

current approval is scheduled to expire on April 30, 2024.

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

*Title:* Furnishing Documents to the Secretary of Labor on Request Under Employee Retirement Income Security Act Section 104(a)(6).

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

*OMB Number:* 1210–0112.

*Affected Public:* Not-for-profit institutions, Businesses or other for-profits.

*Respondents:* 893.

*Responses:* 893.

*Estimated Total Burden Hours:* 41.

*Estimated Total Burden Cost (Operating and Maintenance):* \$721.

*Description:* Prior to the enactment of the Taxpayer Relief Act of 1997 (Pub. L. 105–34, August 5, 1997) (TRA '97), section 104(a) of the Employee Retirement Security Act of 1974 (ERISA) required administrators of employee benefit plans automatically to file the plan's summary plan description (SPD) and any summaries of material modification (SMMs) with the Secretary of the Department of Labor (the Department). TRA '97 eliminated the requirement that these documents be filed automatically with the Department, but added ERISA section 104(a)(6), requiring a plan administrator to furnish documents related to an employee benefit plan to the Department upon request. The requirement that administrators furnish the Department requested plan documents other than SPDs and SMMs was part of section 104(a) prior to enactment of TRA '97; that requirement was moved by TRA '97 to section 104(a)(6) and consolidated with the new furnishing requirement pertaining to SPDs and SMMs.

Pursuant to the regulation, the Department requests documents under section 104(a)(6) when a participant or beneficiary has previously requested the documents directly from the plan administrator and the administrator has failed or refused to provide them. The Department therefore uses the requested information to respond to participants' requests to the Department for documents that the participants were unable to obtain from their plan administrators.

The Department has received approval from OMB for this ICR under OMB Control No. 1210–0112. The current approval is scheduled to expire on June 30, 2024.

## II. Focus of Comments

The Department is particularly interested in comments that:

- Evaluate whether the collections of information are 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 collections 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.

Comments submitted in response to this notice will be summarized and/or included in the ICR for OMB approval of the information collection; they will also become a matter of public record.

Signed at Washington, DC, this 18th day of August 2023.

**Lisa M. Gomez,**

*Assistant Secretary, Employee Benefits Security Administration, U.S. Department of Labor.*

[FR Doc. 2023–18276 Filed 8–24–23; 8:45 am]

**BILLING CODE P**

## OFFICE OF MANAGEMENT AND BUDGET

### Statistical Policy Directive No. 3: Compilation, Release, and Evaluation of Principal Federal Economic Indicators—Proposal To Change Timing of Public Comments by Employees of the Executive Branch

**AGENCY:** Office of Information and Regulatory Affairs, Office of Management and Budget, Executive Office of the President.

**ACTION:** Notice of solicitation of comments.

**SUMMARY:** The Office of Management and Budget (OMB) issues a request for public comments on a proposal to modify one provision within *Statistical Policy Directive No. 3: Compilation, Release, and Evaluation of Principal Federal Economic Indicators* (Directive No. 3). The procedures in Directive No. 3, published in 1985, were designed to ensure equitable, policy-neutral, and timely release and dissemination of Principal Federal Economic Indicators

(PFEIs). The goals of Directive No. 3 remain sound; this Notice proposes updates to procedures consistent with these goals to reflect advances in communication technologies and methods. In particular, OMB proposes to modify the provision, “employees of the Executive Branch shall not comment publicly on the data until at least one hour after the official release time,” by replacing “one hour” with “thirty minutes.” This proposed change would reduce the delay after official release time before commentary from employees of the Executive Branch. Additional discussion of the request for public comment may be found in the **SUPPLEMENTARY INFORMATION** section below.

**DATES:** To ensure consideration of comments on this notice, they must be received no later than October 24, 2023. Because of delays in the receipt of regular mail related to security screening, respondents are encouraged to send comments electronically (see **ADDRESSES**, below).

**ADDRESSES:** Submit comments through [www.regulations.gov](http://www.regulations.gov)—a Federal E-Government website that allows the public to find, review, and submit comments on documents that agencies have published in the **Federal Register** and that are open for comment. Enter “OMB–2023–0016” (in quotes) in the Comment or Submission search box, click Go, and follow the instructions for submitting comments. Comments received by the date specified above will be included as part of the official record.

*Privacy Notice:* Information submitted in response to this RFI will be maintained in the OMB Public Input System of Records, OMB/INPUT/01 88 FR 20913. OMB generally makes comments received from members of the public available for public viewing on the Federal Rulemaking Portal at [www.regulations.gov](http://www.regulations.gov). As such, commenters should not include information that they do not wish to make publicly available, including information of a confidential nature, such as sensitive personal information or proprietary information. Please note that if you submit your email address, it will be automatically captured and included as part of the comment that is placed in the public docket; however, [www.regulations.gov](http://www.regulations.gov) does include the option of commenting anonymously. For more detail about how OMB may maintain and disclose submitted information, please review the System of Records Notice at 88 FR 20913.

*Electronic Availability:* This notice is available on the internet on the OMB

website at <https://www.whitehouse.gov/omb/>. **Federal Register** notices are also available electronically at <https://www.federalregister.gov/>.

**Instructions:** Response to this Notice is voluntary. Respondents may provide input on any aspects of this solicitation. OMB will not respond to individual submissions.

**FOR FURTHER INFORMATION CONTACT:** For information about this request for comments, contact Kerrie Leslie, Office of Management and Budget, New Executive Office Building, Washington, DC 20503, telephone (202) 395–1093, email [Statistical\\_Directives@omb.eop.gov](mailto:Statistical_Directives@omb.eop.gov) with the subject “More Info: Directive No. 3.”

**SUPPLEMENTARY INFORMATION:**

**Background:** The Office of Management and Budget (OMB) issues a request for comments on a proposal to change one provision within *Statistical Policy Directive No. 3: Compilation, Release, and Evaluation of Principal Federal Economic Indicators* (50 FR 38932, Sep. 25, 1985) (Directive No. 3), issued under the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 1104(d)) and the Paperwork Reduction Act of 1995 (44 U.S.C. 3504(e)) (the PRA).<sup>1</sup> The stated purposes of Directive No. 3 are to preserve the time value of the economic indicators, strike a balance between timeliness and accuracy, provide for periodic evaluation of each indicator, prevent early access to information that may affect financial and commodity markets, and preserve the distinction between the policy-neutral release of data by statistical agencies and their interpretation by policy officials. Directive No. 3 remains a robust, comprehensive source of guidance for Federal statistical agencies and recognized statistical units producing Principal Federal Economic Indicators (PFEIs). The government and private sector widely watch and heavily rely upon these statistical series as indicators of the current condition and direction of the economy.

The procedures in Directive No. 3, published in 1985, were designed to ensure equitable, policy-neutral, and timely release and dissemination of Principal Federal Economic Indicators (“PFEIs”). The goals of Directive No. 3 remain sound, and this Notice does not seek to change them. Specifically, in furtherance of these goals, we are proposing to retain the requirement that some period of time needs to elapse

between the policy-neutral release of the data and the public interpretation of such data by policy officials in the Executive Branch. More background and history on the policies of Directive No. 3 can be found in the April 2019 **Federal Register** Notice (84 FR 14682, Apr. 11, 2019) (April 2019 FRN), available at [www.federalregister.gov/documents/2019/04/11/2019-07172/statistical-policy-directive-no-3-Compilation-Release-and-Evaluation-of-Principal-Federal-Economic-Indicators](http://www.federalregister.gov/documents/2019/04/11/2019-07172/statistical-policy-directive-no-3-Compilation-Release-and-Evaluation-of-Principal-Federal-Economic-Indicators).

**Previous proposal.** In April 2019, OMB published in the **Federal Register** a request for comments on a proposal to reduce the duration of the prohibition of commentary by employees of the Executive Branch following the PFEI release from one hour to something shorter, including the consideration of the option of having no delay at all (84 FR 14682, Apr. 11, 2019). OMB received sixteen in-scope comments in response to that Notice.<sup>2</sup> All in-scope commenters strongly supported either a retention of the one-hour delay, or a delay of some duration, after official release time before employees of the Executive Branch could comment on the PFEI releases, with no commenters in support of removing the delay entirely.

**Updated proposal.** OMB agrees with the previous comments on this issue submitted in 2019, and understands that maintaining some delay as part of Directive No. 3 continues to be important to maintain the bright line between the release of data and any commentary on such data by Executive Branch officials. OMB is seeking public comment on the updated proposal that would modify the delay from one hour to thirty minutes. OMB is considering this updated proposal because, while the delay is important to ensuring a clear bright line between the data release and the Executive Branch’s policy interpretation, OMB also understands that since 1985 there have been many changes in the way we communicate within and across society, as well as in how the relevant agencies disseminate information. For example, in addition to more traditional means of dissemination (e.g., newspaper or radio), agencies now disseminate and society interacts with data releases through the internet, including through websites, social media platforms, and other applications. These newer dissemination platforms in particular offer nearly instantaneous access to any information supplied by the agencies

producing the PFEI data, including the data releases. These platforms can also offer direct attribution of the data to the agencies that produce it; these agencies are required to meet data quality standards and are trusted to implement those requirements. These advances in the timing and attribution of dissemination can contribute to the ability of society to fully digest the data releases sooner than when such dissemination methods were not available.

In addition, society generally communicates and interacts differently now than in 1985. In particular, various platforms exist now that allow society to interact seconds after a new data release comes out. This means that for these PFEI data releases, non-governmental actors are engaging in dialogue almost immediately following the official release time and can be offering perspectives on the meaning of the data. Under the current Directive No. 3, this dialogue is missing any Executive Branch interpretation until at least one hour after the data’s official release time. Under this proposal to reduce the delay to thirty minutes, Executive Branch officials could enter the dialogue thirty minutes earlier. OMB is considering the proposed change because we believe it is likely to lead to a more robust discussion without compromising the underlying principles of Directive No. 3, including the benefits of having some time delay.

OMB is not considering any other alternatives in this proposal; this means that OMB is neither considering removing the delay entirely, nor is it considering any other changes to any other policies in Directive No. 3. OMB proposes changing the italicized text in the excerpt from Directive No. 3 below, which is part of the last paragraph of Section 5 of Directive No. 3<sup>3</sup>:

5. Release Procedure. \* \* \* Except for the authorized distribution described in this section, agencies shall ensure that no information or data estimates are released before the official release time.

The agency will provide prerelease information to the President, through the Chairman of the Council of Economic Advisers, as soon as it is available. The agency may grant others prerelease access only under the following conditions:

(a) The agency head must establish whatever security arrangements are necessary and impose whatever conditions on the granting of access are necessary to ensure that there is no unauthorized dissemination or use.

<sup>1</sup> The full text of Directive No. 3 is available at [www.whitehouse.gov/wp-content/uploads/legacy\\_drupal\\_files/omb/assets/OMB/inforeg/statpolicy/dir\\_3\\_fr\\_09251985.pdf](http://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/assets/OMB/inforeg/statpolicy/dir_3_fr_09251985.pdf).

<sup>2</sup> Public comments received in response to the April 2019 FRN are available at [www.regulations.gov/document/OMB-2019-0001-0001/comment](http://www.regulations.gov/document/OMB-2019-0001-0001/comment).

<sup>3</sup> The full text of Directive No. 3 is available at [www.whitehouse.gov/wp-content/uploads/legacy\\_drupal\\_files/omb/assets/OMB/inforeg/statpolicy/dir\\_3\\_fr\\_09251985.pdf](http://www.whitehouse.gov/wp-content/uploads/legacy_drupal_files/omb/assets/OMB/inforeg/statpolicy/dir_3_fr_09251985.pdf).

(b) The agency head shall ensure that any person granted access has been fully informed of and agreed to these conditions.

(c) Any prerelease of information under an embargo shall not precede the official release time by more than 30 minutes.

(d) In all cases, prerelease access shall precede the official release time only to the extent necessary for an orderly review of the data.

All employees of the Executive Branch who receive prerelease distribution of information and data estimates as authorized above are responsible for assuring that there is no release prior to the official release time. Except for members of the staff of the agency issuing the principal economic indicator who have been designated by the agency head to provide technical explanations of the data, employees of the Executive Branch shall not comment publicly on the data until *at least one hour after the official release time*.

Under OMB's proposal, the italicized text would be changed to "*at least thirty minutes after the official release time.*"

Any changes to the text from Section 5 would neither affect nor replace any of the other standards and guidelines articulated in Directive No. 3.

*Request for comments.* OMB seeks comments from all interested parties, including data users, businesses, organizations, and the media. Specifically, OMB seeks comments from the public about the proposal to change the delay from one hour to thirty minutes, including whether such a change could still meet the goals of Directive No. 3 to ensure equitable, policy-neutral, and timely release and dissemination of PFEIs. OMB also seeks input on whether to maintain the one-hour delay.

**Richard L. Revez,**

*Administrator, Office of Information and Regulatory Affairs.*

[FR Doc. 2023-18313 Filed 8-23-23; 11:15 am]

BILLING CODE 3110-01-P

## NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[NOTICE: 23-090]

### Agency Information Collection Activities; Proposals, Submissions, and Approvals

**DATES:** Comments are due by September 25, 2023.

**ADDRESSES:** Written comments and recommendations for this information collection should be sent within 30 days of publication of this notice to [www.reginfo.gov/public/do/PRAMain](http://www.reginfo.gov/public/do/PRAMain). Find this particular information collection by selecting "Currently under 30-day Review—Open for Public Comments" or by using the search function.

### FOR FURTHER INFORMATION CONTACT:

Requests for additional information or copies of the information collection instrument(s) and instructions should be directed to Bill Edwards-Bodmer, NASA Clearance Officer, NASA Headquarters, 300 E Street SW, JF0000, Washington, DC 20546, 757-864-7998, or [b.edwards-bodmer@nasa.gov](mailto:b.edwards-bodmer@nasa.gov).

### SUPPLEMENTARY INFORMATION:

#### I. Abstract

This information collection enabled NASA to pre-test methods to collect information from individuals to determine community response to the new, quieter sonic booms, prior to the start of flight testing the X-plane. No public exposure to any form of sonic boom occurred during the pre-testing phase.

The pre-test was conducted by telephone interview. NASA wanted to evaluate telephone surveys to assess prompt public response associated with experiencing low amplitude sonic booms over multiple, geographically dispersed communities. Responses were voluntary.

The new X-plane is designed to produce low amplitude sonic booms. Ultimately, flight testing of the X-plane is intended to (1) demonstrate and validate the technology necessary for civil supersonic flights that create low amplitude sonic booms, and (2) assess community response to the new, quieter, sonic booms.

#### II. Methods of Collection

Telephone.

#### III. Data

*Title:* Pilot Testing of Telephone Interviewing Approaches to Assess Community Response to New, Quieter Boom Experiences.

*OMB Number:* 2700-0166.

*Type of Review:* Reinstatement.

*Affected Public:* Individuals.

*Estimated Annual Number of Activities:* 5,000.

*Estimated Number of Respondents per Activity:* 1.

*Annual Responses:* 5,000.

*Estimated Time per Response:* 3 minutes.

*Estimated Total Annual Burden Hours:* 250.

#### IV. Request for Comments

*Comments are invited on:* (1) Whether the proposed collection of information is necessary for the proper performance of the functions of NASA, including whether the information collected has practical utility; (2) the accuracy of NASA's estimate of the burden (including hours and cost) of the

proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including automated collection techniques or the use of other forms of information technology.

Comments submitted in response to this notice will be summarized and included in the request for OMB approval of this information collection. They will also become a matter of public record.

**William Edwards-Bodmer,**

*NASA PRA Clearance Officer.*

[FR Doc. 2023-18269 Filed 8-24-23; 8:45 am]

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## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Arts

#### 60-Day Notice for the "Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery"

**AGENCY:** National Endowment for the Arts.

**ACTION:** Notice of proposed collection; comment request.

**SUMMARY:** The National Endowment for the Arts (NEA), 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. 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 NEA is soliciting comments concerning the proposed information collection for Generic Clearance for the Collection of Qualitative Feedback on Agency Service Delivery. A copy of the current information collection request can be obtained by contacting the office listed below in the address section of this notice.

**DATES:** Written comments must be submitted to the office listed in the address section below within 60 days from the date of this publication in the **Federal Register**.