

in the SFR, as published in the Notice. The applicants' deletions to the language that appeared in the SFR are noted below by the words stricken in the closed brackets, and the applicants' additions have been underlined in the text below.

(A) The text of subparagraph (d) of paragraph 36, as published in the SFR in the Notice (65 FR 76303), should have read as follows:

Neither the ING Borrowers nor IITC will exercise any discretionary authority or control with respect to the investment of the assets of Client Plans involved in the securities lending transactions (*other than with respect to the investment of cash collateral after the securities have been loaned and the collateral received*), or render investment advice with respect to those assets, including any decisions concerning a Client Plan's acquisition or disposition of securities available for lending.

(B) The applicants seek to strike the entire text of subparagraph (h) of paragraph 36, as published in the SFR in the Notice (65 FR 76303), as set forth, below:

[The market value of the collateral which secures any loan of securities will at all times equal at least 102 percent (102%) of the market value of the loaned securities;]

and substitute in its entirety the following language:

*The level of collateral is monitored daily either by ING Trust under Plan A or ING Trust or other designee of the Client Plan under Plan B. The market value of the collateral will initially equal 102 percent (102%) of the loaned securities. If the market value of the collateral falls below 100 percent (100%), the ING Borrower will deliver additional collateral on the following day such that the market value of the collateral will again equal 102 percent (102%).*

After giving full consideration to the entire record, including the written comments from the applicants, the Department has decided to grant the exemption, as described, amended, and concurred in above. In this regard, the comment letters submitted by the applicants to the Department have been included as part of the public record of the exemption application. The complete application file, including all supplemental submissions received by the Department, is made available for public inspection in the Public Documents Room of the Pension Welfare Benefits Administration, Room N-1513, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption refer to the Notice published on December 6, 2000, at 65 FR 76293.

**FOR FURTHER INFORMATION CONTACT:** Angelena C. Le Blanc of the Department, telephone (202) 219-8883 (This is not a toll-free number.)

#### General Information

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption under section 408(a) of the Act and/or section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person from certain other provisions to which the exemptions does not apply and the general fiduciary responsibility provisions of section 404 of the Act, which among other things require a fiduciary to discharge his duties respecting the plan solely in the interest of the participants and beneficiaries of the plan and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that the plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries;

(2) These exemptions are supplemental to and not in derogation of, any other provisions of the Act and/or the Code, including statutory or administrative exemptions and transactional rules. Furthermore, the fact that a transaction is subject to an administrative or statutory exemption is not dispositive of whether the transaction is in fact a prohibited transaction; and

(3) The availability of these exemptions is subject to the express condition that the material facts and representations contained in each application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed at Washington, DC, this 8th day of February, 2001.

**Ivan Strasfeld,**

*Director of Exemption Determinations,  
Pension and Welfare Benefits Administration,  
U.S. Department of Labor.*

[FR Doc. 01-3689 Filed 2-13-01; 8:45 am]

**BILLING CODE 4510-29-P**

#### FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

##### Sunshine Act Meeting

February 8, 2001.

**TIME AND DATE:** 2 p.m., Thursday, February 15, 2001.

**PLACE:** Room 6005, 6th Floor, 1730 K Street, N.W., Washington, D.C.

**STATUS:** Open.

**MATTERS TO BE CONSIDERED:** The Commission will consider and act upon the following:

1. Central Sand & Gravel Co., Docket No. CENT 98-230-RM (Issues include whether the judge erred in concluding that the operator violated 30 CFR 56.12045 by failing to maintain clearances between a stockpile and overhead powerlines).

Any person attending an open meeting who requires special accessibility features and/or auxiliary aids, such as sign language interpreters, must inform the Commission in advance of those needs. Subject 20 29 CFR 2706.150(a)(3) and 2706.160(d).

**CONTACT PERSON FOR MORE INFO:** Jean Ellen, (202) 653-5629/(202) 708-9300 for TDD Relay/1-800-877-8339 for toll free.

**Jean H. Ellen,**

*Chief Docket Clerk,*

[FR Doc. 01-3842 Filed 2-12-01; 2:10 pm]

**BILLING CODE 6735-01-M**

#### NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

##### Federal Financial Assistance Management Improvement Act of 1999; Request for Comment; Interim/Draft Plan of Action To Implement Public Law 106-107, the Federal Financial Assistance Management Improvement Act of 1999

**AGENCY:** National Archives and Records Administration (NARA).

**ACTION:** Notice; request for public comments.

**SUMMARY:** This notice notifies interested parties that the National Archives and Records Administration (NARA) is participating in the joint effort with other Federal grant-making agencies to satisfy the provisions of Public Law 106-107, the Federal Financial Assistance Management Improvement Act of 1999 (henceforth "the Act"). The Act requires each agency to develop and implement a plan that streamlines and simplifies the application, administrative, and reporting procedures for Federal financial assistance programs. The Act also requires the agencies to consult with representatives of non-Federal entities during the development and implementation of their plans. NARA's National Historical Publications and Records Commission (NHPRC) makes grants to state and local archives, colleges and universities, libraries, historical societies, other nonprofit organizations, and individuals in the

U.S. to help identify, preserve, and provide public access to records, photographs, and other materials that document American history.

Accordingly, NARA seeks public comment on the interim/draft plan of action published jointly by 23 Federal grant-making agencies in the January 17, 2001 **Federal Register** (66 FR 4584). NARA requests your comments on the Federal grantmaking process and the objectives outlined in this plan, particularly on the questions contained in the notice under the heading "Desired Focus of Comments". The notice may be accessed through GPO Access or on NARA's web site at <http://www.nara.gov/nara/grant-plan-notice.html>. Further information about the NHPRC grant program is available on NARA's web site at <http://www.nara.gov/nhprc/>.

**DATES:** Comments in response to this notice must be received on or before March 19, 2001. Each Federal agency will submit an implementation plan to OMB and Congress before May 20, 2001 and report annually thereafter.

**ADDRESSES:** General comments on this notice, and those relating to more than one Federal agency, should be addressed to: Attn: PL 106-107 Comments, Department of Health and Human Services, 200 Independence Avenue, SW., Room 517-D, Washington, DC 20201. Comments may also be transmitted by email (PL106107@os.dhhs.gov) or by fax, (202) 690-8772.

Comments that are specific to NARA and the NHPRC grant program should be addressed to: Regulation Comment Desk (NPOL), National Archives and Records Administration, 8601 Adelphi Rd., Room 4100, College Park, MD 20740-6001. Comments may also be transmitted by email to [comments@nara.gov](mailto:comments@nara.gov), with the subject heading PL106-107, or by fax to (301) 713-7270.

**FOR FURTHER INFORMATION CONTACT:** For general questions regarding this notice, please contact Rodd Clay, Office of Grants Management, Department of Health and Human Services by email ([rclay@os.dhhs.gov](mailto:rclay@os.dhhs.gov)) or phone at (202) 690-8723; for the hearing impaired only: TDD 202-690-6415. For NHPRC-specific issues, please contact Nancy Allard by email at [nancy.allard@nara.gov](mailto:nancy.allard@nara.gov) or by phone at 301-713-7360 ext. 226. Additional information regarding the agencies' reform efforts may be found at the Chief Financial Officers (CFO) Council's Grants Management Committee home page (<http://www.financenet.gov/fed/cfo/grants/grants.html>).

Dated: February 8, 2001.

**John W. Carlin,**

*Archivist of the United States.*

[FR Doc. 01-3757 Filed 2-13-01; 8:45 am]

**BILLING CODE 7515-01-U**

## NUCLEAR REGULATORY COMMISSION

### Agency Information Collection Activities: Proposed Collection; Comment Request

**AGENCY:** Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of pending NRC action to submit an information collection request to OMB and solicitation of public comment.

**SUMMARY:** The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* 10 CFR Part 4, "Nondiscrimination in Federally Assisted Commission Programs."
2. *Current OMB approval number:* 3150-0053.
3. *How often the collection is required:* Occasionally.
4. *Who is required or asked to report:* Recipients of Federal Financial Assistance (Agreement States) provided by the NRC.
5. *The number of annual respondents:* Approximately 32.
6. *The number of hours needed annually to complete the requirement or request:* 352 hours (96 hours reporting and 256 hours recordkeeping) or approximately 3 hours per response.
7. *Abstract:* Recipients of NRC financial assistance provide data to demonstrate assurance to NRC that they are in compliance with nondiscrimination regulations and policies.

Submit, by April 16, 2001, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?
2. Is the burden estimate accurate?
3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?
4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F23, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide web site: <http://www.nrc.gov/NRC/PUBLIC/OMB/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Brenda Jo. Shelton, U.S. Nuclear Regulatory Commission, T-6 E6, Washington, DC 20555-0001, by telephone at 301-415-7233, or by Internet electronic mail at [BJS1@NRC.GOV](mailto:BJS1@NRC.GOV).

Dated at Rockville, Maryland, this 8th day of February, 2001.

For the Nuclear Regulatory Commission.

**Brenda Jo Shelton,**

*NRC Clearance Officer, Office of the Chief Information Officer.*

[FR Doc. 01-3740 Filed 2-13-01; 8:45 am]

**BILLING CODE 7590-01-P**

## OVERSEAS PRIVATE INVESTMENT CORPORATION

### Submission for OMB review; Comment Request

**AGENCY:** Overseas Private Investment Corporation.

**ACTION:** Request for Comments.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to publish a Notice in the **Federal Register** notifying the public that the Agency is preparing an information collection request for OMB review and approval and to request public review and comment on the submission. Comments are being solicited on the need for the information, its practical utility, the accuracy of the Agency's burden estimate, and on ways to minimize the reporting burden, including automated collection techniques and uses of other forms of technology. The proposed form under review is summarized below.

**DATES:** Comments must be received on or before April 16, 2001.

**ADDRESSES:** Copies of the subject form and the request for review prepared for submission to OMB may be obtained from the Agency Submitting Officer. Comments on the form should be submitted to the agency Submitting Officer.