

pending applications for renewal or modification of such registration be, and they hereby are, denied. This order is effective November 1, 2004.

Dated: September 8, 2004.

Michele M. Leonhart,

Deputy Administrator,

[FR Doc. 04-21964 Filed 9-30-04; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Employment and Training Administration

Supplemental Guidance for Labor Certification Process for Temporary Employment of Nonimmigrant Workers in the United States (H-2B Workers); Fiscal Year (FY) 2005

AGENCY: Employment and Training Administration (ETA), Department of Labor (DOL).

ACTION: Notice.

SUMMARY: On March 10, 2004, the United States Citizenship and Immigration Services (CIS) announced receiving sufficient H-2B petitions to reach the FY 2004 Congressionally mandated cap of 66,000. In light of CIS' announcement, ETA published a *Federal Register* notice on May 13, 2004 to provide guidance to the public regarding ETA's processing of H-2B applications that will count against the FY 2005 cap. ETA is publishing this notice to provide additional guidance due to the number of inquiries and questions that have arisen. This notice is intended to minimize confusion and burden to employers who use the H-2B program.

DATES: This notice is effective October 1, 2004.

FOR FURTHER INFORMATION CONTACT: William Carlson, Chief, Division of Foreign Labor Certification, U.S. Department of Labor, Room C-4312, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: 202-693-3010 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: DOL has continued to process alien labor certification applications since March 10, 2004, and many employers are in possession of a valid labor certification that has not been accepted by CIS for processing. CIS has advised that their practice has been to accept the H-2B labor certifications with periods of employment that cross fiscal years so long as some portion of the employment period remains. Employers with a valid H-2B labor certification with a date of need *prior to October 1, 2004*, but that

includes periods of planned employment after October 1, 2004, are encouraged to file H-2B labor certifications with CIS if some portion of the employment period remains.

ETA will continue to process new H-2B applications with dates of need within FY 2005 (that is, starting October 1, 2004 or later). For these new applications, employers must continue to follow existing filing rules, including regarding the timing of filing with the State Workforce Agency (SWA). Thus, employers must file a new H-2B application with the appropriate SWA no earlier than 120 days before the date of need and at least 60 days before the date of need.

The procedures described in this notice relate only to H-2B applications for nonimmigrant workers subject to the numerical limitation (cap) for FY 2005 and who will be engaged in temporary work to commence on or after October 1, 2004.

Signed at Washington, DC, this 28th day of September, 2004.

Emily Stover DeRocco,

Assistant Secretary, Employment and Training Administration.

[FR Doc. 04-22059 Filed 9-30-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment Standards Administration Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the

payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and supersedes decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon and Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department.

Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

Modification to General Wage Determination Decisions

The number of the decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and Related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Massachusetts

MA030001 (Jun. 13, 2003)
MA030002 (Jun. 13, 2003)
MA030019 (Jun. 13, 2003)

New York

NY030002 (Jun. 13, 2003)
NY030003 (Jun. 13, 2003)
NY030004 (Jun. 13, 2003)
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NY030026 (Jun. 13, 2003)
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NY030037 (Jun. 13, 2003)
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NY030041 (Jun. 13, 2003)
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NY030045 (Jun. 13, 2003)
NY030048 (Jun. 13, 2003)
NY030049 (Jun. 13, 2003)
NY030051 (Jun. 13, 2003)
NY030060 (Jun. 13, 2003)
NY030072 (Jun. 13, 2003)
NY030075 (Jun. 13, 2003)
NY030077 (Jun. 13, 2003)

Volume II

None

Volume III

North Carolina

NC030001 (Jun. 13, 2003)
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Illinois

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IA030045 (Jun. 13, 2003)
IA030047 (Jun. 13, 2003)
IA030054 (Jun. 13, 2003)
IA030059 (Jun. 13, 2003)
IA030060 (Jun. 13, 2003)

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Alaska

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ID030019 (Jun. 13, 2003)

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OR030001 (Jun. 13, 2003)
OR030004 (Jun. 13, 2003)
OR030007 (Jun. 13, 2003)

Washington

WA030001 (Jun. 13, 2003)
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WA030006 (Jun. 13, 2003)
WA030007 (Jun. 13, 2003)
WA030010 (Jun. 13, 2003)
WA030011 (Jun. 13, 2003)
WA030023 (Jun. 13, 2003)

Volume VII

None

General Wage Determination Publication

General wage determinations issued under the Davis-Bacon and related Acts, including those noted above, may be found in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under the Davis-Bacon And Related Acts". This publication is available at each of the 50 Regional Government Depository Libraries and many of the 1,400 Government Depository Libraries across the country.

General wage determinations issued under the Davis-Bacon and related Acts are available electronically at no cost on the Government Printing Office site at <http://www.access.gpo.gov/davisbacon>.

They are also available electronically by subscription to the Davis-Bacon Online Service (<http://davisbacon.fedworld.gov>) of the National Technical Information Service (NTIS) of the U.S. Department of Commerce at 1-800-363-2068. This subscription offers value-added features such as electronic delivery of modified wage decisions directly to the user's desktop, the ability to access prior wage decisions issued during the year, extensive Help desk Support, etc.

Hard-copy subscriptions may be purchased from: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 512-1800.

When ordering hard-copy subscription(s), be sure to specify the State(s) of interest, since subscriptions may be ordered for any or all of the six separate volumes, arranged by State. Subscriptions include an annual edition (issued in January or February) which includes all current general wage determinations for the States covered by each volume. Throughout the remainder of the year, regular weekly updates will be distributed to subscribers.

Signed at Washington, DC, this 23 day of September 2004.

John Frank,

Acting Chief, Branch of Construction Wage Determinations.

[FR Doc. 04-21744 Filed 9-30-04; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF LABOR

Veterans' Employment and Training Service

Solicitation for Grant Applications for Veterans' Workforce Investment Program Grants for Program Year 2004

Announcement Type: Initial Announcement.

Funding Opportunity Number: #04-11.

Catalog of Federal Domestic Assistance (CFDA) Number: 17.802.

Key Dates: Applications are to be submitted by no later than November 1, 2004.

Delivery Address: U.S. Department of Labor, Procurement Services Center, Attention: Cassandra Mitchell, Reference SGA #04-11, Room N5416, 200 Constitution Ave., NW., Washington, DC 20210.

Executive Summary: The U.S. Department of Labor (DOL), Veterans' Employment and Training Service (VETS) announces a competition for the balance of the Veterans' Workforce