

RIN Data

DHS/USCIS

RIN: 1615-AC63

Publication ID: Spring 2021

Title: •Amended Rules Concerning Discretionary Review by the Secretary of Labor

Abstract:

The Department of Homeland Security and the Department of Labor are jointly issuing this Notice of Proposed Rulemaking to seek public comments on a proposal to extend DOL's recently established system of discretionary Secretary of Labor review to H-2B temporary labor certification cases (H-2B cases) pending before or decided by the Department of Labor's Board of Alien Labor Certification Appeals and to make technical, conforming changes to regulations governing the timing and finality of those decisions and of decisions from the Department of Labor's Administrative Review Board in H-2B cases. The proposed rule will ensure consistency with the recently established discretionary review processes governing other cases under DOL's May 2020, final rule and Secretary of Labor's Order 01-2020.

Agency: Department of Homeland Security(DHS)

Priority: Substantive, Nonsignificant

RIN Status: First time published in the Unified Agenda

Agenda Stage of Rulemaking: Final Rule Stage

Major: No

Unfunded Mandates: Undetermined

CFR Citation: [20 CFR 655](#) [20 CFR 18](#) [20 CFR 503](#)

Legal Authority: [8 U.S.C. 1101\(a\)\(15\)\(E\)\(iii\)](#), [1101\(a\)\(15\)\(H\)\(i\) and \(ii\)](#), [8 U.S.C. 1103\(a\)\(6\)](#), [1182\(m\)](#), [\(n\)](#), [\(p\)](#), and [\(t\)](#), [1184\(c\)](#), [\(g\)](#), and [\(j\)](#), [1188](#), and [1288\(c\) and \(d\)](#) [sec. 3\(c\)\(1\)](#), [Pub. L. 101-238](#), [103 Stat. 2099](#), [2102 \(8 U.S.C. 1182 note\)](#) [sec. 221\(a\)](#), [Pub. L. 101-649](#), [104 Stat. 4978](#), [5027 \(8 U.S.C. 1184 note\)](#) [sec. 303\(a\)\(8\)](#), [Pub. L. 102-232](#), [105 Stat. 1733](#), [1748 \(8 U.S.C. 1101 note\)](#) [sec. 323\(c\)](#), [Pub. L. 103-206](#), [107 Stat. 2428](#) [sec. 412\(e\)](#), [Pub. L. 105-277](#), [112 Stat. 2681 \(8 U.S.C. 1182 note\)](#) [sec. 2\(d\)](#), [Pub. L. 106-95](#), [113 Stat. 1312](#), [1316 \(8 U.S.C. 1182 note\)](#) [29 U.S.C. 49k](#) [Pub. L. 107-296](#), [116 Stat. 2135, as amended](#) [Pub. L. 109-423](#), [120 Stat. 2900](#) [8 CFR 214.2\(h\)\(4\)\(i\)](#) [8 CFR 214.2\(h\)\(6\)\(iii\)](#) [sec. 6](#), [Pub. L. 115-218](#), [132 Stat. 1547 \(48 U.S.C. 1806\)](#)

Legal Deadline: None

Timetable:

	Action	Date	FR Cite
NPRM		01/04/2021	86 FR 29
Direct Final Rule		01/04/2021	86 FR 1
NPRM Comment Period End		01/19/2021	
Direct Final Rule; Withdrawal		02/03/2021	86 FR 7927
Final Rule		04/00/2022	

Regulatory Flexibility Analysis Required: No

Government Levels Affected: None

Federalism: No

Included in the Regulatory Plan: No

RIN Information URL: www.regulations.gov

Public Comment URL: www.regulations.gov

RIN Data Printed in the FR: No

Related RINs: Related to 1290-AA43

Related Agencies: Joint: DOL/OS;

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