

Voorhees, NJ; Comservice Networks Pty Ltd, Melbourne, Victoria, Australia; Conexion S.A., Asuncion, Paraguay; Guangzhou Sunrise Electronics Development Co., Ltd, Guangzhou, Guangdong, People's Republic of China; Infogix, Inc., Naperville, IL; IONA Technologies, Waltham, MA; MaxProcess, Rio de Janeiro, Brazil; MOBIK d.o.o., Ljubljana, Slovenia; Netsure Telecom Ltd, Dublin 12, Leinster, Ireland; Reachview Technologies Inc., Atlanta, GA; Real Time Engineering Limited, Glasgow, Lanarkshire, United Kingdom; Servista Ltd, London, Greater London, United Kingdom; TechOne, Inc., Milpitas, CA; TideStone Software (Shanghai) Corp., Shanghai, People's Republic of China; Visionael Corporation, Mountain View, CA; VSNL International, Matawan, NJ; and Wisdom Networks Co., Ltd., Chiyoda-ku, Tokyo, Japan, have withdrawn as parties to this venture.

The following members have changed their names: DVA AG Optical Networking to ADVA Optical Networking Ltd; Alcatel-Lucent Polska Sp. z.o.o., to Alcatel-Lucent; Aricent Technologies (Holdings) Ltd, to Aricent; Arris uu to ARRIS Group Inc.; Bahrain Telecommunications Company (BSC) to Bahrain Telecommunications Company (Batelco); BlackArrow TV to BlackArrow Inc.; Brighthouse Networks, LLC to Brighthouse Networks; Sky to British Sky Broadcasting Group plc; CANTV.NET to CANTV; Comarch to Comarch S.A.; Cominfo Consulting to Cominfo Consulting Group Ltd; Fundacao CPqD to CPqD; Fundacao Centro de Pesquisa e Desenvolvimento em Telecom to CPqD; Dux Diligens to DUXDILIGENS, S.A. DE C.V.; Eles, d.o.o. to Elektro-Slovenija d.o.o.; Ernst & Young Global Telecom Center to Ernst & Young CIS B.V., Moscow Branch; KPMG CEE to KPMG Advisory Spolka z ograniczona odpowiedzialnoscia sp.k; LGG Solutions, LLC to LGG Solutions; Nokia Siemens Networks GmbH & Co. KG to Nokia Siemens Networks; Gurulab.org to OOCorp; Openet Telecom to Openet; OSSera, Inc.1 to OSSera, Inc.; Picstel Technologies, Inc. to Picstel Technologies Ltd.; WeDo Technologies to Praesidium; Process Man GmbHagement Consulting to Process Management Consulting GmbH; Promon Tecnologia to PromonLogialis Tecnologia SA; PT ExcelComindo Pratma to PT Excelcomindo Pratma Tbk; PURGE to ExcelComindo Pratma Tbk; PT Excelcomindo to PT Excelcomindo Pratma Tbk; ServicePilot to ServicePilot Technologies; Building-B to Sezmi Corporation; Sigma Systems Canada Inc to Sigma Systems; Superna Business

Consulting to Superna Business Consulting mc; Tata Communication to Tata Communications Ltd.; Telekom Malaysia Berhad to Telekom Malaysia Berhad (TM); Telekom Serbia to Telekom Srbija; Thales Communications (France) to Thales Communications SA; Truebaseline Corporation to TrueClick Solutions LLC; Windward IT Solutions LLC to Windward IT Solutions.

No other changes have been made in either the membership or planned activity of the group research project. Membership in this group research project remains open, and the Forum intends to file additional written notifications disclosing all changes in membership.

On October 21, 1988, the Forum filed its original notification pursuant to Section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to Section 6(b) of the Act on December 8, 1988 (53 FR 49615).

The last notification was filed with the Department on August 7, 2008. A notice was published in the **Federal Register** pursuant to Section 6(b) of the Act on November 10, 2008 (73 FR 66673).

**Patricia A. Brink,**

*Deputy Director of Operations, Antitrust Division.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Emergency Review: Comment Request

March 20, 2009.

The Department of Labor has submitted the following information collection request (ICR), utilizing emergency review procedures, to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35) and 5 CFR 1320.13. OMB approval has been requested by April 6, 2009. A copy of this ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the *RegInfo.gov* Web site at <http://www.reginfo.gov/public/do/PRAMain> or by contacting Darrin King on 202-693-4129 (this is not a toll-free number)/e-mail: [DOL\\_PRA\\_PUBLIC@dol.gov](mailto:DOL_PRA_PUBLIC@dol.gov). Interested

parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Department of Labor—ETA, Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), E-mail:

[OIRA\\_submission@omb.eop.gov](mailto:OIRA_submission@omb.eop.gov).

Comments and questions about the ICR listed below should be received 5 days prior to the requested OMB approval date.

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 submissions of responses.

*Agency:* Employment and Training Administration.

*Title of Collection:* Planning Guidance for Indian and Native American Program (INAP) and Senior Community Service Employment Program (SCSEP) Recovery Act Grants.

*OMB Control Number:* Pending.

*Frequency of Collection:* One time collection.

*Affected Public:* INAP and SCSEP Grantees.

*Estimated Time per Respondent:* 16 hours.

*Total Estimated Number of Respondents:* 219.

*Total Estimated Annual Burden Hours:* 3,504.

*Description:* In February of 2009, ETA's Senior Community Service Employment Program (SCSEP) and the Indian and Native American Programs (INAP), received additional funds authorized by Title VIII of section A of the American Recovery and Reinvestment Act (ARRA). ETA is seeking emergency approval for Training and Employment Guidance Letters (TEGLs) issued by these programs in order to obligate Recovery

Act Funds, as directed by the Congress and the President.

Why are we requesting Emergency Processing? If DOL were to comply with standard PRA clearance procedures, it would not be able to comply with the ARRA-mandated payment schedule because procedures for these payments must be in place immediately. The statute provides that INAP and SCSEP grantees need the means to access the funds as soon as possible. Otherwise, harm to the nation's economic recovery could ensue. Finally, in preparing the guidelines, the Department has taken all necessary steps to consult with INAP and SCSEP grantees in order to minimize the burden of collecting the information while adhering to ARRA payment and monitoring provisions.

**Darrin A. King,**

*Departmental Clearance Officer.*

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## DEPARTMENT OF LABOR

### Employee Benefits Security Administration

[Prohibited Transaction Exemption 2009-12; Exemption Application No. D-11341]

#### Grant of Individual Exemption To Replace Prohibited Transaction Exemption (PTE) 2000-45, Involving Citigroup Global Markets Inc. (CGMI), Formerly Salomon Smith Barney Inc. (Salomon Smith Barney), Located in New York, NY

**AGENCY:** Employee Benefits Security Administration, U.S. Department of Labor.

**ACTION:** Grant of individual exemption to replace PTE 2000-45.

This document contains a final exemption before the Department of Labor (the Department) that replaces PTE 2000-45 (65 FR 54315, September 7, 2000), an exemption granted to Salomon Smith Barney. On December 1, 2005, PTE 2000-45 became ineffective due to a material change in the exemption.

PTE 2000-45 related to the operation of the TRAK Personalized Investment Advisory Service (the TRAK Program) and the Trust for Consulting Group Capital Markets Funds (the Trust) as described in a notice of proposed exemption (65 FR 35138, June 1, 2000), which underlies PTE 2000-45.

The final exemption incorporates by reference many of the conditions contained in PTE 2000-45. The exemption also revises and updates

certain facts and representations set forth in PTE 2000-45 to include a new fee offset procedure and the terms of a past merger (the Merger Transaction) between Citigroup Inc. (Citigroup) and Legg Mason, Inc. (Legg Mason). In this regard, the Applicants have requested that a limited and temporary exception to the definition of "affiliate" be incorporated in a new Section IV.

**DATES: Effective Date:** This exemption is effective (1) from December 1, 2005 until March 10, 2006 with respect to the limited exception described in Section IV; (2) as of December 1, 2005 with respect to the Covered Transactions, the General Conditions and the Definitions described in Sections I, II, and III; and (3) as of January 1, 2008 with respect to the new fee offset procedure.

**FOR FURTHER INFORMATION CONTACT:** Mrs. Anna Vaughan or Ms. Jan D. Broady, Office of Exemptions Determinations, Employee Benefits Security Administration, U.S. Department of Labor, telephone (202) 693-8565 or (202) 693-8556. (These are not toll-free numbers.)

**SUPPLEMENTARY INFORMATION:** On December 23, 2008, the Department published a notice of proposed exemption in the **Federal Register** at 73 FR 78846 from the prohibited transaction restrictions of section 406(a) of the Employee Retirement Income Security Act of 1974 (the Act) and from the sanctions resulting from the application of section 4975 of the Internal Revenue Code of 1986 (the Code), as amended, by reason of section 4975(c)(1)(A) through (D) of the Code. The proposed exemption has been requested in an application filed on behalf of CGMI pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with the procedures set forth in 29 CFR part 2570, subpart B (55 FR 32836, August 10, 1990). Effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978 (43 FR 47713, October 17, 1978) transferred the authority of the Secretary of the Treasury to issue exemptions of the type requested to the Secretary of Labor. Accordingly, this exemption is being issued solely by the Department.

The Department invited all interested persons to submit written comments and/or requests for a public hearing with respect to the notice of proposed exemption on or before February 23, 2009.

During the comment period, the Department received 29 telephone calls from participants or beneficiaries in plans with investments in the TRAK Program. All of these comments

concerned the commenters' inability to understand the notice of proposed exemption or the effect of the exemption on the commenters' benefits.

The Department also received one written comment with respect to the proposed exemption. The comment, which was submitted by Citigroup, is intended to clarify and update certain factual information discussed in the proposed exemption, as follows:

1. **TRAK Program Assets.** On page 78847 of the notice of proposed exemption, the first sentence of the first paragraph states that the TRAK Program held assets that were in excess of \$9.4 billion. Citigroup states that the sentence should be revised to read as follows: "As of July 29, 2008, the TRAK Program held assets of approximately \$8.8 billion."

Also, on page 78847 of the proposal, the first sentence in the last paragraph of the third column reads: "The assets sold by Citigroup to Legg Mason included Smith Barney Mutual Funds Management Inc. (now Smith Barney Fund Management LLC) but excluded the Consulting Group and the TRAK Program." Citigroup explains that the first sentence should be revised to read: "The assets sold by Citigroup to Legg Mason included Smith Barney Fund Management LLC, but excluded the Consulting Group and the TRAK Program."

2. **Citigroup Loan to Legg Mason.** On page 78847 of the notice of proposed exemption, the last sentence in the last paragraph of the third column discusses a loan provided by Legg Mason to Citigroup. Citigroup explains that it provided the loan to Legg Mason. Therefore, this sentence should be revised to read as follows: "Also, Citigroup Corporate and Investment Banking provided to Legg Mason approximately \$550 million in the form of a five-year loan facility."

3. **Merger Transaction.** On page 78848 of the notice of proposed exemption, Footnote 6 states that Citigroup Asset Management or "CAM" was sold to Legg Mason subsequent to the Merger Transaction. Citigroup explains that based on its knowledge, CAM was sold to Legg Mason as part of the Merger Transaction.

4. **General Conditions.** On pages 78850 and 78854 of the proposed exemption, Section II(j) makes reference to the "Government Money Investments Portfolio" and the "GIC Fund Portfolio". Citigroup wishes to clarify that these funds have been re-named the "Money Market Investments Portfolio" and the "Stable Value Investments Portfolio," respectively.