

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, the Employment and Training Administration is soliciting comments concerning the extension of the approval for information collection involving the ETA Form 9089, OMB Control No. 1205-0451, Application for Permanent Employment Certification, which expires on June 30, 2011. A copy of the information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

**DATES:** Written comments must be submitted to the office listed in the addressee section below on or before March 14, 2011.

**ADDRESSES:** William L. Carlson, Administrator, Office of Foreign Labor Certification, U.S. Department of Labor, Room C4312, 200 Constitution Ave., NW., Washington, DC 20210. Phone (202) 693-3010 (This is not a toll-free number), fax (202) 693-2768, or e-mail at [ETA.OFLC.Forms@dol.gov](mailto:ETA.OFLC.Forms@dol.gov) subject line: ETA Form 9089.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The information collection is required by sections 203(b)(3) and 212(a)(5)(A) of the Immigration and Nationality Act (INA) (8 U.S.C. 1153(b)(3) and 1182(a)(5)(A)). The Department and the Department of Homeland Security (DHS) have promulgated regulations to implement the INA. Specifically for this collection, the regulations at 20 CFR 656 and 8 CFR 204.5 (the regulations) are applicable. Section 212(a)(5)(A) of the INA mandates the Secretary of Labor to certify that any alien seeking to enter the United States for the purpose of performing skilled or unskilled labor is not adversely affecting wages and working conditions of U.S. workers similarly employed and that there are not sufficient U.S. workers able, willing, and qualified to perform such skilled or unskilled labor. Before any employer may request any skilled or unskilled alien labor, it must submit a request for certification to the Secretary of Labor containing the elements prescribed by the INA and the regulations. The regulations require employers to document their recruitment efforts and to substantiate the reasons no U.S. workers were hired.

##### **II. Review Focus**

The Department 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 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 employers seeking to apply for labor certifications to allow them to bring foreign workers to the United States on a permanent basis. The information collection consists of the current form used by all employers and a modified form, previously approved by OMB, but never implemented by the Department. Once the Department completes building the electronic filing and case management system required to support the modified form, the current form will become obsolete and the modified form will become operative. At this time, the Department is not requesting that any substantive changes be made to either form.

In the past the respondents have been for-profit businesses, not-for-profit institutions, individuals, households, and farms. On rare occasions the respondents have been local, state, tribal governments, or the federal government.

The Secretary of Labor uses the collected information to determine if allowing an alien to enter the United States for the purpose of performing skilled or unskilled labor will adversely affect wages and working conditions of U.S. workers similarly employed and whether or not there were sufficient U.S. workers able, willing, and qualified to perform such skilled or unskilled labor at the time of the application.

*Type of Review:* Revision and Extension of Currently Approved Information Collection.

*Agency:* Employment and Training Administration.

*Title:* Application for Permanent Employment Certification.

*OMB Control No.:* 1205-0451.

*Agency Number(s):* Form ETA 9089.

*Recordkeeping:* On occasion.

*Affected Public:* Businesses or other for-profits and not-for profits, individuals or households, farms, and Federal, State, Local or Tribal Governments.

*Total Respondents:* 94,600.

*Estimated Total Burden Hours:* 223,331.

*Total Burden Cost (capital/startup):* 0.

*Total Burden Cost (operating/maintaining):* \$750,000.

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

Dated: January 5, 2011.

**Jane Oates,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. 2011-471 Filed 1-11-11; 8:45 am]

**BILLING CODE 4510-FP-P**

#### **DEPARTMENT OF LABOR**

##### **Employment and Training Administration**

[TA-W-74,714]

##### **Quest Diagnostics, Inc. Information Technology Help Desk Services Including On-Site Leased Workers From Modis, West Norriton, PA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on December 6, 2010, applicable to workers of Quest Diagnostics, Inc., Information Technology Help Desk Services, West Norriton, Pennsylvania. The workers are engaged in activities related to the supply of internal information technology (IT) support services. The notice will be published soon in the **Federal Register**.

At the request of a petitioner, the Department reviewed the certification for workers of the subject firm. The company reports that workers leased from Modis were employed on-site at the West Norriton, Pennsylvania location of Quest Diagnostics, Inc., Information Technology Help Desk

Services. The Department has determined that these workers were sufficiently under the operational control of Quest Diagnostics, Inc., Information Technology Help Desk Services to be considered leased workers.

Based on these findings, the Department is amending this certification to include workers leased from Modis working on-site at the West Norriton, Pennsylvania location of Quest Diagnostics, Inc., Information Technology Help Desk Services.

The amended notice applicable to TA-W-74,714 is hereby issued as follows:

All workers of Quest Diagnostics, Inc., Information Technology Help Desk Services, including on-site leased workers from Modis, West Norriton, Pennsylvania, who became totally or partially separated from employment on or after October 3, 2009, through December 6, 2012, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC this 22nd day of December 2010.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2011-516 Filed 1-11-11; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-72,764]

#### **International Paper Company, Franklin Pulp & Paper Mill, Including On-Site Leased Workers From Railserve, Franklin, VA; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on December 17, 2009, applicable to workers and former workers of International Paper Company, Franklin Pulp & Paper Mill, Franklin, Virginia. The notice was published in the **Federal Register** on February 16, 2010 (75 FR 7034). The workers are engaged in the production of uncoated freesheet paper and coated paperboard. On April 27, 2010, the Department issued an amended certification to include on-site leased

workers of Railserve. The notice of amended certification was published in the **Federal Register** on May 12, 2010 (75 FR 26794).

Following a careful review of new and previously-submitted information, the Department determined that the subject worker group meet the criteria of Section 222(a) of the Trade Act of 1974, as amended. The Department has determined that increased imports of articles like or directly competitive with those produced by the subject firm contributed importantly to sales and/or production decline and worker separations at the Franklin, Virginia facility.

The amended notice applicable to TA-W-72,764 is hereby issued as follows:

All workers International Paper Company, Franklin Pulp & Paper Mill, including on-site leased workers from Railserve, Franklin, Virginia, who became totally or partially separated from employment on or after November 3, 2008, through December 17, 2011, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC, this 22nd day of December 2010.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2011-514 Filed 1-11-11; 8:45 am]

**BILLING CODE 4510-FN-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-71,287; TA-W-71,287A; TA-W-71,287B; TA-W-71,287C]

#### **Masco Builder Cabinet Group Including On-Site Leased Workers From Reserves Network, Jackson, OH; Masco Builder Cabinet Group, Waverly, OH; Masco Builder Cabinet Group, Seal Township, OH; Masco Builder Cabinet Group, Seaman, OH; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended ("Act"), 19 U.S.C. 2273, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on October 16, 2009, applicable to workers and former workers of Masco Building Cabinet Group, Jackson, Ohio. The workers are engaged in activity related to the

production of cabinets and cabinet frames used for the residential housing market. The Notice was published soon in the **Federal Register** on December 11, 2009 (74 FR 65798).

The Department has received information that the appropriate subdivision includes three affiliated production facilities that produce cabinets for the residential housing market.

Based on these findings, the Department is amending this certification to include workers of Masco Building Cabinet Group in Waverly, Ohio, Seal Township, Ohio, and Seaman, Ohio.

The amended notice applicable to TA-W-71,287 is hereby issued as follows:

All workers of Masco Building Cabinet Group, including on-site leased workers from Reserves Network, Jackson, Ohio (TA-W-71,287), Masco Building Cabinet Group, Waverly, Ohio (TA-W-71,287A), Masco Building Cabinet Group, Seal Township, Ohio (TA-W-71,287B), and Masco Building Cabinet Group, Seaman, Ohio (TA-W-71,287C), who became totally or partially separated from employment on or after June 11, 2008, through October 16, 2011, and all workers in the group threatened with total or partial separation from employment on the date of certification through two years from the date of certification, are eligible to apply for adjustment assistance under Chapter 2 of Title II of the Trade Act of 1974, as amended.

Signed at Washington, DC, this 22nd day of December 2010.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2011-512 Filed 1-11-11; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended (19 U.S.C. 2273) the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers by (TA-W) number issued during the period of *December 20, 2010 through December 23, 2010*.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, each of the group eligibility requirements of Section 222(a) of the Act must be met.