

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before October 7, 2013.

**ADDRESSES:** Submit written comments to William L. Carlson, Ph.D., Administrator, Office of Foreign Labor Certification, Room C-4312, Employment & Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. Telephone number: 202-693-3010 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-877-889-5627 (TTY/TDD). Fax: 202-693-2768. Email: [ETA.OFLC.Forms@dol.gov](mailto:ETA.OFLC.Forms@dol.gov) subject line: ETA 9033 and ETA 9033A. A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The information collection is required by section 258 of the Immigration and Nationality Act (INA) (8 U.S.C. 1288) and 20 CFR part 655 Subpart F. The INA generally prohibits the performance of longshore work by foreign crewmembers in U.S. ports. 8 U.S.C. 1288(a). However, the INA contains an exception to this general prohibition where the use of foreign crewmembers is permitted by an applicable collective bargaining agreement or otherwise is a prevailing practice at the U.S. port. 8 U.S.C. 1288(c)(1). Under the prevailing practice exception, before any employer may use foreign crewmembers to perform longshore activities in U.S. ports, it must submit an attestation to the Secretary of Labor containing the elements required by the INA. 8 U.S.C. 1288(c)(1)(B). The INA further requires that the Secretary of Labor make available for public examination in Washington, DC a list of employers that have filed attestations and for each of these employers, a copy of the employer's attestation, and accompanying documentation received by the Secretary. 8 U.S.C. 1288(c)(4). Similarly, the INA permits foreign crewmembers to perform longshore work in the State of Alaska if the employer complies with certain attestation requirements. 8 U.S.C. 1288(d).

The information is being collected to ensure compliance with the INA's requirements that employers must make certain attestations as a condition precedent to the employer's use of foreign crewmembers to perform

longshore activities in the U.S. The attestations required by section 258 are collected by the Secretary of Labor through his or her designee, the Employment & Training Administration, on Form ETA 9033, *Attestation by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports* (OMB Control Number 1205-0309) and Form ETA 9033A, *Attestation by Employers Using Alien Crewmembers for Longshore Activities in the State of Alaska* (currently under OMB Control Number 1205-0352).

Previously, the Department of Labor (Department) accounted for the hourly burdens for each of these information collections under two different OMB control numbers—1205-0309 and 1205-0352. The Department is proposing to merge the two OMB control numbers into one (1205-0309) for purposes of efficiency and clarity for both the Federal Government and the public and discontinuing the other (1205-0352).

The revisions to the forms are designed to collect better information for contacting the employer and/or agent such as email. They are also meant to make the form easier to read and complete, and provide more thorough instructions.

**II. Review Focus**

The Department is particularly interested in comments that:

- 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 submissions of responses.

**III. Current Actions**

In order to meet its statutory responsibilities under the INA, the Department needs to revise, extend, and merge two existing collections of information used by employers wishing to employ alien crewmembers to do longshore work in U.S. ports under

either the prevailing practice exception or the Alaska exception.

*Type of Review:* extension with revisions.

*Title:* Form ETA 9033, *Attestation by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports* and Form ETA 9033A, *Attestation by Employers Using Alien Crewmembers for Longshore Activities in the State of Alaska*.

*OMB Number:* 1205-0309 and 1205-0352.

*Affected Public:* Business or other for-profits.

*Form(s):* ETA-9033 and ETA-9033A.

*Total Annual Respondents:* 7.

*Annual Frequency:* 1.

*Total Annual Responses:* 7.

*Average Time per Response:* 3 hours 15 minutes.

*Estimated Total Annual Burden Hours:* 23.

*Total Annual Burden Cost for Respondents:* 0.

Comments submitted in response to this comment request will be summarized and/or included in the request for OMB approval of the ICR; they will also become a matter of public record.

Dated: July 31, 2013.

**Eric Seleznow,**

*Acting Assistant Secretary for Employment and Training, Labor.*

[FR Doc. 2013-19121 Filed 8-7-13; 8:45 am]

**BILLING CODE 4510-FP-P**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Comment request for Information Collection for Quick Turnaround Surveys of All Statutes and Programs for Which the Employment and Training Administration (ETA) is Responsible (Extension with Revisions)**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format,

reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of the collection requirements on respondents can be properly assessed.

Currently, ETA is soliciting comments concerning the collection of data about quick turnaround surveys for statutes and programs for which ETA is responsible. Authorization for this process will expire in November 2013. To obtain a copy of the proposed information collection request (ICR), please contact the office listed below in the addresses section of this notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before October 7, 2013.

**ADDRESSES:** Submit written comments to U.S. Department of Labor, Employment and Training Administration, Office of Policy Development and Research, Attention: Richard Muller, 200 Constitution Avenue NW., Room N-5641, Washington, DC 20210. Telephone number: (202) 693-3680 (this is not a toll-free number). Fax: (202) 693-2766. Email: [muller.richard@dol.gov](mailto:muller.richard@dol.gov).

**FOR FURTHER INFORMATION CONTACT:** Richard Muller, Employment and Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-5637, Washington, DC 20210; (202) 693-3680 (this is not a toll-free number); email: [Muller.Richard@dol.gov](mailto:Muller.Richard@dol.gov); fax: (202) 693-2766 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

ETA is soliciting comments regarding an extension of a current Office of Management and Budget (OMB) clearance for a series of quick turnaround surveys in which data will be collected from State workforce agencies, local workforce investment areas, and other entities involved in employment and training and related programs. The surveys will focus on a variety of issues concerning a broad spectrum of programs administered by ETA including the governance, administration, funding, service design, and delivery structure of workforce programs authorized by the Workforce Investment Act of 1998 (WIA).

ETA has a continuing need for information on the operation of all of its

programs and is seeking another extension of the clearance for conducting a series of 8 to 20 separate surveys over the next 3 years. Each survey will be short (typically 10-30 questions) and, depending on the nature of the survey, may be administered to state workforce agencies, local workforce boards, American Job Centers, employment service offices, or other entities involved in employment and training or related activities. Each survey will be designed on an ad hoc basis and will focus on topics of pressing policy interest. Examples of broad topic areas include:

- Local management information system developments
- New processes and procedures
- Services to different target groups
- Integration and coordination with other programs
- Local workforce investment board membership and training

ETA needs quick turnaround surveys for a number of reasons. The most pressing reason concerns the need to understand key operational issues in light of changes in focus deriving from the Administration's policy priorities. ETA needs timely information that identifies the scope and magnitude of various practices or problems, to fulfill its obligations to develop high quality policy, administrative guidance, regulations, and technical assistance.

ETA will request data in the quick turnaround surveys that are not otherwise available. Other research and evaluation efforts, including case studies or long-range evaluations, either cover only a limited number of sites or take many years for data to be gathered and analyzed. Administrative information and data are too limited. The Five-Year Workforce Investment Plans, developed by States and local areas, are too general in nature to meet ETA's specific informational needs. Quarterly or annual data reported by States and local areas do not provide information on key operational practices and issues. Thus, ETA has no alternative mechanism for collecting precise information that both identifies the scope and magnitude of emerging issues and provides the information on a quick turnaround basis.

ETA will make every effort to coordinate the quick turnaround surveys with other research it is conducting, in order to ease the burden

on local and State respondents, to avoid duplication, and to fully explore how interim data and information from each study can be used to inform other studies. Information from the quick turnaround surveys will complement but not duplicate other ETA reporting requirements or evaluation studies.

**II. Review Focus**

The Department 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 submissions of responses.

**III. Current Actions:**

*Type of Review:* Extension with changes.

*Title:* Quick Turnaround Surveys of all statutes and programs for which ETA is responsible.

*OMB Number:* 1205-0436.

*Affected Public:* State and local workforce agencies and workforce investment boards, and Employment and Training-related partner program agencies at the State and local levels.

*Total Respondents:* Varies by survey, from 54 to 250 (or, occasionally, more) respondents per survey, for up to 20 surveys. The calculations in the Summary Burden chart below are based on an upper limit of 250 respondents; however, it is understood that an occasional survey may exceed that upper limit by no more than 370 respondents. That total number of 620 is derived from adding together the total number of State and local workforce investment boards.

	Sample size	Number of questions	Average time per question (minutes)	Aggregate burden hours per survey (hours)	Estimated number of surveys	Total annual burden hours
Lower-Bound .....	54	10	1	9	8	72

	Sample size	Number of questions	Average time per question (minutes)	Aggregate burden hours per survey (hours)	Estimated number of surveys	Total annual burden hours
Upper-Bound .....	250	30	3	375	20	7,500

*Total Burden Cost for capital and startup:* \$0.  
*Total Burden Cost for operation and maintenance:* \$0.  
 Comments submitted in response to this ICR will be summarized and/or included in the request for OMB approval of the information collection request; they will also become a matter of public record.

Dated: July 26, 2013.  
**Eric M. Seleznow,**  
*Acting Assistant Secretary, Employment and Training Administration.*

[FR Doc. 2013-19120 Filed 8-7-13; 8:45 am]  
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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

[TA-W-82,180]

**Comcast Cable, West Division Customer Care, Morgan Hill, California; Notice of Negative Determination on Reconsideration**

On January 31, 2013, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Comcast Cable, West Division Customer Care, Morgan Hill, California (subject firm). The Department's Notice was published in the **Federal Register** on February 15, 2013 (78 FR 11226). The subject worker group supplies call center services, including sales and technical assistance.

Pursuant to 29 CFR 90.18(c), reconsideration may be granted under the following circumstances: (1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The initial investigation resulted in a negative determination based on no shift in services and no company imports of services like or directly competitive services with those

supplied by the workers at the subject firm.  
 The request for reconsideration alleges that the subject firm had shifted the supply of like or directly competitive services to a location in Mexico and that the subject worker group had supplied services like or directly competitive with the services supplied by the workers employed at two other Comcast Cable locations who were eligible to apply for Trade Adjustment Assistance (TA-W-82,140 and TA-W-82,025).

Information obtained by the subject firm by the Department during the reconsideration investigation confirmed that neither a shift in the supply of services like or directly competitive with those supplied by the subject worker group to a foreign country by the subject firm nor increased imports of services like or directly competitive with those supplied by the subject worker group contributed importantly to subject worker group separations. Further, the services supplied by workers covered by TA-W-82,140 and TA-W-82,025 are related to repairs whereas the services supplied by the subject worker group during the relevant period are related to sales. In addition, the services formerly supplied by the subject worker group are being supplied by other domestic Comcast cable facilities.

Therefore, the Department determines that 29 CFR 90.18(c) has not been met.

**Conclusion**

After careful review, I determine that the requirements of Section 222 of the Act, 19 U.S.C. 2272, have not been met and, therefore, affirm the denial of the petition for group eligibility of Comcast Cable, West Division Customer Care, Morgan Hill, California, to apply for adjustment assistance, in accordance with Section 223 of the Act, 19 U.S.C. 2273.

Signed in Washington, DC on this 9th day of July, 2013.

**Del Min Amy Chen,**  
*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2013-19186 Filed 8-7-13; 8:45 am]  
**BILLING CODE 4510-FN-P**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

[TA-W-82,287]

**Hewlett Packard Conway, Arkansas; Notice of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated in response to a Trade Adjustment Assistance (TAA) petition filed on December 21, 2012 by the State of Arkansas on behalf of workers and former workers of Hewlett Packard, Conway, Arkansas. On January 25, 2013, the Department issued a Notice of Termination of Investigation because the State of Arkansas withdrew its petition in order for a petition covering a larger worker group (which included workers and former workers at the Conway, Arkansas facility) to be filed. Because the later-filed petition was withdrawn, however, the Department is re-opening the investigation of TA-W-82,287 and will issue a determination accordingly.

Signed in Washington, DC this 9th day of July, 2013.

**Del Min Amy Chen,**  
*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2013-19187 Filed 8-7-13; 8:45 am]  
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**DEPARTMENT OF LABOR**

**Employment and Training Administration**

[TA-W-82,290]

**Hewlett Packard Company, Printing & Personal System Americas Division, Marketing Services, Houston, Texas; Notice of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated in response to a Trade Adjustment Assistance (TAA) petition filed on December 27, 2012 by the State of Texas on behalf of workers and former workers of Hewlett Packard Company, Printing & Personal System Americas Division, Marketing Services, Houston, Texas. On January 25, 2013, the Department issued a Notice of Termination of Investigation because