

**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 to the collection of information on the Labor Condition Application for H-1B nonimmigrants. A copy of the proposed Information Collection Request (ICR) 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 10, 2003.

**ADDRESSES:** Comments and questions regarding the collection of information on Form ETA 9035, Labor Condition Application for H-1B Nonimmigrants, should be directed to William L. Carlson, Chief, Division of Foreign Labor Certification, U.S. Department of Labor, 200 Constitution Avenue, NW., Room C-4318, Washington, DC 20210, (202) 693-3010 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The Immigration and Naturalization Act (INA) requires that before any alien may be admitted or otherwise provided status as an H-1B nonimmigrant, the prospective employer must have filed with the Department of Labor (Department) a Labor Condition Application (LCA) stating that they will offer prevailing wages and working conditions, that there is not a strike or lockout in the course of a labor dispute in the occupational classification at the place of employment, and that they have provided notice of such filing to the bargaining representative or, if there is none, by posting notice of filing in conspicuous locations at the place of employment. Further, the employer must make certain documentation available for public examination. The Department's review of LCA's is limited

by law solely to a review for completeness or "obvious inaccuracies." Complaints may be filed with the Department alleging a violation of the LCA process. If reasonable cause is found to believe a violation has been committed, the Department will conduct an investigation and, if appropriate, assess penalties. The INA places a limit on the number of aliens who can be admitted to the U.S. on H-1B visas or otherwise provided H-1B nonimmigrant status (195,000 in FY '03 and 65,000 in each succeeding fiscal year). The INA generally limits these workers to a maximum of six years duration of stay under H-1B status although extensions are permitted for certain aliens on whose behalf an alien labor certification or employment-based immigrant petition has been pending for 365 days or more.

The INA requires that the Department make available for public examination in Washington, DC, a list of employers which have filed LCA's.

**II. Review Focus**

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed information collection 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 collections techniques or other forms of information, e.g., permitting electronic submissions of responses.

**III. Current Actions**

In order for the Department to meet its statutory responsibilities under the INA there is a need for an extension of an existing collection of information pertaining to the Labor Condition Application and Requirements for Employers Using Nonimmigrants on H-1B Visas in Specialty Occupations and as Fashion Models.

*Type of Review:* Extension of a currently approved collection without change.

*Agency:* Employment and Training Administration, Labor.

*Title:* Labor Condition Application and Requirements for Employers Using Nonimmigrants on H-1B Visas in Specialty Occupations and as Fashion Models.

*OMB Number:* 1205-0310.

*Affected Public:* Businesses or other for-profit; not-for-profit institutions; Federal government; State, Local or Tribal government.

*Form:* Form ETA 9035.

*Total Respondents:* 250,000.

*Frequency of Response:* On occasion.

*Total Responses:* 250,050.

*Average Burden Hours per Response:* 1.25.

*Estimate Total Annual Burden Hours:* 250,050.

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 ICR; they will also be a matter of public record.

Signed at Washington DC, this 4th day of September, 2003.

**Emily Stover DeRocco,**

*Assistant Secretary, Employment and Training Administration.*

[FR Doc. 03-23133 Filed 9-10-03; 8:45 am]

**BILLING CODE 4510-30-P**

**NUCLEAR REGULATORY COMMISSION**

**[Docket Nos. 50-313 and 50-368]**

**Entergy Operations, Inc.; Correction**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Notice of issuance; correction.

**SUMMARY:** This document corrects a notice appearing in the **Federal Register** on August 19, 2003 (68 FR 49824), that was incorrectly placed in the section titled Notice of Issuance of Amendments to Facility Operating Licenses and Final Determination of No Significant Hazards Consideration and Opportunity for a Hearing [Exigent Public Announcement or Emergency Circumstances]. While the Notice of Consideration of Issuance, published July 9, 2003 (68 FR 41020), was Exigent, it was not made public via Public Announcement or under Emergency Circumstances, and should, therefore, have been placed in the section titled Notice of Issuance of Amendments to Facility Operating Licenses.

**FOR FURTHER INFORMATION CONTACT:** Thomas W. Alexion, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; telephone (301) 415-1326, e-mail: [twalexion@nrc.gov](mailto:twalexion@nrc.gov).

Dated in Rockville, Maryland, this 4th day of September 2003.

For the Nuclear Regulatory Commission.

**Thomas W. Alexion,**

*Project Manager, Section 1, Project Directorate IV, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 03-23150 Filed 9-10-03; 8:45 am]

**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

*Upon Written Request, Copies Available*

From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

*Extension:*

Rule 11Ac1-5, SEC File No. 270-488,

OMB Control No. 3235-0542

Rule 11Ac1-6, SEC File No. 270-489,

OMB Control No. 3235-0541

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget for extension and approval.

Rule 11Ac1-5 requires market centers to make available to the public monthly order execution reports in electronic form. The Commission believes that many market centers retain most, if not all, the underlying raw data necessary to generate these reports in electronic format. Once the necessary data is collected, market centers could either program their systems to generate the statistics and reports, or transfer the data to a service provider (such as an independent company in the business of preparing such reports or a self-regulatory organization ("SRO") that would generate the statistics and reports.

The collection of information obligations of Rule 11Ac1-5 apply to all market centers that receive covered orders in national market system securities. The Commission estimates that approximately 367 market centers are subject to the collection of information obligations of Rule 11Ac1-5. Each of these respondents is required to respond to the collection of information on a monthly basis.

The Commission staff estimates that, on average, Rule 11Ac1-5 causes

respondents to spend 6 hours per month in additional time to collect the data necessary to generate the reports, or 72 hours per year. With an estimated 367 market centers subject to Rule 11Ac1-5, the total data collection cost to comply with the monthly reporting requirement is estimated to be 26,424 hours per year.

Rule 11Ac1-6 requires broker-dealers to prepare and disseminate quarterly order routing reports. Much of the information needed to generate these reports already should be collected by broker-dealers in connection with their periodic evaluations of their order routing practices. Broker-dealers must conduct such evaluations to fulfill the duty of best execution that they owe their customers.

The collection of information obligations of Rule 11Ac1-6 applies to broker-dealers that route non-directed customer orders in covered securities. The Commission estimates that out of the currently 2678 broker-dealers that are subject to the collection of information obligations of Rule 11Ac1-6, clearing brokers bear a substantial portion of the burden of complying with the reporting and recordkeeping requirements of Rule 11Ac1-6 on behalf of small to mid-sized introducing firms. There currently are approximately 330 clearing brokers. In addition, there are approximately 610 introducing brokers that receive funds or securities from their customers. Because at least some of these firms also may have greater involvement in determining where customer orders are routed for execution, they have been included, along with clearing brokers, in estimating the total burden of Rule 11Ac1-6.

The Commission staff estimates that each firm significantly involved in order routing practices incurs an average burden of 40 hours to prepare and disseminate a quarterly report required by Rule 11Ac1-6, or a burden of 160 hours per year. With an estimated 940 broker-dealers significantly involved in order routing practices, the total burden per year to comply with the quarterly reporting requirement in Rule 11Ac1-6 is estimated to be 150,400 hours.

Rule 11Ac1-6 requires broker-dealers to respond to individual customer requests for information on orders handled by the broker-dealer for that customer. Clearing brokers generally bear the burden of responding to these requests. The Commission staff estimates that an average clearing broker incurs an annual burden of 400 hours (2000 responses × 0.2 hours/response) to prepare, disseminate, and retain responses to customers required by Rule 11Ac1-6. With an estimated 330

clearing brokers subject to Rule 11Ac1-6, the total burden per year to comply with the customer response requirement in Rule 11Ac1-6 is estimated to be 132,000 hours.

Written comments are invited on: (a) 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; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Kenneth A. Fogash, Acting Associate Executive Director/CIO, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549.

Dated: September 3, 2003.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-23124 Filed 9-10-03; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act; Meetings

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of September 15, 2003:

An Open Meeting will be held on Wednesday, September 17, 2003 at 2 p.m. in Room 6600, and Closed Meetings will be held on Wednesday, September 17, 2003 at 4 p.m. and Thursday, September 18, 2003 at 10 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meetings. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), (9)(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), (9)(ii) and (10), permit consideration of the