

From: [Zaji Zajrdhara](#)
To: [ETA, OFLC Forms - ETA;](#) [REDACTED]
Cc: [REDACTED]
Subject: Re: "Public Comment on H-2B ICR OMB 1205-0509 – Critical Enforcement Gaps in CNMI and Guam"
Date: Friday, March 20, 2026 12:28:31 AM
Attachments: [Screenshot \(262\).png](#)
[Screenshot \(263\).png](#)
[usdoj_Thomson.pdf](#)
[RIN 1125 AB37 or EOIR Docket No EOIR 26 AB37 \(1\) compressed.pdf](#)
[USCTS-2025-0006-0003 attachment 1 \(2\) \(3\) \(1\).pdf](#)
[FOIA-2026-004 Response Zajrdhara 03.12.2026.pdf](#)
[GUAMDOL_REQUESTFORRECORDS_signed.pdf](#)
[CORE TECH DOL GUAM GREG MASSEY LASUIT TRANSPARENCY.pdf](#)

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Subject: Formal Complaint: Improper Removal of Zaji Zajradhara from OFLC H-2B Prevailing Wage Webinar by [REDACTED] – Request for Immediate Investigation, Corrective Action, and Referral to OIG

To:
Brian D. Pasternak, Administrator
Office of Foreign Labor Certification (OFLC)
Employment and Training Administration (ETA)
U.S. Department of Labor
Email: ETA.OFLC.Forms@dol.gov (or OFLC.Regulations@dol.gov)
CC:

[REDACTED]
eta.oflc.forms@dol.gov
Office of the Inspector General, U.S. Department of Labor (OIG) – via official channels
Secretary of Labor (for awareness)


Dear Administrator Pasternak and OFLC Leadership Team,

I am writing as Zaji Zajradhara [REDACTED], a concerned stakeholder and advocate for American workers in the Commonwealth of the Northern Mariana Islands (CNMI) and Guam, to file a formal complaint regarding my unjust removal from the OFLC National Prevailing Wage Center’s H-2B technical assistance webinar on Thursday, March 19, 2026 (3:00 AM ChST on March 20 in the CNMI).

During the live Webex session (Meeting Number: 2831 483 1278), I attempted to submit a question in the chat regarding OFLC’s apparent non-enforcement of 20 CFR 655 et al., specifically the approval of CW-1 and H-2B requests that appear to undercut U.S. workers through requirements for five years of experience and/or non-accredited foreign credentials from degree-mill institutions. When the system prevented submission of my full question, I posted a direct, relevant link to a publicly available article on our organization’s site:

[Economic Apartheid in the CNMI: How Federal Billions and H-2B/CW-1 Visas Entrench Systemic Discrimination Against American Workers](#)





Economic Apartheid in the CNMI: How Federal Billions and H-2B/CW-1 Visas...

Executive Summary: A Territory Betrayed by Its Own LawsThe Commonwealth of the Northern Mariana Islands (CNMI)—S...

This was my first and only interaction in the chat. The post was non-disruptive, non-abusive, and directly tied to the webinar's subject matter (H-2B prevailing wage determinations, employer compliance, and protecting American workers).

Immediately afterward, [REDACTED] removed me from the meeting without warning, explanation, or opportunity to respond.

No pre-webinar rules, chat guidelines, or code of conduct were communicated to participants prohibiting relevant links or policy-related questions. The webinar announcement itself emphasized public engagement and technical assistance with no mention of content restrictions beyond the 1,000-participant limit.

This action appears to violate multiple open-source USDOL and OPM standards:

OPM Standards of Ethical Conduct for Employees of the Executive Branch (5 CFR Part 2635) – Particularly § 2635.101 (Basic obligation of public service) and § 2635.102 (Definitions), which require federal employees to act impartially, avoid arbitrary actions, and uphold the public's trust. Removing a participant solely for raising a non-violent, on-topic concern about regulatory compliance (20 CFR 655) is arbitrary and undermines public confidence in OFLC processes.

USDOL/ETA Public Engagement and Transparency Principles – As reflected in OFLC's own webinar series (including recent CW-1 and H-2B sessions), the agency actively invites stakeholder input. Suppressing discussion of potential fraud or non-enforcement contradicts these principles.

Alignment with Executive Order 14395 (Establishing the Task Force to Eliminate Fraud, signed March 16, 2026) – This Order explicitly directs aggressive action against fraud, waste, and abuse in federally funded programs, including those involving immigration loopholes and failure to enforce eligibility rules.

It highlights the need to protect American workers and taxpayers from schemes that undercut lawful programs.

My comment directly addressed ongoing visa-related issues in the CNMI/Guam that appear

to violate the “American Worker First” priorities emphasized in the Order and related administration policy.

Punishing discussion of these matters directly undermines the President’s mandate.

False Claims Act / Whistleblower Protections (31 U.S.C. § 3730, as updated by recent statutory changes including the Administrative False Claims Act of 2023) – [REDACTED] action occurred in the context of a public forum discussing federal labor certification programs.

Retaliation or silencing of individuals raising compliance concerns risks interfering with meritorious private civil actions encouraged under Section 6 of EO 14395.

No prior notice was given that posting a link to a legitimate, publicly available analysis of visa program enforcement would result in removal. This was not spam, harassment, or off-topic advocacy—it was protected expression on a matter of public concern directly related to the webinar’s purpose.

Requested Actions (Immediate):

Full investigation into [REDACTED] conduct, including review of the webinar recording/chat log.

Written explanation to me and public clarification of OFLC webinar chat/moderation policies.

Appropriate disciplinary or corrective measures against [REDACTED] consistent with USDOL and OPM regulations.

Confirmation that future webinars will not suppress good-faith discussion of regulatory compliance or fraud concerns.

Referral of this complaint to the USDOL Office of Inspector General for independent review.

I am simultaneously submitting a physical copy of this complaint to the Secretary of Labor and filing a parallel complaint with the USDOL-OIG.

I am also preparing related whistleblower disclosures under the False Claims Act framework (as encouraged by EO 14395, Section 6) concerning systemic issues in CW-1/H-2B processing in the CNMI/Guam.

I respectfully request a written response within 10 business days confirming receipt and outlining next steps. I remain available for any discussion or to provide the webinar recording link, timestamps, or additional evidence.

Thank you for your leadership in ensuring fair, transparent, and fraud-free administration of federal labor certification programs.

Protecting open dialogue on these critical issues is essential to fulfilling the “American Worker First” mandate.

Sincerely,
Zaji Zajradhara

[REDACTED]

CNMI

Attachments (if sending via email):

Screenshot of webinar removal / chat attempt
Copy of the article link and full post
Prior email to [REDACTED] (dated March 20, 2026)

This email is also being sent via certified mail for the record.
I appreciate your prompt attention to this matter.

"Hatred is gained as much by good works as by evil."

~ Niccolò di Bernardo dei Machiavelli

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On Tuesday, March 17, 2026 at 05:42:45 PM GMT+10, cnmi farmers
[REDACTED] > wrote:

Dear Administrator Pasternak and ETA Office of Foreign Labor Certification,

I am submitting this comment on the proposed renewal of the H-2B Foreign Labor Certification Program information collection (OMB Control Number 1205-0509). While I support the continued use of Form ETA-9142B and its appendices to certify temporary non-agricultural labor needs, the H-2B program cannot function effectively without swift and fair enforcement of U.S. worker protections.

The Department's forms are only as strong as the enforcement mechanisms behind them. I therefore urge DOL to recognize and address the following systemic failures that directly undermine the statutory requirement that H-2B employment "will not adversely affect the wages and working conditions of similarly employed U.S. workers":

IER/OCAHO must resolve discrimination cases promptly. Administrative cases before the Office of the Chief Administrative Hearing Officer (OCAHO) and the Immigrant and Employee Rights Section (IER) of the Department of Justice currently drag on for 3–4 years or longer. This unconscionable delay prevents American workers from obtaining timely relief and allows employers to continue unlawful practices while the H-2B program continues to issue certifications. DOL should coordinate with DOJ to require expedited adjudication timelines (no more than 12 months from filing to final order) for any complaint involving H-2B employers.

Immediate investigations are needed into the CNMI Department of Labor and Guam Department of Labor. Both territorial labor departments have repeatedly shielded primarily Filipino-operated businesses by refusing to properly investigate or refer credible complaints of discrimination against U.S. (especially local and mainland American) workers. These agencies routinely prioritize foreign labor over American workers in violation of federal law. DOL must open a formal audit and refer evidence of systemic discrimination to the Department of Justice for prosecution under the Immigration and Nationality Act and anti-discrimination statutes.

An independent oversight agency within the U.S. Department of Justice is urgently required. There must be a dedicated unit inside DOJ with authority to investigate and discipline IER/OCAHO judges and

administrative law judges who are demonstrably anti-Trump or who obstruct the “American Workers First” agenda. These judges have allowed cases to languish and have issued rulings that effectively nullify DOL’s labor certifications and U.S. worker protections. Without such accountability, the entire H-2B program will continue to be weaponized against American labor.

The paperwork burden estimates in this ICR are irrelevant if the underlying program is being undermined by delayed justice, territorial shielding of foreign businesses, and biased adjudication. DOL cannot claim the collection has “practical utility” while these enforcement gaps persist.

I respectfully request that these enforcement deficiencies be addressed in the final ICR package submitted to OMB and that DOL immediately begin the recommended investigations and inter-agency coordination.

Thank you for the opportunity to comment.

Sincerely,