

Issued: April 10, 2001.  
By Order of the Commission.

**Donna R. Koehnke,**  
*Secretary.*

[FR Doc. 01-9269 Filed 4-13-01; 8:45 am]

BILLING CODE 7020-02-U

## INTERNATIONAL TRADE COMMISSION

[Inv. No. 337-TA-454]

### In the Matter of Certain Set-Top Boxes and Components Thereof; Notice of Change of Administrative Law Judge

**AGENCY:** International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has determined to changed the presiding administrative law judge ("ALJ") in the above-captioned investigation from Judge Debra Morriss to Judge Paul J. Luckern. This change was effective as of April 10, 2001.

**FOR FURTHER INFORMATION CONTACT:** Tim Yaworski, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, tel. (202) 205-3096. Hearing impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal at (202) 205-1810. General information concerning the Commission may also be obtained by accessing the Commission's internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://www.usitc.gov/eol/public>.

**SUPPLEMENTARY INFORMATION:** The Commission instituted this investigation on March 14, 2001, based on a complaint filed on behalf of Gemstar-TV Guide International, Inc. and StarSight Telecast, Inc. Seven firms were named respondents. Judge Debra Morriss was designated as the presiding ALJ.

On March 21, 2001, Judge Morriss issued a notice in which she advised the parties that she owns one of the accused products (an EchoStar 4900 set-top box) and that she has an ongoing service contract with DISH Network, which she believes is related to EchoStar Communications Corporation, one of the respondents. In light of these disclosures, Judge Morriss stated that, if any party requested her disqualification as ALJ, she would seek to recuse herself from the investigation. She directed each party to file a written submission on her attorney-advisor, Ms. Cynthia

Lynch, by April 2, 2001, indicating whether the party requested her disqualification or, alternatively, whether the party consented to here continuing to preside over the investigation.

By notice issued on April 4, 2001, Commission Chairman Stephen Koplan directed that the submissions ordered by Judge Morriss be filed with the Commission by the close of business on April 6, 2001.

Respondents Pioneer Corporation, Pioneer North America, Inc., Pioneer Digital Technologies, Inc., and Pioneer New Media Technologies, Inc. subsequently filed a submission with the Commission requesting disqualification of Judge Morris as ALJ.

On April 10, 2001, the Commission issued an order designating Judge Paul J. Luckern as the presiding ALJ in this investigation in place of Judge Morriss.

The authority for the Commission's action is contained in section 337 of the Tariff Act of 1930, as amended (19 U.S.C. § 1337). Copies of the ALJ's notice, the Commission's order, and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436, telephone (202) 205-2000.

Issued: April 10, 2001.

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**Donna R. Koehnke,**  
*Secretary.*

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## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

April 3, 2001.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office 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 individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation for BLS, ESA, and PWBA contact Marlene Howze ((202) 693-4120 or by email to [Howze-Marlene@dol.gov](mailto:Howze-Marlene@dol.gov)). To obtain

documentation for ETA, MSHA, OSHA, and VETS contact Darrin King ((202) 693-4129 or by E-Mail to [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 BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), 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 function 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.

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

*Agency:* Pension and Welfare Benefits Administration (PWBA).

*Title:* Participant Directed Individual Account Plans (ERISA section 404(c) Plans).

*OMB Number:* 1210-0090.

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

*Frequency:* On occasion.

*Number of Respondents:* 294,800.

*Estimated Time Per Response:* 294,800.

*Estimated Time Per Response:* 30 minutes.

*Total Burden Hours:* 52,900.

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

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$22,126,000.

*Description:* Section 404(c) of the Employee Retirement Income Security Act of 1974 (ERISA) provides that if a pension plan that provides for individual accounts permits a participant or beneficiary to exercise control over assets in his account and that participant or beneficiary in fact exercises such control, the participant

or beneficiary shall not be deemed to be a fiduciary by such exercise of control, and no person otherwise a fiduciary shall be liable for any loss or breach which results from this exercise of control. The opportunity to exercise control includes the opportunity to obtain sufficient information alternatives. This regulation describes the type and extent of information required to be made available to participants and beneficiaries for this purpose. In the absence of such disclosures, participants might not be able to make informed decisions about the investment of their individual accounts, and persons who are otherwise fiduciaries with respect to these plans would not be afforded relief from the fiduciary responsibility provisions of Title I of ERISA with respect to these transactions.

**Ira L. Mills,**

*Department Clearance Officer.*

[FR Doc. 01-9277 Filed 4-13-01; 8:45 am]

**BILLING CODE 4510-29-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

April 5, 2001.

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 individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation for BLS, ESA, and PWBA contact Marlene Howze ((202) 693-4120 or by email to Howze-Marlene@dol.gov). To obtain documentation for ETA, MSHA, OSHA, and VETS contact Darrin King ((202) 693-4129 or by E-Mail to King-Darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), 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.

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

*Agency:* Pension and Welfare Benefits Administration (PWBA).

*Title:* Prohibited Transaction Class Exemption 92-6; Sale of Individual Life Insurance or Annuity Contracts.

*OMB Number:* 1210-0063.

*Affected Public:* Individuals or households; business or other for-profit; and not-for-profit institutions.

*Frequency:* On occasion; Third party disclosure.

*Number of Respondents:* 7,656.

*Number of annual responses:* 7,656.

*Estimated Time Per Response:* 10 minutes.

*Total Burden Hours:* 1,531.

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

*Total Annual Costs (operating/maintaining systems or purchasing services):* \$2,800.

*Description:* Prohibited Transaction Class Exemption 92-6 exempt from the prohibited transaction restrictions of ERISA the sale of individual life insurance or annuity contracts held by an employee benefit plan to: (1) Plan participants insured under such contracts; (2) relatives of such participants who are the beneficiaries under the contract; (3) employers, any of whose employees are covered by the plan; (4) other employee benefit plans that have a party in interest relationship; (5) owner-employees (as defined in section 401(c)(3) of the Code), or (6) shareholder-employees (as defined in section 1379 of the Internal Revenue Code of 1954 as in effect on the day before the enactment of the Subchapter S Revision Act of 1982), for the cash surrender value of the contracts, provided certain conditions set forth in the class exemption are met. The Department has included in the class exemption a basic disclosure requirement.

If the participant elects not to purchase the contract, the relative, the employer, another plan, the owner-employees, or the shareholder-employees may purchase the contract from the plan upon the receipt by the plan of the written consent of the participant. The disclosure requirement of the class exemption does not apply if the contract is sold to the plan participant.

The disclosure requirement incorporated within this class exemption is intended to protect the rights of plan participants and beneficiaries by putting them on notice of the plan's intention to sell insurance or annuity contracts under which they are insured, and by giving them the right of first refusal to purchase such contracts. Without the disclosure requirement, the Department, which may only grant an exemption if it can find that participants and beneficiaries are protected, would be unable to effectively enforce the terms of the class exemption and ensure user compliance.

**Ira L. Mills,**

*Departmental Clearance Officer.*

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**BILLING CODE 4510-29-M**

## DEPARTMENT OF LABOR

### Office of the Secretary

#### Submission for OMB Review; Comment Request

April 5, 2001.

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 individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation for BLS, ESA, and PWBA contact Marlene Howze ((202) 693-4120 or by email to Howze-Marlene@dol.gov). To obtain documentation for ETA, MSHA, OSHA, and VETS contact Darrin King ((202) 693-4129 or by E-Mail to King-Darrin@dol.gov).

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days