

accordance with OMB Circular A-110 and 28 CFR part 70.

(5) *An Estimate of the Total Number of Respondents and the Amount of Time Estimated for an Average Respondent to Respond:* It is estimated that 100 respondents will complete a 4-hour form.

(6) *An Estimate of the Total Public Burden (in Hours) Associated with the Collection:* The total hour burden to complete the forms is 400 annual burden hours.

*If Additional Information is Required Contact:* Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: March 23, 2009.

**Lynn Bryant,**

*Department Clearance Officer, PRA, United States Department of Justice.*

[FR Doc. E9-6819 Filed 3-26-09; 8:45 am]

**BILLING CODE 4410-18-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review: Comment Request

March 20, 2009.

The Department of Labor (DOL) hereby announces the submission of the following public information collection requests (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 ICR, with applicable supporting documentation, including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the *RegInfo.gov* Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Mary Beth Smith-Toomey on 202-693-4223 (this is not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—ETA, Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (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:* Employment and Training Administration.

*Type of Review:* Extension without change of a currently approved collection.

*Title of Collection:* Experience Rating Report.

*OMB Control Number:* 1205-0164.

*Agency Form Numbers:* ETA 204.

*Affected Public:* State Governments.

*Total Estimated Number of Respondents:* 53.

*Total Estimated Annual Burden Hours:* 13.

*Total Estimated Annual Costs Burden (excludes wage/hour costs):* \$0.

*Description:* The ETA-204 provides data to ETA for the study of seasonality, employment or payroll fluctuations, and stabilization, expansion or contraction in operations on employment experience. The data are used to provide an indication of whether solvency problems exist in the State's Trust Fund accounts and in analyzing factors that give rise to solvency problems. The data are also used to complete the Experience Rating Index. For additional information, see related notice published at Volume 73 FR 67207 on November 13, 2008.

*Agency:* Employment and Training Administration.

*Type of Review:* Extension without change of a currently approved collection.

*Title of Collection:* Tax Performance System.

*OMB Control Number:* 1205-0332.

*Agency Form Numbers:* N/A.

*Affected Public:* State Governments.

*Total Estimated Number of Respondents:* 52.

*Total Estimated Annual Burden Hours:* 90,428.

*Total Estimated Annual Costs Burden (excludes wage/hour costs):* \$0.

*Description:* The Tax Performance System (TPS) gathers and disseminates information on the timeliness and accuracy of state unemployment insurance tax operations. The Department is required to review the timeliness, accuracy, and completeness of certain tax collections of states using the Tax Performance System. Handbook 407 prescribes the operation of this program. TPS data now are an integral part of the Unemployment Insurance (UI) PERFORMS, the performance management system for the UI program. UI PERFORMS incorporates a strategic planning process of identifying priorities; ongoing collection and monitoring of valid data to measure performance; identification of areas of potential improvement; and development of specific action steps to improve performance, followed by use of available data to determine whether the action steps are successful. For additional information, see related notice published at Volume 73 FR 48243 on August 18, 2008.

*Agency:* Employment and Training Administration.

*Type of Review:* Extension without change of a currently approved collection.

*Title of Collection:* Reemployment and Eligibility Assessment Program.

*OMB Control Number:* 1205-0456.

*Agency Form Numbers:* ETA 9128 and ETA 9129.

*Affected Public:* State Governments.

*Total Estimated Number of Respondents:* 18.

*Total Estimated Annual Burden Hours:* 36.

*Total Estimated Annual Costs Burden (excludes wage/hour costs):* \$0.

*Description:* The Social Security Act (U.S.C. 42, section 503) authorizes DOL to prescribe standard definitions, methods and procedures, and reporting requirements for the collection of information on benefit payment accuracy and the reemployment of UI benefit recipients to ensure the verification of these data. The ETA 9060 report provides a count of the claimants who were referred to Reemployment and Eligibility Assessment (REA) program and a count of those who completed the services. The ETA 9061 report provides for the subsequent collection of outcome data, which assists in monitoring the success of the REA program. For additional information, see related notice

published at Volume 73 FR 73957 on December 4, 2008.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E9-6774 Filed 3-26-09; 8:45 am]

**BILLING CODE 4510-FW-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Proposed Extension of Information Collection; Comment Request; Definition of "Plan Assets"—Participant Contributions

**AGENCY:** Employee Benefits Security Administration.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), 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) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that the data the Department collects can be provided in the desired format, that the reporting burden on the public (time and financial resources) is minimized, that the public understands the Department's collection instruments, and that the Department can accurately assess the impact of its collection requirements on respondents.

Currently, the Employee Benefits Security Administration (EBSA) is soliciting comments concerning an extension of the current approval of the information collection in the regulation entitled Definition of Plan Assets—Participant Contributions, codified at 29 CFR 2510.3-102. A copy of EBSA's proposed information collection request (ICR) can be obtained by contacting the individual listed below in the **ADDRESSES** section of this notice.

**DATES:** Comments must be submitted on or before May 26, 2009.

**ADDRESSES:** Direct all comments regarding the ICR and burden estimates to G. Christopher Cosby, Office of Policy and Research, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. Comments may be submitted in writing to the above address, via facsimile to (202) 219-4745, or electronically to the following Internet e-mail address: [ebbsa.opr@dol.gov](mailto:ebbsa.opr@dol.gov).

## SUPPLEMENTARY INFORMATION:

### I. Background

The regulation concerning plan assets and participant contributions provides guidance for fiduciaries, participants, and beneficiaries of employee benefit plans regarding how participant contributions to pension plans must be handled when they are either paid to the employer by the participant or directly withheld by the employer from the employee's wages for transmission to the pension plan. In particular, the regulation sets standards for the timely delivery of such participant contributions, including an outside time limit for the employer's holding of participant contributions. In addition, for those employers who may have difficulty meeting the regulation's outside deadlines for transmitting participant contribution, the regulation (29 CFR 2510.3-102(d)) provides the opportunity for the employer to obtain an extension of the time limit by providing participants and the Department with a notice that contains specified information. The ICR pertains to this notice requirement. The Department previously requested review of this information collection and obtained approval from the Office of Management and Budget (OMB) under OMB control number 1210-0100. That approval is scheduled to expire on June 30, 2009.

### 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 or other forms of information technology, e.g., by permitting electronic submissions of responses.

### III. Current Actions

This notice requests comments on an extension of the ICR included in the

regulation governing the definition of "plan assets" as related to participant contributions. The Department is not proposing or implementing changes to the existing ICR at this time. A summary of the ICR and the current burden estimates follows:

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

*Agency:* Employee Benefits Security Administration.

*Title:* Definition of Plan Assets—Participant Contributions.

*OMB Number:* 1210-0100.

*Affected Public:* Business or other for-profit; not-for-profit institutions; individuals.

*Number of Respondents:* 1.

*Frequency:* On occasion.

*Number of Annual Responses:* 251.

*Total Burden Hours:* 1.

*Total Burden Cost (Operating and Maintenance):* \$1,000.

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: March 23, 2009.

**Joseph S. Piacentini,**

*Director, Office of Policy and Research,*

*Employee Benefits Security Administration.*

[FR Doc. E9-6835 Filed 3-26-09; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Proposed Extension of Information Collection; Comment Request National Medical Support Notice—Part B

**AGENCY:** Employee Benefits Security Administration.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), 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) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that the data the Department collects can be provided in the desired format, that the reporting burden on the public (time and financial resources) is minimized, that the public understands the Department's collection instruments,