

actually considered, whether its terms are ambiguous, and any other competitive considerations bearing upon the adequacy of such judgment that the court deems necessary to a determination of whether the consent judgment is in the public interest; and

(B) The impact of entry of such judgment upon competition in the relevant market or markets, upon the public generally and individuals alleging specific injury from the violations set forth in the complaint including consideration of the public benefit, if any, to be derived from a determination of the issues at trial.

15 U.S.C. 16(e)(1)(A)–(B).

As these statutory provisions suggest, the APPA requires the Court to consider, among other things, the relationship between the remedy secured and the specific allegations set forth in the government's complaint, whether the decree is sufficiently clear, whether enforcement mechanisms are sufficient, and whether the decree may positively harm third parties. See *United States v. Microsoft Corp.*, 56 F.3d 1448, 1458–62 (D.C. Cir. 1995). In determining whether the proposed judgment is in the public interest, “[n]othing in [the APPA] shall be construed to require the court to conduct an evidentiary hearing or to require the court to permit anyone to intervene,” 15 U.S.C. 16(e)(2), “which might have the effect of vitiating the benefits of prompt and less costly settlement through the consent decree process.” 119 Congo Rec. 24,598 (1973) (statement of Senator Tunney). This caveat is also consistent with the deferential review of consent decrees under the APPA. See *United States v. Microsoft*, 56 F.3d at 1460–62; *United States v. BNS, Inc.*, 858 F.2d 456, 462 (9th Cir. 1988); *United States v. SBC Commc'ns, Inc.*, Nos. 05–2102 and 05–2103, 2007 WL 1020746, at \*9 (D.D.C. Mar. 29, 2007) (confirming that 2004 amendments to the APPA “effected minimal changes[] and that the [e] Court’s scope of review remains sharply proscribed by precedent and the nature of [APPA] proceedings.”).

#### VIII. Determinative Documents

There are no determinative materials or documents within the meaning of the APPA that were considered by the United States in formulating the proposed Final Judgment.

Respectfully submitted,  
Dated: July 2, 2007.

For Plaintiff United States of America:

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#### Certificate of Service

I hereby certify that on July 2, 2007, I electronically filed the foregoing Plaintiff's Competitive Impact Statement Concerning the Proposed Final Judgment as to The Federation of Physicians and Dentists and Lynda Odenkirk with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following CM/ECF participants:

David M. Cook, Esq. of Cook, Portune & Logothetis (Cincinnati) (as Trial Attorney for Defendant Federation of Physicians and Dentists, and Trial Attorney for Defendant Lynda Odenkirk), and

Kimberly L. King, Esq. of Hayward & Grant, P.A. (Tallahassee, FL) (as Attorney for Defendant Federation of Physicians and Dentists, and Attorney for Defendant Lynda Odenkirk).

Paul Torzilli,

*Attorney, United States Department of Justice.*

[FR Doc. 07-3421 Filed 7-17-07; 8:45 am]

BILLING CODE 4410-11-M

#### DEPARTMENT OF JUSTICE

##### Office of Justice Programs

[OMB Number 1121-0240]

#### Agency Information Collection Activities: Revision of a Currently Approved Collection; Comments Requested

**ACTION:** 30-day notice of information collection under review: 2007 Survey of State and Local Law Enforcement Agencies.

The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics (BJS), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 72, Number 90, pages 26648–26649 on May 10, 2007, allowing

for a 60 day comment period. The purpose of this notice is to allow for an additional 30 days for public comment until August 17, 2007. This process is conducted in accordance with 5 CFR 1320.10.

If you have comments especially on the estimated public burden or associated response time, suggestions, or need a copy of the proposed information collection instrument with instructions or additional information, please contact Brian Reaves, Bureau of Justice Statistics, 810 Seventh St., NW., Washington, DC 20531.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

#### Overview of This Information Collection:

(1) *Type of Information Collection:* Revision of a currently approved collection.

(2) *Title of the Form/Collection:* 2007 Survey of State and Local Law Enforcement Agencies.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: The form numbers are CJ-44L and CJ-44S, Bureau of Justice Statistics, Office of Justice Programs, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Federal, State, and Local Government. This information collection is a survey of State and local law enforcement agencies. The survey will provide statistics on law enforcement personnel, budgets,

equipment, and policies and procedures.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* It is estimated that 3,200 respondents will complete a survey form, including 1,000 3-hour forms and 2,200 2-hour forms.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 7,400 total annual burden hours associated with this collection.

*If additional information is required contact:* Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street NW, Washington, DC 20530.

Dated: July 13, 2007.

**Lynn Bryant,**

*Department Clearance Officer, PRA,  
Department of Justice.*

[FR Doc. E7-13940 Filed 7-17-07; 8:45 am]

**BILLING CODE 4410-18-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

July 12, 2007.

The Department of Labor (DOL) has submitted the following public information collection requests (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation, may be obtained from RegInfo.gov at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/email: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment Standards Administration (ESA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the

functions of the agency, including whether the information will have practical utility;

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

*Agency:* Employment Standards Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Request for State or Federal Workers' Compensation Information.

*OMB Number:* 1215-0060.

*Form Number:* CM-905.

*Frequency:* On occasion.

*Type of Response:* Reporting.

*Affected Public:* State, Local, or Tribal governments.

*Estimated Number of Respondents:* 1,400.

*Estimated Number of Annual Responses:* 1,400

*Estimated Average Response Time:* 15 minutes.

*Estimated Total Annual Burden Hours:* 350.

*Total Estimated Annualized capital/startup costs:* \$0.

*Total Estimated Annual Costs (operating/maintaining systems or purchasing services):* \$616.

*Description:* The Form CM-905 is submitted to Federal or state agencies for completion when it is indicated that the beneficiary has filed a claim for workers' compensation benefits due to pneumoconiosis, or is receiving benefits that may need to be offset. The information is used by DOL claims examiners in determining the amounts of black lung benefits paid to beneficiaries. Benefit amounts are reduced, dollar for dollar, for other black lung related workers' compensation awards the beneficiary may be receiving from state or Federal programs.

*Agency:* Employment Standards Administration.

*Type of Review:* Extension without change of currently approved collection.

*Title:* Labor Standards for Federal Service Contracts—Regulations 29 CFR, Part 4.

*OMB Number:* 1215-0150.

*Form Numbers:* N/A.

*Frequency:* Annually.

*Type of Response:* Reporting and Recordkeeping.

*Affected Public:* Business and other for-profit.

*Estimated Number of Respondents:* 50,812.

*Estimated Number of Annual Responses:* 50,812.

*Estimated Average Response Time:* 1 hour to prepare a vacations benefit seniority list; 30 minutes to prepare a conformance record; and 5 minutes to transmit collective bargaining agreements.

*Estimated Total Annual Burden Hours:* 49,220.

*Total Annualized capital/startup costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* Section 2(a) of the Service Contract Act (41 U.S.C. 351) provides that every contract subject to the Act must contain a provision specifying the minimum monetary wages and fringe benefits to be paid to the various classes of service employees performing work on the contract. This information collection pertains to records needed to determine an employee's seniority for purposes of determining any vacation benefit, to conform wage rates where they do not appear on a wage determination (WD), and to update WDs because of changing terms in a collective bargaining agreement.

**Darrin A. King,**

*Acting Departmental Clearance Officer.*

[FR Doc. E7-13876 Filed 7-17-07; 8:45 am]

**BILLING CODE 4510-CF-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-61,637]

#### **Vytech Industries, Inc., Elkhart, IN; Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance; Correction**

**ACTION:** Notice; correction.

**SUMMARY:** The Department of Labor, Employment and Training Administration published a document in the **Federal Register** on July 9, 2007, titled Notice of Determinations Regarding Eligibility to Apply for