EMPLOYMENT AND TRAINING ADMINISTRATION ADVISORY SYSTEM U.S. Department of Labor Washington, D.C. 20210	**CLASSIFICATION** ES/MSFWs
	CORRESPONDENCE SYMBOL OWI
	DATE January 3, 2005

TRAINING AND EMPLOYMENT GUIDANCE LETTER NO. 12-04

TO: **ALL STATE WORKFORCE AGENCIES**
ALL STATE WORKFORCE LIAISONS

FROM: **EMILY STOVER DeROCCO**
Assistant Secretary

SUBJECT: Changes to the Agricultural and Food Processing Clearance Order, ETA Form 790

1. **PURPOSE.** To transmit the updated Agricultural and Food Processing Clearance Order, ETA Form 790 and instructions.

2. **REFERENCES.** Wagner-Peyser Act as amended, Section 10(c) and Section 3(c)(2); Workforce Investment Act of 1998, Section 136; 20 CFR Part 653.500 *et. seq*.

3. **BACKGROUND.** ETA regulations at 20 CFR 653.500 established procedures for the recruitment of agricultural workers. In situations where an adequate supply of workers cannot be located within the local recruiting area, out-of-area recruitment should be attempted. In order for State Workforce Agencies (SWAs) to initiate out-of-area recruitment for temporary agricultural work, ETA Form 790 "Agricultural and Food Processing Clearance Order" must be utilized. Based on the comments received from Federal Register Notice dated April 21, 2004, (Vol. 69, No. 77, page number 21578) changes were made to the Agricultural and Food Processing Clearance Order, ETA Form 790.

4. **ACTION REQUIRED.** States are requested to use the new bilingual version of the Agricultural and Food Processing Clearance Order, ETA Form 790. This reporting requirement is approved under the Paperwork Reduction Act of 1995, OMB Control No. 1204-0134, expiring 06/30/2006.

5. **INQUIRIES.** Questions concerning this TEGL should be directed to the National Monitor Advocate, Erik Lang at lang.erik@dol.gov or 202-693-2916, or Dorrie Russell at russell.dorrie@dol.gov or (202) 693-2781.

6. **ATTACHMENTS.** The OMB approved and updated Agricultural and Food Processing Clearance Order, ETA Form 790 and instructions.

RESCISSIONS	EXPIRATION DATE Continuing