

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 November 14, 2005.

**ADDRESSES:** Send comments to Edward M. Dullaghan, Office of Workforce Security, Employment and Training Administration, U.S. Department of Labor, Room S4231, 200 Constitution Ave. NW., Washington, DC, 20210; telephone number (202) 693-2927 (this is not a toll-free number); e-mail [dullaghan.edward@dol.gov](mailto:dullaghan.edward@dol.gov); fax (202) 693-2874.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The data submitted annually on the ETA-204 report enables the Employment and Training Administration to project revenues for the Unemployment Insurance program on a state-by-state basis and to measure the variations in assigned contribution rates which result from different experience rating systems. Used in conjunction with other data, the ETA-204 assists in determining the effects of certain factors (e.g., seasonality, stabilization, expansion, or contraction in employment, etc.) on the unemployment experience of various groups of employers. The data also provide an early signal for potential solvency problems and are useful in analyzing factors which give rise to these potential problems and permit an evaluation of the effectiveness of the various approaches available to correct the detected problems. Further, the data are the basis for determining the Experience Rating Index, which allows for the evaluation of the extent to which benefits in states are effectively charged, noncharged, and ineffectively charged.

##### II. Desired Focus of Comments

Currently, the Employment and Training Administration is soliciting comments concerning the proposed extension of the ETA-204, Experience Rating Report which:

- Evaluates 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;

- Evaluates 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;

- Enhances the quality, utility, and clarity of the information to be collected; and

- Minimizes 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.

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.

#### III. Current Actions

*Type of Review:* Extension.

*Agency:* Employment and Training Administration.

*Title:* Experience Rating Report.

*OMB Number:* 1205-0164.

*Agency Number:* ETA-204.

*Affected Public:* State Government.

*Cite/Reference/Form/etc:* ETA-204.

*Frequency:* Annually.

*Total Responses:* 53.

*Average Time per Response:* 15 minutes.

*Estimated Total Burden Hours:* 13.

*Total Burden Cost (Operating/Maintaining):* \$325.

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: August 9, 2005.

**Cheryl Atkinson,**

*Administrator, Office of Workforce Security, Employment and Training Administration.*

[FR Doc. 05-18213 Filed 9-13-05; 8:45 am]

**BILLING CODE 4510-30-P**

#### DEPARTMENT OF LABOR

##### Employment Standards Administration

##### Proposed Collection; Comment Request

**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 Employment Standards Administration is soliciting comments concerning the proposed collection: Notice of Final Payment or Suspension of Compensation Benefits (LS-208). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before November 14, 2005.

**ADDRESSES:** Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, *E-mail* [bell.hazel@dol.gov](mailto:bell.hazel@dol.gov). Please use only one method of transmission for comments (mail, fax, or E-mail).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Office of Workers' Compensation Programs administers the Longshore and Harbor Workers' Compensation Act (LHWCA). The Act provides benefits to workers injured in maritime employment on the navigable waters of the United States or in an adjoining area customarily used by an employee in loading, unloading, repairing, or building a vessel. Under Section 914(g) of the Longshore Act, the employer or its insurance carrier must file a report of the compensation paid to a claimant at the time final payment is made. The Act requires that the form must be filed within 16 days of the final payment of compensation with the District Director in the compensation district in which the injury occurred. Form LS-208 requests information regarding the beginning and ending dates of compensation payments, compensation rates, reason payments were terminated and types and amounts of compensation payments. This information collection is currently approved for use through March 31, 2006.

##### II. Review Focus

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, 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

The Department of Labor seeks the approval of the extension of this information collection in order to carry out its responsibility to notify OWCP district offices that payment of compensation benefits has been stopped or suspended in a case. The report is required by law. The report is necessary for OWCP to determine whether benefits have been suspended in a case and to effectively manage the case file and verify that the injured worker has received all benefits to which he/she is entitled to under the Act.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Titles:* Notice of Final Payment or Suspension of Compensation Benefits.

*OMB Number:* 1215-0024.

*Agency Numbers:* LS-208.

*Affected Public:* Business or other for-profit.

*Total Respondents:* 500.

*Total Annual Responses:* 22,722.

*Estimated Total Burden Hours:* 5,681.

*Estimated Time Per Response:* 15 minutes.

*Frequency:* On Occasion.

*Total Burden Cost (Capital/Startup):* \$0.

*Total Burden Cost (Operating/Maintenance):* \$16,353.00.

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: September 8, 2005.

**Bruce Bohanon,**

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 05-18215 Filed 9-13-05; 8:45 am]

**BILLING CODE 4510-CF-P**

## MERIT SYSTEMS PROTECTION BOARD

### Variation From Normal Procedures—Effects of Hurricane Katrina

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of variations from the Board's normal case processing procedures as a result of Hurricane Katrina and the related relief efforts in the gulf coast region of the United States.

**DATES:** This rule is effective September 14, 2005.

**FOR FURTHER INFORMATION CONTACT:**

Bentley M. Roberts, Jr., Clerk of the Board, Merit Systems Protection Board, 1615 M Street, NW., Washington, DC 20419; (202) 653-7200; fax: (202) 653-7130; or e-mail: [mspb@mspb.gov](mailto:mspb@mspb.gov).

**SUPPLEMENTARY INFORMATION:** The Merit Systems Protection Board is providing notice of variations in its normal case processing procedures that have been placed into effect as a result of Hurricane Katrina and the related relief efforts in the gulf coast region of the United States.

The Board's adjudicatory regulations contain time limits for filing documents in Federal employee appeals of agency personnel actions and other matters within the Board's jurisdiction. In addition, MSPB judges issue various orders in the course of an adjudicatory proceeding that set time limits for responses by the parties. The Board's regulations permit five methods of filing and serving documents—regular mail, commercial overnight delivery, facsimile, e-filing, and personal delivery to the appropriate MSPB office. The date of filing by regular mail is determined by the postmark date. For filing by commercial overnight delivery, it is the date the document is delivered to the commercial overnight delivery service. For filing by facsimile, it is the date recorded on the facsimile transmission. For filing electronically, it is the date of the electronic submission. For filing by personal delivery, it is the date the MSPB office receives the document.

At the time of Hurricane Katrina and the related devastation, there were approximately 1,800 cases pending in MSPB regional and field offices and almost 800 cases pending at the Board's headquarters in Washington. It is reasonable to assume, therefore, that a number of filings due to a MSPB office in early September 2005 could not be made in a timely manner. An unknown number of filings of new cases subject to filing deadlines falling in early September, 2005, also may have been affected by the events surrounding Hurricane Katrina.

Several circumstances may have affected filings due in early September, 2005 including the closing of Federal agencies and the displacement of Federal employees in the affected areas.

Accordingly, the Board has placed into effect the following variations from its normal case processing procedures:

1. In MSPB regional and field offices, judges will exercise discretion in accepting filings due in early September, 2005, and for the foreseeable future, that were filed (by any filing method) after the deadline, particularly from the gulf coast region of the United States.

2. At Board headquarters, the Clerk of the Board will exercise discretion in accepting filings due in early September, 2005, and for the foreseeable future, that were filed after the deadline. Normally, a show cause order is issued when a late filing is received, but the Clerk of the Board may accept certain filings, particularly from the gulf coast region of the United States, without issuing a show cause order.

3. Where MSPB case files or evidence were lost or destroyed as a result of devastation by Hurricane Katrina, MSPB judges may grant appropriate continuances until the case files or evidence can be reconstructed or dismiss cases without prejudice to their later re-filing. MSPB offices will also assist the parties in reconstructing case files.

The Board and its employees throughout the country will accommodate parties to MSPB cases whose ability to pursue those cases was affected by Hurricane Katrina. Where the variations from normal case processing procedures set forth above do not adequately address the circumstances in an individual case, the individual circumstances, and appropriate solutions, will be considered on a case-by-case basis. The Board and MSPB judges may waive any Board regulation the application of which is not required by law.