

as victim services and community outreach services), information sharing with tribal governments, training received by prosecutors about tribal lands, joint training opportunities with state prosecutors and tribes, and the number and types of referrals to and cases prosecuted by state prosecutors. This survey is the first of its kind to describe the role that state and local prosecutor offices play in charging and prosecuting crimes that occur on tribal lands in PL-280 states.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* An agency-level survey will be sent to approximately 460 offices, including a full census of prosecutor offices in counties with tribal lands (approximately 210) and a sample of prosecutor offices in counties without tribal lands (approximately 250 of the remaining 520). The expected burden placed on these respondents is about 70 minutes per respondent, including follow-up time.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The total respondent burden is approximately 510 burden hours.

If additional information is required contact: Melody Braswell, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Two Constitution Square, 145 N Street NE., 3E.405B, Washington, DC 20530.

Dated: December 19, 2016.

Jerri Murray,

Department Clearance Officer for PRA, U.S. Department of Justice.

[FR Doc. 2016-30932 Filed 12-22-16; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Labor Certification Process for the Temporary Employment of Aliens in Agriculture in the United States: Adverse Effect Wage Rate for Range Occupations in 2017

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) of the Department of Labor (Department) is issuing this notice to announce the 2017 Adverse Effect Wage Rate (AEWR) for the employment of temporary or seasonal nonimmigrant foreign workers

(H-2A workers) to perform herding or production of livestock on the range.

AEWRs are the minimum wage rates the Department has determined must be offered and paid by employers to H-2A workers and workers in corresponding employment so that the wages of similarly employed U.S. workers will not be adversely affected. In this notice, the Department announces the annual update of the AEWR for workers engaged in the herding or production of livestock on the range, as required by the methodology established in the *Temporary Agricultural Employment of H-2A Foreign Workers in the Herding or Production of Livestock on the Range in the United States*, 80 FR 62958, 63067-63068 (Oct. 16, 2015); 20 CFR 655.211.

DATES: *Effective Date:* This notice is effective January 1, 2017.

FOR FURTHER INFORMATION CONTACT: William W. Thompson, II, Acting Administrator, Office of Foreign Labor Certification, U.S. Department of Labor, 200 Constitution Avenue NW., Room PPII-12-200, Washington, DC 20210. Telephone: 202-693-3010 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-800-877-8339.

SUPPLEMENTARY INFORMATION: The U.S. Citizenship and Immigration Services of the Department of Homeland Security will not approve an employer's petition for the admission of H-2A nonimmigrant temporary agricultural workers in the U.S. unless the petitioner has received from the Department an H-2A labor certification. The labor certification provides that: (1) There are not sufficient U.S. workers who are able, willing, and qualified and who will be available at the time and place needed to perform the labor or services involved in the petition; and (2) the employment of the foreign worker(s) in such labor or services will not adversely affect the wages and working conditions of workers in the U.S. similarly employed. 8 U.S.C. 1101(a)(15)(H)(ii)(a), 1184(c)(1), and 1188(a); 8 CFR 214.2(h)(5); 20 CFR 655.100.

Adverse Effect Wage Rate for 2017

The Department's H-2A regulations covering the herding or production of livestock on the range (H-2A Herder Rule) at 20 CFR 655.210(g) and 655.211(a)(1) provide that employers must offer, advertise in recruitment and pay each worker employed under 20 CFR 655.200-655.235 a wage that is at least the highest of: (i) The monthly AEWR, (ii) the agreed-upon collective

bargaining wage, or (iii) the applicable minimum wage imposed by Federal or State law or judicial action. Further, when the monthly AEWR is adjusted during a work contract, and is higher than both the agreed-upon collective bargaining wage and the applicable minimum wage imposed by Federal or State law or judicial action in effect at the time the work is performed, the employer must pay that adjusted monthly AEWR upon publication by the Department in the **Federal Register**. 20 CFR 655.211(a)(2).

As provided in 20 CFR 655.211(c) of the H-2A Herder Rule, the methodology for establishing the monthly AEWR for range occupations in all states is based on the rate of \$7.25/hour multiplied by 48 hours per week, and then multiplied by 4.333 weeks per month. Beginning for calendar year 2017, the monthly AEWR shall be adjusted annually based on the Employment Cost Index (ECI) for wages and salaries published by the Bureau of Labor Statistics for the preceding annual period. The 12-month change in the ECI for wages and salaries between September 2015 and September 2016 was 2.4 percent. ETA used that percentage to adjust the monthly AEWR.¹

The H-2A Herder Rule applies a two-year transition to the full monthly AEWR. In applying the transition wage rate methodology set forth under 20 CFR 655.211(d)(2) for calendar year 2017, the Department is setting the national monthly AEWR at 90 percent of the full wage calculated using the H-2A Herder Rule methodology. Thus, the national monthly AEWR rate for all range occupations in the H-2A program is calculated at $(\$7.25 \times 48 \times 4.333 \times 1.024 \times .90 = 1,389.67)$ or \$1,389.67.

Accordingly, any employer certified or seeking certification for range workers must pay each worker a wage that is at least the highest of the monthly AEWR of \$1,389.67, the agreed-upon collective bargaining wage, or the applicable minimum wage imposed by Federal or State legislation or judicial action, at the time work is performed on or after the effective date of this notice.

¹ The regulation at 20 CFR 655.211(c)(2) states that the monthly AEWR is calculated based on the Employment Cost Index for wages and salaries for the preceding October-October period. This was intended to refer the October publication of data by BLS of wages and salaries for the September-September period. Accordingly, the most recent 12-month change in the Employment Cost Index published on October 28, 2016 by the Bureau of Labor Statistics was used for establishing the monthly AEWR for the second transition year under the regulations. See <http://www.bls.gov/news.release/eci.nr0.htm>.

Signed in Washington, DC.

Portia Wu,

Assistant Secretary, Employment and Training Administration.

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DEPARTMENT OF LABOR

Employment and Training Administration

Labor Certification Process for the Temporary Employment of Aliens in Agriculture in the United States: 2017 Adverse Effect Wage Rates

AGENCY: Employment and Training Administration, Department of Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration (ETA) of the Department of Labor (Department) is issuing this notice to announce the 2017 Adverse Effect Wage Rates (AEWRs) for the employment of temporary or seasonal nonimmigrant foreign workers (H-2A workers) to perform agricultural labor or services.

AEWRs are the minimum wage rates the Department has determined must be offered and paid by employers to H-2A workers and workers in corresponding employment for a particular occupation and area so that the wages of similarly employed U.S. workers will not be adversely affected. In this notice, the Department announces the annual update of the AEWRs.

DATES: *Effective Date:* This notice is effective December 23, 2016.

FOR FURTHER INFORMATION CONTACT: William W. Thompson, II, Acting Administrator, U.S. Department of Labor, Employment and Training Administration, Office of Foreign Labor Certification, 200 Constitution Avenue NW., Room PPII-12-200, Washington, DC 20210. Telephone: 202-513-7350 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: As a condition precedent to receiving an H-2A visa, employers must first obtain a labor certification from the Department of Labor. The labor certification provides that: (1) There are not sufficient U.S. workers who are able, willing, and qualified and who will be available at the time and place needed to perform the labor or services involved in the petition; and (2) the employment of the foreign worker(s) in such labor or services will not adversely affect the wages and working conditions of workers in the U.S. similarly employed. 8 U.S.C. 1101(a)(15)(H)(ii)(a), 1184(c)(1),

and 1188(a); 8 CFR 214.2(h)(5); 20 CFR 655.100.

Adverse Effect Wage Rates for 2017

The Department's H-2A regulations at 20 CFR 655.120(l) provide that employers must pay their H-2A workers and workers in corresponding employment at least the highest of: (i) The AEWR; (ii) the prevailing hourly wage rate; (iii) the prevailing piece rate; (iv) the agreed-upon collective bargaining wage rate, if applicable; or (v) the Federal or State minimum wage rate, in effect at the time the work is performed.

Except as otherwise provided in 20 CFR part 655, subpart B, the region-wide AEWR for all agricultural employment (except those occupations characterized by other than a reasonably regular workday or workweek as described in 20 CFR 655.102) for which temporary H-2A certification is being sought is equal to the annual weighted average hourly wage rate for field and livestock workers (combined) in the State or region as published annually by the United States Department of Agriculture (USDA). 20 CFR 655.120(c) requires that the Administrator of the Office of Foreign Labor Certification publish the USDA field and livestock worker (combined) wage data as AEWRs in a **Federal Register** notice. Accordingly, the 2017 AEWRs to be paid for agricultural work performed by H-2A and U.S. workers on or after the effective date of this notice are set forth in the table below:

TABLE—2017 ADVERSE EFFECT WAGE RATES

State	2017 AEWRs
Alabama	\$10.62
Arizona	10.95
Arkansas	10.38
California	12.57
Colorado	11.00
Connecticut	12.38
Delaware	12.19
Florida	11.12
Georgia	10.62
Hawaii	13.14
Idaho	11.66
Illinois	13.01
Indiana	13.01
Iowa	13.12
Kansas	13.79
Kentucky	10.92
Louisiana	10.38
Maine	12.38
Maryland	12.19
Massachusetts	12.38
Michigan	12.75
Minnesota	12.75
Mississippi	10.38
Missouri	13.12
Montana	11.66

TABLE—2017 ADVERSE EFFECT WAGE RATES—Continued

State	2017 AEWRs
Nebraska	13.79
Nevada	11.00
New Hampshire	12.38
New Jersey	12.19
New Mexico	10.95
New York	12.38
North Carolina	11.27
North Dakota	13.79
Ohio	13.01
Oklahoma	11.59
Oregon	13.38
Pennsylvania	12.19
Rhode Island	12.38
South Carolina	10.62
South Dakota	13.79
Tennessee	10.92
Texas	11.59
Utah	11.00
Vermont	12.38
Virginia	11.27
Washington	13.38
West Virginia	10.92
Wisconsin	12.75
Wyoming	11.66

Pursuant to the H-2A regulations at 20 CFR 655.173, the Department will publish a separate **Federal Register** notice in early 2017 to announce (1) the allowable charges for 2017 that employers seeking H-2A workers may charge their workers for providing them three meals a day; and (2) the maximum travel subsistence reimbursement which a worker with receipts may claim in 2017.

Signed in Washington, DC

Portia Wu,

Assistant Secretary, Employment and Training Administration.

[FR Doc. 2016-30928 Filed 12-22-16; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities; Comment Request; Workforce Innovation Fund Grants Reporting and Recordkeeping Requirements

ACTION: Notice.

SUMMARY: The Department of Labor (DOL), Employment and Training Administration (ETA) is soliciting comments concerning a proposed extension for the authority to conduct the information collection request (ICR) titled, "Workforce Innovation Fund Grants Reporting and Recordkeeping Requirements." This comment request is part of continuing Departmental