

# **THE STEVENS AMENDMENT**

## **Frequently Asked Questions**

### **1. What is the Stevens Amendment?**

An appropriations provision that requires grantees of the U.S. Departments of Labor (USDOL), Health and Human Services (HHS), and Education to disclose for a grant program the percent of the costs financed with federal funds, the federal dollar amount, and the percentage and dollar amount financed by non-governmental funds.

### **2. What does the Stevens Amendment require?**

When issuing statements, press releases, requests for proposals, bid solicitations and other documents describing projects or programs funded in whole or in part with federal money, all grantees receiving federal funds shall clearly state:

- a. the percentage of the total costs of the program or project which will be financed with federal money;
- b. the dollar amount of federal funds for the project or program; and
- c. percentage and dollar amount of the total costs of the project or program that will be financed by non-governmental sources. “Non-governmental sources” means any funding source other than the Federal Government. In this document, we use the term “non-federal funds” or “non-federal sources” for clarity.

### **3. What form should the acknowledgement statement take?**

The general structure should take this form:

This [project/publication/program/website, etcetera] [is/was] supported by the [federal sub-agency] of the [federal agency] as part of an award totaling \$XX [insert total Notice of Fund Availability (NFA) amount here] with XX percentage financed from non-federal sources.

For example:

North Carolina’s Jobs for Veterans State Grant program is supported by the U.S. Department of Labor. A total of \$900,000, or 90 percent, of the program is financed with federal funds, and \$100,000, or 10 percent, is funded by other sources.

Alternatively (assuming no non-federal funding):

This WIOA Title I Adult Program bid solicitation is 100 percent supported by the Employment and Training Administration (ETA) of the USDOL as part of an award totaling \$361,633.

If a project or program has multiple federal funding sources, it is not necessary to list each award separately. For example:

This local facility bid solicitation is supported by the HHS and the ETA of the USDOL as part of an award totaling \$1,000,000 with 15% financed from other sources.

**4. What if a solicitation spans multiple years?**

Should a solicitation span multiple years, only the funding currently in effect needs to be included in the acknowledgment statement.

**5. Is the Stevens Amendment language required in contracts? Non-financial contracts?**

The acknowledgment statement is not required on contracts.

**6. What amount should be used in the acknowledgment statement?**

The amount is the total cost of the program or project that is financed by federal funds. This will usually be the NFA award amount. Note that the amount is not the cost or projected cost of the item to which the acknowledgment statement is attached.

**7. Will DWS monitoring be programmatic, fiscal or both?**

Both.

**8. What types of press releases are subject to the Stevens Amendment?**

Any press release that describes projects or programs funded in whole or in part with federal money from USDOL, HHS, or Education. Since the workforce development system is funded almost entirely with federal funds, it seems likely that virtually all press releases will be subject to the Stevens Amendment.

**9. Does the acknowledgment statement need to be on the Local Area Workforce Development Board's (WDB's) website?**

Yes, since the website describes projects or programs funded in whole or in part with federal money. The disclosure is not required on every page of the document or website, but at least one page must contain the disclosure statement.

**10. What is considered "describing projects or programs"?**

Any communication made in furtherance of accomplishing the goals of a federal project or program for which the WDB has an award.

## **11. Which communications are included in “other documents”?**

In the Stevens Amendment, “other documents” are any communications including but not limited to public statements, social media posts, toolkits, resource guides, websites, and visual presentations. For example, an emailed newsletter intended for the public that describes a federally funded program requires the disclosure statement. An email that does not constitute one of the included subjects (e.g., a bid solicitation) does not require an acknowledgment statement. The following list includes some examples of documents or other publications that **may** describe a project or program that federal money funds in whole or in part:

- Bids for solicitations
- Blogs/vlogs
- Brochures
- Email blasts
- Manuals
- Press releases
- Promotional materials (e.g., fliers, advertisements)
- Requests for proposals (e.g., supplemental and continuation proposals)
- Resource guides
- Documents that include statements about the program or project
- Toolkits
- Visual presentations (e.g., PowerPoint presentations)
- Websites

## **12. Would a tag line like this suffice as an acknowledgment statement? “Local Area Name Workforce Development Board is fully funded by federal funds through the North Carolina Department of Commerce’s Division of Workforce Solutions.”**

No. The Stevens Amendment requires a dollar amount and percentage of federal funds for the project or program.

## **13. We use social media to announce services, training programs, etcetera. Is an acknowledgment statement required for social media? If so, does it need to be in the body of the item, or can it be in a tag line?**

Yes, an acknowledgment statement is required for social media, but it can be done by offering a link to the press release, website, etcetera, that has the Stevens Amendment posted. There is no requirement for the statement to be in a specific part of the communication, only that it clearly states the required information.

## **14. Some social media, like Twitter, has a very limited number of characters. How can the acknowledgment statement be accommodated?**

When it is not practical to put the acknowledgment statement in the communication itself, a hyperlink to the statement is sufficient.

**15. On a bid solicitation, the cost is not known up front. What amount should be used in the acknowledgment statement?**

The amount in the acknowledgment statement is not the amount for the specific item that is the subject of the communication (such as a bid solicitation in this example). The amount to be used is for the entire project or program, which will typically be the NFA award amount.

**16. Is an acknowledgment statement required on communications related to indirect funding, such as a request for proposal for payroll processing?**

No. An acknowledgment statement is only required for activities that further the goals of a federal project or program. Indirect activities, though ultimately funded by federal awards through the application of an indirect cost rate, do not directly further the goals of a federal project or program.

**17. What kind of documents or sites commonly lack the required Stevens Amendment disclosure?**

Based on an informal review of publicly available information, some examples of documents and statements that commonly lack the Stevens Amendment disclosure statement include:

- Requests for Proposals (RFPs)
- WDB websites
- WDB outreach materials (posters, flyers, brochures, resource guides, etcetera) advertising services available at the NCWorks Career Center
- Marketing materials advertising NCWorks Career Center services and programs
- Press releases and other public statements
- Social media posts referencing WDB programs, services, grants, etcetera.
- Bid solicitations

**18. Can you provide examples of disclosure statements that would not fully meet the requirements?**

The following examples do *not* meet the Stevens Amendment disclosure statement requirement:

1. *“Disclosure of Federal Participation — Projects or programs funded in whole or in part with Federal grant money must credit the federal government for the federal government's portion of the financial support. This web page citation informs the public that Federal dollars in the federal program meets the Stevens Amendment requirement. Staff development opportunities, resource purchases, equipment and personnel have been funded in whole or in part with Federal entitlement dollars.”*
  - This statement does not contain the federal funding entity, the amount and percentage of funds from the federal source, or the funding and percentage that any non-federal entities provided.

2. *“XX is funded through the Governor’s Emergency Education Relief fund as part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Workforce Innovation and Opportunity Act (WIOA) funding.”*
  - This statement does not contain the federal funding, amount, percentage of funds from federal source(s), or funding and percentage amounts (if any) that non-federal entities provided.
  
3. *“Proposed Sub award Amount: The One-Stop Operator will be funded as a WIOA Title I sub award. For planning purposes, bidders should estimate WIOA funding of up to \$150,000 for this RFP.”*
  - This statement does not contain the federally provided percentage of funds, the total dollar amount of federal funds supporting the project or program, or the funding and percentage amounts (if any) non-federal entities provided.

**19. Where can I go to learn more?**

- Public Law 117-103, Division H, Title V, Section 505, page 488
  - <https://www.congress.gov/117/plaws/publ103/PLAW-117publ103.pdf>
- GAO Report to Congress (March 2021)
  - <https://www.gao.gov/assets/gao-19-282.pdf>