

Construction Safety and Health (ACCSH) will meet on February 17, 2000, at the Holiday Inn O'Hare International, 5440 North River Road, Rosemont, IL. This meeting is open to the public.

**TIMES, DATES, ROOMS:** ACCSH will meet from 8 a.m. to Noon, Thursday, February 17. ACCSH work groups will meet from 8 a.m. to 5 p.m., Monday, February 14.

**SUPPLEMENTARY INFORMATION:** For further information contact Veneta Chatmon, Office of Public Affairs, Room N-3647, telephone (202) 693-1999, at the Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Washington, DC 20210.

An official record of the meeting will be available for public inspection at the OSHA Docket Office, Room N-2625, telephone 202-693-2350. All ACCSH meetings and those of its work groups are open to the public. Individuals needing special accommodation should contact Veneta Chatmon no later than February 1, 2000, at the above address.

ACCSH was established under section 107(e)(1) of the Contract Work Hours and Safety Standards Act (40 U.S.C. 333) and section 7(b) of the Occupational Safety and Health Act of 1970 (29 U.S.C. 656).

The agenda items include:

- Remarks by the Assistant Secretary for the Occupational Safety and Health Administration Charles N. Jeffress.

- ACCSH Work Group Updates, including:

- Musculoskeletal Disorders,
- Fall Protection,
- Sanitation,
- Process Safety Management.
- Open Forum—Public questions, complaints and compliments are welcome.

The following ACCSH Work Groups are scheduled to meet at the Holiday Inn O'Hare International on Monday, February 14:

- Fall Protection—8-10 a.m.
- Multi-employer citation policy—10:15 a.m.-12:15 p.m.
- Sanitation—1-3 p.m.
- Musculoskeletal Disorders—3:15-5:15 p.m.

The Training Work Group is scheduled to meet on Wednesday, February 16 at the OSHA Training Institute, 1555 Times Drive, Des Plaines, IL.

Other workgroups may meet after adjournment of the ACCSH meeting on Thursday, February 17, 2000.

For further information on ACCSH activities and scheduling please refer to the OSHA Web site at <http://www.osha.gov> or call Jim Boom in

OSHA's Directorate of Construction at (202) 693-1839.

Interested persons may submit written data, views or comments, preferably with 20 copies, to Veneta Chatmon, at the address above. Submissions received prior to the meeting will be provided to ACCSH and will be included in the record of the meeting.

Signed at Washington, DC this 19th day of January, 2000.

**Charles N. Jeffress,**

*Assistant Secretary of Labor.*

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**BILLING CODE 4510-26-P**

## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

#### Proposed Extension of Information Collection; Comment Request; Prohibited Transaction Exemption 90-1

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), 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 proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)). This 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 Pension and Welfare Benefits Administration is soliciting comments concerning the extension of the information collection requests (ICR) incorporated in Prohibited Transaction Class Exemption 90-1, involving insurance company pooled separate accounts. A copy of the ICR may be obtained by contacting the office listed in the addresses section of this notice.

**DATES:** Written comments must be submitted to the office shown in the addresses section below on or before March 27, 2000.

**ADDRESSES:** Gerald B. Lindrew, Office of Policy and Research, U.S. Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N-5647, Washington, D.C. 20210. Telephone: (202) 219-4782; Fax: (202) 219-4745. These are not toll-free numbers.

## SUPPLEMENTARY INFORMATION:

### I. Background

Prohibited Transaction Class Exemption 90-1 provides an exemption from certain provisions of the Employee Retirement Income Security Act of 1974 (ERISA) for certain transactions involving insurance company pooled separate accounts in which employee benefit plans participate and which are otherwise prohibited by ERISA. Specifically, the exemption allows persons who are parties in interest of a plan that invests in a pooled separate account to engage in transactions with the separate account if the plan's participation in the separate account does not exceed specified limits. In order to ensure that the exemption is not abused, that the rights of participants and beneficiaries are protected, and that certain conditions are met, the Department requires that records regarding the exempted transaction be maintained for six years.

### II. Desired Focus of Comments

The Department is particularly interested in comments which

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

### III. Current Action

This exemption provides individuals or entities which are parties in interest to a plan that invests in an insurance company pooled separate account with the ability to engage in transactions with the separate account and to avoid potential hardships and possible fiduciary liability under ERISA. For the Department to grant an exemption, however, plan participants and beneficiaries must be protected. The Department therefore included certain exemption conditions, one of which requires that records of a transaction

between the party in interest to a plan and the insurance company pooled separate account be kept by the insurance company for six years from the date of the transaction. The majority of this recordkeeping is considered to be usual business practice in the insurance industry. Without this ICR, the Department would be unable to effectively enforce the terms of the exemption, insure user compliance, and protect the interests of participants and beneficiaries.

*Type of Review:* Extension of currently approved collections of information.

*Agency:* Pension and Welfare Benefits Administration.

*Title:* Prohibited Transaction Exemption 90-1—Pooled Separate Accounts.

*OMB Number:* 1210-0083.

*Recordkeeping:* Six years.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions.

*Total Respondents:* 128.

*Average Time per Response:* 5 minutes.

*Estimated Total Burden Hours:* 11 hours.

This notice requests comments on the extension of the ICR included in Prohibited Transaction Class Exemption 90-1. The Department is not proposing or implementing changes to the existing ICR at this time. Comments received in response to this notice will be summarized and/or incorporated in the submission to OMB for continued clearance of the ICR; they will also become a matter of public record.

Dated: January 20, 2000.

**Gerald B. Lindrew,**

*Deputy Director, Office of Policy and Research, Pension and Welfare Benefits Administration.*

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## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

#### Proposed Extension of Information Collection; Comment Request; Prohibited Transaction Exemption 94-20

**ACTION:** Notice.

**SUMMARY:** The Department of Labor (the Department), 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 proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)). This helps to ensure that requested data can be provided in the desired format, report 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 Pension and Welfare Benefits Administration is soliciting comments concerning the extension of the information collection requests (ICR) incorporated in Prohibited Transaction Class Exemption 94-20, Purchases and Sales of Foreign Currencies. A copy of the ICR may be obtained by contacting the office listed in the addresses section of this notice.

**DATES:** Written comments must be submitted to the office shown in the addresses section below on or before March 27, 2000.

**ADDRESSES:** Gerald B. Lindrew, Office of Policy and Research, U.S. Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N-5647, Washington, D.C. 20210. Telephone: (202) 219-4782; Fax: (202) 219-4745. These are not toll-free numbers.

#### SUPPLEMENTARY INFORMATION:

##### I. Background

Prohibited Transaction Class Exemption 94-20 permits the purchase and sale of foreign currencies between an employee benefit plan and a bank or a broker-dealer or an affiliate thereof that is a party in interest with respect to such plan. In the absence of this exemption, certain aspects of these transactions could be prohibited by section 406(a) of the Employee Retirement Security Act of 1974 (the Act).

##### II. Desired Focus of Comments

The Department is particularly interested in comments which—

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

##### III. Current Action

This existing collection of information should be continued because without the relief provided by this exemption, foreign exchange transactions between a bank or an affiliate thereof and an employee benefit plan with respect to which the bank or an affiliate is a trustee, custodian, fiduciary, or other party in interest would violate certain provisions of the Act. Specifically, individuals or entities which are parties in interest with respect to a plan would not be permitted to engage in a purchase or sale of foreign currencies between the bank, broker-dealer, or a affiliate thereof and an employee benefit plan, thus creating a potential hardship to those affected. The exemption has one basic information collection condition—the bank or broker-dealer or affiliates thereof are required to maintain within territories under the jurisdiction of the United States Government, for a period of six years from the date of the transaction, records of the foreign exchange transaction. Without such records, the Department would be unable to effectively enforce the terms of the exemption, insure user compliance, and protect the interests of employee benefit plan participants and beneficiaries.

*Type of Review:* Extension of currently approved collections of information.

*Agency:* Pension and Welfare Benefits Administration.

*Title:* Prohibited Transaction Class Exemption 94-20, Purchases and Sales of Foreign Currencies.

*OMB Number:* 1210-0085.

*Recordkeeping:* Six years.

*Affected Public:* Individuals or households; Business or other for-profit; Not-for-profit institutions.

*Total Respondents:* 35.

*Average Time per Response:* 5 minutes.

*Total Responses:* 175.

*Estimated Total Burden Hours:* 15.

This notice requests comments on the extension of the ICR included in Prohibited Transaction Class Exemption 94-20. The Department is not proposing or implementing changes to the existing ICR at this time. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of the