above. Comments are solicited to (a) evaluate whether the proposed data collection is necessary for the proper performance of the agency, including whether the information shall have practical utility; (b) 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; (c) enhance the quality, utility, and clarity of the information to be collected; and (d) 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.

Maile Arthur,

[FR Doc. 2020–00711 Filed 1–16–20; 8:45 am]
BILLING CODE 9111–27–P

DEPARTMENT OF HOMELAND SECURITY
[Docket No. DHS–2011–0108]
RIN 1601–ZA11
Identification of Foreign Countries Whose Nationals Are Eligible To Participate in the H–2A and H–2B Nonimmigrant Worker Programs

AGENCY: Office of the Secretary, DHS.

ACTION: Notice.

SUMMARY: Under Department of Homeland Security (DHS) regulations, U.S. Citizenship and Immigration Services (USCIS) may generally only approve petitions for H–2A and H–2B nonimmigrant status for nationals of countries that the Secretary of Homeland Security, with the concurrence of the Secretary of State, has designated by notice published in the Federal Register. That notice must be renewed each year. This notice announces that the Secretary of Homeland Security, in consultation with the Secretary of State, is identifying 84 countries whose nationals are eligible to participate in the H–2A program and 81 countries whose nationals are eligible to participate in the H–2B program for the coming year.

DATES: The designations in this notice are effective from January 19, 2020, and shall be without effect after January 18, 2021.


SUPPLEMENTARY INFORMATION:

Background

Generally, USCIS may approve H–2A and H–2B petitions for nationals only those countries that the Secretary of Homeland Security, with the concurrence of the Secretary of State, has designated as participating countries. Such designation must be published as a notice in the Federal Register and expires after one year. In designating countries to include on the list, the Secretary of Homeland Security, with the concurrence of the Secretary of State, will take into account factors including, but not limited to: (1) The country’s cooperation with respect to issuance of travel documents for citizens, subjects, nationals, and residents of that country who are subject to a final order of removal; (2) the number of final and unexecuted orders of removal against citizens, subjects, nationals, and residents of that country; (3) the number of orders of removal executed against citizens, subjects, nationals, and residents of that country; and (4) such other factors as may serve the U.S. interest. See 8 CFR 214.2(b)(5)(ii)(F)(I)(i) and 8 CFR 214.2(b)(6)(ii)(E)(I). Examples of factors serving the U.S. interest that could result in the exclusion of a country or the removal of a country from the list include, but are not limited to: Fraud, abuse, nonimmigrant overstays rates (including but not limited to H–2 nonimmigrants), and other forms of non-compliance with the terms and conditions of the H–2 visa programs by nationals of that country.

USCIS, however, may allow, on a case-by-case basis, a national from a country that is not on the list to be named as a beneficiary of an H–2A or H–2B petition based on a determination that such participation is in the U.S. interest. Determination of such U.S. interest will take into account factors, including but not limited to: (1) Evidence from the petitioner demonstrating that a worker with the required skills is not available either from among U.S. workers or from among foreign workers from a country currently on the list described in 8 CFR 214.2(b)(5)(ii)(F)(I)(i) (H–2A nonimmigrants) or 214.2(b)(6)(ii)(E)(I) (H–2B nonimmigrants), as applicable; (2) evidence that the beneficiary has been admitted to the United States previously in H–2A or H–2B status; (3) the potential for abuse, fraud, or other harm to the integrity of the H–2A or H–2B visa program through the potential admission of a beneficiary from a country not currently on the list; and (4) such other factors as may serve the U.S. interest. See 8 CFR 214.2(b)(5)(ii)(F)(I)(ii) and 8 CFR 214.2(b)(6)(ii)(E)(II).

In December 2008, DHS published in the Federal Register two notices, “Identification of Foreign Countries Whose Nationals Are Eligible To Participate in the H–2A Visa Program,” and “Identification of Foreign Countries Whose Nationals Are Eligible To Participate in the H–2B Visa Program,” which designated 28 countries whose nationals were eligible to participate in the H–2A and H–2B programs. See 73 FR 77043 (Dec. 18, 2008); 73 FR 77729 (Dec. 19, 2008). The notices ceased to have effect on January 17, 2010, and January 18, 2010, respectively. See 8 CFR 214.2(b)(5)(ii)(F)(I) and 8 CFR 214.2(b)(6)(ii)(E)(III). In implementing these regulatory provisions, the Secretary of Homeland Security, with the concurrence of the Secretary of State, has published a series of notices on a regular basis. See 75 FR 2879 (Jan. 19, 2010) (adding 11 countries); 76 FR 2915 (Jan. 18, 2011) (removing 1 country and adding 15 countries); 77 FR 2558 (Jan. 18, 2012) (adding 5 countries); 78 FR 4154 (Jan. 18, 2013) (adding 1 country); 79 FR 3214 (Jan. 17, 2014) (adding 4 countries); 79 FR 74735 (Dec. 16, 2014) (adding 5 countries); 80 FR 72079 (Nov. 18, 2015) (removing 1 country from the H–2B program and adding 16 countries); 81 FR 74466 (Oct. 26, 2016) (adding 1 country); 83 FR 2646 (Jan. 18, 2018) (removing 3 countries and adding 1 country); 84 FR 133 (Jan. 18, 2019) (removing 2 countries from both the H–2A and
and the H–2B program, removing 1

country from only the H–2B program,
and adding 2 countries to both programs
and 1 country to only the H–2A
program).

Countries With Continued Eligibility

The Secretary of Homeland Security
has determined, with the concurrence of
the Secretary of State, that 84 countries
previously designated to participate in
the H–2A program in the January 18,
2019 notice continue to meet the
regulatory standards for eligible
countries and therefore should remain
designated as countries whose nationals
are eligible to participate in the H–2A
program. Additionally, the Secretary of
Homeland Security has determined,
with the concurrence of the Secretary of
State, that 81 countries previously
designated to participate in the H–2B
program in the January 18, 2019 notice
continue to meet the regulatory
standards for eligible countries and
therefore should remain designated as
countries whose nationals are eligible
to participate in the H–2B program. These
determinations take into account how
the regulatory factors identified above
apply to each of these countries.

Countries Designated as Eligible

The Secretary of Homeland Security
has now determined, with the
concurrence of the Secretary of State,
that the countries designated as eligible
shall remain unchanged for 2020.

Consistent with the 2019 notice,
nationals of non-designated countries
may still be beneficiaries of approved
H–2A and H–2B petitions upon the
request of the petitioner if USCIS
determines, as a matter of discretion and
on a case-by-case basis, that it is in the
U.S. interest for the individual to be a
beneficiary of such petition. See 8 CFR
214.2(h)(5)(i)(F)(ii) and 8 CFR
214.2(h)(6)(i)(E)(2). USCIS may
favorably consider a beneficiary of an
H–2A or H–2B petition who is not a
national of a country included on the
H–2A or H–2B eligibility list as serving
the national interest, depending on the
totality of the circumstances. Factors
USCIS may consider include, among
other things, whether a beneficiary has
previously been admitted to the United
States in H–2A or H–2B status and
complied with the terms of the program.
An additional factor for beneficiaries of
H–2B petitions, although not necessarily
determinative standing alone, would be
whether the H–2B petition qualifies
under section 1045 of the National
Defense Authorization Act (NDAA) for
FY 2020. Public Law 116–92. However,
any ultimate determination of eligibility
will be made according to all of the
relevant factors and evidence in each
individual circumstance.

Designation of Countries Whose
Nationals Are Eligible To Participate in
the H–2A and H–2B Nonimmigrant
Worker Programs

Pursuant to the authority provided to
the Secretary of Homeland Security
under sections 214(a)(1), 215(a)(1), and
241 of the Immigration and Nationality
Act (8 U.S.C. 1184(a)(1), 1185(a)(1), and
1231), I am designating, with the
concurrence of the Secretary of State,
nationals from the following countries
to be eligible to participate in the H–2A
nonimmigrant worker program:

1. Andorra
2. Argentina
3. Australia
4. Austria
5. Barbados
6. Belgium
7. Brazil
8. Brunei
9. Bulgaria
10. Canada
11. Chile
12. Colombia
13. Costa Rica
14. Croatia
15. Czech Republic
16. Denmark
17. Dominican Republic
18. Ecuador
19. El Salvador
20. Estonia
21. Fiji
22. Finland
23. France
24. Germany
25. Greece
26. Grenada
27. Guatemala
28. Honduras
29. Hungary
30. Iceland
31. Ireland
32. Israel
33. Italy
34. Jamaica
35. Japan
36. Kiribati
37. Latvia
38. Liechtenstein
39. Lithuania
40. Luxembourg
41. Macedonia
42. Madagascar
43. Malta
44. Mexico
45. Moldova
46. Monaco
47. Mongolia
48. Montenegro
49. Mozambique
50. Nauru
51. The Netherlands
52. New Zealand
53. Nicaragua
54. Norway
55. Panama
56. Papua New Guinea
57. Paraguay
58. Peru
59. Poland
60. Portugal
61. Romania
62. Samoa
63. San Marino
64. Serbia
65. Singapore
66. Slovakia
67. Slovenia
68. Solomon Islands
69. South Africa
70. South Korea
71. Spain
72. St. Vincent and the Grenadines
73. Sweden
74. Switzerland
75. Taiwan
76. Thailand
77. Timor-Leste
78. Tonga
79. Turkey
80. Tuvalu
81. United Kingdom
82. Ukraine
83. Uruguay
84. Vanuatu

Pursuant to the authority provided to
the Secretary of Homeland Security
under sections 214(a)(1), 215(a)(1), and
241 of the Immigration and Nationality
Act (8 U.S.C. 1184(a)(1), 1185(a)(1), and
1231), I am designating, with the
concurrence of the Secretary of State,
nationals from the following countries
to be eligible to participate in the H–2B
nonimmigrant worker program:

1. Andorra
2. Argentina
3. Australia
4. Austria
5. Barbados
6. Belgium
7. Brazil
8. Brunei
9. Bulgaria
10. Canada
11. Chile
12. Colombia
13. Costa Rica
14. Croatia
15. Czech Republic
16. Denmark
17. Dominican Republic
18. Ecuador
19. El Salvador
20. Estonia
21. Fiji
22. Finland
23. France
24. Germany
25. Greece
26. Grenada
27. Guatemala
28. Honduras
29. Hungary
30. Iceland
31. Ireland
32. Israel
33. Italy
34. Jamaica
35. Japan
36. Kiribati
37. Latvia
38. Liechtenstein
39. Lithuania
40. Luxembourg
41. Macedonia
42. Madagascar
43. Malta
44. Mexico
45. Moldova
46. Monaco
47. Mongolia
48. Montenegro
49. Mozambique
50. Nauru
51. The Netherlands
52. New Zealand
53. Nicaragua
54. Norway
55. Panama
56. Papua New Guinea
57. Paraguay
58. Peru
59. Poland
60. Portugal
61. Romania
62. Samoa
63. San Marino
64. Serbia
65. Singapore
66. Slovakia
67. Slovenia
68. Solomon Islands
69. South Africa
70. South Korea
71. Spain
72. St. Vincent and the Grenadines
73. Sweden
74. Switzerland
75. Taiwan
76. Thailand
77. Timor-Leste
78. Tonga
79. Turkey
80. Tuvalu
81. United Kingdom
82. Ukraine
83. Uruguay
84. Vanuatu
Nothing in this notice limits the authority of the Secretary of Homeland Security or his designee or any other federal agency to invoke against any foreign country or its nationals any other remedy, penalty, or enforcement action available by law.

Chad F. Wolf,
Acting Secretary of Homeland Security.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Title of Information Collection:
Disclosure of Adjustable Rate Mortgage (ARM) Rates.

Type of Request: OMB Approval
OMB Approval Number: 2502–0322.

Total Estimated Burdens:
5,437.

Frequency of Response: One per FHA-insured adjustable rate loan.
Average Hours per Response: 0.05 hour.
Total Estimated Burdens: 5,437.

B. Solicitation of Public Comment

This notice is soliciting comments from members of the public and affected parties concerning the collection of information described in Section A on the following:
(1) 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;
(2) The accuracy of the agency’s estimate of the burden of the proposed collection of information;
(3) Ways to enhance the quality, utility, and clarity of the information to be collected; and
(4) Ways to minimize the burden of the collection of information on those who are to respond; including through the use of appropriate automated collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

HUD encourages interested parties to submit comment in response to these questions.