



JUN 15 2012

The Honorable Togiola Tulafono  
Governor of American Samoa  
Executive Office Building  
Third Floor  
Utulei, Pago Pago, American Samoa 96799

Dear Governor Tulafono:

This letter provides approval of an extension of American Samoa's current Workforce Investment Act (WIA) and Wagner-Peyser Act (W-P) State Plan for a portion of Program Year (PY) 2012. This letter also provides approval of extensions for American Samoa's current waivers. Training and Employment Guidance Letter (TEGL) No. 21-11, issued on March 27, 2012, provides guidance for state and territories to secure approval of their WIA/W-P State Plans and waivers for PY 2012. In accordance with TEGL No. 21-11 and your extension request, American Samoa must submit a full five-year WIA/W-P State Plan by September 15, 2012.

#### Extension of State Plan

American Samoa's existing State Plan will expire on June 30, 2012. This letter constitutes a written determination under WIA Section 112 (29 USC 2822) that the Employment and Training Administration (ETA) is temporarily extending the approval of American Samoa's State Plan for WIA Title I and the Wagner-Peyser Act into PY 2012, for the period July 1, 2012 through December 31, 2012. American Samoa already received its formula allotment for the WIA Youth program for PY 2012. American Samoa is eligible to receive WIA formula allotments for the Adult and Dislocated Worker programs under the PY 2012 Annual Funding Agreement.

#### Performance Levels

American Samoa requested to temporarily extend its existing PY 2011 WIA performance goals for a portion of PY 2012. ETA has incorporated these performance goals, identified as PY 2012 performance goals, into the Regional

and National Office copies of the State Plan. Please include these PY 2012 goals in the official copy of the State Plan. As required by TEGL 21-11, American Samoa must renegotiate its new PY 2012 goals upon submission of its full State Plan.

### Waiver

As part of American Samoa's extension of the WIA/W-P Act State Plan, and as described in TEGL No. 21-11, the Territory requested a temporary extension of its PY 2011 waiver of statutory and regulatory requirements under WIA for PY 2012. The disposition of American Samoa's waiver extension is outlined below. This action is taken under the Secretary's authority at WIA Section 189(i) to waive certain requirements of WIA Title I, Subtitles B and E, and Sections 8-10 of the Wagner-Peyser Act.

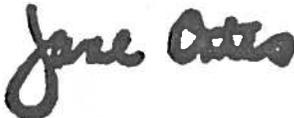
### Waiver of WIA Section 101(31)(B) to increase the employer reimbursement for on-the-job training.

American Samoa was previously granted a waiver to permit an increase in employer reimbursement for on-the-job training through a sliding scale based on the size of the business. The Territory is granted an extension of this waiver through December 31, 2012. Under the waiver, the following reimbursement amounts will be permitted: 1) up to 90 percent for employers with 50 or fewer employees, and 2) up to 75 percent for employers with 51-250 employees. For employers with more than 250 employees, the current statutory requirements (50 percent reimbursement) will continue to apply. When determining the funding source for on-the-job training, the Territory must use the appropriate program funds for the appropriate WIA-eligible population. American Samoa may provide on-the-job training to individuals 18 years of age or older with WIA Adult funds and must provide priority to low-income individuals when funds are limited; American Samoa may provide on-the-job training to dislocated workers with WIA Dislocated Worker funds. On-the-job training provided with these funds must serve WIA eligible individuals.

The approved waiver is incorporated by reference into American Samoa's WIA Grant Agreement, as provided for under paragraph 3 of the executed Agreement, and this constitutes a modification of the State Plan. A copy of this letter should be filed with the WIA Grant Agreement and the approved State Plan. In addition, as described in TEGL No. 29-11, American Samoa should address the impact that this waiver has had on performance in the WIA annual performance report, due on October 1 of each year.

We look forward to receiving your full State Plan for PY 2012 and working together as you implement your workforce strategies. If you have any questions related to the issues discussed above, please contact John Jacobs the Federal Project Officer for American Samoa, at 415-625-7940 or Jacobs.John@dol.gov.

Sincerely,

A handwritten signature in black ink that reads "Jane Oates". The signature is written in a cursive, slightly slanted style.

Jane Oates  
Assistant Secretary

Enclosure

cc: Todd Yamamoto, Acting Regional Administrator, ETA San Francisco  
Regional Office  
John Jacobs, Federal Project Officer for American Samoa



**TOGIOLA T.A. TULAFONO**

*Governor*

**FAOA A. SUNIA**

*Lieutenant Governor*

**OFFICE OF THE GOVERNOR**

American Samoa

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April 5<sup>th</sup>, 2012

Serial: 354

Ms. Heather Fleck  
Room S4209  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

RE: American Samoa State Plan and Waiver Extension Request for PY 2012

Dear Ms. Fleck:

On March 27, 2012, the USDOL Employment and Training Administration (ETA) issued a Training and Employment Guidance Letter, TEGL 21-11 "Instructions for Requirements for PY 2012 State Workforce Plan.

American Samoa's Territorial Strategic Plan for Title 1 of the Workforce Investment Act (WIA) will expire on June 30, 2012. In accordance with TEGL 21-11, the Territory of American Samoa is requesting the U.S. Department of Labor, ETA for a temporary extension of the currently approved PY 2011 Plan to PY 2012.

The Wagner-Peyser Act Program is not applicable to American Samoa at this time. Therefore, no extension is needed. The Territory is also requesting to extend the use of the performance goals for PY 2011 and the existing Waiver into PY 2012.

We are very proud of our commitment to support local flexibility awarded through the use of waivers to address local needs specific to our unique community. We are seeking a waiver extension which permits up to 90% reimbursement for On-the-Job Training. Reimbursement would be provided on a sliding scale based on employer use.

Up to 90% for employers with 50 or fewer employees; up to 75% for employees with 51 to 250 employees, for employers with 251 or more employees would remain at the 50% statutory level. The sliding scale will allow the Territory of American Samoa to encourage and expand the hiring of unemployed adults and dislocated workers who lack some of the skills needed to meet an employer's needs. It will provide them with opportunities for retooling of their skills and introduction to new technology while they return to the workplace and earn wages to support themselves and their families.

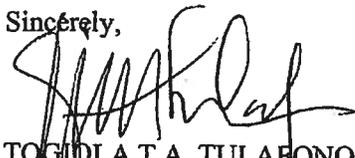
The Workforce Board and the WIA Administrative Entity, Department of Human Resources and its Partners will submit the Territorial WIA Workforce Integrated 5-Year Plan by September 7, 2012.

The additional time is needed to secure greater partnership with our partners that will take considerable planning time, effort and new partnerships. The extension of time for planning also includes the need to incorporate the various collaboration and partnership with our partners and service providers under the National Emergency Grant (NEG).

In closing, American Samoa's workforce development system is committed to improving the employability of our citizens in the Territory. We continue to remain dedicated to building and expanding relationships with employers and our Partners in support of economic development in the Territory.

Inquiries regarding the Territorial WIA Workforce Integrated 5-Year Plan may be directed to Ms. Makerita Enesi, Chief of Employment & Training Division, Department of Human Resources at (684) 633-4485 and at likapago@yahoo.com.

Sincerely,



TOGIOLA T.A. TULAFONO  
Governor of American Samoa

xc: Regional Administrator, Region 6  
John Jacobs, Federal Project Officer, Region 6  
Evelyn V. Langford, Director-DHR, American Samoa Government  
Apisa Pete Galea'i, Chairman, American Samoa Workforce Board