

additional monies to sustain the program. The Department lacks the statutory authority to retain H-2A labor certification fees (20 CFR 656.32).

#### 4. ETA Form 9079

A number of the comments addressed the proposed consolidated certification and petition form.

(a) *Style and Layout.* Some commenters objected to the form for a variety of reasons, including comments stating that Form 9079 is too burdensome, time-consuming, and confusing. As a result of these comments, the Department is developing a more "user-friendly" version of Form 9079, which will be published for public comment. As part of this revision, as requested by commenters, space will be provided on the form indicating that the employer is represented by counsel.

(b) *Data Collection.* Some commenters objected to the amount of information requested on the new form, comparing it to the existing Form ETA-750. This is not an accurate comparison, since DOL now is performing some of the functions previously performed by INS. Thus, in addition to the ETA-750, the proposed ETA 9079 replaces INS petition Form I-129, resulting in an overall paperwork reduction for employers.

(c) *Circles and Boxes.* Some commenters stated that the use of circles and boxes on the ETA 9079 is inconsistent. This will be addressed on the newly revised Form 9079.

(d) *Redundant Information.* Some commenters stated that ETA is requesting the same information of employers on both the ETA 9079 and the ETA 790 job order with respect to crop and wage information. The new Form 9079 will address this concern by not capturing crop and wage activity on both forms.

(e) *Multiple Languages.* Some commenters asked that the ETA 9079 be translated into other languages in addition to English. Since the application form is prepared by agricultural employers, DOL does not anticipate that the target population will require language assistance. To the extent feasible, local ES offices, particularly those with bilingual (English-Spanish) staff, will do their best to assist those employers in need of such assistance. Foreign language assistance is provided to U.S. workers recruited through the Employment Service System.

(f) *Addendum C.* Confusion about filing of the ETA Form 9079 Addendum C as to whether it should be filed up front or after acceptance. Instructions on page 43553 which include a chart

indicates Addendum C may be submitted any time after acceptance letter and 5 days prior to certification. Addendum C refers to Consulate locations from where the foreign workers will be processed and issued visas to enter the United States. If workers cannot be located in one consulate office, the employer needs the option of requesting worker from another consulate.

(g) *Number of Workers.* Some commenters were confused about where on the ETA 9079 the total number of workers is specified. Worker requested information is found on page 1, number II and number III, of the ETA 9079.

(h) *Shared Housing.* Some commenters asked where on the ETA 9079 a sole employer can indicate that it is sharing housing. This information is not collected using Form ETA 9079. This information is collected on form ETA 790.

(i) *Web-Based Form.* Some commenters suggested that the forms for the program should be accessible on the World Wide Web. A website is currently under development, which will have a web-accessible on-line application form, allowing applicants to register demographic and static information that can be used to pre-fill application forms, thus reducing applicant's data entry requirements. For those forms that will require signatures, the applicant will be able to print the completed form at their local printer. Applicants would be required to sign the form and then send it in to DOL along with any associated fees.

(j) *Worksite Transfers.* Some commenters stated that the new form requires transfers to more than one worksite to be specified before the actual places are known to employers. This transfer information has never been tracked by DOL and under the new system the information will no longer be gathered by Form 9079.

(k) *General Comments.* The Department is seeking specific comments regarding Form 9079. Commenters are requested to specifically indicate what they like or dislike about Form 9079. Specific comments will be addressed by the Department when Form 9079 is redeveloped. As stated above, it will be published for public comment.

Signed at Washington, DC, this 24th day of September, 2001.

**Emily Stover DeRocco,**

*Assistant Secretary for Employment and Training.*

[FR Doc. 01-24207 Filed 9-26-01; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### 20 CFR Part 655

RIN 1205-AB24

#### Labor Certification and Petition Process for Temporary Agricultural Employment of Nonimmigrant Workers in the United States (H-2A Workers); Modification of Fee Structure; Informal Briefing

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Proposed rule; notice of informal briefing.

**SUMMARY:** The Division of Foreign Labor Certification, Employment and Training Administration (ETA), Department of Labor (Department), announces two informal briefings to allow agricultural workers and employers and other interested parties to communicate directly with the Department regarding proposed rule changes which would require employers to submit fees for temporary alien agricultural labor certification and the associated H-2A petition with a consolidated application form at the time of filing. See proposed rule reopening the comment period, published elsewhere in today's **Federal Register**. The proposed rule also would modify the fee structure for H-2A labor certification applications. These briefings are being held to allow the Department to solicit individual responses and experiences from interested persons and other entities.

**DATES:** The briefing dates are:

- Thursday, November 8, 2001, 9:30 a.m. to 4 p.m., Washington, DC.
- Friday, November 16, 2001, 9:30 a.m. to 4 p.m., Monterey, CA.

Notices of intention to appear at the briefing must be postmarked no later than October 11, 2001.

**ADDRESSES:** The briefing locations are:

- U.S. Department of Labor, Francis Perkins Building, 200 Constitution Avenue, Plaza Level Auditorium, Washington, DC 20010.
- Hilton Monterey, 1000 Oguajito Road, Monterey, CA 93940.

Send notices of intention to appear to: Charlene Giles, U.S. Department of Labor, 200 Constitution Avenue, NW., Room C-4318, Washington, DC 20210. Notices also may be faxed to Charlene Giles at 202-693-2760 (this is not a toll-free number), or submitted by e-mail at [dflc@uis.doleta.gov](mailto:dflc@uis.doleta.gov).

**FOR FURTHER INFORMATION CONTACT:** Charlene Giles; telephone 202-693-2950. (This is not a toll-free number).

**SUPPLEMENTARY INFORMATION:** The informal public briefings will be chaired by a senior official of the Employment and Training Administration. Persons appearing at the briefings will be allowed to present their views and pose questions of Department staff and other parties presenting their views.

Signed at Washington, DC, this 24th day of September, 2001.

**Emily Stover DeRocco,**

*Assistant Secretary for Employment and Training.*

[FR Doc. 01-24209 Filed 9-26-01; 8:45 am]

**BILLING CODE 4510-30-P**

## LIBRARY OF CONGRESS

### Copyright Office

#### 37 CFR Part 201

[Docket No. RM 2001-6]

#### Determination of Reasonable Rates and Terms for the Digital Performance of Sound Recordings

**AGENCY:** Copyright Office, Library of Congress.

**ACTION:** Extension of comment period.

**SUMMARY:** The Copyright Office is extending the period to file comments to proposed amendments to the regulations governing the content and service of certain notices on the copyright owner of a musical work. The notice is served or filed by a person who intends to use the work to make and distribute phonorecords, including by means of digital phonorecord deliveries, under a compulsory license.

**DATES:** Comments are due no later than October 12, 2001.

**ADDRESSES:** An original and ten copies of any comment shall be delivered to: Office of the General Counsel, Copyright Office, James Madison Building, Room LM-403, First and Independence Avenue, SE., Washington, DC; or mailed to: Copyright Arbitration Royalty Panel (CARP), P.O. Box 70977, Southwest Station, Washington, DC 20024-0977.

**FOR FURTHER INFORMATION CONTACT:** David O. Carson, General Counsel, or Tanya M. Sandros, Senior Attorney, Copyright Arbitration Royalty Panel, P.O. Box 70977, Southwest Station, Washington, DC 20024. Telephone: (202) 707-8380. Telefax: (202) 252-3423.

**SUPPLEMENTARY INFORMATION:** On August 28, 2001, the Copyright Office published a notice of proposed rulemaking seeking comments on proposed amendments to the regulations governing the content

and service of certain notices on the copyright owner of a musical work. 66 FR 45241 (August 28, 2001). The notice is served or filed by a person who intends to use the work to make and distribute phonorecords, including by means of digital phonorecord deliveries, under a compulsory license. 17 U.S.C. 115. Comments on the proposed amendments were due on September 27, 2001.

On September 21, 2001, the Office received a request for an extension of the filing date for comments until October 12, 2001. The Office is granting this request and is extending the deadline for filing comments to October 12, 2001.

Dated: September 24, 2001.

**Marilyn J. Kretsinger,**

*Assistant General Counsel.*

[FR Doc. 01-24248 Filed 9-26-01; 8:45 am]

**BILLING CODE 1410-31-P**

## FEDERAL COMMUNICATIONS COMMISSION

#### 47 CFR Part 73

[DA 01-2156; MM Docket No. 01-243; RM-10263]

#### Radio Broadcasting Services; Freer, TX

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document requests comments on a petition for rule making filed by Jeraldine Anderson, requesting the allotment of Channel 288A to Freer, Texas, as that community's second local FM transmission service. This proposal requires a site restriction 6.8 kilometers (4.2 miles) south of the community, utilizing coordinates 27-49-20 NL and 98-38-04 WL. Additionally, as Freer, Texas, is located within 320 kilometers (199 miles) of U.S.-Mexico border, concurrence of the Mexican government to this proposal is required.

**DATES:** Comments must be filed on or before November 5, 2001, and reply comments on or before November 20, 2001.

**ADDRESSES:** Secretary, Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, as follows: Jeraldine Anderson, 1702 Cypress Drive, Irving, TX 75061.

**FOR FURTHER INFORMATION CONTACT:** Nancy Joyner, Mass Media Bureau, (202) 418-2180.

**SUPPLEMENTARY INFORMATION:** This is a synopsis of the Commission's Notice of Proposed Rule Making, MM Docket No. 01-243, adopted September 5, 2001, and released September 14, 2001. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC's Reference Information Center (Room CY-A257), 445 Twelfth Street, SW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, Qualtex International, Portals II, 445 12th Street, SW., Room CY-B402, Washington, DC 20554, (202) 863-2893.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1204(b) for rules governing permissible *ex parte* contacts.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

#### List of Subjects in 47 CFR Part 73

Radio broadcasting.

For the reasons discussed in the preamble, the Federal Communications Commission proposes to amend 47 CFR part 73 as follows:

#### PART 73—RADIO BROADCAST SERVICES

1. The authority citation for part 73 continues to read as follows:

**Authority:** 47 U.S.C. 154, 303, 334 and 336.

##### § 73.202 [Amended]

2. Section 73.202(b), the Table of FM Allotments under Texas, is amended by adding Channel 288A at Freer.

Federal Communications Commission.

**John A. Karousos,**

*Chief, Allocations Branch, Policy and Rules Division, Mass Media Bureau.*

[FR Doc. 01-24139 Filed 9-26-01; 8:45 am]

**BILLING CODE 6712-01-P**