

of the trigger notice with an “on” notice. What is the reason for this difference?

Answer: Under Federal law, an EB period based on either the IUR or the TUR trigger begins the “third week after the first week for which there is a State ‘on’ indicator.” (EB law, Section 203(a)(1).) However, since the “on” indicators for the IUR and TUR triggers are based upon different events, the EB periods they trigger begin at different times following the trigger notices:

- Under the IUR trigger, the week of the “on” indicator is the last week of a 13-week period when the State’s IUR reaches the levels specified in law and regulation. (See Section 203(d)(1) of the EB law and 20 CFR 615.12(a).) Under Section 203(a)(1) of the EB law, the EB period begins the third week after this “on” indicator week. The week that the EB period begins is the week after the trigger notice is published because the process proceeds as follows:
 - Week 1 is the week when individuals submit benefit claims for the prior week. That prior week will be deemed the “on” indicator week if these benefit claims meet the IUR trigger requirements.
 - Week 2 is the week the State compiles the benefit claims submitted during Week 1, the State reports its IUR to the Department, and the Department issues the EB trigger notice based on the State report.
 - Week 3 is the beginning of the EB period.

- Under the TUR trigger, the week of the “on” indicator is the week “the average rate of total unemployment in [a] State (seasonally adjusted) for the period consisting of the most recent 3 months for which data for all States are published” meets certain criteria. (EB law, Section 203(f)(1)(A)(i).) Thus, the statute ties the TUR “on” indicator to the week of publication, and the EB period begins the third week following this indicator week. As a result, for example, when data for the month of February for all States was published on March 27, 2009, the EB period for States triggering “on” using this data began April 12, 2009.

Similarly, the end dates of EB periods in relation to the Department’s EB trigger notice depend on whether the State triggers “off” an EB period based on the TUR trigger or the IUR trigger.

Attachment II

Draft Legislation—Tur Trigger

Discussion

Below is suggested legislative language for States that choose to add a TUR EB trigger and make the first week

of EB payable the week beginning February 22, 2009. (This is the first week most EB payments qualify for 100 percent Federal sharing. The exceptions to 100 percent Federal sharing are discussed in Q&As 4 and 5 in Attachment I to UIPL No. 12–09.) This language is identical to the suggested provisions in UIPL No. 45–92, Attachment II, with two exceptions. First, the date provided in paragraph (a)(2)(C) for the start of the TUR trigger differs. Second, two unnecessary words were deleted. States that choose to adopt a later date should edit the dates as appropriate.

States that do *not* want to make the TUR EB trigger permanent have requested assistance in developing two termination options. The first end date would be the last week that 100 percent Federal sharing is available for most EB payments (*i.e.*, the last week beginning before January 1, 2010). The second would be the last week of the phase-out (*i.e.*, the last week ending before June 1, 2010). As discussed above, the phase-out allows 100 percent Federal sharing to continue for individuals who were paid EB for a week of unemployment ending before January 1, 2010. The bolded language in the draft legislation offers two dates, depending on when the State chooses to terminate the TUR trigger. (The earlier date relates to the first option; the later to the second option.)

An alternative approach is based on the possibility that Congress will extend the termination dates for Federal sharing. Under this option, the expiration date is tied to the date that Congress selects. If the State chooses this approach, then, as above, it has two options.

- Under the first option, EB would terminate the last week 100 percent Federal sharing is available for most EB payments. State law could provide that the EB trigger will remain in effect “until the week ending four weeks prior to the last week of unemployment for which 100 percent Federal sharing is available under Section 2005(a) of Public Law 111–5, without regard to the extension of Federal sharing for certain claims as provided under Section 2005(c) of such law.”

- Under the second option, EB would terminate the last week 100 percent Federal sharing is available under the phase-out. State law could provide that the trigger will remain in effect “until the week ending four weeks prior to the last week of unemployment for which 100 percent Federal sharing is available for any claim under Section 2005(c) of Public Law 111–5.”

The draft language also implements the HUP trigger of 8 percent TUR (with lookback). States implementing the optional 6.5 percent TUR trigger must also implement the HUP trigger, which has the effect of increasing EB eligibility from 13 to 20 weeks. (See UIPL No. 45–92, Attachment 1, section I.B.2.)

States should consider whether it is necessary to enact amendments expanding EB eligibility provisions to cover certain individuals who have exhausted EUC08, as authorized under Public Law 111–5. (See UIPL No. 12–09, Q&As 6 and 7.) States choosing to enact such amendments may add language indicating that, notwithstanding anything in State law, an individual’s eligibility period shall include any eligibility period provided for in section 2005(b) of Public Law 111–5.

Draft Language

The draft language for legislation is available at: http://wdr.doleta.gov/directives/attach/UIPL/UIPL12-09_ch1_a2acc.pdf.

Dated: This tenth day of August, 2009.

Jane Oates,

Assistant Secretary of Labor, Employment and Training Administration.

[FR Doc. E9–19519 Filed 8–13–09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Notification of the Recovery and Reemployment Research Conference

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice of the Recovery and Reemployment Research Conference.

SUMMARY: The Employment and Training Administration will host a Recovery and Reemployment Research Conference on September 15 and 16, 2009 at the L’Enfant Plaza Hotel in Washington, DC.

Purpose and Agenda: The conference is designed to give the workforce community an opportunity to engage with experts and colleagues to broaden their understanding of critical labor issues and challenges in the present economy. This conference translates specific research, pilot, demonstration, and evaluation efforts into actionable strategies that can be used in the workforce system. The conference, from a research perspective, builds on the success of the *ReEmployment Works!* Summit and subsequent Regional Recovery and Reemployment Forums.

Participants will have the opportunity to hear about workforce strategies for green jobs, entrepreneurship, training, unemployment and reemployment services, and research and policy tools to manage and improve the systems. A goal of the conference is for participants to gain insight into what works and what can be replicated in communities across the nation. The conference will feature a combination of plenary sessions and workshops, including presentations by ETA leaders.

DATES: The conference runs from 8:30 a.m. to 4:30 p.m. on Tuesday, September 15, 2009 and from 8:30 a.m. to 4 p.m. on Wednesday, September 16, 2009.

FOR FURTHER INFORMATION CONTACT: Registration and additional information for the Recovery and Reemployment Research Conference can be accessed at <http://www.RecoveryandReemployment.com>.

For additional information related to registering for the research conference, contact Lauren Focarazzo of IMPAQ International, the logistical contractor for the conference, at lfocarazzo@impaqint.com or 1-866-677-4283 (this is a toll-free number). For other inquiries, contact Janet Javar, Office of Policy Development and Research, USDOL/ETA, at javar.janet@dol.gov or 200 Constitution Ave., NW., Room N-5641, Washington, DC 20210.

SUPPLEMENTARY INFORMATION: Space is limited. There is no cost to register. Interested individuals are encouraged to register as soon as possible.

Signed at Washington, DC, this 7th day of August, 2009.

Jane Oates,

Assistant Secretary, Employment and Training Administration.

[FR Doc. E9-19516 Filed 8-13-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[SGA/DFA-PY-08-19]

Solicitation for Grant Applications (SGA) Amendment Two; Pathways Out of Poverty

AGENCY: Employment and Training Administration (ETA), Labor.

ACTION: Notice: Amendment to SGA/DFA-PY-08-19.

SUMMARY: The Employment and Training Administration published a document in the **Federal Register** on

June 24, 2009, announcing the availability of funds and solicitation for grant applications (SGA) for Pathways Out of Poverty to be awarded through a competitive process. This amendment to the SGA clarifies items related to: (1) Use of funds for supportive services (section IV.F); and (2) identifying PUMA(s) to be served (section VIII.A.1). The document is hereby amended.

1. "Use of Funds for Supportive Services" section IV.F (page 30145) is revised as follows to indicate a change in the amount of grant funds that may be used for supportive services:

a. Old Text—"Grantees may use no more than 5% of their grant funds on these services."

b. New Text—"Grantees may use no more than 10% of their grant funds on these services."

2. "Identify PUMA(s) to be Served" section VIII.A.1 (page 30151) is revised to include the following paragraph at the end of the section regarding additional resources on PUMAs that may be helpful:

a. New Text—"Applicants should note that the PUMA maps display the outlines of census tracts but do not show census tract numbers or street names. Applicants looking for additional information on the street-level boundaries of PUMAs should cross-reference the appropriate PUMA map, which can be found here (<http://www.census.gov/geo/www/maps/puma5pct.htm>) with the appropriate census tract maps, which can be found here (http://ftp2.census.gov/plmap/pl_trt/). Follow the census tract map link above, which will display a list of States. Click on the appropriate State, and then click the appropriate county for a directory of map files for that county. Each county directory contains map files that show numbered census tracts and street names for specific areas within the county. For some counties, the first file in the directory will be an overview map of the entire county, which serves as an index for the remaining map files. Applicants can then match the census tract outlines on the PUMA map with the numbered census tracts depicted on the census tract maps. Identifying the census tracts that serve as the outer edge of the PUMA and zooming in on the census tract maps to see the street names will help applicants to identify the street-level boundaries of the PUMA."

FOR FURTHER INFORMATION CONTACT: Melissa Abdullah, Grants Management Specialist, Division of Federal Assistance, at (202) 693-3346.

Signed at Washington, DC, this 11th day of August 2009.

Donna Kelly,

Grant Officer, Employment & Training Administration.

[FR Doc. E9-19510 Filed 8-13-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Treatment of Pension Rollover Distributions

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration has provided guidance to State workforce agencies on an amendment to Federal unemployment compensation (UC) law that prohibits the reduction of UC due to nontaxable pension rollover distributions. This continuing guidance was issued on May 4, 2009 as UIPL No. 10-09 and is published below to inform the public. It rescinds UIPL No. 22-87, Change 2.

SUPPLEMENTARY INFORMATION:

UIPL 10-09: Treatment of Pension Rollover Distributions

1. *Purpose.* To advise States of an amendment to Federal unemployment compensation (UC) law that prohibits the reduction of UC due to nontaxable pension rollover distributions.

2. *References.* Sections 3304(a)(15) of the Federal Unemployment Tax Act (FUTA); Public Law 109-280, the Pension Protection Act of 2006; Public Law 110-458, the Worker, Retiree, and Employer Recovery Act of 2008; Unemployment Insurance Program Letter (UIPL) 22-87 and Changes 1 (60 FR 55,604 (1995)) and 2 (68 FR 15,241 (2003)); Internal Revenue Service (IRS) Publications 575 and 590; and IRS Tax Topic 413—Rollovers from Retirement Plans.

3. *Background.* As a result of an amendment made by the Worker, Retiree, and Employer Recovery Act of 2008, States are now prohibited from reducing UC due to nontaxable pension rollover distributions. Whether to reduce UC due to receipt of taxable distributions remains a matter for the State to determine. This UIPL is issued to explain the amendment and its effect.

Based on information available to the Department, only one State currently reduces UC due to any pension rollovers. However, all States should review their laws regarding treatment of