

Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—Office of Workers' Compensation Programs (OWCP), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-5806 (these are not toll-free numbers), E-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

*The OMB 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 submission of responses.

*Agency:* Office of Workers' Compensation Programs (OWCP).

*Type of Review:* Revision and Extension of a currently approved collection.

*Title of Collection:* Death Gratuity.  
*OMB Control Number:* 1240-0017.  
*Agency Form Numbers:* CA-40; CA-41; and CA-42.

*Affected Public:* Individuals or Households and Federal Government.

*Total Estimated Number of Respondents:* 2,600.

*Total Estimated Annual Burden Hours:* 659.

*Total Estimated Annual Costs Burden (Operation and Maintenance):* \$12.

*Description:* The National Defense Authorization Act for Fiscal Year 2008, Public Law 110-181, was enacted on January 28, 2008. Section 1105 of Public Law 110-181 amended the Federal Employees' Compensation Act (FECA) creating a new section 8102a effective upon enactment. This section establishes a new FECA death gratuity benefit of up to \$100,000 for eligible beneficiaries of federal employees and Non-Appropriated Fund Instrumentality

employees who die from injuries incurred in connection with service with an Armed Force in a contingency operation. Section 8102a also permits agencies to authorize retroactive payment of the death gratuity for employees who died on or after October 7, 2001, in service with an Armed Force in the theater of operations of Operation Enduring Freedom and Operation Iraqi Freedom. Form CA-40 requests the information necessary from the employee to accomplish this variance. Form CA-41 provides the means for those named beneficiaries and possible recipients to file claims for those benefits and requests information from such claimants so that OWCP may determine their eligibility for payment. Further, the statute and regulations require agencies to notify OWCP immediately upon the death of a covered employee. CA-42 provides the means to accomplish this notification and requests information necessary to administer any claim for benefits resulting from such a death. For additional information, see related notice published in the **Federal Register** on January 28, 2010 (75 FR page 4586).

*Agency:* Office of Workers' Compensation Programs (OWCP).

*Type of Review:* Revision and Extension of a currently approved collection.

*Title of Collection:* Claim for Reimbursement-Assisted Reemployment.

*OMB Control Number:* 1240-0018.

*Agency Form Number:* CA-2231.

*Affected Public:* Business or other for-profits.

*Total Estimated Number of Respondents:* 25.

*Total Estimated Annual Burden Hours:* 50.

*Total Estimated Annual Costs Burden (Operation and Maintenance):* \$47.

*Description:* To aid in the employment of Federal employees with disabilities related to an on-the-job injury, employers submit the Form CA-2231 to claim reimbursement for wages paid under the assisted reemployment project. This information allows for a prompt decision on payment. For additional information, see related notice published in the **Federal Register** on February 18, 2010 (75 FR page 7291).

**Darrin A. King,**

*Departmental Clearance Officer.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-71,494]

#### **Johns Manville, Engineered Products Division, Spartanburg, SC; Notice of Affirmative Determination Regarding Application for Reconsideration**

By application dated May 2, 2010, a petitioner requested administrative reconsideration of the negative determination regarding workers' eligibility to apply for Trade Adjustment Assistance (TAA) applicable to workers and former workers of the subject firm. The determination was issued on April 16, 2010. The Notice of Determination will soon be published in the **Federal Register**.

The initial investigation resulted in a negative determination based on the finding that imports of polyester non-woven fabrics did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred.

In the request for reconsideration, the petitioner provided additional information pertaining to the operations and customer base of the subject firm.

The Department has carefully reviewed the request for reconsideration and the existing record and has determined that the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

#### **Conclusion**

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

Signed at Washington, DC, this 14th day of May 2010.

**Del Min Amy Chen,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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