

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: March 31, 2000.

**Jackie Roberts,**

*Acting Deputy Director, Office of Job Corps.*

[FR Doc. 00-8445 Filed 4-5-00; 8:45 am]

BILLING CODE 4510-30-M

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Job Corps: Final Finding of No Significant Impact (FONSI) for the New Job Corps Center Located Off of Overlook Terrace Within the Charter Oak Business Park in Hartford, CT**

**AGENCY:** Employment and Training Administration, Department of Labor.

**ACTION:** Final Finding of No Significant Impact (FONSI) for the New Job Corps Center to be located off of Overlook Terrace within the Charter Oak Business Park in Hartford, Connecticut.

**SUMMARY:** Pursuant to the Council on Environmental Quality Regulations (40 CFR part 1500-08) implementing procedural provisions of the National Environmental Policy Act (NEPA), the Department of Labor, Employment and Training Administration, Office of Job Corps gives final notice of the proposed construction of a new Job Corps Center off of Overlook Terrace within the Charter Oak Business Park in Hartford, Connecticut, and that this construction will not have a significant adverse impact on the environment. In accordance with 29 CFR 11.11(d) and 40 CFR 1501.4(e)(2), a preliminary FONSI for the new Job Corps Center was published in the October 14, 1999 **Federal Register** (64 FR 55755-55757). No comments were received regarding the preliminary FONSI. ETA has reviewed the conclusion of the environmental assessment (EA), and agrees with the finding of no significant impact. This notice serves as the Final Finding of No Significant Impact for the new Job Corps Center to be located off of Overlook Terrace within the Charter Oak Business Park in Hartford, Connecticut. The preliminary FONSI and the EA are adopted in final with no change.

**EFFECTIVE DATE:** April 6, 2000.

**FOR FURTHER INFORMATION CONTACT:** Michael O'Malley, Employment and Training Administration, Department of Labor, 200 Constitution Avenue, NW, Room N-4659, Washington, DC, 20210,

(202) 219-5468 ext 115 (this is not a toll-free number).

Dated at Washington, DC, this 29th day of March, 2000.

**Richard C. Trigg,**

*National Director of Job Corps.*

[FR Doc. 00-8442 Filed 4-5-00; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

#### **Job Corps: Final Finding of No Significant Impact (FONSI) for the New Job Corps Center Located at 9 Vandever Avenue, Wilmington, DE**

**AGENCY:** Employment and Training Administration, Department of Labor.

**ACTION:** Final finding of No Significant Impact (FONSI) for the new Job Corps Center to be located at 9 Vandever Avenue, Wilmington, Delaware.

**SUMMARY:** Pursuant to the Council on Environmental Quality Regulations (40 CFR part 1500-08) implementing procedural provisions of the National Environmental Policy Act (NEPA), the Department of Labor, Employment and Training Administration, Office of Job Corps gives final notice of the proposed construction of a new Job Corps Center at 9 Vandever Avenue, Wilmington, Delaware, and that this construction will not have a significant adverse impact on the environment. In accordance with 29 CFR 11.11(d) and 40 CFR 1501.4(e)(2), a preliminary FONSI for the new Job Corps Center was published in the November 19, 1999 **Federal Register** (64 FR 63340-63342). No comments were received regarding the preliminary FONSI. ETA has reviewed the conclusion of the environmental assessment (EA), and agrees with the finding of no significant impact. This notice serves as the Final Finding of No Significant Impact for the new Job Corps Center at 9 Vandever Avenue, Wilmington, Delaware. The preliminary FONSI and the EA are adopted in final with no change.

**EFFECTIVE DATE:** April 6, 2000.

**FOR FURTHER INFORMATION CONTACT:** Michael O'Malley, Employment and Training Administration, Department of Labor, 200 Constitution Avenue, NW, Room N-4659, Washington, DC, 20210, (202) 219-5468 ext 115 (this is not a toll-free number).

Dated at Washington, DC, this 29th day of March, 2000.

**Richard C. Trigg,**

*National Director of Job Corps.*

[FR Doc. 00-8441 Filed 4-5-00; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 2000-15; Exemption Application No. D-10679, et al.]

#### **Grant of Individual Exemptions; General Electric Pension Trust (the Trust)**

**AGENCY:** Pension and Welfare Benefits Administration, Labor.

**ACTION:** Grant of individual exemptions.

**SUMMARY:** This document contains exemptions issued by the Department of Labor (the Department) from certain of the prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974 (the Act) and/or the Internal Revenue Code of 1986 (the Code).

Notices were published in the **Federal Register** of the pendency before the Department of proposals to grant such exemptions. The notices set forth a summary of facts and representations contained in each application for exemption and referred interested persons to the respective applications for a complete statement of the facts and representations. The applications have been available for public inspection at the Department in Washington, DC. The notices also invited interested persons to submit comments on the requested exemptions to the Department. In addition the notices stated that any interested person might submit a written request that a public hearing be held (where appropriate). The applicants have represented that they have complied with the requirements of the notification to interested persons. No public comments and no requests for a hearing, unless otherwise stated, were received by the Department.

The notices of proposed exemption were issued and the exemptions are being granted solely by the Department because, effective December 31, 1978, section 102 of Reorganization Plan No. 4 of 1978, 5 U.S.C. App. 1 (1996), transferred the authority of the Secretary of the Treasury to issue exemptions of the type proposed to the Secretary of Labor.

### Statutory Findings

In accordance with section 408(a) of the Act and/or section 4975(c)(2) of the Code and the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990) and based upon the entire record, the Department makes the following findings:

(a) The exemptions are administratively feasible;

(b) They are in the interests of the plans and their participants and beneficiaries; and

(c) They are protective of the rights of the participants and beneficiaries of the plans.

### General Electric Pension Trust (the Trust), Located in Fairfield, Connecticut

[Prohibited Transaction Exemption 2000-15; Exemption Application Nos. D-10679 through D-10682]

### Exemption

The restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975 of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply, as of October 1, 1998, to the lease (the Lease) by the Trust of office space in a certain commercial office building (the Property) to Transport International Pool, Inc. (TIP), a party in interest with respect to employee benefit plans of General Electric Company (GE) and/or an affiliate whose assets are held in the Trust, provided that the following conditions are satisfied:

(1) The Trust was and is represented for all purposes under the Lease by a qualified, independent fiduciary;

(2) The terms and conditions of the Lease are at least as favorable to the Trust as those the Trust could have obtained in a comparable arm's length transaction with an unrelated party;

(3) The rent paid to the Trust under the Lease is no less than the fair market rental value of the office space occupied by TIP, as established by a qualified, independent appraiser;

(4) The independent fiduciary for the Trust reviewed the terms and conditions of the Lease on behalf of the Trust and determined that the Lease was in the best interests of the Trust;

(5) The independent fiduciary monitors and enforces compliance with all of the terms and conditions of the Lease, and of the exemption, throughout the duration of the Lease; and

(6) The independent fiduciary expressly approves any renewal of the Lease, and the rental rate under such renewal is based upon an updated independent appraisal of the office

space being leased to TIP (but in no event shall the rental rate be less than that for the preceding period).

**EFFECTIVE DATE:** The exemption is effective as of October 1, 1998.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the notice of proposed exemption published on August 26, 1999 at 64 FR 46728.

### Written Comments

The Department received two written comments with respect to the notice of proposed exemption.

1. The first comment was submitted by a participant in the GE Pension Plan. This commenter expressed opposition to the proposed exemption on the basis of its retroactive effective date. He stated that the trustees of the Trust had a fiduciary responsibility to obtain an exemption prior to the execution of the Lease, given the conflicts of interest involved.

The applicant responded that the Department has a long-standing policy of granting retroactive exemptions "if the safeguards necessary for the grant of a prospective exemption were in place at the time of the consummated transaction." (See ERISA Technical Release 85-1.) The applicant also responded that the trustees were mindful of their fiduciary responsibility with respect to the Lease. The trustees identified the potential prohibited transaction and appropriately sought legal counsel prior to the execution of the Lease. They were advised to file an exemption application with the Department and to structure the Lease in a manner such that all the necessary safeguards for the grant of an exemption would be in place, including review and approval of the Lease by a qualified, independent fiduciary. Thus, the applicant asserts that all potential conflicts of interest were adequately addressed.

2. The second comment was submitted by the applicant. The applicant wishes to correct certain representations made in the Summary of Facts and Representations (the Summary).

a. First, the applicant notes that, as of the effective date of the exemption, the assets of the Knolls Atomic Laboratories Pension Plan were no longer held in the Trust. (See the first paragraph in Item 1 of the Summary at 64 FR 46728).

b. Second, the applicant notes that the agreed upon tenant improvements in the Lease were substantially completed in November, 1998—not October, 1998, as stated in the first paragraph in Item 6 of the Summary (64 FR 46729). In

addition, the third sentence in the third paragraph of Item 6 of the Summary (64 FR 46729) should be revised to read as follows (change in bold): "In addition, TIP is responsible for any additional taxes levied or assessed that are attributable to TIP's improvements to or personal property within the leased space, its activities within the leased space, or any transactions involving the leased space."

The Department concurs with the applicant's assertion that the standards for a retroactive exemption have been satisfied. The Department also acknowledges the applicant's corrections to the Summary. Thus, after a careful consideration of the entire record, the Department has determined to grant the exemption as proposed.

**FOR FURTHER INFORMATION CONTACT:** Ms. Karin Weng of the Department, telephone (202) 219-8881. (This is not a toll-free number.)

### Cullen Incorporated Profit Sharing Plan and Trust (the Profit Sharing Plan), Cullen Incorporated Employees Defined Contribution Pension Plan and Trust (the Money Purchase Plan) (Collectively the Plans), Located in Fredericksburg, Virginia

[Prohibited Transaction Exemption 2000-16; Exemption Application No. D-10823 and D-10824]

### Exemption

The restrictions of sections 406(a), 406(b)(1) and (b)(2) of the Act and the sanctions resulting from the application of section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(A) through (E) of the Code, shall not apply to the past sale (the Sale) by the Plan of property located in Fredericksburg, Virginia (the Property) to Robert C. O'Neill (Mr. O'Neill), the trustee of the Plans, President and sole shareholder of the Plan Sponsor, and a party in interest with respect to the Plans, provided that the following conditions are satisfied:

(a) The Sale was a one time transaction for a lump sum cash payment;

(b) The purchase price was the fair market value of the Property as of the date of the Sale;

(c) The Property has been appraised by a qualified, independent real estate appraiser; and

(d) The Plans paid no commissions or other expenses relating to the Sale.

For a more complete statement of the facts and representations supporting the Department's decision to grant this exemption, refer to the notice of proposed exemption published on February 1, 2000 at 65 FR 4851.

**EFFECTIVE DATE OF EXEMPTION:** The effective date of this exemption is November 6, 1998.

**FOR FURTHER INFORMATION CONTACT:** J. Martin Jara of the Department, telephone (202) 219-8881. (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, D.C., this 30th day of March, 2000.

**Ivan Strasfeld,**

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

[FR Doc. 00-8447 Filed 4-5-00; 8:45 am]

**BILLING CODE 4510-29-P**

#### FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

##### Privacy Act of 1974; System of Records

**AGENCY:** Federal Mine Safety and Health Review Commission.

**ACTION:** Notice of new, altered, and deleted systems of records.

**SUMMARY:** On May 14, 1998, the President directed executive departments and agencies to, among other things, review all systems of records subject to the Privacy Act of 1974, as amended, 5 U.S.C. 552a ("Privacy Act") for accuracy, completeness and to ensure that all routine uses are needed and consistent with the purposes for which the records were collected in each system. The Federal Mine Safety and Health Review Commission ("Commission" or "FMSHRC") has conducted such a review, and now publishes this notice of new, altered, and deleted systems of records.

**DATES:** Comments on the proposed routine uses for the systems of records included in this notice must be received by the Commission by May 8, 2000. The Commission filed a report describing the new, altered, and deleted systems of records covered by this notice with the Chair of the Committee on Governmental Affairs of the Senate, the Chair of the Committee on Government Reform of the House of Representatives, and the Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget ("OMB") on March 30, 2000. The changes described in this notice will become effective after the 40-day period for OMB review expires on May 16, 2000, unless OMB gives specific notice within the 40 days that the changes are not approved for implementation. The new routine uses that are the subject of this notice will take effect on May 16, 2000 unless modified by a subsequent notice to incorporate comments received from the public.

**ADDRESSES:** All comments on the proposed routine uses should be mailed to Richard L. Baker, FMSHRC Privacy Act Officer and Executive Director, Federal Mine Safety and Health Review Commission, 1730 K Street, NW., 6th Floor, Washington DC 20006.

**FOR FURTHER INFORMATION CONTACT:** Richard L. Baker, FMSHRC Privacy Act Officer and Executive Director, Federal Mine Safety and Health Review Commission, 1730 K Street, NW, 6th Floor, Washington, DC 20006, telephone 202-653-5610 (202-566-2673 for TDD Relay). These are not toll-free numbers.

**SUPPLEMENTARY INFORMATION:** The Privacy Act applies to information about individuals that may be retrieved by a unique identifier associated with each individual, such as a name or social security number. The information about each individual is called a "record" and

the system, whether manual or computer-driven, is called a "system of records." A system is considered altered whenever certain fundamental changes are made to the system, such as whenever certain disclosures, called "routine uses," are changed.

In a memorandum dated May 14, 1998, President Clinton directed executive departments and agencies to conduct a thorough review of all agency system of records for accuracy and completeness. The President specifically directed agencies to consider changes in technology, function, and organization that may have made the systems out-of-date and to review the routine uses published in the system notices to make sure they continue to be necessary and compatible with the purposes for which the information is collected. He also directed agencies to identify systems that may not have been described in a notice published in the **Federal Register** and to publish notices for any changes to the agency systems of records.

In its review, the Commission determined that two of its systems of records are no longer relevant and necessary to accomplish an agency purpose, that the remaining three systems require revision, and that three additional systems of records should be identified and included in the Commission's systems of records. The two systems of records that are no longer relevant and necessary to accomplish an agency purpose are: (1) FMSHRC-04, "Property Management System;" and (2) FMSHRC-05, "Administrative Law Judge Caseload Report." See 49 FR 30668, 30669-70 (July 31, 1984). The property management system of records (FMSHRC-04) contained information concerning the description, value and location of furnishings and equipment. The Commission has found it unnecessary to continue to maintain such records because furnishings and equipment are no longer assigned to Commission employees and members. In addition, the Administrative Law Judge caseload report (FMSHRC-05) is no longer used by the Commission. Accordingly, the Commission is deleting these systems.

The Commission proposes revisions to the three remaining systems in order to update them. The Commission proposes changing the system name of FMSHRC-01 from "Payroll records" to "Pay and leave records," in order to more accurately describe the records included in this system, and to revise the routine uses of records maintained in this system. In addition, the Commission proposes to change the