

Basic class	Established initial 2004 quotas
Opium .....	1,000,000
Oxycodone (for sale) .....	41,606,000
Oxycodone (for conversion) .....	920,000
Oxymorphone .....	534,000
Pentobarbital .....	18,251,000
Phencyclidine .....	2,060
Phenmetrazine .....	2
Phenylacetone .....	11,000,000
Racemethorphan .....	2
Secobarbital .....	1,000
Sufentanil .....	4,000
Thebaine .....	59,437,000

The Acting Deputy Administrator further orders that aggregate production quotas for all other Schedules I and II controlled substances included in sections 1308.11 and 1308.12 of title 21 of the Code of Federal Regulations be established at zero.

The Office of Management and Budget has determined that notices of aggregate production quotas are not subject to centralized review under Executive Order 12866.

This action does not preempt or modify any provision of State law; nor does it impose enforcement responsibilities on any State; nor does it diminish the power of any State to enforce its own laws. Accordingly, this action does not have federalism implications warranting the application of Executive Order 13132.

The Acting Deputy Administrator hereby certifies that this action will have no significant impact upon small entities whose interests must be considered under the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.* The establishment of aggregate production quotas for Schedules I and II controlled substances is mandated by law and by international treaty obligations. The quotas are necessary to provide for the estimated medical, scientific, research and industrial needs of the United States, for export requirements and the establishment and maintenance of reserve stocks. While aggregate production quotas are of primary importance to large manufacturers, their impact upon small entities is neither negative nor beneficial. Accordingly, the Acting Deputy Administrator has determined that this action does not require a regulatory flexibility analysis.

This action meets the applicable standards set forth in sections 3(a) and 3(b)(2) of Executive Order 12988 Civil Justice Reform.

This action will not result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of \$100,000,000 or more

in any one year, and will not significantly or uniquely affect small governments. Therefore, no actions were deemed necessary under the provisions of the Unfunded Mandates Reform Act of 1995.

This action is not a major rule as defined by section 804 of the Small Business Regulatory Enforcement Fairness Act of 1996. This action will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

The Drug Enforcement Administration makes every effort to write clearly. If you have suggestions as to how to improve the clarity of this regulation, call or write Christine A. Sannerud, Ph.D., Chief, Drug & Chemical Evaluation Section, Office of Diversion Control, Drug Enforcement Administration, Washington, DC 20537, Telephone: (202) 307-7183.

Dated: December 8, 2003.

**Michele M. Leonhart,**  
*Acting Deputy Administrator.*

[FR Doc. 03-30834 Filed 12-12-03; 8:45 am]

**BILLING CODE 4410-09-P**

## DEPARTMENT OF LABOR

### Office of the Assistant Secretary for Administration and Management

#### Agency Information Collection Activities: Proposed Collection; Comment request; Applicant Background Questionnaire

**AGENCY:** Office of the Assistant Secretary for Administration and Management (OASAM), Department of Labor.

#### **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. Currently, the Department of Labor is soliciting comments concerning the proposed extension of the Applicant Background Questionnaire. A copy of the proposed 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 February 13, 2004.

**ADDRESSEE:** Anderson Glasgow, U.S. Department of Labor, Human Resource Services Center, 200 Constitution Ave. NW., Room N-5464, Washington, DC 20210; Phone: (202) 693-7738; Written comments limited to 10 pages or fewer may also be transmitted by facsimile to: (202)693-7631; Internet: [glasgow.william@dol.gov](mailto:glasgow.william@dol.gov).

#### **SUPPLEMENTARY INFORMATION:**

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

The Department of Labor, as part of its obligation to provide equal employment opportunities, is charged with ensuring that qualified individuals in groups that are under-represented in various occupations, are included in applicant

pools for the Department's positions. See 5 U.S.C. 7201(c); 29 U.S.C. 791; 29 U.S.C. 2000e-16; 5 CFR 720.204; 29 CFR 1614.101(a). To achieve this goal, DOL employment offices have conducted targeted outreach to a variety of sources, including educational institutions, professional organizations, newspapers and magazines. DOL has also participated in career fairs and conferences that reach high concentrations of Hispanics, African Americans, Native Americans, Asians, and persons with disabilities.

Without the data provided by this collection, DOL does not have the ability to evaluate the effectiveness of any of these targeted recruiting strategies because collection of racial and national origin information only occurs at the point of hiring. DOL needs to collect data on the pools of applicants which result from the various targeted recruitment strategies listed above. After the certification and selection process has been completed, it is necessary to cross-reference the data collected with the outcome of the qualifications review in order to evaluate the quality of applicants from various recruitment sources. With the information from this collection, DOL can adjust and redirect its targeted recruitment to achieve the best result. DOL will also be able to respond to requests for information received from the Office of Personnel Management (OPM) in the course of OPM's evaluation and oversight activities.

## II. Desired Focus of Comments

The Department of Labor 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, for example, 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

This notice requests an extension of the current Office of Management and Budget approval of the Applicant Background Questionnaire. Extension is necessary to continue to evaluate the effectiveness of agency recruitment programs in attracting applicants from under-represented sectors of the population.

*Type of Review:* Extension of a currently approved collection.

*Agency:* U.S. Department of Labor.

*Title:* Applicant Background Questionnaire.

*OMB Number:* 1225-0072.

*Affected Public:* Applicants for positions recruited in the Department of Labor.

*Total Respondents:* 3000.

*Frequency:* One time per respondent.

*Total Responses:* 3000.

*Average Time per Response:* 5 minutes.

*Estimated Total Burden Hours:* 250 hours.

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

*Total Burden Cost (operating/maintaining):* \$0.

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 information collection request; they will also become a matter of public record.

Dated: December 5, 2003.

**Daliza Salas,**

*Director of Human Resources.*

[FR Doc. 03-30855 Filed 12-12-03; 8:45 am]

BILLING CODE 4510-23-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Proposed Extension of the Information Collection Request Submitted for Public Comment and Recommendations; Unemployment Insurance (UI) Benefit Accuracy Measurement (BAM) Program

**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.

**DATES:** Submit comments on or before February 13, 2004.

**ADDRESSES:** Send comments to Kari M. Baumann, Office of Workforce Security, Employment and Training Administration, U.S. Department of Labor, Room S-4522, 200 Constitution Avenue, NW., Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Kari M. Baumann, telephone: 202-693-3286 (this is not a toll-free number); fax: 202-693-3975; e-mail: [baumann.kari@dol.gov](mailto:baumann.kari@dol.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Since 1987, all State Workforce Agencies (SWAs) except in the U.S. Virgin Islands have been required by regulation at 20 CFR Part 602 to operate BAM programs to assess the accuracy of their UI benefit payments in three programs: State UI, Unemployment Compensation for Federal Employees (UCFE), and Unemployment Compensation for Ex-servicemembers (UCX).

The Benefit Accuracy Measurement seeks to reduce waste, fraud, and abuse in the UI system. By investigating small representative weekly samples of both paid and denied UI claims, it enables each state to estimate reliably the number and dollar value of proper and improper payments and denials of UI benefits; the rates of occurrence of these proper and improper payments and denials; and the error types, error causes, and the parties that are responsible for the errors within its system.

The BAM program consists of two comprehensive reviews of a statewide probability sample of UI payments and denials to determine the precise nature of improper payments. States use the same population edit and sample selection software programs to select the weekly samples. This software uses a systematic random sampling algorithm. The survey population excludes supplemental payments, waiting weeks, and extended benefits.

*Paid Claims Accuracy.* Each week a random sample is selected of both intrastate and interstate original payments (including combined wage claims) made for a week of UI benefits under the State UI, UCX or UCFE programs. A sample of 360 cases per year is pulled in the ten states with the