

July 14, 2003

VETERANS' PROGRAM LETTER NO. **12-03**

TO: ALL REGIONAL ADMINISTRATORS (RAVETs) AND DIRECTORS
(DVETs) FOR VETERANS' EMPLOYMENT AND TRAINING
ALL STATE WORKFORCE AGENCY ADMINISTRATORS (SWAs)
ALL STATE ONE-STOP SYSTEM COORDINATORS
ALL REGIONAL ADMINISTRATORS, EMPLOYMENT AND
TRAINING ADMINISTRATION (INFO)

FROM: FREDERICO JUARBE JR. [Signed]

SUBJECT: Submitting Disabled Veterans' Outreach Program/Local Veterans' Employment
Representative (DVOP/LVER) Grant Modification Requests for Fiscal Year (FY)
2004 Funding

I. Purpose: To provide planning guidance to grantees for submitting FY 2004 modification requests for DVOP and LVER grant funding.

II. References and Rescissions: Public Law (P.L.) 107-288, The Jobs for Veterans Act (The Act) of 2002, enacted November 7, 2002; Sections 4103A (a) and 4104 (a) of Title 38 of the United States Code (38 U.S.C. 4103A and 4104), as amended; FY 2001-2005 Solicitation for Grant Applications (SGA) for FY 2001 funds (electronic); VPL 10-03, dated June 10, 2003; VPL 09-03, dated June 9, 2003; VPL 08-03, dated May 29, 2003; VPL 03-03, dated February 21, 2003 and VPL 11-02, dated September 16, 2002. This directive supersedes VPL 09-02, dated June 24, 2002, and VPL 09-02, change 1, dated December 18, 2002.

III. Background: In FY 2001, multi-year DVOP/LVER grants were awarded to States for the period from October 1, 2000 through September 30, 2005. Incremental funding, as appropriated annually by Congress, is made available through grant modifications through September 30, 2005. The planned resource allocations (see Enclosure 1) are for planning purpose only. The actual FY 2004 amounts appropriated by Congress that become available for the Veterans' Employment and Training Service to distribute to the States may differ.

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Wilson:Official File:Pending:File:A:VPL FY 2004 Mods 7-1-2003

IV. Changes Pursuant to P.L. 107-288: Beginning in FY 2004, VETS' will be implementing several new provisions of 38 U.S.C. 41, as amended by the Act.

- A. Allocations: One of the changes requires the Veterans' Employment and Training Service (VETS) to allocate program funds to States based upon the number of veterans seeking employment in a State compared with all States. The relative State allocations in Enclosure I were developed based upon a combination of the ratio of the general unemployment level in each State compared with the unemployment level in all States using Local Area Unemployment Statistics, and the ratio of the number of veterans in the Civilian Labor Force (CLF) in each State compared with the total number of veterans in the CLF across all States. This methodology uses data provided by the Bureau of Labor Statistics, and was developed since there is no independent measure of the number of veterans who are seeking employment within a State or nationwide.

States will be given a set allocation and asked to develop a State Veterans' Program and Budget Plan narrative(s) as a companion to, or to be integrated within, the State's unified plan, submitted in accordance with the Workforce Investment Act of 1998. This plan is required as a "condition for the receipt of grant funds" by Section 4102A of title 38, U.S.C. as amended by The Act. States will also be required to submit a Standard Form (SF) 424A, Budget Information, budget back-up data and a budget narrative, as described in the Sections below, in order to qualify for incremental annual funding.

- B. Program Changes: One of the two most significant changes to the DVOP/LVER program is the distinctly different roles and responsibilities for the DVOP specialists and the LVER staff. The new staff roles were described in VPL 11-02, dated September 16, 2002. The second change is that States will now be able to assign DVOP specialists on a half-time basis, as they have with LVER staff. States will have the same latitude they have with half-time LVER staff. The only restriction is that no one staff person can serve both as a half-time DVOP specialist and as a half-time LVER.
- C. Special Target Populations: The Jobs for Veterans Act essentially revised Chapters 41 and 42 of Title 38, U.S.C. considerably narrowing the categories of special groups of eligible veterans. This allows greater emphasis to those groups most in need of special consideration. Service-connected disabled veterans remain the highest priority followed by those veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized.

An additional category for emphasis is transitioning service members. Primarily served through the Transition Assistance Program (TAP) in the past, these individuals and their spouses may now be served up to twelve months prior to separation, twenty-four months for retiring service members (See Section V. A. regarding funds to support expanded TAP work-shop facilitation). Other special populations still include any veterans who are enrolled in or who have completed a program of vocational rehabilitation or training (e.g. Vocational Rehabilitation and Employment services provided by the Department of Veterans' Affairs).

For all of these target populations of veterans, maximum emphasis continues to be meeting the

employment needs of veterans who are considered in their labor areas to be educationally or economically disadvantaged. These disadvantaged individuals may include homeless veterans, incarcerated veterans and veterans who may need vocational rehabilitation, training or retraining to successfully reintegrate into the civilian workforce in their local areas.

The legislation also allows the Secretary of Labor through the Assistant Secretary for Veterans' Employment and Training to designate other eligible veterans as a priority taking into account their rates of unemployment and other employment emphases in law.

For FY 2004, other populations of veterans residing or working in a State may be identified in the State Veterans' Program Plan for special emphasis. Such State-identified special populations of veterans may include Native American veterans, homeless or incarcerated veterans who may have comparatively higher rates of unemployment in local labor markets.

V. FY 2004 DVOP/LVER Modification Requests: The following guidance pertains:

A. In FY 2004, the following changes in the application process for funds authorized by The Act, which comply with 29 CFR, Part 97 and OMB Circular A-87, will occur:

1. State Veterans' Program Plan and State Veterans' Budget Plan – Each grant recipient must submit a State Veterans' Services Plan which consists of a program plan and a budget plan. The State veterans' program plan describes the manner in which the States will provide or facilitate the provision of employment, training, and placement services for veterans. The State veterans' budget plan shows the projected cost for providing needed services to the State's population of veterans. Each State's projected allocation for FY 2004 is shown in Enclosure I. Information about completing the narratives and the required forms for these plans may be found in Enclosures II through V.
2. Incentives - The Jobs for Veterans Act establishes the requirement for "performance incentive awards for quality employment training and placement services" to be administered by States. The Act stipulates that one percent of a State's total grant allocation shall be used for this purpose. The intent is to encourage the improvement and modernization of employment, training, and placement services for veterans, and recognize eligible employees for excellence in the provision of such services. However, non-financial incentives may be awarded in lieu of, or in combination with cash awards as outlined in an approved State Veterans' Services Plan. (See VPL 08-03 for additional guidance.)
3. Transition Assistance Program (TAP) - A portion of the FY 2004 DVOP/LVER appropriation will be used to provide support to States engaging in TAP workshops. States may, through their grant modification, request additional funding for the conduct of TAP workshops. To be considered for additional funding, States should plan three days for each TAP workshop and calculate the cost. Directors for Veterans' Employment and Training (DVETs) must verify and approve the provided cost per position charges. VETS reserves

the right to negotiate or reject the request. Although the provision of TAP services has become a responsibility of LVER staff, it is important to remember that DVOP specialists and other trained SWA staff can facilitate TAP workshops.

Only staff successfully completing TAP facilitation training at the National Veterans' Training Institute may conduct TAP workshops. When an employment specialist who has not attended NVTI training is identified to facilitate a workshop, the State will need to request that the individual be scheduled for TAP training in the plan. States requesting additional funds (beyond those listed in Enclosure I) to staff TAP workshops must follow the instructions provided in Enclosure IV and Enclosure V.

A monthly schedule of TAP workshops by location appears as Enclosure IX.

- B. The amount of funds designated as available to the States to fund and support an "appropriate and efficient number" of DVOP and LVER full-time and half-time positions appears on Enclosure I. Section 4103A and 4104 of Title 38, U.S.C., make it clear that the States' determination of the number of DVOP and LVER staff is ultimately "subject to the approval by the Secretary" of Labor. States are expected to demonstrate in their plan that as many DVOP and LVER full and half-time positions will be supported as "appropriate and efficient to carry out the services under this Chapter."
- C. Requests for equipment purchases must contain information in accordance with the FY 2001 - 2005 SGA and applicable special grant provisions (see Enclosure VIII). Modification requests to purchase computer equipment should also include the costs of Internet connectivity, line maintenance, and any necessary computer training for DVOP/LVER staff.
- D. The following documents are to be submitted to VETS' National Office at the address indicated below with a copy to the DVET to arrive on or before September 5, 2005.
 - 1. Transmittal Memorandum - The memorandum must be prepared in hard copy with original signature of an authorized agency representative. This memorandum must provide an assurance that the State will comply with Chapter 41 of 38 U.S.C. and will use the funds allocated to support as many DVOP and LVER full and half-time positions as "appropriate and efficient to carry out the services under this Chapter." If a new administrative entity, a new Administrator, or a new State Agency official has been designated to operate the DVOP/LVER grant, either following the grant awards issued in December of 2000, or since the most recently approved grant modification request, the transmittal memorandum must indicate that the individual who signs the SF 424 for FY 2004 is authorized to enter into agreement with the Department of Labor.
 - 2. A Standard Form (SF) 424 (see Enclosure II), indicating on lines 15a and 15g the total

annual amount of DVOP/LVER funds allocated to the State for FY 2004, as it appears on Enclosure I, unless additional funds are requested to perform TAP workshop facilitation or special initiatives are planned that have been approved in advance by the Assistant Secretary for Veterans' Employment and Training (see Enclosures IV and V).

3. State Veterans' Program Plan – A narrative that, in part, describes the number of full-time and half-time DVOP and LVER staff that the State determines the total grant funds will support. It must also describe their roles, responsibilities and the populations of veterans that will be served. Information about completing these narratives and the applicable worksheets are located in Enclosures III through V.
4. State Veterans' Budget Plan
 - a. Standard Form (SF) 424A (see Enclosure III) is to be completed in accordance with the instructions provided in Enclosure V.
 - b. Back-up Budget Plan – The back-up budget is to be completed for all program activities in accordance with the instructions provided in Enclosure V.
5. Revised Staffing Chart – A staffing chart showing the work locations where DVOP and LVER staff will be assigned including central and sub-state offices. The chart must distinguish whether each DVOP and LVER staff is assigned as a full-time or half-time employee. The requirement to submit a staffing chart cannot be waived (see an example of a staffing chart in Enclosure VII). **NOTE:** Although outstation requirements no longer exist for DVOP specialists, the level of productive service coordination achieved through the continued effective use of alternative work locations is encouraged.
6. Assurance/Certifications Signature Page – This form must be completed, signed and submitted with the grant modification request, only if the agency administering the grant has changed since the last SF 424 for this grant was submitted and approved by the grant officer.

VI. Budget Appropriations and Resource Allocations: The FY 2004 modification awards will be based upon the amounts appropriated by Congress or as specified in a Continuing Resolution. As per the special provisions of the grant agreement, States are limited in spending to the amounts appearing on the most recently issued Notice of Obligation Authority (NOA) issued by their RAVET.

If a FY 2004 appropriation bill is not signed prior to October 1, 2003, States may not be advised of their actual funding allocations until sometime after the new fiscal year begins. If this is the case, the States will be authorized through an NOA to draw down a portion of their FY 2004, periodically. In the case of a continuing resolution that goes beyond a fiscal quarter, quarterly funding allocations will be issued to regions

based upon 25% of the anticipated award to each State for FY 2004.

Special grant provisions revised for FY 2004 (see draft in Enclosure VIII) become operational on the effective date that the grant modifications are awarded by the Grant Officer.

VII. Actions Required:

- A. States are requested to prepare a modification package in accordance with the above instructions for submission to the VETS' National Office to arrive on or before September 5, 2003 at the following address:

**U. S. Department of Labor/VETS
200 Constitution Avenue; N.W.; Room S-1316
Washington, D.C. 20210
Attn: Mr. Miguel Hernandez**

- B. DVETs are available to provide technical assistance to State agencies as needed, particularly when determining the optimal use of DVOP and LVER staff resources.
- C. Each State will provide one copy of its grant modification request to their respective DVET on or before September 5, 2003.
- D. DVETs will review the grant application and provide their comments to the Regional Administrator (RAVET) by close of business on Monday, September 8, 2003.
- E. RAVETs will provide any DVETs' comments to National Office, Miguel Hernandez by September 10, 2003 concurrent with the scheduled grant reviews.

VIII. Inquiries: Refer State questions to the appropriate DVET. Issues that cannot be resolved at the VETS' Regional Office should be addressed to Joel H. Delofsky at the Chicago Regional Lead Center (RLC) at (312) 353-4942, Ext. 117 or Miguel A. Hernandez in VETS' National Office at (202) 693-4708.

IX. Expiration Date: This directive expires on September 30, 2004.

X. Enclosures (9):

Enclosure I.	FY 2004 DVOP/LVER Funding Levels by State
Enclosure II.	SF 424 Form and Completed Sample
Enclosure III.	SF 424A, Budget Information Forms and Instructions
Enclosure IV.	State Veterans' Program Plan Instructions
Enclosure V.	State Veterans' Budget Plan Instructions
Enclosure VI.	Assurances and Certification Signature Page

- Enclosure VII. Sample Staff Directory
- Enclosure VIII. Special Grant Provisions (Draft)
- Enclosure IX. Estimated Number of TAP Workshops by State