

**Department of Labor, Employment and Training Administration (ETA)
Supplemental Questions and Answers Regarding the Impact of a
Lapse in Congressional Appropriation on Friday, January 19, 2018, at 11:59 p.m.**

The following Questions and Answers are supplemental to the Department of Labor, Employment and Training (ETA) General Questions and Answers Regarding Impact of a Lapse in Congressional Appropriation that are available in Attachment A of this TEN. This supplemental information relates specifically to impact of the potential lapse of funding at 11:59 p.m., Friday, January 19, 2018, and should be reviewed in conjunction with the general questions and answers available at the link above.

- 1) Question: What will happen if a grantee is on a “restricted drawdown” as a sanction or a special award condition for a high-risk recipient and cannot immediately draw funds from the PMS?**

Answer: This question is applicable to only a handful of grants. We have identified the grants in question and will notify grantees that delays will be experienced in reimbursement. As a result, it is possible that some of these grantees may decide to cease operating during a period of lapse in appropriations.

- 2) Question: What would be the impact on American Job Center (AJC) operations if there is a lapse in appropriations?**

States and local areas will continue normal operations at AJCs since grant awards have been made for the program year.

Job Corps

- 3) Question: Will the Office of Job Corps continue to conduct scheduled compliance assessments and monitoring trips?**

Answer: While Job Corps will have a small contingent of Federal staff available to manage the administration of the program, these staff will not travel for scheduled routine compliance assessments and monitoring trips in the event of a lapse in appropriations and would only travel for safety and security emergency purposes. The Regional Directors, also part of the small contingent, will increase desk audit activities, to the extent possible, to partially offset the inability to travel during this time.

Trade Adjustment Assistance (TAA)

4) Question: Will states be able to pay TAA, TRA, ATAA, and RTAA?

Answer: Yes. Funds for FY 2018 benefits and wage insurance obligations will be made available through the FY 2018 Advances to the Unemployment Trust Fund (AUTF) appropriation which has funds available through September 30, 2018. The AUTF appropriation makes funds available to the Federal Unemployment Benefits and Allowances (FUBA) account from which TRA, ATAA, and RTAA are paid.

5) Question: Which TAA funds are available?

Answer: No initial funding distribution of FY 2018 has been allocated to states. States may continue to use allocated FY 2016 and FY 2017 funds. Once funds run out, additional funding for administration of the program will not be available until a continuing resolution or an annual appropriation is enacted.

Unemployment Compensation

6) Will the Extended Benefits (EB) trigger notices be published and, if not, what information will be used to determine entitlement status for claimants?

Answer: No, federal staff will not be available to publish the EB trigger notice during the lapse in appropriations. States will continue to report Insured Unemployment Rate (IUR) triggers on the ETA-539 report. If the lapse in appropriations is more than one week in duration, entitlement status determined by the IUR indicator will be determined by new trigger notices, issued retroactively after the enactment of an appropriation.

7) How do states submit IUR trigger determinations during a government lapse in appropriations?

Answer: See the response to question 36.

8) Question: Will states be able to continue to obtain Title XII advances from the Federal Unemployment Account (FUA) in the Federal Unemployment Trust Fund (UTF)?

Answer: Yes. Only two states are currently in need of FUA funds and projections show the Unemployment Trust Fund has adequate funds to meet these states' needs. These funds are available even if an annual appropriation or a continuing resolution is not enacted. Excepted Federal staff will be available to answer questions during a lapse in appropriations. The phone number to contact excepted personnel at ETA's Office of Unemployment Insurance is: (202) 693-3029. Messages will be returned. Documents may be submitted by FAX at (202) 693-3229. These phone numbers are NOT toll free.

9) Question: If funds are needed or problems with funding are encountered, will Federal staff be available to perform the necessary operations and to answer questions?

Answer: Yes. A limited number of excepted Federal staff will be available to ensure availability of approved grant and benefit funds and to address these questions and problems related to excepted activities. Excepted staff at DOL and at the Department of the Treasury will be available to perform any necessary functions with the UTF. In addition, it is expected, as in the past, the Department of Health and Human Services (HHS) will have limited staff available to cover the Payment Management System (PMS).

10) Question: If the states are able to pay regular unemployment compensation, EB, and get advances to pay compensation, why can't administrative funding be made available to perform those tasks?

Answer: Administrative funding to process regular compensation and EB is dependent on annual appropriations. States with zero balances in their UTF accounts may obtain advances to pay regular compensation (See Q8 above.). Solvent states have money in their UTF accounts to pay benefits. The Extended Unemployment Compensation Account (EUCA) has ample funds to accommodate EB payments should any additional states trigger on. So funding for regular compensation and EB is assured during a temporary Federal lapse in appropriations. In contrast, administrative funding for regular compensation and EB comes from the Department's annual appropriations, and the lapse in appropriations is occurring because an appropriation has not been enacted.

11) Question: Will states be able to access Reed Act Funds?

Answer: States will have full access to Reed Act Funds in their accounts in the UTF and any other funds they received and have not drawn down, such as the Modernization funds.

12) Question: Will there be any impact on the cross-match with the Social Security Administration (SSA)?

Answer: No impact is expected. SSA has advised the Department that the cross-match will be operational for states' use as under normal conditions.

13) Question: Will there be any impact on the National Directory of New Hires (NDNH) Operation?

Answer: HHS, which administers the NDNH database, has advised the Department that the NDNH system will be operational since it is automatically run. However, there will be minimal or no technical support should any issues arise.

14) Question: Will the Systematic Alien Verification for Entitlement (SAVE) system be operational?

Answer: The SAVE system is expected to be operational. The United States Citizenship and Immigration Services (USCIS) has indicated that SAVE should be operational during the lapse in appropriations.

15) Question: Will funding for Disaster Unemployment Insurance (DUA) be available?

Answer: Yes. Excepted staff at DOL will be made available to process DUA funding authorizations from the Federal Emergency Management Agency (FEMA), and FEMA will have excepted personnel available to process disaster requests.

16) Question: Will states be able to access the Payment Management System?

Answer: Yes. However, limited staff will be available for technical assistance and will not be able to add funds to a state's account. Additional funds can only be made available after enactment of an appropriation.