Goal: A broad statement of what the coalition project is intended to accomplish (e.g., delay in the onset of substance abuse among youth).

Impact: The ultimate desired results of efforts undertaken, manifesting as actual reductions in substance abuse among youth.

In-kind match: Something of value received other than money, such as donated services.

Multisector: More than one agency or institution working together.

Multistrategy: More than one prevention strategy, such as information dissemination, skill building, use of alternative approaches to substance abuse reduction, social policy development, and environmental approaches, working in combination with each other to produce a comprehensive plan.

Nonprofit: An organization described under section 501(c)(3) of the Internal Revenue Code of 1986 that is exempt from taxation under 501(a) of the Internal Revenue code of 1986.

Objectives: What is to be accomplished during a specific period of time to move toward achievement of a goal, expressed in specific measurable terms. There may be numerous objectives for each goal identified (e.g., to increase the number of youth in elementary and middle school who perceive use of substances as a moderate or great risk by 20 percent within 3 years).

Protective factors: Those factors that increase an individual's ability to resist the use and abuse of drugs.

Resiliency factors: Personal traits that allow children to survive and grow into healthy, productive adults in spite of having experienced negative/traumatic experiences and high-risk environments.

Risk factors: Those factors that increase an individual's vulnerability to drug use and abuse.

Dated: February 3, 1999.

Janet Crist,

Chief of Staff, Office of National Drug Control Policy.

Shay Bilchik,

Administrator, Office of Juvenile Justice and Delinquency Prevention.

[FR Doc. 99–3047 Filed 2–9–99; 8:45 am]

BILLING CODE 4410–19–P

DEPARTMENT OF LABOR

Labor Advisory Committee for Trade Negotiations and Trade Policy

Meeting Notice

Pursuant to the provisions of the Federal Advisory Committee Act (P.L. 92–463 as amended), notice is hereby given of a meeting of the Steering Subcommittee of the Labor Advisory Committee for Trade Negotiations and Trade Policy.

Date, time and place: February 23, 1999, 10:00 a.m., U.S. Department of Labor, N–3437C, 200 Constitution Ave., NW, Washington, D.C. 20210.

Purpose: The meeting will include a review and discussion of current issues which influence U.S. Trade policy. Potential U.S. negotiating objectives and bargaining positions in current and anticipated trade negotiations will be discussed. Pursuant to 19 U.S.C. 2155(f) it has been determined that the meeting will be concerned with matters the disclosure of which would seriously compromise the Government's negotiating objectives or bargaining positions. Accordingly, the meeting will be closed to the public.

For further information, contact: Jorge Perez-Lopez, Director, Office of International Economic Affairs, Phone: (202) 219–7597.

Signed at Washington, DC, this 1st day of February 1999.

Andrew James Samet,

Deputy Under Secretary, International Affairs.

[FR Doc. 99–3268 Filed 2–9–99; 8:45 am]

BILLING CODE 4510–01–M

DEPARTMENT OF LABOR

Employment and Training Administration

Labor Certification Process for the Temporary Employment of Aliens in Agriculture and Logging in the United States: 1999 Adverse Effect Wages Rates, Allowable Charges for Agricultural and Logging Workers' Meals, And Maximum Travel Subsistence Reimbursement

AGENCY: U.S. Employment Service, Employment and Training Administration, Labor.

ACTION: Notice of adverse effect wage rates (AEWRs), allowable charges for meals, and maximum travel subsistence reimbursement for 1999.

SUMMARY: The Director, U.S. Employment Service, announces 1999 adverse effect wage rates (AEWRs) for employers seeking nonimmigrant alien (H–2A) workers for temporary or seasonal agricultural labor or services, the allowable charges employers seeking nonimmigrant alien workers for temporary or seasonal agricultural labor or services or logging work may levy upon their workers when they provide three meals per day, and the maximum travel subsistence reimbursement which a worker with receipts may claim in 1999.

AEWRs are the minimum wage rates which the Department of Labor has determined must be offered and paid to U.S. and alien workers by employers of nonimmigrant alien agricultural workers (H–2A visaholders). AEWRs are established to prevent the employment of these aliens from adversely affecting wages of similarly employed U.S. workers.

The Director also announces the new rates which covered agricultural and logging employers may charge their workers for three daily meals.

Under specified conditions, workers are entitled to reimbursement for travel subsistence expense. The minimum reimbursement is the charge for three daily meals as discussed above. The Director here announces the current maximum reimbursement for workers with receipts.

EFFECTIVE DATE: February 10, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. John R. Beverly, III, Director, U.S. Employment Service, U.S. Department of Labor, Room N–4700, 200 Constitution Avenue, N.W., Washington, DC 20210. Telephone: 202–219–5257 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: The Attorney General may not approve an employer's petition for admission of temporary alien agricultural (H–2A) workers to perform agricultural labor or services of a temporary or seasonal nature in the United States unless the petitioner has applied to the Department of Labor (DOL) for an H–2A labor certification. The labor certification must show that: (1) There are not sufficient U.S. workers who are able, willing, and qualified and who will be available at the time and place needed to perform the labor or services involved in the petition; and (2) the employment of the alien in such labor or services will not adversely affect the wages and working conditions of workers in the United States similarly employed. 8 U.S.C. 1101(a)(15)(H)(ii)(a), 1184(c), and 1188.

DOL's regulations for the H–2A program require that covered employers offer and pay their U.S. and H–2A workers no less than the applicable hourly adverse effect wage rate (AEWR). 20 CFR 655.102(b)(9); see also 20 CFR 655.107. Reference should be made to the preamble to the July 5, 1989, final rule (54 FR 28037), which explains in great depth the purpose and history of AEWRs, DOL's discretion in setting AEWRs, and the AEWR computation methodology at 20 CFR 655.107(a). See also 52 FR 20496, 20502–20505 (June 1, 1987).

A. Adverse Effect Wage Rates (AEWRs) for 1999

Adverse effect wage rates (AEWRs) are the minimum wage rates which DOL has determined must be offered and paid to U.S. and alien workers by employers of nonimmigrant (H–2A) agricultural workers. DOL emphasizes, however, that such employers must pay the highest of the AEWR, the applicable prevailing wage or the statutory minimum wage, as specified in the regulations. 20 CFR 655.102(b)(9). Except as otherwise provided in 20 CFR Part 655, Subpart B, the regionwide AEWR for all agricultural employment (except those occupations deemed inappropriate under the special circumstances provisions of 20 CFR 655.93) for which temporary alien agricultural labor (H–2A) certification is being sought, is equal to the annual weighted average hourly wage rate for field and livestock workers (combined) for the region as published annually by the U.S. Department of Agriculture (USDA does not provide data on Alaska). 20 CFR 655.107(a).

The regulation at 20 CFR 655.107(a) requires the Director, U.S. Employment Service, to publish USDA field and livestock worker (combined) wage data as AEWRs in a **Federal Register** notice. Accordingly, the 1999 AEWRs for work performed on or after the effective date of this notice, are set forth in the table below:

TABLE—1999 ADVERSE EFFECT WAGE RATES (AEWRS)

State	1999 AEWR
Alabama	$6.30
Arizona	6.42
Arkansas	6.21
California	7.23
Colorado	6.73
Connecticut	7.18
Delaware	6.84
Florida	7.13
Georgia	6.30
Hawaii	8.97
Idaho	6.48
Illinois	7.53
Indiana	7.53
Iowa	7.17
Kansas	7.12
Kentucky	6.28
Louisiana	6.21
Maine	7.18
Maryland	6.84
Massachusetts	7.18
Michigan	7.34
Minnesota	7.34
Mississippi	6.21
Missouri	7.17
Montana	6.48
Nebraska	7.12
Nevada	6.73
New Hampshire	7.18
New Jersey	6.84
New Mexico	6.42
New York	7.18
North Carolina	6.54
North Dakota	7.12
Ohio	7.53
Oklahoma	6.25
Oregon	7.34
Pennsylvania	6.84
Rhode Island	7.18
South Carolina	6.30
South Dakota	7.12
Tennessee	6.28
Texas	6.25
Utah	6.73
Vermont	7.18
Virginia	6.54
Washington	7.34
West Virginia	6.28
Wisconsin	7.34
Wyoming	6.48

B. Allowable Meal Charges

Among the minimum benefits and working conditions which DOL requires employers to offer their alien and U.S. workers in their applications for temporary logging and H–2A agricultural labor certification is the provision of three meals per day or free and convenient cooking and kitchen facilities. 20 CFR 655.102(b)(4) and 655.202(b)(4). Where the employer provides meals, the job offer must state the charge, if any, to the worker for meals.

DOL has published at 20 CFR 655.102(b)(4) and 655.111(a) the methodology for determining the maximum amounts covered H–2A agricultural employers may charge their U.S. and foreign workers for meals. The same methodology is applied at 20 CFR 655.202(b)(4) and 655.211(a) to covered H–2 logging employers. These rules provide for annual adjustments of the previous year's allowable charges based upon Consumer Price Index (CPI) data.

Each year the maximum charges allowed by 20 CFR 655.102(b)(4) and 655.202(b)(4) are changed by the same percentage as the twelve-month percent change in the CPI for all Urban Consumers for Food (CPI–U for Food) between December of the year just past and December of the year prior to that. Those regulations and 20 CFR 655.111(a) and 655.211(a) provide that the appropriate Regional Administrator (RA), Employment and Training Administration, may permit an employer to charge workers no more than a higher maximum amount for providing them with three meals a day, if justified and sufficiently documented. Each year, the higher maximum amounts permitted by 20 CFR 655.11(a) and 655.211(a) are changed by the same percentage as the twelve-month percent change in the CPI–U for Food between December of the year just past and December of the year prior to that. The regulations require the Director, U.S. Employment Service, to make the annual adjustments and to cause a notice to be published in the **Federal Register** each calendar year, announcing annual adjustments in allowable charges that may be made by covered agricultural and logging employers for providing three meals daily to their U.S. and alien workers. The 1998 rates were published in a notice on February 18, 1998 at 63 FR 8218.

DOL has determined the percentage change between December of 1997 and December of 1998 for the CPI–U for Food was 2.2 percent.

Accordingly, the maximum allowable charges under 20 CFR 655.102(b)(4), 655.202(b)(4), 655.111, and 655.211 were adjusted using this percentage change, and the new permissible charges for 1999 are as follows: (1) for 20 CFR 655.102(b)(4) and 655.202(b)(4), the charge, if any, shall be no more than $7.84 per day, unless the RA has approved a higher charge pursuant to 20 CFR 655.111 or 655.211(b); for 20 CFR 655.111 and 655.211, the RA may permit an employer to charge workers up to $9.70 per day for providing them with three meals per day, if the employer justifies the charge and submits to the RA the documentation required to support the higher charge.

C. Maximum Travel Subsistence Expense

The regulations at 20 CFR 655.102(b)(5) establish that the minimum daily subsistence expense related to travel expenses, for which a worker is entitled to reimbursement, is the employer's daily charge for three meals or, if the employer makes no charge, the amount permitted under 20 CFR 655.104(b)(4). The regulation is silent about the maximum amount to which a qualifying worker is entitled.

The Department, in Field Memorandum 42–94, established that the maximum is the meals component of the standard CONUS (continental United States) per diem rate established by the General Services Administration (GSA) and published at 41 CFR Ch. 301. The CONUS meal component is not $30.00 per day.

Workers who qualify for travel reimbursement are entitled to reimbursement up to the CONUS meal rate for related subsistence when they provide receipts. In determining the

appropriate amount of subsistence reimbursement, the employer may use the GSA system under which a traveler qualifies for meal expense reimbursement per quarter of a day. Thus, a worker whose travel occurred during two quarters of a day is entitled, with receipts, to a maximum reimbursement of $15.00.

If a worker has no receipts, the employer is not obligated to reimburse above the minimum stated at 20 CFR 655.102(b)(4) as specified above.

Signed at Washington, D.C., this 4th day of February, 1999.

John R. Beverly, III,

Director, U.S. Employment Service.

[FR Doc. 99–3269 Filed 2–9–99; 8:45 am]

BILLING CODE 4510–30–M

DEPARTMENT OF LABOR

Employment and Training Administration

Federal-State Unemployment Compensation Program: Unemployment Insurance Program Letter Interpreting Federal Unemployment Insurance Law

The Employment and Training Administration interprets Federal law requirements pertaining to unemployment compensation (UC) as part of its role in the administration of the Federal-State UC program. These interpretations are issued in Unemployment Insurance Program Letters (UIPLs) to the State Employment Security Agencies. The UIPL described below is published in the **Federal Register** in order to inform the public.

UIPL No. 13–99

To promote the employment of public assistance recipients, some States have considered or enacted legislation to ensure that employer experience rates are not adversely affected if these individuals subsequently become unemployed. For example, States have excluded from the employer's experience rating computations unemployment benefits paid to former employees who previously received public assistance. UIPL No. 13–99 advises State agencies of the Department of Labor's position that consideration of the receipt of public assistance or other pre-employment circumstances of employees (current or former) in employer experience rating determinations does not conform with Federal law requirements at Section 3303(a)(1) of the Federal Unemployment Tax Act (FUTA). The Department takes this position for two reasons: (1) using these circumstances to a priori exclude wages earned by a worker ignores a portion of the employer's experience with respect to unemployment, inconsistent with Section 3303(a)(1), FUTA, and (2) the receipt of public assistance and other pre-employment circumstances are not directly related to the employer's experience with the impact of unemployment on his or her workers, as required by Section 3303(a)(1), FUTA. All situations where the consideration of pre-employment income or circumstances could be introduced into a State's experience rating system, including the noncharging of benefits, is inconsistent with Federal law.

Dated: February 3, 1999.

Raymond L. Bramucci,

Assistant Secretary of Labor.

U.S. Department of Labor, Employment and Training Administration, Washington, D.C. 20210
Classification: UI
Correspondence Symbol: TEUL
Date: January 22, 1999
Directive: Unemployment Insurance Program Letter No. 13–99
To : All State Employment Security Agencies
From: Grace A. Kilbane, Director, Unemployment Insurance Service
Subject: Consideration of Former Employees' Pre-employment Income or Circumstances In Experience Rating Computations

1. *Purpose.* To inform States of the Department of Labor's position regarding the use of former employees' pre-employment income or circumstances in determining employer experience rates.

2. *References.* Section 3303(a)(1), Federal Unemployment Tax Act (FUTA) and Unemployment Insurance Program Letter (UIPL) 29–83.

3. *Background.* In order to promote the employment of public assistance recipients, some States have considered or enacted legislation intended to ensure that employer experience rates are not adversely affected if these indi-viduals subsequently become unemployed. A method chosen by some States to prevent an adverse effect on experience rates has been to exclude from the employer's experience rating computations unemployment benefits paid to former employees who have previously received public assistance.
Rescissions: None
Expiration Date: Continuing

The Department of Labor considers efforts to encourage the employment of public assistance recipients laudable; however, it is the Department of Labor's position that consideration of the receipt of public assistance or other pre-employment circumstances of employees (current or former) in employer experience rating determinations does not conform with Federal law.

4. *Federal Law Requirements.* Section 3303(a)(1), FUTA, contains the Federal experience rating requirement for employers in a State to receive the additional credit against the FUTA tax. Additional credit is allowed to employers paying reduced rates of contributions, where the State law conforms with 3303(a)(1), FUTA. For FUTA tax credit purposes, these employers are treated as though they had paid contributions at the highest rate assigned based on experience, or 5.4 percent, whichever is lower. Section 3303(a)(1), FUTA, requires that State law provide that:

no reduced rate of contributions to a pooled fund or to a partially pooled account is permitted to a person (or group of persons) having individuals in his (or their) employ except on the basis of his (or their) experience with respect to unemployment or other factors bearing a direct relation to unemployment risk during not less than the 3 consecutive years immediately preceding the computation date; [1]

Although the term ''experience'' is often used as convenient shorthand, no State system directly measures experience with respect to unemployment. Instead, all States use a factor or combination of factors bearing a direct relation to unemployment risk. Since the unemployment risk of the worker is the basic phenomenon which is to be measured, the factors referred to in Section 3303(a)(1) are limited to those basic elements that measure an employer's experience with the impact of unemployment upon his or her workers. (See page 2 of the Attachment to UIPL 29–83.) In addition, the experience must be measured throughout a period of not less than 3 years preceding the computation date.

The use of public assistance status or other pre-employment circumstances of individual workers is not consistent with this interpretation of the requirements of Section 3303(a)(1), FUTA, for two reasons. First, using these circumstances to a priori exclude wages earned by a worker in determining experience is inconsistent with Federal law, since a portion of the employer's experience during the 3-year period will never be used.

Second, the receipt of public assistance and other pre-employment circumstances are not directly related to the employer's experience with the impact of unemployment on his or her workers. These circumstances are not directly related to the employer's need for services, the term of employment, or the reason for separation from employment. For example, during a lay-off, all workers are separated due to a lack of work. Whether the individual previously received public assistance has no bearing on the fact that a lack of work exists. As another example, if a worker is discharged for misconduct, the reason for the separation is the worker's misconduct, not pre-employment status.

In conclusion, all situations where the consideration of pre-employment income or circumstances could be introduced into a State's experience rating system, including the noncharging of benefits, is inconsistent

[1] Section 3303(a), FUTA, also makes provision for States to reduce the rate of contributions for new employers.