

PROBABILITY DESIGN REPORTING BURDEN

Form	Number of respondents	Frequency	Annual responses	Estimated response time	Annual burden hours
BLS-790 A—Mining .....	1,600	12	19,200	7	2,240
BLS-790 B—Construction .....	14,100	12	169,200	7	19,740
BLS-790 BM—Interstate Construction .....	0	12	0	15	0
BLS-790 C—Manufacturing .....	24,800	12	297,600	7	34,720
BLS-790 H—T.P.U. ....	0	12	0	7	0
BLS-790 H—Wholesale Trade .....	11,000	12	132,000	7	15,400
BLS-790 E—Retail Trade .....	0	12	0	7	0
BLS-790 H—Fire .....	0	12	0	7	0
BLS-790 H—Services, non-education .....	0	12	0	7	0
BLS-790 S—Services, education .....	0	12	0	7	0
BLS-790 G—Federal Government .....	0	12	0	5	0
BLS-790 G—State Gov., non-education .....	0	12	0	5	0
BLS-790 GS—State Gov., education .....	0	12	0	5	0
BLS-790 G—Local Government .....	0	12	0	5	0
BLS-790 GS—Local Gov., education .....	0	12	0	5	0
BLS-790 F1, F2, F3* .....	2,700	12	32,400	7	3,780
<b>Total .....</b>	<b>54,200</b>	<b>.....</b>	<b>650,400</b>	<b>.....</b>	<b>78,880</b>

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

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

*Description:* The Current Employment Statistics (CES) program provides current monthly statistics on employment, hours, and earnings, by industry. The estimates produced from the data collected on the BLS-790 forms are fundamental inputs in the economic decision process at all levels of government, private enterprise, and organized labor.

The CES program is currently undergoing a sample redesign to transition from a quota-based to a probability sample. As industries are converted to the probability design, the number of establishments collected for the current design will be reduced.

**Ira L. Mills,**  
*DOL Clearance Officer.*  
 [FR Doc. 01-29990 Filed 12-3-01; 8:45 am]  
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**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Submission for OMB Review; Comment Request**

November 19, 2001.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) 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 this ICR, with applicable supporting

documentation, may be obtained by calling the Department of Labor. To obtain documentation, contact Darrin King on (202) 693-4129 or by E-mail: *King-Darrin@dol.gov.*

Comments should be sent to Office of Information and Regulatory Affairs, Attn: Lauren Wittenberg, OMB Desk Officer for Department of labor, 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:* Office of the Solicitor (SOL).  
*Type of Review:* Extension of a currently approved collection.

*Title:* Equal Access to Justice Act.

*OMB Number:* 1225-0013.

*Frequency:* On occasion.

*Affected Public:* Individuals or households; Business or other for-profit;

Not-for-profit institutions; Federal Government; State, Local, or Tribal Government.

*Type of Response:* Application for benefits.

*Number of Respondents:* 10.

*Number of Annual Responses:* 10.

*Estimated Time Per Response:* 5 hours.

*Total Burden Hours:* 50.

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

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$20.

*Description:* The Equal Access to Justice Act provides for payment of fees and expenses to eligible parties who have prevailed against the Department in certain administrative proceedings. In order to obtain an award, the statute and associated regulations (29 CFR part 126) require the filing of an application.

**Ira L. Mills,**  
*Departmental Clearance Officer.*  
 [FR Doc. 01-29991 Filed 12-3-01; 8:45 am]  
**BILLING CODE 4510-23-M**

**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Submission for OMB Review; Comment Request**

November 15, 2001.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) 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 Hawze at ((202) 219-8904 or email [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 PWBA, 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.

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

*Agency:* Pension and Welfare Benefits Administration (PWBA).

*Title:* Prohibited Transaction Exemption 86-128.

*OMB Number:* 1210-0059.

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

*Frequency:* Annually.

*Number of Respondents:* 22,974.

*Number of Annual Responses:* 542,813.

*Estimated time Per Response:* Average of 15 minutes to 1 hour.

*Total Burden Hours:* 98,158.

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

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$187,606.

*Description:* PTE 86-128 permits persons who serve as fiduciaries for employee benefit plans to effect or execute securities transactions on behalf of employee benefit plans. The information collection requirements incorporated within the class exemption are designed as appropriate safeguards to ensure the protection of the plan assets involved in the transactions, that

except for the class exemption, would not be permitted. These safeguards rely on the prior authorization and monitoring of the broker-fiduciary's activities by a second plan fiduciary that is independent of the first.

Without the relief provided by this class exemption, broker-fiduciaries who provide research and investment management services to accounts for which they effect transactions for the purchase and sale of securities, may be barred by the Employee Retirement Income Security Act from providing these combined services to employee benefit plans.

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

*Agency:* Pension and Welfare Benefits Administration (PWBA).

*Title:* Delinquent Filer Voluntary Compliance Program.

*OMB Number:* 1210-0089.

*Affected Public:* Business or other for-profit, Individuals or households; and not-for-profit institutions.

*Frequency:* On occasion.

*Number of Respondents:* 3,100.

*Number of Annual Responses:* 3,100.

*Estimated Time Per Response:* 31 minutes.

*Total Burden Hours:* 109.

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

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$74,384.50.

*Description:* The DFVC Program is intended to encourage, using reduced civil penalties, delinquent plan administrators to comply with their annual reporting obligations under Title I of the Employee Retirement Income Security Act of 1974. Delinquent plan administrators are those who fail to file timely annual reports for plan years beginning on or after January 1, 1988. Eligible plan administrators may avail themselves of the DFVC Program by complying with the filing requirements and paying the specified civil penalties set out in the Notice.

The information collection requirement included in the DFVC Program requires providing data necessary to identify the plan along with the penalty payment. This data is the only means by which each penalty payment is associated with the relevant plan. If the Department were unable to determine readily whether a penalty had already been paid as a result of a late filing, an additional penalty might be assessed when it was determined that

the filing was received after the deadline.

**Ira L. Mills,**

*Departmental Clearance Officer.*

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. ICR-1218-0061(2002)]

#### Cotton Dust Standard (29 CFR 1910.1043); Extension of the Office of Management and Budget's (OMB) Approval of the Information-Collection (Paperwork) Requirements

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for comment.

**SUMMARY:** OSHA requests comment concerning its proposal to decrease the existing burden-hour estimates for, and to extend OMB approval of, the collection-of-information requirements specified by the Cotton Dust Standard (29 CFR 1910.1043).<sup>1</sup> This standard protects employees from occupational exposures to cotton dust; cotton-dust exposure causes pulmonary disease (e.g., byssinosis) that may result in death and serious illness.

**DATES:** Submit written comments on or before February 4, 2002.

**ADDRESSES:** Submit written comments to the Docket Office, Docket No. ICR-1218-0061(2001), OSHA, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350. Commenters may transmit written comments of 10 pages or less by facsimile to (202) 693-1648.

**FOR FURTHER INFORMATION CONTACT:**

Todd Owen, Directorate of Policy, OSHA, U.S. Department of Labor, Room N-3641, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2444. A copy of the Agency's Information-Collection Request (ICR) supporting the need for the information collections specified by the Cotton Dust Standard is available for inspection and copying in the Docket Office, or by requesting a copy from Todd Owen at

<sup>1</sup> Based on its assessment of the paperwork requirements contained in this standard, the Agency estimates that the total burden hours decreased compared to its previous burden-hour estimate. Under this notice, OSHA is *not* proposing to revise these paperwork requirements in any substantive manner, only to decrease the burden hours imposed by the existing paperwork requirements.