

Virginia 26306, or facsimile at (304) 625-2356.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information. Your comments should address one or more of the following four points:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the function 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 the 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 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.

Overview of this information:

(1) *Type of Information Collection:* New data collection.

(2) *Title of the Form:* Voluntary Appeal File (VAF) Brochure.

(3) *Agency Form Number, if any, and the applicable component of the department sponsoring the collection:* Form Number: None. Sponsor: Criminal Justice Information Services (CJIS) Division of Federal Bureau of Investigation (FBI), Department of Justice (DOJ).

(4) *Affected Public who will be asked or be required to respond, as well as a brief abstract:* Primary: Any individual requesting entry into the Federal Bureau of Investigation (FBI) National Instant Criminal Background Check System (NICS) Voluntary Appeal File (VAF) brochure. Under the FBI NICS final rule, 28 CFR Part 25.9(b)(1), (2), (3), the FBI NICS Section must destroy all identifying information on allowed transactions before the start of the next FBI NICS operational day. If a potential purchaser is delayed or denied a firearm, then successfully appeals the decision, the FBI NICS Section would not be able to retain the record of the appeal. The purchaser would be denied continually if the record can not be updated, and would be required to appeal the decision and resubmit documentation/information to overturn the appeal on subsequent purchases. The proposed change in the regulation would permit lawful purchasers to request that the FBI NICS Section

maintain documentation/information on them in a VAF. The VAF will be maintained by the FBI NICS for the purpose of preventing the future lengthy delays or denials of a firearm transfer.

The application contained on the VAF brochure will be the means for an individual to request entry into the VAF. This form will be made available to the public through Federal Firearm Licensees (FFLs), state points of contact for firearm checks, and on the FBI NICS Web site at the internet.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* The number of persons requesting entry into the VAF is estimated to be 12,500 individuals. It takes an average of five minutes to read and complete all areas of the application, an estimated two hours for the process of fingerprinting including travel, and 25 minutes to mail the form for a total of two and a half hours estimated burden to the respondent.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The time it takes each individual to complete the process is 2.5 hours. The total public burden hours is 31,250 total burden hours.

For Further Information Contact: Ms. Brenda Dyer, Department Clearance Officer, Information Management and Security Staff, Justice Management Division, United States Department of Justice, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: November 5, 2004.

Brenda Dyer,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 04-25172 Filed 11-10-04; 8:45 am]

BILLING CODE 4410-02-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-51,247 and TA-W-51,247B]

Agilent Technologies, Electronic Products and Solutions Group, Rohnert Park, California; Agilent Technologies, Electronic Products and Solutions Group, Andover, Massachusetts; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974 (19 U.S.C. 2273), as amended, the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment

Assistance on May 5, 2003, applicable to workers of Agilent Technologies, Electronic Products and Solutions Group located in Rohnert Park, California. The notice was published in the **Federal Register** on May 19, 2003 (68 FR 27107).

At the request of petitioners, the Department reviewed the certification for workers of the subject firm. New information shows that worker separations have occurred involving employees of Agilent Technologies, Electronic Products and Solutions Group, Rohnert Park, California working in Andover, Massachusetts. These employees provide support services for the production of test and measurement equipment and subassemblies produced by the firm.

It is the Department's intent to cover all workers of the firm impacted by the shift in production from Agilent Technologies, Electronic Products and Solutions Group, Rohnert Park, California to Malaysia. Accordingly, the Department is amending the certification to extend coverage to employees of Agilent Technologies, Electronic Products and Solutions Group, Rohnert Park, California, working in Andover, Massachusetts.

The amended notice applicable to TA-W-51,247 is hereby issued as follows:

All workers of Agilent Technologies, Electronic Products and Solutions Group, Rohnert Park, California (TA-W-51,247), and Agilent Technologies, Electronic Products and Solutions Group, Andover, Massachusetts (TA-W-51,247B), who became totally or partially separated from employment on or after March 13, 2002, through May 5, 2005, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 26th day of October, 2004.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3147 Filed 11-10-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,601]

California Cedar Products Company, Stockton, CA; Notice of Affirmative Determination Regarding Application for Reconsideration

By application of October 13, 2004, a worker requested administrative reconsideration of the Department of

Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers of the subject firm. The denial was issued on October 4, 2004. The Notice of determination was published in the **Federal Register** on October 26, 2004 (69 FR 62460). The petition was denied because production ceased at the subject facility more than a year prior to the petition date (August 31, 2004).

The Department carefully reviewed the petitioner's request and has determined that further investigation will be conducted based on new information provided by the company.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC, this 28th day of October 2004.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3134 Filed 11-10-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-52,427]

Dan River, Inc., Danville, VA; Notice of Determination of Alternative Trade Adjustment Assistance

The Department adopted a new interpretation regarding the Alternative Trade Adjustment Assistance (ATAA) program in order to provide equitable access to ATAA for worker groups whose petitions were still in process at the time of implementation of the ATAA program on August 6, 2003. Under this new interpretation, worker groups covered by the certification of a petition that was in process on August 6, 2003 may request ATAA consideration for the certified worker group. The request must be made to the Department and may be made by anyone who was entitled to file the original petition under section 221(a)(1) of the Act.

By letter dated October 15, 2004, a company official of Dan River, Inc. requested ATAA consideration for the workers at its facility in Danville, Virginia. The original petition date was July 14, 2003, and the certification for Trade Adjustment Assistance (TAA)

was signed on August 20, 2003. The Notice of the Department's determination was published in the **Federal Register** on September 17, 2003 (68 FR 54497-01).

The initial investigation did not address ATAA eligibility for the workers of the subject company.

In the request for consideration, a company official provided information that supports ATAA certification.

The investigation revealed that the subject worker group possesses skills that are not easily transferable in the local area, and that at least five percent of the workforce at the subject firm is at least fifty years of age.

Industry data show that competitive conditions within the textile industry are adverse.

Conclusion

After careful review of the facts obtained on investigation, I conclude that the requirements of Section 246(a)(3)(A) of the Trade Act of 1974, as amended, have been met for workers at the subject firm.

In accordance with the provisions of the Act, I make the following certification:

All workers of at Dan River, Inc., Danville, Virginia, who became totally or partially separated from employment on or after July 14, 2002 through August 20, 2005, are eligible to apply for alternative trade adjustment assistance under section 246 of the Trade Act of 1974.

Signed in Washington, DC, this 29th day of October 2004.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. E4-3146 Filed 11-10-04; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,395B]

Dana Undies, Colquitt, GA; Dismissal of Application for Reconsideration

Pursuant to 29 CFR 90.18(C) an application for administrative reconsideration was filed with the Director of the Division of Trade Adjustment Assistance for workers at Dana Undies, Colquitt, Georgia. The application contained no new substantial information which would bear importantly on the Department's determination. Therefore, dismissal of the application was issued.

TA-W-55,395B; Dana Undies, Colquitt, Georgia (October 28, 2004).

Signed at Washington, DC, this 4th day of November 2004.

Timothy Sullivan,

Director, Division of Trade Adjustment Assistance.

[FR Doc. E4-3135 Filed 11-10-04; 8:45 am]

BILLING CODE 4510-30-P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-55,382]

Eclipsys Corporation Santa Rosa, CA; Notice of Negative Determination on Reconsideration

On October 20, 2004, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The notice was published in the **Federal Register** on October 29, 2004 (69 FR 63182).

The petition for the workers of Eclipsys Corporation, Santa Rosa, California engaged in technical writing for software development was denied because the petitioning workers did not produce an article within the meaning of Section 222 of the Act.

The petitioner contends that the Department erred in its interpretation of work performed at the subject facility as a service and further conveys that software and software documentation should be considered a product and workers compiling PDF files should be considered workers engaged in production.

A company official was contacted for clarification in regard to the nature of the work performed at the subject facility. The official stated that petitioning group of workers at the subject firm develops, and writes, technical documentation, which includes online files and manuals, such as user guides, configuration, database dictionaries, system administration, and installation books. The official further clarified that the documentations created by the subject company are electronically sent to Eclipsys Corporation facility in San Jose, California, where they are merged with the software codes and compiled on CD-ROMs for mass production and distribution to clients.

The sophistication of the work involved is not an issue in ascertaining whether the petitioning workers are eligible for trade adjustment assistance, but rather only whether they produced an article within the meaning of section 222 of the Trade Act of 1974.