

(additional) collection of the Data for the Youth Fair Chance Program Evaluation. A copy of the proposed information collection request can be obtained by contacting the employee listed below in the contact section of this notice.

DATES: Written comments must be submitted on or before November 24, 1995. If you anticipate that you will be submitting written comments, but find it difficult to do so within the period of time allowed by this notice, you should request an extension from the contact listed below as soon as possible. Effort will be made to accommodate each request, unless otherwise justified.

FOR FURTHER INFORMATION CONTACT: Mamoru Ishikawa, U.S. Department of Labor, Employment and Training Administration, Office of Policy and Research, Room 5637, 200 Constitution Avenue, NW., Washington, DC 20210, (202) 219-5472 (ext. 160), Internet Address: ishikawam@doleta.gov.

SUPPLEMENTARY INFORMATION:

I. Background

Public Law 102-367, the 1992 Amendments to the Job Training Partnership Act, authorized USDOL to award grants to local Youth Fair Chance (YFC) programs to establish community-based programs to provide education, training, and complementary services for youths living in high poverty areas. The two major elements of YFC are: (1) school-to-work programs for youths in middle and high schools and (2) community learning centers for out-of-school youths. The legislation also directed programs to integrate a variety of services into the programs and to involve community residents in planning and guiding programs. In 1994 USDOL awarded grants to 16 sites.

The legislation authorizing the program specified that the Secretary of Labor provide for an "evaluation of the YFC program to assess the outcomes of youth participating in the program." The survey of participants, which is the subject of this Federal Register notice, is intended to meet this legislated objective of the evaluation.

II. Current Actions

The proposed survey of participants will collect information on a sample of YFC participants. It will collect information on the background characteristics of youth participating in YFC; the YFC activities they participated in; their assessment of the services provided by YFC; and their educational, training, employment and other outcomes.

The sample for the survey will be obtained from each YFC site's management information system as will some data on background characteristics and service receipt. However, these data will also be collected on the survey to ensure that consistent data are collected among sites and so that data on outcomes can be collected. The survey will be conducted through a computer assisted telephone interviewing system with automatic call scheduling. This system is designed to minimize the burden on respondents by minimizing time on the telephone and by providing a mechanism for respondents to schedule calls. Participation in the survey is voluntary and confidential.

Public comments should address the accuracy of the burden estimates and ways to minimize burden including the use of other techniques for data collection.

Affected Public: Individuals participating in Youth Fair Chance programs.

Number of Respondents: 4,800.

Estimated Time per Respondent: 20 minutes.

Total Burden Hours: 1,600 hours.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: September 18, 1995.

Gerard Fiala,

Administrator, Office of Policy and Research.

[FR Doc. 95-23677 Filed 9-22-95; 8:45 am]

BILLING CODE 4510-30-M

Pension and Welfare Benefits Administration

[Application No. D-10009, et al.]

Proposed Exemptions; Charleston Area Medical Center Deferred Profit Sharing Plan, 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, NW., Washington, DC 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, NW., Washington, DC 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 the type requested to the Secretary of Labor. Therefore, these notices of proposed exemption are issued solely by the Department.

The applications contain representations with regard to the proposed exemptions which are summarized below. Interested persons are referred to the applications on file with the Department for a complete statement of the facts and representations.

Charleston Area Medical Center
Deferred Profit Sharing Plan (the Plan)
Located in Charleston, West Virginia
[Application No. D-10009]

Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). If the exemption is granted, the restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1) (A) through (E) of the Code, shall not apply to the past cash sale by the Plan to the Camcare & Affiliates Malpractice Self-Insurance Trust (the Malpractice Trust) of certain publicly-traded securities, provided the following conditions were satisfied: (a) The sale was a one-time transaction for cash; (b) the Plan paid no commissions or other fees in connection with the transaction; (c) the transaction involved publicly-traded securities, the fair market values of which were determined by an independent bank by reference to the closing price for the securities on the New York Stock Exchange.

Effective Date: If the proposed exemption is granted, the exemption will be effective November 30, 1993.

Summary of Facts and Representations

1. Charleston Area Medical Center, Inc. (CAMC), the Plan's sponsor, is a not-for-profit regional medical center located in Charleston, West Virginia. It is exempt from federal taxes under section 501(c)(3) of the Code, as is its parent corporation, Camcare, Inc. (Camcare). The Plan is a frozen defined contribution plan with approximately 2,469 participants and assets of approximately \$31,430,231.

2. In order to protect itself and its affiliates in the event of medical malpractice claims, Camcare in 1978 established the Malpractice Trust.¹ The trustee of the Malpractice Trust is One

Valley National Bank, N.A., an independent national bank. The purpose of the Malpractice Trust is to serve as a funding mechanism for malpractice and comprehensive liability self-insurance programs of Camcare and those of its affiliates that choose to participate in the Malpractice Trust. CAMC participates in the Malpractice Trust and from time to time contributes cash to the Malpractice Trust as required by Camcare.

3. The Retirement Committee under the Plan has authority to appoint and discharge registered investment advisors for the Plan and in addition, two members of the Retirement Committee serve as trustees of the Plan with discretionary powers. Although not formally designated, members of the Retirement Committee also were invested with oversight in connection with a number of other self-funded benefit and insurance programs in which CAMC participated, including the Malpractice Trust.

4. Under investment guidelines adopted by CAMC, the Plan's exposure to equity securities was set at a maximum of 50%. Because no new funds were being contributed to the Plan, and due to appreciation in the equity securities, it became clear to the members of the Retirement Committee in late 1993 that the Plan would need to liquidate approximately \$5.6 million in equities to get within the 50% guideline. Members of the Retirement Committee were also aware that the Malpractice Trust was under-invested in equity securities, and that an increase in such an investment could enhance the Malpractice Trust's investment performance.

5. At a meeting of the Retirement Committee held on November 5, 1993, it was decided that the equity portion of the Plan which was being managed by Renaissance Investment Management (Renaissance) would be sold to the Malpractice Trust at the assets' fair market value as of November 30, 1993. The Retirement Committee believed that the transaction would: (a) Increase the liquidity of the Plan; (b) provide the Plan with cash to continue to pay benefits; and (c) bring the total percentage of equities in the Plan below the 50% investment guideline limit. In addition, the transaction would save the Plan brokerage commissions which would otherwise be incurred if the Plan were to sell the equities on the open market. The Retirement Committee estimated the savings on commissions to be approximately \$13,000. The applicants represent that the decision to transfer the portfolio managed by Renaissance was dictated by the fact

that the Renaissance portfolio had the smallest equity exposure of any of the Plan's investment managers. Thus, by selling that entire portfolio to the Malpractice Trust for cash, the Plan could reduce its equity investments to under 50% of its assets, but could keep the allocation as close to the 50% level as possible without exceeding it.

6. Pursuant to its normal operating practices, Bank One, a National Banking Association, which was custodian of the assets invested by Renaissance, determined the fair market value of the assets on November 30, 1993 by reference to the closing prices for such securities on the New York Stock Exchange on that date. Prior to this date, the Retirement Committee had notified Renaissance that effective December 1, 1993, Renaissance would be managing the assets on behalf of the Malpractice Trust and would no longer be managing the assets on behalf of the Plan. The Retirement Committee received the valuation of the assets from Bank One during the second week of December, 1993, and on December 15, 1993, the Malpractice Trust transferred to the Plan \$5,700,641 in cash,² the fair market value of the assets managed by Renaissance determined by their closing prices on November 30, 1993. The applicants represent that because of market fluctuations during December, 1993, the actual value of the equity securities on December 15 had decreased (based on closing values) by \$27,415.62. Thus, the Plan benefited by virtue of the sales price being determined on the basis of the November 30, 1993 values versus the December 15, 1993 values (the date of the actual transfer). Renaissance has represented that the terms and conditions of the transaction were at least as favorable to the Plan as those obtainable in an arm's-length transaction with an unrelated party.

7. The applicants represent that they were not aware at the time of the transaction that it would constitute a prohibited transaction. The applicants further represent that CAMC, members of the Retirement Committee, the trustee and the Malpractice Trust all received no fees or any other compensation in connection with the sale of the securities between the Plan and the Malpractice Trust.

²The portfolio transferred by the Plan to the Malpractice Trust consisted of cash of \$146,900, money market funds of \$56,860 and equity securities of \$5,496,881. The applicants represent that the \$146,900 in cash was transferred to the Malpractice Trust since the Retirement Committee determined that it would be administratively preferable to transfer the entire Renaissance Portfolio to the Malpractice Trust.

¹The Malpractice Trust is not an employee benefit plan and is not subject to the provisions of the Act.

8. The transaction at issue was noticed in August, 1994, by CAMC's accountants, who were preparing a financial statement for the Plan on behalf of CAMC. The accountants contacted the Chief Financial Officer for CAMC who consulted with outside legal counsel. Outside legal counsel recommended that the applicants file an exemption request for the subject transaction with the Department.

9. In summary, the applicants represent that the subject transaction satisfied the criteria contained in section 408(a) of the Act because: (a) The sale was a one-time transaction for cash; (b) the Plan paid no commissions or other fees in connection with the transaction; (c) the securities were sold at fair market value as determined by the Plan's independent custodian by reference to closing prices for such securities on the New York Stock Exchange; (d) the applicants discovered the prohibited nature of the transaction through internal scrutiny and promptly applied for an exemption; and (e) the Plan's independent investment manager, Renaissance, has represented that the terms and conditions of the transaction were at least as favorable to the Plan as those obtainable in an arm's-length transaction with an unrelated party.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

The Age-Based Profit Sharing Plan and Trust of Carolina OB-GYN Care, P.A. (the Plan) Located in Spartanburg, South Carolina

[Application No. D-10061]

Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). If the exemption is granted, the restrictions of section 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the proposed sale by the individual account (the Account) in the Plan of James C. Montgomery, M.D., of a parcel of real property (the Property) to Dr. Montgomery, a party in interest with respect to the Plan, and the assumption by Dr. Montgomery of the Account's current indebtedness with respect to the Property, provided that the following conditions are satisfied:

(a) The purchase price is the greater of \$120,000 or the fair market value of the Property as of the date of the sale; (b) the fair market value of the Property is determined by a qualified, independent appraiser as of the date of the sale; and (c) the Account pays no commissions or other expenses relating to the sale.

Summary of Facts and Representations

1. The Plan is a profit sharing plan established by Carolina OB-GYN Care, P.A. (the Employer) and has 22 participants, including Dr. Montgomery. Dr. Montgomery is an employee of the Employer and one of the three trustees of the Plan. The Plan provides for individually directed accounts. As of December 31, 1994, the Plan had assets of \$1,522,158.33. As of that date, Dr. Montgomery's Account in the Plan had assets of \$30,053.38.

2. The Property, located at 7660 Blue House Lane, Edisto Island, South Carolina, is a parcel of unimproved real estate. The Property is a water-oriented site in a small private community near Edisto Beach. The applicant represents that the Property is not adjacent to, nor close to, any other real property owned by Dr. Montgomery. The Property was acquired by the Account from C.C. Hice, an unrelated third party, on September 9, 1994 for a purchase price of \$116,000.³ The purchase was financed one-hundred percent by a loan from Spartanburg National Bank of Spartanburg, South Carolina, an unrelated third party. Neither Dr. Montgomery, nor the Employer, nor anyone else, including other parties in interest with respect to the Plan, provided any guaranty or separate security with respect to the loan. The applicant represents that all expenses relating to the Property since its acquisition have been paid by the Account, including taxes, insurance, and fees, a total of \$4,256. The applicant represents that the Property has not been used by anyone, including parties in interest with respect to the Plan, at any time since its acquisition and that the Property has produced no income for the Account.

3. The Property was appraised by Judith A. Wallis and Barnard R. Jackson SRA of Appraisal Consultants, Inc., who are qualified independent appraisers certified in the State of South Carolina. Relying on the market data approach, Ms. Wallis and Mr. Jackson estimated that the fair market value of the Property as of September 21, 1994 was \$120,000.

³ The Department expresses no opinion herein on whether the acquisition and holding of the Property by Dr. Montgomery's Account in the Plan violated any of the provisions of Part 4 of Title I in the Act.

The appraisal states that the Property is one of a very limited number of sites on Edisto Island having access to deep water, that water-oriented sites have historically experienced increases in property values, and that a review of sales occurring in the subject community over the past several years in fact indicates appreciating property values.

4. Dr. Montgomery proposes to purchase the Property from his own Account for an amount which is the greater of \$120,000, or the fair market value of the Property as of the date of the sale, based on an updated independent appraisal. The applicant represents that the Property was originally purchased by the Account solely for investment purposes in light of the Property's significant appreciation potential and that personal motives were not involved. Due to a distinct and abrupt change in his career plans, which consists of plans to slow down and move to the Carolina coast, Dr. Montgomery now desires to purchase the Property himself in order to build a personal residence for use in his retirement. In addition, the applicant represents that the exemption will be in the interests of the Account because it will convert a currently non-income producing, illiquid asset into liquid assets which could then be subject to professional management and will also allow for greater diversification of the assets of the Account.

Under the terms of the proposed purchase agreement, Dr. Montgomery will assume the Account's current indebtedness to Spartanburg National Bank (approximately \$116,000 as of June 16, 1995) and make a cash payment to the Account for the balance of the purchase price. The Account will pay no commissions or other expenses relating to the sale.

5. In summary, the applicant represents that the proposed transaction satisfies the statutory criteria for an exemption under section 408(a) of the Act for the following reasons:

(a) The price paid by the applicant will be the greater of \$120,000, or the fair market value of the Property as of the date of the sale as determined by a qualified, independent appraiser; (b) the Account will pay no commissions or other expenses relating to the sale; (c) the sale will enhance the liquidity and diversification of the assets of the Account; and (d) Dr. Montgomery is the only participant of the Plan that would be affected by the proposed transaction.

Notice to Interested Persons

Because the only Plan assets involved in the proposed transaction are those in

Dr. Montgomery's Account, and he is the only participant affected by the proposed transaction, it has been determined that there is no need to distribute the notice of proposed exemption to interested persons. Comments and requests for a hearing on the proposed exemption are due 30 days after the date of publication of this notice in the Federal Register.

FOR FURTHER INFORMATION CONTACT: Karin Weng of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

Rea Magnet Wire Company, Inc. Employees' Retirement Savings Plan (the Savings Plan) and Rea Magnet Wire Company, Inc. Union Employees' Retirement Savings Plan (the Union Plan; together, the Plans) Located in Fort Wayne, Indiana

[Application Nos. D-10075 and D-10076]

Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). If the exemption is granted, the restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the proposed sale by the Plans of two guaranteed investment contracts (the GICs) of Confederation Life Insurance Company (CL) to Rea Magnet Wire Company, Inc. (Rea), a party in interest with respect to the Plans, provided the following conditions are satisfied: (a) The sale is a one-time transaction for cash; (b) the Plans will receive no less than the fair market value of the GICs as of the date of the sale; and (c) the purchase price will be not less than the GICs' accumulated book values at their maturity date (defined as total deposits plus interest accrued but unpaid at the GICs' stated rates of interest through the date of maturity, less withdrawals) plus interest from the date of maturity through the date of the sale at the rate then being earned under the Plans' "GIC/Stable Value Fund".

Summary of Facts and Representations

1. Rea is a corporation organized and existing under the laws of the State of Delaware which is in the business of manufacturing wire in various diameters. Rea established the Plans effective May 1, 1986. Both Plans are employee pension plans that are

intended to be qualified under section 401(a) of the Code. The Savings Plan currently has approximately 388 participants and beneficiaries and has assets with an approximate aggregate fair market value of \$17,386,332. The Union Plan currently has approximately 136 participants and beneficiaries and has assets with an approximate fair market value of \$2,453,598.

2. Rea established a Master Trust effective May 1, 1986, with Summit Bank, now called NBD Bank, N.A., as trustee to hold the assets of the Plans. Effective July 1, 1994, Invesco Trust Company (Invesco) succeeded NBD Bank, N.A. as trustee of the Master Trust.

3. Investments of funds contributed to the Plans are made by Invesco as directed by participants in accordance with the Plans' provisions. Since July 1, 1994, the Plans have provided five investment options: (a) A "GIC/Stable Value Fund" which invests primarily in pooled GIC Funds, and also purchases individual GICs, seeking to provide a consistent level of income growth; (b) A "Select Income Fund" which invests at least 50% of fund assets in corporate bonds, generally rated BBB or better, with long-term capital growth being its primary objective; (c) A "Total Return Fund" which invests at least 30% of fund assets in common stock and 30% in fixed and variable income securities, with the remaining 40% allocated between stocks and bonds with income and long-term capital growth being its primary objective; (d) An "Industrial Income Fund" which invests primarily in the common stock of U.S. companies, convertible bonds and preferred stocks with its primary objective being long-term capital growth; and (e) A "Dynamics Fund" which invests primarily in the stock of rapidly growing companies that are traded on national and over-the-counter exchanges with an emphasis on long-term capital growth.

4. Under the terms of each of the Plans, the participants have withdrawal and transfer rights with respect to their accounts (Withdrawal Events). Circumstances triggering Withdrawal Events include: severance from service, disability, retirement, death, hardship and the transfer of funds to other investment options available under the Plans.

5. On February 2, 1990, CL issued the GICs to the Plans. CL GIC #62050 was acquired for an initial deposit amount of \$750,000, and CL GIC #62051 was acquired for an initial deposit of \$250,000. As the Investment Manager of the Plans, Summit Bank researched, selected and purchased the CL GICs

which at the time of purchase had a Standard & Poors rating of AA.⁴ Both GICs had an expiration date of February 1, 1995, and had a guaranteed rate of interest of 9.18%. Both GICs provided for the payment of interest annually on the anniversary of the GIC's effective date, February 2, 1990. All interest payments due under the GICs were received by the Plans through February, 1994.

6. On August 12, 1994, the Ingham County Circuit Court, Lansing, Michigan placed CL in conservatorship and rehabilitation, causing CL to suspend all payments on its contracts, including the GICs. Rea represents that it is not known whether, when, or under what circumstances CL will resume interest payments under the terms of the GICs or whether it will be able to pay the full amounts which were due under the GICs upon their maturity.

7. In order to eliminate the risk associated with continued investment in the GICs and to allow the Plans to distribute or otherwise invest the assets of the Plan in more stable investments that produce a return to the Plans, Rea proposes to purchase the GICs from the Plans. While section 3.04 of each of the GICs provides that the GICs may not be assigned, Rea represents that it is negotiating with CL to obtain a waiver of this assignment restriction. Rea represents that the sale would be in the best interest of the Plans and their participants and beneficiaries. Invesco has also represented that the proposed sale is appropriate for the Plans, in the best interest of the participants and beneficiaries of the Plans, and protective of their rights.

8. Rea represents that the sale would be a one-time transaction for cash and the Plans would not incur any expenses from the sale, nor experience any loss. Rea also states that the Plans would receive as consideration for the sale the greater of either the fair market value of the GICs as determined by Invesco on the date of the sale, or the accumulated book values of the GICs as of February 1, 1995, their maturity dates, plus interest through the date of sale at the rate then being earned under the Plans' "GIC/Stable Value Fund".

9. In summary, the applicant represents that the proposed transaction satisfies the criteria of section 408(a) of the Act because: (a) The sale is a one-

⁴The Department notes that the decisions to acquire and hold the GICs are governed by the fiduciary responsibility requirements of Part 4, Subtitle B, Title I of the Act. In this regard, the Department is not proposing relief for any violations of Part 4 which may have arisen as a result of the acquisition and holding of the GICs issued by CL.

time transaction for cash; (b) the proposed transaction will enable the Plans and their participants and beneficiaries to avoid any risks associated with the continued holding of the GICs; (c) each Plan will receive the greater of the fair market value of its GIC as determined on the date of sale by Invesco, the Plans' independent trustee, or the accumulated book value of the GIC on the date of maturity, plus interest through the date of sale at the rate then being earned under the Plans' "GIC/Stable Value Fund"; and (d) Invesco has determined that the proposed transaction is in the best interest of the participants and beneficiaries of the Plans and protective of their rights.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest of disqualified person from certain other provisions of the Act and/or the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(b) of the act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) Before an exemption may be granted under section 408(a) of the Act and/or section 4975(c)(2) of the Code, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries and protective of the rights of participants and beneficiaries of the plan;

(3) The proposed exemptions, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transitional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of

whether the transaction is in fact a prohibited transaction; and

(4) The proposed exemptions, if granted, will be subject to the express condition that the material facts and representations contained in each application are true and complete, and that each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, DC, this 19th day of September 1995.

Ivan Strasfeld,

*Director of Exemption Determinations,
Pension and Welfare Benefits Administration,
U.S. Department of Labor.*

[FR Doc. 95-23582 Filed 9-22-95; 8:45 am]

BILLING CODE 4510-29-P

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 95-088]

Agency Report Forms Under OMB Review

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of agency report forms under OMB review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed information collection requests to OMB for review and approval, and to publish a notice in the Federal Register notifying the public that the agency has made submission.

Copies of the proposed forms, the requests for clearance (OMB 83-1), supporting statements, instructions, transmittal letters, and other documents submitted to OMB for review, may be obtained from the Agency Clearance Officer. Comments on the items listed should be submitted to the Agency Clearance Officer and the OMB Paperwork Reduction Project.

DATES: Comments are requested by October 25, 1995. If you anticipate commenting on a form but find that time to prepare will prevent you from submitting comments promptly, you should advise the OMB Paperwork Reduction Project and the Agency Clearance Officer of your intent as early as possible.

ADDRESSES: Donald J. Andreotta, NASA Agency Clearance Officer, Code JT, NASA Headquarters, Washington, DC 20546; Office of Management and Budget, Paperwork Reduction Project (2700-0057), Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT:

Bessie B. Berry, NASA Reports Officer, (202) 358-1368.

Reports

Title: Contract Modifications, NASA FAR Supplement Part 18-43.

OMB Number: 2700-0057.

Type of Request: Extension.

Frequency of Report: Annually.

Type of Respondent: Individuals or households.

Number of Respondents: 40.

Total Annual Responses: 40.

Hours Per Request: 1.

Total Annual Burden Hours: 40.

Abstract-Need/Uses: The data from the Application for Volunteer Program determines the eligibility of persons who would like to become Visitor Center Volunteers.

Donald J. Andreotta,

Deputy Director, IRM Division.

[FR Doc. 95-23733 Filed 9-22-95; 8:45 am]

BILLING CODE 7510-01-M

[Notice 95-089]

NASA Advisory Council (NAC), Task Force on the Shuttle-Mir Rendezvous and Docking Missions; Meeting

AGENCY: National Aeronautics and Space Administration.

ACTION: Notice of meeting.

SUMMARY: In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Aeronautics and Space Administration announces a meeting of the NAC Task Force on the Shuttle-Mir Rendezvous and Docking Missions.

DATES: October 17, 1995, 1:00 p.m. to 5:00 p.m.

ADDRESSES: National Aeronautics and Space Administration, Room 9H40, 300 E Street, S.W. Washington, DC 20546-0001.

FOR FURTHER INFORMATION CONTACT: Mr. Gilbert Kirkham, Code MOC, National Aeronautics and Space Administration, Washington, DC 20546-0001, 202/358-1692.

SUPPLEMENTARY INFORMATION: This meeting will be open to the public up to the seating capacity of the room. The agenda for the meeting is as follows:

- Results of the Task Force's joint review meeting with the Russian Advisory Expert Council any products produced at the meeting
- Review of issues related to STS-74 prior to launch, including lessons learned and issues to track
- Review of upcoming missions, including issues related to concerns of the Task Force and issues to track.