

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION WIOA/Wagner-Peyser
	CORRESPONDENCE SYMBOL OWI
	DATE March 10, 2016

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 29-14, CHANGE 4

TO: STATE WORKFORCE AGENCIES
ALL STATE WORKFORCE LIAISONS

FROM: PORTIA WU /s/
Assistant Secretary

SUBJECT: The Department Restores the Reduced Adult and Dislocated Worker Funding Available October 2015 to the Original Appropriated Amounts and Uses Transition Authority to Forgo Recapture and Reallotment of Program Year (PY) 2015 Workforce Innovation and Opportunity Act (WIOA) Funds.

1. Purpose. This guidance informs states that the Department will not reallot PY 2015 funds among states based on obligations made during PY 2014, as indicated in TEGL 29-14, Change 1. This is a one-time occurrence allowing states to use Rapid Response funds for WIOA implementation activities, as referred in TEGL 26-14. This guidance also provides States and outlying areas with revised WIOA Adult and Dislocated Worker PY 2015 program allotments, which became available to states in October 2015. The Change 3 to TEGL 29-14 revised the funding available to states on October 2015 to reflect the 0.2108 percent reduction enacted in the short-term Continuing Appropriations Act for FY 2016. This Change 4 to TEGL 29-14 rescinds the 0.2108 percent reduction and fully restores appropriated original funding.

2. References.

- Consolidated Appropriations Act, 2016, (Pub. L. 114-113)
- Continuing Appropriations Act, 2016, H. J. Res 176, enacted September 30, 2015
- Consolidated and Further Continuing Appropriations Act, 2015 (Pub. L. 113-235)
- Balanced Budget and Emergency Deficit Control Act, as amended (Title II of Pub. L. 99-177)
- Budget Control Act of 2011 (Pub. L. 112-25)
- TEGL 26-14, *Workforce Innovation and Opportunity Act Transition Authority for Flexible Use of State Rapid Response Funds*

RESCISSIONS None	EXPIRATION DATE Continuing
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- *TEGL 29-14, Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2015; Final PY 2015 Allotments for the Wagner-Peyser Act Employment Service (ES) Program Allotments; and Workforce Information Grants to States Allotments for PY 2015*
- *TEGL 29-14, Change 1, Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2015; Final PY 2015 Allotments for the Wagner-Peyser Act Employment Service (ES) Program Allotments; and Workforce Information Grants to States Allotments for PY 2015*
- *TEGL 29-14, Change 2, Update to Workforce Innovation and Opportunity Act (WIOA) Adult, Dislocated Worker and Youth Activities Program Allotments for Program Year (PY) 2015; Final PY 2015 Allotments for the Wagner-Peyser Act Employment Service Program Allotments; and Workforce Information Grants to States Allotments for PY 2015*
- *TEGL 29-14, Change 3, Fiscal Year (FY) 2016 Advanced Funding Levels Available October 2015 for Workforce Innovation and Opportunity Act (WIOA) Programs*
- *TEGL 21-12, Updated Economically Disadvantaged Youth and Adult Data for use in Program Year (PY) 2013 and Future Workforce Investment Act (WIA) Youth and Adult Within-State Allocation Formulas*
- *Workforce Innovation and Opportunity Act of 2014, Public Law 113-128, as amended*
- *Wagner-Peyser Act, as amended (29 U.S.C. 49 et seq.)*
- *LAUS Technical Memorandum No. S-14-22*

3. Background. TEGL 29-14 issued April 27, 2015, announced PY 2015 WIOA Title I State allotments. States were informed that the Department would reallocate funds among the States under WIOA during PY 2015 based on State obligations made during PY 2014. WIOA Sections 127(c) and 132(c) and WIA regulations at 20 CFR 667.150 (pending publication of the WIOA final rule) outline recapture and reallocation of funds provisions for WIOA funds. Subsequently, Change 1 to TEGL 29-14, issued May 1, 2015, rescinded TEGL 29-14, correcting the due date for each of the SF-424s from April 18 to May 12, 2015, for the WIOA funding streams for the Youth, Adult, and Dislocated Worker programs listed in Section 9, Submission, and leaving the rest of the TEGL unchanged. Change 2, issued September 1, 2015, informed the workforce investment system of changes to previous guidance in TEGL 29-14 Change 1. One change corrected the Executive Level II salary cap from \$181,500 to \$183,300, and the second change made four corrections to Attachment A. The remainder of the TEGL was unchanged. Change 3, issued November 10, 2015, informed states of allotment adjustments necessary due to the Continuing Appropriations Act, 2016, enacted September 30, 2015, which reduced the FY 2016 advance funds for WIOA Adult and Dislocated Worker programs by 0.2108 percent.

This Change 4 to TEGL 29-14 informs states that the Department will not reallocate PY 2015 funds among states based on obligations made during PY 2014. In addition, FY 2016 advance funding for PY 2015 is restored to the original levels contained in TEGL 29-14 for the Adult and Dislocated Worker programs.

4. **Recapture and Reallotment Waived in PY 2015.** Section 503(a) and (b) provides the Secretary of Labor with the authority to take such actions as the Secretary determines to be appropriate to provide for the orderly transition from the Workforce Investment Act of 1998 to any provision of WIOA Title I. The Department applied this transition authority in TEGL 26-14, issued April 14, 2015, to provide flexibility in the use of Rapid Response funds for WIOA implementation activities. The Department authorized states to use up to 100 percent of their available PY 2014 Rapid Response funds not needed to meet statutory requirement for the Rapid Response program for WIOA implementation activities. The Department is applying this same transition authority to waive recapture and reallotment requirements in PY 2015 to ensure states are able to use the flexibility offered in TEGL 26-14 without risk of having funds recaptured.

5. **Fiscal Year (FY) 2016 Advance Funding Restored.** On December 18, 2015, President Obama signed into law the Consolidated Appropriations Act of 2016, which funds the federal government through September 30, 2016. This Act did not contain the 0.2108 percent reduction included in the Continuing Resolution, or other rescission. Therefore, FY 2016 advance funding for PY 2015 is restored to the original levels contained in TEGL 29-14. This Change 4 TEGL informs the states of the restoration of the original appropriated allotment levels for PY 2015. The restoration of funds was completed in early February and revised allotment levels are listed in the attachments to this TEGL for informational purposes.

6. **Notice of Obligation (NOO).** The Department issued NOOs with the new FY 2016 advance amounts for the Adult and Dislocated Worker programs in early February 2016.

7. **Inquiries.** Please direct questions regarding these allotments to the appropriate ETA Regional Office. Information on allotments and planning requirements may also be found on the ETA Web site at <http://www.doleta.gov>.

8. **Attachments.**
 - A. WIOA Adult Activities 0.2108 Percent Restoration (Applicable to FY 2016 “Advance” Funds Available 10/1/15)

 - B. WIOA Dislocated Worker Activities 0.2108 Percent Restoration (Applicable to FY 2016 “Advance” Funds Available 10/1/15)