

DHS ARRA contracts incorporate the clause at Federal Acquisition Regulation (FAR) 52.204-11, *American Recovery and Reinvestment Act – Reporting Requirements.*” The clause at FAR 52.204-11 was implemented as an interim rule on March 31, 2009. The Civilian Agency Acquisition Council is reviewing public comments and preparing the final rule. The draft final rule has not been issued for comment yet. The interim clause establishes the contractual requirement for quarterly reporting at [www.federalreporting.gov](http://www.federalreporting.gov). It defines “jobs created” and “jobs retained” as follows:

“Jobs created” means an estimate of those new positions created and filled, or previously existing unfilled positions that are filled, as a result of funding by the American Recovery and Reinvestment Act of 2009 (Recovery Act). This definition covers only prime contractor positions established in the United States and outlying areas (see definition in FAR [2.101](#)). 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 contractor. 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.

“Jobs retained” means an estimate of those previously existing filled positions that are retained as a result of funding by the American Recovery and Reinvestment Act of 2009 (Recovery Act). This definition covers only prime contractor positions established in the United States and outlying areas (see definition in FAR [2.101](#)). 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 contractor. 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.

DHS also issued an Acquisition Regulatory Advisory on April 1, 2009 to help DHS contracting staff understand the requirements of the interim rule. It is posted at DHS’ Recovery Act website under “Policy and Guidance” ([http://www.dhs.gov/xopnbiz/gc\\_1242325946000.shtm](http://www.dhs.gov/xopnbiz/gc_1242325946000.shtm)). Contractors also have access to the data dictionary published by the Recovery Accountability and Transparency Board and posted at [www.federalreporting.gov](http://www.federalreporting.gov) (under “Downloads”) which expands on the FAR definitions.

In addition, on August 25, 2009, the FAR Council issued the following Federal Register notice (74 FR 42877) to alert contractors that registration at [federalreporting.gov](http://federalreporting.gov) is open:

#### **SUPPLEMENTARY INFORMATION:**

##### **A. Background**

On March 31, 2009, the Councils published an interim rule in the **Federal Register**, FAR Case 2009–009, American Recovery and Reinvestment Act of 2009 (the Recovery Act)—Reporting Requirements (74 FR 14639). The rule implements section 1512 of Public Law 111–5, the American Recovery and Reinvestment Act of 2009 (the “Recovery Act”), which requires Federal contractors that receive awards (or modifications to existing awards) funded, in whole or in part, by the Recovery Act to report quarterly on the use of the funds at [federalreporting.gov](http://federalreporting.gov).

To comply with the reporting required by FAR 52.204–11, Federal contractors must first register at [federalreporting.gov](http://federalreporting.gov). Registration is now open to Federal contractors. The reporting tool will be available on October 1, 2009. Reports, which are due October 10, 2009, can only be submitted once registration is authorized. For more information on the registration and authorization process, go to [federalreporting.gov](http://federalreporting.gov). For information regarding the Paperwork Reduction Act, see Information Collection Request (ICR) Reference Number 200907–0430–001 and OMB Control Number 0430–0002 available at

<http://www.reginfo.gov/public/do/PRAMain> (select “Recovery Accountability and Transparency Board” from the “Select Agency” drop down menu and submit).