

the Secretary of Labor containing the elements prescribed by the INA and the regulations or, in limited circumstances, where a foreign national without an employer sponsor may apply for a NIW with DHS.

DOL is proposing to use the proposed Form ETA-9089, *Application for Permanent Employment Certification* (OMB Control Number 1205-0451), and its appendices to adjudicate permanent (PERM) employment certification applications for foreign workers filed by employers seeking to employ individuals on a permanent basis. An employer seeking a PERM employment certification to employ a foreign worker must submit the proposed form to DOL, including all required appendices. Once submitted, DOL will determine whether the employer adequately sought available and willing U.S. workers qualified for the opportunity as required under the regulations and whether U.S. workers who applied were rejected for lawful, job-related reasons. 20 CFR 656.24. If the DOL Certifying Officer's Final Determination denies certification of the application, the regulations provide the employer with the ability to request reconsideration of the decision or appeal the denial. 20 CFR 656.24 and 656.26. DOL will also use the information collected through the proposed form and Appendix A to adjudicate PERM applications for professional athletes and coaches that currently apply using Forms ETA-750A and ETA-750B under OMB Control Number 1205-0515, Workforce Innovation Funds Grants Reporting and Recordkeeping Requirements.

DHS will also use Form ETA-9089 for the Job Offer Requirement of the NIW process, which exempts foreign workers from the job offer requirement if their expertise is in the national interest of the U.S. In addition, under 20 CFR 656.15, employers of foreign workers who are in occupations that meet DOL regulatory requirements for being designated as "Schedule A—Shortage Occupations" must apply for an employment certification using Form ETA-9089 and submit an uncertified form directly to DHS. Similarly, under 20 CFR 656.16, employers of foreign workers who are shepherders must apply for an employment certification using Form ETA-9089 and submit an uncertified form directly to DHS. When Form ETA-9089 is submitted to DHS directly, DHS will use the form to analyze the foreign worker's background and experience for NIWs, Schedule A occupations, and shepherders.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection

of information, and the public is generally not required to respond to an information collection unless OMB, under the PRA, approves it and the collection tool displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid OMB Control Number. See 5 CFR 1320.5(a) and 1320.6.

Interested parties are encouraged to provide comments to the contact shown in the **ADDRESSES** section. Comments must be written to receive consideration, and they will be summarized and included in the request for OMB approval of the final ICR. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0451.

Submitted comments will also be a matter of public record for this ICR and posted on the internet, without redaction. DOL encourages commenters not to include personally identifiable information, confidential business data, or other sensitive statements/information in any comments.

DOL is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- Enhance the quality, utility, and clarity of the information to be collected; and

- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology (e.g., permitting electronic submission of responses).

Agency: DOL-ETA.

Type of Review: Revision of a Currently Approved Information Collection.

Title of Collection: Form ETA-9089, Application for Permanent Employment Certification.

Forms: ETA-9089, Application for Permanent Employment Certification; ETA-9089—Final Determination: Permanent Employment Certification Approval; ETA-9089—Appendix A;

ETA-9089—Appendix B; ETA-9089—Appendix C; ETA-9089—Appendix D. *OMB Control Number:* 1205-0451.

Affected Public: Individuals or Households; Private Sector (businesses or other for profits); Not-for-profit Institutions; Government, State, Local and Tribal Governments.

Number of Respondents: 80,495.6.

Frequency: Varies by form.

Estimated Number of Annual Responses: 675,122.5.

Estimated Average Time per Response: Varies by form.

Estimated Total Annual Burden Hours: 234,231.93.

Total Estimated Annual Other Costs Burden: \$132,150.

(Authority: 44 U.S.C. 3506(c)(2)(A))

John Pallasch,

Assistant Secretary for Employment and Training.

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DEPARTMENT OF LABOR

Bureau of Labor Statistics

Information Collection Activities; Comment Request

AGENCY: Bureau of Labor Statistics, Department of Labor.

ACTION: Notice of information collection; request for comment.

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. This program helps to ensure that the 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 revision of the "Report on Current Employment Statistics." A copy of the proposed information collection request can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

DATES: Written comments must be submitted to the office listed in the **ADDRESSES** section of this notice on or before September 18, 2020.

ADDRESSES: Send comments to Carol Rowan, 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 email to *BLS_PRA_Public@bls.gov*.

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

SUPPLEMENTARY INFORMATION:

I. Background

The Current Employment Statistics (CES) program provides current monthly statistics on employment, hours, and earnings, by industry and geography. CES estimates are among the most visible and widely-used Principal Federal Economic Indicators (PFEIs). CES data are also among the timeliest of the PFEIs, with their release each month by the BLS in the *Employment Situation*, typically on the first Friday of each month. The statistics are fundamental inputs in economic decision processes at all levels of government, private enterprise, and organized labor.

The CES monthly estimates of employment, hours, and earnings are based on a sample of U.S. nonagricultural establishments. Information is derived from approximately 295,000 reports (from a sample of 150,000 employers with State Unemployment Insurance (UI) accounts comprised of 697,000 individual

worksites), as of April 2020. Each month, firms report their employment, payroll, and hours on forms identified as the BLS-790. The sample is collected under a probability-based design. Puerto Rico and the Virgin Islands collect an additional 8,500 reports.

A list of all form types currently used appears in the table below. Respondents receive variations of the basic collection forms, depending on their industry.

The CES program is a voluntary program under Federal statute. Reporting to the State agencies is voluntary in all but three States (New Mexico, Oregon, and South Carolina), Puerto Rico, and the Virgin Islands. To our knowledge, the States that do have mandatory reporting rarely exercise their authority. The collection form's confidentiality statement cites the Confidential Information Protection and Statistical Efficiency Act and mentions the State mandatory reporting authority.

II. Current Action

Office of Management and Budget clearance is being sought for the Report on Current Employment Statistics.

Automated data collection methods are now used for most of the CES sample. Approximately 150,000 reports are received through Electronic Data Interchange. Web data collection accounts for 65,000 reports. Computer Assisted Telephone Interviewing is used to collect 65,000. Touchtone Data Entry is used for 6,000 reports.

The balance of the sample is collected through other methods including

submission of transcripts, emails, fax, and other special arrangements.

III. Desired Focus of Comments

The Bureau of Labor Statistics is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submissions of responses.

Title of Collection: Report on Current Employment Statistics.

OMB Number: 1220-0011.

Type of Review: Revision of a currently approved collection.

Affected Public: State or local governments; Businesses or other for profit; Non-profit institutions.

Industry	Reports	Minutes per report	Frequency of response	Annual responses	Annual burden hours
A—Mining and Logging	1,091	10	12	13,092	2,182
B—Construction	10,963	10	12	131,556	21,926
C—Manufacturing	9,580	10	12	114,960	19,160
E—Service Providing Industries	189,875	10	12	2,278,500	379,750
G—Public Administration	65,168	6	12	782,016	78,202
S—Education & Health Services	18,771	6	12	225,252	22,525
Total	295,448	3,545,376	523,745

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they also will become a matter of public record.

Signed at Washington, DC, on July 13, 2020.

Eric P. Molina,
Acting Chief, Division of Management Systems.

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NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (20-054)]

Notice of Intent To Grant an Exclusive Patent License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of intent to grant an exclusive patent license.

SUMMARY: NASA hereby gives notice of its intent to grant an exclusive patent license in the United States to practice the inventions described and claimed in

U.S. Patent Nos. 7,790,787 and 9,777,126 entitled "Aerogel/Polymer Composite Materials," NASA Case Numbers KSC-12890 and KSC-12890-2-DIV respectively, to AeroPolymer Holding Group, LLC, having its principal place of business in Gulfport, Florida. NASA has not yet made a determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

DATES: The prospective exclusive license may be granted unless NASA receives written objections, including