

EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. DEPARTMENT OF LABOR Washington, D.C. 20210	CLASSIFICATION Foreign Labor Certification
	CORRESPONDENCE SYMBOL OFLC
	DATE May 12, 2026

ADVISORY: TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 15-24, CHANGE 1

TO: STATE WORKFORCE AGENCIES
STATE WORKFORCE ADMINISTRATORS

FROM: HENRY MACK, ED.D. 
Assistant Secretary

SUBJECT: Change 1 to Training and Employment Guidance Letter No. 15-24, Foreign Labor Certification Grant Planning Guidance for Fiscal Year 2026

1. **Purpose.** To communicate allotment amounts for Fiscal Year (FY) 2026 foreign labor certification grants and explain updated application requirements to State Workforce Agencies (SWA). The rest of Training and Employment Guidance Letter (TEGL) No. 15-24 remains the same.
2. **Action Requested.** SWA Administrators are requested to share this guidance within their respective organizations to ensure that fiscal and programmatic staff are aware that FY 2026 allotments are available. SWAs must submit applications within 30 days of this guidance being issued. Applications must meet the application requirements detailed in Attachment I.
3. **Summary and Background.**
 - a. Summary – This Change 1 to Training and Employment Guidance Letter (TEGL) No. 15-24 provides updated application guidance and the SWAs’ FY 2026 grant allotments for foreign labor certification activities.
 - b. Background – The mission of ETA’s Office of Foreign Labor Certification (OFLC) is to determine, on a case-by-case basis, whether there are able, willing, and qualified U.S. workers available for a job, and whether there will be adverse impact on the wages and working conditions of similarly employed U.S. workers should a labor certification be granted. The Immigration and Nationality Act and the Northern Mariana Islands U.S. Workforce Act of 2018 (Workforce Act) assign certain responsibilities to the Secretary of Labor (Secretary) for employment-based immigration programs. The Secretary has delegated the non-enforcement responsibilities of these labor certification programs to OFLC.

RESCISSIONS None	EXPIRATION DATE Continuing
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Accordingly, statutory and regulatory provisions of foreign labor certification programs administered by OFLC generally require employers seeking to hire foreign labor on a permanent or temporary basis to apply to the Secretary for a labor certification. ETA provides annual grants to each SWA based on their 3-year strategic grant plan to support required state-level foreign labor certification activities. These activities include, but are not limited to, reviewing and placing job orders (for H-2A and H-2B) and job vacancy announcements (for CW-1) to recruit U.S. workers; providing assistance to employers in the effective recruitment of U.S. workers; conducting safety inspections of employer-provided housing for H-2A agricultural workers and workers in corresponding employment; performing prevailing practice and wage surveys used to set the wages and working standards for occupations within the state; conducting the Commonwealth of the Northern Mariana Islands (CNMI) governor's survey for CW-1; and conducting post-certification site visits to support employer compliance with H-2A and H-2B program requirements.

4. **Content.** See Attachment I for updated application guidance and Attachment II for the FY 2026 Grant Allotments.
5. **General Administration.** With their FY 2026 grant allotments, SWAs are responsible for carrying out foreign labor certification activities outlined in the FY 2025 – 2027 Strategic Grant Plan (See Attachment III of TEGL 15-24, available here: <https://www.dol.gov/agencies/eta/advisories/tegl-15-24>).
6. **Inquiries.** SWA staff should direct all grant-related questions to OFLC at FLC.Grant@dol.gov.
7. **References.**
 - Immigration and Nationality Act, as amended, 8 U.S.C. 1101(a), 1182(a)(5)(A), 1184(c), and 1188;
 - Approval of Covenant to Establish a Commonwealth of the Northern Mariana Islands, 48 U.S.C. 1801, 1806;
 - Wagner-Peyser Act, 29 U.S.C. 49f(d);
 - U.S. Citizenship and Immigration Services regulations at 8 Code of Federal Regulations (CFR) Part 214;
 - 20 CFR Parts 653, subpart F; 654, subpart E; 655, subparts A, B and E; 656; and 658;
 - ETA H-2A Program Handbook No. 398, January 1988;
 - 2 CFR Part 200 Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
 - 2 CFR Part 2900, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, Department of Labor; and
 - Full-Year Continuing Appropriations and Extensions Act, 2025 (H.R. 1968).
8. **Attachment(s).**
 - Attachment I: FY 2026 Application Guidance
 - Attachment II: FY 2026 Grant Allotments

FY 2026 Application Guidance

All documents specified in Attachment I (Program Planning Guidance and Information Package) of TEGL15-24 must be provided as a new and complete application through the www.grants.gov portal according to submission requirements specified in the attachment, **except for the Three-Year Strategic Grant Plan**, which is already approved and should not be resubmitted.

The following documents will still be required as part of the SWAs submission package:

- SF-424: Application for Federal Assistance, Expiration date 3/31/2029, OMB Control No. 4040-0004.
- SF-424A: Budget Information, Non-Construction Programs, Expiration Date 6/30/2028, OMB Control No. 4040-0006.
- Budget Narrative to explain the projected costs reflected in each line item of the SF424A, demonstrating how grant funds will be used.
- Indirect Cost Rate Agreement (if applicable).

SWAs should reference Attachment I of TEGL 15-24 for complete guidance, and contact OFLC at FLC.Grant@dol.gov with any questions.

Grant Use. The expenditure period for FY 2026 FLC State Grants is October 1, 2025, to September 30, 2028.

FY 2026 Grant Allotments

Allotment Formula.: The funding authorized for foreign labor certification state grants in the *Consolidated Appropriations Act, 2026* was allocated to the SWAs as described below:

1. Base Allocation: With limited exceptions, a base allocation was allocated to each SWA commensurate with its base allocation for the previous fiscal year and the level of obligations made under its active foreign labor certification grants. The exceptions are comprised of SWAs meeting each of the following criteria:
 - a. the SWA processed an annual average of less than five clearance orders attached to H-2A applications during the three most recently completed fiscal years (FY 2023-2025);
 - b. the SWA processed an annual average of less than five H-2B job orders during the three most recently completed fiscal years; and,
 - c. an annual average of less than five housing units were identified on clearance orders attached to H-2A applications processed by the SWA during the three most recently completed fiscal years.

In circumstances where a SWA’s workload met all three of these aforementioned factors, the SWA was allocated \$5,000 to support the costs associated with processing this minimal level of foreign labor certification workload. The SWAs meeting these criteria were Guam and the Virgin Islands.

2. Workload Allocation: In addition to its base allocation, each SWA, except those meeting the criteria described above, was allocated an additional ongoing amount based on its share of the national foreign labor certification workload. Each SWA’s workload allocation was determined in the following manner:
 - a. One-third of the additional allocation was based on each SWA’s proportion of the estimated national H-2A housing inspection workload. This was defined as the total number of housing units identified on clearance orders attached to H-2A applications processed during the three most recently completed fiscal years (FY 2023-2025) and located in the jurisdiction of the SWA, divided by the total number of housing units identified on clearance orders attached to H-2A applications processed by all SWAs during the three most recently completed fiscal years.
 - b. Two-thirds of the additional allocation was based on each SWA’s share of the national workload associated with reviewing and posting H-2A and H-2B job orders during the three most recently completed fiscal years (FY 2023 – 2025).

- Seventy percent of this amount was allocated based on each SWA's share of the total clearance orders attached to H-2A applications processed during the three most recently completed fiscal years (FY 2023 – 2025). For example, if SWA 1 processed five percent of the total nationwide clearance orders attached to H-2A applications processed during the three most recently completed fiscal years, then SWA 1 would receive five percent of the funding allocated on this basis. Because SWA reviews of clearance orders attached to H-2A applications have significantly more complex regulatory requirements than SWA reviews of H-2B job orders, a higher percentage of the available resources were allocated on the basis of clearance orders attached to H-2A applications than on H-2B job orders.
 - The remaining thirty percent was allocated based on each SWA's share of the total H-2B job orders processed during the three most recently completed fiscal years (FY 2023 – 2025). For example, if SWA 1 processed five percent of the total nationwide H-2B job orders processed during the three most recent fiscal years, then SWA 1 would receive five percent of the funding allocated based on H-2B job orders.
3. Total Grant Allocation: The combined total of each SWA's base allocation and ongoing workload allocation comprises the SWA's total FY 2026 grant award. The SWA's grant allocation may be reduced if substantial balances from prior years' grants remain available for use.
 4. Data Sources: The data sources used to determine the funding allocations are available in the OFLC disclosure data published at www.dol.gov/agencies/eta/foreign-labor/performance. Housing unit data was derived from Form ETA-790A, Addendum B. Data from the three most recently completed fiscal years was used for the workload factors to more accurately reflect long-term trends.

FY 2026 Appropriations: \$23,282,000

The funding amount below **must be indicated on the SF-424 and SF-424A*

	FY 2026 Grant:
Total	\$23,282,000
Alabama	\$210,914
Alaska	\$98,075
Arizona	\$360,747
Arkansas	\$400,902
California	\$2,211,046
CNMI	\$37,334
Colorado	\$491,477
Connecticut	\$209,024
Delaware	\$81,597
District of Columbia	\$5,654
Florida	\$1,075,646
Georgia	\$923,606
Hawaii	\$75,943
Idaho	\$479,169
Illinois	\$503,226
Indiana	\$216,043
Iowa	\$415,993
Kansas	\$278,771
Kentucky	\$633,840
Louisiana	\$599,408
Maine	\$403,426
Maryland	\$447,603
Massachusetts	\$374,690
Michigan	\$658,838
Minnesota	\$310,968
Mississippi	\$352,934
Missouri	\$309,980
Montana	\$494,357
Nebraska	\$275,802
Nevada	\$242,164
New Hampshire	\$95,306
New Jersey	\$514,664
New Mexico	\$128,856
New York	\$1,783,093
North Carolina	\$807,999

North Dakota	\$565,389
Ohio	\$489,202
Oklahoma	\$169,793
Oregon	\$422,182
Pennsylvania	\$585,593
Puerto Rico	\$37,065
Rhode Island	\$90,461
South Carolina	\$412,080
South Dakota	\$299,252
Tennessee	\$409,853
Texas	\$1,135,546
Utah	\$301,861
Vermont	\$182,659
Virgin Islands	\$5,000
Virginia	\$585,455
Washington	\$597,365
West Virginia	\$67,597
Wisconsin	\$243,714
Wyoming	\$172,838