

(viii) The signing of a memorandum of agreement to initiate a pilot program with not less than one State to determine if an enhanced driver's license, which is machine-readable and tamper proof, not valid for certification of citizenship for any purpose other than admission into the United States from Canada or Mexico, and issued by such State to an individual, may permit the individual to use the driver's license to meet the documentation requirements under subparagraph (A) of section 7209(b)(1) for entry into the United States from Canada or Mexico at land and sea ports of entry.

This certification and related Memorandum of Justification shall be provided to the Committees on Appropriations of the Senate and House of Representatives. This certification shall be published in the **Federal Register**.

Dated: February 24, 2009.

**Janet Napolitano**,

*Secretary of Homeland Security.*

Dated: February 24, 2009.

**Hillary Rodham Clinton**,

*Secretary of State.*

[FR Doc. E9-5742 Filed 3-16-09; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-660]

### In the Matter of Certain Active Comfort Footwear; Notice of Commission Determination Not To Review an Initial Determination Granting In Part Complainants' Amended Motion To Amend the Complaint and Notice of Investigation

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined not to review an initial determination ("ID") (Order No. 4) of the presiding administrative law judge ("ALJ") granting in part an amended motion to amend the complaint and notice of investigation.

**FOR FURTHER INFORMATION:** Mark B. Rees, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-3116. Copies of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business

hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone 202-205-2000. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on November 25, 2008, based on the complaint of Masai Marketing & Trading AG of Romanshorn, Switzerland and Masai USA Corp. of Haley, Idaho ("Complainants"). 73 FR 73884 (Nov. 25, 2008). The complaint, as supplemented, alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain active comfort footwear that infringes certain claims of U.S. Patent No. 6,341,432. Complainants named as respondents RYN Korea Co., Ltd. of Seoul, Korea; Main d/b/a WalkingShoesPlus.com of Los Angeles, California; and Feet First Inc. of Boca Raton, Florida.

On January 30, 2009, Complainants filed a motion seeking leave to amend the complaint and notice of investigation to add three additional respondents to the investigation. On February 11, 2009, the ALJ issued an ID (Order No. 4) in which he determined to grant the motion in part and amend the notice of investigation to add as respondents The Tannery of Cambridge, Massachusetts and A Better Way to Health of West Melbourne, Florida. No party petitioned for review of the ID.

The Commission has determined not to review the ID.

The authority for the Commission's determination is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and in section 210.42(h) of the Commission's Rules of Practice and Procedure (19 CFR 210.42(h)).

By order of the Commission.

Issued: March 11, 2009.

**Marilyn R. Abbott**,

*Secretary to the Commission.*

[FR Doc. E9-5670 Filed 3-16-09; 8:45 am]

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## INTERNATIONAL TRADE COMMISSION

[Investigation Nos. 701-TA-454 and 731-TA-1144 (Final)]

### Welded Stainless Steel Pressure Pipe From China

#### Determination

On the basis of the record<sup>1</sup> developed in the subject investigations, the United States International Trade Commission (Commission) determines, pursuant to section 705(b) and 735(b) of the Tariff Act of 1930 (19 U.S.C. 1671d(b) and 1673d(b)) (the Act), that an industry in the United States is materially injured by reason of imports from China of welded stainless steel pressure pipe, provided for in subheadings 7306.40.50 and 7306.40.10 of the Harmonized Tariff Schedule of the United States, that have been found by the Department of Commerce (Commerce) to be subsidized by the Government of China and sold in the United States at less than fair value (LTFV).

#### Background

The Commission instituted these investigations effective January 30, 2008, following receipt of a petition filed with the Commission and Commerce by Bristol Metals (Bristol, TN), Felker Brothers Corp. (Marshfield, WI), Marcegaglia USA, Inc. (Munhall, PA), Outokumpu Stainless Pipe, Inc. (Schaumburg, IL), and The United Steel Workers (Pittsburgh, PA).<sup>2</sup> The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of welded stainless steel pressure pipe from China were being subsidized by the Government of China and being sold at LTFV within the meaning of section 703(b) and 733(b) of the Act (19 U.S.C. 1671b(b) and 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the **Federal Register** of October 6, 2008 (73 FR 58265). The hearing was held in Washington, DC, on January 13, 2009, and all persons who requested the opportunity were

<sup>1</sup> The record is defined in section 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

<sup>2</sup> United Steel, Paper and Forestry, Rubber, Manufacturing Energy, Allied Industrial and Service Workers International Union.

permitted to appear in person or by counsel.

The Commission transmitted its determination in these investigations to the Secretary of Commerce on March 11, 2009. The views of the Commission are contained in USITC Publication 4064 (March 2009), entitled *Welded Stainless Steel Pressure Pipe from China: Investigation Nos. 701-TA-454 and 731-TA-1144 (Final)*.

Issued: March 11, 2009.

By order of the Commission.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

[FR Doc. E9-5720 Filed 3-16-09; 8:45 am]

BILLING CODE 7020-02-P

**DEPARTMENT OF LABOR**

**Office of Disability Employment Policy**

[OMB Number 1230-0003]

**Notice of Extension of Approved Data Collection**

**SUMMARY:** The U.S. Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a pre-clearance consultation process 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 process helps ensure that requested data can be provided in the desired format, reporting burdens are minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently the Office of Disability Employment Policy (ODEP) is soliciting comments concerning an already approved data collection for the following Employer Assistance Referral Network (EARN) forms: EARN Provider Enrollment Form; EARN Employer Enrollment Form; EARN Employer and Provider Surveys. A copy of the approved information collection request (ICR) can be obtained by contacting the office listed below in the address section of this notice.

**DATES:** Written comments must be submitted to the office shown in the address section below on or before May 18, 2009.

**ADDRESSES:** Richard Horne, U.S. Department of Labor, Office of Disability Employment Policy, 200 Constitution Avenue, NW., Suite S-1303, Washington, DC 20210. Telephone: (202) 693-7880. This is not a toll-free number.

**FOR FURTHER INFORMATION CONTACT:** Richard Horne, telephone: (202) 693-7880, e-mail: *horne.richard@dol.gov*.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Employer Assistance Referral Network (EARN) is a nationwide service designed to provide employers with a technical, educational, and informational resource to simplify and encourage the hiring of qualified workers. Historically, disability programs required employers to do much of the work in the finding and hiring of people with disabilities. The Office of Disability Employment Policy (ODEP) of the Department of Labor has designed EARN to alleviate these barriers and do much of the work for the employer.

EARN is a service from the Office of Disability Employment Policy (ODEP) of the Department of Labor. This referral service links employers with providers who refer appropriate candidates with disabilities. The service is provided by means of a nationwide toll-free Call Center.

EARN is a service of the Office of Disability Employment Policy which was established pursuant to section 1(a)(1) of the Consolidated Appropriations Act, 2001 (Pub. L. 106-554) H.R. 5656, see Title I, "Departmental Management") 29 U.S.C. 551 *et seq.*; 5 U.S.C. 301; and Executive Order 13187, "The President's Disability Employment Partnership Board (PDEPB)" (January 10, 2001).

This service and the data collection component is authorized pursuant to Public Law 106-554 which direct the Office of Disability Policy to provide initiatives such as EARN to "further the objective of eliminating employment barriers to the training and employment of people with disabilities".

**II. Desired Focus of Comments**

The Department is particularly interested in comments which:

- Evaluate whether the 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 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 Action**

This extended ICR covers four forms: EARN Provider Enrollment Form, EARN Employer Enrollment Form, EARN Employer Survey and EARN Provider Survey. The enrollment forms (Employer Enrollment and Provider Enrollment) will be used to enroll provider and employers who wish to participate and use this service. The surveys (Employer Survey and Provider Survey) will collect quantitative data on participants' levels of satisfaction with individual service elements and their satisfaction with the service as a whole. The surveys will also solicit free-text comments from participants regarding the service.

*Agency:* Office of Disability Employment Policy.

*Titles:* EARN Provider Enrollment Form, EARN Employer Enrollment Form, EARN Employer Survey, EARN Provider Survey.

*OMB Number:* 1230-0003.

*Frequency:* On occasion.

*Affected Public:* Businesses or other for-profit; not-for-profit institutions; farms; Federal Government; and State, Local, or Tribal Government.

*Number of Respondents:* 13,500.

Form	Estimated number of annual responses	Average response time (hours)	Estimated burden hours
EARN Provider Enrollment Form .....	6,000	0.33	1,980
EARN Employer Enrollment Form .....	7,500	0.33	2,475
EARN Employer Survey .....	300	0.33	99
EARN Provider Survey .....	300	0.33	99
Total .....	14,100	.....	4,653