

exemption, refer to the Notice of Proposed Exemption published on February 3, 2005 at 70 FR 5705.

FOR FURTHER INFORMATION CONTACT:

Khalif Ford of the Department, telephone (202) 693-8540 (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 exemption 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) This exemption is 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 this exemption is subject to the express condition that the material facts and representations contained in the application accurately describes all material terms of the transaction which is the subject of the exemption.

Signed in Washington, DC, this 23rd day of June, 2005.

Ivan Strasfeld,

*Director of Exemption Determinations,
Employee Benefits Security Administration,
U.S. Department of Labor.*

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DEPARTMENT OF LABOR

**Employment and Training
Administration**

**Workforce Investment Act (WIA)
Financial Reporting Requirements for
the National Emergency Grants (NEG)
Program, Under Title I of the Act**

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. ETA is soliciting comments concerning the proposed extension to the financial reporting requirements for the WIA National Emergency Grants Program.

DATES: Written comments must be submitted to the office listed in the addressee's section below on or before August 29, 2005.

ADDRESSES: Isabel Danley, Office of Grants and Contract Management, Employment and Training Administration, United States Department of Labor, 200 Constitution Avenue, NW., Room N-4720, Washington, DC, 20210, (202) 693-3047 (this is not a toll-free number), danley.isabel@dol.gov, and/or fax (202) 693-3362.

FOR FURTHER INFORMATION CONTACT:

Isabel Danley, Office of Grants and Contract Management, Employment and Training Administration, United States Department of Labor, 200 Constitution Avenue, NW., Washington, DC, 20210, (202) 693-3047 (this is not a toll-free number), danley.isabel@dol.gov, and/or fax (202) 693-3362. Copies of the Paperwork Reduction Act Submission Package may be found at the Web site <http://www.doleta.gov/Performance/guidance/OMBControlNumber.cfm>.

SUPPLEMENTARY INFORMATION:

I. Background

This proposed information collection notice is requesting an extension to the financial reporting collection format for

the WIA National Emergency Grants Program as approved in OMB Notice of Action Number 1205-0434 (ETA Form Number 9099). The basic financial reporting requirements for this program are set forth in Public Law 105-220, dated August 7, 1998, and 20 CFR part 652 *et al.*, Workforce Investment Act (WIA) Final Rules, dated August 11, 2000.

II. Desired Focus of Comments

Currently, the Department is soliciting comments concerning the proposed extension of a currently approved collection of the WIA financial reporting requirements for the National Emergency Grants Program to:

- 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.

A copy of the proposed information clearance request (ICR) can be obtained directly through the Web site: <http://www.doleta.gov/Performance/guidance/OMBControlNumber.cfm> or by contacting the office listed above in the addressee section of this notice.

III. Current Actions

Type of Review: Extension of a currently approved collection.

Agency: Employment and Training Administration.

Title: Workforce Investment Act (WIA) Financial Reporting Requirements for National Emergency Grants Program, under Title I of the Act.

OMB Number: 1205-0434.

Agency Numbers: Revision to ETA 9099.

Affected Public: State agencies, local governments, and/or other for profit and non-profit organizations; and consortia of any and/or all of the above.

Total Respondents: 40.

Frequency: Quarterly.

DOL-ETA REPORTING BURDEN FOR WIA FINANCIAL STATUS REPORT FOR NATIONAL EMERGENCY GRANTS

	PY 2004			PY 2005		
	PY 2004	FY 2005	Total	PY 2005	FY 2006	Total
Average number of reports per entity per quarter	1	1	2	1	1	2
Average number of reports per entity per year	4	4	8	4	4	8
Average number of hours required for reporting per quarter per report	1/2	1/2	1/2	1/2	1/2	1/2
Average number of hours required for reporting per entity per year	2	2	4	2	2	4
Number of entities reporting	40	40	40	40	40	40
Average number of hours required for reporting burden per year	80	80	160	80	80	160
Total burden cost @ \$30.22 per hour	\$4835	\$4835

Note: Reviewer should note that the National Emergency Grants are awarded to States under Master Grant Agreements to fund approved projects within the State, on an on-going, as eligible basis. As reflected on table, PY 2004 grants/projects are funded with PY 2004 and FY 2005 funds. Likewise, PY 2005 grants/projects are funded with PY 2005 and FY 2006 funds. Financial reports are required to be submitted by project for each source of funds received.

It should also be noted that the number of projects per State varies, thus creating the need to average the number of reports per entity per quarter and per year.

The total burden cost was based upon a GS-12, Step 1 salary as calculated from Salary Table 2005-DCB, effective January 2005.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the ICR; they will become a matter of public record.

Dated: June 23, 2005.

Anna Goddard,

Administrator, Office of Financial and Administrative Management, Employment and Training Administration, Department of Labor.

[FR Doc. 05-12825 Filed 6-28-05; 8:45 am]

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DEPARTMENT OF LABOR

Employment Standards Administration

Proposed Collection; Comment Request

ACTION: Notice.

SUMMARY: The Department of Labor, as part of its continuing effort to reduce paperwork and respondent burden, conducts a preclearance consultation program to provide the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA95) [44 U.S.C. 3506(c)(2)(A)]. This

program helps to ensure that requested data can be provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. Currently, the Employment Standards Administration is soliciting comments concerning the proposed collection: Application for Federal Certificate of Age (WH-14). A copy of the proposed information collection request can be obtained by contacting the office listed below in the addresses section of this Notice.

DATES: Written comments must be submitted to the office listed in the addresses section below on or before August 29, 2005.

ADDRESSES: Ms. Hazel M. Bell, U.S. Department of Labor, 200 Constitution Ave., NW., Room S-3201, Washington, DC 20210, telephone (202) 693-0418, fax (202) 693-1451, e-mail bell.hazel@dol.gov. Please use only one method of transmission for comments (mail, fax, or e-mail).

SUPPLEMENTARY INFORMATION:

I. *Background:* Fair Labor Standards Act (FLSA), 29 U.S.C. 201 *et seq.*, section 3(l) provides, in part, that an employer may protect against unwitting employment of "oppressive child labor," as defined in section 3(l), by having on file a certificate issued pursuant to Department of Labor (DOL) regulations certifying that the named person meets the FLSA minimum age requirements for employment. FLSA section 11(c) requires that all employers covered by the Act make, keep, and preserve records of wages, hours, and other conditions and practices of employment with respect to their employees. The employer is to maintain the records for such period of time and make such reports as prescribed by regulations issued by the Secretary of Labor. Form WH-14 is the application employers submit to obtain Federal Certificates of Age to protect themselves against unwitting child labor violations

of the Fair Labor Standards Act. This information collection is currently approved for use through January 31, 2006.

II. *Review Focus:* The Department of Labor 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.

III. *Current Actions:* The Department of Labor seeks an extension of approval of the information collection to protect employers from unwitting violation of the minimum age standards of the Fair Labor Standards Act.

Type of Review: Extension.

Agency: Employment Standards Administration.

Title: Application for Federal Certificate of Age.

OMB Number: 1215-0083.

Agency Number: WH-14.

Affected Public: Business or other for-profit; not-for-profit institutions; farms; State, local, or tribal government.

Total Respondents: 10.

Total Annual Responses: 10.

Estimated Time per Response: 10 minutes.

Estimated Total Burden Hours: 2.

Frequency: Annually.

Total Burden Cost (capital/startup): \$0.