

Handbook for Unemployment Compensation for Ex-Servicemembers. Each SWA must be able to obtain certain military service information from each claimant filing for UCX benefits to enable them to determine his/her eligibility. The forms ETA 841 and ETA 843 (and related instructions) contained in the UCX Handbook are necessary and utilized by SWAs for the purpose of obtaining this needed information. The form ETA 841, which is in the current Office of Management and Budget (OMB) inventory of approved burden collection, has become an optional form and is no longer used by the majority of SWAs. Since the ETA 841 is rarely used, the burden is so minimal it cannot be determined; hence, no burden is being requested.

Information pertaining to the UCX claimant can only be obtained from the individual's military discharge papers, the appropriate branch of military service or the Department of Veterans Affairs (formerly the Veterans Administration). If the claimant does not have this information available, the most feasible and effective way to obtain this information is by use of the form prescribed by the Department of Labor for State agency use. Without this information, SWAs could not adequately determine the eligibility of ex-servicemembers and would not be able to properly administer the program.

## 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

This is a request for OMB approval under the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c)(2)(A)) of an

extension to an existing collection of information previously approved and assigned OMB control No. 1205-0176. The current burden was based on an inventory of 66,126 UCX claims filed in FY 1999 attributed to military downsizing that took place during FY 1999 which caused a higher number of UCX claims to be filed. This request is based on same number of UCX claims filed in FY 99 since it is estimated that approximately the same number of UCX claims will be filed in fiscal years 2003, 2004 and 2005 attributed to the recall of ex-servicemembers, reservists and National Guard members to active duty due to the Middle East and Afghanistan crises. Fifty-three (53) SWAs fill out the ETA 843. The ETA 843 is used by SWAs only when it is necessary to obtain additional clarifying information from the military pertaining to the UCX claimant or to obtain a copy of DD Form 214 that was not issued to the claimant when separated from military service. It is estimated that only 5 percent (3,306) of the UCX claims filed will require use of the ETA 843. The form ETA 843 maybe sent to any one of the four branches of military service (Army, Navy, Marines, Air Force), the Coast Guard, or the National Oceanic Atmospheric Administration. These latter two agencies are considered branches of military service for UCX purposes but are not under the jurisdiction of the Department of Defense.

*Type of Review:* Extension, without change.

*Agency:* Employment and Training Administration.

*Title:* Unemployment Compensation for Ex-Servicemembers (UCX) Handbook.

*OMB Number:* 1205-0176.

*Recordkeeping:* The Department of Labor (DOL) does not maintain a system of records for the UCX program. UCX records are maintained by the SWAs acting as agents for the Federal Government in the administration of the UCX program. The DOL procedures permit the SWAs, upon request, to dispose of UCX records according to State law provisions 3 years after final action (including appeals or court action) on the claim, or such records may be transferred in less than the 3-year period if microphotographed in accordance with appropriate microphotography standards.

*Affected Public:* State governments (state workforce agencies).

*Total Respondents:* 3,306.

*Frequency:* As needed.

*Total responses:* 3,306.

*Average Time Per Response:* 1.0 minutes.

*Estimated Total Burden Hours:* 55 hours.

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

*Total Burden Cost (operating/maintaining):* \$1,526,952.

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 will also become a matter of public record.

Dated: December 18, 2002.

**Cheryl Atkinson,**

*Administrator, Office of Workforce Security.*

[FR Doc. 02-32447 Filed 12-24-02; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Proposed Collection of the ETA 5159, Claims and Payment Activities; 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 and Training Administration is soliciting comments concerning the proposed extension of the collection of the ETA 5159, Claims and Payment Activities. 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 24, 2003.

**ADDRESSEE:** Thomas Stengle, U.S. Department of Labor, Employment and Training Administration, Room S-4231, 200 Constitution Ave. NW., Washington, DC, 20210; telephone number (202) 693-2991; fax (202) 693-

3229 (these are not toll free numbers).  
E-mail: [tstengle@doleta.gov](mailto:tstengle@doleta.gov).

#### SUPPLEMENTARY INFORMATION:

I. *Background:* The ETA 5159 report contains information on claims activities including the number of initial claims, first payments, weeks claimed, weeks compensated, benefit payments and final payments. These data are used in budgetary and administrative planning, program evaluation, actuarial and program research, and reports to Congress and the public.

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 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 is a request for OMB approval under the Paperwork Reduction Act of 1995 (44 U.S.C. 3506(c) (2) (A)) for continuing an existing collection of information previously approved and assigned OMB Control No. 1205-0010.

*Type of Review:* Extension.

*Agency:* Employment and Training Administration.

*Title:* Claims and Payment Activities.

*OMB Number:* 1205-0010.

*Agency Number:* ETA 5159.

*Affected Public:* State Government.

*Cite/Reference/Form/etc:* ETA 5159.

*Total Respondents:* 53.

*Frequency:* Monthly.

*Total Responses:* 720.

*Average Time per Response:* 2.6 hours.

*Estimated Total Burden Hours:* 1359 hours per year.

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

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

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 will also become a matter of public record.

Dated: December 19, 2002.

**Cheryl Atkinson,**

*Administrator, Office of Workforce Security.*

[FR Doc. 02-32585 Filed 12-24-02; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[NAFTA-7646]

#### Nestle Purina, St. Joseph, Missouri; Notice of Termination of Investigation

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance, hereinafter called NAFTA-TAA and in accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), an investigation was initiated on October 31, 2002, in response to a petition filed by the Retail, Wholesale and Department Store Union (RWDSU) on behalf of workers at Nestle Purina, St. Joseph, Missouri.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, DC, this 3rd day of December 2002.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 02-32595 Filed 12-24-02; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[NAFTA-6387, NAFTA-6387A, and NAFTA-6387B]

#### Pfaltzgraff Company, Also Known as Susquehanna Pfaltzgraff, York, PA, Thomasville, PA, and Dover, PA; Amended Certification Regarding Eligibility To Apply for NAFTA-Transitional Adjustment Assistance

In accordance with section 250(a), subchapter D, chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), the Department of Labor issued a Certification of Eligibility to Apply for NAFTA-Transitional Adjustment Assistance on September

10, 2002, applicable to workers of Pfaltzgraff Company, also known as Susquehanna Pfaltzgraff, located in York, Pennsylvania. The notice was published in the **Federal Register** on September 27, 2002 (67 FR 61162).

At the request of a company official, the Department reviewed the certification for workers of the subject firm. The workers produce dinnerware. The company official reports that worker separations have occurred at the company's dinnerware production plants in Thomasville and Dover, Pennsylvania.

The intent of the Department's certification is to include all workers of the subject firm that been impacted by the increase in company imports from Mexico. Since corporate-wide sales have declined and company imports have increased, the Department is amending the certification to include workers at the plants in Thomasville and Dover, Pennsylvania.

The amended notice applicable to NAFTA-6387 is hereby issued as follows:

"All workers of Pfaltzgraff Company, also known as Susquehanna Pfaltzgraff, York, Pennsylvania (NAFTA-6387), Thomasville, Pennsylvania (NAFTA-6387A), and Dover, Pennsylvania (NAFTA-6387B), who became totally or partially separated from employment on or after July 15, 2001, through September 10, 2004, are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974."

Signed in Washington, DC, this 3rd day of December, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 02-32594 Filed 12-24-02; 8:45 am]

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## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Petitions for Modification

The following parties have filed petitions to modify the application of existing safety standards under section 101(c) of the Federal Mine Safety and Health Act of 1977.

##### 1. Mallie Coal Company, Inc.

[Docket No. M-2002-102-C]

Mallie Coal Company, 8442 Hwy. 6, Corbin, Kentucky 40701 has filed a petition to modify the application of 30 CFR 75.380(f)(4)(i) (Escapeways; bituminous and lignite mines) to its Mine No. 6 (MSHA I.D. No. 15-18440) located in Knox County, Kentucky. The petitioner proposes to use one ten pound or two five pound portable