

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION National Emergency Grants
	CORRESPONDENCE SYMBOL ONR
	DATE August 18, 2004

TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 16-03, CHANGE 1

**TO:** ALL STATE WORKFORCE AGENCIES  
 ALL STATE WORKFORCE LIAISONS  
 ALL STATE RAPID RESPONSE COORDINATORS  
 ALL STATE TRADE COORDINATORS

**FROM:** EMILY STOVER DeROCCO  
 Assistant Secretary 

**SUBJECT:** National Emergency Grant (NEG) Policy Guidance – Assistance for Returning Members of the National Guard and Military Reserves

1. **Purpose.** To inform the state workforce investment system of the opportunity to apply for Secretary’s discretionary National Emergency Grant (NEG) funds, pursuant to the Workforce Investment Act (WIA), Title I, Section 173, as amended, to provide employment-related assistance for members of the National Guard and Military Reserves who were required to interrupt or postpone employment-related assistance (including training funded by Trade Adjustment Assistance (TAA)) in order to fulfill requirements involving deployment to Iraq, Afghanistan or other locations.

2. **References.**

- Workforce Investment Act (WIA), Sec. 173 (29 USC 2918)
- Training and Employment Guidance Letter (TEGL) No. 16-03, “National Emergency Grant (NEG) Policy Guidance,” dated January 26, 2004
- Workforce Investment Act: National Emergency Grants – Application Procedures; Notice, dated April 27, 2004 (Federal Register, Vol. 69, No. 81)
- Training and Employment Guidance Letter (TEGL) No. 5-03, “Implementing the Veterans’ Priority Provisions of the ‘Jobs for Veterans Act,’” issued September 16, 2003
- Training and Employment Guidance Letter (TEGL) No. 11-02, “Operating Instructions for Implementing the Amendments to the Trade Act of 1974 Enacted by the Trade Act of 2002,” dated October 10, 2002

<b>RESCISSIONS</b> None	<b>EXPIRATION DATE</b> Continuing
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3. **Background.** Thousands of members of the National Guard and Military Reserves are currently deployed on active duty to Iraq, Afghanistan and other locations. Some of them were seeking employment-related assistance as dislocated workers before their deployment. The service of these men and women is essential to our armed forces, yet that service makes it impossible for them to access or continue the employment-related assistance they were eligible for or receiving as a dislocated worker. This includes workers certified eligible for the Trade Adjustment Assistance (TAA) program and those eligible for assistance under the Workforce Investment Act (WIA) Dislocated Worker program. In order to assure that service members returning from active duty who wish to continue or access employment-related assistance programs and services are provided such an opportunity, this TEGL provides guidance for the states on how to access NEG funds for this purpose. This TEGL expands the circumstances as described in TEGL No. 16-03, "National Emergency Grant (NEG) Policy Guidance," dated January 26, 2004, paragraph 4.n. (page 11), under which certain military personnel can be assisted.
4. **Addenda to TEGL No. 16-03.** TEGL 16-03 is hereby amended to provide guidance for requesting NEG funds to serve returning military personnel.
  - a. **Assistance for Military Returnees.** In addition to the information contained in TEGL No. 16-03, paragraph 4.n., the Department will consider requests for NEG funds to provide employment-related assistance for members of the Military Reserves and National Guard who are returning from Iraq, Afghanistan or other locations under the following conditions:
    - (1) **For trade-certified participants** who were determined eligible for TAA and who were required to interrupt their services/training to fulfill Federal requirements for Reserve or National Guard deployment to Iraq, Afghanistan or other locations, funds may be requested to complete training (and other employment-related services) if TAA funds are not available for those purposes.
    - (2) **For trade-certified participants** who were not able to enter training due to Reserve or National Guard deployment to Iraq, Afghanistan or other locations and therefore were not eligible for Trade Readjustment Allowances (TRA) upon completion of their deployment (due to statutory requirements), NEG funds may be requested to pay income support (needs-related payments), training (described in paragraph b. (3) below), and other services needed to return to work.
    - (3) **For dislocated workers previously enrolled in training under WIA** whose training was interrupted due to deployment to Iraq, Afghanistan or other locations as members of the National Guard or Reserves, NEG funds may be

requested to complete training and services when WIA Dislocated Worker program formula funds are not sufficient.

**(4) Spouses of returning members of the National Guard or Reserves and widows** of military personnel who lost their lives as a result of deployment to Iraq, Afghanistan or other locations may be included in a NEG application as a result of this guidance. TEGL 16-03, paragraph 4.o., describes the procedures to apply for NEG funds to serve all other military spouses.

**b. Other Requirements.** The following requirements are clarifications of information contained in the NEG guidelines as published in the Federal Register on April 27, 2004, and the NEG policy TEGL No. 16-03 issued on January 26, 2004, and apply only to applications submitted for the target groups described in this issuance:

**(1) Type of Applications.** Requests to assist workers whose dislocation from their original employer was certified eligible for trade adjustment assistance should be identified as "dual-enrollment" projects. Requests to assist workers (those not trade-certified) whose WIA training was interrupted and services for spouses of returning members of the National Guard or Reserves and widows should be submitted as "regular" NEG applications, using the policies articulated in this issuance.

The application must identify the number of individuals planned to be served and the identity of the project operators. Estimates of individuals to be served must be supported by the results of a needs assessment survey or confirmation and support from a military authority that substantiate the number of individuals who will require assistance. Data from the Trade and WIA programs must be submitted to substantiate the number of individuals who require assistance because their services in those programs were interrupted due to covered deployments. It will not be necessary to identify the names of the companies from which the workers were dislocated prior to deployment. Please note that the purpose of this opportunity is to assist those who have lost their jobs. It is not for those individuals who may desire to change jobs.

**(2) Number of Participants.** Due to the unique circumstances of the expected needs of these target groups and to allow similar services (e.g., needs-related payments and continuation of interrupted training), the Department will consider requests for dual-enrollment and regular projects, as appropriate, proposing to serve less than 50 workers. However, to increase efficiencies, states are encouraged to submit only one application to cover multiple local areas. If additional individuals from the target group are identified after an

application has been funded, a modification request may be submitted to increase the number of participants and/or project operators.

- (3) Training.** Funds requested under this TEGL may be used (1) to pay the costs necessary for an individual to finish the course of study already undertaken, (2) to pay the costs of training where it is necessary to amend the individual training plan to be more responsive to the changes in the local economy or job requirement changes that have occurred since deployment, (3) for TAA participants, to begin a new training program including remedial education if required, and if it is determined that a new training program is appropriate due to changes in the local economy or changes in the skills or personal circumstances of the military returnee, or (4) where training is required to assist military spouses or widows with obtaining employment.
- (4) Needs-Related Payments (Income Support).** A request may include funds for needs-related payments when individuals were eligible for UI/TRA as part of a TAA-covered worker group and the eligibility period for receiving TRA has passed due to the individual's deployment, or when the individual was not able to enroll in TAA-approved training due to military deployment and thus is not eligible for TRA. In cases where the individual has remaining eligibility for TRA, the state should first pay the remaining weeks of TRA; then the state may provide additional weeks of needs-related payments so that the individual receives income support through the conclusion of his/her TAA-approved training program. If the worker has no TRA eligibility, the state may provide needs-related payments for as many weeks as the individual is participating in the TAA-approved training.

For individuals not eligible for the trade program, needs-related payments may also be requested without regard to whether income support is provided in a local area's formula Dislocated Worker program. In order to be eligible for needs-related payments, the worker must be unemployed and meet the eligibility criteria for receiving such payments under 20 CFR 671.140(c)(1). The NEG application must include the policy under which needs-related payments will be made.

5. **Inquiries.** Questions regarding this transmittal should be directed to the appropriate Regional Administrator.