

2. Prudential Considerations Do Not Warrant Issuing the Proposed Declaratory Order or Continuing To Contest *Island Holdings*

The H-2B workers and U.S. workers recruited in connection with the appealing employers' H-2B applications understood their work would be temporary, and they accepted and performed the work at the offered wage. Although the 2013 SPWDs may have given them an initial expectancy of increased wages or back pay, those SPWDs subject to administrative appeals were properly challenged and never became final because the stay of the appeals prevented completion of administrative review. *Island Holdings*—a “final decision” of the Secretary—held the SPWDs were *ultra vires*, and no court has ever invalidated that holding. The Notice of Intent proposed overruling *Island Holdings*, but the Notice never progressed beyond a mere proposal. Five years have passed, and DOL never issued a final declaratory order overturning *Island Holdings*. In these circumstances, reliance on those SPWDs would not have been reasonable.

On the other hand, many parties relied on the original PWDs before recruitment and hiring. Prior to 2013, DOL had never issued SPWDs, at least not on a large scale to all H-2B employers with then-extant TLCs. Nor did the text of DOL's regulations provide notice of the potential for SPWDs, much less specify the potential increase to wages. Further, the 2013 SPWDs were issued not only to employers who had yet to hire H-2B workers, but also to employers already employing H-2B workers. Such employers had already paid the costs of recruiting workers, and would have had limited options for responding to the SPWDs' increased costs: H-2B workers, once employed, must be employed full-time; the employer must pay return transportation for H-2B workers dismissed earlier than scheduled; and the employer cannot lay off similarly employed U.S. workers. 20 CFR 655.22(h), (i), (m) (2012). And, while employers might have inferred from their Form 9142s that it was possible DOL would issue SPWDs, there was no notice that this would in fact occur, let alone notice of the amount or timing of the SPWD, or the methodology that DOL would use.

V. Conclusion

For all the foregoing reasons, the Notice of Intent is withdrawn.

Signed: at Washington, DC this 9th of March 2020.

Eugene Scalia,
Secretary of Labor.

[FR Doc. 2020-05205 Filed 3-12-20; 8:45 am]

BILLING CODE 4510-HL-P

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. OSHA-2018-0005]

Whistleblower Stakeholder Meeting

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice of public meeting.

SUMMARY: The Occupational Safety and Health Administration (OSHA) is announcing a public meeting to solicit comments and suggestions from stakeholders on issues facing the agency in the administration of the whistleblower laws it enforces.

DATES: The public meeting will be held on May 12, 2020, from 1:00 p.m. to 3:00 p.m., ET. Persons interested in attending the meeting must register by April 28, 2020. In addition, comments relating to the “Scope of Meeting” section of this document must be submitted in written or electronic form by May 5, 2020.

ADDRESSES: The public meeting will be held in Room C5525, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210.

Written Comments: Submit written comments to the OSHA Docket Office, Docket No. OSHA-2018-0005, Room N-3653, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210; telephone (202) 693-2350. You may submit materials, including attachments, electronically at <http://www.regulations.gov>, which is the Federal eRulemaking portal. Follow the on-line instructions for submissions. All comments should be identified with Docket No. OSHA-2018-0005.

Registration to Attend and/or to Participate in the Meeting: If you wish to attend the public meeting, make an oral presentation at the meeting, or participate in the meeting via telephone, you must register using this link <https://www.eventbrite.com/e/whistleblower-stakeholder-meeting-tickets-92898902117> by close of business on April 28, 2020. Participants may speak and hand out written materials, but there will not be an opportunity to give an electronic presentation. Actual times provided for presentation will depend on the number of requests, but no more than 10 minutes per participant. There is no fee to register for the public

meeting. Registration on the day of the public meeting will be permitted on a space-available basis beginning at 12:00 p.m., ET. After reviewing the requests to present, each participant will be contacted prior to the meeting with the approximate time that the participant's presentation is scheduled to begin.

FOR FURTHER INFORMATION CONTACT:

For press inquiries: Mr. Frank Meilinger, Director, OSHA Office of Communications, U.S. Department of Labor; telephone: (202) 693-1999; email: meilinger.francis2@dol.gov.

For general information: Mr. Anthony Rosa, Acting Director, OSHA Directorate of Whistleblower Protection Programs, U.S. Department of Labor; telephone: (202) 693-2199; email: osha.dwpp@dol.gov.

SUPPLEMENTARY INFORMATION:

Scope of Meeting

OSHA is interested in obtaining information from the public on key issues facing the agency's whistleblower program. This meeting is the fifth in a series of meetings requesting public input on this program. The agency is seeking suggestions on how it can improve its program. Please note that the agency does not have the authority to change the regulatory language and requirements of the laws it enforces. In particular, the agency invites input on the following:

1. How can OSHA deliver better whistleblower customer service?
2. What kind of assistance can OSHA provide to help explain the agency's whistleblower laws to employees and employers?
3. Where should OSHA target whistleblower outreach efforts?

Request for Comments

Regardless of attendance at the public meeting, interested persons may submit written or electronic comments (see **ADDRESSES**). Submit a single copy of electronic comments or two paper copies of any mailed comments. To permit time for interested persons to submit data, information, or views on the issues in the “Scope of Meeting” section of this notice, submit comments by May 5, 2020, please include Docket No. OSHA-2018-0005. Comments received may be seen in the OSHA Docket Office, (see **ADDRESSES**), between 10:00 a.m. and 3:00 p.m., ET, Monday through Friday.

Access to the Public Record

Electronic copies of this **Federal Register** notice are available at <http://www.regulations.gov>. This notice, as well as news releases and other relevant

information, also are available on the Directorate of Whistleblower Protection Programs' web page at: <http://www.whistleblowers.gov>.

Authority and Signature

Loren Sweatt, Principal Deputy Assistant Secretary for Occupational Safety and Health, authorized the preparation of this notice under the authority granted by Secretary's Order 01-2012 (Jan. 18, 2012), 77 FR 3912 (Jan. 25, 2012).

Signed at Washington, DC, on March 9, 2020.

Loren Sweatt,

Principal Deputy Assistant Secretary of Labor for Occupational Safety and Health.

[FR Doc. 2020-05128 Filed 3-12-20; 8:45 am]

BILLING CODE 4510-26-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (20-024)]

Notice of Intent To Grant a Partially Exclusive License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of intent to grant partially exclusive patent license.

SUMMARY: NASA hereby gives notice of its intent to grant a partially exclusive patent license in the United States to practice the inventions described and claimed in U.S. Patent Number 8,987,632 B2 titled "Modification of Surface Energy via Direct Laser Ablative Surface Patterning," NASA Case Number LAR-17769-1; and U.S. Patent Number 10,259,077 B2 titled "Modification of Surface Energy via Direct Laser Ablative Surface Patterning," NASA Case Number LAR-17769-2, to Genetoo, Inc., having its principal place of business in Gaithersburg, MD. The fields of use may be limited to for performing laser ablation, on the surface of surgical implants, to enhance specific patterns and to avoid bacteria growth, and/or similar field(s) of use thereto. NASA has not yet made a determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

DATES: The prospective partially exclusive license may be granted unless NASA receives written objections including evidence and argument, no later than March 30, 2020 that establish that the grant of the license would not be consistent with the requirements regarding the licensing of federally

owned inventions as set forth in the Bayh-Dole Act and implementing regulations. Competing applications completed and received by NASA no later than March 30, 2020 will also be treated as objections to the grant of the contemplated partially exclusive license. Objections submitted in response to this notice will not be made available to the public for inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act.

ADDRESSES: Objections relating to the prospective license may be submitted to Patent Counsel, Office of Chief Counsel, NASA Langley Research Center, MS 30, Hampton, Virginia 23681. Phone (757) 864-3221. Facsimile (757) 864-9190.

FOR FURTHER INFORMATION CONTACT: Robin W. Edwards, Patent Counsel, Office of Chief Counsel, NASA Langley Research Center, MS 30, Hampton, Virginia 23681. Phone (757) 864-3221. Facsimile (757) 864-9190.

SUPPLEMENTARY INFORMATION: This notice of intent to grant a partially exclusive patent license is issued in accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i). The patent rights in these inventions have been assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The prospective partially exclusive license will comply with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Information about other NASA inventions available for licensing can be found online at <http://technology.nasa.gov>.

Helen M. Galus,

Agency Counsel for Intellectual Property.

[FR Doc. 2020-05156 Filed 3-12-20; 8:45 am]

BILLING CODE 7510-13-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice: (20-023)]

Notice of Intent To Grant Co-Exclusive License

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of intent to grant co-exclusive patent license.

SUMMARY: NASA hereby gives notice of its intent to grant a co-exclusive patent license in the United States to practice the invention described and claimed in U.S. Patent Application entitled, "Method for Simulation of Flow in Fluid Flow Network Having One-Dimensional and Multi-Dimensional

Flow Components", MFS-33798-1, to Concepts NREC, LLC, having its principal place of business in White River Junction, VT. The fields of use may be limited. The patent rights in these inventions have been assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. NASA has not yet made a determination to grant the requested license and may deny the requested license even if no objections are submitted within the comment period.

DATES: The prospective co-exclusive license may be granted unless NASA receives written objections, including evidence and argument no later than March 30, 2020 that establish that the grant of the license would not be consistent with the requirements regarding the licensing of federally owned inventions as set forth in the Bayh-Dole Act and implementing regulations. Competing applications completed and received by NASA no later than March 30, 2020 will also be treated as objections to the grant of the contemplated co-exclusive license. Objections submitted in response to this notice will not be made available to the public for inspection and, to the extent permitted by law, will not be released under the Freedom of Information Act.

ADDRESSES: Objections relating to the prospective license may be submitted to James J. McGroary, Chief Patent Counsel/LS01, NASA Marshall Space Flight Center, Huntsville, AL 35812, (256) 544-0013. Email james.j.mcgroary@nasa.gov.

FOR FURTHER INFORMATION CONTACT: Cory S. Efird, Technology Transfer Branch/ST22, NASA Marshall Space Flight Center, Huntsville, AL 35812, (256) 617-0237. Email cory.efird@nasa.gov.

SUPPLEMENTARY INFORMATION: This notice of intent to grant a co-exclusive patent license is issued in accordance with 35 U.S.C. 209(e) and 37 CFR 404.7(a)(1)(i). The patent rights in these inventions have been assigned to the United States of America as represented by the Administrator of the National Aeronautics and Space Administration. The prospective co-exclusive license will comply with the requirements of 35 U.S.C. 209 and 37 CFR 404.7.

Information about other NASA inventions available for licensing can be found online at <http://technology.nasa.gov>.

Helen M. Galus,

Agency Counsel for Intellectual Property.

[FR Doc. 2020-05152 Filed 3-12-20; 8:45 am]

BILLING CODE 7510-13-P