DEPARTMENT OF LABOR

Employment and Training Administration

Open Government Initiative: Implementation of the iCERT Labor Certification Registry for the H–1B, H–1B1, E–3, H–2A, H–2B and Permanent Labor Certification Employment-Based Immigration Programs

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) is announcing a new initiative to make available to the general public appropriately redacted copies of H–1B, H–1B1, E–3, H–2A, H–2B and permanent labor certification documents through its iCERT Visa Portal System. This new online tool, formally called the *iCERT Labor Certification Registry* (LCR), is a component of the Department of Labor's Open Government initiative and provides an additional level of transparency for the labor certification decisions issued by the ETA Office of Foreign Labor Certification (OFLC). The iCERT LCR provides searchable access to copies of labor certification documents and labor condition application documents as well as the latest quarterly and annual case file datasets through a single location. Public access to the iCERT LCR will be available at *http://icert.doleta.gov* beginning July 1, 2013.

DATES: Effective July 1, 2013.

FOR FURTHER INFORMATION CONTACT: For further information, contact William L. Carlson, Ph.D., Administrator, Office of Foreign Labor Certification, ETA, U.S. Department of Labor, 200 Constitution Avenue NW., Room C–4312, 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.

For technical issues related to the Department's implementation of the labor certification registry, please contact the iCERT Visa Portal System Team, Office of Foreign Labor Certification (OFLC) by email at *oflc.portal@dol.gov*.

SUPPLEMENTARY INFORMATION:

I. Background

The Immigration and Nationality Act (INA) assigns specific responsibilities to the U.S. Secretary of Labor for the administration of certain employment-based immigration programs that require either a labor certification or, in the case of an H–1B, H–1B1, or E–3 visa, a labor condition application (LCA). These statutory responsibilities include, in the case of labor certifications, determining whether there are able, willing, and qualified U.S. workers for a position for which certification is requested and whether there would be any adverse impact on similarly employed U.S. workers should labor certification be granted. Statutory and regulatory provisions require all employers seeking a labor certification for either permanent or temporary nonimmigrant labor to first apply to the Secretary of Labor for certification or for an LCA. The Secretary has delegated the responsibilities for the administration of these programs to the Employment and Training Administration's (ETA) Office of Foreign Labor Certification (OFLC). Foreign labor certification programs have as a primary responsibility the review of employer-filed applications requesting the Secretary of Labor's certification to ensure that the hiring of a foreign worker will not adversely impact the wages and working conditions of U.S. workers, and that no qualified U.S. workers are willing or available to fill a given vacancy.

As a component of the Department of Labor's (the Department) Open Government initiative, the OFLC is implementing a new Labor Certification Registry (LCR) through its iCERT Visa Portal System that provides the general public access to appropriately redacted copies of labor certification documents issued to employers in the H–1B, H–1B1, E–3, H–2A, H–2B and permanent labor certification programs. The iCERT LCR provides the public with a single, easy to search, location to the OFLC's labor certification and LCA documents as well as the office's latest quarterly and annual case disclosure data. Public release of these documents and data provides an additional level of transparency while respecting any personally identifiable information. OFLC has taken steps to ensure that private, sensitive, or legally protected information will be redacted, as appropriate.

This initiative is in compliance with the Privacy Act, the Trade Secrets Act and the Confidential Information Protection and Statistical Efficiency Act. We have taken steps to ensure that appropriate information will be redacted in connection with the Department's responsibilities, or potential responsibilities, pursuant to these statutes. This information will change depending upon the form, but will include data such as the Federal Employer Identification Number (FEIN) of the employer, revenue reported by the employer, and the name, address and class of admission of the foreign worker.

Prior to this public database becoming available, access to OFLC labor certification and LCA documents typically required submitting a Freedom of Information Act (FOIA) request directly to the Department and waiting for a response. For the first time, the iCERT LCR will provide the general public with real-time access to appropriately redacted copies of current and historical labor certification and LCA documents that are searchable across a series of common data points. OFLC anticipates that public access to labor certification and LCA documents through the iCERT LCR will significantly reduce the need for individuals to request and obtain such documents through the Department's FOIA process.

II. Labor Certification Registry Availability and Functional Components

Public access to the LCR will be available through the iCERT Visa Portal System at *http://icert.doleta.gov.* The public will not be required to create an iCERT system account in order to access documents and information contained on the registry. All documents placed on the LCR (e.g., ETA 9142, ETA 9035E) will be accessible in either Adobe Portable Document Format (PDF) or HyperText Markup Language (HTML) format and contain certain information from official labor certifications and LCAs issued by the OFLC. The iCERT LCR will not, however, disclose data or information subject to privacy, security, or privilege limitations.

The functional components of the iCERT LCR are built upon and fully integrated with the iCERT H–2A Public Job Registry, which was released on July 1, 2010, as part of the Department's implementation of the H–2A 2010 Final Rule and will provide the public with the following functional features:

• An interactive map of U.S. states and territories displaying all labor certification and LCA documents posted within the last 30 calendar days;

• A "quick search" feature from the main home page allowing users to execute basic queries along a common set of data points including the ETA case number, visa classification, employer name, job title, industry, state or territory, zip code radius, and posting date range;

• An advanced search feature allowing users to conduct more detailed

searches based on occupations, industries, education and training, range of wage offers, worker positions requested, and dates of employment;

• Easy-to-understand search results displayed in a table format with sortable column headings, select data points to further filter the search results, and quick links to view or download the document in either redacted Adobe PDF or HTML format;

• Access to OFLC's latest program annual and quarterly performance reports and case file datasets in easily accessible formats for performing more in-depth longitudinal statistical research and analysis; and

• Access to important social media platforms for users to stay connected to the Department's Open Government initiative and provide meaningful feedback.

Initially, the iCERT LCR will provide the public with access to appropriately redacted copies of H–1B, H–1B1, E–3, H–2A, H–2B and permanent labor certification documents issued by the OFLC on or after April 15, 2009; the date on which the iCERT Visa Portal System was implemented. Beginning July 1, 2013, the iCERT LCR will post for public access all labor certification documents no later than 2 business days after the official decision is rendered.

III. Help Desk

Those members of the public needing technical assistance accessing or searching the Labor Certification Registry should direct requests to the iCERT System Team, OFLC, at *oflc.portal@dol.gov,* and include ''Labor Certification Registry—Technical Assistance'' in the subject line of the email.

Signed in Washington, DC, this 14th day of January 2013.

Jane Oates,

Assistant Secretary, Employment and Training Administration.

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BILLING CODE 4510–FP–P

DEPARTMENT OF LABOR

Bureau of Labor Statistics

Proposed Collection, Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. The Bureau of Labor Statistics (BLS) is soliciting comments concerning the proposed reinstatement, with change, of a previously approved collection for which approval has expired collection of the ''National Longitudinal Survey of Youth 1997.'' A copy of the proposed information collection request (ICR) can be obtained by contacting the individual listed in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the Addresses section below on or before March 25, 2013.

ADDRESSES: Send comments to Nora Kincaid, BLS Clearance Officer, Division of Management Systems, Bureau of Labor Statistics, Room 4080, 2 Massachusetts Avenue NE., Washington, DC 20212. Written comments also may be transmitted by fax to 202–691–5111 (this is not a toll free number).

FOR FURTHER INFORMATION CONTACT: Nora Kincaid, BLS Clearance Officer, 202–691–7628 (this is not a toll free number). (See **ADDRESSES** section.)

SUPPLEMENTARY INFORMATION:

I. Background

The National Longitudinal Survey of Youth 1997 (NLSY97) is a nationally representative sample of persons who were born in the years 1980 to 1984. These respondents were ages 12–17 when the first round of annual interviews began in 1997; starting with round sixteen, the NLSY97 will be conducted on a biennial basis. Round sixteen interviews will occur from September 2013 to May 2014. The Bureau of Labor Statistics (BLS) contracts with the National Opinion Research Center (NORC) at the University of Chicago to conduct the NLSY97. The primary objective of the survey is to study the transition from schooling to the establishment of careers and families. The longitudinal focus of this survey requires information to be collected from the same individuals over many years in order to trace their education, training, work experience, fertility, income, and program participation.

One of the goals of the Department of Labor (DOL) is to produce and disseminate timely, accurate, and relevant information about the U.S. labor force. The BLS contributes to this goal by gathering information about the labor force and labor market and disseminating it to policymakers and the public so that participants in those markets can make more informed, and thus more efficient, choices. Research based on the NLSY97 contributes to the formation of national policy in the areas of education, training, work experience, fertility, income, and program participation. In addition to the reports that the BLS produces based on data from the NLSY97, members of the academic community publish articles and reports based on NLSY97 data for the DOL and other funding agencies. To date, approximately 266 articles examining NLSY97 data have been published in scholarly journals. The survey design provides data gathered from the same respondents over time to form the only dataset that contains this type of information for this important population group. Without the collection of these data, an accurate longitudinal dataset could not be provided to researchers and policymakers, thus adversely affecting the DOL's ability to perform its policy- and report-making activities.

II. Current Action

The BLS seeks approval to conduct round 16 of annual interviews of the NLSY97. Respondents to the NLSY97 will undergo an interview of approximately 61 minutes during which they will answer questions about schooling and labor market experiences, family relationships, and community background.

During the fielding period for the main round 16 interviews, about 2 percent of respondents will be asked to participate in a brief validation interview a few weeks after the initial interview. The purpose of the validation interview is to verify that the initial interview took place as the interviewer reported and to assess the data quality of selected questionnaire items.

The BLS plans to record randomly selected segments of the main interviews during round 16. Recording interviews helps the BLS and NORC to ensure that the interviews actually took place and interviewers are reading the questions exactly as worded and entering the responses properly. Recording also helps to identify parts of the interview that might be causing problems or misunderstanding for interviewers or respondents. Each respondent will be informed that the