

(202) 307-0690, at least one week before the hearing.

**Michael Alston,**

*Office of Justice Programs.*

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**BILLING CODE 4410-18-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

October 28, 2008.

The Department of Labor (DOL) hereby announces the submission of the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation, including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden, may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Mary Beth Smith-Toomey on 202-693-4223 (this is not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—ETA, Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), e-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB 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 submission of responses.

*Agency:* Employment Training Administration.

*Type of Review:* Extension without change of an existing OMB Control Number.

*Title of Collection:* Labor Certification for the Temporary Employment of Nonimmigrant Aliens in Agriculture in the United States; Administration Measures to Improve Program Performance.

*OMB Control Number:* 1205-0404.

*Affected Public:* Private Sector—Business or other for-profits, Farms, Not-for-profit Institutions.

*Total Estimated Number of Respondents:* 385.

*Total Estimated Annual Burden Hours:* 96.

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

*Description:* The Department's regulation at 20 CFR 655.103(e) defines the "Fifty-percent Rule," which requires the employer, who received a labor certification in the H-2A program, to provide employment to any qualified, eligible U.S. worker who applies to the employer until 50% of the time of need for the foreign worker has elapsed. Section 655.106(e)(1)(ii) mandates that agricultural employers inform the applicable State Workforce Agencies if the H-2A workers do not depart for the place of employment on or before the first date of need in writing (or orally and then confirmed in writing) as soon as the employer knows that the workers will not depart by the first date of need. This provision is necessary so that the SWA can begin calculation of when to stop referring workers under the Fifty-percent Rule and when the employer can cease active recruitment. For additional information, see related notice published at Volume 73 FR 36358 on June 26, 2008.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E8-26104 Filed 10-31-08; 8:45 am]

**BILLING CODE 4510-FP-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-64,033]

#### Eaton Corporation, Clutch Division; Auburn, IN; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on September 25, 2008, applicable to workers of Eaton Corporation, Clutch Division, Auburn, Indiana. The notice was published in the **Federal Register** on October 8, 2008 (73 FR 58981).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of truck clutches.

Findings show that there was a previous certification, TA-W-60,256, issued on December 18, 2006, for the workers of the Auburn, Indiana, location of the subject firm. That certification expires December 18, 2008. To avoid an overlap in worker group coverage for the workers of the Auburn, Indiana, location, the certification is being amended to change the impact date from September 10, 2007, to December 19, 2008.

Accordingly, the Department is amending the certification to properly reflect this matter.

The intent of the Department's certification is to include all workers of Eaton Corporation, Clutch Division, who were adversely affected by a shift in production of truck clutches to Mexico.

The amended notice applicable to TA-W-64,033 is hereby issued as follows:

All workers of Eaton Corporation, Clutch Division, Auburn, Indiana, who become totally or partially separated from employment on or after December 19, 2008, through September 25, 2010, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 17th day of October 2008.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E8-26052 Filed 10-31-08; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-63,139, TA-W-63,139D]

**Valspar-Furniture Sales Group & International Color Design Center a Subsidiary of Valspar Global Wood Coatings d/b/a Engineered Polymer Solutions: High Point, NC; Including an Employee of Valspar-Furniture Sales Group & International Color Design Center a Subsidiary of Valspar Global Wood Coatings d/b/a Engineered Polymer Solutions: High Point, NC Working Out of Lafayette, IN; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on June 20, 2008, applicable to workers of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, d/b/a/ Engineered Polymer Solutions, High Point, North Carolina. The notice was published in the *Federal Register* on July 14, 2008 (73 FR 40388).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers are engaged in the production of wood coatings (paints, lacquers, and stains).

New information shows that a worker separation has occurred involving an employee (Mr. Reginald Gallant) working out of Lafayette, Indiana, in support of and under the control of the High Point, North Carolina, location of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, d/b/a/ Engineered Polymer Solutions.

Based on these findings, the Department is amending this certification to include an employee in support of the High Point, North

Carolina, facility of the subject firm working out of Lafayette, Indiana.

The intent of the Department's certification is to include all workers of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, d/b/a Engineered Polymer Solutions, High Point, North Carolina, who qualify as secondarily affected by increased imports of wood coatings (paints, lacquers, and stains).

The amended notice applicable to TA-W-63,139 is hereby issued as follows:

"All workers of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, High Point, North Carolina, (TA-W-63,139), including an employee in support of Valspar-Furniture Sales Group & International Color Design Center, a subsidiary of Valspar Global Wood Coatings, High Point, North Carolina, working in Lafayette, Indiana (TA-W-63,139D), who became totally or partially separated from employment on or after May 6, 2007, through June 20, 2010, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974."

Signed at Washington, DC, this 21st day of October 2008.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E8-26049 Filed 10-31-08; 8:45 am]

BILLING CODE 4510-FN-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

**Notice of a Change in Status of an Extended Benefit (EB) Period for Rhode Island**

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

**ACTION:** Notice.

**SUMMARY:** This notice announces a change in benefit period eligibility under the EB Program for Rhode Island.

The following change has occurred since the publication of the last notice regarding the State's EB status:

- Effective October 21, 2008, Rhode Island's 3-month seasonally adjusted total unemployment rate rose to 8.4 percent, exceeding the 8 percent threshold. This causes the State to be triggered "on" to a high unemployment period (HUP) in the EB program period beginning November 9, 2008.

## Information for Claimants

The duration of benefits payable in the EB Program, and the terms and conditions on which they are payable, are governed by the Federal-State Extended Unemployment Compensation Act of 1970, as amended, and the operating instructions issued to the states by the U.S. Department of Labor. In the case of a state beginning a HUP period, the State Workforce Agency will furnish a written notice of potential entitlement to each individual who may be eligible for increased benefits due to the HUP (20 CFR 615.13 (c) (1)). Persons who wish to inquire about their rights under the program, should contact their state workforce agency.

### FOR FURTHER INFORMATION CONTACT:

Scott Gibbons, U.S. Department of Labor, Employment and Training Administration, Office of Workforce Security, 200 Constitution Avenue, NW., Frances Perkins Bldg. Room S-4231, Washington, DC 20210, telephone number (202) 693-3008 (this is not a toll-free number) or by e-mail: [gibbons.scott@dol.gov](mailto:gibbons.scott@dol.gov).

Signed in Washington, DC, this 28th day of October 2008.

**Brent R. Orrell,**

*Deputy Assistant Secretary of Labor for Employment and Training.*

[FR Doc. E8-26136 Filed 10-31-08; 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 and Alternative Trade 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 (TA-W) number and alternative trade adjustment assistance (ATAA) by (TA-W) number issued during the period of *October 13 through October 17, 2008*.

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.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or