contracts or grants. Additional information about D&B, including information on how to look-up or request a DUNS number, is available at the following Web site: www.dnb.com.

Subrecipient /Organization Address

Subrecipients must provide the place of performance for their organization. A street address must be provided for the first address line. A Post Office (P.O.) Box can be provided in the second address line, if applicable.

Subrecipients must include a nine-digit ZIP Code (ZIP Code plus four) for the place of performance address provided. Subrecipients can look-up the nine-digit ZIP Code of their place of performance at the following Web site: www.usps.com.

Section 1 – Subrecipients DUNS Number

Subrecipients need to provide their organization’s nine-digit DUNS number, as described above.

A legal entity such as a city or county may have multiple DUNS numbers. Subrecipients should provide the DUNS number associated with their authority to receive federal funds.

Section 2 – Subrecipient Executive Compensation Questions

Subrecipients should provide a “yes” response if the following criteria is met:

1) In the preceding fiscal year, the subrecipient received the following:

- 80 percent or more of its annual gross revenues in U.S federal contracts, loans, grants, subgrants, and/or cooperative agreements.
- \$25,000,000 or more in annual gross revenues from U.S. federal contracts, subcontracts, loans, grants, subgrants, and/or cooperative agreements.
- The public has not had access to information about the compensation of the executives in the subrecipients business or organization through periodic reports filed to the Security Exchange Commission or Internal Revenue Service (if the public has had access to this information, the answer is “no”).

Section 3 – Subrecipient Most Highly Compensated Names and Compensation

Subrecipients should only complete Section 3 if a “yes” response was provided to all three questions.

Subrecipients should provide the names and total compensation of the five most highly compensated executives of the subrecipient for the calendar year in which the funding was awarded.

At the bottom of the Data Sheet, please provide a contact name, phone number and title in the event follow up is needed.

Completed FFATA Data Sheets are due to the EDD no later than March 1 of each program year, and should be submitted to the following e-mail address: EDDWSBFFATAREporting@edd.ca.gov.

This directive should be brought to the attention of those who will be required to provide the data/information.

INQUIRIES

If you have any questions, please contact Viviana Neet at 916-653-9150.

/S/ JOSÉ LUIS MÁRQUEZ, Chief
Central Office Workforce Services Division

Attachment is available on the internet:

1. [FFATA Subrecipient Data Sheet](#)