

Note to Reviewer

This ICR is being resubmitted in order to provide the public with an opportunity to comment on this information collection in relation to a new NPRM for the H-2A temporary worker program submitted contemporaneously with this submission. OMB first received this ICR on February 14, 2008 in conjunction with the NPRM published February 13, 2008 regarding the Temporary Agricultural Employment of H-2A Aliens in the United States; Modernizing the Labor Certification Process and Enforcement. The ICR was provisionally approved on May 30, 2008 under the OMB control number 1205-0466. On September 16, 2008 OMB issued a notice commenting that "for future submissions of this information collection, reference the OMB Control Number provided.... DOL/ETA will resubmit this collection in order to be effective with changes to either the H-2A or H-2B rules becoming effective. If for only one rule, the collection should be submitted accounting for the burden hours associated only with that program, and then later revised to cover the other." Final approval was received on December 18, 2008.

Both rules have taken effect and the forms are being used in both programs. The Department is proposing changes to the H-2A program regulations which became effective January 17, 2009. The 2009 NPRM requires the ETA Form 9142, Appendix A.2, and the instructions be modified slightly to comply with the proposed rule. Because the changes are being proposed only for the H-2A program, only the IC for the H-2A program has been modified as per the September 16, 2008 Notice instructions.