

long-term monitoring and cap maintenance work under the new settlement.

The publication of this notice opens a period for public comment on the Consent Decree. Comments should be addressed to the Assistant Attorney General, Environment and Natural Resources Division, and should refer to *United States and the State of Wisconsin v. NCR Corp., et al.*, D.J. Ref. No. 90–11–2–1045/3. Interested parties also may request a public meeting in the affected area pursuant to 42 U.S.C. 6973(d). All comments and meeting requests must be submitted no later than thirty (30) days after the publication date of this notice. Comments and meeting requests may be submitted either by email or by mail:

To submit comments:	Send them to:
By email .....	<a href="mailto:pubcomment-ees.enrd@usdoj.gov">pubcomment-ees.enrd@usdoj.gov</a> .
By mail .....	Assistant Attorney General, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

During the public comment period, the Consent Decree may be examined and downloaded at this Justice Department website: <https://www.justice.gov/enrd/consent-decrees>.

We will provide a paper copy of the Consent Decree upon written request and payment of reproduction costs. Please mail your request and payment to: Consent Decree Library, U.S. DOJ–ENRD, P.O. Box 7611, Washington, DC 20044–7611.

Please enclose a check or money order for \$20.25 (25 cents per page reproduction cost) payable to the United States Treasury.

**Randall Stone,**

*Acting Assistant Section Chief,  
Environmental Enforcement Section,  
Environment and Natural Resources Division.*

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**BILLING CODE 4410–15–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice To Ensure State Workforce Agencies Are Aware of the Revised Schedule of Remuneration for the Unemployment Compensation for Ex-Servicemembers (UCX) Program That Reflects the Military Pay Increase Effective January 1, 2019

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** Each year, the Department of Defense issues a Schedule of Remuneration used by states for UCX purposes. States must use the schedule to determine Federal military wages for UCX “first claims” only when the Federal Claims Control Center (FCCC) responds to a request for information indicating that there is no Copy 5 of the Certificate of Release or Discharge from Active Duty (DD Form 214) for an individual under the social security number provided. A response from the FCCC that indicates “no DD214 on file” will prompt the state to start the affidavit process and to use the attached schedule to calculate the Federal military wages for an unemployment insurance or UCX monetary determination.

The schedule applies to UCX “first claims” filed beginning with the first day of the first week that begins on or after January 1, 2019, pursuant to the UCX program regulations (see 20 CFR 614.12(c)). States must continue to use the 2018 schedule (or other appropriate schedule) for UCX “first claims” filed before the effective date of the revised schedule.

Signed:

**Molly E. Conway,**

*Acting Assistant Secretary for Employment and Training, Labor.*

## ATTACHMENT I—2019 FEDERAL SCHEDULE OF REMUNERATION

[20 CFR 614.12(d)]

Pay grade	Monthly rate	Weekly (7/30th)	Daily (1/30th)
<b>1. Commissioned Officers:</b>			
O–10 .....	20,012.85	4,669.67	667.10
O–9 .....	19,875.35	4,637.58	662.51
O–8 .....	19,057.65	4,446.78	635.25
O–7 .....	17,033.76	3,974.54	567.79
O–6 .....	15,059.07	3,513.78	501.97
O–5 .....	12,704.98	2,964.49	423.50
O–4 .....	10,870.51	2,536.45	362.35
O–3 .....	8,561.97	1,997.79	285.40
O–2 .....	6,917.78	1,614.15	230.59
O–1 .....	5,349.97	1,248.33	178.33
<b>2. Commissioned Officers With Over 4 Years Active Duty As An Enlisted Member or Warrant Officer:</b>			
O–3 E .....	10,088.55	2,353.99	336.28
O–2 E .....	8,233.56	1,921.16	274.45
O–1 E .....	7,062.97	1,648.03	235.43
<b>3. Warrant Officer:</b>			
W–5 .....	11,739.46	2,739.21	391.32
W–4 .....	10,364.92	2,418.48	345.50
W–3 .....	8,858.27	2,066.93	295.28
W–2 .....	7,540.36	1,759.42	251.35
W–1 .....	6,616.34	1,543.81	220.54
<b>4. Enlisted Personnel:</b>			
E–9 .....	9,788.31	2,283.94	326.28
E–8 .....	8,062.15	1,881.17	268.74
E–7 .....	7,225.18	1,685.87	240.84
E–6 .....	6,364.47	1,485.04	212.15
E–5 .....	5,378.68	1,255.03	179.29
E–4 .....	4,450.00	1,038.33	148.33
E–3 .....	3,992.51	931.59	133.08

ATTACHMENT I—2019 FEDERAL SCHEDULE OF REMUNERATION—Continued  
[20 CFR 614.12(d)]

Pay grade	Monthly rate	Weekly (7/30th)	Daily (1/30th)
E-2 .....	3,826.69	892.89	127.56
E-1 .....	3,431.45	800.67	114.38

The Federal Schedule includes columns reflecting derived weekly and daily rates. This revised Federal Schedule of Remuneration is effective for UCX "first claims" filed beginning with the first day of the first week which begins on or after January 1, 2019, pursuant to 20 CFR 614.12(c).

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BILLING CODE 4510-FW-P

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; H-2B Foreign Labor Certification Program

**ACTION:** Notice of availability; request for comments.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employment and Training (ETA) sponsored information collection request (ICR) revision titled, "H-2B Foreign Labor Certification Program," to the Office of Management and Budget (OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995. Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that agency receives on or before March 4, 2019.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* website at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201812-1205-002](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201812-1205-002) (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-ETA, Office of Management and Budget, Room 10235, 725 17th Street NW, Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S.

Department of Labor-OASAM, Office of the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW, Washington, DC 20210; or by email: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**FOR FURTHER INFORMATION CONTACT:** Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**SUPPLEMENTARY INFORMATION:** This ICR seeks approval under the PRA for revisions to the H-2B Foreign Labor Certification Program information collection. The information collection is required by Sections 101(a)(15)(H)(ii)(b) and 214(c) of the Immigration and Nationality Act (INA) (8 U.S.C. 1011(a)(15)(H)(ii)(b) and 1184(c)), as well as 8 CFR 214.2(h)(6), 20 CFR 655, Subpart A, and 29 CFR 503. The H-2B program enables employers to bring nonimmigrant foreign workers to the United States to perform non-agricultural work of a temporary nature. See 8 U.S.C. 1101(a)(15)(H)(ii)(b). The Department of Homeland Security (DHS) consults with DOL with respect to the H-2B program, and DOL provides advice on whether U.S. workers capable of performing the temporary services or labor are available. See 8 U.S.C. 1184(c)(1), INA Section 214(c)(1) (providing for DHS to consult with "appropriate agencies of the Government"). Under DHS regulations, an H-2B petition for temporary employment must be accompanied by an approved temporary labor certification from DOL, which serves as DOL's consultative advice to DHS regarding whether a qualified U.S. worker is available to fill the petitioning H-2B employer's job opportunity and whether a foreign worker's employment in the job opportunity will adversely affect the wages or working conditions of similarly employed U.S. workers. See 8 CFR 214.2(h)(6)(iii)(A), (iv)(A). DHS and DOL jointly promulgated regulations establishing the processes by which an employer must obtain a prevailing wage and temporary labor certification from DOL, and the rights

and obligations of workers and employers. See 20 CFR 655, Subpart A; 29 CFR 503; 8 CFR 214.2(h)(6)(iii)-(iv).

This ICR, OMB Control No. 1205-0509, includes the collection of information related to the use of employer-provided surveys for determining prevailing wages and the temporary labor certification process in the H-2B program. The Form ETA-9165, *Employer-Provided Survey Attestations to Accompany H-2B Prevailing Wage Determination Request Based on a Non-OES Survey*, is used to collect information that permits ETA to determine whether an employer-provided survey can be used to establish a prevailing wage in the occupational classification in lieu of a prevailing wage determined using the Bureau of Labor Statistics Occupational Employment Statistics (OES) program. The information contained in the Form ETA-9142B, *H-2B Application for Temporary Employment Certification*, and corresponding appendices serve as the basis for the Secretary's determination that qualified U.S. workers are not available to perform the services or labor needed by the employer and that the wages and working conditions of similarly employed U.S. workers will not be adversely affected by the employment of H-2B workers. This determination is required before a petition can be approved by DHS. Employers use *Appendix B* of the Form ETA-9142B to attest that they will comply with all of the terms, conditions, and obligations of the H-2B program.

ETA is seeking comments on proposed revisions to the Form ETA-9142B, *H-2B Application for Temporary Employment Certification*; Form ETA-9142B, *Appendix B*; Form ETA-9165, *Employer-Provided Survey Attestations to Accompany H-2B Prevailing Wage Determination Request Based on a Non-OES Survey*; and the instructions accompanying those forms. The proposed revisions will better align information collection requirements with DOL's current regulatory framework, provide greater clarity to employers on regulatory requirements, standardize and streamline information