

**DEPARTMENT OF JUSTICE****Bureau of Alcohol, Tobacco, Firearms, and Explosives**

[OMB Number 1140-0056]

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

**ACTION:** 30-Day notice of information collection under review: Special Agent Medical Pre-placement.

The Department of Justice (DOJ), Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF) will be submitting 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 75, Number 114, page 33827 on June 15, 2010, allowing for a 60-day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until September 23, 2010. 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 20503. Additionally, comments 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:* Extension of a currently approved collection.

(2) *Title of the Form/Collection:* Special Agent Medical Pre-placement.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Form Number: ATF F 2300.10. Bureau of Alcohol, Tobacco, Firearms and Explosives.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* Individuals or households. *Other:* none. *Abstract:* The form is used by a special agent who is applying for a position that has specific medical standards. The information collected is used to determine medical suitability to qualify for a position that has specific medical standards and physical requirements. The information will be used to make a recommendation on either hiring or not hiring an applicant.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* There will be an estimated 300 respondents, who will complete the form within approximately 45 minutes.

(6) *An estimate of the total burden (in hours) associated with the collection:* There are an estimated 225 total burden hours associated with this collection.

*If additional information is required contact:* Lynn Bryant, Department Clearance Officer, United States Department of Justice, Policy and Planning Staff, Justice Management Division, Two Constitution Square, 145 N Street, NE., Suite 2E-502, Washington, DC 20530.

Dated: August 18, 2010.

**Lynn Bryant,**

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

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**BILLING CODE 4410-FY-P**

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

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 Linda Watts-Thomas on 202-693-4223 (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:* Prohibited Transaction Class Exemption 92-6: Sale of Individual Life Insurance or Annuity Contracts by a Plan.

*OMB Control Number:* 1210-0063.

*Affected Public:* Business or other for-profit.

*Cost to the Federal Government:* \$0.

*Estimated Number of Respondents:* 21,533.

*Estimated Number Responses:*

334,661.

*Total Estimated Annual Burden*

*Hours:* 14,745.

*Total Estimated Annual Costs Burden (operation and maintenance):* \$101,670.

*Description:* Prohibited Transaction Class Exemption 92-6 exempts from the prohibited transaction restrictions of the Employee Retirement Security Act of 1974 (ERISA) the sale of individual life insurance or annuity contracts by a plan to participants, relatives of participants, employers any of whose employees are covered by the plan, other employee benefit plans, owner-employees or shareholder-employees. In the absence of this exemption, certain aspects of these transactions might be prohibited by section 406 of ERISA.

Among other conditions, PTE 92-6 requires that pension plans inform the insured participant of a proposed sale of a life insurance or annuity policy to the employer, a relative, another plan, an owner-employee, or a shareholder-employee. 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. 1210-0063. The OMB approval is currently scheduled to expire on August 31, 2010.

For additional information, see related notice published in the **Federal Register** on June 23, 2010 (Vol. 75 page 35842).

*Agency:* Employee Benefits Security Administration.

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

*Title of Collection:* PTE 91-55—Transactions Between Individual Retirement Accounts and Authorized Purchasers of American Eagle Coins.

*OMB Control Number:* 1210-0079.

*Affected Public:* Business or other for-profit.

*Costs to the Federal Government:* \$0.

*Estimated Number of Respondents:* 3.

*Total Number of Responses:* 10,286.

*Total Estimated Annual Burden*

*Hours:* 349.

*Total Estimated Annual Costs Burden (operation and maintenance):* \$3,125.

*Description:* Prohibited Transaction Exemption 91-55 permits purchases and sales by certain "individual retirement accounts," as defined in Internal Revenue Code section 408 (IRAs) of American Eagle bullion coins

("Coins") in principal transactions from or to broker-dealers in Coins that are "authorized purchasers" of Coins in bulk quantities from the United States Mint and which are also "disqualified persons," within the meaning of Code section 4975(e)(2), with respect to IRAs. The exemption also describes the circumstances under which an interest-free extension of credit in connection with such sales and purchases is permitted. In the absence of an exemption, such purchases and sales and extensions of credit would be impermissible under the Employee Retirement Income Security Act of 1974 (ERISA).

Among other conditions, the exemption requires certain information related to covered transactions in Coins to be disclosed by the authorized purchaser to persons who direct the transaction for the IRA. Currently, it is standard industry practice that most of this information is provided to persons directing investments in an IRA when transactions in Coins occur. The exemption also requires that the disqualified person maintain for a period of at least six years such records as are necessary to allow accredited persons, as defined in the exemption, to determine whether the conditions of the transaction have been met. Finally, an authorized purchaser must provide a confirmation statement with respect to each covered transaction to the person who directs the transaction for the IRA. The requirements constitute information collections 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. 1210-0079. The OMB approval is currently scheduled to expire on August 31, 2010.

The recordkeeping requirement facilitates the Department's ability to make findings under section 408 of ERISA and section 4975(c) of the Code. The confirmation and disclosure requirements protect a participant or beneficiary who invests in IRAs and transacts in Coins with authorized purchasers by providing the investor or the person directing his or her investments with timely information about the market in Coins and about the individual's account in particular.

For additional information, see related notice published in the **Federal Register** on June 23, 2010 (Vol. 75 page 35841).

*Agency:* Employee Benefits Security Administration.

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

*Title of Collection:* Prohibited Transaction Class Exemption 85-68—To Permit Employee Benefit Plans to Invest in Customer Notes of Employers.

*OMB Control Number:* 1210-0094.

*Affected Public:* Business or other for-profit.

*Cost to the Federal Government:* 0.

*Estimated Number of Respondents:* 3.

*Total Number of Responses:* 3.

*Total Estimated Annual Burden Hours:* 1.

*Total Estimated Annual Costs Burden (operation and maintenance):* \$0.

*Description:* Pursuant to section 408 of ERISA, the Department has authority to grant an exemption from the prohibitions of sections 406 and 407(a) if it can determine that the exemption is administratively feasible, in the interest of participants and beneficiaries, and protective of the rights of participants and beneficiaries of the plan. Prohibited Transaction Class Exemption 85-68 describes the conditions under which a plan is permitted to acquire customer notes accepted by an employer of employees covered by the plan in the ordinary course of the employer's primary business activity. The exemption covers sales as well as contributions of customer notes by an employer to its plan. Specifically, the exemption requires that the employer provide a written guarantee to repurchase a note which becomes more than 60 days delinquent, that such notes be secured by a perfected security interest in the property financed by the note, and that the collateral be insured. The exemption requires records pertaining to the transaction to be maintained for a period of six years for the purpose of ensuring that the transactions are protective of the rights of participants and beneficiaries. 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. 1210-0094. The OMB approval is currently scheduled to expire on August 31, 2010. For additional information, see related notice published in the **Federal Register** on June 23, 2010 (Vol. 75 page 35842).

Dated: August 18, 2010.

**Linda Watts Thomas,**

*Acting Departmental Clearance Officer.*

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