

**DEPARTMENT OF LABOR****Office of the Secretary****Submission for OMB Review:  
Comment Request**

June 2, 2009.

The Department of Labor (DOL) hereby announces the submission of the following public information collection requests (ICR) 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 ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202–693–4129 (this is not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov).

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, *Attn:* OMB Desk Officer for the Department of Labor—Employee Benefits Security Administration (EBSA), Office of Management and Budget, Room 10235, Washington, DC 20503, *Telephone:* 202–395–7316/*Fax:* 202–395–5806 (these are not toll-free numbers), E-mail: [OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov) within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (*see below*).

*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:* Employee Benefits Security Administration.

*Type of Review:* Extension without change of a currently approved collection.

*Title of Collection:* Definition of Plan Assets—Participant Contributions.

*OMB Control Number:* 1210–0100.

*Affected Public:* Businesses or other for-profits.

*Estimated Number of Respondents:* 1.

*Total Estimated Annual Burden*

*Hours:* 1.

*Total Estimated Annual Costs Burden (excludes hourly wage costs):* \$1,025.

*Description:* The Department's regulation at 29 CFR 2510.3–102 states that monies that a participant pays to, or has withheld by, an employer for contribution to an employee benefit plan become “plan assets” for purposes of Title I of Employee Retirement Income and Security Act of 1974 (ERISA) and the related prohibited transaction provisions of the Internal Revenue Code (the Code) as of the earliest date on which such monies can be reasonably segregated from the employer's general assets. With respect to employee pension benefit plans, the regulation further sets a maximum time limit for such contributions: the 15th business day following the end of the month in which the participant contribution amounts are received or withheld by the employer. Under ERISA, “plan assets” cannot be held by the employer as part of its general assets, but must be contributed to the employee benefit plan to which they belong and, with few exceptions, held in trust.

The regulation includes a procedure through which an employer receiving or withholding participant contributions for an employee pension benefit plan may obtain a 10-business-day extension of the 15-day maximum time period if certain requirements, including information collection requirements, are met. The regulation requires, among other things, that the employer provide written notice to plan participants, within 5 business days after the end of the extension period and the employer's transfer of the contributions to the plan, which the employer elected to take the extension for that month. The notice must explain why the employer could not transfer the participant contributions within the maximum time period, state that the participant contributions in question have in fact been transmitted to the plan, and provide the date on which this was done. The employer must also provide a copy of the participant notice to the Secretary, along with a certification that the notice was distributed to

participants and that the other requirements under the extension procedure were met, within 5 business days after the end of the extension period. The information collections imposed under the regulation include third-party disclosures and disclosures to the government.

The information collection is intended to protect participants by ensuring that they and the Department are aware of an employer's failure to meet the regulatory time limits for transferring participant contributions to the employee pension benefit plan they are intended to fund. The Department and the affected participants can then take appropriate action to protect the plan assets. Requiring employers to make the disclosures also ensures that they follow the protective requirements that are part of the extension procedure.

For additional information, see related notice published at Vol. 74 FR13476 on March 27, 2009.

*Agency:* Employee Benefits Security Administration.

*Type of Review:* Extension without change of a currently approved collection.

*Title of Collection:* Termination of Abandoned Individual Account Plans.

*OMB Control Number:* 1210–0127.

*Affected Public:* Businesses or other for-profits.

*Estimated Number of Respondents:* 100.

*Total Estimated Annual Burden*

*Hours:* 7,433.

*Total Estimated Annual Costs Burden (excludes hourly wage costs):*

\$3,366,300.

*Description:* This ICR is for three final regulations under the Employee Retirement Income Security Act of 1974 (ERISA) that facilitate the termination of, and distribution of benefits from, individual account pension plans that have been abandoned by their sponsoring employers. The first regulation establishes a procedure for financial institutions holding the assets of an abandoned individual account plan to terminate the plan and distribute benefits to the plan's participants and beneficiaries, with limited liability. The second regulation provides a fiduciary safe harbor for making distributions from terminated plans on behalf of participants and beneficiaries who fail to make an election regarding a form of benefit distribution. The third regulation establishes a simplified method for filing a terminal report for abandoned individual account plans.

The ICR also takes into account to a class prohibited transaction exemption (PTE 2006–06) that permits a “qualified termination administrator” (QTA) of an

individual account plan that has been abandoned by its sponsoring employer to select itself or an affiliate to provide services to the plan in connection with the termination of the plan, to pay itself or an affiliate fees for those services, and to pay itself for services provided prior to the plan's deemed termination, and class Prohibited Transaction Exemption 2004-16, which permits a pension plan fiduciary that is a financial institution and is also the employer maintaining an individual account pension plan for its employees to establish, on behalf of its separated employees, an IRA at a financial institution that is either the employer or an affiliate, which IRA would receive mandatory distributions that the fiduciary "rolls over" from the plan when an employee terminates employment.

For additional information, see related notice published at Vol. 74 FR13478.

Dated: March 27, 2009.

**Darrin A. King,**

*Departmental Clearance Officer.*

[FR Doc. E9-13299 Filed 6-5-09; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Combating Exploitive Child Labor Through Education in Guatemala, Indonesia, Nepal, and Rwanda

**AGENCY:** Bureau of International Labor Affairs, U.S. Department of Labor.

**ACTION:** New. Notice of Availability of Funds and Solicitation for Cooperative Agreement Applications (SGA). The full announcement is posted on <http://www.grants.gov> and USDOL/ILAB's Web site at <http://www.dol.gov/ILAB/grants/main.htm>.

*Funding Opportunity Number:* SGA 09-06.

*Catalog of Federal Domestic Assistance (CFDA) Number:* Not applicable.

*Summary:* The U.S. Department of Labor (USDOL), Bureau of International Labor Affairs (ILAB) will award up to USD 18.45 million through 4 or more cooperative agreements to one or more qualifying organizations and/or Associations to combat exploitive child labor in the following 4 countries: Guatemala (up to USD 4.2 million), Indonesia (up to USD 5.5 million), Nepal (up to USD 4.25 million) and Rwanda (up to USD 4.5 million). Projects funded under SGA 09-06 will seek to ensure children's long-term withdrawal and prevention from

exploitive child labor, including through the provision of direct educational services, and build capacity in target countries to eliminate exploitive child labor.

*Application and Submission Information:* The full-text version of SGA 09-06 is available on <http://www.grants.gov> and USDOL/ILAB's Web site at <http://www.dol.gov/ILAB/grants/main.htm>

All applications in response to this solicitation may be submitted in hard copy or electronically via <http://www.grants.gov>. Applications submitted by other means, including e-mail, telegram, or facsimile (FAX) will not be accepted. Irrespective of submission method, all applications must be received by USDOL by 5 p.m. Eastern Standard Time (EST) on July 27, 2009. Applicants electing to submit hard copies must submit one (1) blue ink-signed original, complete application, plus three (3) additional copies of the application. Applicants electing to submit electronically must submit one electronic copy of the complete application via <http://www.grants.gov> no later than 5 p.m. Eastern Standard Time (EST) on July 27, 2009. Hard copy applications must be delivered to: U.S. Department of Labor, Office of Procurement Services, 200 Constitution Avenue, NW., Room S-4307, Washington, DC 20210, *Attention:* Lisa Harvey, Reference: Solicitation 09-06. Applicants submitting via <http://www.grants.gov> are responsible for ensuring that their applications are received by <http://www.grants.gov> by the deadline. Applicants are advised to submit their applications in advance of the deadline.

*Key Dates:* The deadline for submission of applications is July 27, 2009. All technical questions regarding SGA 09-06 must be sent by June 30, 2009 in order to receive a response. USDOL will make all cooperative agreement awards on or before September 30, 2009.

*Agency Contacts:* All technical questions regarding SGA 09-06 should be sent to Lisa Harvey, Grant Officer, U.S. Department of Labor's Office of Procurement Services, via e-mail (e-mail address: [harvey.lisa@dol.gov](mailto:harvey.lisa@dol.gov), with a copy to Georgiette Nkpa at [nkpa.georgiette@dol.gov](mailto:nkpa.georgiette@dol.gov); telephone: (202) 693-4570)—please note that this is not a toll-free-number).

*Background Information:* Since 1995, the U.S. Congress has appropriated over USD 720 million to ILAB for efforts to combat exploitive child labor internationally. This funding has been used to support technical cooperation projects to combat exploitive child

labor, including the worst forms, in more than 80 countries around the world. Technical cooperation projects funded by USDOL range from targeted action programs in specific sectors of work to more comprehensive programs that support national efforts to eliminate the worst forms of child labor, as defined by International Labor Organization (ILO) Convention 182. Projects funded by USDOL to combat exploitive child labor internationally seek to achieve the following five goals:

1. Withdraw and prevent children from involvement in exploitive child labor through the provision of direct educational and training services;
2. Strengthen policies on child labor and education, the capacity of national institutions to combat child labor, and formal and transitional education systems that encourage working children and those at risk of working to attend school;
3. Raise awareness of the importance of education for all children and mobilize a wide array of actors to improve and expand education infrastructures;
4. Support research and the collection of reliable data on child labor; and
5. Ensure the long-term sustainability of these efforts.

Since 1995, USDOL-funded projects have withdrawn or prevented over 1.3 million children from exploitive labor.

Signed at Washington, DC, this 3rd day of June, 2009.

**Lisa Harvey,**  
*Grant Officer.*

[FR Doc. E9-13319 Filed 6-5-09; 8:45 am]

**BILLING CODE 4510-28-P**

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[Docket No. OSHA-2009-0018]

#### Federal Advisory Council on Occupational Safety and Health (FACOSH)

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

**ACTION:** Announcement of meeting.

**SUMMARY:** The Federal Advisory Council on Occupational Safety and Health (FACOSH) will meet June 25, 2009, in Washington, DC.

#### DATES:

*FACOSH meeting:* FACOSH will meet from 1:30 p.m. to 5 p.m., Thursday, June 25, 2009.

*Submission of comments and requests to speak:* Comments and requests to