

Fairness Act of 1996. This action will not result in an annual effect on the economy of \$100,000,000 or more; a major increase in costs or prices; or significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based companies to compete with foreign-based companies in domestic and export markets.

Dated: August 15, 2007.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. E7-16730 Filed 8-23-07; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Agency Information Collection Activities: Revision and Extension of a Currently Approved Information Collection; Comment Request

ACTION: 60-day notice of information collection under review: Application for Permanent Employment Certification; Form ETA-9089, OMB Control No. 1205-0451.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, is conducting a pre-clearance consultation 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 consultation is undertaken 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 Form ETA 9089 Application for Permanent Employment Certification. 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 or at this Web site: <http://www.doleta.gov/OMB/CN/OMBControlNumber.cfm>.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before October 23, 2007.

ADDRESSES: William L. Carlson, Administrator, Office of Foreign Labor Certification, U.S. Department of Labor, Room C4312, 200 Constitution Ave., NW., Washington, DC 20210. Phone (202) 693-3010 (This is not a toll-free number.), fax (202) 693-2768, or e-mail at ETA.OFLC.Forms@dol.gov subject line: Form ETA 9089.

SUPPLEMENTARY INFORMATION:

I. Background

The information collection is required by sections 203(b)(3) and 212(a)(5)(A) of the Immigration and Nationality Act (INA) (8 U.S.C. 1153(b)(3) and 1182(a)(5)(A)). The Department of Labor (Department) and the Department of Homeland Security (DHS) have promulgated regulations to implement the INA. Specifically for this collection, Title 20 CFR 656 and Title 8 CFR 204.5 are applicable. The INA mandates the Secretary of Labor to certify that any alien seeking to enter the United States for the purpose of performing skilled or unskilled labor is not adversely affecting wages and working conditions of U.S. workers similarly employed and that there are not sufficient U.S. workers able, willing, and qualified to perform such skilled or unskilled labor. Before any employer may request any skilled or unskilled alien labor, it must submit a request for certification to the Secretary of Labor containing the elements prescribed by the INA and the CFR. The CFR requires employers to document their recruitment efforts and substantiate the reasons no U.S. workers were hired.

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

In order to meet its statutory responsibilities under the INA, the Department needs to extend an existing collection of information pertaining to employers seeking to apply for permanent employment certification to allow them to bring foreign labor to the United States on a permanent basis. Extensive program experience, in particular since its reengineering in 2005, has demonstrated the need for further clarification on this information collection and has shown that changes to the collection are also necessary.

In the past the respondents have been for-profit businesses, not-for-profit institutions, individuals, households, and farms. On rare occasions the respondents have been local, state, tribal governments, or the federal government.

The Secretary of Labor uses the collected information to determine if allowing an alien to enter the United States for the purpose of performing skilled or unskilled labor will adversely affect wages and working conditions of U.S. workers similarly employed and whether or not there were sufficient U.S. workers able, willing, and qualified to perform such skilled or unskilled labor at the time of the application.

Changes are being proposed to ETA Form 9089 for two reasons. The first is to provide more clarity to the user of the form, thereby obtaining more accurate information for the Department to assist in more efficient and effective adjudication of the requested benefit. The second is to implement amendments required by the Final Rule published in the **Federal Register** May 17, 2007: Labor Certification for the Permanent Employment of Aliens in the United States; Reducing the Incentives and Opportunities for Fraud and Abuse and Enhancing Program Integrity.

Type of Review: Revision and Extension of Currently Approved Information Collection.

Agency: Employment and Training Administration.

Title: Application for Permanent Employment Certification.

OMB Control No.: 1205-0451.

Agency Number(s): Form ETA 9089.

Recordkeeping: On occasion.

Affected Public: Businesses or other for-profits and not-for-profits, individuals or households, farms, and Federal, State, Local or Tribal Governments.

Total Respondents: 120,000.

Estimated Total Burden Hours: 342,686.

Total Burden Cost (capital/startup): 0.

Total Burden Cost (operating/maintaining): \$2,500,000.

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: August 14, 2007.

William L. Carlson,

Administrator, Office of Foreign Labor Certification.

[FR Doc. E7-16800 Filed 8-23-07; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Request for Certification of Compliance—Rural Industrialization Loan and Grant Program

AGENCY: Employment and Training Administration, Labor.

ACTION: Notice.

SUMMARY: The Employment and Training Administration is issuing this notice to announce the receipt of a "Certification of Non-Relocation and Market and Capacity Information Report" (Form 4279-2) for the following:

Applicant/Location: Rock Springs Mineral Processing, Inc./Armino, Wyoming.

Principal Product: The loan, guarantee, or grant application is for a new business venture to construct a plant to process bentonite products. The NAICS industry code for this enterprise is: 212325 Clay and Ceramic and Refractory Minerals Mining.

DATES: All interested parties may submit comments in writing no later than September 7, 2007. Copies of adverse comments received will be forwarded to the applicant noted above.

ADDRESSES: Address all comments concerning this notice to Anthony D. Dais, U.S. Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW., Room S-4231, Washington, DC 20210; or e-mail Dais.Anthony@dol.gov; or transmit via fax 202-693-3015 (this is not a toll-free number).

FOR FURTHER INFORMATION CONTACT: Anthony D. Dais, at telephone number (202) 693-2784 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION: Section 188 of the Consolidated Farm and Rural Development Act of 1972, as established under 29 CFR Part 75, authorizes the

United States Department of Agriculture to make or guarantee loans or grants to finance industrial and business activities in rural areas. The Secretary of Labor must review the application for financial assistance for the purpose of certifying to the Secretary of Agriculture that the assistance is not calculated, or likely, to result in: (a) A transfer of any employment or business activity from one area to another by the loan applicant's business operation; or, (b) an increase in the production of goods, materials, services, or facilities in an area where there is not sufficient demand to employ the efficient capacity of existing competitive enterprises unless the financial assistance will not have an adverse impact on existing competitive enterprises in the area. The Employment and Training Administration within the Department of Labor is responsible for the review and certification process. Comments should address the two bases for certification and, if possible, provide data to assist in the analysis of these issues.

Signed at: Washington, DC this 20th day of August, 2007.

Gay M. Gilbert,

Administrator, Office of Workforce Investment, Employment and Training Administration.

[FR Doc. E7-16704 Filed 8-23-07; 8:45 am]

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MILLENNIUM CHALLENGE CORPORATION

[MCC FR 07-09]

Report on Countries That Are Candidates for Millennium Challenge Account Eligibility in Fiscal Year 2008 and Countries That Would Be Candidates but for Legal Prohibitions

AGENCY: Millennium Challenge Corporation.

ACTION: Notice.

SUMMARY: Section 608(d) of the Millennium Challenge Act of 2003 requires the Millennium Challenge Corporation to publish a report that identifies countries that are "candidate countries" for Millennium Challenge Account assistance during FY 2008. The report is set forth in full below.

Report on Countries That Are Candidates for Millennium Challenge Account Eligibility for Fiscal Year 2008 and Countries That Would Be Candidates but for Legal Prohibitions

This report to Congress is provided in accordance with section 608(a) of the

Millennium Challenge Act of 2003, 22 U.S.C. 7701, 7707(a) (Act).

The Act authorizes the provision of Millennium Challenge Account (MCA) assistance to countries that enter into Compacts with the United States to support policies and programs that advance the progress of such countries achieving lasting economic growth and poverty reduction. The Act requires Millennium Challenge Corporation (MCC) to take a number of steps in determining the countries that will be eligible for MCA assistance for Fiscal Year (FY) 2008 based on a country's demonstrated commitment to (i) Just and democratic governance, (ii) economic freedom and investing in their people, and (iii) the opportunity to reduce poverty and generate economic growth in the country. These steps include the submission of reports to the congressional committees specified in the Act and the publication of notices in the **Federal Register** that identify:

1. The countries that are "candidate countries" for MCA assistance for FY 2008 based on their per-capita income levels and their eligibility to receive assistance under U.S. law and countries that would be candidate countries but for specified legal prohibitions on assistance (Section 608(a) of the Act);

2. The criteria and methodology that the MCC Board of Directors (Board) will use to measure and evaluate the relative policy performance of the "candidate countries" consistent with the requirements of subsections (a) and (b) of section 607 of the Act in order to select "MCA eligible countries" from among the "candidate countries" (Section 608(b) of the Act); and

3. The list of countries determined by the Board to be "MCA eligible countries" for FY 2008, with a justification for such eligibility determination and selection for compact negotiation, including which of the MCA eligible countries the Board will seek to enter into MCA Compacts (Section 608(d) of the Act).

This report is the first of three required reports listed above.

Candidate Countries for FY 2008

The Act requires the identification of all countries that are candidates for MCA assistance for FY 2008 and the identification of all countries that would be candidate countries but for specified legal prohibitions on assistance. Sections 606(a) and (b) of the Act provide that for FY 2008 a country shall be a candidate for the MCA if it:

- Meets one of the following two income level tests:
 - Has a per capita income equal to or less than the historical ceiling of the