

**DEPARTMENT OF LABOR****Employment and Training  
Administration****Proposed Information Collection  
Request Submitted for Public  
Comment and Recommendations;  
Attestations by Employers Using Alien  
Crewmembers for Longshore Activities  
in U.S. Ports****ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts as 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 Attestation by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports. 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 January 8, 2001.

**ADDRESSES:** Comments and questions regarding the collection of information on Form ETA 9033, Attestation by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports, should be directed to Dale M. Ziegler, Chief, Division of Foreign Labor Certifications, U.S. Department of Labor, 200 Constitution Avenue, NW., Room C-4318, Washington, D.C. 20210; (202) 693-3010 (this is not a toll-free number).

**SUPPLEMENTARY INFORMATION:****1. Background**

The information collection is required due to amendments to section 258 of the Immigration and Nationality Act (8 U.S.C. 1101 *et seq.*) (INA). The amendments created a prevailing practice exception to the general

prohibition on the performance of longshore work by alien crewmembers in U.S. ports. Under the prevailing practice exception, before any employer may use alien crewmembers to perform longshore activities in U.S. ports, it must submit an attestation to ETA containing the elements prescribed by the INA.

The INA further requires that the Department make available for public examination in Washington, DC, a list of employers which have filed attestations, and for each such employer, a copy of the employer's attestation and accompanying documentation it has received.

**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 employers' seeking to use alien crewmembers to perform longshore activities in U.S. ports.

Because the prevailing practice exception remains in the Statute, ETA is requesting a one-hour marker as a place holder for this collection of information. ETA has not received any attestations under the prevailing practice exception within the last two years. An information collection request will be submitted to increase the burden should activities recommence.

*Type of Review:* Extension.

*Agency:* Employment and Training Administration.

*Title:* Attestations by Employers Using Alien Crewmembers for Longshore Activities in U.S. Ports.

*OMB Number:* 1205-0309.  
*Agency Number:* Form ETA 9033.  
*Recordkeeping:* Annually.  
*Affected Public:* Businesses or other for-profit.  
*Total Responses:* 1.  
*Average Time Per Response:* 4 hours.  
*Total Burden Cost (capital/startup):* 0.  
*Total Burden Cost (operating/maintaining):* \$100 per response.  
*Comment Language:* 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 information collection request; they will also become a matter of public record.

Signed at Washington, DC, this 1st day of November 2000.

**Grace A. Kilbane,**

*Administrator, Office of Workforce Security.*

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**BILLING CODE 4510-30-M**

**DEPARTMENT OF LABOR****Employment and Training  
Administration****Federal-State Unemployment  
Compensation Program: Certifications  
For 2000 Under The Federal  
Unemployment Tax Act**

On October 31, 2000, the Secretary of Labor signed the annual certifications under the Federal Unemployment Tax Act, 26 U.S.C. 3301 *et seq.*, thereby enabling employers who make contributions to State unemployment funds to obtain certain credits against their liability for the Federal unemployment tax. By letter of the same date the certifications were transmitted to the Secretary of the Treasury. The letter and certifications are printed below.

Dated: November 1, 2000.

**Raymond L. Bramucci,**

*Assistant Secretary of Labor.*

**Secretary of Labor**

Washington

October 31, 2000.

The Honorable Lawrence H. Summers,  
Secretary of the Treasury,  
Washington, DC 20220,

Dear Secretary Summers: Transmitted herewith are an original and one copy of the certifications of the States and their unemployment compensation laws for the 12-month period ending on October 31, 2000. One is required with respect to the normal Federal unemployment tax credit by Section 3304 of the Internal Revenue Code of 1986 (IRC), and the other is required with respect to the additional tax credit by Section 3303 of the IRC. Both certifications list all 53 jurisdictions.