

DEPARTMENT OF LABOR**Employment and Training Administration****Program Year (PY) 2019 Workforce Innovation and Opportunity Act (WIOA) Allotments; PY 2019 Wagner-Peyser Act Final Allotments and PY 2019 Workforce Information Grants**

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: This notice announces allotments for PY 2019 for WIOA Title I Youth, Adult and Dislocated Worker Activities programs; final allotments for Employment Service (ES) activities under the Wagner-Peyser Act for PY 2019 and the allotments of Workforce Information Grants to States for PY 2019.

WIOA allotments for states and the state final allotments for the Wagner-Peyser Act are based on formulas defined in their respective statutes. WIOA requires allotments for the Outlying Areas to be competitively awarded rather than based on a formula determined by the Secretary of Labor (Secretary) as occurred under the Workforce Investment Act (WIA). However, for PY 2019, the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 waives the competition requirement, and the Secretary is using the discretionary formula rationale and methodology for allocating PY 2019 funds for the Outlying Areas (American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, and the United States Virgin Islands) that was published in the **Federal Register** on February 17, 2000. WIOA specifically included the Republic of Palau as an Outlying Area, except during any period for which the Secretary of Labor and the Secretary of Education determine that a Compact of Free Association is in effect and contains provisions for training and education assistance prohibiting the assistance provided under WIOA; no such determinations prohibiting assistance have been made. The formula that the Department of Labor (Department) used for PY 2019 is the same formula used in PY 2018 and is described in the section on Youth Activities program allotments. The Department invites comments only on the formula used to allot funds to the

DATES: The Department must receive comments on the formula used to allot funds to the Outlying Areas by May 20, 2019.

ADDRESSES: Submit written comments to the Employment and Training Administration (ETA), Office of Financial Administration, 200 Constitution Avenue NW, Room N-4702, Washington, DC 20210, Attention: Ms. Anita Harvey, email: harvey.anita@dol.gov.

Commenters are advised that mail delivery in the Washington area may be delayed due to security concerns. The Department will receive hand-delivered comments at the above address. All overnight mail will be considered hand-delivered and must be received at the designated place by the date specified above.

Please submit your comments by only one method. The Department will not review comments received by means other than those listed above or that it receives after the comment period has closed.

Comments: The Department will retain all comments on this notice and will release them upon request via email to any member of the public. The Department also will make all the comments it receives available for public inspection by appointment during normal business hours at the above address. If you need assistance to review the comments, the Department will provide you with appropriate aids such as readers or print magnifiers. The Department will make copies of this notice available, upon request, in large print, Braille, and electronic file. The Department also will consider providing the notice in other formats upon request. To schedule an appointment to review the comments and/or obtain the notice in an alternative format, contact Ms. Harvey using the information provided above. The Department will retain all comments received without making any changes to the comments, including any personal information provided. The Department therefore cautions commenters not to include their personal information such as Social Security Numbers, personal addresses, telephone numbers, and email addresses in their comments; this information would be released with the comment if the comments are requested. It is the commenter's responsibility to safeguard his or her information.

FOR FURTHER INFORMATION CONTACT: WIOA Youth Activities allotments—Evan Rosenberg at (202) 693-3593 or LaSharn Youngblood at (202) 693-3606; WIOA Adult and Dislocated Worker Activities and ES final allotments—

Andrew Ridgeway at (202) 693-3536; Workforce Information Grant allotments—Donald Houghton at (202) 693-2784. Individuals with hearing or speech impairments may access the telephone numbers above via TTY by calling the toll-free Federal Information Relay Service at 1-877-889-5627 (TTY/TDD).

SUPPLEMENTARY INFORMATION: The Department is announcing WIOA allotments for PY 2019 for Youth Activities, Adults and Dislocated Worker Activities, Wagner-Peyser Act PY 2019 final allotments, and PY 2019 Workforce Information Grant allotments. This notice provides information on the amount of funds available during PY 2019 to states with an approved WIOA Combined or Unified State Plan, and information regarding allotments to the Outlying Areas.

On September 28, 2018, the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019, Public Law 115-245 was signed into law ("the Act"). The Act, Division B, Title I, Sections 106(b) and 107 of the Act allows the Secretary of Labor (Secretary) to set aside up to 0.5 percent of each discretionary appropriation for activities related to program integrity and 0.75 percent of most operating funds for evaluations. For 2019, as authorized by the Act, the Department has set aside \$7,774,000 of the Training and Employment Services (TES) and \$1,950,000 of the State Unemployment Insurance and Employment Services Operations (SUIESO) appropriations for these activities. ETA reserved these funds from the WIOA Adult, Youth, Dislocated Worker, Wagner-Peyser Act Employment Service, and Workforce Information Grant program budgets. Any funds not utilized for these reserve activities will be provided to the states. We also have attached tables listing the PY 2019 allotments for programs under WIOA Title I Youth Activities (Table A), Adult and Dislocated Workers Employment and Training Activities (Tables B and C, respectively), and the PY 2019 Wagner-Peyser Act final allotments (Table D). We also have attached the PY 2019 Workforce Information Grant table (Table E).

Youth Activities Allotments. The appropriated level for PY 2019 for WIOA Youth Activities totals \$903,416,000. After reducing the appropriation by \$2,625,000 for set asides authorized by the Act, \$900,791,000, is available for Youth Activities. Table A includes a

breakdown of the Youth Activities program allotments for PY 2019 and provides a comparison of these allotments to PY 2018 Youth Activities allotments for all States and Outlying Areas. For the Native American Youth program, the total amount available is 1.5 percent of the total amount for Youth Activities (after the evaluations and program integrity set-asides), in accordance with WIOA section 127. The total funding available for the Outlying Areas was reserved at 0.25 percent of the amount appropriated for Youth Activities (after the evaluations and program integrity set asides) after the amount reserved for Native American Youth (in accordance with WIOA section 127(b)(1)(B)(i)). On December 17, 2003, Public Law 108–188, the Compact of Free Association Amendments Act of 2003 (“the Compact”), was signed into law. The Compact specified that the Republic of Palau remained eligible for WIA Title I funding. See 48 U.S.C 1921d(f)(1)(B)(ix). WIOA sec. 512(g)(1) updated the Compact to refer to WIOA funding. The Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (Division B, Title III, Section 303 of Pub. L. 115–245) authorized WIOA Title I funding to Palau through FY 2019.

Under WIA, the Secretary had discretion for determining the methodology for distributing funds to all Outlying Areas. Under WIOA the Secretary must award the funds through a competitive process. However, for PY 2019, the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 waives the competition requirement regarding funding to Outlying Areas (e.g., American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, the Republic of Palau, and the United States Virgin Islands). For PY 2019, the Department used the same methodology used since PY 2000 (i.e., we distribute funds among the Outlying Areas by formula based on relative share of the number of unemployed, a minimum of 90 percent of the prior year allotment percentage, a \$75,000 minimum, and a 130 percent stop gain of the prior year share). For the relative share calculation in PY 2019, the Department continued to use the data obtained from the 2010 Census for American Samoa, Guam, the Commonwealth of the Northern Mariana Islands, and the United States Virgin Islands. For the Republic of Palau, the Department used data from Palau’s 2015

Census. The Department will accept comments on this methodology.

After the Department calculated the amount for the Outlying Areas and the Native American program, the amount available for PY 2019 allotments to the states is \$885,060,937. This total amount is below the required \$1 billion threshold specified in WIOA sec. 127(b)(1)(C)(iv)(IV); therefore, the Department did not apply the WIOA additional minimum provisions. Instead, as required by WIOA, the minimums of 90 percent of the prior year allotment percentage and 0.25 percent state minimum floor apply. The Department used this same methodology to set a floor on the annual variation in allotments almost continuously for more than two decades. See sec. 262(b)(2) of the Job Training Partnership Act (JTPA) (Pub. L. 97–300), (as amended by sec. 207 of the Job Training Reform Amendments of 1992, Pub. L. 102–367); sec. 127(b)(1)(C)(iv)(IV) of the Workforce Investment Act of 1998 (Pub. L. 105–220). WIOA also provides that no state may receive an allotment that is more than 130 percent of the allotment percentage for the state for the previous year. The three data factors required by WIOA sec. 127(b)(1)(C)(ii) for the PY 2019 Youth Activities state formula allotments are, summarized slightly, as follows:

- (1) The average number of unemployed individuals in Areas of Substantial Unemployment (ASUs) for the 12-month period, July 2017–June 2018 in each state compared to the total number of unemployed individuals in ASUs for all states;
- (2) Number of excess unemployed individuals or excess unemployed individuals in ASUs (depending on which is higher) averages for the same 12-month period used for ASU unemployed data compared to the total excess number in all states; and
- (3) Number of disadvantaged youth (age 16 to 21, excluding college students not in the workforce and military) from special tabulations of data from the American Community Survey (ACS), which the Department obtained from the Census Bureau in each state compared to the total number of disadvantaged youth in all states. ETA obtained updated data for use in PY 2018 and the same data must be used in PY 2019. The Census Bureau collected the data used in the special tabulations for disadvantaged youth between January 1, 2011–December 31, 2015.

For purposes of identifying ASUs for the Youth Activities allotment formula, the Department continued to use the data made available by BLS (as described in the Local Area Unemployment Statistics (LAUS) Technical Memorandum No. S–18–15). For purposes of determining the number of disadvantaged youth, the

Department used the special tabulations of ACS data available at <http://www.doleta.gov/budget/disadvantagedYouthAdults.cfm>.

See TEGL No. 14–17 for further information.

Adult Employment and Training Activities Allotments. The total appropriated funds for Adult Activities in PY 2019 is \$845,556,000. After reducing the appropriated amount by \$2,069,000 for set asides authorized by the Act, \$843,487,000 remains for Adult Activities, of which \$841,378,282 is for states and \$2,108,718 is for Outlying Areas. Table B shows the PY 2019 Adult Employment and Training Activities allotments and a state-by-state comparison of the PY 2019 allotments to PY 2018 allotments.

In accordance with WIOA, the Department reserved the total available for the Outlying Areas at 0.25 percent of the full amount appropriated for Adult Activities (after the evaluations and program integrity set-asides). As discussed in the Youth Activities section above, in PY 2019 the Department will distribute the Adult Activities funding for the Outlying Areas, using the same principles, formula, and data as used for outlying areas for Youth Activities. The Department will accept comments on this methodology. After determining the amount for the Outlying Areas, the Department used the statutory formula to distribute the remaining amount available for allotments to the states. The Department did not apply the WIOA minimum provisions for the PY 2019 allotments because the total amount available for the states was below the \$960 million threshold required for Adult Activities in WIOA sec. 132(b)(1)(B)(iv)(IV). Instead, as required by WIOA, the minimums of 90 percent of the prior year allotment percentage and 0.25 percent state minimum floor apply. As noted above, the Department applied this same methodology to set a floor on the annual variation in allotments almost continuously for more than two decades. WIOA also provides that no state may receive an allotment that is more than 130 percent of the allotment percentage for the state for the previous year. The three formula data factors for the Adult Activities program are the same as those used for the Youth Activities formula, except the Department used data for the number of disadvantaged adults (age 22 to 72, excluding college students not in the workforce and military).

Dislocated Worker Employment and Training Activities Allotments. The amount appropriated for Dislocated

Worker activities in PY 2019 totals \$1,261,719,000. The total appropriation includes formula funds for the states, while the National Reserve is used for National Dislocated Worker Grants, technical assistance and training, demonstration projects, and the Outlying Areas' Dislocated Worker allotments. After reducing the appropriated amount by \$3,080,000 for set asides authorized by the Act, a total of \$1,258,639,000 remains available for Dislocated Worker activities. The amount available for Outlying Areas is \$3,146,598, leaving \$217,131,402 for the National Reserve and a total of \$1,038,361,000 available for states. Table C shows the PY 2019 Dislocated Worker activities allotments and a state-by-state comparison of the PY 2019 allotments to PY 2018 allotments.

Similar to the Adult Activities program, the Department reserved the total available for the Outlying Areas at 0.25 percent of the full amount appropriated for Dislocated Worker Activities (after the evaluations and program integrity set-asides). Similar to Youth and Adult funds, instead of competition, in PY 2019 the Department will use the same *pro rata* share as the areas received for the PY 2019 WIOA Adult Activities program to distribute the Outlying Areas' Dislocated Worker funds, the same methodology used in PY 2018. The Department will accept comments on this methodology.

The three data factors required in WIOA sec. 132(b)(2)(B)(ii) for the PY 2019 Dislocated Worker state formula allotments are, summarized slightly, as follows:

(1) Relative number of unemployed, averages for the 12-month period, October 2017–September 2018;

(2) Relative number of excess unemployed individuals, averages for the 12-month period, October 2017–September 2018; and

(3) Relative number of long-term unemployed, averages for the 12-month period, October 2017–September 2018.

In PY 2019, under WIOA the Dislocated Worker formula uses minimum and maximum provisions. No state may receive an allotment that is less than 90 percent of the state's prior year allotment percentage (stop loss) or more than 130 percent of the state's prior year allotment percentage (stop gain).

Low unemployment rates in the states have impacted the excess

unemployment data factor in the WIOA Dislocated Worker formula. The excess unemployment rate of 4.5 percent and low unemployment result in all states triggering either their statutorily required stop loss or stop gain provision, with some PY 2019 funding undistributed. WIOA specifically prohibits distributing an amount to a state that is more than its stop gain limit. Based on this statutory limitation, the Department distributed the remaining balance of funds according to the formula driven relative share of all states triggering the stop loss provision.

Wagner-Peyser Act ES Final Allotments. The appropriated level for PY 2019 for ES grants totals \$663,052,000. After reducing the appropriated amount by \$1,865,000 for set asides authorized by the Act, a total of \$661,187,000 remains available for ES programs. After determining the funding for Guam and the United States Virgin Islands, the Department calculated allotments to states using the formula set forth at section 6 of the Wagner-Peyser Act (29 U.S.C. 49e). The Department based PY 2019 formula allotments on each state's share of calendar year 2018 monthly averages of the civilian labor force (CLF) and unemployment. Section 6(b)(4) of the Wagner-Peyser Act requires the Secretary to set aside up to three percent of the total funds available for ES to ensure that each state will have sufficient resources to maintain statewide ES activities. In accordance with this provision, the Department included the three percent set aside funds in this total allotment. The Department distributed the set-aside funds in two steps to states that have experienced a reduction in their relative share of the total resources available this year from their relative share of the total resources available the previous year. In Step 1, states that have a CLF below one million and are also below the median CLF density were maintained at 100 percent of their relative share of prior year resources. ETA calculated the median CLF density based on CLF data provided by the BLS for calendar year 2018. The Department distributed all remaining set-aside funds on a *pro-rata* basis in Step 2 to all other states experiencing reductions in relative share from the prior year but not meeting the size and density criteria for Step 1. The distribution of ES funds (Table D) includes \$659,575,256 for

states, as well as \$1,611,744 for Outlying Areas.

Section 7(a) of the Wagner-Peyser Act (49 U.S.C. 49f(a)) authorizes states to use 90 percent of funds allotted to a state for labor exchange services and other career services such as job search and placement services to job seekers; appropriate recruitment services for employers; program evaluations; developing and providing labor market and occupational information; developing management information systems; and administering the work test for unemployment insurance claimants. Section 7(b) of the Wagner-Peyser Act states that 10 percent of the total sums allotted to each state must be reserved for use by the Governor to provide performance incentives for public ES offices and programs, provide services for groups with special needs, and to provide for the extra costs of exemplary models for delivering services of the type described in section 7(a) and models for enhancing professional development and career advancement opportunities of state agency staff.

Beginning in PY 2019, ETA will begin conducting a pilot to collect information about administrative costs at the State and local levels under the Wagner-Peyser Act, in accordance with the directive established in the FY 2019 Joint Explanatory Statement. This pilot will inform ETA and Congressional stakeholders about the services and costs of the Wagner-Peyser Act going forward. States can indicate their interest in the pilot by contacting their Regional Office.

Workforce Information Grants Allotments. Total PY 2019 funding for Workforce Information Grants allotments to states is \$32,000,000. After reducing the total by \$85,000 for program integrity, \$31,915,000 is available for Workforce Information Grants. Table E contains the allotment figures for each state and Outlying Area. The Department distributes the funds by administrative formula, with a reserve of \$176,596 for Guam and the United States Virgin Islands. Guam and the United States Virgin Islands allotment amounts are partially based on CLF data. The Department distributes the remaining funds to the states with 40 percent distributed equally to all states and 60 percent distributed based on each state's share of CLF for the 12 months ending September 2018.

TABLE A—U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION WIOA YOUTH ACTIVITIES STATE ALLOTMENTS

[Comparison of PY 2019 Allotments vs PY 2018 Allotments]

State	PY 2018	PY 2019	Difference	% Difference
Total Appropriated	\$903,416,000	\$903,416,000	\$0	0.00
Total (WIOA Youth Activities)	899,577,000	900,791,000	1,214,000	0.13
Alabama	16,810,423	15,149,798	(1,660,625)	-9.88
Alaska	3,248,821	4,229,167	980,346	30.18
Arizona	22,132,740	25,610,047	3,477,307	15.71
Arkansas	6,559,046	5,911,108	(647,938)	-9.88
California	122,420,854	119,017,698	(3,403,156)	-2.78
Colorado	9,356,087	8,431,842	(924,245)	-9.88
Connecticut	10,136,991	10,709,715	572,724	5.65
Delaware	2,209,670	2,212,652	2,982	0.13
District of Columbia	3,369,642	4,331,649	962,007	28.55
Florida	50,918,130	45,888,161	(5,029,969)	-9.88
Georgia	25,691,083	23,153,178	(2,537,905)	-9.88
Hawaii	2,209,670	2,212,652	2,982	0.13
Idaho	2,463,432	2,220,081	(243,351)	-9.88
Illinois	42,733,627	41,773,340	(960,287)	-2.25
Indiana	14,277,065	12,866,699	(1,410,366)	-9.88
Iowa	4,779,676	4,307,514	(472,162)	-9.88
Kansas	5,170,980	4,660,163	(510,817)	-9.88
Kentucky	13,770,245	13,375,729	(394,516)	-2.86
Louisiana	17,165,657	15,924,333	(1,241,324)	-7.23
Maine	2,684,527	2,419,335	(265,192)	-9.88
Maryland	12,474,601	14,546,358	2,071,757	16.61
Massachusetts	13,047,645	12,354,890	(692,755)	-5.31
Michigan	28,612,013	34,878,283	6,266,270	21.90
Minnesota	10,094,772	9,097,556	(997,216)	-9.88
Mississippi	10,053,302	10,396,417	343,115	3.41
Missouri	14,066,190	12,676,655	(1,389,535)	-9.88
Montana	2,209,670	2,280,623	70,953	3.21
Nebraska	2,656,124	2,862,935	206,811	7.79
Nevada	9,261,869	9,921,829	659,960	7.13
New Hampshire	2,209,670	2,212,652	2,982	0.13
New Jersey	20,831,255	24,036,015	3,204,760	15.38
New Mexico	9,176,874	9,124,699	(52,175)	-0.57
New York	50,223,205	62,137,502	11,914,297	23.72
North Carolina	27,731,837	27,582,642	(149,195)	-0.54
North Dakota	2,209,670	2,212,652	2,982	0.13
Ohio	36,354,942	41,626,582	5,271,640	14.50
Oklahoma	9,577,406	8,631,298	(946,108)	-9.88
Oregon	9,572,222	8,626,626	(945,596)	-9.88
Pennsylvania	39,419,602	36,515,461	(2,904,141)	-7.37
Puerto Rico	26,554,369	29,825,410	3,271,041	12.32
Rhode Island	3,347,101	3,395,462	48,361	1.44
South Carolina	13,017,374	11,731,447	(1,285,927)	-9.88
South Dakota	2,209,670	2,212,652	2,982	0.13
Tennessee	17,503,950	15,774,815	(1,729,135)	-9.88
Texas	75,959,298	68,455,626	(7,503,672)	-9.88
Utah	3,656,938	3,538,726	(118,212)	-3.23
Vermont	2,209,670	2,212,652	2,982	0.13
Virginia	13,158,915	11,859,006	(1,299,909)	-9.88
Washington	19,115,058	21,151,649	2,036,591	10.65
West Virginia	5,837,010	6,472,612	635,602	10.89
Wisconsin	11,197,879	10,091,692	(1,106,187)	-9.88
Wyoming	2,209,670	2,212,652	2,982	0.13
State Total	883,868,137	885,060,937	1,192,800	0.13
American Samoa	236,754	237,085	331	0.14
Guam	803,615	804,738	1,123	0.14
Northern Marianas	439,064	439,677	613	0.14
Palau	75,000	75,000	0	0.00
Virgin Islands	660,775	661,698	923	0.14
Outlying Areas Total	2,215,208	2,218,198	2,990	0.13
Native Americans	13,493,655	13,511,865	18,210	0.13
Set asides	3,839,000	2,625,000	(1,214,000)	-31.62

TABLE B—U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION WIOA ADULT ACTIVITIES STATE ALLOTMENTS

[Comparison of PY 2019 Allotments vs PY 2018 Allotments]

State	PY 2018	PY 2019	Difference	% Difference
Total Appropriated	\$845,556,000	\$845,556,000	\$0	0.00
Total (WIOA Adult Activities)	842,530,000	843,487,000	957,000	0.11
Alabama	16,327,908	14,711,809	(1,616,099)	-9.90
Alaska	3,040,398	3,957,007	916,609	30.15
Arizona	20,986,794	24,282,345	3,295,551	15.70
Arkansas	6,270,928	5,650,246	(620,682)	-9.90
California	117,884,993	114,617,248	(3,267,745)	-2.77
Colorado	8,702,463	7,841,113	(861,350)	-9.90
Connecticut	9,369,933	9,742,854	372,921	3.98
Delaware	2,101,059	2,103,446	2,387	0.11
District of Columbia	2,986,342	3,886,654	900,312	30.15
Florida	51,443,034	46,351,320	(5,091,714)	-9.90
Georgia	24,685,866	22,242,515	(2,443,351)	-9.90
Hawaii	2,101,059	2,103,446	2,387	0.11
Idaho	2,294,967	2,103,446	(191,521)	-8.35
Illinois	40,226,996	39,309,891	(917,105)	-2.28
Indiana	12,986,088	11,700,755	(1,285,333)	-9.90
Iowa	3,393,197	3,057,346	(335,851)	-9.90
Kansas	4,357,065	3,925,813	(431,252)	-9.90
Kentucky	13,740,037	13,357,433	(382,604)	-2.78
Louisiana	16,647,287	15,462,994	(1,184,293)	-7.11
Maine	2,445,449	2,203,404	(242,045)	-9.90
Maryland	11,611,741	13,998,991	2,387,250	20.56
Massachusetts	11,674,227	10,518,739	(1,155,488)	-9.90
Michigan	26,127,450	32,076,546	5,949,096	22.77
Minnesota	8,472,215	7,633,654	(838,561)	-9.90
Mississippi	9,681,200	10,003,654	322,454	3.33
Missouri	13,103,150	11,806,230	(1,296,920)	-9.90
Montana	2,101,059	2,103,446	2,387	0.11
Nebraska	2,101,059	2,135,850	34,791	1.66
Nevada	9,036,927	9,719,349	682,422	7.55
New Hampshire	2,101,059	2,103,446	2,387	0.11
New Jersey	20,187,420	23,630,205	3,442,785	17.05
New Mexico	8,901,122	8,848,216	(52,906)	-0.59
New York	49,370,737	60,652,953	11,282,216	22.85
North Carolina	26,346,674	26,199,337	(147,337)	-0.56
North Dakota	2,101,059	2,103,446	2,387	0.11
Ohio	33,780,803	38,782,006	5,001,203	14.80
Oklahoma	9,074,610	8,176,426	(898,184)	-9.90
Oregon	9,188,900	8,279,404	(909,496)	-9.90
Pennsylvania	36,348,863	33,593,768	(2,755,095)	-7.58
Puerto Rico	27,814,371	30,891,828	3,077,457	11.06
Rhode Island	2,873,156	2,907,668	34,512	1.20
South Carolina	12,570,393	11,326,204	(1,244,189)	-9.90
South Dakota	2,101,059	2,103,446	2,387	0.11
Tennessee	17,019,935	15,335,341	(1,684,594)	-9.90
Texas	71,907,136	64,789,931	(7,117,205)	-9.90
Utah	2,867,024	2,759,043	(107,981)	-3.77
Vermont	2,101,059	2,103,446	2,387	0.11
Virginia	12,272,091	11,057,427	(1,214,664)	-9.90
Washington	18,013,252	19,943,123	1,929,871	10.71
West Virginia	5,809,726	6,366,593	556,867	9.59
Wisconsin	9,671,276	8,714,035	(957,241)	-9.90
Wyoming	2,101,059	2,103,446	2,387	0.11
State Total	840,423,675	841,378,282	954,607	0.11
American Samoa	224,709	224,974	265	0.12
Guam	762,731	763,630	899	0.12
Northern Marianas	416,727	417,217	490	0.12
Palau	75,000	75,000	0	0.00
Virgin Islands	627,158	627,897	739	0.12
Outlying Areas Total	2,106,325	2,108,718	2,393	0.11
Set asides	3,026,000	2,069,000	(957,000)	-31.63

TABLE C—U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION WIOA DISLOCATED WORKER ACTIVITIES STATE ALLOTMENTS

[Comparison of PY 2019 Allotments vs PY 2018 Allotments]

State	PY 2018	PY 2019	Difference	% Difference
Total Appropriated	\$1,261,719,000	\$1,261,719,000	\$0	0.00
Total (WIOA Dislocated Worker Activities)	1,257,214,000	1,258,639,000	1,425,000	0.11
Alabama	19,335,341	18,299,000	(1,036,341)	-5.36
Alaska	4,914,486	6,395,952	1,481,466	30.14
Arizona	23,243,426	30,250,131	7,006,705	30.14
Arkansas	6,402,024	6,217,966	(184,058)	-2.87
California	154,748,352	147,573,118	(7,175,234)	-4.64
Colorado	10,170,702	10,043,592	(127,110)	-1.25
Connecticut	14,663,263	14,161,792	(501,471)	-3.42
Delaware	2,460,357	2,402,111	(58,246)	-2.37
District of Columbia	6,483,476	8,437,913	1,954,437	30.14
Florida	53,690,026	52,121,208	(1,568,818)	-2.92
Georgia	40,436,884	38,491,175	(1,945,709)	-4.81
Hawaii	1,620,164	1,604,310	(15,854)	-0.98
Idaho	1,968,746	1,956,691	(12,055)	-0.61
Illinois	62,900,780	59,425,694	(3,475,086)	-5.52
Indiana	14,082,228	13,659,352	(422,876)	-3.00
Iowa	4,142,800	4,116,302	(26,498)	-0.64
Kansas	4,670,889	4,618,755	(52,134)	-1.12
Kentucky	17,761,938	16,788,605	(973,333)	-5.48
Louisiana	20,736,157	21,209,720	473,563	2.28
Maine	2,682,153	2,598,431	(83,722)	-3.12
Maryland	15,334,717	15,260,868	(73,849)	-0.48
Massachusetts	15,877,010	15,766,252	(110,758)	-0.70
Michigan	29,925,227	28,882,600	(1,042,627)	-3.48
Minnesota	8,704,633	8,618,483	(86,150)	-0.99
Mississippi	12,774,770	12,818,139	43,369	0.34
Missouri	14,147,654	13,726,081	(421,573)	-2.98
Montana	1,561,056	1,585,502	24,446	1.57
Nebraska	2,397,862	2,404,721	6,859	0.29
Nevada	13,919,978	14,008,800	88,822	0.64
New Hampshire	1,758,303	1,775,681	17,378	0.99
New Jersey	32,030,331	31,152,114	(878,217)	-2.74
New Mexico	13,667,703	17,787,817	4,120,114	30.14
New York	51,523,652	50,806,192	(717,460)	-1.39
North Carolina	30,181,355	29,098,556	(1,082,799)	-3.59
North Dakota	812,015	825,249	13,234	1.63
Ohio	39,677,597	38,603,870	(1,073,727)	-2.71
Oklahoma	7,724,855	7,577,124	(147,731)	-1.91
Oregon	11,670,127	11,249,816	(420,311)	-3.60
Pennsylvania	53,520,091	51,039,332	(2,480,759)	-4.64
Puerto Rico	44,468,015	57,872,849	13,404,834	30.14
Rhode Island	4,131,237	3,963,193	(168,044)	-4.07
South Carolina	15,513,622	14,897,573	(616,049)	-3.97
South Dakota	1,163,056	1,177,194	14,138	1.22
Tennessee	19,103,308	18,162,357	(940,951)	-4.93
Texas	62,116,365	61,014,319	(1,102,046)	-1.77
Utah	4,395,205	4,316,698	(78,507)	-1.79
Vermont	859,693	865,748	6,055	0.70
Virginia	13,985,434	13,818,609	(166,825)	-1.19
Washington	26,777,856	26,634,849	(143,007)	-0.53
West Virginia	7,499,981	9,760,842	2,260,861	30.14
Wisconsin	11,769,133	11,431,285	(337,848)	-2.87
Wyoming	1,098,967	1,086,469	(12,498)	-1.14
State Total	1,037,205,000	1,038,361,000	1,156,000	0.11
American Samoa	335,308	335,703	395	0.12
Guam	1,138,139	1,139,477	1,338	0.12
Northern Marianas	621,836	622,565	729	0.12
Palau	111,914	111,914	0	0.00
Virgin Islands	935,838	936,939	1,101	0.12
Outlying Areas Total	3,143,035	3,146,598	3,563	0.11
National Reserve*	216,865,965	217,131,402	265,437	0.12
Set asides	4,505,000	3,080,000	(1,425,000)	-31.63

*The PY 2018 Dislocated Worker National Reserve amount reflects the initial appropriation; however, the Department of Defense and Labor, Health and Human Services, and Education Appropriations Act, 2019 and Continuing Appropriations Act, 2019 (Pub. L. 115-245) contained a \$53M rescission to the Dislocated Worker National Reserve, decreasing funding in that category to \$163,865,965.

TABLE D—U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION EMPLOYMENT SERVICE (WAGNER-PEYSER)

[PY 2019 vs PY 2018 Final Allotments]

State	Final PY 2018	Final PY 2019	Difference	% Difference
Total Appropriated	\$666,413,000	\$663,052,000	(\$3,361,000)	-0.50
Total (WIOA ES Activities)	663,581,000	661,187,000	(2,394,000)	-0.36
Alabama	8,908,780	8,774,005	(134,775)	-1.51
Alaska	7,213,442	7,187,418	(26,024)	-0.36
Arizona	13,165,903	13,793,435	627,532	4.77
Arkansas	5,162,355	5,116,418	(45,937)	-0.89
California	78,345,199	77,508,834	(836,365)	-1.07
Colorado	10,389,581	10,914,395	524,814	5.05
Connecticut	7,574,461	7,518,868	(55,593)	-0.73
Delaware	1,858,689	1,850,977	(7,712)	-0.41
District of Columbia	1,988,531	1,955,175	(33,356)	-1.68
Florida	38,144,961	37,920,561	(224,400)	-0.59
Georgia	19,921,213	19,757,815	(163,398)	-0.82
Hawaii	2,352,566	2,320,867	(31,699)	-1.35
Idaho	6,010,081	5,988,398	(21,683)	-0.36
Illinois	27,275,919	26,812,565	(463,354)	-1.70
Indiana	12,602,609	12,501,804	(100,805)	-0.80
Iowa	6,113,562	6,002,803	(110,759)	-1.81
Kansas	5,469,981	5,426,648	(43,333)	-0.79
Kentucky	8,204,609	8,154,547	(50,062)	-0.61
Louisiana	8,977,219	8,888,286	(88,933)	-0.99
Maine	3,574,138	3,561,244	(12,894)	-0.36
Maryland	12,141,754	12,406,916	265,162	2.18
Massachusetts	13,412,552	13,762,091	349,539	2.61
Michigan	20,064,262	19,803,803	(260,459)	-1.30
Minnesota	10,913,401	10,851,240	(62,161)	-0.57
Mississippi	5,475,041	5,398,062	(76,979)	-1.41
Missouri	11,926,706	11,705,550	(221,156)	-1.85
Montana	4,911,468	4,893,749	(17,719)	-0.36
Nebraska	5,167,751	5,021,790	(145,961)	-2.82
Nevada	6,016,403	6,023,666	7,263	0.12
New Hampshire	2,587,728	2,571,759	(15,969)	-0.62
New Jersey	18,492,789	18,217,995	(274,794)	-1.49
New Mexico	5,511,533	5,491,649	(19,884)	-0.36
New York	38,073,357	37,872,846	(200,511)	-0.53
North Carolina	19,246,083	19,119,367	(126,716)	-0.66
North Dakota	5,001,345	4,983,302	(18,043)	-0.36
Ohio	23,186,548	23,078,213	(108,335)	-0.47
Oklahoma	7,052,012	6,983,784	(68,228)	-0.97
Oregon	8,017,942	8,080,992	63,050	0.79
Pennsylvania	25,958,852	25,709,054	(249,798)	-0.96
Puerto Rico	6,637,872	6,488,984	(148,888)	-2.24
Rhode Island	2,334,313	2,292,037	(42,276)	-1.81
South Carolina	9,156,790	9,007,952	(148,838)	-1.63
South Dakota	4,622,393	4,605,717	(16,676)	-0.36
Tennessee	12,319,202	12,200,903	(118,299)	-0.96
Texas	51,437,423	52,111,078	673,655	1.31
Utah	5,925,522	5,842,022	(83,500)	-1.41
Vermont	2,165,391	2,157,579	(7,812)	-0.36
Virginia	15,736,130	15,583,311	(152,819)	-0.97
Washington	14,707,432	15,040,605	333,173	2.27
West Virginia	5,290,785	5,271,697	(19,088)	-0.36
Wisconsin	11,632,564	11,469,141	(163,423)	-1.40
Wyoming	3,586,277	3,573,339	(12,938)	-0.36
State Total	661,963,420	659,575,256	(2,388,164)	-0.36
Guam	310,505	309,385	(1,120)	-0.36
Virgin Islands	1,307,075	1,302,359	(4,716)	-0.36
Outlying Areas Total	1,617,580	1,611,744	(5,836)	-0.36
Set asides	2,832,000	1,865,000	(967,000)	-34.15

TABLE E—U.S. DEPARTMENT OF LABOR EMPLOYMENT AND TRAINING ADMINISTRATION WORKFORCE INFORMATION
GRANTS TO STATES
[PY 2019 vs PY 2018 Allotments]

State	PY 2018	PY 2019	Difference	% Difference
Total with Program Integrity	\$32,000,000	\$32,000,000	\$0	0.00
Total	31,904,000	31,915,000	11,000	0.03
Alabama	501,509	499,846	(1,663)	-0.33
Alaska	287,026	286,283	(743)	-0.26
Arizona	633,995	638,657	4,662	0.74
Arkansas	404,109	402,114	(1,995)	-0.49
California	2,510,570	2,511,591	1,021	0.04
Colorado	592,880	603,421	10,541	1.78
Connecticut	469,696	466,938	(2,758)	-0.59
Delaware	300,167	300,696	529	0.18
District of Columbia	291,143	291,586	443	0.15
Florida	1,432,999	1,438,980	5,981	0.42
Georgia	837,522	845,383	7,861	0.94
Hawaii	325,866	324,383	(1,483)	-0.46
Idaho	341,187	343,625	2,438	0.71
Illinois	1,009,506	1,003,089	(6,417)	-0.64
Indiana	637,470	637,315	(155)	-0.02
Iowa	443,793	440,689	(3,104)	-0.70
Kansas	419,199	417,133	(2,066)	-0.49
Kentucky	486,277	485,469	(808)	-0.17
Louisiana	492,418	493,089	671	0.14
Maine	326,794	326,438	(356)	-0.11
Maryland	624,125	621,902	(2,223)	-0.36
Massachusetts	675,725	682,901	7,176	1.06
Michigan	819,622	817,191	(2,431)	-0.30
Minnesota	602,174	606,323	4,149	0.69
Mississippi	396,428	394,080	(2,348)	-0.59
Missouri	607,825	601,213	(6,612)	-1.09
Montana	306,190	305,519	(671)	-0.22
Nebraska	363,280	362,694	(586)	-0.16
Nevada	414,233	419,001	4,768	1.15
New Hampshire	332,832	332,496	(336)	-0.10
New Jersey	777,919	769,792	(8,127)	-1.04
New Mexico	354,069	353,927	(142)	-0.04
New York	1,380,696	1,378,366	(2,330)	-0.17
North Carolina	825,773	827,448	1,675	0.20
North Dakota	293,506	292,004	(1,502)	-0.51
Ohio	923,124	920,161	(2,963)	-0.32
Oklahoma	459,868	461,245	1,377	0.30
Oregon	491,524	492,174	650	0.13
Pennsylvania	1,005,428	992,172	(13,256)	-1.32
Puerto Rico	375,763	372,142	(3,621)	-0.96
Rhode Island	309,498	309,656	158	0.05
South Carolina	517,937	514,950	(2,987)	-0.58
South Dakota	297,999	297,815	(184)	-0.06
Tennessee	619,474	623,186	3,712	0.60
Texas	1,831,157	1,853,513	22,356	1.22
Utah	427,852	429,719	1,867	0.44
Vermont	284,871	284,761	(110)	-0.04
Virginia	752,203	751,857	(346)	-0.05
Washington	681,301	684,703	3,402	0.50
West Virginia	336,297	335,764	(533)	-0.16
Wisconsin	615,232	615,121	(111)	-0.02
Wyoming	279,379	277,883	(1,496)	-0.54
State Total	31,727,430	31,738,404	10,974	0.03
Guam	92,961	92,976	15	0.02
Virgin Islands	83,609	83,620	11	0.01
Outlying Areas Total	176,570	176,596	26	0.01
Program Integrity set aside	96,000	85,000	(11,000)	-11.46

Molly E. Conway,

Acting Assistant Secretary for Employment and Training.

[FR Doc. 2019-07729 Filed 4-18-19; 8:45 am]

BILLING CODE 4510-FN-P

DEPARTMENT OF LABOR

Mine Safety and Health Administration

Petitions for Modification of Application of Existing Mandatory Safety Standard

AGENCY: Mine Safety and Health Administration, Labor.

ACTION: Notice.

SUMMARY: This notice is a summary of petition for modification submitted to the Mine Safety and Health Administration (MSHA) by the parties listed below.

DATES: All comments on the petition must be received by MSHA's Office of Standards, Regulations, and Variances on or before May 20, 2019.

ADDRESSES: You may submit your comments, identified by "docket number" on the subject line, by any of the following methods:

1. *Email:* zzMSHA-comments@dol.gov. Include the docket number of the petition in the subject line of the message.

2. *Facsimile:* 202-693-9441.

3. *Regular Mail or Hand Delivery:* MSHA, Office of Standards, Regulations, and Variances, 201 12th Street South, Suite 4E401, Arlington, Virginia 22202-5452, *Attention:* Sheila McConnell, Director, Office of Standards, Regulations, and Variances. Persons delivering documents are required to check in at the receptionist's desk in Suite 4E401. Individuals may inspect a copy of the petitions and comments during normal business hours at the address listed above.

MSHA will consider only comments postmarked by the U.S. Postal Service or proof of delivery from another delivery service such as UPS or Federal Express on or before the deadline for comments.

FOR FURTHER INFORMATION CONTACT: Barbara Barron, Office of Standards, Regulations, and Variances at 202-693-9447 (voice), barron.barbara@dol.gov (email), or 202-693-9441 (fax). [These are not toll-free numbers.]

SUPPLEMENTARY INFORMATION: Section 101(c) of the Federal Mine Safety and Health Act of 1977 and Title 30 of the Code of Federal Regulations Part 44 govern the application, processing, and disposition of petitions for modification.

I. Background

Section 101(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act) allows the mine operator or representative of miners to file a petition to modify the application of any mandatory safety standard to a coal or other mine if the Secretary of Labor (Secretary) determines that:

1. An alternative method of achieving the result of such standard exists which will at all times guarantee no less than the same measure of protection afforded the miners of such mine by such standard; or

2. That the application of such standard to such mine will result in a diminution of safety to the miners in such mine.

In addition, the regulations at 30 CFR 44.10 and 44.11 establish the requirements and procedures for filing petitions for modification.

II. Petition for Modification

Docket Number: M-2019-001-M.

Petitioner: Genesis Alkali, LLC, 1801 Wewatta St., Suite 1000, Denver, Colorado 80202.

Mine: Genesis Alkali @WESTVACO, MSHA I.D. No. 48-00152, located in Sweetwater County, Wyoming.

Regulation Affected: 30 CFR 57.22305 (Approved equipment (III mines)).

Modification Request: Petitioner seeks to allow for the installation of one or more submersible pumps at Westvaco mine. The first pump would be installed at Westvaco's Extraction Well #5 (EW#5).

The petitioner states that:

(1) Westvaco is an underground trona mine. Since 1988, underground tailings disposal and secondary resource recovery have been part of the mining operation. Sections of mine workings have been abandoned and flooded with water/tailings. There is no access to these areas by miners due to the topography of the mine. As the tailings dewater in the mine, the water becomes a solution that recovers trona left by the room and pillar mining techniques employed in these abandoned areas.

(2) Petitioner plans to install submersible pumps through wells from the surface to access this impounded trona-bearing liquor. The pumps will be strategically placed in the topographically lowest developments to ensure a flooded condition. Westvaco currently has monitor wells near these areas which indicate the areas are flooded with water completely. As further assurance of flooded conditions, the wells will be drilled through the mine floor to countersink the pumps an additional depth to ensure the pumps'

intakes and motors remain below the mine floor. The pump motors, by design, are positioned below the pump intake to prevent the pump from drying the hole out. Specifically, the pump system's design ensures that the electrical components will be submerged, preventing their exposure to the mine's ambient air.

(3) The proposed pump system at Westvaco will be installed from the surface. The pump system(s) will be lowered underground via EW#5, into the northwest area of Westvaco that is permanently abandoned and has been inactive for more than twenty years. EW#5 is approximately 10,200 feet away from the nearest hoist and travelway. The distance between EW#5 and the areas of Westvaco where miners will be working and traveling is at least 15,000 feet, if not more.

(4) After the bore mining and longwall operations in the northwest corner of Westvaco had finished, petitioner intentionally flooded that area in the mid 1980s. By flooding that area, petitioner can engage in liquid/solution mining to recover trona from the gob. The topography of the mine area allows water levels in the flooded area to be deep enough to "top out" against the roof, effectively filling the entire region of the abandoned mine area. Along with this water barrier, petitioner installed barricades (stoppings) on the flooded area's perimeter. The barricades are comprised of 6" x 8" x 24" wood blocks, installed rib-to-rib and floor-to-roof. Petitioner uses foam sealant around the edges of each barricade. Therefore, there are two physical designs—the wooden blocks and the impoundment—to prevent miners from accidentally or intentionally accessing the permanently abandoned area from the active longwall and bore miner operations.

(5) The submersible pump systems will be installed from the surface into the permanently abandoned, flooded areas. Westvaco miners will not be involved in the extraction of the trona solution because they cannot access the area due to the water levels and the barricades.

(6) The permanently abandoned area at Westvaco is not ventilated; therefore, the air current(s) at Westvaco do not flow through the area. In addition, there are several factors that would inhibit any accumulated methane that was in the abandoned area from entering the fresh air current at Westvaco.

These factors are:

—The impounded area is unventilated, meaning the airflow in that location will fluctuate as a function of temperature and pressures of the