

written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Microsoft, Redmond, WA; WSO2, Mountain View, CA; Novell, Waltham, MA; CORISECIO, Darmstadt, GERMANY; Figlo, Capell a/d Yssel, THE NETHERLANDS; Crypto-Pro, Moscow, RUSSIA; Eduserv, Bath, UNITED KINGDOM; Oracle, Sunnyvale, CA; ETRI, Seoul, REPUBLIC OF KOREA; Arcot Systems, Sunnyvale, CA; Anders Rundgren, Almunge, SWEDEN; Deutsche Telekom, Berlin, GERMANY; Christopher Reynolds (individual member), Wayland, MA; Intel, Hillsboro, OR and Steve Holcombe (individual member), Stillwater, OK have been added as parties to this venture.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and Information Card Foundation intends to file additional written notifications disclosing all changes in membership.

On June 2, 2008, Information Card Foundation filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on July 16, 2008 (73 FR 40883).

The last notification was filed with the Department on August 18, 2008. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on September 18, 2008 (73 FR 54169).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Antitrust Division

#### Notice Pursuant to the National Cooperative Research and Production Act of 1993—Nano Valley Consortium

Notice is hereby given that, on October 27, 2008, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* ("the Act"), Nano Valley Consortium ("NVC") has filed written notifications simultaneously

with the Attorney General and the Federal Trade Commission disclosing (1) the identities of the parties to the venture and (2) the nature and objectives of the venture. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Pursuant to Section 6(b) of the Act, the identities of the parties to the venture are: National Nanotechnology Manufacturing Center ("NNMC"), Inc., Swainsboro, GA; Nantero, Inc., Woburn, MA; Phoenix Solutions Co., Minneapolis, MN; J. Jireh Corp., Payson, AZ; Altairnano, Inc., Reno, NV; General Dynamics, Ordnance and Tactical Systems, LeGardeur, Quebec, Canada; Georgia Southern University, Statesboro, GA; PPG Industries, Inc., Allison Park, PA; and Fujifilm Dimatix, Inc., Santa Clara, CA. The general area of NVC's planned activity is development of nanotechnology enabled materials and devices for military and non-military usage.

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

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## DEPARTMENT OF JUSTICE

### Executive Office for Immigration Review

[OMB Number 1125-0001]

#### Agency Information Collection Activities: Proposed Collection; Comments Requested

**ACTION:** 30-Day notice of information collection under review: Application for Cancellation of Removal (42A) for Certain Permanent Residents; (42B) and Adjustment of Status for Certain Nonpermanent Residents.

The Department of Justice (DOJ), Executive Office for Immigration Review (EOIR) has submitted the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 73, Number 179, page 53282, on September 15, 2008, allowing for a 60-day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until December 22, 2008. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and/or suggestions regarding the items contained in this notice, especially the estimated public burden and associated response time, should be directed to the Office of Management and Budget, Office of Information and Regulatory Affairs, Attention: Department of Justice Desk Officer, Washington, DC 20530. Additionally, comments also may be submitted to OMB via facsimile to (202) 395-5806.

Written comments and suggestions from the public and affected agencies concerning the proposed collection of information are encouraged. Your comments should address one or more of the following four points:

—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.

#### Overview of This Information Collection

(1) *Type of Information Collection:* Revision of a Currently Approved Collection.

(2) *Title of the Form/Collection:* Application for Cancellation of Removal (42A) for Certain Permanent Residents; (42B) and Adjustment of Status for Certain Nonpermanent Residents.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: EOIR-42A, EOIR-42B. Executive Office for Immigration Review, United States Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Primary: Individual aliens determined to be removable from the United States. Other: None. Abstract:

This information collection is necessary to determine the statutory eligibility of individual aliens who have been determined to be removable from the United States for cancellation of their removal, as well as to provide information relevant to a favorable exercise of discretion.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that 11,000 respondents will complete the form annually with an average of 5 hours, 50 minutes per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* There are an estimated 64,130 total annual burden hours associated with this collection annually.

If additional information is required, contact Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: November 14, 2008.

**Lynn Bryant,**

*Department Clearance Officer, PRA, United States Department of Justice.*

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Proposed Extension of Information Collection; Comment Request Disclosures by Insurers to General Account Policyholders

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)), the Department of Labor (the Department) 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. This program helps to ensure that the data the Department gathers 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 collection requirements on respondents.

By this notice, the Department is soliciting comments concerning the

information collection provisions of the regulation pertaining to section 401(c) of the Employee Retirement Income Security Act of 1974, as amended (ERISA). The statute and the regulatory provisions codified at 29 CFR 2550.401c-1 require insurers that issue certain types of insurance policies to employee benefit plans to make specific one-time and annual disclosures to such plans if assets of the plan are held in the insurer's general account. A copy of the ICR may be obtained by contacting the office listed in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted to the office shown in the **ADDRESSES** section below on or before January 20, 2009.

**ADDRESSES:** Interested parties are invited to submit written comments regarding the information collection request and burden estimates to: G. Christopher Cosby, Office of Policy and Research, U.S. Department of Labor, Employee Benefits Security Administration, 200 Constitution Avenue, NW., Room N-5718, Washington, DC 20210. Telephone: (202) 693-8410; Fax: (202) 219-4745.

These are not toll-free numbers.

Comments may also be submitted electronically to the following Internet e-mail address: [ebsa.opr@dol.gov](mailto:ebsa.opr@dol.gov).

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

Section 1460 of the Small Business Job Protection Act of 1996 (Pub. L. 104-188) amended ERISA by adding Section 401(c), which clarified the extent to which assets of an insurer's general account constitute assets of an employee benefit plan when that insurer has issued policies for the benefit of the plan and such policies are supported by assets of the general account. Section 401(c) established certain requirements and disclosures for insurance companies that offer and maintain policies for employee benefit plans where the plans' assets are held in the insurer's general account. Section 401(c) also required the Secretary to provide guidance on the statutory requirements; such guidance was issued as a final rulemaking on January 5, 2000 (65 CFR 614). The regulation includes information collection provisions pertaining to one-time and annual disclosure obligations of insurers. The information collection provisions in the final rulemaking were submitted for review by the Office of Management and Budget (OMB) in an information collection request (ICR) in connection with promulgation of the final rulemaking and were approved by OMB

under OMB Control No. 1210-0114. The ICR approval is scheduled to expire on March 31, 2009.

##### **II. Desired 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;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Evaluate the accuracy of the agency's estimate of the burden of the collections of information, including the validity of the methodology and assumptions used;
- 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.

##### **III. Current Action**

The Employee Benefits Security Administration (EBSA) is requesting an extension of the currently approved ICR for the Disclosures by Insurers to General Account Policyholders. EBSA is not proposing or implementing changes to the regulation or to the existing ICR. A summary of the ICR and the current burden estimates follows:

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

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

*Title:* Disclosures by Insurers to General Account Policyholders.

*OMB Number:* 1210-0114.

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

*Respondents:* 104.

*Frequency of Response:* One-time; Annual.

*Responses:* 123,500.

*Estimated Total Burden Hours:* 466,667.

*Estimated Total Burden Cost (Operating and Maintenance):* 46,000.

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