

Answer: The state will augment the oldest (first) EUC08 claim. After this augmented amount on the claim is exhausted, the state will augment and pay EUC08 on the other claim, if the claimant continues to have compensable unemployment and meets all other eligibility conditions, such as being able and available.

5. Question: An individual exhausts a First-Tier EUC08 claim during an EUC08 Second-Tier period. The individual has First-Tier entitlement on another claim. How is this situation handled?

Answer: The state will augment the oldest (first) EUC08 claim with Second-Tier benefits. After this augmented amount is exhausted, the state will pay any remaining First-Tier entitlement, including any enhanced First-Tier entitlement, on the other claim, if the claimant is otherwise eligible. If, when this remaining First-Tier entitlement is exhausted, or anytime thereafter within the statutory timeframe, the state is in an EUC08 Second-Tier period, the state will augment the account and pay benefits on this claim, if the claimant is otherwise eligible.

E. Interstate Claims for EUC08

1. Question: Under the permanent Federal-State Extended Benefit (EB) program an individual who files an interstate claim from a state that is not triggered "on" EB is limited to two weeks of EB. Does this same limitation apply to Second-Tier EUC08?

Answer: No. The "two-week" limitation of the permanent EB program does not apply to EUC08. Eligible individuals filing against a state that triggered "on" an EUC08 Second-Tier period may receive up to 13 weeks of Second-Tier EUC08.

Note: An individual who resides in a state that is triggered "on" but who is filing against a state that is *not* triggered "on" is *not* entitled to Second-Tier EUC08. This is because the individual's entitlement is determined under the applicable state law, that is, the law of the state with respect to which the individual is an exhaustee for EUC08 purposes.

F. Reporting Requirements for EUC08

1. Question: Are all Second-Tier augmentations counted as "monetary redeterminations?"

Answer: Yes. All augmentations are counted as monetary redeterminations. Activities related to the recalculation of First-Tier EUC08 and augmentation of Second-Tier EUC08, do not meet the definition under ET Handbook No. 401 for an initial, additional, or a transitional claim. States will receive

credit for monetary redetermination activity on the UI-3.

Note: An additional claim should be taken in connection with recalculation of EUC08 entitlement if the individual had intervening employment since filing his/her last claim.

2. Question: Must states track three different EUC08 activities: EUC08 (first 13 weeks), expanded First Tier EUC08, and Second-Tier EUC08?

Answer: States are required to report only First-Tier and Second-Tier EUC08 activities. In addition, states must revise previous reports of final payments, *once redeterminations have been made*, for prior EUC08 exhaustees on the EUC08-specific ETA 5159. States will resubmit Section B of the EUC08-specific ETA 5159 for claimants who were reported as exhaustees and who are no longer exhaustees because their First-Tier EUC08 accounts are recalculated. All First-Tier EUC08 activities are aggregate. For those states reporting Second-Tier EUC08 activity, they will report payment activities, first pays and final pays in the new Section C of the EUC08-specific ETA 5159.

Note: See Item 2.a. under *Reporting Instructions* in Attachment A of UIPL 23-08, Change 2.

3. Question: Are there separate time charges required for First-Tier and Second-Tier EUC08?

Answer: No, separate time charges are not required. The administrative funding and reporting of financial data will be for the entire EUC08 program.

4. Question: Is there a date by which states are required to revise the ETA 5159 to back out the final payment numbers for EUC08 claims that are recalculated to redetermine the First Tier balance?

Answer: States are expected to revise their prior reports and submit them with their December 2008 ETA 5159 Report. Additional revisions to these reports are to be made on an ongoing basis, as needed. Many states may be able to simply re-run reports for prior quarters after the redeterminations are made. Other states may need to count transactions and back them out from pre-existing totals.

5. Question: How should states report Second-Tier EUC08 on the Liable Agent Data Transfer (LADT)?

Answer: The expanded reporting (Section C) on the ETA 5159 does not include any data elements that break out reporting for Interstate Claims or for First- and Second-Tier EUC08. States should report aggregate interstate claims activity for both First- and Second-Tier EUC08 in the same manner as states have been reporting for the LADT and

unemployment insurance required reports.

Signed at Washington, DC, this 23rd day of January 2009.

Douglas F. Small,

Deputy Assistant Secretary, Employment and Training Administration, U.S. Department of Labor.

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NATIONAL SCIENCE FOUNDATION

Proposal Review Panel for Physics; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting.

Name: LIGO Science Education Center Partnership (SUBR), Proposal Review Panel for Physics, #1208.

Date and Time: Thursday, February 19, 2009; 8:30 a.m.–5:30 p.m.

Friday, February 20, 2009; 8 a.m.–4 p.m.

Place: Southern University of Baton Rouge, Louisiana and LIGO Livingston, Louisiana.

Type of Meeting: Partially Closed.

Contact Person: Kathleen McCloud, Program Director, Division of Physics, National Science Foundation (703) 292-8236.

Purpose of Meeting: To provide an evaluation concerning the proposal submitted to the National Science Foundation.

Tentative Agenda

Thursday, February 19, 2009

8:30 a.m.–11 a.m. Closed—Executive Session, Overview by LIGO-SUBR staff.
11 a.m.–1:30 p.m. Open—tour of LIGO Education Center and Lunch.
1:30 p.m.–2 p.m. Travel to SUBR.
2:30 p.m.–5:30 p.m. Closed—Executive Session.

Friday, February 20, 2009

8 a.m.–9 a.m. Closed—Executive Session.
9 a.m.–10:30 a.m. Open—tour of SUBR facilities.
11 a.m.–4 p.m. Closed—Executive Session with LIGO and SUBR, Close out.

Reason for Closing: The proposal contains proprietary or confidential material, including technical information on personnel. These matters are exempt under 5 U.S.C. 552b(c)(2)(4) and (6) of the Government in the Sunshine Act.

Dated: February 3, 2009.

Susanne Bolton,

Committee Management Officer.

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