

of the foregoing Response of the United States to Public Comments on the Proposed Final Judgment and the attached Appendix to be served by first class mail, postage prepaid, and by facsimile on counsel for Defendants in this matter:

Michelle J. Livingston, Attorney, Antitrust Division, U.S. Department of Justice, 325 Seventh St., NW, Suite 500, Washington, DC 20530, Telephone: (202) 353-7328, Facsimile (202) 307-2784.

David T. Beddow.

O'Melveny & Meyers LLP, 1625 Eye Street, NW., Washington, DC 20006-4001. Counsel for the Defendants.

[FR Doc. 05-5331 Filed 3-28-05; 8:45 am]

BILLING CODE 4410-11-M

**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Submission for OMB Emergency Review; Comment Request**

March 21, 2005.

The Department of Labor has submitted the following (see below)

information collection request (ICR), utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). OMB approval is requested by April 14, 2005. A copy of this ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor Departmental Clearance Officer, Ira L. Mills (202) 693-4122.

Comments and questions about the ICR listed below should be forwarded to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment and Training Administration, Room 10235, Washington, DC 20503. The Office of Management and Budget 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.

*Agency:* Employment and Training Administration (ETA).

*Type of Review:* Emergency.

*Title:* Labor Exchange Reporting System.

*OMB Number:* 1205-0240.

*Affected Public:* State, Local, or Tribal Government.

Form/Activity	Total respondents	Frequency	Total responses	Average time per response	Total annual burden hours
ETA 9002 A .....	54	Quarterly	216	346	74,641
ETA 9002 B .....	54	Quarterly	216	346	74,641
ETA 9002 C .....	54	Quarterly	216	346	74,641
ETA 9002 D .....	54	Quarterly	216	346	74,641
ETA 9002 E .....	54	Quarterly	216	21	4,536
VETS 200 A .....	54	Quarterly	216	346	74,641
VETS 200 B .....	54	Quarterly	216	346	74,641
VETS 200 C .....	54	Quarterly	216	346	74,641
Totals .....	54	.....	1,728	.....	527,020

*Total Burden Cost (capital/startup):* \$1,825,200.

*Total Burden Cost (operating/maintaining):* \$17,128,164.

*Description:* States submit quarterly performance data for the Wagner-Peysner-funded public labor exchange through ETA 9002 reports and for Veteran's Employment and Training Services (VETS)-funded labor exchange through VETS 200 reports. The Employment and Training (ET) Handbook No. 406 contains the report forms and provides instructions for completing these reports. The ET Handbook No. 406 contains a total of eight reports (ETA 9002 A, B, C, D, E; VETS 200 A, B, C). The ETA 9002 and VETS 200 reports collect data on individuals who receive core employment and workforce information services through the public labor exchange and VETS-funded labor exchange of the states' One-Stop

delivery systems. The current LERS expires in April 2005.

This is a request to revise the current LERS requirements to include data elements necessary for assessing state progress against common measures of performance beginning July 1, 2005. In 2002, under the President's Management Agenda, OMB and other Federal agencies developed a set of common performance measures to be applied to certain Federally-funded employment and training programs with similar strategic goals. Although the common measures are an integral part of ETA's performance accountability system, these measures provide only part of the information necessary to effectively oversee the workforce investment system. ETA will continue to collect from states and grantees data on program activities, participants, and outcomes that are necessary for program management and to convey full and

accurate information on the performance of workforce programs to policymakers and stakeholders.

The value of implementing common measures is the ability to describe in a similar manner the core purposes of the workforce system—how many people found jobs; did people stay employed; and did earnings increase. Multiple sets of performance measures have burdened states and grantees as they are required to report performance outcomes based on varying definitions and methodologies. By minimizing the different reporting and performance requirements, common performance measures can facilitate the integration of service delivery, reduce barriers to cooperation among programs, and enhance the ability to assess the effectiveness and impact of the workforce investment system, including the performance of the system in serving

individuals facing significant barriers to employment.

This revision to the LERS identifies a minimum level of information collection that is necessary to comply with Equal Opportunity requirements, holds states appropriately accountable for the Federal funds they receive, including common performance measures, and allows the Department to fulfill its oversight and management responsibilities.

**Ira L. Mills,**  
*Departmental Clearance Officer/Team Leader.*

[FR Doc. 05-6115 Filed 3-28-05; 8:45 am]

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**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Submission for OMB Review; Comment Request**

March 21, 2005.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget

(OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each ICR, with applicable supporting documentation, may be obtained by contacting the Department of Labor (DOL). To obtain documentation, contact Ira Mills on (202) 693-4122 (this is not a toll-free number) or e-mail: *mills.ira@dol.gov*.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL, Office of Management and Budget, Room 10235, Washington, DC 20503 (202) 395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB 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 submission of responses.

*Agency:* Employment and Training Administration.

*Type of Review:* Extension of a currently approved collection.

*Title:* Unemployment Insurance Data Validation Program.

*OMB Number:* 1205-0431.

*Frequency:* Annually.

*Affected Public:* State, local, or tribal government; Federal Government.

*Number of Respondents:* 53.

*Number of Annual Responses:* 53.

**Burden Summary**

Activity	Number of respondents	Hours per activity	Frequency	Total burden
Full Validation .....	53	900	Annually .....	47,700
Half Validation .....	53	450	Annually .....	23,850
Third Validation .....	53	300	Annually .....	15,900
Totals burden hours .....				29,150

*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* This program requires States to operate a system for ascertaining the validity (adherence to Federal reporting requirements) of specified unemployment insurance data they submit to the Employment and Training Administration on certain reports they are required to submit monthly or quarterly. Some of these data are used to assess performance, including for the Government Performance and Results Act, or to determine States' grants for UI administration.

**Ira L. Mills,**  
*Departmental Clearance Officer.*

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**DEPARTMENT OF LABOR**

**Office of the Secretary**

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Comments and questions about the ICR listed below should be forwarded to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Employment and Training

Administration, Room 10235, Washington, DC 20503. The Office of Management and Budget is particularly interested in comments which:

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