

the date of the sale, as determined by a qualified, independent appraiser.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the notice of proposed exemption published on April 22, 1999 at 64 FR 19815.

#### *Written Comments*

The Department received no written comments or requests for a public hearing with respect to the notice of proposed exemption (the Notice). However, the applicants informed the Department that they inadvertently failed to inform interested persons of the deadline for making written comments or requests for a public hearing with respect to the Notice, which was provided by personal delivery. The applicants state that, therefore, an additional memorandum extending the comment period to June 20, 1999 was circulated by personal delivery to all interested persons.

The Department believes that the required procedure for notifying interested persons was satisfied. Accordingly, based upon the information contained in the entire record, the Department has determined to grant the exemption as proposed.

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

#### **Western Petroleum Company Profit Sharing Plan (the Plan), Located in Eden Prairie, Minnesota**

[Prohibited Transaction Exemption 99-27; Exemption Application No. D-10743]

#### *Exemption*

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 individual account (the Account) of James W. Emison in the Plan of certain closely-held stock (the Stock) to Mr. Emison, a party in interest with respect to the Plan, provided that the following conditions are satisfied: (a) the sale is a one-time transaction for cash; (b) the Account pays no commissions nor other expenses relating to the sale; and (c) the Account receives an amount that is no less than the fair market value of the Stock as of the date of the sale, as determined by a qualified, independent appraiser.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the notice of

proposed exemption published on May 27, 1999 at 64 FR 28836.

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

#### **Gaetano Lombardo Individual Retirement Account (the IRA), Located in St. Louis, Missouri**

[Prohibited Transaction Exemption 99-28; Exemption Application No. D-10749]

#### *Exemption*

The sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the the Code, shall not apply to the proposed sale by the IRA of 26,306 shares of stock (the Stock) of Courtesy Manufacturing Company (Courtesy) to Courtesy, a disqualified person with respect to the IRA, provided that the following conditions are satisfied: (1) The sale of Stock by the IRA is a one-time transaction for cash; (2) no commissions or other expenses are paid by the IRA in connection with the sale; and (3) the IRA receives the greater of: (a) The fair market value of the Stock as determined by a qualified independent appraiser as of October 31, 1998, or (b) the fair market value of the Stock as of the time of the sale.<sup>1</sup>

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the notice of proposed exemption published on June 3, 1999.

**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 or disqualified person from certain other provisions to which the exemptions 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

<sup>1</sup> Pursuant to 29 CFR 2510.3-2(d), the IRA is not within the jurisdiction of Title I of the Act. However, there is jurisdiction under Title II of the Act pursuant to section 4975 of the Code.

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) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transactional 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

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application are true and complete and accurately describe all material terms of the transaction which is the subject of the exemption. In the case of continuing exemption transactions, if any of the material facts or representations described in the application change after the exemption is granted, the exemption will cease to apply as of the date of such change. In the event of any such change, application for a new exemption may be made to the Department.

Signed at Washington, DC, this 12th day of July, 1999.

#### **Ivan Strasfeld,**

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

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## DEPARTMENT OF LABOR

### **Veterans' Employment and Training Service**

#### **Agency Information Collection Activities: Proposed Collection; Comment Request: Analysis of the Veterans Automated Resume Referral System**

**AGENCY:** Veterans' Employment and Training Service, DOL.

**ACTION:** Notice.

**SUMMARY:** The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on the proposed collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)].

This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently the Veterans' Employment and Training Service (VETS) is soliciting comments concerning the proposed information collection request for the Analysis of the Veterans Automated Resume Referral System.

**DATES:** Written comments must be submitted by September 14, 1999.

**ADDRESSES:** Comments are to be submitted to the Veterans' Employment and Training Service, U.S. Department of Labor, Room S-1316, 200 Constitution Ave., NW, Washington, DC 20210, telephone (202) 693-4719. Written comments limited to 10 pages of fewer may also be transmitted by facsimile to (202) 693-4755.

**FOR FURTHER INFORMATION CONTACT:** Stanley Seidel, Chief, Employment and Training Programs, Veterans' Employment and Training Service, U.S. Department of Labor, Room S-1316, 200 Constitution Ave., NW, Washington, DC 20210, telephone: (202) 693-4719.

Copies of the referenced information collection request are available for inspection and copying through VETS and will be mailed to persons who request copies by telephoning Stanley Seidel at (202) 693-4719.

**SUPPLEMENTARY INFORMATION:**

**I. Background**

The State Employment Service Agencies (SESA's) and employers are increasing their use of the America's Job Bank (AJB) and America's Talent Bank (ATB). VETS wants to ensure that our Nation's veterans continue to receive priority in the Employment Service referral process.

In an effort to ensure that veterans do receive priority consideration in the referral process, VETS and the Employment and Training Administration have agreed to a pilot project. The pilot began on January 4, 1999 and will run through September 1999. Four States, North Carolina, Florida, Kansas, and Washington (State) have been selected to participate in the pilot.

The pilot will address veterans' priority of referral on the ATB. When a job order is placed on the AJB, the ATB system will automatically search for any qualified veterans resume and send it to the employer. Upon completion of the pilot, an evaluation will be conducted to measure the effectiveness of both

projects to determine if they have demonstrated veterans priority in the referral process.

**II. Review Focus**

The Department of Labor is particularly interested in comments which:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the function 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, included through the use of appropriate automated, electronic, mechanical, or other technology collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

**III. Current Actions**

This notice requests the Office of Management and Budget approval of the Paperwork requirements for the Analysis of the Veterans Automated Resume Referral System.

*Type of Review:* Regular Submission (new).

*Agency:* Veterans' Employment and Training Service.

*Title:* The Analysis of the Veterans Automated Resume Referral System.

*OMB Number:* New.

*Affected Public:* Individuals or households.

*Total Respondents:* 919.

*Average Time per Response:* 15 minutes.

*Total Annualized Capital/startup costs:* \$0.

*Total Initial Annual Costs:* (operating/maintaining systems or purchasing services) \$33,730.

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

Dated: July 8, 1999.

**Espiridion "AL" Borrego,**

*Assistant Secretary for Veterans' Employment and Training Service.*

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**NATIONAL ARCHIVES AND RECORDS ADMINISTRATION**

**Records Schedules for Electronic Copies Previously Covered by General Records Schedule 20; Availability and Request for Comments**

**AGENCY:** National Archives and Records Administration, Office of Records Services—Washington, DC.

**ACTION:** Notice of availability of proposed records schedules; request for comments.

**SUMMARY:** The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal.

This request for comments pertains solely to schedules for electronic copies of records created using word processing and electronic mail where the recordkeeping copies are already scheduled. (Electronic copies are records created using word processing or electronic mail software that remain in storage on the computer system after the recordkeeping copies are produced.)

These records were previously approved for disposal under General Records Schedule 20, Items 13 and 14. Pursuant to NARA Bulletin 99-04, agencies must submit schedules for the electronic copies associated with program records and administrative records not covered by the General Records Schedules. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a). To facilitate review of these schedules, their availability for comment is announced in **Federal Register** notices separate from those used for other records disposition schedules.

**DATES:** Requests for copies must be received in writing on or before August 30, 1999. On request, NARA will send a copy of the schedule. NARA staff usually prepare appraisal