

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 Standards Administration is soliciting comments concerning the proposed collection: Vehicle Mechanical Inspection Report for Transportation Subject to Department of Transportation Requirements (WH-514); Vehicle Mechanical Inspection Report for Transportation Subject to Department of Labor Safety Standards (WH-514a). A copy of the proposed information collection request 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 March 22, 2004.

**ADDRESSES:** Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, e-mail [bell.hazel@dol.gov](mailto:bell.hazel@dol.gov). Please use only one method of transmission for comments (mail, fax, or e-mail).

#### **SUPPLEMENTARY INFORMATION**

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

Section 401 of the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) requires that farm labor contractor, agricultural employers, or agricultural associations who use any vehicle to transport a migrant or seasonal agricultural worker, ensure that such vehicle conforms to vehicle State safety standards prescribed by MSPA and other applicable Federal and State safety standards. The use of forms WH-514 and WH-514a enable an applicant to verify to the Department or appropriate State agency that the vehicles used to transport such workers meet these safety standards. The WH-514 is used to verify that Department of Transportation safety standards are set for all vehicles other than passenger automobiles or station wagons, and the WH-514a is used to verify that Department of Labor safety standards are met for all vehicles including passenger automobiles or station wagons. This information collection is currently approved for use through July 31, 2004.

##### **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**

The Department of Labor seeks approval for the extension of this information collection in order to verify that farm labor contractors, agricultural employers, and agricultural associations have complied with the applicable safety standards.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Vehicle Mechanical Inspection Report for Transportation Subject to Department of Transportation Requirements (WH-514); Vehicle Mechanical Inspection Report for Transportation Subject to Department of Labor Safety Standards (WH-514a).

*OMB Number:* 1215-0036.

*Agency Number:* WH-514 and WH-514a.

*Affected Public:* Business or other for profit; Farms.

*Total Respondents:* 1,020.

*Total Responses:* 3,060.

*Average Time per Response:* 5 minutes.

*Estimated Total Burden Hours:* 255.

*Frequency:* On Occasion.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$140,760.

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.

Dated: January 14, 2004.

**Bruce Bohanon,**

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 04-1176 Filed 1-20-04; 8:45 am]

**BILLING CODE 4510-27-P**

#### **MERIT SYSTEMS PROTECTION BOARD**

##### **Privacy Act of 1974; Amendment of Privacy Act System of Records**

**AGENCY:** Merit Systems Protection Board.

**ACTION:** Notice of adding a new system of records.

**SUMMARY:** The Merit Systems Protection Board (MSPB or the Board) issues public notice that it is adding a system of records subject to the Privacy Act of 1974 (5 U.S.C. 552a), namely MSPB/INTERNAL-4, "Case Memoranda/Draft Decisions."

**EFFECTIVE DATE:** January 14, 2004.

**ADDRESSES:** Office of the Clerk of the Board, U.S. Merit Systems Protection Board, 1615 M Street, NW., Washington, DC 20419.

**FOR FURTHER INFORMATION CONTACT:** Timothy L. Korb, Privacy Act Officer, at (202) 653-7200.

**SUPPLEMENTARY INFORMATION:** By **Federal Register** notice of June 7, 2000 (65 FR 36166), the Board informed the public that it would no longer maintain records in the system known as MSPB/Internal-4 by the name or personal identifier of the record subject. MSPB/Internal-4 contained advisory memoranda from Board attorneys to the Board members regarding appeals pending before the Board. Following this **Federal Register** notice, the Board continued to maintain these memoranda in its computer system, but deleted personal identifiers such as party names and docket numbers once a decision was issued. Recently, however, the Board determined that it would no longer delete these identifiers from the memoranda, which means that these memoranda are once again contained in a system of records subject to the Privacy Act.

Although the case memoranda are again covered by the Privacy Act, the Board does not intend to release them to the public, either under the Freedom of Information Act (FOIA), or under the Privacy Act, because the memoranda fall within statutory exemptions to the general duty to provide requested

records. Case memoranda come within FOIA Exemption 5, which covers "inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency." 5 U.S.C. 552(b)(5). Case memoranda also come within Privacy Act Exemption (d)(5), which provides that "nothing in this section shall allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding." 5 U.S.C. 552a(d)(5).

As required by 5 U.S.C. 552a(e)(4), additional information about MSPB/INTERNAL-4, "Case Memoranda/Draft Decisions," is provided as follows:

#### **MSPB/INTERNAL-4**

##### **SYSTEM NAME:**

Case Memoranda/Draft Decisions.

##### **SYSTEM LOCATION:**

Office of the Clerk of the Board and Office of Information Resources Management, Merit Systems Protection Board (MSPB), 1615 M Street, NW., Washington, DC 20419.

##### **CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Current and former Federal employees, applicants for employment, annuitants, and other individuals who have filed petitions or requests for review with MSPB, or have been a party in an original jurisdiction case.

##### **CATEGORIES OF RECORDS IN THE SYSTEM:**

These records consist of advisory memoranda and draft decisions prepared by Board attorneys and employees working under the supervision of Board attorneys for the consideration of Board members in connection with appeals pending before the Board. These records contain individual appellants' names, and may contain appellants' veterans status, race, sex, age, religion, national origin, disability status, and other personal information.

##### **AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

5 U.S.C. 1204, 7701, 7702.

##### **PURPOSE(S):**

These records are used by the Board members in determining how they will decide the appeals that come before them. These records are also used by Board employees for internal legal research.

##### **ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:**

There are no routine uses or disclosures to persons who are not Board employees.

##### **STORAGE:**

These records are maintained in electronic form on file servers connected to the Board's local area network or in the Board's document management system.

##### **RETRIEVABILITY:**

These records are retrieved by the names of the individuals on whom they are maintained, and by MSPB docket numbers.

##### **SAFEGUARDS:**

Access to these records is limited by password and other system-based procedures to persons whose official duties require such access.

##### **RETENTION AND DISPOSAL:**

Electronic records in this system may be maintained indefinitely, or until the Board no longer needs them.

##### **SYSTEM MANAGERS AND ADDRESSES:**

The Clerk of the Board and the Office of Information Resources Management, Merit Systems Protection Board, 1615 M Street, NW., Washington, DC 20419.

##### **NOTIFICATION PROCEDURES:**

Individuals wishing to inquire whether this system of records contains information about them should contact the Clerk of the Board and must follow the MSPB Privacy Act regulations at 5 CFR part 1205.

##### **RECORD ACCESS PROCEDURES:**

Individuals requesting access to their records should contact the Clerk of the Board, Merit Systems Protection Board, 1615 M Street NW., Washington, DC 20419. Requests for access must comply with the MSPB Privacy Act regulations at 5 CFR part 1205.

##### **RECORD SOURCE CATEGORIES:**

The sources of these records are Board attorneys and other employees acting under the supervision of Board attorneys.

Dated: January 14, 2004.

**Bentley M. Roberts, Jr.,**

*Clerk of the Board.*

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**BILLING CODE 7400-01-P**

## **NATIONAL AERONAUTICS AND SPACE ADMINISTRATION**

[Notice: (04-006)]

### **Notice of Information Collection Under OMB Review**

**AGENCY:** National Aeronautics and Space Administration (NASA).

**ACTION:** Notice of information collection under OMB review.

**CORRECTION:** Information on this collection originally appeared as notice document 03-144 on page 63820 in the issue of Monday, November 10, 2003, with corrections published as notice document 03-153 on Tuesday, December 2, 2003. This notice reflects a change in the title of the collection, as well as slight revisions to the cost and hour burden information provided in the previous notices. The full collection notice, with revisions, is reproduced here.

**SUMMARY:** The National Aeronautics and Space Administration (NASA) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the procedures of the Paperwork Reduction Act of 1995 (Public Law 104-13, 44 U.S.C. 3506(c)(2)(A)).

**DATES:** All comments should be submitted within 30 calendar days from the date of this publication.

**ADDRESSES:** All comments should be addressed to Desk Officer for NASA; Office of Information and Regulatory Affairs; Office of Management and Budget; Room 10236; New Executive Office Building; Washington, DC, 20503.

**FOR FURTHER INFORMATION CONTACT:** Ms. Nancy Kaplan, NASA Reports Officer, (202) 358-1372.

*Title:* Effective Messaging Research.

*OMB Number:* 2700.

*Type of review:* New collection.

*Need and Uses:* The analysis of this survey will position NASA to develop a strategy to effectively communicate Agency messages.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions; Federal Government; State, Local, or Tribal Government.

*Number of Respondents:* 2,100.

*Responses Per Respondent:* 1.

*Annual Responses:* 2,100.

*Hours Per Request:* 20 minutes.

*Annual Burden Hours:* 900.

*Frequency of Report:* Other (one time).

**Patricia L. Dunnington,**

*Chief Information Officer, Office of the Administrator.*

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