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*Departmental Clearance Officer.*

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## 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,

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 extension of the current approval of the information collections in the regulation entitled National Medical Support Notice—Part B. A copy of EBSA's 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 to the office shown in the **ADDRESSES** section 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**

Section 609(a) of the Employee Retirement Income Security Act of 1974, as amended (ERISA), requires each group health plan, as defined in ERISA section 607(1), to provide benefits in accordance with the applicable requirements of any "qualified medical child support order" (QMCSO). A QMCSO is, generally, an order issued by a state court or other competent state authority that requires a group health plan to provide group health coverage to a child or children of an employee eligible for coverage under the plan. In accordance with Congressional directives contained in the Child Support Performance and Incentive Act of 1998 (CSPIA), EBSA and the Federal Office of Child Support Enforcement (OCSE) in the Department of Health and Human Services (HHS) cooperated in the development of regulations to create a National Medical Support Notice (NMSN or Notice). The Notice simplifies the issuance and processing of qualified medical child support orders issued by state child support enforcement agencies, provides for standardized communication between state agencies, employers, and plan administrators, and creates a uniform and streamlined process for enforcement of medical child support obligations ordered by state child support enforcement agencies. The NMSN comprises two parts: Part A was

promulgated by HHS and pertains to state child support enforcement agencies; part B was promulgated by the Department and pertains to plan administrators pursuant to ERISA. This solicitation of public comment relates only to part B of the NMSN, which was promulgated by the Department. In connection with promulgation of part B of the NMSN, the Department submitted an ICR to the Office of Management and Budget (OMB) for review, and OMB approved the information collections contained in the part B regulation under OMB control number 1210-0113. OMB's approval of this ICR is scheduled to expire on June 30, 2009.

##### **II. Desired Focus of Comments**

The Department is currently soliciting comments on the information collections contained in its regulation codified at 29 CFR 2590.609-2, National Medical Support Notice—Part B. The 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 the extension of the ICR included in the regulation promulgating Part B of the National Medical Support Notice. 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:

*Agency:* Employee Benefits Security Administration, Department of Labor.

*Title:* National Medical Support Notice—Part B.

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

*OMB Number:* 1210-0113.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions.

*Respondents:* 156,000.

*Responses:* 2,900,000.

*Estimated Total Burden Hours:* 1,000,000.

*Estimated Total Burden Cost (Operating and Maintenance):* \$4,800,000.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the ICR; 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. E9-6836 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; ERISA Summary Annual Report**

**AGENCY:** Employee Benefits Security Administration, Department of Labor.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), 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 continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95). This program helps to ensure that the data the Department gathers can be provided in the desired format, the reporting burden (time and financial resources) is minimized, the public clearly understands the Department's collection instruments, and the Department can accurately assess the impact of collection requirements on respondents. Currently, the Employee Benefits Security Administration (EBSA) is soliciting comments concerning an extension of the information collections in the regulation implementing the requirement under the Employee Retirement Income Security Act of 1974 (ERISA) that administrators of employee benefit plans annually furnish participants and certain beneficiaries a statement that fairly summarizes the plan's latest annual report. A copy of the information collection request (ICR)