

under this section, except that an individual shall not be disqualified pursuant to this clause for a failure to participate that is not the fault of the individual; and

(iv) Currently receives, or is a member of a family which currently receives, a total family income (exclusive of unemployment compensation, child support payments, and welfare payments) which, in relation to family size, is not in excess of the lower living standard income level.

(2) Needs-related payments shall be equal to the higher of:

(i) The applicable level of unemployment compensation; or

(ii) The poverty level determined in accordance with the criteria established by the Director of the Office of Management and Budget.

(3) Total family income shall be reviewed periodically, based upon information obtained from participants with respect to such income and changes therein, to determine continued eligibility, or to begin payments to individuals previously found ineligible for needs-related payments under this section.

Subpart H [Reserved]

Subpart I—Disaster Relief Employment Assistance

§ 631.80 Scope and purpose.

This subpart establishes a Disaster Relief Employment Assistance program under title IV, part J of JTPA which shall be administered in conjunction with the title III National Reserve Grants Programs.

§ 631.81 Availability of funds.

Funds appropriated to carry out this subpart may be made available by grant to the Governor of any State within which is located an area that has suffered an emergency or a major disaster as defined in paragraphs (1) and (2), respectively, of section 102 of the Disaster Relief Act of 1974 (42 U.S.C. 5122(1) and (2)) (referred to in this subpart as the “disaster area”). The Secretary shall prescribe procedures for applying for funds.

§ 631.82 Substate allocation.

(a) Not less than 80 percent of the grant funds available to any Governor under § 631.81 of this part shall be allocated by the Governor to units of general local government located, in whole or in part, within such disaster areas. The remainder of such funds may be reserved by the Governor for use, in concert with State agencies, in cleanup, rescue, repair, renovation, and rebuilding activities associated with such major disaster.

(b) The JTPA title III program substate grantee for the disaster area shall be the designated local entity for administration of the grant funds under this subpart.

§ 631.83 Coordination.

Funds made available under this subpart to Governors and units of general local government shall be expended in consultation with—

(a) Agencies administering programs for disaster relief provided under the Disaster Relief Act of 1974; and

(b) The JTPA title II administrative entity and the private industry council in each service delivery area within which disaster employment programs will be conducted under this subpart.

§ 631.84 Allowable projects.

Funds made available under this subpart to any unit of general local government in a disaster area—

(a) Shall be used exclusively to provide employment on projects that provide food, clothing, shelter and other humanitarian assistance for disaster victims; and on projects involving demolition, cleanup, repair, renovation, and reconstruction of damaged and destroyed structures, facilities, and lands located within the disaster area; and

(b) May be expended through public and private non-profit agencies and organizations engaged in such projects.

§ 631.85 Participant eligibility.

An individual shall be eligible for disaster employment under this subpart if such individual is—

(a)(1) Eligible to participate or enroll, or is a participant or enrolled, under Title III of the Act, other than

§ 631.86

an individual who is actively engaged in a training program; or

(2) Eligible to participate in programs or activities assisted under Native American and Migrant Programs; and

(3) Unemployed as a consequence of the disaster.

(b) [Reserved]

§ 631.86 Limitations on disaster relief employment.

No individual shall be employed under this subpart for more than 6 months for work related to recovery from a single natural disaster (described in § 631.3(f) of this part).

§ 631.87 Definitions.

As used in this subpart, the term *unit of general local government* includes:

(a) In the case of a community conducting a project in an Indian reservation or Alaska Native village, the grantee designated under the JTPA section 401 Indian and Native American Program (see part 632 of this chapter), or a consortium of such grantees and the State; and

(b) In the case of a community conducting a project in a migrant or seasonal farmworker community, the grantee designated under the JTPA section 402 Migrant and Seasonal Farmworker Program (see part 633 of this chapter), or a consortium of such grantees and the State.

PART 632—INDIAN AND NATIVE AMERICAN EMPLOYMENT AND TRAINING PROGRAMS

Subpart A—Introduction

Sec.

632.1 [Reserved]

632.2 Scope and purpose.

632.3 Format for these regulations.

632.4 Definitions.

Subpart B—Designation Procedures for the Native American Grantees

632.10 Eligibility requirements for designation as a Native American grantee.

632.11 Designation of Native American grantees.

632.12 Alternative arrangements for the provision of services, nondesignation.

20 CFR Ch. V (4–1–08 Edition)

632.13 Review of denial of designation as a Native American grantee, or rejection of a Comprehensive Annual Plan.

Subpart C—Program Planning, Application and Modification Procedures

632.17 Planning process.

632.18 Regional and national planning meetings.

632.19 Grant application content.

632.20 Submission of grant application.

632.21 Application disapproval.

632.22 Modification of a Comprehensive Annual Plan (CAP) and/or Master Plan.

632.23 Termination and corrective action of a CAP and/or Master Plan.

Subpart D—Administrative Standards and Procedures

632.31 General.

632.32 Financial management systems.

632.33 Audits.

632.34 Program income.

632.35 Native American grantee contracts and subgrants.

632.36 Procurement standards.

632.37 Allowable costs.

632.38 Classification of costs.

632.39 Administrative cost plan.

632.40 Administrative staff and personnel standards.

632.41 Reporting requirements.

632.42 Grant closeout procedures.

632.43 Reallocation of funds.

632.44 Sanctions for violation of the Act.

Subpart E—Program Design and Management

632.70 Waiver of regulations under parts 632 and 636.

632.75 General responsibilities of Native American grantees.

632.76 Program management systems.

632.77 Participant eligibility determination.

632.78 Training activities.

632.79 Employment activities.

632.80 Other activities.

632.81 Payments to participants.

632.82 Benefits and working conditions for participants.

632.83 FICA.

632.84 Non-Federal status of participants.

632.85 Participant limitations.

632.86 Nondiscrimination and nonsectarian activities.

632.87 Equitable provision of services to the eligible population and significant segments.

632.88 General responsibilities of the Department.

632.89 Performance standards.