

**Wage Record Interchange System (WRIS)
Data Sharing Agreement Amendment Proposal**

Proposal Number: 14

Proposal Title:

Expand the Data Sharing Agreement to include U.S. DOL Employment and Training Administration (ETA) programs and grants funded by the American Recovery and Reinvestment Act of 2009 (Recovery Act) in the Programs Specified as Allowable for Wage Data Exchange in Section VII

Reference: *Section VII. Operation of the WRIS, Subsection C, Paragraph 3*

Date Submitted:

Sponsoring Entity Information:

Contact Person: Karen Staha

Agency/Organization: Employment and Training Administration (ETA)

Phone: (202) 693-2917

E-mail: staha.karen@dol.gov

Statement of Issue:

The Recovery Act (Division A, Title VIII of Public Law No. 111-5) includes programs and grants that are not included for exchange of Wage Data in the Data Sharing Agreement at Section VII. Subsection C, Paragraph 3.

Discussion of Issue:

The Recovery Act (Division A, Title VIII of Public Law No. 111-5) has added a number of programs and grants that are funded under the Act, which include performance and reporting requirements. The Data Sharing Agreement does not provide for exchange of Wage Data for new programs or grants funded by the Recovery Act for purposes of performance reporting. The proposed amendment would add them to Section VII. Subsection C, Paragraph 3.

Statement of Proposed Change/Proposal:

Reference: Section VII. Operation of the WRIS, Subsection C, Paragraph 3

Original Provision:

3. To allow the PACIA to obtain Wage Data used to satisfy the performance and reporting requirements for the Job Corps Program, Senior Community Service Employment Program, Migrant and Seasonal Farm Worker Program, Native American Program, Veterans Workforce Investment Program, Youth Build Program, Registered Apprenticeship Program, Prisoner Reentry Initiative Grant Program, H-1B Technical Skills Training Grant Program, and the Community-Based and High-Growth Job Training Initiative Grant Program. Such requests are permissible, provided that a PACIA has voluntarily entered into an agreement, which sets forth terms and conditions for such data sharing that are otherwise consistent with the terms of this Agreement, and 20 CFR Part 603, with an entity that operates such programs, or directly with ETA. A PACIA may submit Requests to the WRIS Clearinghouse on behalf of such entity, provided further, that any Results obtained from the SUIA shall be reported to such entity by the PACIA as Aggregate Data.

Proposed Replacement Provision:

3. To allow the PACIA to obtain Wage Data used to satisfy the performance and reporting requirements for the Job Corps Program, Senior Community Service Employment Program, Migrant and Seasonal Farm Worker Program, Native American Program, Veterans Workforce Investment Program, Youth Build Program, Registered Apprenticeship Program, Prisoner Reentry Initiative Grant Program, H-1B Technical Skills Training Grant Program, the Community-Based and High-Growth Job Training Initiative Grant Program; and programs and grants that are funded under the American Recovery and Reinvestment Act of 2009 (Recovery Act), Division A, Title VIII of Public Law No. 111-5. Such requests are permissible, provided that a PACIA has entered into an agreement, which sets forth terms and conditions for such data sharing that are consistent with the terms of this Agreement, and 20 CFR Part 603, with an entity that operates such programs, or directly with ETA. A PACIA may submit Requests to the WRIS Clearinghouse on behalf of such entity, provided further, that any Results obtained from the SULA shall be reported to such entity by the PACIA as Aggregate Data.

Supporting Documentation:

Not applicable

Preliminary Decision on Disposition of Amendment Proposal: 03/02/2010

Disposition Discussion:

Comments were received from Tennessee and North Dakota during the 60-day comment period suggesting that the proposal is not restrictive in designating the agencies and grantees that might receive aggregate WRIS information.

A comment was received from Minnesota during the 60-day comment period questioning if the ARRA reporting only applies to ARRA grant programs in that services provided with ARRA money for new and existing WIA IB and III programs are already allowed.

A comment was received from Texas during the 60-day comment period indicating support for slightly more inclusive language that would apply to all One-Stop programs so that, should Congress add a new partner program, WRIS can be used for it without amendment.

A comment was received from North Carolina during the 60-day comment period requesting clarification regarding the any programs Amendment 14 would cover if the intent was to cover programs or Departments beyond ETA.

A comment was received from New Hampshire during the 60-day comment period that, to the extent such data sharing is not required by specific law or that such data would be shared with a private entity, the amendment proposal would be in conflict with RSA 282-A: 118 and in violation of NH State Law.

A comment was received from Washington during the 60-day comment period suggesting that the ARRA is a supplement to the existing WIA in that the ARRA funds are indistinguishable from WIA funds in terms of program participants. Although Washington considers the amendment proposal to be covered under the current WRIS Data Sharing Agreement, the state indicated it would support the amendment should there be a consensus on adopting.

The preliminary decision on the disposition of this amendment proposal is to incorporate it into the Agreement, using new proposed language intended to address the comments received and to clarify that the proposal applies only to ETA programs and ETA grants funded under the American Recovery and Reinvestment Act of 2009 (Recovery Act).

Proposed Disposition:

3. *To allow the PACIA to obtain Wage Data used to satisfy the performance and reporting requirements for the Job Corps Program, Senior Community Service Employment Program, Migrant and Seasonal Farm Worker Program, Native American Program, Veterans Workforce Investment Program, Youth Build Program, Registered Apprenticeship Program, Prisoner Reentry Initiative Grant Program, H-1B Technical Skills Training Grant Program, the Community-Based and High-Growth Job Training Initiative Grant Program; and ETA programs and ETA grants funded under the American Recovery and Reinvestment Act of 2009 (Recovery Act), Division A, Title VIII of Public Law No. 111-5. Such requests are permissible, provided that a PACIA has entered into an agreement, which sets forth terms and conditions for such data sharing that are consistent with the terms of this Agreement, and 20 CFR Part 603, with an entity that operates such programs, or directly with ETA. A PACIA may submit Requests to the WRIS Clearinghouse on behalf of such entity, provided further, that any Results obtained from the SULA shall be reported to such entity by the PACIA as Aggregate Data.*