

OMB Control No. 1205-0466 Justification for Nonsubstantive Change

On September 16, 2008, OMB issued a Notice of Action assigning the control number of 1205-0466 to this information collection, which includes ETA Form 9141 and Form 9142, including Form 9142 Appendices B-1, A-1, and A-2. On December 18, 2008, OMB approved the information collection. The rules for H-2A and H-2B became effective in January 2009.

The application forms and other information requirements contained in 1205-0466 are necessary to the collection of information from U.S. employers wishing to hire foreign workers for temporary and permanent employment under the H-2B, H-1b (including H-1B1 and E3), H-1C, and PERM programs. The information collected is used by the Secretary of Labor to make the necessary certification in compliance with the Immigration and Nationality Act as amended. ETA-9141 is used in the Federalized process that was formerly done differently by each State Workforce Agency. The Department has now prepared an electronic version of ETA-9141; formerly it was a paper form which could not be submitted electronically to the Department. None of the information to be collected electronically has changed from the paper version approved by OMB. The only change is the method of collection.