

that adequate records pertaining to exempted transactions be maintained for the duration of the pertinent loan. This recordkeeping requirement constitutes an information collection within the meaning of the PRA, for which the Department has obtained approval from the Office of Management and Budget (OMB) under OMB Control No. 1210-0095. The OMB approval is currently scheduled to expire on April 30, 2010.

## II. Current Actions

This notice requests public comment pertaining to the Department's request for extension of OMB approval of the information collection contained in PTE 88-59. After considering comments received in response to this notice, the Department intends to submit an ICR to OMB for continuing approval of the information collection contained in PTE 88-59. No change to the existing ICR is proposed or made at this time. An agency may not conduct or sponsor, and a person is not required to respond to, an information collection unless it displays a valid OMB control number. A summary of the ICR and the current burden estimates follows:

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

*Title:* Prohibited Transaction Class Exemption 88-59; Residential Mortgage Financing Arrangements.

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

*OMB Number:* 1210-0095.

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

*Respondents:* 1,785.

*Responses:* 1,785.

*Estimated Total Burden Hours:* 744.

## III. Focus of Comments

The Department of Labor (Department) is particularly interested in comments that:

- 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., 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 extension of the information collection; they will also become a matter of public record.

Dated: December 24, 2009.

**Joseph A. Piacentini,**

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

[FR Doc. E9-30997 Filed 12-30-09; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Proposed Extension of Information Collection; Comment Request; HDCI 2 Survey of Group Health Plans

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This program helps the Department assess the impact of its information collection requirements and minimize the reporting burden on the public and helps the public understand the Department's information collection requirements and provide the requested data in the desired format. Currently, the Employee Benefits Security Administration is soliciting comments on a proposed extension of an information collection entitled the Health Disclosure and Claims Issues Project Survey (HDCI 2 Survey). A copy of the information collection request (ICR) can be obtained by contacting the office listed below in the **ADDRESSES** section of this notice.

**DATES:** Written comments must be submitted on or before March 1, 2010.

**ADDRESSES:** Direct all written comments to G. Christopher Cosby, Office of Policy and Research, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5716, 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: [ebssa.opr@dol.gov](mailto:ebssa.opr@dol.gov).

**SUPPLEMENTARY INFORMATION:**

## I. Background

In 1999, the Department conducted a pilot project under which approximately 200 group health plans were investigated for compliance with Part 7 of the Employee Retirement Income Security Act of 1974 (ERISA). In 2001, the Department initiated the Health Disclosure and Claims Issues: Fiscal Year 2001 Compliance Project, which sought to increase compliance through investigations and improve the Department's ability to provide effective compliance assistance by assessing more comprehensively the extent and nature of compliance with Part 7 of ERISA among group health plans. As a result of that project, the Department broadened its compliance assistance efforts through a combination of publications, outreach, self-audit materials, and other compliance tools. As a follow-up to the Fiscal Year 2001 Compliance Project, the Department proposed to conduct a second project, the HDCI 2 Survey, which was intended to measure changes in compliance with Part 7 of ERISA and to improve the effectiveness of future compliance assistance efforts. As part of the HDCI 2 Survey, the Department proposed to conduct a narrow scope telephone survey for the sole purpose of identifying an appropriate sample of ERISA-covered single-employer group health plans in two categories: (1) Plans sponsored by firms with 3-99 employees, and (2) plans sponsored by firms with 100 or more employees. OMB approved the HDCI 2 Survey on April 27, 2007, under OMB Control Number 1210-0129, which currently is scheduled to expire on April 30, 2010.

## II. Current Actions

This notice requests comments on an extension of OMB's approval of the information collections included in the HDCI 2 Survey. The Department is not proposing or implementing changes to the existing ICR at this time. 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.

*Title:* HDCI 2 Survey of Group Health Plans.

*OMB Number:* 1210-0129.

*Affected Public:* Business or other for-profit; not-for-profit organizations.

*Total Respondents:* 5,000.

*Total Responses:* 5,000.

*Frequency:* Once.

*Average Time per Response:* 5 minutes.

*Estimated Total Annual Hour Burden:* 417 hours.

*Estimated Total Annual Cost Burden:* \$0.

### III. Desired Focus of Comments

The Department is particularly interested in comments that:

- 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 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 submission of responses.

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

Dated: December 24, 2009.

**Joseph A. Piacentini,**

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

[FR Doc. E9-30998 Filed 12-30-09; 8:45 am]

BILLING CODE 4510-29-P

## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

#### Proposed Extension of Information Collection; Comment Request; Final Rule on Statutory Exemption for Cross-Trading of Securities

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

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the reporting burden on the public and

the public understand the Department's information collection requirements and provide the requested data in the desired format. Currently, the Employee Benefits Security Administration (EBSA) is soliciting comments on a proposed extension of the current approval of information collection provisions incorporated in the regulation pertaining to the statutory exemption for cross-trading of securities. A copy of the information collection request (ICR) may be obtained by contacting the office listed in the **ADDRESSES** section of this notice or at <http://www.RegInfo.gov>.

**DATES:** Written comments must be submitted on or before March 1, 2010.

**ADDRESSES:** Direct all written comments to G. Christopher Cosby, Office of Policy and Research, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-5647, 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: [ebssa.opr@dol.gov](mailto:ebssa.opr@dol.gov).

#### SUPPLEMENTARY INFORMATION:

##### I. Background

The Interim Final Rule on Statutory Exemption for Cross-Trading of Securities implements the content requirements for the written cross-trading policies and procedures required under section 408(b)(19)(H) of ERISA, as added by section 611(g) of the Pension Protection Act of 2006, Public Law 109-280 (PPA). Section 611(g)(1) of the PPA created a new statutory exemption, added to section 408(b) of ERISA as subsection 408(b)(19), that exempts from the prohibitions of sections 406(a)(1)(A) and 406(b)(2) of ERISA those cross-trading transactions involving the purchase and sale of a security between an account holding assets of a pension plan and any other account managed by the same investment manager, provided that certain conditions are satisfied. Section 611(g)(3) of the PPA further directed the Secretary of Labor to issue regulations, within 180 days after enactment, regarding the content of the policies and procedures to be adopted by an investment manager to satisfy the conditions of the new statutory exemption.

The Department issued a final cross-trading regulation on October 7, 2008. OMB approved the ICR at the proposed rule stage on April 27, 2007, under control number 1210-0130, which expires on April 30, 2010. The final rule

did not implement any substantive or material change to the information collection; therefore, no change was made to the ICR, and no further OMB review was required. The public is not required to respond to an information collection unless it displays a valid control number. No change to the existing ICR is being proposed or made at this time.

##### II. Desired Focus of Comments

The Department of Labor (Department) is particularly interested in comments that:

- 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 Action

This notice requests comments on an extension of OMB's approval of the information collections included in 29 CFR 2550.408b-19. The Department is not proposing or implementing changes to the existing ICR at this time. A summary of the ICR and the current burden estimates follows:

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

*Title:* Final Rule on Statutory Exemption for Cross-Trading of Securities.

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

*OMB Number:* 1210-0130.

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

*Respondents:* 1,600.

*Responses:* 15,000.

*Estimated Total Burden Hours:* 17,000.

*Estimated Total Burden Cost (Operating and Maintenance):* \$58,000.

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