

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Foreign Labor Certification
	CORRESPONDENCE SYMBOL OFLC
	DATE April 5, 2012

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 24-11

TO: STATE WORKFORCE AGENCY ADMINISTRATORS

FROM: JANE OATES /s/
Assistant Secretary

SUBJECT: Fiscal Year (FY) 2012 Foreign Labor Certification (FLC) Grant Planning Guidance

1. **Purpose.** To provide guidance for the funding and management of FY 2012 annual grant allocations in order to perform FLC program activities.

2. **References.**

- Immigration and Nationality Act (INA), as amended, 8 U.S.C. 1101(a), 1182(a)(5)(A), (n), and (t), 1184(c), and 1188;
- Approval of Covenant to Establish a Commonwealth of the Northern Mariana Islands, 48 U.S.C. 1801;
- Northern Mariana Islands Covenant Implementation Act, Pub. L. 94-241, Section 302;
- Consolidated Natural Resources Act, Pub. L. 110-229, 122 Stat. 865, Title VII – Northern Mariana Islands, Subtitle A-Immigration, Security, and Labor;
- Wagner-Peyser Act, 29 U.S.C. 49f(d);
- Consolidated Appropriations Act, 2012, Division F, Pub. L. 112-74;
- U.S. Citizenship and Immigration Services regulations at 8 CFR Part 214;
- 20 CFR Parts 655-subparts A & B , 656 and 658;
- 2 CFR Part 225, Cost Principles for State, Local, and Indian Tribal Governments (OMB Circular A-87);
- OMB Circular No. A-102, Grants and Cooperative Agreements with State and Local Governments;
- Employment and Training Administration (ETA) Handbook No. 385, *Wage Finding Process*, August, 1981
- Guide for Employment Service Reimbursable Grant Activities;
- ETA H-2A Handbook No. 398, January 1988; and
- Training and Employment Guidance Letter (TEGL) No. 04-06, *Plans to Phase out Penalty Mail Costs for “Employment Security” Programs and Availability of Supplemental Budget Funds for Conversion to Commercial Mail Methods.*

RESCISSIONS None	EXPIRATION DATE Continuing
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3. **Background.** The purpose of this TEGL is to provide State Workforce Agencies (SWAs) with programmatic guidance and financial planning figures for FY 2012 allocated to support FLC activities.
4. **Action Requested.** SWA Administrators are requested to immediately provide copies of this planning guidance to all staff involved in the preparation and submission of the annual grant plan for FY 2012. Absent receiving an approved extension from the Office of Foreign Labor Certification (OFLC) National Office, a completed grant application package must be submitted by the SWA to OFLC within 30 calendar days. In addition, Administrators are requested to share this information within their respective State structure in order to insure the public workforce system is fully aware of these various activities.
5. **Inquiries.** Questions from SWA staff should be directed to the OFLC National Office at FLC.Grant@dol.gov.
6. **Attachments.**

Attachment 1 - Program Planning Guidance and Information Package
Attachment 2 - Fiscal Year (FY) 2012 Annual Plan
Attachment 3 - Annual Plan Certification
Attachment 4 - FY 2012 Funding Level