The Executive Committee of MICA is scheduled to meet on August 12, 2017, at the Mystic Lake Casino Hotel in Prior Lake, Minnesota. The hotel will be the site of our June 2018 spring convention. This meeting will give the Executive Committee the opportunity to review the property prior to the fall business meeting. They will share their observations of the property with you in October. President Dale Winters has invited the Board of Directors, his Executive Committee, and Committee Chairs to attend the meeting so that they can plan the fall business meeting of MICA. This year, the Board has approved a pre-meeting educational seminar in conjunction with the fall business meeting. The Board will finalize the agenda for this seminar. There is no charge to attend the seminar but space is limited. Be sure to register early for the seminar.

The Board and Executive Committee will have several items to discuss. The main purpose of the meeting is to set the budget and technical program for the annual fall business meeting of MICA. This year’s fall business meeting is scheduled for October 18 & 19, 2017, at the Embassy Suites Downtown Omaha. The room rate for this year is $159 per night, single or double occupancy.

The Board will be reviewing several technical topics for presentations but is open to suggestions from the general membership. President Winters will be developing the technical program and the pre-meeting seminar around his theme. He has already heard from some of the members regarding topics for the fall meeting, but he is open to all suggestions. If you have a topic that you feel would be of interest to the membership, please contact President Winters or the MICA office. Dale can be reached at (636) 583-8698. Dale values your suggestions and input, so please call him with your ideas. He will be delighted to visit with you!

For the past eight years, we have held a table top display show for our associate members during our fall business meeting. The displays have been very well received by both the contractors and associate members. During their spring meeting, the associate members discussed ways to improve the table top show. These suggestions will be reviewed by the Board and Executive Committee at the planning meeting. We will keep you informed of the Board’s decision on the format for the mini tabletop trade show for this fall’s business meeting. This year the manufacturer member firms will participate in the tabletop show.

The Executive Committee has several items of business to conduct in addition to setting the technical program for the fall business meeting. President Winters will have the Committee review ongoing operating policies of MICA and review the budget summary from the spring convention. We will share the fall business program with you next month.
TO: THE MICA MEMBERSHIP

As I write this message, I think I may be a soothsayer. I mentioned in last month’s article that we would soon return to normal Midwest weather, well it is here several days in a row over 100 degrees in the St. Louis area and humid enough you can wring water out of the air. Now is a good time to see if your heat safety program is working, but more important than the program is to monitor and insure all of your employees are safe and able to return home to their families each and every day.

The summer planning meeting will be held next month at Mystic Lake Casino Hotel, a native American Indian Casino Hotel, in Prior Lake, Minnesota and the site of the annual convention in June of 2018. Because this is a planning meeting for the fall business meeting and the location where it will be held, I thought I would share this story with the members:

New Indian Chief

Indian Winter Forecast? It was already late fall and the Indians on a remote reservation in South Dakota asked their new chief if the coming winter was going to be cold or mild. Since he was a chief in a modern society he had never been taught the old secrets. When he looked at the sky he couldn't tell what the winter was going to be like. Nevertheless, to be on the safe side, he told his tribe that the winter was indeed going to be cold and that the members of the village should collect firewood to be prepared.

But being a practical leader, after several days he got an idea. He went to the phone booth, called the National Weather Service and asked, "Is the coming winter going to be cold?"

"It looks like this winter is going to be quite cold," the meteorologist at the weather service responded.

So the chief went back to his people and told them to collect even more firewood in order to be prepared.

A week later he called the National Weather Service again. "Does it still look like it is going to be a very cold winter?"

"Yes," the man at the National Weather Service again replied, "it's going to be a very cold winter."

The chief again went back to his people and ordered them to collect every scrap of firewood they could find. Two weeks later, the chief called the National Weather Service again. "Are you absolutely sure that the winter is going to be very cold?"

"Absolutely," the man replied. "It's looking more and more like it is going to be one of the coldest winters we've ever seen."

"How can you be so sure?" the chief asked.

The weatherman replied, "The Indians are collecting firewood like crazy."

Always remember this whenever you get advice from a government official!!!!!!!

Not only did the leader have a plan, but the organization bought in and executed the plan. Hopefully with the new information attained, the plan was amended. Just like any project, it is imperative to review the plan and adjust to changing conditions.

Thanks for reading and remember "BE COOL & SAFE OUT THERE".

Dale Winters
MICA President
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THE DODGE MOMENTUM INDEX MOVES HIGHER IN JUNE

The Dodge Momentum Index took another step forward in June, increasing 1.1% to 141.1 (2000=100) from its revised May reading of 139.6. The Momentum Index is a monthly measure of the first (or initial) report for nonresidential building projects in planning, which have been shown to lead construction spending for nonresidential buildings by a full year. June’s lift was due to a 4.8% advance by the institutional component of the Momentum Index, while the commercial component fell 1.3%. The Momentum Index has exhibited substantial strength since mid-2016, with the institutional and commercial components trading off as the driver of growth almost on a month-to-month basis. Although the commercial component of the Momentum Index declined in the latest month it is 11.8% higher than it was in June 2016, while the institutional component is 9.5% above a year ago. The overall rising trend for both sectors continues to suggest that construction activity will remain healthy through the end of the year.

In June, seven projects entered planning each with a value of $100 million or more. For the institutional building sector, the leading projects were the $150 million Legacy Sports Complex in Glendale, AZ and the $100 million Highmark Health Cancer Facility in Pittsburgh, PA. The leading commercial building projects were the $300 million Palace Station Hotel in Las Vegas, NV and a $200 million office/warehouse building in American Canyon, CA.

JUNE CONSTRUCTION STARTS CLIMB FOUR PERCENT

New construction starts in June grew 4% from the previous month to a seasonally adjusted annual rate of $679.9 billion, according to Dodge Data & Analytics. Nonresidential building increased 13% in June, strengthening after two months of lackluster activity, and the non-building construction sector rose 8% with the help of elevated activity for electric utilities. However, residential building slipped 4% in June, as both sides of the housing market (single family and multifamily) retreated. Through the first six months of 2017, total construction starts on an unadjusted basis were $342.7 billion, down 4% from the same period a year ago. If the manufacturing plant and electric/utility gas plant categories are excluded, total construction starts during the first half of 2017 would be up 1% from last year.

June’s data lifted the Dodge Index to 144 (2000=100), compared to 138 for May. Even with June’s improved activity, the Dodge Index averaged 139 for the second quarter, down 10% from the first quarter’s 154 average. Since last year, total construction starts have shown an up-and-down pattern on a quarterly basis, including a 6% decline in the fourth quarter of 2016 which was then followed by a 7% increase in this year’s first quarter and now a 10% decline in the second quarter. “A maturing construction expansion is characterized by deceleration in the overall rate of growth, that’s often accompanied by up-and-down behavior on a quarterly or monthly basis,” stated Robert A. Murray, chief economist for Dodge Data & Analytics. “The 11% to 12% yearly increases for total construction starts during the 2012-2015 period were followed by a 4% gain in 2016, and several factors suggest that 2017 should still see modest growth for the year as a whole. These factors include commercial vacancy rates that remain low as well as greater construction funding coming from the state and local bond measures passed in recent years. At the same time, it’s become apparent that any impact from a new federal infrastructure program, should one get passed during the latter half of 2017, would benefit construction more in 2018 and 2019.”

“The first half of 2017 has seen nonresidential building advance, reflecting further growth for office buildings and warehouses, combined with the boost coming from the start of several massive airport terminal projects such as the $3.4 billion Central Terminal Building at LaGuardia Airport in New York City,” Murray continued. “Residential building so far in 2017 has been mixed, with some growth for single family housing earlier this year, while multifamily housing appears now to be trending downward after peaking in 2016. Public works construction has been sluggish so far in 2017, although on the plus side it’s received support from the start of several huge pipeline projects, including the $4.2 billion Rover natural (Continued on page 15)
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FUTURE MICA MEETING DATES

Fall 2017 Annual Fall Business Meeting — October 18 & 19, 2017, Embassy Suites Downtown, Omaha, NE.

Winter Board and Committee Meetings — January 2018, TBD.

61st Annual Spring Convention — June 18 — 21, 2018, Mystic Lake Casino Hotel, Prior Lake, MN.

Fall 2018 Annual Fall Business Meeting — October 17 & 18, 2018, Omaha, NE.

MICA MEMBER ADDRESS/INFO. UPDATES

Be sure to inform the MICA office of any changes or corrections to your listing for either the MICA Directory, e-mail correspondence or mailing address. Even if you update your company listing on the MICA website, please inform the MICA office of the changes. We try to be as current as possible with your help.
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The National Institute for Occupational Safety and Health (NIOSH) is pleased to announce the availability of a new mobile application (app) for iOS devices that can measure sound levels in the workplace. The app called the NIOSH Sound Level Meter (SLM) app can help promote better hearing health and prevention efforts at construction worksites by acquiring and displaying real-time noise exposure data when occupational safety and health professionals are not readily available. The NIOSH SLM app is free, easy to use, and can give any user immediate feedback about sound levels and noise exposure.

The NIOSH SLM app provides a readout of the sound level in the workplace using the smartphone’s built-in microphone, or preferably, an external calibrated microphone (see details on our NIOSH Science Blog). It reports the instantaneous sound level, equivalent sound level, time-weighted average, and noise dose based on NIOSH and OSHA limits (user selectable). The app also contains basic information about noise and hearing loss prevention. This app could be particularly helpful to occupational safety and health trainers because they can use the NIOSH SLM app to raise construction apprentices’ awareness of noise hazards and the need to protect their hearing. In addition, the app allows users to save and share measurement data with others through the smartphone’s communication and media features.
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gas pipeline located in Michigan, Ohio, West Virginia, and Pennsylvania. On balance, the volume of construction starts so far in 2017 is slightly ahead of last year, if one excludes the often volatile manufacturing building and electric utility/gas plant project types.”

Nonresidential building in June was $249.6 billion (annual rate), up 13% from May. The commercial categories as a group climbed 23%, led by an 83% surge for new office building starts. There were 8 office projects valued at $100 million or more that reached groundbreaking in June, led by a $585 million Facebook data center in the Omaha NE area, the $400 million office portion of the $500 million renovation of the Willis Tower in Chicago IL (involving remodeling of the structure’s base and observation deck), and the $334 million office portion of the $600 million Diridon Station mixed-use complex in San Jose CA. During the first half of 2017 the top five metropolitan areas ranked by the dollar volume of office construction starts were – New York NY, San Francisco CA, Washington DC, Dallas-Ft. Worth TX, and Atlanta GA. (The first half 2017 ranking for those metropolitan areas helped by the three largest June office projects were – Chicago IL, number 6; Omaha NE, number 10; and San Jose CA, number 12.) Hotel construction in June jumped 62%, boosted by the start of the $575 million hotel portion of the $900 million Seminole Hard Rock Hotel and Casino expansion in Hollywood FL and the $175 million hotel portion of the $350 million Hard Rock Hotel and Casino renovation in Atlantic City NJ. The other commercial categories lost momentum in June, with stores and shopping centers down 2%, warehouses down 19%, and commercial garages down 31%. The manufacturing building category in June increased 35%, lifted by the start of a $1.8 billion methane plant in Louisiana as well as groundbreaking for such projects as a $150 million pyrogenic silica plant in Tennessee and a $143 million pharmaceutical research laboratory in Missouri.

The institutional categories as a group were unchanged in June compared to May. On the plus side, educational facilities rose 16% in June, led by the $160 million renovation of the Martin Luther King Jr. Memorial Library in Washington DC, a $125 million high school in Stratford CT, and a $114 million high school in Millville NJ. The amusement and recreational category surged 58% in June, reflecting the start of the $193 million renovation of the Philips Arena in Atlanta GA, the $175 million casino portion of the Hard Rock Hotel and Casino renovation in Atlantic City NJ, and the $156 million casino portion of the Seminole Hard Rock Hotel and Casino expansion in Hollywood FL. The public buildings category (courthouses, detention centers) and transportation terminals also contributed with June gains, rising 16% and 10% respectively. However, healthcare facilities plunged 39% in June, pulling back after a 40% hike in May. The religious buildings category also retreated in June, falling 38%.

**U.S. CHAMBER PENS OPEN LETTER ON TAX REFORM TO CONGRESS: ‘FAILURE IS NOT AN OPTION’**

U.S. Chamber of Commerce President and CEO Thomas J. Donohue penned an open letter to all members of Congress demanding an end to the legislative gridlock that is holding progress hostage on critical issues like health care, tax reform, and infrastructure investment.

“In the upcoming cycle, in addition to looking for candidates who support free enterprise, we will be focusing on individuals with a demonstrated willingness to govern, which means reaching consensus so that legislation can be passed and enacted into law,” Donohue wrote. “Promises were made; promises must be kept.”

While the U.S. Chamber will continue to look for opportunities to improve access to affordable health care coverage and services, it is urging Congress to turn its attention to tax reform, which is a priority many in Congress share. Comprehensive tax reform will grow the economy and create jobs.

Donohue noted that true reform will “require compromise and give and take.” He added, “On issues requiring negotiation and compromise...there is a seeming inability to come together...And the problem isn’t just on the left, the right, or the center; it spans the political spectrum.”

The nation’s leading business group also said that it will evaluate 2018 congressional candidates based on their “support of the free enterprise system and their willingness to govern, as demonstrated by what role they played in helping enact the first major tax reform in 30 years.” The U.S. Chamber will also activate the business community, and its grassroots and national networks including state and local chambers of commerce, to hold their representatives accountable on this critical issue.

Donohue ended his open letter with stern words for lawmakers: “Members of Congress be warned: Failure is not an option.”
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NIA’s Fall Summit offers members:

- **Convenience**—All Fall Summit and IEX USA events take place at one location with easy access to 3 airports. The Fall Summit hotel, the brand new Marriott Marquis, is connected via Sky Bridge to the George R. Brown Convention Center.

- **Flexibility**—Minimizing members’ time out of the office is a priority, so all events take place over a 2-day period with dedicated time to attend Fall Summit events and participate in the IEX USA trade show.

- **Value**—15 hours of education, 2 breakfasts, 2 networking receptions, and complimentary access to IEX USA and the Turbomachinery & Pump Symposia (TPS) trade show floors are included in the affordable registration rate. Additional multiple-registrant discounts are available.

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The Fall Summit schedule is planned to make the most efficient use of your time away from your business. By combining the Fall Summit with additional programs, NIA is offering a week-long opportunity for education, training, and networking.

- September 11: Bonus pre-Fall Summit training sessions and Networking Reception.
- September 12–13: NIA’s Fall Summit and Reed Exhibitions’ IEX USA trade show.
- September 13–14: NIA’s Insulation Energy Appraisal Program (IEAP) training course (members receive discounts for registering for both the Fall Summit and the IEAP class)

In 2017, Fall Summit is co-located with Reed Exhibitions’ Insulation Expo (IEX) USA, the North American trade show for the mechanical insulation industry. NIA’s Fall Summit registration includes unlimited access to IEX USA during show hours. IEX USA exhibitors will include insulation manufacturers, distributors, fabricators, and contractors. Attendees will consist of mechanical insulation end users such as engineers, specifiers, plant managers, architects, contractors, building inspectors, and code officials representing the commercial, industrial, and manufacturing sectors. IEX USA is a biennial event, and the next trade show after 2017 will take place in 2019. Don’t miss out!

Registration information for the Fall Summit and the Insulation Expo can be found at the NIA website: www.insulation.org.
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SCAMMERS ORDER CHAOS FOR YOUR BUSINESS

By Rosario Méndez, Attorney, Consumer and Business Education, FTC

Some scammers specialize in tricking people into paying for things they didn’t order. They often target businesses because they know that, in some businesses, the people who order supplies and the people who pay the invoices might not talk all the time. The scammers bet on the bill-payer assuming the invoices are for things the company actually ordered. And if the scammers are right, they can cash in big.

That’s what happened to businesses that fell prey to two schemes the FTC shut down. The FTC filed these lawsuits in 2016 and 2014. Today, we can tell you that these companies can’t go on tricking business’ employees anymore.

These two companies’ fraud targeted a wide range of businesses and nonprofits: from churches and family-owned small businesses, all the way to hospitals, hotels, and even an airport. Their schemes resulted in businesses paying thousands of dollars for supplies (lightbulbs, hand cleaners, kitchen cleaners) they didn’t order or want. One organization paid over $20,000 before it caught on to the scam and stopped paying for the recurring shipments. And that was the right thing to do – not pay for unordered products.

Here’s how you can protect yourself and your business from unordered merchandise scams:
• If your business or a place where you volunteer receives merchandise no one ordered, the law says the vendor cannot legally collect on it. You don’t have to pay for it, even if someone used the supplies before you realized they were unordered. You don’t have to return it either.
• Make sure your staff – including anyone who answers the phone – knows who has authority to order and pay for supplies. Scammers may target less experienced employees or occasional volunteers.

Want more tips on how to protect your business from scams? Visit FTC.gov/SmallBusiness.

PHONY OSHA SCAM BANNED FROM CONNING SMALL BUSINESSES

An operation that allegedly conned small businesses into paying for government-required regulatory posters will be banned from selling such materials, which government agencies provide for free.

The settlement resolves FTC charges brought in 2016, that the defendants pretended to be a federal agency and threatened to shut down or fine newly-opened businesses unless they bought occupational safety and other government-required posters for their premises. The court halted the operation pending litigation.

In addition to the ban on selling such posters, the order prohibits the defendants from misrepresenting that they are affiliated with the Occupational Safety and Health Administration or any other agency, that consumers are required by law to buy goods or services, and any material facts about any good or service.

The order imposes a judgment of more than $3.8 million, which will be partially suspended upon the surrender of the defendants’ assets. The full judgment will become due immediately if the defendants are found to have misrepresented their financial condition.

The defendants are Sean K. Juhl; D&S Marketing Solutions LLC, also doing business as US Corporate Compliance Office, Office of Compliance and Safety Standards, and Occupational Safety and Compliance Administration; and Grand Marketing Solutions LLC, also d/b/a Employer Compliance and Safety Standards and Occupational Safety and Compliance Administration.

The FTC thanks the Florida Department of Agriculture and Consumer Services, the Better Business Bureau of West Florida, and the Occupational Safety and Health Administration for their assistance in this case.

The Commission vote approving the proposed stipulated order was 2-0. The U.S. District Court for the Middle District of Florida, Tampa Division, entered the order on July 10, 2017.

NOTE: Stipulated final orders have the force of law when approved and signed by the District Court judge.

The Federal Trade Commission works to promote competition, and protect and educate consumers. You can

(Continued on page 24)
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NEW GUIDE WILL HELP SMALL BUSINESSES COMPLY WITH OSHA’S SILICA RULE FOR GENERAL INDUSTRY AND MARITIME

OSHA has released a Small Entity Compliance Guide for General Industry and Maritime to help small business employers comply with the agency’s Final Rule to Protect Workers from Exposure to Respirable Crystalline Silica. The guide describes the steps that employers are required to take to protect employees in general industry and maritime from the hazards associated with silica exposure. These requirements include: assessing worker exposures; using engineering and work practice controls to keep exposures below a specified safety threshold; and offering medical exams to certain highly exposed workers. Enforcement of the final rule in general industry and maritime is scheduled to begin June 23, 2018.

THE NATIONAL DEBT CONTINUES ON A DANGEROUS AND UNPRECEDENTED PATH

The national debt continues on a dangerous and unprecedented path according to updated projections today from the nonpartisan Congressional Budget Office (CBO).

CBO’s latest Budget and Economic Outlook projects debt held by the public to grow from $14.3 trillion (77 percent of the economy) today to $25.5 trillion (91 percent of the economy) by 2027. CBO also projects trillion-dollar deficits to return by 2022.

We are entering uncharted waters. Debt has only been this high as a share of the economy one other time in our history—just after World War II. But unlike then, it is not projected to head back down. Instead, CBO confirms it is rising rapidly without end toward record levels.

With deficits rising at alarming speeds, Congress needs to start applying the brakes, not stepping on the gas.
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Our debt cannot remain on its current path, and the longer we wait for a comprehensive plan, the graver the choices become. Rising debt will slow wage growth, increase interest spending, limit flexibility to respond to new challenges, and diminish policymakers’ ability to invest in the economy and maintain the social safety net.

We urge Congress to immediately put together a plan to address our unsustainable debt and not pursue policies like huge unpaid for tax cuts that will only make the problem worse.

There is no free lunch. The choices are hard and will take real leadership, but the good news is it can be done. With pro-growth tax reform and policies to shore-up our unsustainable entitlement programs, we can put the debt back on a downward path and unlock our economy for future generations instead of saddling them with mountains of debt.

JOHNS MANVILLE INDUSTRIAL INSULATION GROUP TO RELEASE NEW PRODUCT

In August of 2017, Johns Manville Industrial Insulation Group (IIG), a global building products manufacturer and a Berkshire Hathaway company, will release the first, water-resistant calcium silicate in North America, called Thermo-1200™. This product will be globally available and will replace Thermo-12® Gold, Johns Manville Industrial Insulation Group’s current high-temperature calcium silicate product. Thermo-1200 offers the same thermal performance and corrosion-inhibiting properties as Thermo-12 Gold, only now it is also water-resistant.

Jack Bittner, Senior Product Manager for Johns Manville Industrial Insulation Group, explained that this new, water-resistant calcium silicate can be highly beneficial for contractors. “As a cementitious insulation, untreated calcium silicate can absorb water. This has historically put pressure on contractors to cover the insulation immediately after installation to protect it from any potential rainfall or moisture. This practice can have wide-reaching implications on the job site that drive up costs and reduce installation efficiency,” he said.

“This is where water-resistant Thermo-1200 has enormous potential. It is engineered to give contractors a little more breathing room during the installation because water will bead on the insulation’s surface, rather than soak into the insulation. This will allow contractors a little extra time to jacket the insulation during the installation process — even in moderate rainfall,” Bittner said.

Ames Kulprathipanja, PhD., the innovation Leader for Johns Manville Industrial Insulation Group, pointed out that this is just one facet of the insulation that helps prevent corrosion. “Corrosion under insulation (CUI) is a major concern in the industrial industry. That’s why our product is still made with XOX Corrosion Inhibitor®. Thus, even if a small amount of water does happen to penetrate the water-resistant insulation, the corrosion inhibitors will still activate to help protect the surface of the system from corrosion,” he said.

According to Bob Wamboldt, Senior Vice President & General Manager of Insulation Systems at Johns Manville (JM), this new water-resistant calcium silicate is part of a larger effort at JM to offer innovative new insulation solutions. “Our industrial business is extremely important to JM, and we feel like there is an opportunity for us to help the insulation industry evolve by creating products like Thermo-1200. These types of one-of-a-kind solutions offer significant value to the contractors who install our products and to the facilities that use them,” Wamboldt said.

Thermo-1200 will be available from the plant in Fruita, CO, facility beginning in August 2017 and from the Ruston, LA, facility in October 2017.

U.S. DEPARTMENT OF LABOR REINSTATES WAGE AND HOUR OPINION LETTERS

The U.S. Department of Labor will reinstate the issuance of opinion letters, U.S. Secretary of Labor Alexander Acosta announced recently. The action allows the department’s Wage and Hour Division to use opinion letters as one of its methods for providing guidance to covered employers and employees.

An opinion letter is an official, written opinion by the Wage and Hour Division of how a particular law applies in specific circumstances presented by an employer, employee or other entity requesting the opinion. The letters were a division practice for more than 70 years until being stopped and replaced by general guidance in 2010.

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employers as they provide a means by which both can develop a clearer understanding of the Fair Labor Standards Act and other statutes,” said Secretary Acosta. “The U.S. Department of Labor is committed to helping employers and employees clearly understand their labor responsibilities so employers can concentrate on doing what they do best: growing their businesses and creating jobs.”

The division has established a webpage where the public can see if existing agency guidance already addresses their questions or submit a request for an opinion letter. The webpage explains what to include in the request, where to submit the request, and where to review existing guidance. The division will exercise discretion in determining which requests for opinion letters will be responded to, and the appropriate form of guidance to be issued.

**U.S. SECRETARY OF LABOR PROTECTS AMERICANS, DIRECTS AGENCIES TO AGGRESSIVELY CONFRONT VISA PROGRAM FRAUD AND ABUSE**

After a thorough review of the U.S. Department of Labor’s foreign worker visa programs, Secretary of Labor Alexander Acosta announced actions to increase protections of American workers while more aggressively confronting entities committing visa program fraud and abuse.

“Entities who engage in visa program fraud and abuse are breaking our laws and are harming American workers, negatively affecting Americans’ ability to provide for themselves and their families. We will enforce vigorously those laws, including heightened use of criminal referrals,” said Secretary Acosta. “The U.S. Department of Labor will focus on preventing visa program abuse and take every available legal action against those who abuse these programs.”

The secretary determined that it is now the policy of the department to enforce vigorously all laws within its jurisdiction governing the administration and enforcement of non-immigrant visa programs, including:

- Directing the department’s Wage and Hour Division to use all its tools in conducting civil investigations to enforce labor protections provided by the visa programs.
- Directing the department’s Employment and Training Administration to develop proposed changes to the Labor Condition Application, and for the division to review their investigatory forms, to better identify systematic violations and potential fraud, and provide greater transparency for agency personnel, U.S. workers and the general public.
- Directing the division, ETA and the Office of the Solicitor to coordinate the administration and enforcement activities of the visa programs and make referrals of criminal fraud to the Office of the Inspector General.
- Establishing a working group made up of senior leadership from ETA, the division and Solicitor’s office to supervise this effort and coordinate enforcement to avoid duplication of efforts and maximize the efficiency of the department’s activities regarding the visa programs. The working group shall invite OIG to send representatives to participate in its efforts.

The department will also continue to work with the departments of Justice and Homeland Security to further investigate and detect visa program fraud and abuse.

In addition, work has already begun on promoting the hiring of Americans and safeguarding working conditions in the U.S. The department has begun to prioritize and publicize the investigation and prosecution of entities in violation of visa programs. For example, in the first successful legal action of its kind by the department, the department obtained a preliminary injunction under the H-2A visa program from the U.S. District Court for Arizona against G Farms for illegal and life-threatening housing provided to agricultural workers. The department continues to investigate the violations at G Farms and has also been in contact with the OIG on this matter.

The department’s OIG has focused substantial investigative resources towards combating visa-related fraud schemes. Their sustained efforts have led to significant results, including convictions of attorneys, employers, recruiters, corrupt government employees and labor brokers. Highlights of some of OIG’s recent successes combating fraud in the H-1B program, for example, are available at:https://www.oig.dol.gov/OIGBrief-H1B.pdf.
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