



TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

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General Information Action Item #2008-11.11 Amendment 1

TO: CSBG, ESGP, CEAP, WAP Subrecipients

FROM: Amy M. Oehler, Acting Director
Community Affairs Division *AMO*

DATE: January 16, 2008

SUBJ/TITLE: Program General/HB 1196 Agreement

BACKGROUND

In response to Title 8 U.S.C. Section 1324a(a) "Unlawful Employment of Aliens", the 80th Texas Legislature passed House Bill 1196 addressing the unlawful employment of unauthorized aliens. Legislation requires state agencies to include in all applications for funding, a statement of agreement, wherein the applicant certifies that their agency or organization does not and will not knowingly employ an undocumented worker. Subrecipients must also agree to repay the amount of the public subsidy with interest if they violate Title 8 U.S.C. 1324a(a). As part of implementing a contract, **the Department is requiring a completed agreement prior to the initiation of contract activities.**

ACTION REQUIRED

Please **complete** the attached **HB 1196 Agreement** for Program Year 2008 by reviewing and signing the attached agreement. The form may be faxed to (512) 475-3539 to the attention of Sylvia Mallinger. Upon TDHCA's receipt of the HB 1196 Agreement, the Department will sign and return an executed copy for your agency's records.

General Information Action Item #2008-11.11 was only addressed to CEAP Subrecipients. CEAP Subrecipients that do not administer WAP or CSBG programs and have already provided a signed Agreement do not need to resubmit this form. CEAP Subrecipients also administering WAP, CSBG and/or ESGP must resubmit an agreement to include all programs.

EFFECTIVE DATE

Upon receipt.

INQUIRIES

If you have any questions, please contact your assigned Program Officer.

Attachment
P:\acarvaja\CSBGIAI2008-11.11.doc

Texas Department of Housing and Community Affairs
HB 1196 (80th Legislature) Agreement
Program Year 2008

The Texas Department of Housing and Community Affairs, an agency of the State of Texas ("Department"), and _____, a _____ ("Applicant") are the parties to this agreement ("Parties").

Whereas Applicant desires to be awarded a contract with the Department to provide CEAP, WAP, CSBG or ESGP program services for the 2008 Program Year, and

Whereas HB 1196 (80th Reg. Session) requires the Parties to enter into an agreement for the repayment of any public subsidy under certain conditions,

Now Therefore, the Parties agree as follows:

1. Applicant agrees that if Applicant, or a branch, division, or department of Applicant is convicted of a violation under Title 8 U.S.C. Section 1324a(a), Applicant shall repay the amount of the public subsidy with interest, at the rate of 5% per annum, not later than the 120th day after the date the Department notifies Applicant of the violation.
2. Applicant is entering into this agreement prior to receiving any 2008 Program Year funding from the Department.
3. Applicant acknowledges that entering this agreement does not constitute an award by the Governing Board of the Department ("Board") of any funding, nor a guarantee that Applicant will be granted any funds by the Board with respect to the 2008 Program Year.
4. The person signing this agreement on behalf of Applicant hereby certifies that he/she has been duly authorized by Applicant to bind the Applicant to the terms herein.

Applicant:

Date: _____

By: _____

Signature J.D. Salinas

Title Hidalgo County Judge

Texas Department of Housing and Community Affairs:

By: _____

Amy M. Oehler, Acting Director
Community Affairs Division

Date: _____