

Abingdon, Virginia. The application did not contain new information supporting a conclusion that the determination was erroneous, and also did not provide a justification for reconsideration of the determination that was based on either mistaken facts or a misinterpretation of facts or of the law. Therefore, dismissal of the application was issued.

TA-W-58,025; Kealey-Johnson
Wholesale Florist, Abingdon,
Virginia (December 22, 2005).

Signed at Washington, DC this 28th day of December 2005.

Erica R. Cantor,

Director, Division of Trade Adjustment Assistance.

[FR Doc. E5-8296 Filed 1-4-06; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-58,298]

Messier Services, Inc., a Subsidiary of the Safran Group, Sterling, VA; Notice of Affirmative Determination Regarding Application for Reconsideration

By application of November 29, 2005, a company official requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers of the subject firm. The negative determination was signed on November 17, 2005. The Department's Notice of Determination will soon be published in the **Federal Register**.

The negative determination was based on the findings that the workers do not produce an article but are engaged in the repair and overhaul of landing gear and hydraulics components. Although the firm or appropriate subdivision produced an article, the petitioning worker group did not support this production. The predominant cause of worker separations is the shift of landing gear and hydraulics repair services from the Sterling, Virginia location to an affiliated facility in Mexico.

The request for reconsideration states that the workers at the subject firm sell spare parts, manufacture bushings (a landing gear component) and rotables (remanufactured completed landing gear units sold to the airline industry).

The Department has carefully reviewed the company's request for reconsideration and has determined that the Department will conduct further

investigation based on the new information provided by the company official.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 30th day of November 2005.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E5-8291 Filed 1-4-06; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Financial Reporting Requirements for Programs Currently Reporting on Standard Form 269

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 general 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 (PRA95) (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 collection requirements on respondents can be properly assessed. ETA is soliciting comments concerning the revised financial reporting requirements for all ETA programs which do not otherwise have OMB approved program-specific financial reporting requirements.

DATES: Written comments must be submitted to the office listed in the addressee's section below on or before March 6, 2006.

ADDRESSES: Isabel Danley, Office of Grants and Contract Management, Employment and Training Administration, United States Department of Labor, 200 Constitution Avenue, NW., Room N-4716, Washington, DC 20210, 202-693-3047 (this is not a toll-free number), danley.isabel@dol.gov, and/or fax 202-693-3362.

FOR FURTHER INFORMATION CONTACT:

Isabel Danley, Office of Grants and Contract Management, Employment and Training Administration, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210, 202-693-3047 (this is not a toll-free number), danley.isabel@dol.gov, and/or fax 202-693-3362. Copies of the Paperwork Reduction Act Submission Package, including the proposed revised form and instructions, are at this Web site: <http://www.doleta.gov/Performance/guidance/OMBControlNumber.cfm>.

SUPPLEMENTARY INFORMATION:

I. Background

This proposed information collection notice is requesting a revised financial reporting collection format for all ETA programs currently reporting on the OMB approved Standard Form (SF) 269 (REV 9-99.) The basic financial reporting requirements for all Federal programs are prescribed by OMB Circulars A-102 and A-110. These requirements are codified in Department of Labor Regulations at 29 CFR 95.52 and 29 CFR 97.41, which specify that the SF 269 or such other forms that may be approved by OMB are authorized for obtaining financial information from recipients. Further, the revised U.S. DOL ETA Financial Report is consistent with OMB efforts to streamline Federal financial reporting, pursuant to Public Law 106-107.

II. Desired Focus of Comments

Currently, the Department is soliciting comments concerning the revised financial reporting collection format for all ETA programs which currently report on the SF 269 to:

- 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.

A copy of the proposed information clearance request (ICR), including the proposed revised form and instructions, can be obtained directly through the Web site: <http://www.doleta.gov/Performance/guidance/OMBControlNumber.cfm> or by contacting the office listed above in the addressee section of this notice.

III. Current Actions

Type of Review: New.
Agency: Employment and Training Administration.
Title: Financial Reporting Requirements for ETA Programs Currently Reporting on SF 269.

Affected Public: State agencies, local governments, and/or other for profit and non-profit organizations; and consortia of any and/or all of the above.

Total Respondents: 680.
Frequency: Quarterly.

DOL-ETA REPORTING BURDEN FOR ENTITIES THAT WILL BE REPORTING ON REVISED FINANCIAL STATUS REPORT

	PY 2004			PY 2005		
	PY 2004	FY 2005	Total	PY 2005	FY 2006	Total
Average number of reports per entity per quarter	1	1	2	1	1	2
Average number of reports per entity per year	4	4	8	4	4	8
Average number of hours required for reporting per quarter per report	1/2	1/2	1/2	1/2	1/2	1/2
Average number of hours required for reporting per entity per year	2	2	4	2	2	4
Number of entities reporting	680	680	680	680	680	680
Average number of hours required for reporting burden per year	1360	1360	2720	1360	1360	2720
Total burden cost @ \$30.22 per hour			\$82,198			\$82,198

Note: The above data represents average burden figures for all ETA programs that will be reporting on the revised U.S. DOL ETA Financial Report and that are currently reporting on the SF 269. Programs included in this compilation are: State Employment Security Agencies (SESAs), comprised of Employment Service (ES), Unemployment Service (UI), and Trade Program Grant Agreements (TAs); Hardmark Grants; Business Relations Group High Growth Grants; H-I B Grants; Youth, comprised of Offender, Foster Care, Opportunity, and Rewarding Achievement Grants; and Performance Incentive Grants. Estimates also include provision for other miscellaneous grants which are yet to be funded, but which will report on the revised Financial Report. (An exception to the average number of reports per entity per quarter are the SESAs which each have 3 components, ES, UI, and Trade, for an approximate total of 25 reports per quarter.) Total burden cost was based upon a GS-12, Step 1 salary as calculated from Salary Table 2005-DCB, effective January 2005.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the ICR; they will become a matter of public record.

Dated: December 28, 2005.

Emily Stover DeRocco,

Assistant Secretary, Employment and Training Administration.

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LIBRARY OF CONGRESS

Copyright Office

[Docket No. 2005-5 CARP]

Notice of Intent To Audit

AGENCY: Copyright Office, Library of Congress.

ACTION: Public notice.

SUMMARY: The Copyright Office of the Library of Congress is announcing receipt of eleven notices of intent to audit eligible nonsubscription and new subscription services that transmit sound recordings under statutory licenses. The audits intend to verify statements of account for the years 2002, 2003, and 2004.

FOR FURTHER INFORMATION CONTACT: Tanya M. Sandros, Associate General Counsel, or Gina Giuffreda, Attorney-Advisor, Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024-0977. Telephone: (202) 707-8380. Telefax: (202) 252-3423.

SUPPLEMENTARY INFORMATION: Section 106(6) of the Copyright Act, title 17 of the United States Code, gives the copyright owner of a sound recording the right to perform the sound recording publicly by means of a digital audio transmission, subject to certain limitations. Among these limitations are certain exemptions and a statutory license which allows for the public performance of sound recordings as part of "eligible nonsubscription transmissions" and digital transmissions made by "new

subscription services."¹ 17 U.S.C. 114. Moreover, these services may make any necessary ephemeral reproductions to facilitate the digital transmission of the sound recording under a second license set forth in section 112(e) of the Copyright Act. Use of these licenses requires that services make payments of royalty fees to and file reports of sound recording performances with SoundExchange. SoundExchange is a collecting rights entity that was designated by the Librarian of Congress to collect statements of account and royalty fee payments from services and distribute the royalty fees to copyright owners and performers entitled to receive such royalties under sections 112(e) and 114(g) following a proceeding² before a Copyright Arbitration Royalty Panel ("CARP")—the entity responsible for setting rates and terms for use of the section 112 and section 114 licenses prior to the passage of the Copyright Royalty and Distribution Reform Act of 2004

¹ An "eligible nonsubscription transmission" is a noninteractive digital audio transmission which, as the name implies, does not require a subscription for receiving the transmission. The transmission must also be made as a part of a service that provides audio programming consisting in whole or in part of performances of sound recordings the primary purpose of which is to provide audio or entertainment programming, but not to sell, advertise, or promote particular goods or services. See 17 U.S.C. 114(j)(6).

A "new subscription service" is "a service that performs sound recordings by means of noninteractive subscription digital audio transmissions and that is not a preexisting subscription or a preexisting satellite digital audio radio service." 17 U.S.C. 114(j)(8).

² See 69 FR 5693 (February 6, 2004).