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**Robert E. Maher Jr.,**

*Assistant Section Chief, Environmental Enforcement Section, Environment and Natural Resources Division.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Agency Information Collection Activities; Submission for OMB Review; Comment Request; Income and Eligibility Verification System Confidentiality

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (DOL) is submitting the Employment and Training Administration (ETA) sponsored information collection request (ICR) titled, "Income and Eligibility Verification System Confidentiality," to the Office of Management and Budget (OMB) for review and approval for continued use, without change, in accordance with the Paperwork Reduction Act of 1995 (PRA), 44 U.S.C. 3501 *et seq.* Public comments on the ICR are invited.

**DATES:** The OMB will consider all written comments that agency receives on or before October 19, 2016.

**ADDRESSES:** A copy of this ICR with applicable supporting documentation; including a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained free of charge from the *RegInfo.gov* Web site at [http://www.reginfo.gov/public/do/PRAViewICR?ref\\_nbr=201609-1205-001](http://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=201609-1205-001) (this link will only become active on the day following publication of this notice) or by contacting Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Submit comments about this request by mail or courier to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for DOL-ETA, Office of Management and Budget, Room 10235, 725 17th Street NW., Washington, DC 20503; by Fax: 202-395-5806 (this is not a toll-free number); or by email: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov). Commenters are encouraged, but not required, to send a courtesy copy of any comments by mail or courier to the U.S. Department of Labor-OASAM, Office of

the Chief Information Officer, Attn: Departmental Information Compliance Management Program, Room N1301, 200 Constitution Avenue NW., Washington, DC 20210; or by email: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**FOR FURTHER INFORMATION CONTACT:** Contact Michel Smyth by telephone at 202-693-4129, TTY 202-693-8064, (these are not toll-free numbers) or by email at [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

**Authority:** 44 U.S.C. 3507(a)(1)(D).

**SUPPLEMENTARY INFORMATION:** This ICR seeks to extend PRA authority for the Income and Eligibility Verification System (IEVS) Confidentiality information collection. More specifically, this ICR relates to information collections established by the Deficit Reduction Act of 1984 (DRA), which created an IEVS for the exchange of information among State agencies administering specific programs. IEVS covered programs include Temporary Assistance for Needy Families; Medicaid; Food Stamps; Supplemental Security Income; Unemployment Compensation; and any State program approved under Social Security Act (SSA) titles I, X, XIV, or XVI. Under the DRA, participating programs must exchange information to the extent it is useful and productive in verifying eligibility and benefit amounts that assist the child support program and the Secretary of Health and Human Services in verifying eligibility and benefit amounts under SSA titles II and XVI. On September 27, 2006, the ETA issued a final rule regarding the Confidentiality and Disclosure of State Unemployment Compensation Information. *See* 71 FR 56830. This rule supports and expands upon the DRA statutory requirements and subsequent regulatory changes. A State is required to use a data sharing agreement when making a disclosure, to provide some assurance that a recipient of disclosed information follows safeguards protecting confidentiality; to provide an enforcement mechanism against any recipient that breaches those safeguards; and to show that the State has complied with the rule. A State Workforce Agency is required to provide notice to both employers and claimants about the uses of information the Agency provides the IEVS. SSA section 303 authorizes this information collection. *See* 42 U.S.C. 503.

This information collection is subject to the PRA. A Federal agency generally cannot conduct or sponsor a collection of information, and the public is generally not required to respond to an information collection, unless it is approved by the OMB under the PRA

and displays a currently valid OMB Control Number. In addition, notwithstanding any other provisions of law, no person shall generally be subject to penalty for failing to comply with a collection of information that does not display a valid Control Number. *See* 5 CFR 1320.5(a) and 1320.6. The DOL obtains OMB approval for this information collection under Control Number 1205-0238.

OMB authorization for an ICR cannot be for more than three (3) years without renewal, and the current approval for this collection is scheduled to expire on September 30, 2016. The DOL seeks to extend PRA authorization for this information collection for three (3) more years, without any change to existing requirements. The DOL notes that existing information collection requirements submitted to the OMB receive a month-to-month extension while they undergo review. For additional substantive information about this ICR, see the related notice published in the **Federal Register** on March 4, 2016 (81 FR 11592).

Interested parties are encouraged to send comments to the OMB, Office of Information and Regulatory Affairs at the address shown in the **ADDRESSES** section within thirty (30) days of publication of this notice in the **Federal Register**. In order to help ensure appropriate consideration, comments should mention OMB Control Number 1205-0238. The OMB is particularly interested in comments that:

- 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:** DOL-ETA.

**Title of Collection:** Income and Eligibility Verification System Confidentiality.

**OMB Control Number:** 1205-0238.

**Affected Public:** State, Local, and Tribal Governments.

*Total Estimated Number of Respondents:* 53.

*Total Estimated Number of Responses:* 904,957.

*Total Estimated Annual Time Burden:* 18,672 hours.

*Total Estimated Annual Other Costs Burden:* \$0.

Dated: September 13, 2016.

Michel Smyth,

Departmental Clearance Officer.

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## DEPARTMENT OF LABOR

### Veterans' Employment and Training Service

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations Eligibility Data Form: Uniformed Services Employment and Reemployment Rights Act and Veteran's Preference (USERRA/VP)

**AGENCY:** Veterans' Employment and Training Service (VETS), Labor.

**ACTION:** Notice.

**SUMMARY:** The Veterans' Employment and Training Service (VETS) is announcing an opportunity for public comment on a proposed collection of information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information and to allow 60 days for public comment in response to the notice. In this notice, VETS is soliciting comments concerning the proposed information collection request for the VETS USERRA/VP Form 1010.

**DATES:** Comments are to be submitted by November 18, 2016.

**ADDRESSES:** Follow the instructions for submitting comments.

- *Email:* 1010-FRN-2016-VETS@dol.gov. Include "VETS-1010 Form" in the subject line of the message.

- *Fax:* (202) 693-4755. Please send comments by fax only if they are 10 pages or less.

- *Mail:* Kenan Torrans, Deputy Director, Compliance and Investigations, VETS, U.S. Department of Labor, Room S-1316, 200 Constitution Avenue NW., Washington, DC 20210.

- Receipt of submissions, whether by U.S. Mail, email, or FAX transmittal, will not be acknowledged; however, the sender may request confirmation that a submission has been received, by telephoning VETS at (202) 693-4731

(VOICE) (this is not a toll-free number) or (202) 693-4760 (TTY/TDD).

All comments received, including any personal information provided, will be available for public inspection during normal business hours at the above address. People needing assistance to review comments will be provided with appropriate aids such as readers or print magnifiers.

#### FOR FURTHER INFORMATION CONTACT:

Kenan Torrans, Deputy Director, Compliance and Investigations, VETS, U.S. Department of Labor, Room S-1316, 200 Constitution Avenue NW., Washington, DC 20210, or by email at: 1010-FRN-2016-VETS@dol.gov.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The VETS USERRA/VP Form 1010 (VETS-1010 Form) is used to file complaints with the Department of Labor's Veterans' Employment and Training Service (VETS) under either the Uniformed Services Employment and Reemployment Rights Act (USERRA) or the laws and regulations related to Veterans' Preference (VP) in Federal employment. On October 13, 1994, the Uniformed Services Employment and Reemployment Rights Act (USERRA), Public Law 103-353, 108 Stat. 3150 was signed into law. Contained in Title 38, U.S.C. 4301-4335, USERRA is the replacement for the Veterans' Reemployment Rights (VRR) law. The purposes of USERRA laws and regulations are: To minimize disruption to the lives of persons who perform service in the uniformed services (including the National Guard and Reserves), as well as to their employers, their fellow employees, and their communities, by providing for prompt reemployment of such persons upon completion of such service; to encourage individuals to participate in non-career uniformed service by eliminating and minimizing the disadvantages to civilian careers and employment which can result from such service; and to prohibit discrimination in employment and acts of reprisal against persons because of their obligations in the uniformed services, prior service, intention to join the uniformed services, filing of a USERRA claim, seeking assistance concerning an alleged USERRA violation, testifying in a proceeding, or otherwise assisting in an investigation of a USERRA claim. The Veterans Employment Opportunities Act (VEOA) of 1998, Public Law 105-339, 12 Stat. 3182, contained in Title 5 U.S.C. 3330a-3330c, authorizes the Secretary of Labor to provide assistance to preference

eligible individuals who believe their rights under the veterans' preference laws have been violated, and to investigate claims filed by those individuals. The purposes of veterans' preference laws include: To provide preference for certain veterans over others in Federal hiring from competitive lists of applicants; to allow access and open up Federal job opportunities to veterans that might otherwise be closed to the public; and to provide preference eligible veterans with preference over others in retention during reductions in force in Federal agencies. VETS has an electronic complaint form, the VETS e1010, available on our Web site at: <https://vets1010.dol.gov/Login.aspx>, and which may also be accessed via our USERRA elaws Advisor ([www.dol.gov/elaws/USERRA.htm](http://www.dol.gov/elaws/USERRA.htm)) and Veterans' Preference elaws Advisor ([www.dol.gov/elaws/vetspref.htm](http://www.dol.gov/elaws/vetspref.htm)). The e1010 may be completed and submitted electronically without having to download, print, and mail a signed hard copy to our Atlanta data center.

##### II. Desired Focus of Comments

VETS is soliciting comments concerning the proposed information collection in the VETS-1010 Form. 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.

##### III. Current Actions

This notice requests an extension of the current Office of Management and Budget approval of the paperwork requirements for VETS-1010 Form.

*Type of Review:* Extension.

*Agency:* Veterans' Employment and Training Service.

*Title:* VETS/USERRA/VP (VETS-1010 Form.)

*OMB Number:* 1293-0002.