DEPARTMENT OF LABOR

Employment and Training Administration

20 CFR Part 655

RIN 1205–AB91

[Docket No. ETA–2018–0003]

Modernizing Recruitment Requirements for the Temporary Employment of H–2B Foreign Workers in the United States; Extension of Comment Period

AGENCIES: U.S. Citizenship and Immigration Services, Department of Homeland Security; and Employment and Training Administration, Department of Labor.

ACTION: Notice of proposed rulemaking: extension of comment period.

SUMMARY: This document extends the period for submitting written comments on the Notice of Proposed Rulemaking (NPRM) entitled Modernizing Recruitment Requirements for the Temporary Employment of H–2B Foreign Workers in the United States. The comment period was initially scheduled to end on December 10, 2018. The Department of Homeland Security and the Department of Labor (collectively, the Departments) are taking this action to provide interested parties additional time to submit comments in response to requests for an extension of the commenting period.

DATES: The comment period for the proposed rule published on November 9, 2018, at 83 FR 55977, is extended. Comments must be received on or before December 28, 2018.

ADDRESSES: You may send comments, identified by the agencies’ names and the Department of Labor (DOL)’s Docket No. ETA–2018–0003 or Regulatory Information Number (RIN) 1205–AB91, by any of the following methods:


—Mail and Hand Delivery/Courier: Submit written comments and any additional material to Adele Gagliardi, Administrator, Office of Policy Development and Research, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–5641, Washington, DC 20210.

Instructions: All submissions must include the agencies’ names and the DOL RIN 1205–AB91. Please submit your comments by only one method. Please be advised that DOL will post all comments received that relate to the notice of proposed rulemaking (NPRM) on http://www.regulations.gov without making any change to the comments or redacting any information.

The http://www.regulations.gov website is the Federal e-rulemaking portal, and all comments posted there are available and accessible to the public. Therefore, DOL recommends that commenters remove personal information (either about themselves or others) such as Social Security Numbers, personal addresses, telephone numbers, and email addresses included in their comments, as such information may become easily available to the public via the http://www.regulations.gov website. It is the responsibility of the commenter to safeguard personal information.

Also, please note that, due to security concerns, postal mail delivery in Washington, DC may be delayed. Therefore, DOL encourages the public to submit comments on http://www.regulations.gov. Docket: To read or download comments or other material in the electronic docket, go to http://www.regulations.gov website (search using RIN 1205–AB91 or Docket No. ETA–2018–0003). DOL also will make all the comments it receives available for public inspection by appointment during normal business hours at the above address. If you need assistance to review the comments, DOL will provide appropriate aids, such as readers or print magnifiers. DOL will make copies of the proposed rule available, upon request, in large print and electronic file on computer disk. To schedule an appointment to review the comments and/or obtain the proposed rule in an alternative format, contact the Office of Policy Development and Research at (202) 693–3700 (this is not a toll-free number). You may also contact Adele Gagliardi, Administrator, Office of Policy Development and Research, U.S. Department of Labor, 200 Constitution Avenue NW, Room N–5641, Washington, DC 20210.

Comments under the Paperwork Reduction Act (PRA): In addition to filing comments with ETA, persons wishing to comment on the information collection (IC) aspects of the proposed rule may send comments to: Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL–ETA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503, Fax: (202) 395–6891 (this is not a toll-free number), email: OIRA_submission@omb.eop.gov. See Paperwork Reduction Act section of the proposed rule for particular areas of interest.

FOR FURTHER INFORMATION CONTACT:


SUPPLEMENTARY INFORMATION: On November 9, 2018, the Departments published an NPRM in the Federal Register at 83 FR 55977, proposing regulatory revisions that would modernize the recruitment an employer seeking H–2B nonimmigrant workers must conduct when applying for a temporary labor certification. In particular, the Departments are
proposing to replace the print newspaper advertisements that their regulations currently require with electronic advertisements posted on the internet, which the Departments believe will be a more effective and efficient means of disseminating information about job openings to U.S. workers. The NPRM requested public comments on the proposed changes on or before December 10, 2018. The Departments have received a request to extend the comment period to allow the public to provide further input on the proposed changes. In light of the request, the Departments have extended the period for submitting public comments to December 28, 2018.

Molly E. Conway,
Acting Assistant Secretary for Employment and Training Administration, Department of Labor
L. Francis Cissna,
Director, United States Citizenship and Immigration Services.

SUMMARY:
The Board and the Bureau now have joint rulemaking authority with respect to part of Regulation CC, related definitions, and appendices of the amendments that the Board proposed on that date. The Board and the Bureau are reopening the comment period for the 2011 Funds Availability Proposal. The Board published proposed amendments to Regulation CC in the Federal Register on March 25, 2011. As discussed in SUPPLEMENTARY INFORMATION, the Board and the Bureau are proposing amendments to Regulation CC (12 CFR part 229) which implements the Expedited Funds Availability Act (EFA Act) (2018 Proposal), and are also providing an additional opportunity for public comment on certain amendments to Regulation CC that the Board proposed in 2011 (2011 Funds Availability Proposal). In the 2018 Proposal, the Agencies are proposing a calculation methodology for implementing a statutory requirement to adjust the dollar amounts in the EFA Act every five years by the aggregate annual percentage increase in the Consumer Price Index for Wage Earners and Clerical Workers (CPI–W) rounded to the nearest multiple of $25. The 2018 Proposal would also implement the Economic Growth, Regulatory Relief, and Consumer Protection Act (EGRRCPA) amendments to the EFA Act, which include extending coverage to American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam, and would make certain other technical amendments. With regard to reopening comments on the 2011 Funds Availability Proposal, the Board published proposed amendments to Regulation CC in the Federal Register on February 25, 2011. As discussed in SUPPLEMENTARY INFORMATION, the Board and the Bureau now have joint rulemaking authority with respect to part of Regulation CC, related definitions, and appendices of the amendments that the Board proposed on that date. The Board and the Bureau are reopening the comment period for the 2011 Funds Availability Proposal.

DATES: Comments on the 2018 Proposal and the 2011 Funds Availability Proposal must be received on or before February 8, 2019.

For further information contact:
Board: Gavin L. Smith, Senior Counsel (202) 452–3474, Legal Division, or Ian C.B. Spear, Manager (202) 452–3959, Division of Reserve Bank Operations and Payment Systems; for users of Telecommunications Device for the Deaf (TDD) only, contact (202) 263–4869.

Bureau: Joseph Baressi and Marta Tanenhaus, Senior Counsels, Office of Regulations, at (202) 435–7700. If you require this document in an alternative electronic format, please contact CFPB_accessibility@cfpb.gov.

SUPPLEMENTARY INFORMATION:

I. 2018 Proposal

A. Background

Regulation CC (12 CFR part 229) implements the Expedited Funds Availability Act (EFA Act) and the Check Clearing for the 21st Century Act