

*Frequency:* Annually.  
*Total Burden Cost (capital/startup):* \$59,882.

*Total Burden Cost (operating/maintenance):* \$0.

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: June 8, 2005.

**Bruce Bohanon,**

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 05-11780 Filed 6-14-05; 8:45 am]

**BILLING CODE 4510-CM-P**

**DEPARTMENT OF LABOR**

**Employment Standards Administration**

**Proposed Collection; Comment Request**

**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 proposed and/or continuing 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 Employment Standards Administration is soliciting comments concerning the proposed collection: Application for Authority for an Institution of Higher Education to Employ its Full-Time Students at Subminimum Wages Under Regulations 29 CFR Part 519 (WH-201). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this notice.

**DATES:** Written comments must be submitted to the office listed in the addresses section below on or before August 15, 2005.

**ADDRESSES:** Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418,

fax (202) 693-1451, e-mail *bell.hazel@dol.gov*. Please use only one method of transmission for comments (mail, fax, or e-mail).

**SUPPLEMENTARY INFORMATION**

**I. Background**

Fair Labor Standards Act (FLSA) section 14(b)(3), 29 U.S.C. 214(b)(3), authorizes the Secretary of Labor to provide certificates allowing institutions of higher education to employ their full-time students at subminimum wages, to the extent necessary to prevent curtailment of opportunities for employment. This section also sets limits on such employment and protects the full-time employment opportunities of other workers. The Department of Labor (DOL) has issued Regulations 29 CFR part 519 to implement the statutory provision. An institution of higher education uses Form WH-201, when applying for authorization to pay subminimum wages to its full-time students employed by the institution. The WH-201 application provides the information necessary to ascertain whether the requirements of section 14(b) have been met. This information collection is currently approved for use through November 30, 2005.

**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 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 submissions of responses.

**III. Current Actions**

The Wage and Hour Division seeks the approval of the extension of this information collection to carry out its responsibility to make a determination whether to grant or deny subminimum wage authority to the applicant. If the information were not collected,

institutions of higher education would not have a mechanism to apply for authorization to pay full-time students at subminimum wages and job opportunities for full-time students would be reduced.

*Type of Review:* Extension.

*Agency:* Employment Standards Administration.

*Title:* Application for Authority for an Institution of Higher Education to Employ its Full-Time Students at Subminimum Wages under Regulations 29 CFR Part 519.

*OMB Number:* 1215-0080.

*Agency Number:* WH-201.

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

*Total Respondents:* 15.

*Total Annual Responses:* 15.

*Estimated Time per Response:* 15 to 30 minutes.

*Burden Hours Per Response*

*(Recordkeeping):* 1 minute.

*Estimated Total Burden Hours*

*(Reporting and Recordkeeping):* 5.

*Frequency:* Annually.

*Total Burden Cost (capital/startup):* \$0.

*Total Burden Cost (operating/maintenance):* \$0.

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: June 8, 2005.

**Bruce Bohanon,**

*Chief, Branch of Management Review and Internal Control, Division of Financial Management, Office of Management, Administration and Planning, Employment Standards Administration.*

[FR Doc. 05-11781 Filed 6-14-05; 8:45 am]

**BILLING CODE 4510-27-P**

**DEPARTMENT OF LABOR**

**Occupational Safety and Health Administration**

[Docket No. ICR-1218-0126(2005)]

**Acrylonitrile Standard; Extension of the Office of Management and Budget's (OMB) Approval of Information Collection (Paperwork) Requirements**

**AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.

**ACTION:** Request for public comment.

**SUMMARY:** OSHA solicits public comment concerning its request for an extension of the information collection requirements contained in the Acrylonitrile Standard (the "AN" Standard) (29 CFR 1910.1045).

**DATES:** Comments must be submitted by the following dates:

*Hard copy:* Your comments must be submitted (postmarked or received) by August 15, 2005.

*Facsimile and electronic transmission:* Your comments must be received by August 15, 2005.

**ADDRESSES:** You may submit comments, identified by OSHA Docket No. ICR-1218-0126(2005), by any of the following methods:

*Regular mail, express delivery, hand delivery, and messenger service:* Submit your comments and attachments to the OSHA Docket Office, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-2350 (OSHA's TTY number is (877) 889-5627). OSHA Docket Office and Department of Labor hours are 8:15 a.m. to 4:45 p.m., ET.

*Facsimile:* If your comments are 10 pages or fewer in length, including attachments, you may fax them to the OSHA Docket Office at (202) 693-1648.

*Electronic:* You may submit comments through the Internet at <http://ecomments.osha.gov>. Follow instructions on the OSHA Web page for submitting comments.

*Docket:* For access to the docket to read or download comments or background materials, such as the complete Information Collection Request (ICR) (containing the Supporting Statement, OMB-83-I Form, and attachments), go to OSHA's Web page at <http://www.OSHA.gov>. In addition, the ICR, comments and submissions are available for inspection and copying at the OSHA Docket Office at the address above. You may also contact Todd Owen at the address below to obtain a copy of the ICR. For additional information on submitting comments, please see the "Public Participation" heading in the **SUPPLEMENTARY INFORMATION** section of this document.

**FOR FURTHER INFORMATION CONTACT:** Todd Owen, Directorate of Standards and Guidance, OSHA, Room N-3609, 200 Constitution Avenue, NW., Washington, DC 20210, telephone: (202) 693-2222.

#### **SUPPLEMENTARY INFORMATION:**

##### **I. Background**

The Department of Labor, as part of its continuing effort to reduce paperwork and respondent (*i.e.*, employer) burden, conducts a preclearance consultation program to provide the public with an opportunity to comment on proposed and continuing information collection requirements in accordance with the

Paperwork Reduction Act of 1995 (PRA-95) (44 U.S.C. 3506(c)(2)(A)).

This program ensures that information is in the desired format, reporting burden (time and costs) is minimal, collection instruments are clearly understood, and OSHA's estimate of the information collection burden is accurate. The Occupational Safety and Health Act of 1970 (the Act) (29 U.S.C. 651 *et seq.*) authorizes information collection by employers as necessary or appropriate for enforcement of the Act or for developing information regarding the causes and prevention of occupational injuries, illnesses, and accidents (29 U.S.C. 657).

On January 5, 2005, OSHA published the Standards Improvement Project—Phase II, Final rule (70 FR 1112). The final rule removed and revised provisions of standards that were outdated, duplicative, unnecessary, or inconsistent and clarified or simplified regulatory language. The final rule contained several revisions to collections of information contained in the AN Standard.<sup>1</sup> These revisions included: Reducing the frequency of exposure monitoring and updating compliance plans; allowing employers the option to post employee exposure-monitoring results instead of requiring individual notification; and eliminating the need for employers to report emergencies to OSHA and to notify OSHA when establishing a regulated area. Those changes reduced paperwork burden hours while maintaining worker protection and improving consistency among standards.

The information collection requirements specified in the AN Standard protect employees from the adverse health effects that may result from their exposure to AN. The major information collection requirements of the AN Standard include notifying employees of their AN exposures, implementing a written compliance program, providing examining physicians with specific information, ensuring that employees receive a copy of their medical examination results, maintaining employee's exposure-monitoring and medical records for specific periods, and providing access to these records by OSHA, the National Institute for Occupational Safety and

<sup>1</sup>The Office of Management and Budget approved the reduction of 1,511 burden hours after reviewing the Information Collection Request for the Standards Improvement Project—Phase II Notice of Proposed Rulemaking, published October 31, 2002 (67 FR 66494). On January 5, 2005, when the final rule was published (70 FR 1112) documentation was submitted to OMB revising the reduction of 1,511 hours to 1,196 hours to reflect the increase in time to conduct exposure monitoring.

Health, the affected employees, and designated representatives.

##### **II. Special Issues for Comment**

OSHA has a particular interest in comments on the following issues:

- Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful;
- The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used;
- The quality, utility, and clarity of the information collected; and
- Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.

##### **III. Proposed Actions**

OSHA proposes to extend the Office of Management and Budget's (OMB) approval of these collections of information (paperwork) requirements necessitated by the AN standard (29 CFR 1910.1045). The Agency will include this summary in its request to OMB to extend the approval of these collections of information requirements.

*Type of Review:* Extension of currently approved information collection requirements.

*Title:* Acrylonitrile Standard.

*OMB Number:* 1218-0126.

*Affected Public:* Business or other for-profits; Federal government; State, local or tribal government.

*Frequency:* On occasion.

*Average Time Per Response:* Varies from 5 minutes (.08 hour) to provide information to the examining physician to 1.5 hour to conduct medical examinations.

*Estimated Total Burden Hours:* 3,237.

*Estimated Cost (Operation and Maintenance):* \$173,652.

##### **IV. Public Participation—Submission of Comments on This Notice and Internet Access to Comments and Submissions**

You may submit comments and supporting materials in response to this notice by (1) hard-copy, (2) FAX transmission (facsimile), or (3) electronically through the OSHA Web page. Because of security-related problems, there may be a significant delay in the receipt of comments by regular mail. Please contact the OSHA Docket Office at (202) 693-2350 (TTY (877) 889-5627) for information about security procedures concerning the delivery of submissions by express delivery, hand delivery and courier service.

All comments, submissions and background documents are available for inspection and copying at the OSHA Docket Office at the above address. Comments and submissions posted on OSHA's Web page are available at <http://www.OSHA.gov>. Contact the OSHA Docket Office for information about materials not available through the OSHA Web page and for assistance using the Web page to locate docket submissions.

Electronic copies of this **Federal Register** notice as well as other relevant documents are available on OSHA's Web page. Since all submissions become public, private information such as social security numbers should not be submitted.

**V. Authority and Signature**

Jonathan L. Snare, Acting Assistant Secretary of Labor for Occupational Safety and Health, directed the preparation of this notice. The authority for this notice is the Paperwork Reduction Act of 1995 (44 U.S.C. 3506 *et seq.*), and Secretary of Labor's Order No. 5-2002 (67 FR 65008).

Dated: Signed at Washington, DC, on June 8, 2005.

**Jonathan L. Snare,**

*Acting Assistant Secretary of Labor*

[FR Doc. 05-11811 Filed 6-14-05; 8:45 am]

**BILLING CODE 4510-26-M**

**NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES**

**SES Performance Review Board**

**AGENCY:** National Endowment for the Arts.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the names and members of the Performance Review Board for the National Endowment for the Arts. This notice supersedes all previous notices of the PRB membership of the Agency.

**DATES:** Upon publication.

**FOR FURTHER INFORMATION CONTACT:**

Craig McCord, Director of Human Resources, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Room 627, Washington, DC 20506, (202) 682-5473.

**SUPPLEMENTARY INFORMATION:** Sec. 4314(c)(1) through (5) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES Performance Review Boards. The Board shall review and evaluate the initial appraisal of a senior executive's performance by the

supervisor, along with any response by the senior executive, and make recommendations to the appointing authority relative to the performance of the senior executive.

The following persons have been selected to serve on the Performance Review Board of the National Endowment for the Arts:

Eileen B. Mason, Senior Deputy Chairman.

Laurence M. Baden, Deputy Chairman for Management and Budget.

Tony Chauveaux, Deputy Chairman for Grants and Awards.

Ann Guthrie Hingston, Director of the Office of Government Affairs.

Michael R. Burke, Chief Information Officer.

James F. McDermott, Deputy Director, Office of Human Resources U.S. Nuclear Regulatory Commission.

**Murray R. Welsh,**

*Director of Administrative Services, National Endowment for the Arts.*

[FR Doc. 05-11788 Filed 6-14-05; 8:45 am]

**BILLING CODE 7536-01-M**

**PENSION BENEFIT GUARANTY CORPORATION**

**Required Interest Rate Assumption for Determining Variable-Rate Premium; Interest Assumptions for Multiemployer Plan Valuations Following Mass Withdrawal**

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of interest rates and assumptions.

**SUMMARY:** This notice informs the public of the interest rates and assumptions to be used under certain Pension Benefit Guaranty Corporation regulations. These rates and assumptions are published elsewhere (or can be derived from rates published elsewhere), but are collected and published in this notice for the convenience of the public. Interest rates are also published on the PBGC's Web site (<http://www.pbgc.gov>).

**DATES:** The required interest rate for determining the variable-rate premium under part 4006 applies to premium payment years beginning in June 2005. The interest assumptions for performing multiemployer plan valuations following mass withdrawal under part 4281 apply to valuation dates occurring in July 2005.

**FOR FURTHER INFORMATION CONTACT:** Catherine B. Klion, Attorney, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005,

202-326-4024. (TTY/TDD users may call the Federal relay service toll-free at 1-800-877-8339 and ask to be connected to 202-326-4024.)

**SUPPLEMENTARY INFORMATION:**

**Variable-Rate Premiums**

Section 4006(a)(3)(E)(iii)(II) of the Employee Retirement Income Security Act of 1974 (ERISA) and § 4006.4(b)(1) of the PBGC's regulation on Premium Rates (29 CFR part 4006) prescribe use of an assumed interest rate (the "required interest rate") in determining a single-employer plan's variable-rate premium. Pursuant to the Pension Funding Equity Act of 2004, for premium payment years beginning in 2004 or 2005, the required interest rate is the "applicable percentage" (currently 85 percent) of the annual rate of interest determined by the Secretary of the Treasury on amounts invested conservatively in long-term investment grade corporate bonds for the month preceding the beginning of the plan year for which premiums are being paid. Thus, the required interest rate to be used in determining variable-rate premiums for premium payment years beginning in June 2005 is 4.60 percent (*i.e.*, 85 percent of the 5.41 percent composite corporate bond rate for May 2005 as determined by the Treasury).

The following table lists the required interest rates to be used in determining variable-rate premiums for premium payment years beginning between July 2004 and June 2005.

For premium payment years beginning in:	The required interest rate is:
July 2004 .....	5.25
August 2004 .....	5.10
September 2004 .....	4.95
October 2004 .....	4.79
November 2004 .....	4.73
December 2004 .....	4.75
January 2005 .....	4.73
February 2005 .....	4.66
March 2005 .....	4.56
April 2005 .....	4.78
May 2005 .....	4.72
June 2005 .....	4.60

**Multiemployer Plan Valuations Following Mass Withdrawal**

The PBGC's regulation on Duties of Plan Sponsor Following Mass Withdrawal (29 CFR part 4281) prescribes the use of interest assumptions under the PBGC's regulation on Allocation of Assets in Single-Employer Plans (29 CFR part 4044). The interest assumptions applicable to valuation dates in July 2005 under part 4044 are contained in an amendment to part 4044 published elsewhere in today's **Federal Register**.