

obtain documentation, contact Darrin King on (202) 693-4129 or e-mail: [King\\_Darrin@dol.gov](mailto:King_Darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 (202) 395-7316, within 30 days from the date of this publication in the **Federal Register**.

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

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

*Title:* Eligibility Data Form. Uniformed Services Employment and Reemployment Rights Act and Veteran's Preference.

*OMB Number:* 1293-0002.

*Affected Public:* Individuals or households.

*Frequency:* On occasion.

*Number of Respondents:* 1,500.

*Number of Annual Responses:* 1,500.

*Estimated Time Per Response:* 15 minutes.

*Total Burden Hours:* 375.

*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* The Form VETS/USERRA/VP-1010 is used to file complaints with the Department of Labor's Veterans' Employment and Training Service under either the Uniformed Services Employment and Reemployment Rights Act or laws and

regulations related to veteran's preference in Federal employment.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 03-1522 Filed 1-22-03; 8:45 am]

**BILLING CODE 4510-79-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

January 9, 2003.

The Department of Labor (DOL) has submitted the following public information collection request (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation contact Marlene Howze at ((202) 693-4148 or e-mail [Howze-Marlene@dol.gov](mailto:Howze-Marlene@dol.gov)).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for ESA, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication of the **Federal Register**.

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.

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

*Agency:* Employment Standards Administration (ESA).

*Title:* Work Experience and Career Exploration Programs (29 CFR 570.35A).

*OMB Number:* 1215-0121.

*Affected Public:* Individuals or households and State, Local or Tribal Government.

*Frequency:* Biennially.

*Number of Respondents:* 14,014.

*Number of Annual Responses:* 14,014.

*Average Time Per Response:*

#### Reporting

- WECEP Application—2 hours.
- Written Training Agreement—1 hours.

#### Record-keeping

- WECEP Program Information—1 hour.
  - Filing of WECEP Record and Training Agreement—One-half minute.
- Total Burden Hours:* 7,145.  
*Total Annualized Capital/Startup Costs:* \$0.  
*Total Annual Costs (operating/maintaining systems or purchasing services):* \$0.

*Description:* Section (3)(1) of the Fair Labor Standards Act (FLSA) establishes a minimum age of 16 for most nonagricultural employment, but allows the employment of 14 and 15 year olds in occupations other than manufacturing and mining if the Secretary of Labor determines such employment is confined to periods which will not interfere with their schooling and to conditions which will not interfere with their health and well-being. State educational agencies are required to file applications for approval of Work Experience and Career Exploration Programs (WECEP) that provide exceptions to the child labor regulations issued under the FLSA. State educational agencies are also required to maintain certain records with respect to approved WECEP programs. Less frequent application would not ensure that these programs do not interfere with the schooling of the minors or with their health and well-being. Less frequent record-keeping would make a determination of compliance with the law and regulations extremely difficult.

**Ira L. Mills,**

*Department Clearance Officer.*

[FR Doc. 03-1523 Filed 1-22-03; 8:45 am]

**BILLING CODE 4510-27-M**

## DEPARTMENT OF LABOR

### Mine Safety and Health Administration

#### Proposed Information Collection Request Submitted for Public Comment and Recommendations; Roof Control Plan

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden conducts a pre-clearance 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)]. The 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 Mine Safety and Health Administration (MSHA) is soliciting comments concerning the extension of the information collection related to the 30 CFR Sections

- 75.215—Longwall mining systems;
- 75.220—Roof control plan;
- 75.221—Roof control plan information;
- 75.222—Roof control plan-approval criteria; and
- 75.223—Evaluation and revision of roof control plan.

**DATES:** Submit comments on or before March 24, 2003.

**ADDRESSES:** Send comments to Jane Tarr, Management Analyst, Administration and Management, 1100 Wilson Boulevard, Room 2171, Arlington, VA 22209-3939. Commenters are encouraged to send their comments on computer disk, or via Internet E-mail to [Tarr-Jane@Msha.gov](mailto:Tarr-Jane@Msha.gov). Ms. Tarr can be reached at (202) 693-9824 (voice), or (202) 693-9801 (facsimile).

**FOR FURTHER INFORMATION CONTACT:** Jane Tarr, Management Analyst, Records Management Group, U.S. Department of Labor, Mine Safety and Health Administration, Room 2171, 1100 Wilson Boulevard, Arlington, VA 22209-3939. Ms. Tarr can be reached at [Tarr-Jane@msha.gov](mailto:Tarr-Jane@msha.gov) (Internet-E-mail), (202) 693-9824 (voice), or (202) 693-9801 (facsimile).

**SUPPLEMENTARY INFORMATION:**

**I. Background**

Section 302(a) of the Federal Mine Safety and Health Act of 1977 (Mine Act), 30 U.S.C. 846, requires that a roof control plan and revisions thereof suitable to the roof conditions and mining system of each coal mine be first approved by the Secretary of Labor (Secretary) before implementation by the operator. The plan must show the type of support and spacing approved by the Secretary, and the plan must be reviewed at least every 6 months by the Secretary.

Under 30 CFR 75.221, the information required to be submitted and approved in the roof control plan includes the following: (1) The name and address of the company; (2) the name, address, mine identification number, and location of the mine; (3) the name and title of the company official responsible for the plan; (4) a description of the mine strata; (5) a description and drawings of the sequence of installation and spacing of supports for each method of mining used; (6) the maximum distance that an ATRS system is to be set beyond the last row of permanent support (if appropriate); (7) specifications and installation procedures for liners or arches (if appropriate); (8) drawings indicating the planned width of openings, size of pillars, method of pillar recovery, and the sequence of mining pillars; (9) a list of all support materials required to be used in the roof, face and rib control system; (10) the intervals at which test holes will be drilled (if appropriate); and (11) a description of the methods to be used for the protection of persons. Under 30 CFR 75.215, the roof control plan for each longwall mining section is required to specify the methods that will be used to maintain a safe travelway out of the section through the tailgate side of the longwall and the procedures that will be followed if a ground failure prevents travel out of the section through the tailgate side of the longwall.

**II. Desired Focus of Comments**

MSHA is particularly interest 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; the
- 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.

A copy of the proposed information collection request can be obtained by contacting the employee listed in the "For Further Information Contact" section of this notice, or viewed on the Internet by accessing the MSHA home page (<http://www.msha.gov>) and then choosing "Statutory and Regulatory Information" and "Federal Register Documents."

**III. Current Actions**

Falls of roof, face and rib continue to be a cause of injuries and death in underground coal mines. All underground coal mine operators are required to develop and submit roof control plans to MSHA for evaluation and approval. These plans provide the means to instruct miners, who install roof supports, and the minimum requirements and placement of roof supports. The plan also provides a reference for mine supervisors to assist them in compliance with the plan requirements. In that regard the plan is a working document for the miners.

*Type of Review:* Extension.

*Agency:* Mine Safety and Health Administration.

*Title:* Roof Control Plan.

*OMB Number:* 1219-0004.

*Recordkeeping:* Indefinite.

*Frequency:* On Occasion.

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

Section	Total respondents	Frequency	Total responses	Avg. time/response (hours)	Burden hours
75.220 .....	47	On occasion .....	47	24	1,128
75.223 .....	893	On occasion .....	957	5	4,785
75.223(b) .....	893	On occasion .....	1,753	.08	140
Totals .....	1,833	.....	2,757	.....	6,053

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

*Total Burden Cost (operating/maintaining):* \$5,020.

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 at Arlington, Virginia, this 16th day of January, 2003.

**Thomas Charboneau,**

*Financial Manager, Office of Administration and Management.*

[FR Doc. 03-1428 Filed 1-22-03; 8:45 am]

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## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

#### Proposed Extension of Information Collection Request Submitted for Public Comment; Prohibited Transaction Class Exemption 2002-12, Cross-Trades of Securities by Index and Model Funds

**AGENCY:** Pension and Welfare Benefits Administration, Department of Labor.

**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 continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). 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 Pension and Welfare Benefits Administration is soliciting comments on the proposed extension of the disclosure provisions of the Prohibited Transaction Class Exemption 2002-12, Cross-Trades of Securities by Index and Model Funds.

A copy of the information collection request (ICR) can be obtained by contacting the individual shown in the Addresses section of this notice.

**DATES:** Written comments must be submitted to the office shown in the Addresses section on or before March 24, 2003.

**ADDRESSES:** Joseph S. Piacentini, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue NW., Washington, DC 20210, (202) 693-8410, FAX (202) 219-5333. (These are not toll-free numbers.)

#### SUPPLEMENTARY INFORMATION:

##### I. Background

PTE 2002-12 exempts certain transactions that would be prohibited under the Employee Retirement Income Security Act of 1974 (the Act or ERISA) and the Federal Employees' Retirement System Act (FERSA), and provides relief from certain sanctions of the Internal Revenue Code of 1986 (the Code). The exemption permits cross-trades of securities among index and model-driven funds (Funds) managed by investment managers, and among such Funds and certain large accounts (Large Accounts) that engage such managers to carry out a specific portfolio restructuring program or to otherwise act as a "trading adviser" for such a program. By removing existing barriers to these types of transactions, the exemption increases the incidences of cross-trading, thereby lowering fees to plans from what they would otherwise be if based on multiple individual trades.

In order for the Department to grant an exemption for a transaction or class of transactions that would otherwise be impermissible under ERISA, the statute requires the Department to make a finding that the exemption is administratively feasible, in the interest of the plan and its participants and beneficiaries, and protective of the rights of the participants and beneficiaries. To insure that investment managers have complied with the requirements of the exemption, the Department has included in the exemption certain recordkeeping and disclosure obligations that are designed to safeguard plan assets by periodically providing information to independent plan fiduciaries about changes in the cross-trading program. Initially, where plans are not invested in Funds, investment managers must have authorization from a plan fiduciary to invest plan assets in Funds. For plans that are currently invested in Funds, certain notices must be provided that describe the cross-trading program, update changes in Funds, and provide the plan with an opportunity to withdraw from the program. For Large Accounts, information must be provided by the investment manager about the results of transactions involved in a portfolio-restructuring program. Finally,

the exemption requires that Funds and Large Accounts maintain for a period of 6 years the records necessary to enable certain persons authorized by the exemption (e.g., Department representatives or contributing employers, to determine whether the conditions of the exemption have been met.)

The exemption affects participants and beneficiaries of employee benefit plans whose assets are invested in Index or Model-Driven Funds, large pension plans and other large accounts involved in portfolio restructuring programs, as well as the Funds and their investment managers.

##### II. Desired Focus of Comments

- The Department of Labor (Department) 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 of forms of information technology, e.g., permitting electronic submissions of responses.

##### III. Current Actions

Extension of the information collection provision of the exemption is important because, without the disclosures and recordkeeping provided for in the exemption, participants and beneficiaries' investments in a pension plan might not be protected. In addition, investment managers, that cross trade securities among Funds or engage in the restructuring of a portfolio of a Large Account would be subject to statutorily imposed sanctions under ERISA. Lastly, the exemption provides a benefit to plans and participants through savings that result from index/model cross-trading. No change to the existing ICR is proposed or made at this time.

*Agency:* Pension and Welfare Benefits Administration, Department of Labor.

*Title:* Prohibited Transaction Class Exemption 2002-12, Cross-Trades of