a third party exchange (the Exchange Property), as well as all remaining real estate which constitutes the leased premises (the Property), provided the following conditions are met:

(a) The terms of the Amended Lease remain at least as favorable to the Plans as those obtainable in an arm's length transaction with an unrelated party.

(b) The independent fiduciary—

(i) Determines that the acquisition and subsequent leasing of the Substitute Property by the Plans under the Amended Lease are in the best interest of the Plans and their participants and beneficiaries;

(ii) Monitors and enforces compliance with the terms and conditions of the Amended Lease, the Escrow Agreement and the new exemption, at all times; and

(iii) Appoints one or more independent fiduciaries to resolve any conflicts of interest which may develop among the Plans with respect to the Amended Lease, the Escrow Agreement, the Property, or the Plans' respective interests therein.

(c) The fair market value of the proportionate interests held by each Plan in the Property as a whole following the exchange transaction does not exceed 25 percent of each Plan's assets.

(d) The Property, the Exchange Property and the Substitute Property are all appraised by qualified, independent appraisers prior to the consummation of the exchange transaction.

(e) The base rent for the Property is adjusted annually by the independent fiduciary based upon an independent appraisal of such Property.

(f) FFJ incurs all real estate taxes and other costs which are incident to the Amended Lease.

(g) The Escrow Agreement is maintained by M. Fortunoff of Westbury Corporation (M. Fortunoff), in favor of the Plans, as security for FFJ's rental obligations under the Amended Lease.

The availability of this exemption is subject to the express condition that the material facts and representations contained in the application for exemption are true and complete and accurately describe all material terms of the transactions. In the case of continuing transactions, if any of the material facts or representations described in the application change, the exemption will cease to apply as of the date of such change. In the event of any such change, an application for a new exemption must be made to the Department.

For a more complete statement of the facts and representations supporting the Department's decision to grant PTE 93–8, refer to the proposed exemption, grant notice and technical correction notice which are cited above.

Signed at Washington, D.C., this 13th day of May, 1998.

Ivan L. Strasfeld,

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

[FR Doc. 98–13144 Filed 5–15–98; 8:45 am]

BILLING CODE 4510–29–P

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Application No. D–10583, et al.]

Proposed Exemptions; McClain's R.V., Inc. 401(k)

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 restrictions 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 requests 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.

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.

McClain's R.V., Inc. 401(k) Profit Sharing Plan (the Plan) Located in Lake Dallas, Texas

[Application No. D–10583]

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 of certain unimproved real property (the Land) by the Plan to Larry McClain (Mr. McClain), the sole shareholder of McClain's R.V. Inc., the sponsor of the Plan, and a party in interest with respect

to the Plan, provided that the following conditions are satisfied:

(a) the proposed sale will be a one-time cash transaction;

(b) the Plan will receive the greater of: (1) the original acquisition cost of the Land plus the aggregate holding costs incurred by the Plan; or (2) the current fair market value of the Land (plus an appropriate premium related to the adjacency of the Land to other real property owned by McClain's R.V. Inc.), as established by an independent qualified appraiser at the time of the sale; and

(c) the Plan will pay no commissions or other expenses associated with the proposed sale.

Summary of Facts and Representations

1. The Plan is a 401(k) profit sharing plan that was established effective January 1, 1981. As of December 31, 1996, the Plan had 73 participants and beneficiaries. As of December 31, 1997, the Plan had total assets of $3,419,103. Chase Texas, N.A. (formerly known as Texas Commerce Bank) is a directed trustee of the Plan.

The sponsor of the Plan is McClain's R.V. Inc. (the Employer), which is a subchapter ''C'' corporation, incorporated in the State of Oklahoma. The Employer sells and services recreational vehicles and travel trailers. Mr. McClain is the sole shareholder of the Employer and a Plan participant.

2. On or about November 7, 1985, the Plan purchased the Land from Mr. Pertells, an independent third party, for approximately $57,000. This original purchase transaction was made in cash with no extension of credit involved.

The Land is located at S.W. 2nd Street and Rockwell Avenue in Oklahoma City, Oklahoma. The Land consists of two tracts which comprise approximately 21,855 square feet, and is adjacent to certain real property that is owned by the Employer. The Land has been used sporadically by the Employer for overflow or customer parking. The applicant represents that the Employer's customers would occasionally park on the Land rather than in the Employer's main parking lot. In the interest of maintaining good customer relations, the Employer did not require the customers to move their vehicles to the regular parking area. Additionally, when the Employer's main parking lot was full, the employees of the Employer would temporarily park their vehicles on the Land, and would move their vehicles to the Employer's parking lot later in the day. The applicant represents that the Employer does not require its employees or customers to pay for parking on the Land or in the Employer's parking lot.[1] As such, there have been no formal leases or arrangements made between the Plan and the Employer to compensate the Plan for parking on the Land. Furthermore, the Land has yielded no other revenue for the Plan from the date of its original acquisition to the present.[2]

3. The original decision to purchase the Land as a long term investment was made by the trustees of the Plan in 1985. The applicant maintains that at the time the Land was originally purchased, land values were stable and there was no indication that property values would plummet shortly thereafter. The trustees also intended to lease the Land to the Employer for use as necessary, thus providing some income to the Plan. However, the intended leasing of the Land did not occur because the trustees were informed that such a lease would violate the prohibited transaction rules of the Act.

The Plan's estimated aggregate holding costs relating to the Land for the period 1985–1997 were $3,473.23. This amount includes the property taxes that were due on the Land for that period, and certain periodic appraisals of the Land that were paid for by the Plan.[3] Therefore, the Plan's total cost for the acquisition and holding of the Land was $60,473.23 as of April, 1998.[4]

4. The Land was appraised on January 15, 1998, (the Appraisal) by Bennie W. Vowell (Mr. Vowell), an independent qualified appraiser certified in the State of Oklahoma. The Appraisal is an update of an earlier appraisal of the Land, which was also conducted by Mr. Vowell. The Appraisal was prepared in accordance with the Uniform Standards of Professional Appraisal Practice and analyzed appropriate market data for determining the fair market of the Land, including recent sales of similar properties as well as the ''highest and best use'' value of the Land. The Appraisal also considered the adjacency of the Land to real property owned by the Employer and, accordingly, added a premium to the value of the Land in any sale to the Employer. The Appraisal concluded that the fair market value of the Land was $49,000, as of January 15, 1998.

5. Mr. McClain proposes to purchase the Land from the Plan in a one-time cash transaction. As of December 31, 1997, the Land represented approximately 1.4 percent of the Plan's total assets. The applicant represents that the Land has been declining in value since the original acquisition. This decline in value has been adversely affecting the value of the participants' accounts in the Plan.[5]

The applicant represents that the amount Mr. McClain would pay for the Land in this proposed transaction is in excess of the Land's current fair market value. If the Land was sold on the open market, it would not sell for as much as Mr. McClain is willing to pay. In addition, the Plan's price in a sale of the Land to an independent third party would not include the adjacency premium, which the Appraisal indicates is appropriate in a sale to Mr. McClain as a result of the Employer's ownership of adjacent property. The sale of the Land to an independent third party at a lower price would cause the Plan and its participants to suffer a financial loss. Alternatively, if the Land remains in the Plan, the participants will not be able to invest the portions of their accounts which are currently attributable to the Land in other investment vehicles with a higher yield. The applicant thus maintains that the terms and conditions of the proposed sale are superior alternatives to selling the Land to a third party or retaining the Land as a Plan asset.

6. Therefore, the applicant represents that the proposed transaction is in the best interest and protective of the Plan because the transaction will enable the Plan to divest of an asset that has depreciated in value and generated no income to the Plan. The Plan will be able to reinvest the proceeds in other investments with higher rates of return. The transaction is protective of the Plan,

[1] In this regard, the Department notes that section 406(a)(1)(D) of the Act prohibits, in relevant part, a plan fiduciary from causing a plan to engage in a transaction which constitutes a direct or indirect transfer to, or use by or for the benefit of, a party in interest, of any assets of the plan. However, the Department is not providing any relief herein for any violations of part 4 of Title I of the Act which may have occurred during the Plan's ownership of the Land.

[2] The Department expresses no opinion in this proposed exemption as to whether the acquisition and the subsequent holding of the Land by the Plan violated section 404(a) of the Act. Section 404(a) of the Act requires, among other things, that a fiduciary of a plan must act prudently, solely in the interest of the plan's participants and beneficiaries, and for the exclusive purpose of providing benefits to participants and beneficiaries when making investment decisions on behalf of a plan.

The Department notes further that the decision to propose this exemption is based on the applicant's representations, as discussed herein, that any attempts to sell the Land to a third party would result in further losses to the Plan.

[3] The applicant represents that the appraisals for the years 1996, 1997 and 1998 have been paid by the Employer.

[4] This amount represents the sum of the Plan's original acquisition cost of $57,000 plus the aggregate holding costs of $3,473.23.

[5] The applicant represents that a portion of the Land's value is allocated to each participant's account.

because the Plan will receive the greater of: (a) the total cost of the Land; or (b) the current fair market value of the Land (plus an appropriate premium related to the Land's adjacency to the Employer's property) as established by an independent qualified appraiser at the time of the sale. The Plan will not pay any commissions or other expenses associated with the sale. Furthermore, the applicant represents that any amounts received by the Plan as a result of the proposed transaction, which are in excess of the fair market value of the Land will be treated as a contribution to the Plan, but that this contribution will not exceed limitations of section 415 of the Internal Revenue Code.

7. In summary, the applicant represents that the transaction satisfies the statutory criteria of section 408(a) of the Act and section 4975(c)(2) of the Code because:

(a) the proposed sale will be a one-time cash transaction;

(b) the Plan will receive the greater of: (i) the total cost of the Land; or (ii) the current fair market value of the Land (plus an appropriate premium related to the Land's adjacency to the Employer's property) as established by an independent qualified appraiser at the time of the sale;

(c) the Plan will not pay any commissions or other expenses associated with the proposed sale; and

(d) the sale of the Land to the Employer will enable the Plan to divest of an illiquid asset which has depreciated in value and yielded no income. Also, the sale will enable the Plan to reinvest the sale proceeds in investments with higher rates of return.

Tax Consequences of Transaction

The Department of the Treasury has determined that if a transaction between a qualified employee benefit plan and its sponsoring employer (or an affiliate thereof) results in the plan either paying less or receiving more than fair market value, such excess may be considered to be a contribution by the sponsoring employer to the plan, and therefore must be examined under the applicable provisions of the Internal Revenue Code, including sections 401(a)(4), 404 and 415.

For Further Information Contact: Ekaterina A. Uzlyan of the Department at (202) 219–8883. (This is not a toll-free number.)

Karen J. Hartley Profit Sharing Plan (P/S Plan) and Karen J. Hartley Money Purchase Pension Plan and Trust Agreement (M/P Plan, Collectively; the Plans) Located in Eugene, Oregon

[Application Nos. D–10588 and D–10589]

Proposed Exemption

The Department is considering granting an exemption under the authority of 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 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 loan (the Loan) by the Plans to Karen J. Hartley (Ms. Hartley), the trustee and sole participant of the Plans and, a disqualified person with respect to the Plans;[6] provided that the following conditions will be met:

1. The Loan will be structured such that each Plan will lend up to 25% of its assets. However, the aggregate amount of the Loan will not exceed $40,000 at any time;

2. The outstanding balance of the Loan will at no time exceed 25% of the Plans' aggregate assets;

3. The Plans will bear no expenses with respect to the proposed transaction;

4. The terms and conditions of the Loan will be at least as favorable to the Plans as those obtainable in arm's-length transaction with an unrelated party; and

5. The Loan will be adequately secured by collateral, which at all times will be equal to 100% of the outstanding principal amount of the Loan plus 6 months interest at the Loan's interest rate of 8.2%. In the event the collateral amount falls below this required amount, this proposed exemption, if granted, will no longer be available.

Summary of Facts and Representations

1. The P/S Plan was established on January 1, 1989, and the M/P Plan was adopted on January 1, 1993. Ms. Hartley is the sole participant[7] and trustee of both Plans. Ms. Hartley has investment discretion over the Plans' assets. Charles Schwab and Company (Schwab) is the current custodian of the Plans. As of January 31, 1998, the P/S Plan had total assets of $142,171.59, and the M/P Plan had total assets of $35,031.71. Thus, as of January 31, 1998, the aggregate balance of the Plans' assets was $177,203.30. Ms. Hartley is a sole proprietor engaged in the practice of law in Eugene, Oregon.

2. The Loan will have a ten year duration and a fixed interest rate of 8.2% per annum. The Loan will be payable in equal monthly installments of principal and interest. The promissory note (the Note) which will evidence the Loan provides for no penalty, premium or prepayment charge in the event of a full or partial prepayment. The Loan will be structured such that each Plan will lend up to 25% of its assets. However, the aggregate amount of the Loan will at no time exceed $40,000. Furthermore, the outstanding principal balance of the Loan will at no time exceed 25% of the Plans' aggregate assets.

Ms. Hartley represents that the terms of the Loan will comply with section 72(p) of the Code.[8] The Loan proceeds will be used by Ms. Hartley to acquire a dwelling unit, which shall be her principal residence.

3. The Loan will be secured by cash or cash equivalents, such as money market funds and/or certificates of deposit (the Collateral). The Collateral amount will at all times equal 100% of the outstanding principal amount of the Loan, plus 6 months of interest on such principal at the rate of 8.2% per annum. The Collateral will be maintained in a separate account with Schwab (the Collateral Account). The applicant represents that at no time will the Collateral Account contain less than the amount of assets required to fully secure the Loan, in accordance with this proposed exemption. In the event that the amount in the Collateral Account falls below the required amount, as specified herein, the proposed exemption, if granted, will no longer be available.

A security agreement (Security Agreement) will be signed by the parties to create a perfected security interest for the Plans in the Collateral. Ms. Hartley will perfect the Plans' security interest by a proper filing of a state financing statement with the Corporation Division

[6] Pursuant to CFR 2510.3–3(b) and (c), the Department has no jurisdiction with respect to the Plans under Title I of the Act. However, there is jurisdiction under Title II of the Act pursuant to section 4975 of the Code.

[7] The applicant represents that each of the Plans will have no other participants during the Loan's existence, from its initial making until the outstanding principal balance has been paid in full, and the Loan is terminated.

[8] In this regard, section 72(p)(1) of the Code treats a loan from a qualified plan to a participant as a ''premature distribution'' unless the loan meets certain conditions to qualify for ''exception for certain loans'' contained in section 72(p)(2) of the Code. However, with respect to the Loan, the Department has no jurisdiction to determine whether the requirements of section 72(p) of the Code are met.

of the State of Oregon. Ms. Hartley will retain rights to and possession of the Collateral, subject to the terms of the Security Agreement and the rights and obligations of Schwab, through its maintenance of the Collateral Account.

4. Ms. Hartley will monitor the Collateral. On a monthly basis, Ms. Hartley will receive from Schwab a statement for the Collateral Account (Schwab Statement). Ms. Hartley will determine if the amount in the Collateral Account contains at least the required Collateral amount.

On an annual basis, Ms. Hartley will examine the Schwab Statements for the Collateral Account, and will determine whether the amount in the Collateral Account exceeds the required amount of the Collateral. This determination may be made using monthly interest amortization tables, or a computer program. If the Collateral Account exceeds the required Collateral amount (an Excess Amount), Ms. Hartley may transfer the Excess Amount to her personal account, as long as the required Collateral amount remains in the Collateral Account. Alternatively, Ms. Hartley may leave any portion of the Excess Amount in the Collateral Account. However, any Excess Amount in the Collateral Account shall not modify the required Collateral amount.

If the Loan is ever in default, Ms. Hartley as trustee for the Plans will seek to remedy the default and use all legal means available in the State of Oregon.

5. With respect to the rights of the Plans as a secured creditor, the Security Agreement contains the following provisions. Section 4.2 of the Security Agreement states that the Debtor (i.e., Ms. Hartley) shall not remove the Collateral from the Collateral Account without the written consent of the Secured Party (i.e., the Plans). Section 4.3 of the Security Agreement also states that the Debtor agrees to execute and file a financing statement and do whatever may be necessary under the applicable provisions contained in the Uniform Commercial Code for the State of Oregon to perfect and continue the Secured Party's interest in the Collateral. Section 4.4 of the Security Agreement provides that the Debtor will not sell or otherwise transfer or dispose of any interest in the Collateral without the prior written consent of the Secured Party. Furthermore, Section 4.5 of the Security Agreement provides that, among other things, except where it has received the prior written consent of the Secured Party, the Debtor shall keep the Collateral free from any adverse liens or other security interests. The Debtor will not use or permit anyone to use the Collateral in violation of any statute, ordinance, or state or federal regulation, and the Secured Party may examine and inspect the Collateral at any time.

6. Ms. Hartley desires to enter into the loan transaction because the transaction is administratively feasible, protective and in the best interest of the Plans. The Plans will bear no expenses with respect to the proposed transaction. The Loan will not exceed 25% of each of the Plan's total net assets, and the aggregate amount of the Loan will not exceed $40,000. In addition, the outstanding balance of the Loan will at no time exceed 25% of the Plans' aggregate assets. The Loan will be adequately secured by the Collateral, which at all times will be equal to 100% of the outstanding principal amount of the Loan plus 6 months interest. Also, Ms. Hartley represents that the Loan is consistent with the Plans' liquidity needs and investment objectives, including the Plans' overall investment strategy to invest only in so-called ''socially responsible investments''.[9]

With respect to the terms and conditions of the Loan, Washington Mutual Bank in Eugene, Oregon (the Bank), in a letter dated April 2, 1998, has certified that it would enter into a similar loan with Ms. Hartley (the Bank Loan). Specifically, the original amount of the Bank loan would be $40,000. The Bank Loan would be payable in equal monthly payments of principal and interest, in the same amount as the Loan, over a 10 year period at an interest rate of 8.2%. Therefore, Ms. Hartley represents that the terms of the Loan will be at least as favorable to the Plans as those obtainable in arm's-length transaction with an unrelated party, as indicated by the letter from the Bank.

7. In summary, the applicant represents that the transaction satisfies the statutory criteria of section 4975(c)(2) of the Code because:

A. The Plans will bear no expenses with respect to the proposed transaction;

B. The Loan will not exceed 25% of each of the Plan's total net assets. In addition, the aggregate amount of the Loan will not exceed $40,000;

C. The outstanding principal balance of the Loan will at no time exceed 25% of the Plans' aggregate assets;

D. The terms and conditions of the Loan will be at least as favorable to the Plans as those obtainable in arm's-length transaction with an unrelated party;

E. The Loan will be adequately secured by the Collateral, which at all times will be equal to 100% of the principal amount of the Loan plus 6 months interest at the Loan's interest rate of 8.2%. In the event the Collateral Amount falls below this required amount, the proposed exemption, if granted, will no longer be available; and

F. Ms. Hartley is the sole participant of the Plans and she desires that this transaction be consummated.

Notice to Interested Persons

Because Ms. Hartley is the sole participant of the Plans, 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 are due thirty (30) days from the date of publication of this notice in the **Federal Register**.

For Further Information Contact: Ekaterina A. Uzlyan of the Department at (202) 219–8883. (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

[9] The Department is providing no opinion in this proposed exemption as to whether particular investments or investment strategies would be considered ''socially responsible'' in nature. In this regard, the Department notes that the Internal Revenue Service (IRS) has taken the view that investment strategies for qualified retirement plans may raise questions with regard to the exclusive benefit rule under section 401(a) of the Code if, among other things, the safeguards and diversity that a prudent investor would adhere to are not present. [See, for example, IRS Rev. Rul. 73–532, 1973–2 C.B. 128]

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 13th day of May, 1998.

Ivan Strasfeld,

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

[FR Doc. 98–13145 Filed 5–15–98; 8:45 am]

BILLING CODE 4510–29–P

NATIONAL CREDIT UNION ADMINISTRATION

Agency Information Collection Activities: Submission to OMB for Review; Comment Request

AGENCY: National Credit Union Administration (NCUA).

ACTION: Request for comment.

SUMMARY: The NCUA has submitted the following revised information collection to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (P.L. 104–13, 44 U.S.C. Chapter 35). This information collection is published to obtain comments from the public. It was originally published on January 15, 1998. No comments relating to the information collection were received.

DATES: Comments will be accepted until June 17, 1998.

ADDRESSES: Interested parties are invited to submit written comments to NCUA Clearance Officer or OMB Reviewer listed below:

Clearance Officer: Mr. James L. Baylen (703) 518–6411, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314–3428, Fax No. 703–6433. E-mail: jbaylen@ncua.gov

OMB Reviewer: Alexander T. Hunt (202) 395–7860, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Copies of the information collection requests, with applicable supporting documentation, may be obtained by calling the NCUA Clearance Officer, James L. Baylen, (703) 518–6411.

SUPPLEMENTARY INFORMATION: Proposal for the following collection of information:

OMB Number: 3133–0004.

Form Number: NCUA 5300.

Type of Review: Revision of a currently approved collection.

Title: Semiannual and Quarterly Financial and Statistical Report.

Description: The financial and statistical information collected is essential to NCUA in carrying out its responsibility for supervising federal credit unions. The information also enables NCUA to monitor all federally insured credit unions whose accounts are insured by the National Credit Union Share Insurance Fund.

Respondents: All credit unions.

Estimated Number of Respondents/Recordkeepers: 11,500.

Estimated Burden Hours Per Response: 8 hours.

Frequency of Response: Quarterly and semiannually.

Estimated Total Annual Burden Hours: 204,800.

Estimated Total Annual Cost: N/A.

By the National Credit Union Administration Board on March 19, 1998.

Becky Baker,

Secretary of the Board.

[FR Doc. 98–13132 Filed 5–15–98; 8:45 am]

BILLING CODE 7535–01–M

OFFICE OF PERSONNEL MANAGEMENT

Proposed Collection; Comment Request for Review of A New Generic Clearance Plan

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (Public Law 104–13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) intends to submit to the Office of Management and Budget a request for review of a new Generic Clearance Plan to measure customer satisfaction with the Retirement and Insurance Services' (RIS) programs and services. This Plan satisfies the requirements of Executive Order 12862 and the guidelines set forth in OMB's ''Resource Manual for Customer Surveys.'' RIS is requesting approval for conducting these voluntary customer satisfaction surveys in fiscal years 1998, 1999, and 2000.

Comments are particularly invited on: whether this collection of information is necessary for the proper performance of functions of the Office of Personnel Management, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

For RIS survey questionnaires, we estimate surveying approximately 464,975 customers per year for an annual burden of 109,101 hours for FY 1998 and 94,517 hours each for fiscal years 1999 and 2000; for our telephone surveys, including Interactive Voice Response (IVR) technology, we estimate surveying 264,080 customers per year for an annual burden of 22,072 hours; for Internet surveys, we estimate surveying 1,000 Internet readers for an annual burden of 167 hours; for Focus Groups, we estimate that we may have 10–20 focus groups consisting of 10–15 participants (300 total per year), lasting up to about two hours each for an annual burden of 600 hours; and for Comment Card/Postcard surveys that the RIS Washington, DC, Retirement Information Office may use, we estimate that it would take about 7 minutes to complete and 3,000 customers may respond for an annual burden of 350 hours. The total annual estimated burden is 132,498 hours in FY 1998 and 117,914 hours each for fiscal years 1999 and 2000.

For copies of this proposal, contact Jim Farron on (202) 418–3208, or E-mail to jmfarron@opm.gov.

DATES: Comments on this proposal should be received on or before July 17, 1998.

ADDRESSES: Send or deliver comments to Christopher G. Brown, Acting Chief, Quality Assurance Division, Retirement and Insurance Service, U.S. Office of Personnel Management, 1900 E Street, NW, Room 4316, Washington, DC 20415.

FOR INFORMATION REGARDING ADMINISTRATIVE COORDINATION CONTACT: Mary Beth Smith-Toomey, Budget & Administrative Services Division, (202) 606–0623.