

issuance of the LEO and CDOs in this investigation, should the Commission find a violation, would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) Explain how the articles potentially subject to the recommended orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the recommended orders;

(iii) identify like or directly competitive articles that complainants, their licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainants, complainants' licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the recommended exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the LEO and CDOs would impact consumers in the United States.

Written submissions from the public must be filed no later than close of business on Tuesday, April 2, 2019.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above and submit 8 true paper copies to the Office of the Secretary by noon the next day pursuant to section 210.4(f) of the Commission's Rules of Practice and Procedure (19 CFR 210.4(f)). Submissions should refer to the investigation number ("Inv. No. 337-TA-1088") in a prominent place on the cover page and/or the first page. See Handbook on Filing Procedures ([https://www.usitc.gov/documents/handbook\\_on\\_filing\\_procedures.pdf](https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf)). Persons with questions regarding filing should contact the Secretary (202-205-2000).

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. See 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. A redacted non-confidential version of the document must also be filed simultaneously with any confidential filing. All non-

confidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of sections 201.10 and 210.50 of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.50).

By order of the Commission.

Issued: March 19, 2019.

**Katherine Hiner,**

*Acting Secretary to the Commission.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Agency Information Collection Activities; Comment Request; Weekly Claims and Extended Benefits Data and Weekly Initial and Continued Weeks Claimed

**ACTION:** Notice.

**SUMMARY:** The Department of Labor's (DOL's) Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Weekly Claims and Extended Benefits Data and Weekly Initial and Continued Weeks Claimed." This comment request is part of continuing Departmental efforts to reduce paperwork and respondent burden in accordance with the Paperwork Reduction Act of 1995 (PRA).

**DATES:** Consideration will be given to all written comments received by May 21, 2019.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation, including a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained free by contacting Anatoli Sznoluch by telephone at 202-693-3176, TTY1-877-889-5627 (these are not toll-free numbers), or by email at [Sznoluch.Anatoli@dol.gov](mailto:Sznoluch.Anatoli@dol.gov).

Submit written comments about, or requests for a copy of, this ICR by mail or courier to the U.S. Department of Labor, Employment and Training Administration, Office of Unemployment Insurance, 200 Constitution Avenue NW, Room S-4524, Washington, DC 20210, by email: [Sznoluch.Anatoli@dol.gov](mailto:Sznoluch.Anatoli@dol.gov), or by Fax at 202-693-3975.

**FOR FURTHER INFORMATION CONTACT:** Contact Kevin Stapleton by telephone at 202-693-3009 (this is not a toll-free number) or by email at [Stapleton.Kevin@dol.gov](mailto:Stapleton.Kevin@dol.gov).

**SUPPLEMENTARY INFORMATION:** As part of continuing efforts to reduce paperwork and respondent burden, DOL conducts a pre-clearance consultation program to provide the general public and Federal agencies an opportunity to comment on proposed and/or continuing collections of information before submitting them to the Office of Management and Budget (OMB) for final approval. This program helps to ensure requested data is provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements can be properly assessed.

The ETA 538 and ETA 539 reports are submitted weekly and contain information on initial claims and continued weeks claimed for the Unemployment Insurance (UI) program. These figures are important economic indicators. The ETA 538 report provides information that allows UI claims data to be released to the public five days after the close of the reference period. The ETA 539 report contains more detailed weekly claims information including the state's 13-week insured unemployment rate, which determines eligibility for the Extended Benefits program. Section 303(a)(6) of the Social Security Act and 20 CFR 615.15 authorize this information collection.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB control number 1205-0028.

Submitted comments will also be a matter of public record for this ICR and

posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, 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;
- enhance the quality, utility, and clarity of the information to be collected; 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.

*Agency:* DOL-ETA.

*Type of Review:* Extension without changes.

*Title of Collection:* Weekly Claims and Extended Benefits Data and Weekly Initial and Continued Weeks Claimed.

*Form:* ETA 538 and ETA 539.

*OMB Control Number:* 1205-0028.

*Affected Public:* State Workforce Agencies.

*Estimated Number of Respondents:* 53.

*Frequency:* Both reports once a week.

*Total Estimated Annual Responses:* 5,512.

*Estimated Average Time per Response:* 30 minutes per submittal for the ETA 538, 50 minutes per submittal for the ETA 539.

*Estimated Total Annual Burden Hours:* 3,675 hours.

*Total Estimated Annual Other Cost Burden:* \$0.

*Authority:* 44 U.S.C. 3506(c)(2)(A).

**Molly E. Conway,**

*Acting Assistant Secretary for Employment and Training, Labor.*

[FR Doc. 2019-05434 Filed 3-21-19; 8:45 am]

**BILLING CODE 4510-FW-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Labor Certification Process for the Temporary Employment of H-2A and H-2B Foreign Workers in the United States: Annual Update to Allowable Charges for Agricultural Workers' Meals and for Travel Subsistence Reimbursement, Including Lodging

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

**ACTION:** Notice.

**SUMMARY:** The United States Department of Labor (DOL) is issuing this Notice to announce the annual update to: (1) The allowable charges that employers seeking H-2A workers in occupations other than herding or production of livestock on the range may charge their workers when the employer provides three meals per day; and (2) the maximum travel subsistence meal reimbursement that a worker with receipts may claim under the H-2A and H-2B programs. The Notice also includes a reminder regarding employers' obligations with respect to overnight lodging costs as part of required subsistence.

**DATES:** This notice is applicable on March 22, 2019.

**FOR FURTHER INFORMATION CONTACT:** Thomas M. Dowd, Deputy Assistant Secretary, Employment and Training Administration, U.S. Department of Labor, Box PPII 12-200, 200 Constitution Avenue NW, Washington, DC 20210, 202-513-7350 (this is not a toll-free number) or, for individuals with hearing or speech impairments, 1-877-889-5627 (this is the TTY toll-free Federal Information Relay Service number).

**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 or H-2B nonimmigrant temporary workers in the United States unless the petitioner has received from DOL an H-2A or H-2B labor certification. See 8 CFR 214.2(h)(5) and (h)(6). Both the H-2A and H-2B labor certifications generally provide that: (1) There are not sufficient U.S. workers who are qualified and who will be available 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. See 20 CFR 655.1(a) and 655.100.

### Allowable Meal Charge

H-2A agricultural employers of workers in occupations other than herding or production of livestock on the range must offer and provide each worker three meals per day or provide the workers free and convenient cooking facilities.<sup>1</sup> See § 655.122(g). Where the employer provides the meals, the job offer must state the charge, if any, to the worker for such meals. *Id.* The amount of meal charges is governed by § 655.173.

By regulation, the DOL has established the methodology for determining the maximum amount that H-2A agricultural employers may charge workers for providing them with three meals per day. See § 655.173(a). This methodology allows for annual adjustments of the previous year's maximum allowable charge based on the updated Consumer Price Index for All Urban Consumers for Food (CPI-U for Food), not seasonally adjusted. *Id.* The maximum amount employers may charge workers for providing meals is adjusted annually by the 12-month percentage change in the CPI-U for Food for the prior year (*i.e.*, between December of the year just concluded and December of the prior year). *Id.* The Office of Foreign Labor Certification (OFLC) Certifying Officer may also permit an employer to charge workers a higher amount for providing them with three meals a day, if the higher amount is justified and sufficiently documented by the employer, as set forth in § 655.173(b).

The percentage change in the CPI-U for Food between December 2017 and December 2018 was 1.6 percent.<sup>2</sup> Thus, the annual update to the H-2A allowable meal charge is calculated by multiplying the current allowable meal charge (\$12.26)<sup>3</sup> by the 12-month percentage change in the CPI-U for Food between December 2017 and December 2018 ( $\$12.26 \times 1.016 = \$12.46$ ). Accordingly, the updated maximum allowable charge under §§ 655.122(g) and 655.173 is \$12.46 per day, and an employer is not permitted to charge a worker more than \$12.46 per day unless the OFLC Certifying Officer approves a higher charge, as authorized under § 655.173(b).

<sup>1</sup> H-2A employers must provide workers engaged in herding or the production of livestock on the range meals or food to prepare meals without charge or deposit charge. See 20 CFR 655.210(e).

<sup>2</sup> Consumer Price Index—December 2018, published January 11, 2019 at [https://www.bls.gov/news.release/archives/cpi\\_01112019.pdf](https://www.bls.gov/news.release/archives/cpi_01112019.pdf).

<sup>3</sup> In 2018, the maximum allowable charge under 20 CFR 655.122(g) and 655.173 was \$12.26 per day. 83 FR 12410 (Mar. 21, 2018).