

(OMB) for review and approval for use in accordance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501 et seq.).

**DATES:** Submit comments on or before July 1, 2013.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the RegInfo.gov Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201212-1205-006](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201212-1205-006) (this link will only become active on June 1, 2013) or by contacting Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or sending an email to [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-ETA, Office of Management and Budget, Room 10235, 725 17th Street, NW., Washington, DC 20503, Fax: 202-395-6881 (this is not a toll-free number), email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

**FOR FURTHER INFORMATION CONTACT:** Contact Michel Smyth by telephone at 202-693-4129 (this is not a toll-free number) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**Authority:** 44 U.S.C. 3507(a)(1)(D).

**SUPPLEMENTARY INFORMATION:** This ICR covers the recordkeeping and reporting system for the Indian and Native Americans funded grants and has three constituent information collections: (1) A quarterly Comprehensive Services Program report (Form ETA-9084), (2) a Standardized Participant Information Record, and (3) a quarterly Supplemental Youth Services Program Report (Form ETA-9085). These three information collections are the basis of the performance standards system for Workforce Investment Act section 166 grantees.

The ETA is revising this ICR in the following manner. Form ETA 9084 will now capture the number of eligible veterans and spouses served (with the addition of two data fields). The DOL notes that Form ETA-9085 has already been recording this information and will not be changed. In addition, Form ETA-9085 information will now be collected on the number of eligible youth between the ages of 14-21 years, rather than ages 14-24, which was allowed under the American Reinvestment and Recovery Act of 2009 (ARRA). Form ETA-9085 adds a credential attainment measure. Finally, Form-ETA 9085 data will revert

to being collected quarterly, rather than monthly, as was the case prior to ARRA requirements. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 28, 2013 (78 FR 19018).

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. See 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1205-0422. The current approval is scheduled to expire on May 31, 2013; however, it should be noted that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. New information collection requirements will only take effect upon OMB approval.

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the ADDRESSES section by July 1, 2013. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0422. The OMB 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 submission of responses.

*Agency:* DOL-Employment and Training Administration.

*Title of Collection:* Program Reporting and Performance Standards System for Indian and Native American Programs.

*OMB Control Number:* 1205-0422.

*Affected Public:* Individuals or Households; State, Local, and Tribal Governments, and Private Sector—not-for-profit institutions.

*Total Estimated Number of Respondents:* 13,771.

*Total Estimated Number of Responses:* 28,110.

*Total Estimated Annual Burden Hours:* 53,611.

*Total Estimated Annual Other Costs Burden:* \$0.

Dated: May 22, 2013.

**Michel Smyth,**

*Departmental Clearance Officer.*

[FR Doc. 2013-12756 Filed 5-29-13; 8:45 am]

**BILLING CODE 4510-FN-P**

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Comment Request for Information Collection for ETA Form 232, Domestic Agricultural In-Season Wage Report and ETA Form 232-A, Wage Survey Interview Record, Extension with Revisions

**AGENCY:** Employment and Training Administration (ETA), Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (Department), 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 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.

Currently, ETA is soliciting comments concerning the collection of data about ETA Form 232, *Domestic Agricultural In-Season Wage Report* and ETA Form 232-A, *Wage Survey Interview Record*, OMB Control No. 1205-0017, both of which expire July 31, 2013. These forms are used by the State Workforce Agencies to collect wage information from agricultural employers.

**DATES:** Written comments must be submitted to the office listed in the

addresses section below on or before July 29, 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-232/232-A. 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 the Wagner-Peyser Act, codified at 20 CFR part 653, which covers the requirements for the acceptance and handling of intrastate and interstate job clearance orders seeking workers to perform agricultural or food processing work on a less than year-round basis. Section 653.501 states, in pertinent part, that employers must assure that the “wages and working conditions are not less than the prevailing wages and working conditions among similarly employed agricultural workers in the area of intended employment or the applicable Federal or State minimum wage, whichever is higher.”

The collection is also required by regulations for the temporary employment of alien agricultural workers in the United States (20 CFR, part 655, subpart B) promulgated under section 218 of the Immigration and Nationality Act (INA) as amended, which require employers to pay the workers at least the adverse effect wage rate in effect at the time the work is performed, the prevailing hourly wage rate, the agreed upon collective bargaining wage or the legal federal or State minimum wage rate, whichever is highest unless special procedures apply to the occupation. See 20 CFR 655.120(a).

The vehicle for establishing the prevailing wage rate is ETA Form 232, *The Domestic Agricultural In-Season Wage Report*. This Report contains the prevailing wage finding based on data collected by the States from employers in a specific crop area using the ETA Form 232-A, *Wage Survey Interview Record*.

In addition, the State Workforce Agencies (SWAs) collect information from agricultural employers to determine prevailing, normal, accepted or common employment practices for a specific occupational classification. The burden information for these prevailing practice determinations is currently accounted for in OMB Control Number 1205-0457, in which the SWAs report their overall activities to ETA for grant making purposes. However, ETA believes that the work required to determine the prevailing practice in an area of employment most logically correlates to the process used to determine the prevailing wages in an area of employment. Therefore, the Department is proposing to move that burden from OMB Control Number 1205-0457 to OMB Control Number 1205-0017 and has accounted for the burden in this collection.

##### 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

In order to meet its statutory responsibilities under the INA, the Department needs to extend an existing collection of information pertaining to wage rates for various crop activities.

*Type of Review:* Revision

*Title:* Domestic Agricultural In-Season Wage Report and Wage Survey Interview Record

*OMB Number:* 1205-0017 and 1205-0457.

*Affected Public:* Private sector business or other for-profits and farms; and State, local, or tribal Governments.

*Form(s):* ETA-232 and ETA-232-A

*Total Annual Respondents:* 24,662

*Annual Frequency:* 129

*Total Annual Responses:* 27,658

*Average Time per Response:* 35 minutes

*Estimated Total Annual Burden*

*Hours:* 16,227

*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: Signed in Washington, DC, on this 23rd day of May, 2013.

**Jane Oates,**

*Assistant Secretary for Employment and Training, Labor.*

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**BILLING CODE 4510-FF-P**

#### DEPARTMENT OF LABOR

##### Employment and Training Administration

[TA-W-82,095]

##### Verizon Services Corporation, Customer Service Clerk, General Clerk, Clarksburg, West Virginia; Notice of Negative Determination on Reconsideration

On January 15, 2013, the Department of Labor issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Verizon Services Corporation, Customer Service Clerk, General Clerk, Clarksburg, West Virginia (subject firm). The Department's Notice was published in the **Federal Register** on February 6, 2013 (78 FR 8589).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

Verizon Services Corporation is engaged in the supply of telecommunication and wireless support services.

Workers of Verizon Services Corporation's Customer Service Clerk, General Clerk business unit at Clarksburg, West Virginia (subject worker group) are engaged in employment related to the supply of