

- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment and Training Administration.

*Type of Review:* Revision of a currently approved collection.

*Title:* One-Stop Workforce Information Grant Plan and Annual Performance Report.

*OMB Control Number:* 1205-0417.

*Form Number:* None.

*Affected Public:* State Governments.

*Estimated Number of Respondents:*

54.

*Estimated Total Annual Burden*

*Hours:* 31,174.

*Estimated Total Annual Costs Burden:* \$0.

*Description:* As requirements for receiving Workforce Information core products and services reimbursable grants, states must submit the following on an annual basis: (1) Certification of grant deliverables, (2) economic analysis economic report for the governor, and (3) performance report. See the Department's regulations at 29 CFR 95.51 and 97.40, sections 111(d)(8) and 309 of the Workforce Investment Act of 1998, and OMB Circular A-102. For additional information, see related notice published at 72 FR 71159 on December 14, 2007.

**Darrin A. King,**

*Acting Departmental Clearance Officer.*

[FR Doc. E8-6335 Filed 3-27-08; 8:45 am]

**BILLING CODE 4510-FM-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

March 21, 2008.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at: <http://www.reginfo.gov/>

[public/do/PRAMain](http://public.do/PRAMain) or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Mine Safety and Health Administration (MSHA), Office of Management and Budget, 725 17th Street, NW., Room 10235, Washington, DC 20503, Telephone: 202-395-4816/Fax: 202-395-6974 (these are not toll-free numbers), E-mail:

[OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the applicable OMB Control Number (see below).

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Mine Safety and Health Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Refuse Piles and Impounding Structures, Recordkeeping and Reporting Requirements.

*OMB Control Number:* 1219-0015.

*Form Number:* None.

*Estimated Number of Respondents:* 692.

*Estimated Total Annual Burden*

*Hours:* 32,081.

*Estimated Total Annual Cost Burden:* \$6,816,460.

*Affected Public:* Private Sector: Business or other for-profit (Coal Mines).

*Description:* The Department's regulations at 30 CFR 77.215 and 77.216 require coal mine operators to submit to MSHA annual reports and certification

on refuse piles and impoundments and to keep records of the results of weekly examinations and instrumentation monitoring. These requirements help to ensure a safe and healthful working environment for the nation's miners. For additional information, see related notice published at 73 FR 2544 on January 15, 2008.

**Darrin A. King,**

*Acting Departmental Clearance Officer.*

[FR Doc. E8-6338 Filed 3-27-08; 8:45 am]

**BILLING CODE 4510-43-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Employment and Training Administration Program Year (PY) 2008 Workforce Investment Act (WIA) Allotments and Additional Funds from WIA Section 173(e) for Adult/ Dislocated Worker Activities for Eligible States; PY 2008 Wagner- Peyster Act Final Allotments; PY 2008 Workforce Information Grants and FY 2008 Work Opportunity Tax Credit Allotments

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** This Notice announces states' allotments for PY 2008 (July 1, 2008–June 30, 2009) for WIA Title I Youth, Adults and Dislocated Worker Activities programs; additional PY 2008 funding from WIA section 173(e) for eligible states; final allotments for Employment Service (ES) activities under the Wagner-Peyster Act for PY 2008; Workforce Information Grants for PY 2008; and Work Opportunity Tax Credit (WOTC) allotments for FY 2008.

The WIA allotments for states and the final allotments for the Wagner-Peyster Act are based on formulas defined in their respective statutes. The WIA allotments for the outlying areas are based on a formula determined by the Secretary. As required by WIA section 182(d), on February 17, 2000, a Notice of the discretionary formula for allocating PY 2000 funds for the outlying areas (American Samoa, Guam, Marshall Islands, Micronesia, Northern Marianas, Palau, and the Virgin Islands) was published in the **Federal Register** at 65 FR 8236 (February 17, 2000). The rationale for the formula and methodology was fully explained in the February 17, 2000, **Federal Register** Notice. The formula for PY 2008 is the same as used for PY 2000 and is described in the section on Youth

Activities program allotments. Comments are invited on the formula used to allot funds to the outlying areas.

**DATES:** Comments on the formula used to allot funds to the outlying areas must be received by April 28, 2008.

**ADDRESSES:** Submit written comments to the Employment and Training Administration, Office of Financial and Administrative Management, 200 Constitution Ave., NW., Room N-4702, Washington, DC 20210, Attention:

Mr. Kenneth Leung, (202) 693-3471 (phone), (202) 693-2859 (fax), e-mail: [Leung.Kenneth@dol.gov](mailto:Leung.Kenneth@dol.gov).

**FOR FURTHER INFORMATION CONTACT:** WIA Youth Activities allotments: Evan Rosenberg at (202) 693-3593 or LaSharn Youngblood at (202) 693-3606; WIA Adult and Dislocated Worker Activities, ES final allotments, and WOTC allotments: Mike Qualter at (202)-693-3014 or Bill Goodwin at (202) 693-2787; Workforce Information Grant allotments: Anthony Dais at (202) 693-2784.

**SUPPLEMENTARY INFORMATION:** The Department of Labor (DOL or Department) is announcing WIA allotments for PY 2008 (July 1, 2007–June 30, 2008) for Youth Activities, Adults and Dislocated Worker Activities, and Wagner-Peyser Act PY 2008 final allotments. This document provides information on the amount of funds available during PY 2008 to states with an approved WIA Title I and Wagner-Peyser Act Strategic Plan for PY 2008, and information regarding allotments to the outlying areas.

The allotments are based on the funds appropriated in the Consolidated Appropriations Act 2008, Public Law 110-161, December 26, 2007. Attached are tables listing the PY 2008 allotments for programs under WIA Title I Youth Activities (Attachment I), Adult and Dislocated Workers Employment and Training Activities (Attachments II and III, respectively), additional assistance under section 173(e) (Attachment IV), and the PY 2008 Wagner-Peyser Act final allotments (Attachment V). Also attached are the PY 2008 Workforce Information Grant table (Attachment VI) and the FY 2008 Work Opportunity Tax Credit allotment table (Attachment VII).

*Youth Activities Allotments.* PY 2008 Youth Activities funds under WIA total \$924,069,465. Attachment I includes a breakdown of the Youth Activities program allotments for PY 2008 and provides a comparison of these allotments to PY 2007 Youth Activities allotments for all states, outlying areas, Puerto Rico and the District of Columbia. Before determining the amount available for states, the total

funding available for the outlying areas was reserved at 0.25 percent of the full amount appropriated for Youth Activities. On December 17, 2003, the President signed Public Law 108-188, the *Compact of Free Association Amendments Act of 2003*, which provides for consolidation of all funding, including WIA Title I, for the Marshall Islands and Micronesia into supplemental funding grants in the Department of Education. The Department of Education's appropriations now include funding for these supplemental grants; therefore, WIA Title I funds are no longer being provided for these two areas. The Compact, as amended by the Consolidated Appropriations Act 2008, Division F, section 124, continues the availability of programs previously available to Palau through September 2009, including WIA Title I funding provisions. The methodology for distributing funds to all outlying areas is not specified by WIA, but is at the Secretary's discretion. The methodology used is the same as used since PY 2000, i.e., funds are distributed among the remaining areas by formula based on relative share of number of unemployed, a 90 percent hold-harmless of the prior year share, a \$75,000 minimum, and a 130 percent stop-gain of the prior year share. As in PY 2007, data for the relative share calculation in the PY 2008 formula were from 2000 census data for all outlying areas, obtained from the Bureau of the Census (Bureau) and are based on 2000 census surveys for those areas conducted either by the Bureau or the outlying areas under the guidance of the Bureau. The total amount available for Native Americans is 1.5 percent of the total amount for Youth Activities, in accordance with WIA section 127. After determining the amount for the outlying areas and Native Americans, the amount available for allotment to the states for PY 2008 is \$907,898,249. This total amount was below the required \$1 billion threshold specified in section 127(b)(1)(C)(iv)(IV); therefore, as in PY 2007, the WIA additional minimum provisions were not applied, and, instead, as required by WIA, the Job Training Partnership Act (JTPA) section 202(a)(3) (as amended by section 701 of the Job Training Reform Amendments of 1992) minimums of 90 percent hold-harmless of the prior year allotment percentage and 0.25 percent state minimum floor were used. Also, as required by WIA, the provision applying a 130 percent stop-gain of the prior year allotment percentage was used. The three formula factors required in WIA

use the following data for the PY 2008 allotments:

(1) Number of unemployed for Areas of Substantial Unemployment (ASU's), averages for the 12-month period, July 2006 through June 2007;

(2) Number of excess unemployed individuals or the ASU excess (depending on which is higher), averages for the same 12-month period used for ASU unemployed data; and

(3) Number of economically disadvantaged youth (age 16 to 21, excluding college students and military), from special 2000 Census calculations.

The ASU data for the PY 2008 allotments was identified by the states using special 2000 Census data based on households, obtained under Employment and Training Administration contract with the Census Bureau and provided to states by the Bureau of Labor Statistics.

*Adult Employment and Training Activities Allotments.* The total Adult Employment and Training Activities appropriation is \$861,540,083. Attachment II shows the PY 2008 Adult Employment and Training Activities allotments and comparison to PY 2007 allotments by state. Like the Youth Activities program, the total available for the outlying areas was reserved at 0.25 percent of the full amount appropriated for Adult Activities. As discussed in the Youth Activities section, beginning in PY 2005, WIA funding for the Marshall Islands and Micronesia is no longer provided; instead, funding is provided in the Department of Education's appropriation. The Adult Activities funds for grants to the remaining outlying areas, for which the distribution methodology is at the Secretary's discretion, were distributed among the areas by the same principles, formula and data as used for outlying areas for Youth Activities. After determining the amount for the outlying areas, the amount available for allotments to the states is \$859,386,233. Like the Youth Activities program, the WIA minimum provisions were not applied for the PY 2008 allotments because the total amount available for the states was below the \$960 million threshold required for Adult Activities in section 132(b)(1)(B)(iv)(IV). Instead, as required by WIA, the minimum allotments were calculated using the JTPA section 202(a)(3) (as amended by section 701 of the Job Training Reform Amendments of 1992) minimums of 90 percent hold-harmless of the prior year allotment percentage and 0.25 percent state minimum floor. Also, like the Youth Activities program, a provision

applying a 130 percent stop-gain of the prior year allotment percentage was used. The three formula factors use the same data as used for the PY 2007 Youth Activities formula, except that data from the 2000 Census for the number of economically disadvantaged adults (age 22 to 72, excluding college students and military) were used.

*Dislocated Worker Employment and Training Activities Allotments.* The total Dislocated Worker appropriation is \$1,464,707,055. The total appropriation includes formula funds for the states, while the National Reserve is used for National Emergency Grants, technical assistance and training, demonstration projects (including Community-Based Job Training Grants), the outlying areas' Dislocated Worker allotments, and additional assistance to eligible states. Attachment III shows the PY 2008 Dislocated Worker Activities fund allotments by state. Like the Youth and Adult Activities programs, the total available for the outlying areas was reserved at 0.25 percent of the full amount appropriated for Dislocated Worker Activities. WIA funding for the Marshall Islands and Micronesia is no longer provided, as discussed above. The Dislocated Worker Activities funds for grants to outlying areas, for which the distribution methodology is at the Secretary's discretion, were distributed among the remaining areas by the same pro rata share as the areas received for the PY 2008 WIA Adult Activities program, the same methodology used in PY 2007. For the state distribution of formula funds, the three formula factors required in WIA use the following data for the PY 2008 allotments:

(1) Number of unemployed, averages for the 12-month period, October 2006 through September 2007;

(2) Number of excess unemployed, averages for the 12-month period, October 2006 through September 2007; and

(3) Number of long-term unemployed, averages for calendar year 2006. Since the Dislocated Worker Activities formula has no floor amount or hold-harmless provisions, funding changes for states directly reflect the impact of changes in the number of unemployed.

*Additional Funding from WIA Section 173(e) for Adult/Dislocated Worker Activities for Eligible States.* WIA Section 173(e) provides that up to \$15 million from Dislocated Workers reserve funds is to be made available annually to certain states that receive less funds under the WIA Adult Activities formula than they would have received had the JTPA Title II-A Adult program formula been in effect. The amount of the grants is based on the difference between the

WIA and JTPA formula allotments; funds are available for grants for up to eight states with the largest difference. The additional funding must be used for Adult or Dislocated Worker Activities. In PY 2008, two states are eligible for these additional funds, for a total of \$1,777,266 (Attachment IV).

*Wagner-Peyser Act Final Allotments.* The appropriated level for PY 2008 for ES grants totals \$703,376,524. After determining the funding for outlying areas, allotments to states were calculated using the formula set forth at section 6 of the Wagner-Peyser Act (29 U.S.C. 49e). PY 2008 formula allotments were based on each state's share of calendar year 2007 monthly averages of the civilian labor force (CLF) and unemployment. The Secretary of Labor is required to set aside up to three percent of the total available funds to assure that each state will have sufficient resources to maintain statewide employment service activities, as required under section 6(b)(4) of the Wagner-Peyser Act. In accordance with this provision, the three percent set-aside funds are included in the total allotment. The set-aside funds were distributed in two steps to states that have lost in relative share of resources from the previous year. In Step 1, states that have a CLF below one million and are also below the median CLF density were maintained at 100 percent of their relative share of prior year resources. All remaining set-aside funds were distributed on a pro-rata basis in Step 2 to all other states losing in relative share from the prior year but not meeting the size and density criteria for Step 1. The distribution of Wagner-Peyser Act funds (Attachment V) includes \$701,661,936 for states, as well as \$1,714,588 for outlying areas.

Traditionally, a portion of Wagner-Peyser Act formula funds have been set aside in a reserve to pay centrally for states' postage costs associated with the conduct of labor exchange services. Beginning October 1, 2007 (FY 2008), states and outlying areas were required to pay for their own postage costs with their formula grants. Consequently, beginning with PY 2008, there is no longer a postage reserve taken off-the-top from funds distributed by formula, and all funds are now distributed by formula.

Under section 7 of the Wagner-Peyser Act, 10 percent of the total sums allotted to each state shall be reserved for use by the Governor to provide performance incentives for ES offices, services for groups with special needs, and for the extra costs of exemplary models for delivering job services.

*Workforce Information Grants.* Total PY 2008 funding for Workforce Information Grants to states is \$31,863,448. The allotment figures for each state are listed in Attachment VI. Funds are distributed by administrative formula, with a reserve of \$176,472 for Guam and the Virgin Islands. The remaining funds are distributed to the states with 40 percent distributed equally to all states and 60 percent distributed based on each state's share of CLF for the 12 months ending September 2007. As in the Wagner-Peyser program, there is no longer a postage reserve taken from funds distributed by formula. Instead, all funds are distributed by formula and all states will use their formula grants to cover postage costs.

*Work Opportunity Tax Credit Program: Grants to States.* Total funding for FY 2008 is \$17,368,183. After reserving \$20,000 for the Virgin Islands, funds were distributed to states by administrative formula with a \$66,000 minimum allotment and a 95 percent stop-loss/120 percent stop-gain from the prior year allotment share percentage. The allotment formula data factors and related percentages used are as follows:

(1) 50 percent based on each state's relative share of total FY 2007 certifications issued for the WOTC program;

(2) 30 percent based on each state's relative share of the CLF for twelve months ending September 2007; and

(3) 20 percent based on each state's relative share of the adult recipients of Temporary Assistance for Needy Families (TANF) for FY 2006.

The final distribution of WOTC funding includes \$17,348,183 for states and \$20,000 for the Virgin Islands. As in the Wagner-Peyser Act program, there is no longer a postage reserve taken from funds distributed by formula. Instead, all funds are distributed by formula and all states will use their formula grants to cover postage costs. The total allotment distribution by state is displayed in Attachment VII.

Signed: at Washington, DC on this 20th day of March, 2008.

**Brent R. Orrell,**

*Acting Assistant Secretary.*

[FR Doc. E8-6331 Filed 3-27-08; 8:45 am]

BILLING CODE 4510-FN-P