

be examined on the following Department of Justice Web site, [http://www.usdoj.gov/endor/Consent\\_Decrees.html](http://www.usdoj.gov/endor/Consent_Decrees.html). A copy of the proposed consent decree may be obtained by mail from the Consent Decree Library, P.O. Box 7611, U.S. Department of Justice, Washington, DC 20044-7611 or by faxing or emailing a request to "Consent Decree Copy" ([EESCDCopy.ENRD@usdoj.gov](mailto:EESCDCopy.ENRD@usdoj.gov)), fax no. (202) 514-0097, phone confirmation number (202) 514-5271. In requesting a copy from the Consent Decree Library, please enclose a check in the amount of \$23.25 (25 cents per page reproduction cost) payable to the U.S. Treasury or, if by email or fax, forward a check in that amount to the Consent Decree Library at the address given above.

**Robert Brook,**

*Assistant Section Chief, Environmental Enforcement Section, Environment & Natural Resources Division.*

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**BILLING CODE 4410-15-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Comment Request for Information Collection for Labor Condition Application and Instructions for H-1B, H-1B1, and E-3 Nonimmigrants; ETA Forms 9035, 9035E, 9035CP; and WHD Nonimmigrant Worker Information Form WH-4, Extension With Revisions**

**AGENCY:** Employment and Training Administration (ETA), Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (Department), as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the public and Federal agencies with an opportunity to comment on the proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 [44 U.S.C. 3506(c)(2)(A)]. This program helps 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, ETA is soliciting comments concerning the collection of data of the approved information collection, Office of Management and Budget (OMB) Control Number 1205-0310, containing Form ETA 9035—*Labor Condition*

*Application for Nonimmigrant Workers; Form ETA 9035E—Labor Condition Application for Nonimmigrants* (electronic version); Form ETA 9035CP—*General Instructions for the 9035 & 9035E*; and Wage and Hour Division (WHD) Form WH-4—*Nonimmigrant Worker Information Form*, which expire on March 31, 2015. In order to meet its statutory responsibilities under the INA, the Department is revising the existing collection of information pertaining to employers seeking to apply for labor condition applications to allow them to bring foreign labor to the U.S. on a temporary basis. The Secretary uses the collected information to determine if employers are meeting their statutory and regulatory obligations.

**DATES:** Written comments must be submitted to the office listed in the addressees section below on or before September 7, 2012.

**ADDRESSES:** Submit written comments to William L. Carlson, Ph.D., Administrator, Office of Foreign Labor Certification, Room C-4312, Employment & Training Administration, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, DC 20210. Telephone number: 202-693-3010 (this is not a toll-free number). Individuals with hearing or speech impairments may access the telephone number above via TTY by calling the toll-free Federal Information Relay Service at 1-877-889-5627 (TTY/TDD). Fax: 202-693-2768. Email: [ETA.OFLC.Forms@dol.gov](mailto:ETA.OFLC.Forms@dol.gov) subject line: Revised Form ETA 9035. A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed above.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The information collection is required by sections 212(n) and (t) and 214(c) of the Immigration and Nationality Act (INA) (8 U.S.C. 1182(n) and (t) and 1184(c)). The Department and the Department of Homeland Security have promulgated regulations to implement the INA. Specifically for this collection, 20 CFR part 655 Subparts H and I and 8 CFR 214.2(h)(4) are applicable. The INA mandates that no alien may enter the United States (U.S.) for the purpose of performing professional work on a temporary basis unless the U.S. employer has attested to the Secretary of Labor (Secretary) that the working conditions for the alien will not adversely affect the working conditions of similarly employed U.S. workers; that the salary will be at least the prevailing wage for the occupational classification

in the area of employment or the actual wage paid by the employer to all other individuals with similar experience and qualifications to that of the foreign worker for the specific employment in question—whichever is higher; that there is no strike or lockout in the course of a labor dispute in the occupational classification at the place of employment; and that the employer has met all other requirements of the program as specified in the regulations. The Department's review of the attestations is limited to obvious errors and inaccuracies. The Department has revised the information collection instruments included in this information collection request to clarify certain elements of the information collection and enhance the integrity of the labor attestation process. In the past the respondents have been for-profit businesses and not-for-profit institutions. On rare occasions the respondents have been local, State, tribal governments, or the Federal government.

The Department has proposed changes to this collection. As a result of recommendations from both the Government Accountability Office (GAO) and the Department's Office of the Inspector General (OIG), as well as sister agencies, the Department seeks to revise the scope of information collected in the context of H-1B, H-1B1 and E-3 applications in order to enhance its integrity review for obvious errors, omissions and inaccuracies under 20 CFR 655.730(b). The revised collection will allow the Department to improve its integrity review and ensure the accuracy and completeness of the information.

##### **II. Review Focus**

The Department 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

*Type of Review:* Extension with revisions.

*Title(s):* *Labor Condition Application Nonimmigrants* (H-1B, H-1B1 and E-3 visa programs) and *Nonimmigrant Worker Information Form*.

*OMB Control Number:* 1205-0310.

*Affected Public:* Businesses or other for-profits, not-for-profits, States, local governments, and tribal governments.

*Form(s):* Forms ETA 9035, ETA 9035E, ETA 9035CP and WHD Form WH-4.

*Total Annual Respondents:* 77,425.

*Annual Frequency:* On occasion.

*Total Annual Responses:* 1,129,000.  
*Average Time per Response:* 25 minutes.

*Estimated Total Annual Burden Hours:* 479,666.

*Total Annual Burden Cost for Respondents:* \$0.

Comments submitted in response to this comment request will be summarized and/or included in the request for OMB approval of the ICR; they will also become a matter of public record.

Signed at Washington, DC, on this 27th day of June 2012.

**Jane Oates,**

*Assistant Secretary for Employment & Training*

[FR Doc. 2012-16587 Filed 7-6-12; 8:45 am]

**BILLING CODE 4510-FP-P**

### NATIONAL SCIENCE FOUNDATION

#### Advisory Panel for Integrative Activities; Notice of Meeting

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

*Name:* Committee of Visitors Panel for the Experimental Program to Stimulate Competitive Research (EPSCoR), #1373.

*Dates/Time:* July 24, 2012; 8:00 a.m.-5:00 p.m., July 25, 2012; 8:00 a.m.-5:00 p.m.

*Place:* National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230, Stafford II Room 555.

*Type of Meeting:* Partially Open.

*Contact Persons:* Denise Barnes, Office Head (Acting), Uma Venkateswaran, Sian Mooney and Jeanne Small, Program Directors, Martha James, Associate Program Officer (Detail), and Elizabeth Lawrence, Program Analyst. Experimental Program to Stimulate Competitive Research (EPSCoR); Office of Integrative Activities, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230. Telephone: (703) 292-8683.

*Purpose of Meeting:* To carry out Committee of Visitors (COV) review, including examination of decisions on proposals, reviewer comments, and other privileged materials.

#### Agenda

*July 24th, 2012*

8:00 a.m.-10:15 a.m. Open session,

Welcome, COV briefing

10:15 a.m.-5:00 p.m. Closed session, COV review

*July 25th, 2012*

8:00 a.m.-2:00 p.m. Closed session, Report Preparation

3:00 p.m.-4:00 p.m. Closed session, Finalize COV Report

4:00 p.m.-5:00 p.m. Open session, Presentation of COV Findings

*Reason for Closing:* Certain sessions of the meeting are closed to the public because the Committee is reviewing proposal actions that will include privileged intellectual property and personal information that could harm individuals if they are disclosed. If discussions were open to the public, these matters that are exempt under 5 U.S.C. 552b(c)(4) and (6) of the Government in the Sunshine Act would be improperly disclosed.

Dated: July 3, 2012.

**Susanne Bolton,**

*Committee Management Officer.*

[FR Doc. 2012-16651 Filed 7-6-12; 8:45 am]

**BILLING CODE 7555-01-P**

### NATIONAL TRANSPORTATION SAFETY BOARD

#### Proposed Information Collection Activity: Submission for OMB Review; Comment Request

**AGENCY:** National Transportation Safety Board (NTSB).

**ACTION:** Notice.

**SUMMARY:** The NTSB is announcing that it will submit an Information Collection Request (ICR) to the Office of Management and Budget (OMB) for approval, in accordance with the Paperwork Reduction Act. This ICR proposes voluntary completion of a form to collect contact information of victims of transportation accidents, and/or victims' family members and friends. The NTSB will transmit either a paper copy or an electronic copy of the form to victims' family members and friends. This Notice informs the public that they may submit comments concerning the NTSB's proposed collection of information to the NTSB Desk Officer at the OMB.

**DATES:** Submit written comments regarding this proposed collection of information by August 8, 2012.

**ADDRESSES:** Respondents may submit written comments on the collection of information to the Office of Information and Regulatory Affairs of the Office of Management and Budget, Attention: Desk Officer for the National Transportation Safety Board, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Paul Sledzik, NTSB Office of Transportation Disaster Assistance, at (202) 314-6185.

**SUPPLEMENTARY INFORMATION:** In accordance with the Paperwork Reduction Act, the NTSB previously published a Notice in the **Federal Register** indicating its proposal to collect basic contact information, such as email addresses and telephone numbers, of victims of transportation accidents, and/or victims' family members and friends. 77 FR 18269 (Mar. 27, 2012). The NTSB did not receive any comments. At this juncture, in accordance with OMB regulations that require this additional Notice for proposed ICRs, the NTSB seeks to notify the public that it may submit comments on this proposed ICR to OMB. 5 CFR 1320.10(a).

Respondents' completion of the proposed form is voluntary. The survey will be available as a paper copy that the NTSB may mail to a potential respondent, or an electronic copy the NTSB may transmit via email. The form is not duplicative of other agencies' collections of information. The NTSB estimates that respondents will spend, at most, 10 minutes in completing the form. The NTSB estimates that approximately 50 respondents per year will complete the form.

Dated: June 29, 2012.

**Deborah A.P. Hersman,**  
*Chairman.*

[FR Doc. 2012-16590 Filed 7-6-12; 8:45 am]

**BILLING CODE 7533-01-P**

### NUCLEAR REGULATORY COMMISSION

[Docket No. 50-328; NRC-2012-0160]

#### Tennessee Valley Authority; Notice of Withdrawal of Application for Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (NRC or the Commission) has granted the request of Tennessee Valley Authority (the licensee) to withdraw its August 31, 2011, application as supplemented by letters dated November 28, 2011, January 27, February 29, and March 8, 2012, for proposed amendment to Facility