

Status: Open.

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Telephone: (202) 616-6975.

Mauricio J. Tamargo,
Chairman.

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DEPARTMENT OF LABOR

Employment and Training Administration

Application of State-Wide Personnel Actions to Unemployment Insurance Program

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration provided guidance to States explaining the Department's position concerning the application of State-wide personnel actions to the unemployment compensation program. The original guidance, UIPL No. 09-98, was published in the **Federal Register** on February 10, 1998, as continuing guidance. This guidance had not been rescinded. However, to remind States of the Department's position, on March 11, 2009, the Department issued UIPL No. 18-09, with UIPL No. 09-98 as an attachment. UIPL No. 18-09 is published below to inform the public and is available at: <http://wdr.doleta.gov/directives/attach/UIPL/UIPL18-09.pdf>.

SUPPLEMENTARY INFORMATION:

UIPL 18-09—Application of State-Wide Personnel Actions, including Hiring Freezes, to the Unemployment Insurance Program

1. *Purpose.* To advise states that Unemployment Insurance Program Letter (UIPL) 09-98 expresses the Department's position concerning the application of state-wide personnel actions such as hiring freezes, shutdowns, and furloughs to the unemployment insurance (UI) program.

2. *References.* Section 303(a)(1) of the Social Security Act (SSA) and UIPL 09-98, issued on January 12, 1998 (63 FR 6774, 6779 (February 10, 1998)).

3. *Background.* During economic downturns, State revenues decline

while demands for UI services increase. As a result of declines in State revenues, States face budget constraints and some may impose hiring freezes or other personnel actions such as furloughs on a state-wide basis. When applied to the UI program, these actions will likely have a detrimental effect on unemployed workers and businesses and result in decreased performance against Federal standards.

UIPL 09-98 expresses the Department's interpretation of the Federal UI law requirements as applied to these state-wide personnel actions. In brief, UIPL 09-98 provides that any state-wide personnel action that does not take into account the needs of the UI program is not a "method of administration" for assuring the proper and prompt delivery of UI services consistent with Section 303(a)(1), SSA. If the UI program is not exempted from such state-wide actions, the UIPL requires States to demonstrate to the Department that it has adequately addressed the UI program's needs.

A copy of UIPL 09-98 is attached.

4. *Action.* States are to address state-wide personnel actions applied to the UI program consistent with UIPL 09-98.

5. *Inquiries.* Inquiries should be directed to your Regional Office.

6. *Attachment.* UIPL 09-98.

Attachment I

UIPL 09-98

UIPL 09-98 was published in the **Federal Register**, Volume 63, No. 27 on February 10, 1998 and may be found at: <http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?IPaddress=frwais.access.gpo.gov&dbname=1998register&docid=98-3341-filed.pdf>.

Dated: This 11th day of August, 2009.

Jane Oates,

Assistant Secretary of Labor, Employment and Training Administration.

[FR Doc. E9-19523 Filed 8-13-09; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Federal-State Extended Unemployment Compensation Act of 1970—Temporary Changes in Extended Benefits

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) has provided guidance to State workforce

agencies in response to the enactment of temporary changes to the extended benefits (EB) program as a result of recent Congressional enactments.

The first guidance, issued on January 2, 2009, as Unemployment Insurance Program Letter (UIPL) No. 7-09, advised State workforce agencies of the temporary change, enacted by Public Law 110-449, in Federal sharing for the first week of extended benefits (EB) under the Federal-State Extended Unemployment Compensation Act of 1970 (FSEUCA) and is available at <http://wdr.doleta.gov/directives/attach/UIPL/UIPL7-09.pdf>.

UIPL No. 12-09, issued on February 23, 2009, provided guidance related to temporary changes in the EB program as a result of Public Law 111-5. The UIPL (available at: <http://wdr.doleta.gov/directives/attach/UIPL/UIPL12-09.pdf>) addressed questions related to Federal sharing for cost benefits, benefit eligibility provisions, amendments to State law and reporting requirements.

On May 4, 2009, ETA issued additional guidance with UIPL No. 12-09, Change 1 (available at: http://wdr.doleta.gov/directives/attach/UIPL/UIPL12-09_ch1.pdf) to address general questions about the EB program, work search requirements, submission of tangible evidence, suspension of work search requirements, interstate claims, terminating disqualifications using work, entitlement during high unemployment periods, beginning and ending dates of EB periods, and draft language for the Total Unemployment Rate (TUR) trigger.

These three guidance documents are published below to inform the public.

SUPPLEMENTARY INFORMATION:

UIPL No. 7-09: Federal-State Extended Unemployment Compensation Act of 1970—Temporary Change in Federal Sharing for First Week of Extended Benefits

1. *Purpose.* To advise States of the temporary change in Federal sharing for the first week of extended benefits (EB) under the Federal-State Extended Unemployment Compensation Act of 1970 (FSEUCA).

2. *References.* The Unemployment Compensation Extension Act of 2008, Public Law (Pub. L.) 110-449 enacted on November 21, 2008; FSEUCA (26 U.S.C. 3304 note); 20 CFR 615.14; and Unemployment Insurance Program Letter No. 14-81.

3. *Background.* In general, the benefit costs of EB, as well as certain weeks of "regular" State unemployment compensation (known as "sharable regular compensation"), are shared equally by the States and the Federal