

**DEPARTMENT OF JUSTICE****Bureau of Alcohol, Tobacco, Firearms and Explosives****Agency Information Collection Activities: Proposed Collection; Comments Requested**

**ACTION:** 60-Day notice of information collection under review: Letter application to obtain authorization for the assembly of a nonsporting rifle or nonsporting shotgun for the purpose of testing or evaluation.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), has submitted 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. Comments are encouraged and will be accepted for "sixty days" until May 3, 2004. 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 Larry White, Firearms Programs Division, Room 7400, 650 Massachusetts Avenue, NW, Washington, DC 20226

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:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Letter Application to Obtain Authorization for the Assembly of a Nonsporting Rifle or Nonsporting Shotgun for the Purpose of Testing and Evaluation.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection: Form Number:* None. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Business or other for-profit. The information is required by ATF to provide a means to obtain authorization for the assembly of a nonsporting rifle or nonsporting shotgun for the purpose of testing or evaluation.

(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 5 respondents will complete a written letter in 30 minutes.

(6) An estimate of the total public burden (in hours) associated with the collection: There are an estimated 3 annual total burden hours associated with this collection.

**FOR FURTHER INFORMATION CONTACT:**

Brenda E. Dyer, Deputy Clearance Officer, Information Management and Security Staff, Justice Management Division, Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: February 27, 2004.

**Brenda E. Dyer,**

*Deputy Clearance Officer, Department of Justice.*

[FR Doc. 04-4774 Filed 3-2-04; 8:45 am]

**BILLING CODE 4410-FY-P**

**DEPARTMENT OF LABOR****Employment and Training Administration****Labor Certification Process for the Temporary Employment of Aliens in Agriculture and Logging in the United States: 2004 Adverse Effect Wage Rates, Allowable Charges for Agricultural and Logging Workers' Meals, and Maximum Travel Subsistence Reimbursement**

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

**ACTION:** Notice of Adverse Effect Wage Rates (AEWR's), allowable charges for

meals, and maximum travel subsistence reimbursement for 2004.

**SUMMARY:** The Employment and Training Administration (ETA) announces 2004 adverse effect wage rates for employers seeking nonimmigrant alien (H-2A) workers for temporary or seasonal agricultural labor or services and logging; the allowable charges employers seeking nonimmigrant alien (H-2A) workers for temporary or seasonal agricultural labor or services and logging work may levy upon their workers when they provide three meals per day; and the maximum travel subsistence reimbursement which a worker with receipts may claim in 2004.

AEWR's are the minimum wage rates the Department of Labor has determined must be offered and paid to U.S. and prevent the employment of these aliens from adversely affecting wages of similarly employed U.S. workers.

The Department of Labor also announces the new rates which covered agricultural and logging employers may charge their workers for three daily meals.

Under specified conditions, workers are entitled to reimbursement for travel subsistence expenses. The minimum reimbursement is the charge for three daily meals as discussed above. The Department of Labor (DOL) also announces the current maximum reimbursement for workers with receipts.

**EFFECTIVE DATE:** March 3, 2004.

**FOR FURTHER INFORMATION CONTACT:**

William Carlson, Chief, Division of Foreign Labor Certification, U.S. Department of Labor, Room C-4318, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: 202-693-3010 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The U.S. Citizenship and Immigration Services may not approve an employer's petition for admission of temporary alien agricultural H-2A workers to perform agricultural labor or services of a temporary or seasonal nature in the United States unless the petitioner has received from the DOL an H-2A labor certification. Approved labor certifications attest (1) there are not sufficient U.S. workers who are able, willing, and qualified and who will be available at the time and place needed to perform the labor or services involved in the petition; and (2) the employment of the alien in such labor or services will not adversely affect the wages and working conditions of workers in the U.S. similarly employed. 8 U.S.C. 1101(a)(15)(H)(ii)(a), 1184(c), and 1188.

DOL's regulations for the H-2A program require that covered employers offer and pay their U.S. and H-2A workers no less than the applicable hourly Adverse Effect Wage Rate. 20 CFR 655.102(b)(9); see also 20 CFR 655.107. Reference should be made to the preamble of the July 5, 1989, Final Rule (54 FR 28037), which explains in great depth the purpose and history of AEWR's, DOL's discretion in setting AEWR's, and the AEWR computation methodology at 20 CFR 655.107(a). See also 52 FR 20496, 20502-20505 (June 1, 1987).

**A. Adverse Effect Wage Rates for 2004**

Adverse effect wage rates are the minimum wage rates which DOL has determined must be offered and paid to U.S. and alien workers by employers of nonimmigrant H-2A agricultural workers. DOL emphasizes, however, that such employers must pay the highest of the AEWR, the applicable prevailing wage, or the statutory minimum wage, as specified in the regulations. 20 CFR 655.102(b)(9). Except as otherwise provided in 20 CFR part 655, subpart B, the region-wide AEWR for all agricultural employment (except those occupations deemed inappropriate under the special circumstances provisions of 20 CFR 655.93) for which temporary alien agricultural labor H-2A certification is being sought, is equal to the annual weighted average hourly wage rate for field and livestock workers (combined) for the region as published annually by the U.S. Department of Agriculture (USDA). USDA does not provide data on Alaska. 20 CFR 655.107(a).

The regulation at 20 CFR 655.107(a) requires the Assistant Secretary, Employment and Training Administration, to publish USDA field and livestock worker (combined) wage data as AEWR's in a **Federal Register** notice. Accordingly, the 2004 AEWR's for work performed on or after the effective date of this notice, are set forth in the table below:

**TABLE—2004 ADVERSE EFFECT WAGE RATES**

State	2004 AEWR
Alabama	\$7.88
Arizona	7.54
Arkansas	7.38
California	8.50
Colorado	8.36
Connecticut	9.01
Delaware	8.52
Florida	8.18
Georgia	7.88
Hawaii	9.60
Idaho	7.69

**TABLE—2004 ADVERSE EFFECT WAGE RATES—Continued**

State	2004 AEWR
Illinois	9.00
Indiana	9.00
Iowa	9.28
Kansas	8.83
Kentucky	7.63
Louisiana	7.38
Maine	9.01
Maryland	8.52
Massachusetts	9.01
Michigan	9.11
Minnesota	9.11
Mississippi	7.38
Missouri	9.28
Montana	7.69
Nebraska	8.83
Nevada	8.36
New Hampshire	9.01
New Jersey	8.52
New Mexico	7.54
New York	9.01
North Carolina	8.06
North Dakota	8.83
Ohio	9.00
Oklahoma	7.73
Oregon	8.73
Pennsylvania	8.52
Rhode Island	9.01
South Carolina	7.88
South Dakota	8.83
Tennessee	7.63
Texas	7.73
Utah	8.36
Vermont	9.01
Virginia	8.06
Washington	8.73
West Virginia	7.63
Wisconsin	9.11
Wyoming	7.69

**B. Allowable Meal Charges**

Among the minimum benefits and working conditions which DOL requires employers to offer their alien and U.S. workers in their applications for temporary logging and H-2A agricultural labor certification, is the provision of three meals per day or free and convenient cooking and kitchen facilities. 20 CFR 655.102(b)(4) and 655.202(b)(4). Where the employer provides meals, the job offer must state the charge, if any, to the worker for meals.

DOL has published at 20 CFR 655.102(b)(4) and 655.111(a) the methodology for determining the maximum amounts covered H-2A agricultural employers may charge their U.S. and foreign workers for meals. The same methodology is applied at 20 CFR 655.202(b)(4) and 655.211(a) to covered H-2 logging employers. These rules provide for annual adjustments of the previous year's allowable charges based upon Consumer Price Index (CPI) data. Each year the maximum charges allowed by 20 CFR 655.102(b)(4) and

655.202(b)(4) are changed by the same percentage as the twelve-month percent change in the CPI for all Urban Consumers for Food (CPI-U for Food) between December of the year just past and December of the prior year. Those regulations and 20 CFR 655.111(a) and 655.211(a) provide that the appropriate Regional Administrator (RA), Employment and Training Administration, may permit an employer to charge workers no more than a higher maximum amount for providing them with three meals a day, if justified and sufficiently documented. Each year, the higher maximum amounts permitted by 20 CFR 655.111(a) and 655.211(a) are changed by the same percentage as the twelve-month percent change in the CPI-U for Food between December of the year just past and December of the prior year. The regulations require the DOL to make the annual adjustments and to publish a notice in the **Federal Register** each calendar year, announcing annual adjustments in allowable charges that may be made by covered agricultural and logging employers for providing three meals daily to their U.S. and alien workers. The 2003 rates were published in a Notice on February 26, 2003 at 68 FR 8929.

DOL has determined the percentage change between December of 2002 and December of 2003 for the CPI-U for Food was 2.2 percent.

Accordingly, the maximum allowable charges under 20 CFR 655.102(b)(4), 655.202(b)(4), 655.111, and 655.211 were adjusted using this percentage change, and the new permissible charges for 2004 are as follows: (1) For 20 CFR 655.102(b)(4) and 655.202(b)(4), the charge, if any, shall be no more than \$8.78 per day, unless the RA has approved a higher charge pursuant to 20 CFR 655.111 or 655.211(b); for 20 CFR 655.111 and 655.211, the RA may permit an employer to charge workers up to \$10.88 per day for providing them with three meals per day, if the employer justifies the charge and submits to the RA the documentation required to support the higher charge.

**C. Maximum Travel Subsistence Expense**

The regulations at 20 CFR 655.102(b)(5) establish that the minimum daily subsistence expense related to travel expenses, for which a worker is entitled to reimbursement, is the employer's daily charge for three meals or, if the employer makes no charge, the amount permitted under 20 CFR 655.104(b)(4). The regulation is silent about the maximum amount to which a qualifying worker is entitled.

The Department, in Field Memorandum 42-94, established that the maximum is the meals component of the standard CONUS (continental United States) per diem rate established by the General Services Administration (GSA) and published at 41 CFR Ch. 301. The CONUS meal component is now \$30.00 per day.

Workers who qualify for travel reimbursement are entitled to reimbursement up to the CONUS meal rate for related subsistence when they provide receipts. In determining the appropriate amount of subsistence reimbursement, the employer may use the GSA system under which a traveler qualifies for meal expense reimbursement per quarter of a day. Thus, a worker whose travel occurred during two quarters of a day is entitled, with receipts, to a maximum reimbursement of \$15.00. If a worker has no receipts, the employer is not obligated to reimburse above the minimum stated at 20 CFR 655.102(b)(4) as specified above.

Signed at Washington, DC, this 17th day of February, 2004.

**Emily Stover DeRocco,**

*Assistant Secretary for Employment and Training.*

[FR Doc. 04-4731 Filed 3-2-04; 8:45 am]

**BILLING CODE 4510-30-U**

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## NATIONAL COUNCIL ON DISABILITY

### Sunshine Act Meetings

#### TIMES AND DATES:

9 a.m.-12 p.m., April 13, 2004,  
Quarterly Meeting (Open).

12 p.m.-5 p.m., April 13, 2004,  
Working Session (Closed).

9 a.m.-3 p.m., April 14, 2004,  
Working Session (Closed).

9 a.m.-12 noon, April 15, 2004,  
Native American Forum (Open).

**PLACE:** Hyatt Regency Tamaya Resort and Spa, 1300 Tuyuna Trail, Santa Ana Pueblo, New Mexico.

**STATUS:** Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

**MATTERS TO BE CONSIDERED:** Reports from the Chairperson and the Executive Director, Committee Reports, Executive Session, Unfinished Business, New Business, Announcements, Adjournment.

**PORTIONS OPEN TO THE PUBLIC:** Reports from the Chairperson and the Executive Director, Committee Reports, Unfinished Business, New Business, Announcements, Adjournment, and Native American Forum.

Public comments will be taken during the opening session on Tuesday morning, April 13 and during the Native American forum on Thursday morning, April 15.

**PORTIONS CLOSED TO THE PUBLIC:** Working Session.

**CONTACT PERSON FOR MORE INFORMATION:** Mark S. Quigley, Director of Communications, National Council on Disability, 1331 F Street, NW., Suite 850, Washington, DC 20004; 202-272-2004 (Voice), 202-272-2074 (TTY), 202-272-2022 (Fax), [mquigley@nacd.gov](mailto:mquigley@nacd.gov) (E-mail).

**AGENCY MISSION:** The National Council on Disability (NCD) is an independent federal agency composed of 15 members appointed by the President and confirmed by the U.S. Senate. Its overall purpose is to promote policies, programs, practices, and procedures that guarantee equal opportunity for all people with disabilities, including people from culturally diverse backgrounds, regardless of the nature or significance of the disability; and to empower people with disabilities to achieve economic self-sufficiency, independent living, and inclusion and integration into all aspects of society.

**ACCOMMODATIONS:** Those needing sign language interpreters or other disability accommodations should notify NCD at least one week before this meeting.

**LANGUAGE TRANSLATION:** In accordance with E.O. 13166, Improving Access to Services for Persons with Limited English Proficiency, those people with disabilities who are limited English proficient and seek translation services for this meeting should notify NCD at least one week before this meeting.

**MULTIPLE CHEMICAL SENSITIVITY/ ENVIRONMENTAL ILLNESS:** People with multiple chemical sensitivity/ environmental illness must reduce their exposure to volatile chemical substances to attend this meeting. To reduce such exposure, NCD requests that attendees not wear perfumes or scented products at this meeting. Smoking is prohibited in meeting rooms and surrounding areas.

Dated: March 1, 2004.

**Ethel D. Briggs,**

*Executive Director.*

[FR Doc. 04-4894 Filed 3-1-04; 3:25 pm]

**BILLING CODE 6820-MA-P**

## OFFICE OF NATIONAL DRUG CONTROL POLICY

### Meeting of the Drug Control Research, Data, and Evaluation Advisory Committee

**AGENCY:** Office of National Drug Control Policy.

**ACTION:** Notice of Meeting.

**SUMMARY:** The Drug Control Research, Data, and Evaluation Advisory Committee will meet to discuss federal drug control initiatives, ONDCP's three strategic priorities: Stopping Drug Use Before it Starts; Healing America's Drug Users; and Disrupting the Market, and the operational aspects of the: (1) Media Campaign; (2) 25 Cities Initiative; (3) Marijuana Initiative; (4) Domestic Market Disruption; (5) Student Drug Testing; (6) Prescription Drug Safety; (7) Colombia/Mexico; and (8) Access to Recovery.

**DATES:** The meeting will be held Thursday, April 1, through Friday, April 2, 2004 each day from 9 a.m. to 4 p.m. There will be an opportunity for public comment on April 1st from 3:30 p.m. to 4 p.m.

**ADDRESSES:** The meeting will be held at the Office of National Drug Control Policy, 750 17th Street, NW., 5th Floor Conference Room, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Janie Dargan, (202) 395-6714.

Dated: February 27, 2004.

**Daniel R. Petersen,**

*Assistant General Counsel.*

[FR Doc. 04-4687 Filed 3-2-04; 8:45 am]

**BILLING CODE 3180-02-P**

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## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Arts; Leadership Initiatives Advisory Panel—Notice of Change

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a teleconference meeting of the Leadership Initiatives Advisory Panel (Arts Journalism Institutes section) to the National Council on the Arts previously announced as an open meeting for March 25, 2004, will instead be held on Monday, March 15, 2004, from 3 p.m. to 3:30 p.m. e.s.t., from Room 620 at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendations on financial