

Environmental Protection Agency in connection with the removal of hazardous substances at the Georgia Avenue PCE Site, as well as civil penalties for failure to respond to an information request issued by the Environmental Protection Agency, and Gus Dinos for civil penalties for failure to respond to an information request issued by the Environmental Protection Agency.

The United States previously lodged with the Court a proposed consent decree that, if entered by the Court, would resolve the United States' claims against George A. Spanos, in his capacity as the trustee of the George A. Spanos Living Trust. The presently proposed consent decree resolves the United States' remaining claims against Anthony Spanos, Inc. and Gus Dinos. Under the proposed consent decree, Anthony Spanos, Inc. agrees to assign its rights to proceeds under its insurance policies to the United States. In return, the United States agrees not to sue Anthony Spanos, Inc. under Sections 106 and 107 of CERCLA. In addition, under the proposed consent decree, Gus Dinos agrees to pay a \$5,000 civil penalty.

The publication of this notice opens a period for public comment on the consent decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States v. Anthony Spanos, Inc., et al.*, D.J. Ref. No. 90-11-3-10721. All comments must be submitted no later than thirty (30) days after the publication date of this notice. Comments may be submitted either by email or by mail:

To submit comments:	Send them to:
By email	<i>pubcomment-ees.enrd@usdoj.gov</i>
By mail	Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

During the public comment period, the consent decree may be examined and downloaded at this Justice Department Web site: <https://www.justice.gov/enrd/consent-decrees>. We will provide a paper copy of the consent decree upon written request and payment of reproduction costs. Please mail your request and payment to:

Consent Decree Library, U.S. DOJ—ENRD, P.O. Box 7611, Washington, DC 20044-7611.

Please enclose a check or money order for \$6.25 (25 cents per page reproduction cost) payable to the United States Treasury.

Robert Brook,
Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.
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DEPARTMENT OF JUSTICE

[OMB Number 1121-NEW]

Agency Information Collection Activities; Proposed eCollection Comments Requested; New Collection: State and Local Justice Agencies Serving Tribal Lands (SLJASTL): Census of Prosecutor Offices Serving Tribal Lands (CSLPOSTL)

AGENCY: Bureau of Justice Statistics, Department of Justice.

ACTION: 60-day notice.

SUMMARY: The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics, will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995.

DATES: Comments are encouraged and will be accepted for 60 days until February 21, 2017.

FOR FURTHER INFORMATION CONTACT: If you have additional comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Suzanne Strong, Statistician, Prosecution and Judicial Statistics, Bureau of Justice Statistics, 810 Seventh Street NW., Washington, DC 20531 (email: *Suzanne.M.Strong@usdoj.gov*; telephone: 202-616-3666).

SUPPLEMENTARY INFORMATION: Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the

- proposed collection of information, including the validity of the methodology and assumptions used;
- Evaluate whether and if so how the quality, utility, and clarity of the information to be collected can be enhanced; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection:

- (1) *Type of Information Collection:* New collection.
- (2) *The Title of the Form/Collection:* State and Local Justice Agencies Serving PL-280 Tribal Lands (SLJASTL): Survey of State and Local Prosecutor Offices Serving PL-280 Tribal Lands (SSLPOSTL)
- (3) *The agency form number, if any, and the applicable component of the Department sponsoring the collection:* No agency form number at this time. The applicable component within the Department of Justice is the Bureau of Justice Statistics, in the Office of Justice Programs.
- (4) *Affected public who will be asked or required to respond, as well as a brief abstract:*

Respondents will be state and local prosecutor offices located in the sixteen Public Law 280 (PL-280) states. *Abstract:* Among other responsibilities, the Bureau of Justice Statistics is charged with collecting data regarding crimes occurring on tribal lands. The SLJASTL is the first effort by BJS to include state and local justice agencies responsible for policing and prosecuting crimes that occur on tribal lands. Specifically, the SSLPOSTL will collect information that will help fill the gaps we have in our understanding of the nature of crime on tribal lands. There are two survey instruments: One for Alaska and one for the remaining fifteen PL-280 states. The data collection instruments are designed to capture administrative, operational and caseload data from prosecutor offices that investigate and prosecute crimes that occur on tribal lands in PL-280 states. The information collected includes the staffing and budget of the prosecutor office, the types of agreements prosecutor offices have with tribal governments, where prosecutors try crimes occurring on tribal lands (*i.e.*, in tribal or state courts), non-prosecutorial services provided on tribal lands (such

as victim services and community outreach services), information sharing with tribal governments, training received by prosecutors about tribal lands, joint training opportunities with state prosecutors and tribes, and the number and types of referrals to and cases prosecuted by state prosecutors. This survey is the first of its kind to describe the role that state and local prosecutor offices play in charging and prosecuting crimes that occur on tribal lands in PL-280 states.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An agency-level survey will be sent to approximately 460 offices, including a full census of prosecutor offices in counties with tribal lands (approximately 210) and a sample of prosecutor offices in counties without tribal lands (approximately 250 of the remaining 520). The expected burden placed on these respondents is about 70 minutes per respondent, including follow-up time.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total respondent burden is approximately 510 burden hours.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405B, Washington, DC 20530.

Dated: December 19, 2016.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2016-30932 Filed 12-22-16; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Labor Certification Process for the Temporary Employment of Aliens in Agriculture in the United States: Adverse Effect Wage Rate for Range Occupations in 2017

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) of the Department of Labor (Department) is issuing this notice to announce the 2017 Adverse Effect Wage Rate (AEWR) for the employment of temporary or seasonal nonimmigrant foreign workers

(H-2A workers) to perform herding or production of livestock on the range.

AEWRs are the minimum wage rates the Department has determined must be offered and paid by employers to H-2A workers and workers in corresponding employment so that the wages of similarly employed U.S. workers will not be adversely affected. In this notice, the Department announces the annual update of the AEWR for workers engaged in the herding or production of livestock on the range, as required by the methodology established in the *Temporary Agricultural Employment of H-2A Foreign Workers in the Herding or Production of Livestock on the Range in the United States*, 80 FR 62958, 63067-63068 (Oct. 16, 2015); 20 CFR 655.211.

DATES: Effective Date: This notice is effective January 1, 2017.

FOR FURTHER INFORMATION CONTACT: William W. Thompson, II, Acting Administrator, Office of Foreign Labor Certification, U.S. Department of Labor, 200 Constitution Avenue NW., Room PPII-12-200, Washington, DC 20210. Telephone: 202-693-3010 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: The U.S. Citizenship and Immigration Services of the Department of Homeland Security will not approve an employer's petition for the admission of H-2A nonimmigrant temporary agricultural workers in the U.S. unless the petitioner has received from the Department an H-2A labor certification. The labor certification provides 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 foreign worker(s) in such labor or services will not adversely affect the wages and working conditions of workers in the U.S. similarly employed. 8 U.S.C. 1101(a)(15)(H)(ii)(a), 1184(c)(1), and 1188(a); 8 CFR 214.2(h)(5); 20 CFR 655.100.

Adverse Effect Wage Rate for 2017

The Department's H-2A regulations covering the herding or production of livestock on the range (H-2A Herder Rule) at 20 CFR 655.210(g) and 655.211(a)(1) provide that employers must offer, advertise in recruitment and pay each worker employed under 20 CFR 655.200-655.235 a wage that is at least the highest of: (i) The monthly AEWR, (ii) the agreed-upon collective

bargaining wage, or (iii) the applicable minimum wage imposed by Federal or State law or judicial action. Further, when the monthly AEWR is adjusted during a work contract, and is higher than both the agreed-upon collective bargaining wage and the applicable minimum wage imposed by Federal or State law or judicial action in effect at the time the work is performed, the employer must pay that adjusted monthly AEWR upon publication by the Department in the **Federal Register**. 20 CFR 655.211(a)(2).

As provided in 20 CFR 655.211(c) of the H-2A Herder Rule, the methodology for establishing the monthly AEWR for range occupations in all states is based on the rate of \$7.25/hour multiplied by 48 hours per week, and then multiplied by 4.333 weeks per month. Beginning for calendar year 2017, the monthly AEWR shall be adjusted annually based on the Employment Cost Index (ECI) for wages and salaries published by the Bureau of Labor Statistics for the preceding annual period. The 12-month change in the ECI for wages and salaries between September 2015 and September 2016 was 2.4 percent. ETA used that percentage to adjust the monthly AEWR.¹

The H-2A Herder Rule applies a two-year transition to the full monthly AEWR. In applying the transition wage rate methodology set forth under 20 CFR 655.211(d)(2) for calendar year 2017, the Department is setting the national monthly AEWR at 90 percent of the full wage calculated using the H-2A Herder Rule methodology. Thus, the national monthly AEWR rate for all range occupations in the H-2A program is calculated at $(\$7.25 \times 48 \times 4.333 \times 1.024 \times .90 = 1,389.67)$ or \$1,389.67.

Accordingly, any employer certified or seeking certification for range workers must pay each worker a wage that is at least the highest of the monthly AEWR of \$1,389.67, the agreed-upon collective bargaining wage, or the applicable minimum wage imposed by Federal or State legislation or judicial action, at the time work is performed on or after the effective date of this notice.

¹ The regulation at 20 CFR 655.211(c)(2) states that the monthly AEWR is calculated based on the Employment Cost Index for wages and salaries for the preceding October-October period. This was intended to refer the October publication of data by BLS of wages and salaries for the September-September period. Accordingly, the most recent 12-month change in the Employment Cost Index published on October 28, 2016 by the Bureau of Labor Statistics was used for establishing the monthly AEWR for the second transition year under the regulations. See <http://www.bls.gov/news.release/eci.nr0.htm>.