

employers who have received certification for temporary foreign agricultural labor inform their local State Workforce Agency in writing if the foreign (H-2A) workers do not depart for the place of employment three days prior to the date of need as specified in their certified applications for such foreign labor. The departure date is used to start the running of the contract period for administration of the Fifty-percent Rule. Section 103(e) provides that the employer must continue to provide employment to any qualified and eligible U.S. worker who applies to the employer until 50 percent of the work contract period, under which the foreign worker is in the job, has elapsed. The employer's obligation to engage in positive recruitment ends on the date the foreign workers depart for the employer's place of business. The notification required under the regulations is written by the employer and sent to the SWA. The SWA uses the information to calculate the end of active recruitment requirements and Fifty-percent Rule referral requirements.

*II. Review Focus:* The Department of Labor is particularly interested in comments which:

- 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 submissions of responses.

*III. Current Actions:* The information collected remains the same.

*Type of Review:* Extension of Currently Approved Information Collection.

*Agency:* Employment and Training Administration.

*Title:* Labor Certification for the Temporary Employment of Nonimmigrant Aliens in Agriculture in the United States; Administrative Measures to Improve Program Performance.

*OMB Control No.:* 1205-00404.

*Agency Number(s):* None.

*Recordkeeping:* On occasion.

*Affected Public:* Businesses or other for-profits, not-for-profit institutions, and farms.

*Total Respondents:* 385.

*Estimated Total Burden Hours:* 96.

*Total Burden Cost (capital/startup):* 0.

*Total Burden Cost (operating/maintaining):* 0.

Comments submitted in response to this comment request will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: June 20, 2008.

**William L. Carlson,**

*Administrator, Office of Foreign Labor Certification.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

June 20, 2008.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number) / e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment and Training Administration (ETA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), e-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- 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:* Employment and Training Administration.

*Type of Review:* Extension without change of a currently approved collection.

*Title:* Employment and Training Administration Disaster Unemployment Assistance (DUA) Handbook.

*OMB Control Number:* 1205-0051.

*Form Number:* ETA-902.

*Affected Public:* State Governments.

*Estimated Number of Respondents:* 30.

*Estimated Total Annual Burden Hours:* 2,413.

*Estimated Total Annual Costs Burden:* \$0.

*Description:* Unemployment compensation claims, financial management and data on disaster unemployment assistance (DUA) activity are needed for timely program evaluation necessary for competent administration of Sections 410 and 423 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Pub. L. 100-707). The Form ETA 902 is a monthly report submitted by the states on DUA program activities once a disaster is declared by the President. Such report is prescribed by the Secretary under 20 CFR 625.8 and 625.9 and is necessary for oversight of the DUA program. For additional information, see related notice published at 73 FR 8905 on February 15, 2008.

**Darrin A. King,**

*Acting Departmental Clearance Officer.*

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