

Chapter 35) of 1980, as amended (Pub. L. 96-511). Copies may be obtained by calling the Department of Labor Departmental Clearance officer, Kenneth A. Mills ((202) 219-5095). Comments and questions about the ICRs listed below should be directed to Mr. Mills, Office of Information Resources Management Policy, U.S. Department of Labor, 200 Constitution Avenue NW., room N-1301, Washington, DC 20210. Comments should also be sent to the

Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for (BLS/DM/ESA/ETA/OAW/MSHA/OSHA/PWBA/VETS), Office of Management and Budget, room 10325, Washington, DC 20503 (202) 395-7316. Individuals who use a telecommunications device for the deaf (TTY/TDD) may call (202) 219-4720 between 1:00 p.m. and 4:00 p.m. Eastern time, Monday through Friday.  
*Type of Review:* New.

*Agency:* Employment and Training Administration.

*Title:* Short-Time Compensation Survey of States and Employers.

*OMB Number:* None.

*Frequency:* One-time.

*Affected Public:* Business or other for-profit; State, Local or Tribal Government.

Survey	Re-spond-ents	Average time per respondent	Total
Employer STC Users .....	500	40 minutes .....	334
Employer STC Non-users .....	250	20 minutes .....	83
States with STC .....	18	120 minutes .....	36
States without STC .....	35	45 minutes .....	26
Total burden hours: .....	479		

*Description:* Information is needed on attitudes and uses of short-time compensation (STC) programs by States and employers. This information will be analyzed as part of an evaluation of the STC program.

**Theresa M. O'Malley,**

*Acting Departmental Clearance Officer.*

[FR Doc. 95-11463 Filed 5-9-95; 8:45 am]

BILLING CODE 4510-30-M

**Privacy Act of 1974; Publication of a New System of Records; Amendment of an Existing System**

**AGENCY:** Office of the Secretary, Labor.

**ACTION:** Notice of a New Systems of Records; amendment of an existing system of records.

**SUMMARY:** The Privacy Act of 1974 requires that each agency publish notice of all of the systems of records that it maintains. This document adds a new system of records to this Department's current systems of records. With the addition of this new system of records, the Department will be maintaining 141 systems of records. The Department also hereby amends an existing system of records, with respect to the Purpose category, to clarify that these records are used for statistical research and to evaluate the DOL Flexiplace Pilot Programs. Finally, the categories for System Location and for System Manager and Address are amended.

**DATES:** Persons wishing to comment on this new systems of records may do so by June 19, 1995.

**EFFECTIVE DATE:** Unless there is a further notice in the **Federal Register** this new system of records will become effective on July 5, 1995. The amendments to

DOL/OASAM-31 are administrative (non-substantive), and therefore, will become effective on May 10, 1995.

**ADDRESSES:** Written comments may be mailed or delivered to Robert A. Shapiro, Associate Solicitor, Division of Legislation and Legal Counsel, 200 Constitution Avenue, N.W., Room N-2428, Washington, DC 20210.

**FOR FURTHER INFORMATION CONTACT:** Miriam McD. Miller, Co-Counsel for Administrative Law, Office of the Solicitor, Department of Labor, 200 Constitution Avenue, N.W., Room N-2428, Washington, DC 20210, telephone (202) 219-8188.

**SUPPLEMENTARY INFORMATION:** Pursuant to section three of the Privacy Act of 1974 (5 U.S.C. 552a(e)(4)), hereinafter referred to as the Act, the Department hereby publishes notice of a new system of records currently maintained pursuant to the Act. This document supplements this Department's last publication in full of all of its Privacy Act systems of records. On September 23, 1993, in Volume 58 at Page 49548 of the **Federal Register**, we published a notice of all 138 systems of records which were maintained under the Act. Of those 138 systems, there were 37 new systems. On April 25, 1994 (59 FR 18156) the Department published two new systems, which brings the total of system of records to 140.

1. The new system presented herein is entitled DOL/ILAB-1, Arbitrators/Experts/Consultant Candidates' Biographies. The system contains biographies of arbitrators, experts and consultant candidates who are nominated or selected for positions for the U.S. National Administrative Office or for the Secretariat for the North American Agreement on Labor

Cooperation (NAALC) which is a supplement to the North American Free Traded Agreement (NAFTA).

2. The Department also hereby amends an existing system of records, with respect to the purpose category, to clarify that these records are used for statistical research and to evaluate the DOL Flexiplace Pilot Programs. Finally, the categories for System Location and for System Manager and Address are amended.

**Universal Routine Uses**

In its September 23, 1993 publication, the Department gave notice of eleven paragraphs containing routine uses which apply to all of its systems of records, except for DOL/OASAM-5 and DOL/OASAM-7. These eleven paragraphs were presented in the General Prefatory Statement for that document, and it appeared at Pages 49554-49555 of Volume 58 of the **Federal Register**. Those eleven paragraphs were republished in an April 15, 1994 document in order to correct grammatical mistakes in the September 23, 1993 version. At this time we are republishing the April 15, 1994 version of the General Prefatory Statement as a convenience to the reader of this document. This republication will correct a typographical error in paragraph 8 of the General Prefatory Statement whereby the word "identity" is corrected to read "identify".

The public, the Office of Management and Budget (OMB), and the Congress are invited to submit written comments on this new system. A report on this new system has been provided to OMB and to the Congress as required by OMB Circular A-130, Revised, and 5 U.S.C. 552a(r).

### General Prefatory Statement

The following routine uses apply to and are incorporated by reference into each system of records published below unless the text of a particular notice of a system of records indicates otherwise. These routine uses do not apply to DOL/OASAM-5 Rehabilitation and Counseling File nor to DOL/OASAM-7—Employee Medical Records.

1. It shall be a routine use of the records in this system of records to disclose them to the Department of Justice when: (a) The agency or any component thereof; or (b) any employee of the agency in his or her official capacity where the Department of Justice has agreed to represent the employee; or (c) the United States Government, is a party to litigation or has an interest in such litigation, and by careful review, the agency determines that the records are both relevant and necessary to the litigation and the use of such records by the Department of Justice is therefore deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records.

2. It shall be a routine use of the records in this system of records to disclose them in a proceeding before a court or adjudicative body, when: (a) The agency or any component thereof; or (b) any employee of the agency in his or her official capacity; or (c) any employee of the agency in his or her individual capacity where the agency has agreed to represent the employee; or (d) the United States Government, is a party to litigation or has an interest in such litigation, and by careful review, the agency determines that the records are both relevant and necessary to the litigation and the use of such records is therefore deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records.

3. When a record on its face, or in conjunction with other records, indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule, or order issued pursuant thereto, disclosure may be made to the appropriate agency, whether Federal, foreign, State, local, or tribal, or other public authority responsible for enforcing, investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto, if the information disclosed is relevant to any enforcement, regulatory, investigative or prosecutive

responsibility of the receiving entity, and by careful review, the agency determines that the records are both relevant and necessary to the litigation and the use of such records is therefore deemed by the agency to be for a purpose that is compatible with the purpose for which the agency collected the records.

4. A record from this system of records may be disclosed to a Member of Congress or to a Congressional staff member in response to an inquiry of the Congressional office made at the written request of the constituent about whom the record is maintained.

5. Records from this system of records may be disclosed to the National Archives and Records Administration or to the General Services Administration for records management inspections conducted under 44 U.S.C. 2904 and 2906.

6. Disclosure may be made to agency contractors, or their employees, consultants, grantees, or their employees, or volunteers who have been engaged to assist the agency in the performance of a contract, service, grant, cooperative agreement or other activity related to this system of records and who need to have access to the records in order to perform the activity. Recipients shall be required to comply with the requirements of the Privacy Act of 1974, as amended, 5 U.S.C. 552a; see also 5 U.S.C. 552a(m).

7. The name and current address of an individual may be disclosed from this system of records to the parent locator service of the Department of HHS or to other authorized persons defined by Public law 93-647 for the purpose of locating a parent who is not paying required child support.

8. Disclosure may be made to any source from which information is requested in the course of a law enforcement or grievance investigation, or in the course of an investigation concerning retention of an employee or other personnel action, the retention of a security clearance, the letting of a contract, the retention of a grant, or the retention of any other benefit, to the extent necessary to identify the individual, inform the source of the purpose(s) of the request, and identify the type of information requested.

9. Disclosure may be made to a Federal, State, local, foreign, or tribal or other public authority of the fact that this system of records contains information relevant to the hiring or retention of an employee, the granting or retention of a security clearance, the letting of a contract, a suspension or debarment determination or the

issuance or retention of a license, grant, or other benefit.

10. A record from any system of records set forth below may be disclosed to the Office of Management and Budget in connection with the review of private relief, legislative coordination and clearance process.

11. Disclosures may be made to a debt collection agency that the United States has contracted with for collection services to recover debts owed to the United States.

### I. Publication of a New System of Records

#### DOL/LAB-1

##### SYSTEM NAME:

Arbitrators/Experts/Consultant Candidates' Biographies.

##### SECURITY CLASSIFICATION:

Unclassified

##### SYSTEM LOCATION:

U.S. National Administrative Office, U.S. Department of Labor, Bureau of International Labor Affairs, Room C-4327, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

##### CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Individuals who applied, are nominated or are selected to serve as arbitrators, experts, advisors, consultants, contractors or similar positions for the U.S. National Administrative Office or the Secretariat for the North American Agreement on Labor Cooperation (NAALC), the supplemental agreement on labor issues to the North American Free Trade Agreement (NAFTA).

##### CATEGORIES OF RECORDS IN THE SYSTEM:

Application and nomination letters; resumes, biographical sketches, curriculum vitae, and other related documents.

##### AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

North American Agreement on Labor Cooperation Articles 23, 28, and 30; 58 FR 69410; and 5 U.S.C. 301.

##### PURPOSE:

These records are established when individuals nominate themselves or are recommended for appointments as arbitrators, experts, consultants, contractors, advisory committee members or similar positions with the U.S. National Administrative Office or the Secretariat for the NAALC. The records are used by the Deputy Under Secretary of Labor for International Affairs to make selections or recommendations as appropriate to the

Secretary of Labor or Executive Director of the Secretariat for appointment.

**ROUTINE USE OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

None, except for those uses listed in the General Prefatory Statement to this document.

**DISCLOSURES TO CONSUMER REPORTING AGENCIES:**

None.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING AND DISPOSING OF RECORDS OF THE SYSTEM:**

**STORAGE:**

Manual files and computer disk.

**RETRIEVABILITY:**

By Nominee's name and by selected skills categories.

**SAFEGUARDS:**

Locked storage equipment and personnel screening.

**RETENTION AND DISPOSAL:**

- a. Advisory committee members, arbitrators, contractors, consultants, and experts: Permanent transfer to National Archives three (3) years after expiration of term of service.
- b. Nominees not selected: destroy files when five (5) years old.

**SYSTEM MANAGER(S) AND ADDRESS:**

Secretary, U.S. National Administrative Office, U.S. Department of Labor, Bureau of International Labor Affairs, Room C-4327, Washington, D.C. 20210.

**NOTIFICATION PROCEDURES:**

Individuals wishing to gain access to non-exempt records should contact the system manager at the system location above.

**RECORD ACCESS PROCEDURES:**

A request for access shall be addressed to the system manager at the address listed above. Individuals must furnish the following information for their records to be located and identified:

- a. Name;
- b. Approximate date for investigation;
- c. Individuals requesting access must also comply with the Privacy Act regulations regarding verification of the identity to records at 29 CFR 70a.4.

**CONTESTING RECORDS PROCEDURES:**

A petition for amendments shall be addressed to the System Manager and must meet the requirements of 29 CFR 70a7.

**RECORD SOURCE CATEGORIES:**

Nominations submitted by individuals within the system, other

individuals and organizations and by government agencies.

**SYSTEMS EXEMPTED FROM CERTAIN PROVISIONS OF THE ACT:**

Not applicable.

**II. Publication of an Amendment**

DOL/OASAM-31, DOL Flexible Workplace (Flexiplace) Pilot Programs Evaluation and Files, is amended by revising three categories, System Location, Purpose, and System Manager and Address, to read as follows:

**DOL/OASAM-31**

**SYSTEM NAME:**

DOL Flexible Workplace (Flexiplace) Pilot Programs Evaluation and Files.

\* \* \* \* \*

**SYSTEM LOCATION:**

DOL/OASAM/Office of Human Resources, Office of Human Resource Systems.

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**PURPOSE(S):**

These records are used for statistical research and to evaluate the DOL Flexiplace Pilot Programs.

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**SYSTEM MANAGER(S) AND ADDRESS:**

U.S. Department of Labor, Office of the Assistant Secretary for Administration and Management, Office of Human Resources, Office of Human Resource Systems, Room N-5470, Frances Perkins Building, 200 Constitution Avenue, N.W., Washington, DC 20210.

Signed at Washington, DC, this 5th day of May 1995.

**Robert B. Reich,**  
*Secretary of Labor.*

[FR Doc. 95-11462 Filed 5-9-95; 8:45 am]

BILLING CODE 4510-23-M

**Pension and Welfare Benefits Administration**

[Application No. D-09872, et al.]

**Proposed Exemptions; T.J. Lambrecht Construction, Inc. et al.**

**AGENCY:** Pension and Welfare Benefits Administration, Labor.

**ACTION:** Notice of Proposed Exemptions.

**SUMMARY:** This document contains notices of pendency before the Department of Labor (the Department) of proposed exemptions from certain of the prohibited transaction restriction of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

**Written Comments and Hearing Requests**

All interested persons are invited to submit written comments or request for a hearing on the pending exemptions, unless otherwise stated in the Notice of Proposed Exemption, within 45 days from the date of publication of this **Federal Register** Notice. Comments and request for a hearing should state: (1) The name, address, and telephone number of the person making the comment or request, and (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing.

**ADDRESSES:** All written comments and request for a hearing (at least three copies) should be sent to the Pension and Welfare Benefits Administration, Office of Exemption Determinations, Room N-5649, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Attention: Application No. stated in each Notice of Proposed Exemption. The applications for exemption and the comments received will be available for public inspection in the Public Documents Room of Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-5507, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

**Notice to Interested Persons**

Notice of the proposed exemptions will be provided to all interested persons in the manner agreed upon by the applicant and the Department within 15 days of the date of publication in the **Federal Register**. Such notice shall include a copy of the notice of proposed exemption as published in the **Federal Register** and shall inform interested persons of their right to comment and to request a hearing (where appropriate).

**SUPPLEMENTARY INFORMATION:** The proposed exemptions were requested in applications filed pursuant to section 408(a) of the Act and/or section 4975(c)(2) of the Code, and in accordance with procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of