

**DEPARTMENT OF LABOR****Employee Benefits Security Administration****Agency Information Collection Activities; Announcement of OMB Approval**

**AGENCY:** Employee Benefits Security Administration, DOL.

**ACTION:** Notice.

**SUMMARY:** The Employee Benefits Security Administration (EBSA) is announcing that a collection of information regarding the Voluntary Fiduciary Correction Program and Prohibited Transaction Class Exemption to permit certain transactions identified in the Voluntary Fiduciary Correction Program has been approved by the Office of Management and Budget (OMB) under the Paperwork Reduction Act of 1995. This document announces the OMB approval number and expiration date.

**FOR FURTHER INFORMATION CONTACT:**

Gerald B. Lindrew, U.S. Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue, NW., Washington, DC 20210. Telephone: (202) 693-8414 (not a toll free number).

**SUPPLEMENTARY INFORMATION:** In the **Federal Register** of August 20, 2003, EBSA announced its intent to request renewal of its current OMB approval for the Information Collection Request (ICR) incorporated in the Voluntary Fiduciary Correction Program and related Prohibited Transaction Class Exemption. In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), OMB has renewed its approval for the information collection under OMB control number 1210-0118. The approval expires on December 31, 2006. Under 5 CFR 1320.5(b), an Agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection displays a valid control number.

Dated: March 16, 2004.

**Gerald B. Lindrew,**

*Deputy Director, Office of Policy and Research, Employee Benefits Security Administration.*

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**DEPARTMENT OF LABOR****Employment Standards Administration****Proposed Collection; Comment Request**

**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/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). 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 Employment Standards Administration is soliciting comments concerning the proposed collection: Request for State or Federal Workers' Compensation Information (CM-905). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before May 24, 2004.

**ADDRESSES:** Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, e-mail [bell.hazel@dol.gov](mailto:bell.hazel@dol.gov). Please use only one method of transmission for comments (mail, fax, or e-mail).

**SUPPLEMENTARY INFORMATION:****I. Background**

The Federal Mine Safety and Health Act of 1977, as amended (30 U.S.C. 901) and 20 CFR 725.535, directs that DOL Black Lung benefit payments to a beneficiary for any month be reduced by any other payments of State or Federal benefits for workers' compensation due to pneumoconiosis. This information collection is currently approved for use through October 31, 2004.

**II. Review Focus**

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, e.g., permitting electronic submissions of responses.

**III. Current Actions**

The Department of Labor seeks the extension of approval to collect this information in order to gather information to determine the amounts of black lung benefits paid to beneficiaries. Black Lung amounts are reduced dollar for dollar, for other black lung related workers' compensation awards the beneficiary may be receiving from State or Federal programs.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Request for State or Federal Workers' Compensation Information.

*OMB Number:* 1215-0060.

*Agency Number:* CM-905.

*Affected Public:* Federal government; State, local or tribal government.

*Total Respondents:* 1,600.

*Total Annual Responses:* 1.

*Average Time per Response:* 15 minutes.

*Estimated Total Burden Hours:* 400.

*Frequency:* On occasion.

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

*Total Burden Cost (operating/maintenance):* \$640.00.

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 17, 2004.

**Bruce Bohanon,**

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

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