

(29 CFR § 2550.404c-1). A copy of the proposed information collection request can be obtained by contacting the individual listed below in the contact section of this notice.

DATES: Written comments must be submitted on or before August 24, 1998.

The Department of Labor (Department) 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.

ADDRESSES: Gerald B. Lindrew, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Washington, D.C. 20210, (202) 219-4782 (not a toll-free number), FAX (202) 219-4745.

SUPPLEMENTARY INFORMATION:

I. Background

Section 404(c) of ERISA provides that if a pension plan that provides for individual accounts permits a participant or beneficiary to exercise control over assets in his account and that participant or beneficiary in fact exercises such control, that the participant or beneficiary shall not be deemed to be a fiduciary by such exercise of control, and that no person otherwise a fiduciary shall be liable for any loss or breach which results from this exercise of control.

II. Current Actions

The Office of Management and Budget's approval of the ICR included in 29 CFR § 2550.404c-1 will expire on September 30, 1998. This regulation describes circumstances under which ERISA section 404(c) applies to a transaction involving a participant's exercise of control over this or her individual account. The opportunity to exercise control includes the opportunity to obtain sufficient

information to make informed decisions with respect to investment alternatives. This regulation describes the type and extent of information required to be made available to participants and beneficiaries for this purpose. In the absence of such disclosures,

participants might not be able to make informed decisions about the investment of their individual accounts, and persons who are otherwise fiduciaries with respect to these plans would not be afforded relief from the fiduciary responsibility provisions of Title I of ERISA with respect to these transactions. For these reasons, the Department intends to request an extension of the ICR.

Type of Review: Extension.

Agency: Department of Labor, Pension and Welfare Benefits Administration.

Title: Regulation Regarding Participant Directed Individual Account Plans (ERISA section 404(c) Plans).

OMB Number: 1210-0090.

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

Total Respondents: 55,747.

Frequency: On occasion.

Total Responses: 11,000,050.

Estimated Total Burden Hours: 303,249.

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: June 22, 1998.

Gerald B. Lindrew,

Deputy Director, Office of Policy and Research, Pension and Welfare Benefits Administration.

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DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

Proposed Extension of Information Collection Request Submitted for Public Comment and Recommendations

ACTION: None.

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 other 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 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 Pension and Welfare Benefits Administration is soliciting comments concerning the proposed extension of the collection of information included in the employee benefit plan claims procedure regulation issued pursuant to section 503 of the Employee Retirement Income Security Act of 1974 (ERISA) (29 CFR 2560.503-1). A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addressee section of this notice.

DATES: Written comments must be submitted to the office listed in the addressee section below on or before August 24, 1998. 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;

- 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.

ADDRESSES: Interested parties are invited to submit written comments regarding the collection of information of any or all of the Agencies. Send comments to Mr. Gerald B. Lindrew, Office of Policy and Research, U.S. Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue NW., Room N-5647, Washington, DC 20210. Telephone: (202) 219-4782 (this is not a toll-free number).

SUPPLEMENTARY INFORMATION:**I. Background**

Section 503 of ERISA provides that, pursuant to regulations promulgated by the Secretary of Labor, each employee benefit plan must provide adequate notice in writing to any participant or beneficiary whose claim for benefits under the plan has been denied. This notice must set forth the specific reasons for the denial and must be written in a manner calculated to be understood by the claimant. Each plan must also afford a reasonable opportunity for any participant or beneficiary whose claim has been denied to obtain a full and fair review of the denial by the appropriate named fiduciary of the plan.

The Department previously issued a regulation pursuant to section 503 that establishes certain minimum requirements for employee benefit plan procedures pertaining to claims. The ICR included in the claims procedure regulation generally requires timely written disclosures to participants and beneficiaries of employee benefit plans of information concerning the plan's claims procedures, the basis for the denial of a claim, and time limits for addressing or appealing the denial of a claim. These requirements are intended to ensure that plan administrators provide for a full and fair review of claims, and that plan participants and beneficiaries have information which is sufficient to allow them to exercise their rights under the plan.

II. Current Actions

The Office of Management and Budget's approval of this ICR will expire on September 30, 1998. On September 8, 1997, the Department published a Request for Information (September 8 RFI) (62 FR 47261) concerning the advisability of amending the existing regulation that establishes minimum requirements for employee benefit plan claims procedures. In the Department's Semiannual Regulatory Agenda published on April 27, 1998, the Pension and Welfare Benefits Administration indicated its intention to publish a Notice of Proposed Rulemaking with respect to employee benefit plan claims procedures in June, 1998 (63 FR 22240). While certain modifications to the claims procedure ICR may be anticipated in connection with proposed revision of these rules, estimates of burden associated with modifications currently under consideration are not yet available. The burden estimates shown in this notice are, therefore, based on the existing ICR.

To avoid unnecessary duplication of public comments, however, those

comments received in response to the September 8 RFI that address burden associated with the claims procedure regulation will be treated as comments on this ICR.

Agency: Department of Labor, Pension and Welfare Benefits Administration.

Title: Benefit Claims Procedure regulation pursuant to 29 CFR 2560.503-1.

Type of Review: Extension of a currently approved collection.

OMB Numbers: 1210-0053.

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

Total Respondents: 23,454.

Total Responses: 23,454.

Frequency of Response: On occasion.

Total Annual Burden: 7,063 hours.

Comments submitted in response to this comment request 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: June 22, 1998.

Gerald B. Lindrew,

Deputy Director, Pension and Welfare Benefits Administration, Office of Policy and Research.

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salaries, and personal information concerning individuals associated with the proposals. These matters are exempt under 5 USC 552b(c) (4) and (6) of the Government in the Sunshine Act.

Dated: June 22, 1998.

M. Rebecca Winkler,

Committee Management Officer.

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-410]

Central Hudson Gas & Electric Corporation (Nine Mile Point Nuclear Station, Unit 2); Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering the issuance of an Order approving, under 10 CFR 50.80, an application regarding a transfer of control of possessory rights held by Central Hudson Gas & Electric Corporation (Applicant) under the operating license for Nine Mile Point Nuclear Station, Unit No. 2 (NMP2). The transfer would be to a holding company, not yet named, to be created over Applicant in accordance with a New York State Public Service Commission order, issued and effective February 19, 1998 (Case 96-E-0909), and related documents entitled "Amended and Restated Settlement Agreement" dated January 2, 1998, and "Modifications to Amended and Restated Settlement Agreement" dated February 26, 1998 (see Exhibits G-G2 in the application). Applicant is licensed by the Commission to own and possess a 9 percent interest in NMP2, located in the town of Scriba, Oswego County, New York.

Environmental Assessment*Identification of the Proposed Action*

The proposed action would consent to the transfer of control of the license to the extent effected by Applicant becoming a subsidiary of the newly formed holding company in connection with a proposed plan of restructuring. Under the restructuring plan, the outstanding shares of Applicant's common stock are to be exchanged on a share-for-share basis for common stock of the holding company, such that the holding company will own all of the outstanding common stock of Applicant. In addition, the holding

NATIONAL SCIENCE FOUNDATION**Special Emphasis Panel in Social, Behavioral, and Economic Sciences; Notice of Meeting**

In accordance with the Federal Advisory Committee Act (Pub. L. 92-463, as amended), the National Science Foundation announces the following meeting:

Name: Special Emphasis Panel in Social, Behavioral, and Economic Sciences (1766).

Dates: July 27-29, 1998 and August 3-5, 1998.

Time: 8:30 a.m. to 5:00 p.m.

Place: National Science Foundation, 4201 Wilson Blvd., Arlington, VA 22230, Room 1235.

Type of Meeting: Closed.

Contact Person: Mike McCloskey, Program Director, Division of Social, Behavioral, and Economic Research, National Science Foundation, 4201 Wilson Blvd., Suite 995, Arlington, VA 22230. Telephone: (703) 306-1732.

Purpose of Meeting: To provide advice and recommendations concerning proposals submitted to NSF for financial support.

Agenda: To review and evaluate proposals submitted to the Knowledge and Distributed Intelligence (KDI) Program Solicitation as part of the selection process for awards.

Reason for Closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as