

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIA/Wagner-Peyser/SCEOA
	CORRESPONDENCE SYMBOL OWI
	DATE May 3, 2011

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 23-10

TO: ALL STATE WORKFORCE AGENCIES
ALL STATE WORKFORCE LIAISONS

FROM: JANE OATES *Jane Oates*
Assistant Secretary

SUBJECT: Fiscal Year 2011 Appropriations for Department of Labor (DOL),
Employment and Training Administration, Training and Employment
Services and Rescission to Program Year (PY) 2010 Funds for Workforce
Investment Act (WIA) Adult and Dislocated Worker Programs

1. **Purpose.** This Training and Employment Guidance Letter has two purposes:

- A. To provide states and local areas with an overview of the Fiscal Year (FY) 2011 appropriations (P.L. 112-10) for the following DOL-managed employment and training services: WIA Adult, Dislocated Worker, and Youth formula funds, Employment Service Grants to States, the Workforce Innovation Fund, Dislocated Worker National Reserve funds, YouthBuild, the Indian and Native American Program, the Migrant and Seasonal Farmworker Program, the Career Pathways Innovation Fund, the Green Jobs Innovation Fund, the Reintegration of Ex-Offenders, and the Community Service Employment for Older Americans (CSEOA) program, also known as the Senior Community Service Employment Program (SCSEP).
- B. To provide guidance on and the amount of FY 2011 Adult and Dislocated Worker Program formula funds for PY 2010 to be rescinded for each state as required by Public Law (P.L.) 112-10, Full-Year Continuing Appropriations Act, 2011.

2. **References.**

- Workforce Investment Act of 1998 (WIA), (29 U.S.C 2801 et seq.)
- Full-Year Continuing Appropriations Act, 2011, (P.L. 112-10, Division B, Title 1, Sec. 1119) and Title VIII.
- FY 2010 DOL Appropriations Act (Consolidated Appropriations Act, 2010, P.L. 111-117)
- Training and Employment Guidance Letter (TEGL) 19-09 (March 30, 2010)

3. **FY 2011 Budget Overview.** The Full-Year Continuing Appropriations Act of 2011 (the Act), enacted April 15, 2011, made available \$4.7 billion for DOL-managed employment and

RESCISSIONS None	EXPIRATION DATE Continuing
----------------------------	--------------------------------------

training services. In accordance with P.L. 112-10, this TEGL provides an overview of funding for the following DOL-funded employment and training services: WIA Adult, Dislocated Worker, and Youth formula funds, Employment Service Grants to States, the Workforce Innovation Fund, Dislocated Worker National Reserve funds, YouthBuild, the Indian and Native American Program, the Migrant and Seasonal Farmworker Program, the Career Pathways Innovation Fund, the Green Jobs Innovation Fund, the Reintegration of Ex-Offenders, and the CSEOA program.

A forthcoming TEGL will announce the state allotments (including the 0.2 percent rescission) for PY 2011 for the WIA programs, Wagner-Peyser Employment Service, and Workforce Information Grants. That TEGL will also notify the states about the reduction in statewide activities reserve funding for WIA Youth, Adults and Dislocated Workers in PY 2011.

The Act appropriates \$124,750,000 for a Workforce Innovation Fund. These funds are available to the Secretary until September 30, 2012 to carry out projects that demonstrate innovative strategies or replicate effective evidence-based strategies that align and strengthen the workforce investment system in order to improve program delivery and education and employment outcomes for program beneficiaries.

The Act provides no funding for the Career Pathways Innovation Fund or the Green Jobs Innovation Fund. Furthermore, the Act rescinds the funding for the PY 2010 Career Pathways Innovation Fund. Individual letters have been sent to all who submitted a timely application in response to the Career Pathways Innovation Fund Solicitation for Grant Applications.

The Act also requires the Secretary to make a reduction of 0.2 percent to all FY 2011 discretionary programs. This includes the WIA Adult and Dislocated Worker program formula allotted funds for FY 2011 appropriated in the 2010 DOL Appropriation Act announced in TEGL 19-09. The federal government made these funds available to states and territories October 1, 2010. The rescission calls for a reduction of \$1,424,000 from the initial October, 2010 allotment of \$712,000,000 for Adult activities and a reduction of \$2,120,000 from the initial October, 2010 allotment of \$1,060,000,000 for Dislocated Worker activities. Attachments I and II reflect the distribution of the rescission to FY 2011 advance funds.

Section 1104 of the Act states that unless otherwise specified, the requirements, conditions, limitations and authorities in the FY 2010 DOL Appropriations Act (Consolidated Appropriations Act, 2010, P.L. 111-117) continue to be in effect for FY 2011. For instance, with FY 2011 funds:

- A local board may still transfer up to 30 percent of funds between the Adult and Dislocated Worker funding streams if approved by the Governor.
- A local board may still award contracts for “class-size training,” that is, a local board may still award a contract to an institute of higher education or other eligible training provider if the local board determines that it would facilitate the training of multiple individuals in high-demand occupations, if such contract does not limit customer choice.
- Salary caps from FY 2010 are maintained. No funds appropriated under the heading “Employment and Training Administration” may be used by a recipient or subrecipient to pay the salary and bonus of an individual, either as direct costs or

indirect costs, at a rate in excess of Executive Level II, and states may establish lower salary caps.

4. **FY 2011 Formula Funding Availability.** The Full-Year Continuing Appropriations Act of 2011 makes available the following amount of funds for WIA and Wagner Peyser formula funded employment and training programs for states and territories. These amounts reflect the reduction from the 0.2 percent rescission.

Program*	PY 2011	PY 2010	% Change
WIA Adult Formula	\$770,921,920	\$860,116,000	(10.4%)
WIA Dislocated Worker Formula	\$1,066,651,180	\$1,185,646,334	(10.0%)
WIA Youth Formula	\$825,913,862	\$924,069,000	(10.6%)
Employment Service	\$702,168,848	\$703,576,000	(0.2%)

* All programs include funding for territories (including Dislocated Worker territory funding from the Dislocated Worker National Reserve).

5. **Federally Administered Programs.** The Full-Year Continuing Appropriations Act of 2011 makes the following funding available for federally-administered employment and training programs (including the 0.2 percent rescission).

Program	PY 2011	PY 2010	% Change
Dislocated Worker National Reserve*	\$220,892,820	\$225,233,666	(1.9%)
YouthBuild	\$79,840,000	\$102,500,000	(22.1%)
Native Americans	\$52,652,484	\$52,758,000	(0.2%)
Migrants and Seasonal Farmworkers	\$84,450,760	\$84,620,000	(0.2%)
Reintegration of Ex-Offenders	\$85,389,878	\$108,493,000	(21.3%)
CSEOA	\$449,100,000	\$600,425,000**	(25.2%)

* Excludes funding to territories.

** The PY 2010 fund availability for CSEOA does not include the one-time FY 2010 appropriation of an additional \$225 million.

6. **WIA Rescissions of FY 2011 Adult and Dislocated Worker Allotments from funds appropriated in the 2010 Department of Labor Appropriation announced in TEGL 19-09.**

A. **Within State Allocations of Adult Allotments.** The distribution of the PY 2010 state allotments, as reduced by the rescinded funds, must follow the statutory requirements of WIA Section 133. States have flexibility provided by WIA to apply the rescission to funds available for statewide activities and/or to local areas as long as the amounts remaining after the rescission conform with the requirement that:

1. A minimum of 85 percent of each state's revised Adult allotment will be allocated to local area activities; and
2. A maximum of 15 percent of each state's revised Adult allotment may be used for statewide activities as authorized under WIA.

B. Within State Allocations of Dislocated Worker Allotments. The distribution of the PY 2010 state allotments, as reduced by rescinded funds, must follow the statutory requirements of WIA Section 133. States have flexibility provided by WIA to apply the rescission to funds available for statewide activities, rapid response activities, and/or to local area activities as long as the amounts remaining after the rescission conform with the requirement that:

1. A minimum of 60 percent of each state's revised dislocated worker allotment will be allocated to local areas;
2. A maximum of 15 percent of each state's revised dislocated worker allotment may be used for statewide activities as authorized under WIA; and
3. A maximum of 25 percent of each state's revised dislocated worker allotment may be used for statewide rapid response activities as authorized under WIA.

C. Notice of Obligation (NOO). The Department will issue a NOO to deobligate the rescission amounts for the Adult and Dislocated Worker programs for each state on or around May 15, 2011. The rescission of funds will be made to the FY 2011 advance portion (October 1 to June 30) of the PY 2010 allotments that the Department issued in October 2010.

D. Reporting. For the quarter starting March 1, 2011 and consistent with the effective date of the NOO's deobligation of the funds, a State's WIA financial report 9130 must reflect reduced total Federal funds authorized on the appropriate line items of the 9130. States must also report obligations and outlays consistent with the revised authorized funding levels for such quarters.

7. Action Requested. States should:

- A. Share general FY 2011 funding availability with appropriate offices and local areas.
- B. Reflect reduced total Federal funds authorized on the appropriate line items of the proper WIA financial report 9130 beginning with the quarter ending June 30, 2011 and report obligations and outlays consistent with the revised authorized funding levels for such quarters.
- C. Provide this guidance to appropriate staff.

8. Inquiries. Please direct questions regarding these final PY 2010 allotments to your ETA Regional Administrator.

9. Attachment(s).

- I. WIA Dislocated Worker Activities: 2011 Full-Year Continuing Appropriations Act Rescission to PY 2010 State Allotments
- II. WIA Adult Activities: 2011 Full-Year Continuing Appropriations Act Rescission to PY 2010 State Allotments

U. S. Department of Labor
Employment and Training Administration
WIA Dislocated Worker Activities
2011 Full-Year Continuing Appropriations Act Rescission to PY 2010 State Allotments
(Applicable to FY 2011 Advance Funds Available 10/1/10)

State	Initial Allotment			FY 2011 0.2% Rescission	Revised Allotment with Rescission		
	Total	7/1/2010 (PY 2010)	10/1/2010 (FY 2011)		Total	7/1/2010 (PY 2010)	10/1/2010 (FY 2011)
Total	\$1,413,000,000	\$353,000,000	\$1,060,000,000	(\$2,120,000)	\$1,410,880,000	\$353,000,000	\$1,057,880,000
Alabama	17,669,335	4,833,455	12,835,880	(25,672)	17,643,663	4,833,455	12,810,208
Alaska	2,187,095	598,281	1,588,814	(3,178)	2,183,917	598,281	1,585,636
Arizona	22,788,184	6,233,719	16,554,465	(33,109)	22,755,075	6,233,719	16,521,356
Arkansas	6,867,051	1,878,485	4,988,566	(9,977)	6,857,074	1,878,485	4,978,589
California	192,413,016	52,634,673	139,778,343	(279,556)	192,133,460	52,634,673	139,498,787
Colorado	14,509,305	3,969,027	10,540,278	(21,081)	14,488,224	3,969,027	10,519,197
Connecticut	11,850,579	3,241,732	8,608,847	(17,218)	11,833,361	3,241,732	8,591,629
Delaware	2,778,921	760,175	2,018,746	(4,037)	2,774,884	760,175	2,014,709
District of Columbia	2,990,511	818,056	2,172,455	(4,345)	2,986,166	818,056	2,168,110
Florida	83,019,633	22,710,060	60,309,573	(120,619)	82,899,014	22,710,060	60,188,954
Georgia	40,912,792	11,191,714	29,721,078	(59,442)	40,853,350	11,191,714	29,661,636
Hawaii	3,268,124	893,997	2,374,127	(4,748)	3,263,376	893,997	2,369,379
Idaho	4,536,856	1,241,059	3,295,797	(6,592)	4,530,264	1,241,059	3,289,205
Illinois	54,673,396	14,955,934	39,717,462	(79,435)	54,593,961	14,955,934	39,638,027
Indiana	27,257,656	7,456,345	19,801,311	(39,603)	27,218,053	7,456,345	19,761,708
Iowa	5,888,367	1,610,766	4,277,601	(8,555)	5,879,812	1,610,766	4,269,046
Kansas	6,855,442	1,875,309	4,980,133	(9,960)	6,845,482	1,875,309	4,970,173
Kentucky	18,089,024	4,948,261	13,140,763	(26,281)	18,062,743	4,948,261	13,114,482
Louisiana	9,812,674	2,684,262	7,128,412	(14,257)	9,798,417	2,684,262	7,114,155
Maine	4,578,544	1,252,463	3,326,081	(6,652)	4,571,892	1,252,463	3,319,429
Maryland	15,543,289	4,251,874	11,291,415	(22,583)	15,520,706	4,251,874	11,268,832
Massachusetts	22,706,846	6,211,469	16,495,377	(32,991)	22,673,855	6,211,469	16,462,386
Michigan	64,544,036	17,656,052	46,887,984	(93,776)	64,450,260	17,656,052	46,794,208
Minnesota	18,020,939	4,929,636	13,091,303	(26,183)	17,994,756	4,929,636	13,065,120
Mississippi	9,867,047	2,699,135	7,167,912	(14,336)	9,852,711	2,699,135	7,153,576
Missouri	22,223,344	6,079,206	16,144,138	(32,288)	22,191,056	6,079,206	16,111,850
Montana	2,174,950	594,959	1,579,991	(3,160)	2,171,790	594,959	1,576,831
Nebraska	2,428,300	664,263	1,764,037	(3,528)	2,424,772	664,263	1,760,509
Nevada	14,124,712	3,863,822	10,260,890	(20,522)	14,104,190	3,863,822	10,240,368
New Hampshire	3,181,956	870,426	2,311,530	(4,623)	3,177,333	870,426	2,306,907
New Jersey	33,365,324	9,127,100	24,238,224	(48,476)	33,316,848	9,127,100	24,189,748
New Mexico	4,093,214	1,119,701	2,973,513	(5,947)	4,087,267	1,119,701	2,967,566
New York	65,534,311	17,926,942	47,607,369	(95,215)	65,439,096	17,926,942	47,512,154
North Carolina	44,039,515	12,047,030	31,992,485	(63,985)	43,975,530	12,047,030	31,928,500
North Dakota	690,086	188,773	501,313	(1,003)	689,083	188,773	500,310
Ohio	51,610,221	14,118,001	37,492,220	(74,984)	51,535,237	14,118,001	37,417,236
Oklahoma	6,905,534	1,889,012	5,016,522	(10,033)	6,895,501	1,889,012	5,006,489
Oregon	20,167,658	5,516,873	14,650,785	(29,302)	20,138,356	5,516,873	14,621,483
Pennsylvania	39,561,993	10,822,202	28,739,791	(57,479)	39,504,514	10,822,202	28,682,312
Puerto Rico	17,054,847	4,665,362	12,389,485	(24,779)	17,030,068	4,665,362	12,364,706
Rhode Island	6,227,600	1,703,563	4,524,037	(9,048)	6,218,552	1,703,563	4,514,989
South Carolina	23,089,893	6,316,251	16,773,642	(33,547)	23,056,346	6,316,251	16,740,095
South Dakota	1,000,388	273,657	726,731	(1,453)	998,935	273,657	725,278
Tennessee	26,930,077	7,366,735	19,563,342	(39,127)	26,890,950	7,366,735	19,524,215
Texas	61,378,563	16,790,135	44,588,428	(89,177)	61,289,386	16,790,135	44,499,251
Utah	4,625,970	1,265,436	3,360,534	(6,721)	4,619,249	1,265,436	3,353,813
Vermont	1,787,950	489,095	1,298,855	(2,598)	1,785,352	489,095	1,296,257
Virginia	18,472,220	5,053,085	13,419,135	(26,838)	18,445,382	5,053,085	13,392,297
Washington	24,271,171	6,639,390	17,631,781	(35,264)	24,235,907	6,639,390	17,596,517
West Virginia	4,551,211	1,244,986	3,306,225	(6,612)	4,544,599	1,244,986	3,299,613
Wisconsin	19,934,322	5,453,043	14,481,279	(28,963)	19,905,359	5,453,043	14,452,316
Wyoming	786,008	215,013	570,995	(1,142)	784,866	215,013	569,853
State Total	1,183,840,000	323,840,000	860,000,000	(1,720,000)	1,182,120,000	323,840,000	858,280,000
American Samoa	201,066	25,585	175,481	(351)	200,715	25,585	175,130
Guam	1,636,618	208,255	1,428,363	(2,857)	1,633,761	208,255	1,425,506
Northern Marianas	605,632	77,065	528,567	(1,057)	604,575	77,065	527,510
Palau	123,006	15,652	107,354	(215)	122,791	15,652	107,139
Virgin Islands	966,178	122,944	843,234	(1,686)	964,492	122,944	841,548
Outlying Areas Total	3,532,500	449,501	3,082,999	(6,166)	3,526,334	449,501	3,076,833
National Reserve	225,627,500	28,710,499	196,917,001	(393,834)	225,233,666	28,710,499	196,523,167

U. S. Department of Labor
Employment and Training Administration
WIA Adult Activities

**2011 Full-Year Continuing Appropriations Act Rescission to PY 2010 State Allotments
(Applicable to FY 2011 Advance Funds Available 10/1/10)**

State	Initial Allotment			FY 2011 0.2% Rescission	Revised Allotment with Rescission		
	Total	7/1/2010 (PY 2010)	10/1/2010 (FY 2011)		Total	7/1/2010 (PY 2010)	10/1/2010 (FY 2011)
Total	\$861,540,000	\$149,540,000	\$712,000,000	(\$1,424,000)	\$860,116,000	\$149,540,000	\$710,576,000
Alabama	11,546,269	2,004,119	9,542,150	(19,084)	11,527,185	2,004,119	9,523,066
Alaska	2,630,761	456,629	2,174,132	(4,348)	2,626,413	456,629	2,169,784
Arizona	15,227,363	2,643,058	12,584,305	(25,169)	15,202,194	2,643,058	12,559,136
Arkansas	7,946,421	1,379,283	6,567,138	(13,134)	7,933,287	1,379,283	6,554,004
California	131,676,574	22,855,486	108,821,088	(217,643)	131,458,931	22,855,486	108,603,445
Colorado	10,028,610	1,740,695	8,287,915	(16,576)	10,012,034	1,740,695	8,271,339
Connecticut	7,899,746	1,371,182	6,528,564	(13,057)	7,886,689	1,371,182	6,515,507
Delaware	2,148,465	372,915	1,775,550	(3,551)	2,144,914	372,915	1,771,999
District of Columbia	2,416,917	419,511	1,997,406	(3,995)	2,412,922	419,511	1,993,411
Florida	44,003,639	7,637,840	36,365,799	(72,732)	43,930,907	7,637,840	36,293,067
Georgia	26,468,737	4,594,256	21,874,481	(43,749)	26,424,988	4,594,256	21,830,732
Hawaii	2,786,714	483,698	2,303,016	(4,606)	2,782,108	483,698	2,298,410
Idaho	2,793,005	484,790	2,308,215	(4,616)	2,788,389	484,790	2,303,599
Illinois	40,399,352	7,012,233	33,387,119	(66,774)	40,332,578	7,012,233	33,320,345
Indiana	17,396,927	3,019,635	14,377,292	(28,755)	17,368,172	3,019,635	14,348,537
Iowa	3,329,069	577,836	2,751,233	(5,502)	3,323,567	577,836	2,745,731
Kansas	4,907,309	851,776	4,055,533	(8,111)	4,899,198	851,776	4,047,422
Kentucky	14,765,556	2,562,900	12,202,656	(24,405)	14,741,151	2,562,900	12,178,251
Louisiana	13,633,150	2,366,345	11,266,805	(22,534)	13,610,616	2,366,345	11,244,271
Maine	3,276,134	568,648	2,707,486	(5,415)	3,270,719	568,648	2,702,071
Maryland	10,691,615	1,855,775	8,835,840	(17,672)	10,673,943	1,855,775	8,818,168
Massachusetts	15,779,759	2,738,939	13,040,820	(26,082)	15,753,677	2,738,939	13,014,738
Michigan	48,336,592	8,389,923	39,946,669	(79,893)	48,256,699	8,389,923	39,866,776
Minnesota	12,498,015	2,169,317	10,328,698	(20,657)	12,477,358	2,169,317	10,308,041
Mississippi	12,175,592	2,113,353	10,062,239	(20,125)	12,155,467	2,113,353	10,042,114
Missouri	16,419,448	2,849,971	13,569,477	(27,139)	16,392,309	2,849,971	13,542,338
Montana	2,281,343	395,979	1,885,364	(3,771)	2,277,572	395,979	1,881,593
Nebraska	2,148,465	372,915	1,775,550	(3,551)	2,144,914	372,915	1,771,999
Nevada	7,675,248	1,332,215	6,343,033	(12,686)	7,662,562	1,332,215	6,330,347
New Hampshire	2,148,465	372,915	1,775,550	(3,551)	2,144,914	372,915	1,771,999
New Jersey	20,803,661	3,610,952	17,192,709	(34,385)	20,769,276	3,610,952	17,158,324
New Mexico	4,166,386	723,172	3,443,214	(6,886)	4,159,500	723,172	3,436,328
New York	51,297,403	8,903,839	42,393,564	(84,787)	51,212,616	8,903,839	42,308,777
North Carolina	23,389,183	4,059,729	19,329,454	(38,659)	23,350,524	4,059,729	19,290,795
North Dakota	2,148,465	372,915	1,775,550	(3,551)	2,144,914	372,915	1,771,999
Ohio	36,633,264	6,358,542	30,274,722	(60,550)	36,572,714	6,358,542	30,214,172
Oklahoma	6,516,603	1,131,106	5,385,497	(10,771)	6,505,832	1,131,106	5,374,726
Oregon	12,848,682	2,230,183	10,618,499	(21,237)	12,827,445	2,230,183	10,597,262
Pennsylvania	29,034,229	5,039,556	23,994,673	(47,989)	28,986,240	5,039,556	23,946,684
Puerto Rico	31,530,340	5,472,813	26,057,527	(52,115)	31,478,225	5,472,813	26,005,412
Rhode Island	3,919,536	680,325	3,239,211	(6,478)	3,913,058	680,325	3,232,733
South Carolina	16,317,914	2,832,348	13,485,566	(26,971)	16,290,943	2,832,348	13,458,595
South Dakota	2,148,465	372,915	1,775,550	(3,551)	2,144,914	372,915	1,771,999
Tennessee	18,105,616	3,142,644	14,962,972	(29,926)	18,075,690	3,142,644	14,933,046
Texas	53,798,899	9,338,031	44,460,868	(88,922)	53,709,977	9,338,031	44,371,946
Utah	2,816,695	488,902	2,327,793	(4,656)	2,812,039	488,902	2,323,137
Vermont	2,148,465	372,915	1,775,550	(3,551)	2,144,914	372,915	1,771,999
Virginia	11,828,202	2,053,055	9,775,147	(19,550)	11,808,652	2,053,055	9,755,597
Washington	16,563,114	2,874,908	13,688,206	(27,376)	16,535,738	2,874,908	13,660,830
West Virginia	4,058,158	704,386	3,353,772	(6,708)	4,051,450	704,386	3,347,064
Wisconsin	11,729,145	2,035,862	9,693,283	(19,387)	11,709,758	2,035,862	9,673,896
Wyoming	2,148,465	372,915	1,775,550	(3,551)	2,144,914	372,915	1,771,999
State Total	859,386,150	149,166,150	710,220,000	(1,420,440)	857,965,710	149,166,150	708,799,560
American Samoa	122,595	21,279	101,316	(203)	122,392	21,279	101,113
Guam	997,885	173,206	824,679	(1,649)	996,236	173,206	823,030
Northern Marianas	369,268	64,095	305,173	(610)	368,658	64,095	304,563
Palau	75,000	13,018	61,982	(124)	74,876	13,018	61,858
Virgin Islands	589,102	102,252	486,850	(974)	588,128	102,252	485,876
Outlying Areas Total	2,153,850	373,850	1,780,000	(3,560)	2,150,290	373,850	1,776,440