

State	Incentive grants PY 2008–FY 2009 exceeded state performance levels		
	WIA (title IB)	AEFLA (adult education)	WIA title IB; AEFLA
<b>Kentucky</b> .....	X	X	X
Louisiana .....			
Maine .....		X	
Maryland .....			
Massachusetts .....		X	
Michigan .....	X		
<b>Minnesota</b> .....	X	X	X
Mississippi .....		X	
<b>Missouri</b> .....	X	X	X
Montana .....		X	
<b>Nebraska</b> .....	X	X	X
Nevada .....			
New Hampshire .....			
New Jersey .....			
New Mexico .....			
<b>New York</b> .....	X	X	X
North Carolina .....		X	
North Dakota .....	X		
Ohio .....		X	
Oklahoma .....			
Oregon .....			
Pennsylvania .....		X	
Puerto Rico .....	X		
Rhode Island .....		X	
South Carolina .....			
South Dakota .....		X	
<b>Tennessee</b> .....	X	X	X
Texas .....		X	
Utah .....			
Vermont .....			
Virginia .....			
Washington .....			
West Virginia .....		X	
Wisconsin .....		X	
Wyoming .....			

States in **bold** exceeded their performance levels for both AEFLA and WIA Title IB programs.

[FR Doc. 2010–10930 Filed 5–6–10; 8:45 am]

BILLING CODE 4510–FN–P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Workforce Investment Act; Lower Living Standard Income Level

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice of Determination of Lower Living Standard Income Level.

**SUMMARY:** Under Title I of the Workforce Investment Act (WIA) of 1998 (Pub. L. 105–220), the Secretary of Labor annually determines the Lower Living Standard Income Level (LLSIL) for uses described in the law. WIA defines the term “Low Income Individual” as one who qualifies under various criteria, including an individual who received income for a six-month period that does not exceed the higher level of the poverty line or 70 percent of the LLSIL.

This issuance provides the Secretary’s annual LLSIL for 2010 and references the current 2009 Health and Human Services “Poverty Guidelines.” Congress has taken action to keep the 2009 HHS poverty guidelines in effect until at least May 31, 2010.

**DATES:** *Effective Date:* This notice is effective on the date of publication in the **Federal Register**.

**ADDRESSES:** Send questions about the Lower Living Standard Income Level calculations: Mr. Samuel Wright, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room S–4231, Washington, DC 20210.

Send written youth program comments to: Mr. Evan Rosenberg, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room N–4464, Washington, DC 20210.

*For Further Information on LLSIL:* Please contact Mr. Samuel Wright, Telephone 202–693–2870; Fax 202–693–3015 (these are not toll free

numbers); e-mail address [wright.samuel.e@dol.gov](mailto:wright.samuel.e@dol.gov).

*For Further Information on Federal Youth Programs:* Evan Rosenberg, Telephone 202–693–3593; Fax 202–693–3532 (these are not toll free numbers).

**SUPPLEMENTARY INFORMATION:** It is the purpose of the Workforce Investment Act of 1998 “to provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention, and earnings of participants, and increase occupational skill attainment by participants, and as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the Nation.”

The LLSIL is used for several purposes under WIA. Specifically, WIA Section 101(25) defines the term “low income individual” for eligibility purposes, and Sections 127(b)(2)(C) and 132(b)(1)(B)(v)(IV) define the terms “disadvantaged youth” and “disadvantaged adult” in terms of the

poverty line or LLSIL for state formula allotments. The Governor and state/local workforce investment boards (WIBs) use the LLSIL for determining eligibility for youth, eligibility for employed adult workers for certain services and for the Work Opportunity Tax Credit (WOTC). We encourage the Governors and state/local WIBs to consult WIA regulations and the preamble to the WIA Final Rule (published at 65 FR 49294 August 11, 2000) for more specific guidance in applying the LLSIL to program requirements. The Department of Health and Human Services (HHS) published the most current poverty-level guidelines in the **Federal Register** at 74 FR 4199–4201 on Jan. 23, 2009. The HHS 2009 Poverty guidelines may also be found on the Internet at: <http://aspe.hhs.gov/poverty/09fedreg.pdf>. ETA plans to have the 2010 LLSIL available on its Web site at [<http://www.doleta.gov/llsil/2010/>].

WIA Section 101(24) defines the LLSIL as “that income level (adjusted for regional, metropolitan, urban and rural differences and family size) determined annually by the Secretary [of Labor] based on the most recent lower living family budget issued by the Secretary.” The most recent lower living family budget was issued by the Secretary in the fall of 1981. The four-person urban family budget estimates, previously published by the Bureau of Labor Statistics (BLS), provided the basis for the Secretary to determine the LLSIL. BLS terminated the four-person family budget series in 1982, after publication of the fall 1981 estimates. Currently, BLS provides data to ETA through which ETA develops the LLSIL tables, as provided in the Appendices.

ETA published the 2009 updates to the LLSIL in the **Federal Register** of March 26, 2009, at 74 FR 13262. This notice again updates the LLSIL to reflect cost of living increases for 2009, by applying the percentage change in the most recent 2009 Consumer Price Index for All Urban Consumers (CPI-U) for an area, compared with the 2008 CPI-U to each of the March 26, 2009 LLSIL figures. Those updated figures for a family-of-four are listed in Appendix A, Table 1, by region for both metropolitan and non-metropolitan areas. Figures in all of the accompanying tables, in the Appendices, are rounded up to the nearest dollar. Since low income individuals, “disadvantaged adult” and “disadvantaged youth” may be determined by family income at 70 percent of the LLSIL, pursuant to WIA Sections 101(25), 127(b)(2)(C), and 132(b)(1)(B)(v)(IV), respectively, those figures are listed as well.

*Jurisdictions included in the various regions, based generally on Census Divisions of the U.S. Department of Commerce, are as follows:*

#### **Northeast**

Connecticut  
Maine  
Massachusetts  
New Hampshire  
New Jersey  
New York  
Pennsylvania  
Rhode Island  
Vermont  
Virgin Islands

#### **Midwest**

Illinois  
Indiana  
Iowa  
Kansas  
Michigan  
Minnesota  
Missouri  
Nebraska  
North Dakota  
Ohio  
South Dakota  
Wisconsin

#### **South**

Alabama  
American Samoa  
Arkansas  
Delaware  
District of Columbia  
Florida  
Georgia  
Northern Marianas  
Oklahoma  
Palau  
Puerto Rico  
South Carolina  
Kentucky  
Louisiana  
Marshall Islands  
Maryland  
Micronesia  
Mississippi  
North Carolina  
Tennessee  
Texas  
Virginia  
West Virginia

#### **West**

Arizona  
California  
Colorado  
Idaho  
Montana  
Nevada  
New Mexico  
Oregon  
Utah  
Washington  
Wyoming

Additionally, separate figures have been provided for Alaska, Hawaii, and

Guam as indicated in Appendix B, Table 2.

For Alaska, Hawaii, and Guam, the year 2009 figures were updated from the April, 2009 “State Index” based on the ratio of the urban change in the state (using Anchorage for Alaska and Honolulu for Hawaii and Guam) compared to the West regional metropolitan change, and then applying that index to the West regional metropolitan change.

Data on 23 selected MSAs are also available. These are based on semiannual CPI-U changes for a 12-month period ending in June 2009. The updated LLSIL figures for these MSAs and 70 percent of the LLSIL are reported in Appendix C, Table 3.

Appendix D, Table 4 lists each of the various figures at 70 percent of the updated 2009 LLSIL for family sizes of one to six persons. Because tables 1–3 only list the LLSIL for a family of four, table 4 can be used to determine the LLSIL for families of one to six persons. For families larger than six persons, an amount equal to the difference between the six-person and the five-person family income levels should be added to the six-person family income level for each additional person in the family. Where the poverty level for a particular family size is greater than the corresponding LLSIL figure, the figure is indicated in parentheses. A modified Excel version of Appendix D, Table 4, with the area names, will be available on the Department of Labor, Employment and Training Administration LLSIL Webpage at [<http://www.doleta.gov/llsil/2010/>]. Appendix E, Table 5, indicates 100 percent of LLSIL for family sizes of one to six and is used to determine self-sufficiency as noted at 20 CFR 663.230 of the WIA regulations and WIA Section 134(d)(3)(A)(ii).

#### **Use of These Data**

Governors should designate the appropriate LLSILs for use within the state from Appendices A, B, and C, containing Tables 1 through 3. Appendices D and E, which contain Tables 4 and 5, which adjusts a family of four figure for larger and smaller families, may be used with any LLSIL designated. The Governor’s designation may be provided by disseminating information on MSAs and metropolitan and non-metropolitan areas within the state or it may involve further calculations. For example, the State of New Jersey may have four or more LLSIL figures for Northeast metropolitan, Northeast non-metropolitan, portions of the State in the New York City MSA, and those in

the Philadelphia MSA. If a workforce investment area includes areas that would be covered by more than one figure, the Governor may determine which is to be used.

Under 20 CFR 661.110, a state's policies and measures for the workforce investment system shall be accepted by the Secretary to the extent that they are consistent with the WIA and the WIA regulations.

#### Disclaimer on Statistical Uses

It should be noted, the publication of these figures is only for the purpose of meeting the requirements specified by WIA as defined in the law and regulations. BLS has not revised the lower living family budget since 1981, and has no plans to do so. The four-person urban family budget estimates series has been terminated. The CPI-U adjustments used to update the LLSIL for this publication are not precisely comparable, most notably because certain tax items were included in the 1981 LLSIL, but are not in the CPI-U. Thus, these figures should not be used for any statistical purposes, and are valid only for those purposes under WIA as defined in the law and regulations.

#### Lower Living Standard Income Level for 2010

Under Title I of the Workforce Investment Act of 1998 (Pub. L. 105-220), the Secretary of Labor annually determines the Lower Living Standard Income Level (LLSIL). This Notice

announces the LLSIL Tables for 2010. WIA requires the Department of Labor to update and publish the LLSIL tables annually. The LLSIL tables are used for several purposes under WIA, including determining eligibility for youth and for the Work Opportunity Tax Credit.

Signed at Washington, DC, this 30th day of April 2010.

Jane Oates,

Assistant Secretary, Employment and Training Administration.

#### Attachments

##### Appendix A

TABLE 1—LOWER LIVING STANDARD INCOME LEVEL (FOR A FAMILY OF FOUR PERSONS) BY REGION <sup>1</sup>

Region <sup>2</sup>	2010 adjusted LLSIL	70 percent LLSIL
Northeast:		
Metro .....	\$38,759	\$27,131
Non-Metro <sup>3</sup> ...	37,060	25,942
Midwest:		
Metro .....	34,161	23,913
Non-Metro .....	33,026	23,118
South:		
Metro .....	33,043	23,130
Non-Metro .....	32,318	22,623
West:		
Metro .....	37,471	26,230
Non-Metro <sup>4</sup>	35,758	25,031

<sup>1</sup> For ease of use, these figures are rounded to the next highest dollar.

<sup>2</sup> Metropolitan area measures were calculated from the weighted average CPI-U for city size classes A and B/C. Non-metropolitan area measures were calculated from the CPI-U for city size class D.

<sup>3</sup> Non-metropolitan area percent changes for the Northeast region are no longer available. The Non-metropolitan percent change was calculated using the U.S. average CPI-U for city size class D.

<sup>4</sup> Non-metropolitan area percent changes for the West region are unpublished data.

##### Appendix B

TABLE 2—LOWER LIVING STANDARD INCOME LEVEL (FOR A FAMILY OF FOUR PERSONS)—ALASKA, HAWAII AND GUAM <sup>1</sup>

Region	2010 adjusted LLSIL	70 percent LLSIL
Alaska:		
Metro .....	\$45,047	\$31,533
Non-Metro <sup>2</sup> ...	44,866	31,406
Hawaii, Guam:		
Metro .....	48,432	33,902
Non-Metro <sup>2</sup> ...	47,898	33,529

<sup>1</sup> For ease of use, these figures are rounded to the next highest dollar.

<sup>2</sup> Non-Metropolitan percent changes for Alaska, Hawaii and Guam were calculated from the CPI-U for city size class D in the Western Region.

##### Appendix C

TABLE 3—LOWER LIVING STANDARD INCOME LEVEL (FOR A FAMILY OF FOUR PERSONS) 23 MSAs <sup>1</sup>

Metropolitan statistical areas (MSAs)	2010 Adjusted LLSIL	70 Percent LLSIL
Anchorage, AK .....	\$46,172	\$32,320
Atlanta, GA .....	31,353	21,947
Boston—Brockton—Nashua, MA/NH/ME/CT .....	41,891	29,324
Chicago—Gary—Kenosha, IL/IN/WI .....	35,821	25,075
Cincinnati—Hamilton, OH/KY/IN .....	34,327	24,029
Cleveland—Akron, OH .....	35,129	24,590
Dallas—Ft. Worth, TX .....	31,646	22,152
Denver—Boulder—Greeley, CO .....	35,695	24,987
Detroit—Ann Arbor—Flint, MI .....	32,916	23,041
Honolulu, HI .....	49,497	34,648
Houston—Galveston—Brazoria, TX .....	30,562	21,393
Kansas City, MO/KS .....	33,064	23,145
Los Angeles—Riverside—Orange County, CA .....	39,521	27,665
Milwaukee—Racine, WI .....	34,073	23,851
Minneapolis—St. Paul, MN/WI .....	34,156	23,909
New York—Northern NJ—Long Island, NY/NJ/CT/PA .....	41,130	28,791
Philadelphia—Wilmington—Atlantic City, PA/NJ/DE/MD .....	37,407	26,185
Pittsburgh, PA .....	41,025	28,718
St. Louis, MO/IL .....	32,268	22,588
San Diego, CA .....	43,298	30,309
San Francisco—Oakland—San Jose, CA .....	39,916	27,941
Seattle—Tacoma—Bremerton, WA .....	40,784	28,549
Washington—Baltimore, DC/MD/VA/WV <sup>2</sup> .....	41,669	29,168

<sup>1</sup> For ease of use, these figures are rounded to the next highest dollar.

<sup>2</sup> Baltimore and Washington are now calculated as a single metropolitan statistical area.

**Appendix D****Table 4—Seventy Percent of Updated 2010 Lower Living Standard Income Level (LLSIL), by Family Size**

To use the seventy percent LLSIL value, where it is stipulated for WIA programs, begin by locating the region or metropolitan area where they reside. These are listed in Tables 1, 2 and 3. After locating the appropriate region or metropolitan statistical area, find the seventy percent LLSIL amount for that location. The seventy percent LLSIL figures are listed in the last column to the right on each of the three tables. These

figures apply to a family of four. Larger and smaller family eligibility is based on a percentage of the family of four. To determine eligibility for other size families consult Table 4 and the instructions below.

To use Table 4, locate the seventy percent LLSIL value that applies to the individual's region or metropolitan area from Tables 1, 2 or 3. Find the same number in the "family of four" column of Table 4. Move left or right across that row to the size that corresponds to the individual's family unit. That figure is the maximum household income the individual is permitted in order to qualify as economically disadvantaged under WIA.

Where the HHS poverty level for a particular family size is greater than the corresponding LLSIL figure, the LLSIL figure appears in a shaded block. Individuals from these size families may consult the 2009 HHS poverty guidelines found in the **Federal Register**, Vol. 74, No. 14, January 23, 2009, pp. 4199–4201 (on the Internet at <http://aspe.hhs.gov/poverty/09fedreg.htm>) to find the higher eligibility standard. Individuals from Alaska and Hawaii should consult the HHS guidelines for the generally higher poverty levels that apply in their states.

Family of one	Family of two	Family of three	Family of four	Family of five	Family of six
7,708	12,628	17,332	21,393	25,248	29,527
7,902	12,951	17,784	21,947	25,901	30,289
7,980	13,077	17,949	22,152	26,146	30,575
8,138	13,332	18,299	22,588	26,657	31,172
8,151	13,353	18,326	22,623	26,697	31,222
8,298	13,595	18,667	23,041	27,190	31,796
8,329	13,644	18,730	23,118	27,287	31,910
8,331	13,650	18,736	23,130	27,299	31,928
8,331	13,658	18,753	23,145	27,314	31,944
8,587	14,074	19,322	23,851	28,148	32,918
8,611	14,110	19,372	23,909	28,218	33,000
8,609	14,112	19,370	23,913	28,217	33,006
8,653	14,183	19,469	24,029	28,358	33,163
8,854	14,515	19,921	24,590	29,021	33,936
8,999	14,747	20,245	24,987	29,486	34,486
9,013	14,770	20,279	25,031	29,541	34,550
9,028	14,800	20,311	25,075	29,593	34,610
9,342	15,312	21,020	25,942	30,617	35,801
9,431	15,453	21,213	26,185	30,904	36,138
9,443	15,476	21,247	26,230	30,951	36,201
9,771	16,014	21,978	27,131	32,020	37,444
9,960	16,322	22,409	27,665	32,645	38,182
10,064	16,491	22,633	27,941	32,974	38,564
10,284	16,846	23,128	28,549	33,692	39,400
10,344	16,950	23,267	28,718	33,893	39,635
10,366	16,991	23,321	28,791	33,974	39,738
10,505	17,216	23,631	29,168	34,425	40,261
10,559	17,303	23,759	29,324	34,607	40,468
10,917	17,884	24,555	30,309	35,768	41,832
11,311	18,530	25,442	31,406	37,062	43,341
11,358	18,606	25,546	31,533	37,212	43,522
11,641	19,076	26,183	32,320	38,146	44,604
12,074	19,787	27,161	33,529	39,565	46,271
12,212	20,005	27,466	33,902	40,008	46,792
12,478	20,444	28,065	34,648	40,886	47,821

**Appendix E****Table 5—Updated 2010 LLSIL (100%), By Family Size**

To use the LLSIL to determine the minimum level for establishing self-sufficiency criteria at the state or local level,

begin by locating the metropolitan area or region from Table 1, 2 or 3. Then locate the appropriate region or metropolitan statistical area and then find the 2010 Adjusted LLSIL amount for that location. These figures apply to a family of four. Locate the corresponding number in the family of four in the column

below. Move left or right across that row to the size that corresponds to the individual's family unit. That figure is the minimum figure States must set for determining whether employment leads to self-sufficiency under WIA programs.

Family of one	Family of two	Family of three	Family of four	Family of five	Family of six
\$11,011	\$18,040	\$24,760	\$30,562	\$36,069	\$42,182
11,289	18,501	25,406	31,353	37,002	43,270
11,400	18,681	25,641	31,646	37,352	43,678
11,625	19,045	26,142	32,268	38,081	44,531
11,644	19,075	26,180	32,318	38,139	44,603
11,854	19,421	26,667	32,916	38,843	45,423
11,899	19,491	26,757	33,026	38,981	45,586
11,901	19,500	26,765	33,043	38,999	45,611

Family of one	Family of two	Family of three	Family of four	Family of five	Family of six
11,902	19,511	26,790	33,064	39,020	45,634
12,267	20,106	27,603	34,073	40,211	47,025
12,301	20,157	27,674	34,156	40,312	47,143
12,299	20,160	27,671	34,161	40,310	47,151
12,361	20,261	27,813	34,327	40,511	47,375
12,649	20,736	28,459	35,129	41,459	48,480
12,856	21,067	28,922	35,695	42,123	49,265
12,875	21,100	28,970	35,758	42,201	49,357
12,897	21,143	29,015	35,821	42,275	49,443
13,345	21,874	30,028	37,060	43,739	51,144
13,473	22,075	30,304	37,407	44,149	51,625
13,490	22,108	30,353	37,471	44,216	51,716
13,958	22,877	31,397	38,759	45,743	53,491
14,229	23,317	32,013	39,521	46,636	54,546
14,377	23,558	32,333	39,916	47,105	55,092
14,692	24,065	33,040	40,784	48,131	56,285
14,777	24,214	33,238	41,025	48,418	56,622
14,809	24,273	33,316	41,130	48,534	56,769
15,007	24,594	33,758	41,669	49,179	57,515
15,084	24,719	33,941	41,891	49,438	57,811
15,596	25,548	35,078	43,298	51,097	59,760
16,159	26,472	36,346	44,866	52,945	61,916
16,225	26,580	36,494	45,047	53,160	62,174
16,630	27,252	37,404	46,172	54,494	63,720
17,249	28,267	38,801	47,898	56,522	66,102
17,445	28,578	39,237	48,432	57,154	66,845
17,826	29,205	40,093	49,497	58,409	68,316

[FR Doc. 2010-10794 Filed 5-6-10; 8:45 am]

BILLING CODE 4510-FT-P

## NATIONAL LABOR RELATIONS BOARD

### Sunshine Act Meetings

#### TIME AND DATES:

All meetings are held at 2:30 p.m.  
 Tuesday, May 4, Wednesday, May 5,  
 Thursday, May 6, 2010;  
 Tuesday, May 11, Wednesday, May 12,  
 Thursday, May 13, 2010;  
 Tuesday, May 18, Wednesday, May 19,  
 Thursday, May 20, 2010;  
 Tuesday, May 25, Wednesday, May 26,  
 Thursday, May 27, 2010.

**PLACE:** Board Agenda Room, No. 11820, 1099 14th St., NW., Washington DC 20570.

**STATUS:** Closed.

**MATTERS TO BE CONSIDERED:** Pursuant to § 102.139(a) of the Board's Rules and Regulations, the Board or a panel thereof will consider "the issuance of a subpoena, the Board's participation in a civil action or proceeding or an arbitration, or the initiation, conduct, or disposition ... of particular representation or unfair labor practice proceedings under section 8, 9, or 10 of the [National Labor Relations] Act, or any court proceedings collateral or ancillary thereto." See also 5 U.S.C. 552b(c)(10).

#### CONTACT PERSON FOR MORE INFORMATION:

Lester A. Heltzer, Executive Secretary,  
 (202) 273-1067.

**Lester A. Heltzer,**  
*Executive Secretary.*

[FR Doc. 2010-11012 Filed 5-5-10; 4:15 pm]

BILLING CODE 7545-01-P

## NATIONAL SCIENCE FOUNDATION

### Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)

**AGENCY:** National Science Foundation.

**ACTION:** Notice of Permit Applications Received under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

**DATES:** Interested parties are invited to submit written data, comments, or views with respect to this permit application by June 7, 2010. This application may be inspected by interested parties at the Permit Office, address below.

**ADDRESSES:** Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

#### FOR FURTHER INFORMATION CONTACT:

Nadene G. Kennedy at the above address or (703) 292-7405.

**SUPPLEMENTARY INFORMATION:** The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

1. *Applicant:* Permit Application No. 2011-004. Sam Feola, Director, Raytheon Polar Services Company, 7400 S. Tucson Way, Centennial, CO 80112.

#### Activity for Which Permit is Requested

Introduce into Antarctica. The applicant plans to import commercially available bacterial host cell, *Escherichia coli*, for experimental use at the science laboratories at McMurdo and Palmer Stations. The experimental purpose is to generate clones of genes and gene fragments. In both cases the