

employee benefit plans to effect or execute securities transactions on behalf of employee benefit plans. The exemption also allows sponsors of pooled separate accounts and other pooled investment funds to use their affiliates to effect or execute securities transactions for such accounts in order to recapture brokerage commissions for benefit of employee benefit plans whose assets are maintained in pooled separate accounts managed by the insurance companies. This exemption provides relief from certain prohibitions in section 406(b) of the Employee Retirement Income Security Act of 1974 (ERISA) and from the taxes imposed by section 4975(a) and (b) of the Internal Revenue Code of 1986 (the Code) by reason of Code section 4975(c)(1)(E) or (F).

In order to insure that the exemption is not abused, that the rights of participants and beneficiaries are protected, and that the exemption's conditions are being complied with, the Department has included in the exemption five information collection requirements. The first requirement is written authorization executed in advance by an independent fiduciary of the plan whose assets are involved in the transaction with the broker-fiduciary. The second requirement is, within three months of the authorization, the broker-fiduciary furnish the independent fiduciary with any reasonably available information necessary for the independent fiduciary to determine whether an authorization should be made. The information must include a copy of the exemption, a form for termination, and a description of the broker-fiduciary's brokerage placement practices. The third requirement is that the broker-fiduciary must provide a termination form to the independent

fiduciary annually so that the independent fiduciary may terminate the authorization without penalty to the plan; failure to return the form constitutes continuing authorization. The fourth requirement is for the broker-fiduciary to report all transactions to the independent fiduciary, either by confirmation slips or through quarterly reports. The fifth requirement calls for the broker-fiduciary to provide an annual summary of the transactions. The annual summary must contain all security transaction-related charges incurred by the plan, the brokerage placement practices, and a portfolio turnover ratio.

**Ira L. Mills,**  
*Departmental Clearance Officer.*  
 [FR Doc. 05-12695 Filed 6-27-05; 8:45 am]  
**BILLING CODE 4510-29-P**

**DEPARTMENT OF LABOR**

**Office of the Secretary**

**Submission for OMB Review:  
 Comment Request**

June 16, 2005.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation, may be obtained by contacting Darrin King on 202-693-4129 (this is not a toll-free number) or e-mail: [king.darrin@dol.gov](mailto:king.darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the

Employment Standards Administration (ESA), Office of Management and Budget, Room 10235, Washington, DC 20503, 202-395-7316 (this is not a toll-free number), within 30 days from the date of this publication in the **Federal Register**.

The OMB 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.

*Agency:* Employment Standards Administration.

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

*Title:* (1) Miner's Claim for Benefits under the Black Lung Benefits Act; (2) Employment History.

*OMB Number:* 1215-0052.

*Frequency:* On occasion.

*Type of Response:* Reporting.

*Affected Public:* Individuals or households and business or other for-profit.

*Number of Respondents:* 9,000.

Form	Estimated annual responses	Average response time (hours)	Estimated annual burden hours
CM-911 .....	4,000	0.75	3,000
CM-911a .....	5,000	0.67	3,333
Total .....	9,000	.....	6,333

*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (Operating/Maintaining Systems or Purchasing Services):* \$1,000.

*Description:* The Black Lung Act of 1977, as amended, 30 U.S.C. 901 *et seq.*, provides for the payment of benefits to a coal miner who is totally disabled due to pneumoconiosis (black lung disease) and to certain survivors of the miner

who died due to pneumoconiosis. A miner who applies for black lung benefits must complete the CM-911 (application form). The completed CM-911 gives basic identifying information about the applicant and is the beginning of the development of the black lung claim. An applicant filing for black lungs benefits must also complete a CM-911a at the same time the black lung application form is submitted. The

CM-911a when completed is formatted to render a complete history of employment and helps to establish if the miner currently or formerly worked in the nation's coal mines. The Black Lung Benefits Act as amended, 30 U.S.C. *et seq.* and 20 CFR 725.304a, necessitates the collection of this information.

*Agency:* Employment Standards Administration.

*Type of Review:* Extension of currently approved collection.  
*Title:* Housing Terms and Conditions.  
*OMB Number:* 1215-0146.  
*Frequency:* On occasion.  
*Type of Response:* Third party disclosure.

*Affected Public:* Farms and business or other for-profit.

*Number of Respondents:* 1,300.  
*Estimated Annual Responses:* 1,300.  
*Average Response Time:* 30 minutes.  
*Annual Burden Hours:* 650.  
*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (Operating/Maintaining Systems or Purchasing Services):* \$0.

*Description:* The Migrant and Seasonal Agricultural Worker Protection Act (MSPA), 29 U.S.C. 1801 *et seq.*, section 201(c) requires any farm labor contractor, agricultural employer or agricultural association providing housing to any migrant agricultural worker to post in a conspicuous place, or present to the migrant worker, a statement of any housing occupancy terms and conditions. In addition, MSPA section 201(g) requires a farm labor contractor, agricultural employer or agricultural association providing housing to any migrant agricultural worker to give such information in English, or as necessary and reasonable, in a language common to the worker and that the Department of Labor (DOL) makes forms available to provide such information. The implementing regulations for the MSPA set forth, at 29 CFR 500.75(f) and (g), the housing terms that a farm labor contractor, agricultural employer or agricultural association providing housing to any migrant agricultural worker must post or give in a written statement to the worker. Regulation 29 CFR 500.1(i)(2) provides for Form WH-521 that a farm labor contractor, agricultural employer or agricultural association may use, at its option, to satisfy MSPA requirements. Form WH-521 is an optional form that a farm labor contractor, agricultural employer or agricultural association may post or present to a migrant agricultural worker to list the housing terms and conditions. While use of the Form WH-521 is optional, the MSPA requires disclosure of the information.

*Agency:* Employment Standards Administration.

*Type of Review:* Extension of currently approved collection.  
*Title:* Rehabilitation Action Report.  
*OMB Number:* 1215-0182.  
*Frequency:* On occasion.  
*Type of Response:* Reporting.  
*Affected Public:* Business or other for-profit.

*Number of Respondents:* 7,000.  
*Estimated Annual Responses:* 7,000.  
*Average Response Time:* 10 minutes.  
*Annual Burden Hours:* 1,169.  
*Total Annualized Capital/Startup Costs:* \$0.

*Total Annual Costs (Operating/Maintaining Systems or Purchasing Services):* \$0.

*Description:* The Office of Workers' Compensation Programs (OWCP) administers the Federal Employees' Compensation Act (FECA) and the Longshore and Harbor Workers' Compensation Act (LHWCA). These Acts provide vocational rehabilitation services to eligible workers with disabilities. Section 8104(a) of the FECA and section 939(c) of the LHWCA provides that eligible injured workers are to be furnished vocational rehabilitation services, and section 8111(b) of the FECA and section 908(g) of the LHWCA provide that persons undergoing such vocational rehabilitation receive maintenance allowances as additional compensation. Form OWCP-44 is used to collect information necessary to decide if maintenance allowances should continue to be paid.

**Ira L. Mills,**

*Departmental Clearance Officer.*

[FR Doc. 05-12696 Filed 6-27-05; 8:45 am]

**BILLING CODE 4510-CK-P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-57,182]

#### AMI Doduco, Chase Precision Products Division, Subsidiary of Technitrol Reidsville, NC; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on May 16, 2005 in response to a petition filed by a company official on behalf of workers at AMI Doduco, Chase Precision Products Division, a subsidiary of Technitrol, Reidsville, North Carolina.

A company official has requested that the petition be withdrawn. Consequently, further investigation would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 10th day of June 2005.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-3359 Filed 6-27-05; 8:45 am]

**BILLING CODE 4510-30-P**

## DEPARTMENT OF LABOR

### Employment And Training Administration

[TA-W-56,887]

#### Century Moulding Company Hood River, OR; Notice of Revised Determination on Reconsideration

By letter dated June 10, 2005 a company official requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination signed on May 24, 2005, was based on the finding that imports of picture frames did not contribute importantly to worker separations at the subject plant and no shift of production to a foreign source occurred. The denial notice will soon be published in the **Federal Register**.

To support the request for reconsideration, the company official supplied additional information. Upon further review and contact with the subject firm's major customer, it was revealed that the customer significantly increased its import purchases of picture frames while decreasing its purchases from the subject firm during the relevant period. The imports accounted for a meaningful portion of the subject plant's lost sales and production. The investigation further revealed that production and employment at the subject firm declined during the relevant time period.

In accordance with section 246 the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

#### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of