

Dated: September 9, 1998.

Doris Meissner,

Commissioner, Immigration and Naturalization Service.

[FR Doc. 98-25270 Filed 9-21-98; 8:45 am]

BILLING CODE 4410-10-M

DEPARTMENT OF JUSTICE

Office of Justice Programs

Bureau of Justice Statistics; Agency Information Collection Activities: Existing Collection; Comment Request

ACTION: Extension of a Currently Approved Collection; National Prisoner Statistics Midyear Counts and National Prisoner Statistics Advance Year-end Counts.

Office of Management and Budget approval is being sought for the information collections listed below. These proposed collections were previously published in the **Federal Register** on April 10, 1998, allowing for a 60-day public comment period. Two comments were received by the Bureau of Justice Statistics. Changes were performed where appropriate.

The purpose of this notice is to allow an additional 30 days for public comments. Comments are encouraged and will be accepted until October 22, 1998. This process is conducted in accordance with 5 CFR 1320.10.

Written comments and suggestions from the public and affected agencies concerning the proposed collections of information should address one or more of the following four points;

(1) Evaluate whether the proposed collections of information are necessary for the proper performance of the functions of the agency, including whether the information will have practical utility.

(2) 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;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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.

Overview of this Information Collection

(1) *Type of information collection:* Extension of a currently approved collection.

(2) *Title of the Forms/Collections:* National Prisoner Statistics Midyear Counts and National Prisoner Statistics Advance Year-end Counts.

(3) *Agency form numbers, if any, and the applicable component of the Department of Justice sponsoring the collection:* NPS-1A&B. Bureau of Justice Statistics.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* Federal, State, and Local or Tribal Government. The National Prisoner Statistics-1A (midyear collection) provides information on the number of persons in State and Federal correctional facilities with maximum sentences of more than 1 year, less than 1 year, or no sentence. It also reports on racial composition, number of inmates under age 18, and number of inmates who were not citizens of the United States. The NPS-1B (advance year-end collection) provides information on the number of inmates under the jurisdiction and the number of inmates under the custody of Federal and State authorities, as well as data on prison capacity and crowding. No other data collections provide these counts. These programs make it possible to track prisoner growth at the jurisdictional level.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond.* Fifty-two respondents each take an estimated 1 hour and 15 minutes to complete the NPS-1A for and 1 hour and 30 minutes to complete the NPS-1B form.

(6) *An estimate of the total public burden (in hours) associated with the collection.* One hundred forty-three annual burden hours.

If you have additional comments, suggestions, or need copies of the proposed information collection instruments with instructions, or additional information, please contact Mr. Robert B. Briggs, Clearance Officer, United States Department of Justice, Information management and Security staff, Justice Management Division, Suite 850, Washington Center, 1001 G Street, NW, Washington, DC 20530.

Dated: September 16, 1998.

Robert B. Briggs,

Department Clearance Officer, United States Department of Justice.

[FR Doc. 98-25222 Filed 9-21-98; 8:45 am]

BILLING CODE 4410-18-M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

September 15, 1998.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) 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 individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor, Departmental Clearance Officer, Todd R. Owen ((202) 219-5906 ext. 143) or by E-Mail to Owen-Todd@dol.gov.

Comments should be sent to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication in the **Federal Register**. 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: Employment Standards Administration.

Title: Regulations, 29 CFR Part 547, Requirements of a Bona Fide Thrift or Savings Plan.

OMB Number: 1215-0119 (extension).

Agency Number: None.

Frequency: Recordkeeping only.

Affected Public: Individuals or households; Businesses or other for-profit; State, Local or Tribal Government; Not-for-profit institutions.

Number of Respondents: 2.072 million.

Total Responses: 2.072 million.
Estimated Time per Respondent:
 Recordkeeping only.
Total Burden Hours (recordkeeping):

1. *Total annualized capital/startup costs:* 0.

Total annual costs (operating/maintaining systems or purchasing services): 0.

Description: Section 7(e)(3)(b) of the Fair Labor Standards Act (FLSA) permits the exclusion from an employee's regular rate of pay for payments on behalf of an employee to a bona fide thrift or savings plan. Regulations require that information necessary to support a thrift or saving plan's qualifications as a bona fide plan, as defined in the Fair Labor Standards Act, be maintained by employers. Regulations, 29 CFR Part 547 set forth the requirements for a bona fide thrift or savings plan. This recordkeeping requirement enables investigators to determine whether or not a given thrift or savings plan is in compliance with the FLSA.

Agency: Employment Standards Administration.

Title: Requirements of a Bona Fide Profit-Sharing Plan or Trust.

OMB Number: 1215-0122 (extension).

Agency Number: None.

Frequency: Recordkeeping only.

Affected Public: Business or other for-profit; Not-for-profit institutions; State, Local, or Tribal Government.

Number of Respondents: 888,000.

Estimated Time Per Respondent:
 Recordkeeping only.

Total Burden Hours: 1.

Total annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): 0.

Description: Section 7(e)(3)(b) of the Fair Labor Standards Act (FLSA) permits the exclusion from an employee's regular rate of pay for payments on behalf of an employee to a bona fide profit-sharing plan or trust. Regulations require that information necessary to support a profit-sharing plan or trust's qualifications as a bona fide plan or trust, as defined in the Fair Labor Standards Act, be maintained by employers. Regulations 29 CFR Part 549 set forth the requirements for a bona fide profit-sharing plan or trust. This recordkeeping requirement enables investigators to determine whether or not a given profit-sharing plan or trust is in compliance with the FLSA.

Agency: Employment Standards Administration.

Title: OFCCP Complaint Form.

OMB Number: 1215-0131 (extension).

Agency Number: CC-4.

Frequency: On occasion.

Affected Public: Individuals or households.

Number of Respondents: 1,150.

Estimated Time Per Respondent: 1.28 hours.

Total Burden Hours: 1,472.

Total annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): \$402.50.

Description: The Office of Federal Contract Compliance Programs (OFCCP) administers three equal employment opportunity programs: Executive Order 11246, as amended; Section 503 of the Rehabilitation Act of 1973, as amended; and 38 U.S.C. 4212, the Vietnam Era Veterans Readjustment Assistance Act. These programs require affirmative action by Federal contractors and subcontractors and prohibit discrimination on the basis of race, color, sex, religion, national origin, disability, or veteran status. All three programs give individuals the right to file complaints. The CC-4 Complaint Form is used to file complaints under all three programs. The form is used as the first step in the initiation of a complaint investigation.

Agency: Employment Standards Administration.

Title: Application of a Representative's Fee in a Black Lung Claim Proceeding Conducted by the U.S. Department of Labor.

OMB Number: 1215-0171 (extension).

Agency Number: CM-972.

Frequency: As needed.

Affected Public: Businesses or other for-profit.

Number of Respondents: 1,000.

Estimated Time Per Respondent: 42 minutes.

Total Burden Hours: 700.

Total annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): 0.

Description: Individuals filing for benefits under the Black Lung Benefits Act may elect to be represented or assisted by an attorney or other representative. The fee charged by the representative must be approved for payment by the Division of Coal Mine Worker's Compensation. Regulation 20 CFR 725.365-6 establishes certain information and documentation criteria which must be submitted in order for the Program to evaluate the fee request. This form provides a standardized format for submission of the information required by the regulation.

Agency: Bureau of Labor Statistics.

Title: Consumer Expenditure

Quarterly Interview and Diary Surveys.

OMB Number: 1220-0050 (extension).

Agency Number: CE-301, CE-302, CE-300, CE-305, CE-303, CE-383, CE-801, CE-802, CE-803, CE-880.

Frequency: Quarterly Interview Survey respondents are interviewed quarterly for five consecutive quarters (four times in any one year). Diary Survey respondents complete two consecutive weekly reports.

Affected Public: Individuals or households.

Number of Respondents: 18,108.

Estimated Time Per Respondent: 87.7 minutes.

Total Burden Hours: 98,779.

Total annualized capital/startup costs: 0.

Total annual costs (operating/maintaining systems or purchasing services): 0.

Description: The Consumer Expenditure Surveys are used to gather information on expenditures, income, and other related subjects. These data are used to periodically update the national Consumer Price Index. In addition, the data are used by a variety of researchers in academia, government agencies, and the private sector. The data are collected from national probability sample of households designed to represent the total civilian non-institutional population.

Todd R. Owen,

Departmental Clearance Officer.

[FR Doc. 98-25264 Filed 9-21-98; 8:45 am]

BILLING CODE 4510-27-M

DEPARTMENT OF LABOR

Office of the Secretary

Advisory Council on Employee Welfare and Pension Benefit Plans; Reopening and Extending the Time for Receipt of Nominations for Vacancies Until October 30, 1998

Section 512 of the Employee Retirement Income Security Act of 1974 (ERISA), 88 Stat. 895, 29 U.S.C. 1142, provides for the establishment of an "Advisory Council on Employee Welfare and Pension Benefit Plans" (the Council), which is to consist of 15 members to be appointed by the Secretary of Labor (the Secretary) as follows: Three representatives of employee organizations (at least one of whom shall be representative of an organization whose members are participants in a multiemployer plan); three representatives of employers (at least one of whom shall be