

liquidations or transfers initiated by the individual retirement plan account holder exercising his or her right to withdraw or transfer funds under the terms of an arrangement that does not include substantial restrictions to the account holder's access to the individual retirement plan's assets.

(f) The term "Regulated Financial Institution" means an entity that: (i) Is subject to state or federal regulation, and (ii) is a bank or savings association, the deposits of which are insured by the Federal Deposit Insurance Corporation; a credit union, the member accounts of which are insured within the meaning of section 101(7) of the Federal Credit Union Act; an insurance company, the products of which are protected by state guaranty associations; or an investment company registered under the Investment Company Act of 1940.

(g) An "affiliate" of a person includes:

(1) Any person directly or indirectly controlling, controlled by, or under common control with, the person; or

(2) Any officer, director, partner or employee of the person;

(h) The term "control" means the power to exercise a controlling influence over the management or policies of a person other than an individual.

(i) The term "Mandatory Distribution" means the automatic rollover of a mandatory distribution described in

section 401(a)(31)(B) of the Code, or a mandatory distribution of one thousand dollars (\$1,000) or less described in section 411(a)(11) of the Code provided there is no affirmative distribution election by the participant.

Signed at Washington, DC, this 20th day of September, 2004.

**Ivan L. Strasfeld,**

*Director, Office of Exemption Determinations,  
Employee Benefits Security Administration,  
U.S. Department of Labor.*

[FR Doc. 04-21592 Filed 9-27-04; 8:45 am]

**BILLING CODE 4510-29-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Solicitation for Grant Applications (SGA); High-Growth Job Training Initiative Grants Correction

**AGENCY:** Employment and Training Administration (ETA), Labor.

**ACTION:** Notice; correction.

**SUMMARY:** The Employment and Training Administration published a document in the **Federal Register** of September 17, 2004, concerning the availability of grant funds for address labor shortages, innovative training strategies, and other workforce challenges in the healthcare and

biotechnology industries. The document contained incorrect application requirements.

**FOR FURTHER INFORMATION CONTACT:** Kevin Brumback, Grants Management Specialist, Division of Federal Assistance, Fax (202) 693-2879.

#### Corrections

In the **Federal Register** of September 17, 2004, in FR Volume 69, Number 180:

- On page 56087, in the third column, remove "• Assurances and Certifications Signature Page (Appendix C)."

- On page 56091, in the third column, add "Appendix E: OMB N. 0348-0046: Disclosure of Lobbying Activities. This form will be required upon selection for award."

- On page 56087, in the second column, is corrected to add: The Budget Information Form (Appendix B): "If applying through grants.gov the Budget information Form is to be added as an attachment to the application. This form can be found on <http://www.doleta.gov/sga/sga.cfm>."

Dated: September 22, 2004.

Signed at Washington, DC, this 22nd day of September, 2004.

**Eric D. Luetkenhaus,**  
*Grant Officer.*

**BILLING CODE 4510-30-P**

**Lobbying Certification (29 CFR Part 93)****Instructions for Completion of SF-LLL, Disclosure of Lobbying Activities**

This disclosure form shall be completed by the reporting entity, whether subawardee or prime Federal recipient, at the initiation or receipt of a covered Federal Action, or a material change to a previous filing, pursuant to title 31 U.S.C. section 1352. The filing of a form is required for each payment or agreement to make payment to any lobbying entity for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with a covered Federal action. Use the SF-LLL-A Continuation Sheet for additional information if the space on the form is inadequate. Complete all items that apply for both the initial filing and material change report. Refer to the implementing guidance published by the Office of Management and Budget for additional information.

1. Identify the type of covered Federal action for which lobbying activity is and/or has been secured to influence the outcome of a covered Federal action.
2. Identify the status of the covered Federal action.
3. Identify the appropriate classification of this report. If this is a followup report caused by a material change to the information previously reported, enter the year and quarter in which the change occurred. Enter the date of the last previously submitted report by this reporting entity for this covered Federal action.
4. Enter the full name, address, city, state and zip code of the reporting entity. Include Congressional District, if known. Check the appropriate classification of the reporting entity that designates if it is, or expects to be, a prime or subaward recipient. Identify the tier of the subawardee, e.g., the first subawardee of the prime is the 1st tier. Subawards include but are not limited to subcontracts, subgrants and contract awards under grants.
5. If the organization filing the report in item 4 checks "Subawardee", then enter the full name, address, city, state and zip code of the prime Federal recipient. Include Congressional District, if known.
6. Enter the name of the Federal agency making the award or loan commitment. Include at least one organizational level below agency name, if known. For example, Department of Transportation, United States Coast Guard.
7. Enter the Federal program name or description for the covered Federal action (item 1). If known, enter the full Catalog of Federal Domestic Assistance (CFDA) number for grants, cooperative agreements, loans, and loan commitments.
8. Enter the most appropriate Federal identifying number available for the Federal action identified in item 1 (e.g., Request for Proposal (RFP) number; Invitation for Bid (IFB) number, grant announcement number, the contract, grant, or loan award number, the application/proposal control number assigned by the Federal agency). Include prefixes, e.g., "RFP-DE-90-001."
9. For a covered Federal action where there has been an award or loan commitment by the Federal agency, enter the Federal amount of the award/loan commitment for the prime entity identified in item 4 or 5.
10.
  - (a) Enter the full name, address, city, state and zip code of the lobbying entity engaged by the reporting entity identified in item 4 to influence the covered Federal action.
  - (b) Enter the full names of the individual(s) performing services, and include full address if different from 10 (a). Enter Last Name, First Name, and Middle Initial (MI).
11. Enter the amount of compensation paid or reasonably expected to be paid by the reporting entity (item 4) to the lobbying entity (item 10). Indicate whether the payment has been made (actual) or will be made (planned). Check all boxes that apply. If this is a material change report, enter the cumulative amount of payment made or planned to be made.
12. Check the appropriate box(es). Check all boxes that apply. If payment is made through an in-kind contribution, specify the nature and value of the in-kind payment.
13. Check the appropriate box(es). Check all boxes that apply. If other, specify nature.
14. Provide a specific and detailed description of the services that the lobbyist has performed, or will be expected to perform, and the date(s) of any services rendered. Include all preparatory and related activity, not just time spent in actual contact with Federal officials. Identify the Federal official(s) or employee(s) contacted or the officer(s), employee(s), or Member(s) of Congress that were contacted.
15. Check whether or not a SF-LLL-A Continuation Sheet(s) is attached.
16. The certifying official shall sign and date the form, print his/her name, title, and telephone number.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0046), Washington, D.C. 20503.

**DISCLOSURE OF LOBBYING ACTIVITIES**  
(Continuation Sheet)

Reporting Entity:

Page \_\_\_\_ Page

**DISCLOSURE OF LOBBYING ACTIVITIES**

Complete this form to disclose lobbying activities pursuant to 31 U.S.C. 1352  
(see reverse for public burden disclosure)

<p>1. Type of Federal Action:</p> <p>a. contract b. grant c. cooperative agreement d. loan e. loan guarantee f. loan insurance</p>	<p>2. Status of Federal Action:</p> <p>a. bid/offer/application b. initial award c. post-award</p>	<p>3. Report Type:</p> <p>a. initial filing b. material change For Material Change Only: year ____ quarter ____ date of last report ____</p>
<p>4. Name and Address of Reporting Entity: __ Prime __ Subawardee Tier ____, if known:</p> <p>Congressional District, if known:</p>	<p>5. If Reporting Entity in No.4 is Subawardee, Enter Name and Address of Prime.</p> <p>Congressional District, if known:</p>	
<p>6. Federal Department/Agency:</p>	<p>7. Federal Program Name/Description:</p> <p>CFDA Number, if applicable:</p>	
<p>8. Federal Action Number, if known:</p>	<p>9. Award Amount, if known: \$</p>	
<p>10. a. Name and Address of Lobbying Entity (if individual, last name, first name, MI):</p> <p>(Attach Continuation Sheet(s) SF-LLL-A, if necessary)</p>	<p>b. Individuals Performing Services (including address if different from No. 10a) (last name, first name, MI):</p> <p>(Attach Continuation Sheet(s) SF-LLL-A, if necessary)</p>	
<p>11. Amount of Payment (check all that apply):</p> <p>___ actual ___ planned \$</p> <p>12. Form of Payment (check all that apply):</p> <p>___ a. cash ___ b. in-kind; specify: nature _____ value _____</p>	<p>13. Type of Payment (check all that apply)</p> <p>___ a. retainer ___ b. one-time fee ___ c. commission ___ d. contingent fee ___ e. deferred ___ f. other, specify:</p>	
<p>14. Brief Description of Services Performed or to be Performed and Date(s) of Service, including officer(s), employee(s), or Member(s) contacted, for Payment Indicated in item 11:</p> <p>(attach Continuation Sheet(s) SF-LLL-A, if necessary)</p>		
<p>15. Continuation Sheet(s) SF-LLL-A attached: ___ YES ___ NO</p>		
<p>16. Information requested through this form is authorized by title 31 U.S.C. section 1352. This disclosure of lobbying activities is a material representation of fact upon which reliance was placed by the tier above when this transaction was made or entered into. This disclosure is required pursuant to 31 U.S.C. 1352. This information will be reported to the Congress semi-annually and will be available for public inspection. Any person who fails file the required disclosure shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.</p>	<p>Signature _____ Print Name: _____ Title: _____ Telephone Number: _____ Date: _____</p>	

[FR Doc. 04-21659 Filed 9-27-04; 8:45 am]

BILLING CODE 4510-30-C

**MARINE MAMMAL COMMISSION****Sunshine Act Notice**

**TIME AND DATE:** The Marine Mammal Commission and its Committee of Scientific Advisors on Marine Mammals will meet in executive session on Tuesday, 26 October 2004, from 8:30 a.m. to 10 a.m. The public sessions of the Commission and the Committee meeting will be held on Tuesday, 26 October 2004, from 10 a.m. to 5:15 p.m., on Wednesday, 27 October 2004, from 8:30 a.m. to 5 p.m., and on Thursday, 28 October 2004, from 1:30 p.m. to 5:15 p.m.

**PLACE:** Royal Kona Resort, 75-5852 Alii Drive, Kailua-Kona, Hawaii 96740; telephone: (808) 329-3111; fax: (808) 329-9532.

**STATUS:** The executive session will be closed to the public. At it, matters relating to international negotiations in process, personnel, and the budget of the Commission will be discussed. All other portions of the meeting will be open to public observation. Public participation will be allowed as time permits and as determined to be desirable by the Chairman.

**MATTERS TO BE CONSIDERED:** The Commission and Committee will meet in public session to discuss a broad range of marine mammal matters, focusing primarily on Hawaii and the Pacific islands region. Although subject to change, major issues that the Commission plans to consider at the meeting include cetacean stock assessment and fisheries management throughout the Pacific islands region; humpback whales in Hawaii; marine mammal stranding response efforts in Hawaii; Hawaiian monk seals; management of national wildlife refuges in the Northwestern Hawaiian Islands; the NWHI Coral Reef Ecosystem Reserve; and spinner dolphin populations in Hawaiian waters. A more detailed agenda can be found on the Commission's Web site, <http://www.mmc.gov>.

**FOR FURTHER INFORMATION CONTACT:** David Cottingham, Executive Director, Marine Mammal Commission, 4340 East-West Highway, Room 905, Bethesda, MD 20814, (303) 504-0087.

Dated: September 24, 2004.

**David Cottingham,**  
Executive Director.

[FR Doc. 04-21775 Filed 9-24-04; 10:55 am]

BILLING CODE 6820-31-M

**NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES****National Endowment for the Arts; Arts Advisory Panel**

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that six meetings of the Arts Advisory Panel (Arts Education section, Learning in the Arts for Children & Youth category) to the National Council on the Arts will be held at the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506 as follows:

*Panel A1:* October 11, 2004, Room 716). A portion of this meeting, from 3 p.m. to 3:45 p.m., will be for policy discussion and will be open to the public. The remainder of the meeting, from 9 a.m. to 3 p.m. and from 3:45 p.m. to 4:15 p.m., will be closed.

*Panel A2:* October 12-13, 2004, Room 716. A portion of this meeting, from 4 p.m. to 4:45 p.m. on October 12th, will be for policy discussion and will be open to the public. The remainder of the meeting, from 9 a.m. to 6 p.m. on October 12th, and from 9 a.m. to 4 p.m., and 4:45 p.m. to 5:30 p.m. on October 13th, will be closed.

*Panel A3:* October 14-15, 2004, Room 716. A portion of this meeting, from 4 p.m. to 4:45 p.m. on October 15th, will be for policy discussion and will be open to the public. The remainder of the meeting, from 9 a.m. to 6:15 p.m. on October 14th, and from 8:30 a.m. to 4 p.m., and 4:45 p.m. to 5:30 p.m. on October 15th, will be closed.

*Panel B1:* October 18-19, 2004, Room 716. A portion of this meeting, from 4:45 p.m. to 5:15 p.m. on October 19th, will be for policy discussion and will be open to the public. The remainder of the meeting, from 9 a.m. to 6 p.m. on October 18th, and from 9 a.m. to 4:45 p.m., and 5:15 p.m. to 6 p.m. on October 19th, will be closed.

*Panel C1:* October 20-21, 2004, Room 716. A portion of this meeting, from 4 p.m. to 4:45 p.m. on October 21st, will be for policy discussion and will be open to the public. The remainder of the meeting, from 9 a.m. to 6 p.m. on October 20th, and from 9 a.m. to 4 p.m., and 4:45 p.m. to 5:30 p.m. on October 21st, will be closed.

*Panel B2:* October 25-26, 2004, Room 716. A portion of this meeting, from 4:45 p.m. to 5:15 p.m. on October 26th, will be for policy discussion and will be open to the public. The remainder of the meeting, from 9 a.m. to 6:30 p.m. on October 25th, and from 9 a.m. to 4:45 p.m., and 5:15 p.m. to 6 p.m. on October 26th, will be closed.

The closed portions of meetings are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman of April 14, 2004, these sessions will be closed to the public pursuant to subsection (c) (6) of 5 U.S.C. 552b.

Any person may observe meetings, or portions thereof, of advisory panels that are open to the public, and if time allows, may be permitted to participate in the panel's discussions at the discretion of the panel chairman.

If you need special accommodations due to a disability, please contact the Office of AccessAbility, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506, (202) 682-5532, TDY-TDD (202) 682-5496, at least seven (7) days prior to the meeting.

Further information with reference to these meetings can be obtained from Ms. Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC, 20506, or call (202) 682-5691.

Dated: September 22, 2004.

**Kathy Plowitz-Worden,**  
Panel Coordinator, Panel Operations,  
National Endowment for the Arts.

[FR Doc. 04-21620 Filed 9-27-04; 8:45 am]

BILLING CODE 7537-01-P

**NATIONAL FOUNDATION OF THE ARTS AND THE HUMANITIES****Sunshine Act; Meeting of the National Museum and Library Services Board**

**AGENCY:** Institute of Museum and Library Services, NFAH.

**ACTION:** Notice of meeting.

**SUMMARY:** This notice sets forth the agenda of a forthcoming meeting of the National Museum and Library Services Board. This notice also describes the function of the Board. Notice of this meeting is required under the Sunshine in Government Act.

*Time/Date:* 9 a.m. to 12:30 p.m. on Thursday, October 7, 2004.

*Agenda:* Committee Meetings of the Third Meeting of the National Museum and Library Service Board.

9 a.m.-10:30 p.m. Executive Session (Closed to the Public)

11 a.m.-12:30 p.m. Policy and Planning Committee (Open to the Public)

I. Staff Reports  
II. Other Business

11 a.m.-12:30 p.m. Partnerships and Government Affairs (Open to the Public)

I. Staff Reports  
II. Other Business

*Time/Date:* 9 a.m. to 12:30 p.m. on Friday, October 8, 2004.

*Agenda:* Third Meeting of the National Museum and Library Services Board (Open to the Public).

I. Welcome  
II. Approval of minutes  
III. Program Reports  
IV. Committee Reports