

collected is solicited from federal, state, local and tribal public safety agencies, who wish to nominate their personnel to receive the Public Safety Officer Medal of Valor (MOV). This information is provided on a voluntary basis, includes agency and nominee information along with details about the events for which the nominees are to be considered when determining who will be recommended to receive the MOV.

5. *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* Over the last four application submission periods, (2011–2012 thru 2014–2015), there were a total of 514 applications received. Taking this number into account, the average number of applications that are anticipated to be received on an annual basis is 128.5. This number does not factor in the ongoing outreach efforts (e.g. marketing and social medial outreach) that are intended to increase the number of annual submissions. In addition, it is projected that the application submission process takes approximately 25 minutes. This would include, reviewing the fields of required and optional information, arranging the information and populating the online application form.

6. *An estimate of the total public burden (in hours) associated with the collection:* Base upon the average number of submissions over the last 4 years, and the estimated time required to complete each submission, the estimated annual public burden would be 53.54 hours.

a. $128.5 \times 25 \text{ minutes} = 3,212.5 \text{ minutes}/60 = 53.54 \text{ hours}$.

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.405A, Washington, DC 20530.

Dated: December 19, 2018.

Melody Braswell,

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

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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: 2019 Adverse Effect Wage Rates for Non-Range Occupations

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

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) of the Department of Labor (Department) is issuing this notice to announce the 2019 Adverse Effect Wage Rates (AEWR) for the employment of temporary or seasonal nonimmigrant foreign workers (H–2A workers) to perform agricultural labor or services other than the 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 for a particular occupation and area so that the wages and working conditions of similarly employed workers in the United States (U.S.) will not be adversely affected. In this notice, the Department announces the annual update of the AEWRs.

DATES: These rates are applicable January 9, 2019.

FOR FURTHER INFORMATION CONTACT: Thomas M. Dowd, Deputy Assistant Secretary, Employment and Training Administration, Department of Labor, Box #12–200, 200 Constitution Ave. NW, Washington, DC 20210, Telephone: (202) 693–2772 (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 1–877–889–5627 (TTY/TDD).

SUPPLEMENTARY INFORMATION: As a condition precedent to receiving an H–2A visa, employers must first obtain a labor certification from the Department of Labor. 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 Rates for 2019

The Department’s H–2A regulations at 20 CFR 655.122(l) provide that employers must pay their H–2A workers and workers in corresponding employment at least the highest of: (i) The AEWR; (ii) the prevailing hourly wage rate; (iii) the prevailing piece rate; (iv) the agreed-upon collective bargaining wage rate; or (v) the Federal or State minimum wage rate in effect at the time the work is performed.

The AEWR for all agricultural employment (except for the herding or production of livestock on the range, which is covered by 20 CFR 655.200–655.235) for which temporary H–2A certification is being sought is equal to the annual weighted average hourly wage rate for field and livestock workers (combined) in the State or region as published annually by the United States Department of Agriculture (USDA). 20 CFR 655.120(c) requires that the Administrator of the Office of Foreign Labor Certification publish the USDA field and livestock worker (combined) wage data as AEWRs in a **Federal Register** Notice. Accordingly, the 2019 AEWRs to be paid for agricultural work performed by H–2A and U.S. workers on or after the effective date of this notice are set forth in the table below:

TABLE—2019 ADVERSE EFFECT WAGE RATES

State	2019 AEWRs
Alabama	\$11.13
Arizona	12.00
Arkansas	11.33
California	13.92
Colorado	13.13
Connecticut	13.25
Delaware	13.15
Florida	11.24
Georgia	11.13
Hawaii	14.73
Idaho	13.48
Illinois	13.26
Indiana	13.26
Iowa	13.34
Kansas	14.38
Kentucky	11.63
Louisiana	11.33
Maine	13.25
Maryland	13.15
Massachusetts	13.25
Michigan	13.54
Minnesota	13.54
Mississippi	11.33
Missouri	13.34
Montana	13.48
Nebraska	14.38
Nevada	13.13
New Hampshire	13.25
New Jersey	13.15
New Mexico	12.00
New York	13.25
North Carolina	12.25
North Dakota	14.38

TABLE—2019 ADVERSE EFFECT WAGE RATES—Continued

State	2019 AEWRs
Ohio	13.26
Oklahoma	12.23
Oregon	15.03
Pennsylvania	13.15
Rhode Island	13.25
South Carolina	11.13
South Dakota	14.38
Tennessee	11.63
Texas	12.23
Utah	13.13
Vermont	13.25
Virginia	12.25
Washington	15.03
West Virginia	11.63
Wisconsin	13.54
Wyoming	13.48

Pursuant to the H–2A regulations at 20 CFR 655.173, the Department will publish a separate **Federal Register** Notice in early 2019 to announce: (1) The allowable charges for 2019 that employers seeking H–2A workers may charge their workers for providing them three meals a day; and (2) the maximum travel subsistence reimbursement that a worker with receipts may claim in 2019. Also in a separate **Federal Register** Notice, the Department will publish the monthly AEWR for workers engaged to perform herding or production of livestock on the range for 2019.

Molly E. Conway,

Acting Assistant Secretary for the Employment and Training Administration.

[FR Doc. 2018–28030 Filed 12–20–18; 11:15 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 2019

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

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) of the Department of Labor (Department) is issuing this notice to announce the 2019 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 and working conditions of similarly employed workers in the United States (U.S.) 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: The rate is applicable January 1, 2019.

FOR FURTHER INFORMATION CONTACT:

Thomas M. Dowd, Deputy Assistant Secretary, Employment and Training Administration, Department of Labor, Box #12–200, 200 Constitution Ave. NW, Washington, DC 20210, Telephone: (202) 693–2772 (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 1–877–889–5627 (TTY/TDD).

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 and seasonal agricultural workers in the United States unless the petitioner has received an H–2A labor certification from the Department. 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 2019
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: (1) The monthly AEWR, (2) the agreed-upon collective bargaining wage, or (3) 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)(2) of the H–2A Herder Rule, the monthly AEWR for range occupations in all states for a calendar year is based on the monthly AEWR for the previous calendar year, adjusted by the Employment Cost Index (ECI) for wages and salaries published by the Bureau of Labor Statistics for the preceding annual period. In setting the AEWR for 2019, ETA applied the required ECI adjustment of 3.1 percent to the monthly AEWR for range occupations in effect for 2018, resulting in a monthly wage of \$1,633.33. The 12-month change in the ECI for wages and salaries of private industry workers between September 2017 and September 2018 was 3.1 percent.¹ Thus, the national monthly AEWR rate for all range occupations in the H–2A program in 2019 is calculated by multiplying the monthly AEWR for calendar year 2018 by the October 2018 ECI adjustment ($\$1,584.22 \times 1.031 = 1,633.33$) or \$1,633.33. 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 \$1,633.33, 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.

Molly E. Conway,

Acting Assistant Secretary for the Employment and Training Administration.

[FR Doc. 2018–28031 Filed 12–20–18; 11:15 am]

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¹ The regulation at 20 CFR 655.211(c)(2) states that the monthly AEWR is calculated based on the ECI for wages and salaries “for the preceding October–October period.” This regulatory language was intended to identify the Bureau of Labor Statistics’ October publication of ECI for wages and salaries, which presents data for the September–September period. Accordingly, the most recent 12-month change in the ECI for private sector workers published on October 31, 2018, by the Bureau of Labor Statistics was used for establishing the monthly AEWR under the regulations. See <https://www.bls.gov/news.release/eci.htm>. The ECI for private sector workers was used rather than the ECI for all civilian workers given the characteristics of the H–2A herder workforce.