

VIII. Determinative Documents

There were no determinative materials or documents within the meaning of the APPA that were considered by the United States in formulating the proposed Final Judgment.

Dated: November 19, 1999.

Respectfully submitted,

Joan Farragher,

U.S. Department of Justice, Antitrust Division,
1401 H Street, N.W., Suite 3000, Washington,
DC 20530, Telephone: (202) 307-6355.

Certificate of Service

I hereby certify under penalty of perjury that on this 19th day of November, 1999, I caused a copy of the Competitive Impact statement to be served by first class mail, postage prepaid, upon the following:

Steven C. Sunshine, Esq.,
Shearman & Sterling, 801 Pennsylvania
Avenue, NW., Washington, DC 20004-2604;
Counsel for Fiat S.p.A., New Holland N.V.,
New Holland North America, Inc., and Fiat
Acquisition Corp.

Roy Engler, Esq.,
Mayer, Brown & Platt, 2000 Pennsylvania
Avenue, NW, Washington, DC 20006;
Counsel for Case Corporation.

Joan Farragher,

Trial Counsel, U.S. Department of Justice,
Antitrust Division, 1401 H Street, NW,
Washington, DC 20530; Telephone: (202) 307-
6355; Facsimile: (202) 307-5802.

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BILLING CODE 4410-11-M

DEPARTMENT OF LABOR**Employment and Training
Administration****Proposed Collection; Comment
Request**

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a 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 new collection of information on employers' use and assessment of the Work Opportunity Tax Credit and the Welfare-to-Work Tax Credit. A copy of the proposed information collection request 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's section below on or before February 7, 2000.

ADDRESSES: George Shephard, U.S. Department of Labor, Room N-4466, 200 Constitution Ave., NW, Washington, DC 20210, or phone 202-219-9092, ext. 139 (this is not a toll-free number), or e-mail gshephard@doleta.gov, or fax 202-208-5844 (this is not a toll-free fax number).

SUPPLEMENTARY INFORMATION:**I. Background**

The Work Opportunity Tax Credit (WOTC) was created in 1996 and the Welfare-to-Work (WtW) Tax Credit in 1997. The WOTC was designed to promote the hiring of individuals from certain target groups who consistently have had a particularly high unemployment rate, and the WtW Tax Credit to promote the hiring of long-term welfare assistance recipients. Both are meant to appeal to a wide range of employers and to impose a minimal burden upon participating employers.

The Employment and Training Administration has the authority and responsibility for managing, providing oversight of, and issuing basic operating guidelines for the tax credit programs. Through the use of a contractor, WESTAT, ETA is examining employers' use and their assessment of the tax credit programs. This research will be in the form of 16 in-depth interviews with as many businesses. A synthesis report will be produced which focuses on quantitative workforce profiles of employers' use of the tax credits; employers' innovative practices and how they use the tax credits and the returns they receive; case histories of individual employees who have been hired under the tax credits; and discussion of the availability of data should a larger scale impact study of the tax credits be considered for the future. Sixteen case study reports will also result.

The study will answer key questions about the relatively-new tax credit programs for which no systematically-collected data currently exist, e.g., what are the main purposes and reasons for businesses to use the tax credits? Answers will be used in efforts to increase employer use of tax credits and to improve program operations.

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

As part of a study which will examine employer's use and assessment of the WOTC and WtW Tax Credit, employers who utilize one or both of the tax credits will be interviewed for the purpose of obtaining contextual, qualitative and quantitative information about their experience. Each interview will be guided by a protocol that contains both closed-ended and open-ended questions and a data summary.

Type of Review: New.

Agency: Employment and Training Administration.

Title: Collection of information on employers' use and assessment of the WOTC and the WtW tax credit.

OMB Number: 1205-ONEW.

Affected Public: Businesses who use the WOTC and/or WtW tax credits.

Cite/Reference/Form/etc: Information will be collected by on-site interview through use of an interview protocol.

Total Respondents: 16.

Frequency: One time.

Total Responses: 16.

Average Time per Response: 4 hours.

Estimated Total Burden Hours: 64 hours.

Total Burden Cost (capital/startup): Not applicable.

Maryland v. United States, 460 U.S. 1001 (1983), quoting *Gillette Co.*, 406 F. Supp. at 716; *United States v. Alcan Aluminum, Ltd.*, 605 F. Supp. 619, 622 (WD. Ky. 1985).

Total Burden Cost (operating/maintaining): \$1,280.

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: November 26, 1999.

Grace A. Kilbane,

Administrator, Office of Workforce Security.

[FR Doc. 99-31686 Filed 12-6-99; 8:45 am]

BILLING CODE 4510-30-M

DEPARTMENT OF LABOR

Occupational Safety and Health Administration

[Docket No. NRTL-1-97]

Applied Research Laboratories, Inc., Application for Expansion of Recognition

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Notice.

SUMMARY: This notice announces the application of Applied Research Laboratories, Inc. (ARL), for expansion of its recognition as a Nationally Recognized Testing Laboratory (NRTL) under 29 CFR 1910.7, and presents the Agency's preliminary finding. This preliminary finding does not constitute an interim or temporary approval of this application.

DATES: Comments submitted by interested parties must be received no later than February 7, 2000.

ADDRESSES: Send comments concerning this notice to: Office of Technical Programs and Coordination Activities, NRTL Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue, NW, Room N3653, Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Bernard Pasquet, Office of Technical Programs and Coordination Activities, NRTL Program at the above address, or phone (202) 693-2110.

SUPPLEMENTARY INFORMATION:

Notice of Application

The Occupational Safety and Health Administration (OSHA) hereby gives notice that Applied Research Laboratories, Inc. (ARL), has applied for expansion of its current recognition as a Nationally Recognized Testing Laboratory (NRTL). ARL's expansion request covers the use of additional test standards. ARL has also requested recognition to use additional programs.

OSHA recognizes an organization as an NRTL, and processes applications related to such recognitions, following requirements in Section 1910.7 of Title 29, Code of Federal Regulations (29 CFR 1910.7). Appendix A to this section requires that OSHA publish this public notice of the preliminary finding on an application.

ARL's previous application as an NRTL covered its initial recognition (62 FR 42827, 8/8/97), which OSHA granted on November 21, 1997 (62 FR 62356).

The current address of the ARL testing facility recognized by OSHA is: Applied Research Laboratories, Inc., 5371 N.W. 161st Street, Miami, Florida 33014.

General Background on the Application

ARL submitted a request, dated January 22, 1998 (see Exhibit 6A), to expand its recognition as an NRTL for 181 additional test standards. After performing an initial review of this request, OSHA informed ARL that only 93 of the test standards met the requirements of an "appropriate test standard" set forth in 29 CFR 1910.7. OSHA then performed an on-site review of ARL's testing facility in connection with the expansion request. Following the review, ARL amended its application in a letter dated July 10, 1998 (see Exhibit 6B) to reduce the number of test standards requested to the 47 listed below. In its July 10 request, ARL also requested recognition for additional programs. OSHA temporarily withheld its consideration of ARL's requests pending resolution by the NRTL of discrepancies noted during an OSHA audit at its facilities. ARL responded to these discrepancies in March 1999 and, after additional review, staff of the OSHA NRTL Program accepted resolution of the discrepancies in September, permitting OSHA to resume processing ARL's expansion request.

ARL seeks recognition for testing and certification of products to demonstrate compliance to the following 47 test standards, and OSHA has determined the standards are appropriate, as prescribed by 29 CFR 1910.7(c). However, OSHA plans to include certain limitations on the recognition of some standards. Also, as is the case for any NRTL, ARL's recognition for a particular test standard is further limited to equipment or materials (i.e., products) for which OSHA standards require third party testing and certification before use in the workplace. As a result, OSHA's recognition of an NRTL for a test standard excludes any product(s), falling within the scope of the test

standard, for which OSHA has no such requirements.

Test Standards Requested for Recognition

ANSI/ASME A17.5 Elevators and Escalator Electrical Equipment
ANSI Z21.1 Household Cooking Gas Appliances
ANSI Z83.7 Gas-Fired Construction Heaters
ANSI Z83.12 Gas Food Service Equipment—Baking and Roasting Ovens
ANSI Z83.18 Direct Gas-Fired Industrial Air Heaters
ANSI/UL 65 Electric Wired Cabinets
ANSI/UL 67 Electric Panelboards
ANSI/UL 73 Electric-Motor-Operated Appliances
UL 104 Elevator Door Locking Devices and Contacts
ANSI/UL 174 Household Electric Storage-Tank Water Heaters
UL 181 Factory-Made Air Ducts and Air Connectors
ANSI/UL 197 Commercial Electric Cooking Appliances
ANSI/UL 231 Power Outlets
ANSI/UL 325 Door, Drapery, Gate, Louver and Window Operator and Systems
UL 416 Refrigerated Medical Equipment
ANSI/UL 471 Commercial Refrigerators and Freezers
ANSI/UL 474 Dehumidifiers
ANSI/UL 499 Electric Heating Appliances
ANSI/UL 506 Specialty Transformers
ANSI/UL 508 Electric Industrial Control Equipment
UL 544 Electric Medical and Dental Equipment
ANSI/UL 555 Fire Dampers (previously Fire Dampers and Ceiling Dampers)
ANSI/UL 563 Ice Makers
UL 664 Commercial (Class IV) Electric Dry-Cleaning Machines
ANSI/UL 676 Underwater Lighting Fixtures
ANSI/UL 710 Exhaust Hoods for Commercial Cooking Equipment
UL 733 Oil-Fired Air Heaters and Direct-Fired Heaters
ANSI/UL 749 Household Electric Dishwashers
ANSI/UL 778 Motor-Operated Water Pumps
UL 795 Commercial-Industrial Gas-Heating Equipment
ANSI/UL 834 Heating, Water Supply, and Power Boilers—Electric
ANSI/UL 845 Motor Control Centers
ANSI/UL 935 Fluorescent-Lamp Ballasts
ANSI/UL 1004 Electric Motors²
ANSI/UL 1026 Electric Household Cooking and Food-Serving Appliances