



Penn Global  
International Student and Scholar Services

September 29, 2017

Department of Labor  
OMB Control Number 1205-0310  
ETA.OFLC.Forms@dol.gov

**Proposed Changes  
ETA-9035**

To Whom It May Concern:

Thank you for offering the public the chance to comment on recommendations regarding the proposed LCA revisions - *Information Collection for Form ETA-9035, Labor Condition Application for Nonimmigrant Workers*. The Office of International Student and Scholar Services of the University of Pennsylvania is happy to provide the comments below.

**Electronic Storage**

Above all, our major concern is the additional language in Section J. Notice of Obligations - specifically "Maintain the original signed and certified LCA..." - that would seem to preclude the electronic storage of Public Access Files, particularly with regard to the LCAs. The cited regulation, 20 CFR 655.730(c)(3), requires that an original copy of the LCA be printed for the purposes of signing. 20 CFR 655.705(c)(2) and 20 CFR 655.760 likewise require that documentation be made available "for inspection and copying upon request."

For institutions that employ large numbers of H-1B, the physical space required for the maintenance of paper-based files where electronic storage is not permitted can quickly become burdensome. Additional clarification is needed as to whether or not the original LCA, once printed and signed, may be maintained in an electronic format that is available upon request.

**Clarity of Instructions – Employment and Wage**

We find the linguistic changes introduced into the LCA to be an improvement in terms of clarity and instruction, particularly in Section F with regard to the Employment and Wage Information. We are appreciative of such changes.

We thank you for your consideration and we appreciate the opportunity to voice our comments.

Sincerely,

A handwritten signature in blue ink, appearing to read "Frank Calabrese".

Frank Calabrese, Esq.  
Associate Director, ISSS  
University of Pennsylvania