

published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** volume 68, number 69, on page 57 on March 24, 2004, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until July 16, 2004. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention Department of Justice Desk Officer, Washington, DC 20503. Additionally, comments may be submitted to OMB via facsimile to (202) 395-5806. 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:* New collection.

(2) *Title of the Form/Collection:* State Court Organization, 2004.

(3) *Agency Form Number, if any, and the Applicable Component of the Department of Justice Sponsoring the Collection:* Form Number: SP-1, Office of Justice Programs.

(4) *Affected Public who Will be Asked or Required To Respond, as Well as a Brief Abstract:* Primary: State Trial and Appellate Courts. 42 U.S.C. 3711, *et seq.* authorizes the Department of Justice to

collect and analyze statistical information concerning crime, juvenile delinquency, the operation of the criminal justice system and related aspects of the civil justice system, and to support the development of information and statistical systems at the Federal, State, and local levels.

(5) *An Estimate of the Total Number of Respondents and the Amount of Time Estimated for an Average Respondent To Respond:* An estimated 53 copies of a two part data collection survey will be submitted to the State Court Administration in each State and that 99 copies of appellate court surveys will be submitted to the Intermediate Appellate Clerk and the Clerk for the Court of Last Resort in each State.

(6) *An Estimate of the Total Public Burden (in Hours) Associated With the Collection:* The estimated total burden hours associated with this information collection is 1,216.

FOR FURTHER INFORMATION CONTACT:

Brenda E. Dyer, Department Deputy 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: June 9, 2004.

Brenda E. Dyer,

*Department Deputy Clearance Officer,
Department of Justice.*

[FR Doc. 04-13528 Filed 6-15-04; 8:45 am]

BILLING CODE 4410-18-M

DEPARTMENT OF LABOR

Office of the Secretary

**Submission for OMB Review:
Comment Request**

June 9, 2004.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) 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 by contacting the Department of Labor (DOL). To obtain documentation, contact Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: king.darrin@dol.gov.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Mine Safety and Health Administration (MSHA), Office of Management and

Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), 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: Mine Safety and Health Administration.

Type of Review: Extension of currently approved collection.

Title: Operations Under Water.

OMB Number: 1219-0020.

Frequency: On occasion.

Type of Response: Recordkeeping and Reporting.

Affected Public: Business or other for-profit.

Number of Respondents: 36.

Number of Annual Responses: 36.

Estimated Time Per Response: 5 hours.

Total Burden Hours: 180.

Total Annualized capital/startup costs: \$0.

*Total Annual Costs (operating/
maintaining systems or purchasing
services):* \$540.

Description: Title 30 CFR 75.1716, 75.1716-1 and 75.1716-3 require operators of underground coal mines to provide MSHA notification before mining under bodies of water and to obtain a permit to mine under a body of water if, in the judgment of the Secretary, it is sufficiently large to constitute a hazard to miners. This is a statutory provision contained in section 317(r) of the Federal Mine Safety and Health Act of 1977. The regulation is necessary to prevent the inundation of underground coal mines with water which has the potential of drowning miners.

Agency: Mine Safety and Health Administration.

Type of Review: Extension of currently approved collection.

Title: Program to Prevent Smoking in Hazardous Areas.

OMB Number: 1219-0041.

Frequency: On occasion.

Type of Response: Recordkeeping and Reporting.

Affected Public: Business or other for-profit.

Number of Respondents: 184.

Number of Annual Responses: 184.

Estimated Time Per Response: 30 minutes.

Total Burden Hours: 92.

Total Annualized capital/startup costs: \$0.

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

Description: Section 317(c) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 877(c), and 30 CFR 75.1702 prohibits persons from smoking or carrying smoking materials underground or in places where there is a fire or explosion hazard. Under the Mine Act and 30 CFR 75.1702, coal mine operators are required to develop programs to prevent persons from carrying smoking materials, matches, or lighters underground and to prevent smoking in hazardous areas, such as in or around oil houses, explosives magazines, etc. The Mine Act and 30 CFR 75.1702 further require that the mine operator submit the program plan to MSHA for approval. The purpose of the program is to insure that a fire or explosion hazard does not occur.

Darrin A. King,

Acting Departmental Clearance Officer.

[FR Doc. 04-13525 Filed 6-15-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-54,082]

Fountain Construction Company, Inc., Assembly Board Tooling Division, Jackson, MS; Notice of Negative Determination on Reconsideration

On April 23, 2004, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on May 10, 2004 (69 FR 25926). The subject worker group produces assembly board tooling which is used to produce wire harnesses.

The Department denied the initial petition because the "contributed

importantly" and shift of production group eligibility requirements of section 222(3) of the Trade Act of 1974, as amended, were not met. The initial investigation revealed that during the relevant time period, the subject company neither increased imports of assembly board tooling nor shifted production abroad. A survey of the subject company's major declining customer revealed decreased imports of assembly board tooling during the relevant time period.

In the request for reconsideration, the company asserted that because its major customer shifted wire harness production to Mexico, the subject worker group is eligible for Trade Adjustment Assistance.

During the reconsideration investigation, the Department contacted the subject company to clarify the relationship between assembly board tooling and wire harnesses and contacted the major customer to inquire about imports of assembly board tooling.

The subject company official explained that the assembly board tooling consists of assembly boards mounted on a conveyor system. Assembly boards are boards with pegs arranged in a specific pattern on it. The assembly boards sit on an apparatus that moves them from station to station. At various stations, wires are wrapped around them in a particular fashion, the wires are taped to maintain the configuration, and the taped units (wire harnesses) are pulled off the assembly board.

A review of the material revealed that neither the subject company nor the major customer increased imports or shifted production of assembly board tooling during the relevant period.

In order for the subject worker group to be considered eligible to apply for TAA benefits as secondarily-impacted, the subject firm must have customers that are TAA certified and these TAA certified customers would represent a significant portion of the subject company's business. In addition, the subject company would have to either produce a component part of the product that was the basis for the customer's certification or act as a downstream producer (assembling or finishing) of the product that was the basis for that certification.

In the case at hand, the subject company does not produce a component part of the wire harnesses and is not an assembler or finisher of wire harnesses. Although assembly board tooling is used to produce wire harnesses, it is not incorporated into the wire harnesses. Therefore, the subject company is not

considered to be an upstream supplier to the major customer. Because the subject worker group assembles the boards and neither assembles nor finishes the wire harnesses, the subject company is not considered a downstream producer of wire harnesses.

Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Fountain Construction Company, Inc., Assembly Board Tooling Division, Jackson, Mississippi.

Signed in Washington, DC, this 4th day of June, 2004.

Elliott S. Kushner,
Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 04-13541 Filed 6-15-04; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Employment and Training Administration

Invitation To Comment on Proposed Changes to UI Performs

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice and opportunity to comment on proposed changes to UI Performs.

SUMMARY: The Employment and Training Administration (ETA) is soliciting comments concerning proposed changes to UI Performs, the Unemployment Insurance (UI) performance measurement system. An intensive review of the system was undertaken when the system had been operating for five years. Based on that review, ETA is proposing changes that will result in improved performance measurement and allow state UI managers to better focus attention on the most critical program areas.

DATES: Written comments must be submitted to the office listed in the Addresses section below on or before August 16, 2004.

ADDRESSES: Comments should be addressed to: Cheryl Atkinson, Administrator, Unemployment Insurance Service, U.S. Department of Labor, Employment and Training Administration, Room S-4231, 200 Constitution Avenue NW., Washington, DC 20210. Comments by e-mail are welcome. (See **FOR FURTHER INFORMATION CONTACT.**)