

Justification of Nonmaterial, Nonsubstantive Change in ICR for No. 1210-0130

The Department of Labor (the Department) has an approved information collection request (ICR) relating to an Interim Final Rule on Statutory Exemption for Cross-Trading under OMB Control Number 1210-0130, which is scheduled to expire on April 30, 2010. The Interim Final Rule implements the content requirements for the written cross-trading policies and procedures required under section 408(b)(19)(H) of the Employee Retirement Income Security Act of 1974.

The Department finalized the Interim Final Rule on October 7, 2008 (73 Fed. Reg. 58450) and is hereby filing a nonmaterial, nonsubstantive change request for the ICR. The final rule does not implement any material or substantive changes to the ICR. The burden hours and costs were adjusted to reflect upward wage rates and to account for a small increase in the estimated number of investment managers who are expected to engage in cross-trading pursuant to the class exemption.