

Funds may not be used for construction, or to acquire or build real property.

DEADLINE FOR RECEIPT OF APPLICATIONS: Applications must be received in NIC's Washington office by 4:00 p.m., Eastern time on Friday, January 31, 1997.

ADDRESSES AND FURTHER INFORMATION: Requests for the application kit, which includes further details on the project's objectives, etc., should be directed to Judy Evens, Grants Control Office, National Institute of Corrections, 320 First Street, N.W., Room 5007, Washington, D.C. 20534 or by calling 800-995-6423, ext. 159 or 202-307-3106, ext. 159.

All technical and/or programmatic information on this announcement should be directed to Mr. Kermit Humphries at the above address or by calling 800-995-6423, ext. 136 or 202-307-3995, ext. 136, or by E-Mail via khumphrie@bop.gov.

Eligible Applicants

An eligible applicant is any private, non-profit organization or institution, or individual.

Review Consideration

Applications received under this announcement will be subject to an NIC 3 to 5 member Peer Review Process.

Number of Awards

One (1).

NIC Application Number

97C03. This number should appear as a reference line in your cover letter and also in box 11 of Standard Form 424.

Other Information

Applicants are advised that the narrative description of their program, not including the budget justification or Standard Form 424, attachments and appendixes should not exceed forty (40), double-spaced typed pages.

Executive Order 12372

This program is subject to the provisions of Executive Order 12372. Executive Order 12372 allows States the option of setting up a system for reviewing applications from within their States for assistance under certain Federal programs. Applicants (other than Federally-recognized Indian tribal governments) should contact their State Single Point of Contact (SPOC), a list of which is included in the application kit, along with further instructions on proposed projects serving more than one State.

The Catalog of Federal Domestic Assistance number is: 16,603

Dated: December 23, 1996.

Morris L. Thigpen,

Director, National Institute of Corrections.

[FR Doc. 96-33168 Filed 12-27-96; 8:45 am]

BILLING CODE 4410-36-M

Solicitation for a Cooperative Agreement

SUMMARY: The Department of Justice (DOJ), National Institute of Corrections (NIC) announces the availability of funds in FY 97 for a cooperative agreement to fund a "Responding to Probation and Parole Violations At the Local Level" project.

PURPOSE: Regardless of whether probation and parole agencies are administered at the state or local level, their response to violations significantly impact the demand for and use of jail beds and resources in local communities. Judicious use of intermediate responses—both while processing the violation and at disposition—can provide swift and appropriate responses for certain types of probation and parole violation behavior; while responsibly considering public safety, offender needs, institutional crowding, and resource allocation.

The Institute's Community Corrections Division will provide financial assistance in the form of a cooperative agreement to an agency or organization. This initiative emphasizes policy development by local teams including key decision makers and administrators like judges, county commissioners, local sheriffs, and probation and/or parole executives. Up to eight local jurisdictions from each of two states will be invited to participate in this project. Components of the initiative include, in part:

The awardee (organization receiving the cooperative agreement) will work with NIC in announcing the opportunity and selecting the states and local jurisdictions that will participate; they will work with the local jurisdictions on-site for the purpose of data and policy analysis before the seminar, as well as providing post-seminar technical assistance. Teams from local jurisdictions will attend a three to five day seminar with other jurisdictions from their state, and the awardee will be responsible for all seminar costs except participant transportation. A monograph will be prepared by the awardee to assess and document the impact of changes in probation and parole violation practices on participating jurisdictions. Use of video conferencing is encouraged to augment on-site

activities when the technology satisfies project needs and is cost effective.

The "Responding to Probation and Parole Violations At the Local Level" project will be a collaborative effort between NIC program staff and the cooperative agreement recipient.

AUTHORITY: Public Law 93-415.

FUNDS AVAILABLE: The award will be limited to a maximum total amount of \$225,000 (direct and indirect costs) and project activity must be completed within 18 months of award.

Funds may not be used for construction, or to acquire or build real property.

DEADLINE FOR RECEIPT OF APPLICATIONS: Applications must be received in NIC's Washington office by 4:00 p.m., Eastern time on Friday, January 31, 1997.

ADDRESSES AND FURTHER INFORMATION: Requests for the application kit, which includes further details on the project's objectives, etc., should be directed to Judy Evens, Grants Control Office, National Institute of Corrections, 320 First Street NW., Room 5007, Washington, DC 20534 or by calling 800-995-6423, ext. 159 or 202-307-3106, ext. 159.

All technical and/or programmatic information on this announcement should be directed to Mr. Kermit Humphries at the above address or by calling 800-995-6423, etc. 136 or 202-307-3995, ext. 136, or by E-Mail via khumphrie@bop.gov.

Eligible Applicants

An eligible applicant is any private, non-profit organization or institution, or individual.

Review Consideration

Applications received under this announcement will be subjected to an NIC 3 to 5 member Peer Review Process.

Number of Awards

One (1).

NIC Application Number

97C04. This number should appear as a reference line in your cover letter and also in box 11 of Standard Form 424.

Other Information

Applicants are advised that the narrative description of their program, not including the budget justification or Standard Form 424, attachments and appendixes should not exceed forty (40), double-spaced typed pages.

Executive Order 12372

This program is subject to the provisions of Executive Order 12372. Executive Order 12372 allows States the

option of setting up a system for reviewing applications from within their States for assistance under certain Federal programs. Applicants (other than Federally-recognized Indian tribal governments) should contact their State Single Point of Contact (SPOC), a list of which is included in the application kit, along with further instructions on proposed projects serving more than one State.

The Catalog of Federal Domestic Assistance number is: 16.603.

Dated: December 23, 1996.

Morris L. Thigpen,

Director, National Institute of Corrections.

[FR Doc. 96-33169 Filed 12-27-96; 8:45 am]

BILLING CODE 4410-36-M

DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 96-93; Exemption Application No. D-10240, et al.]

Grant of Individual Exemptions; Beall Corporation 401(k) Profit Sharing Plan (the Plan), et al.

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, D.C. 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 (43 FR 47713, October 17, 1978) 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.

Beall Corporation 401(k) Profit Sharing Plan (the Plan), Located in Portland, OR

[Prohibited Transaction Exemption 96-93; Exemption Application No. D-10240]

Exemption

The restrictions of sections 406(a) and 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 sections 4975(c)(1)(A) through (E) of the Code shall not apply to the cash sale (the Sale) by the Plan of four acres of unimproved real property (the Land) to the Diamond Beall Development Corporation, an Oregon general partnership and party in interest with respect to the Plan, provided that the following conditions are satisfied: (1) the Sale is a one-time transaction for cash; (2) the Plan experiences no losses nor incurs any expenses as a result of the Sale; (3) the Plan receives in cash the greater of \$479,160, or the fair market value of the Land as determined at the time of the Sale; and (4) the terms of the Sale are no less favorable to the Plan than those it would have received in similar circumstances when negotiated at arm's length with unrelated third parties.

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 October 25, 1996 at 61 FR 55321.

FOR FURTHER INFORMATION CONTACT: Mr. Gary H. Lefkowitz of the Department,

telephone (202) 219-8881. (This is not a toll-free number.)

First Chicago NBD Corporation (FCNBD) Located in Chicago, Illinois

[Prohibited Transaction Exemption 96-94; Exemption Application No. D-10361]

Exemption

I. Transactions

A. Effective October 8, 1996, the restrictions of sections 406(a) and 407(a) of the Act and the taxes imposed by section 4975(a) and (b) of the Code by reason of section 4975(c)(1)(A) through (D) of the Code shall not apply to the following transactions involving trusts and certificates evidencing interests therein:

(1) The direct or indirect sale, exchange or transfer of certificates in the initial issuance of certificates between the sponsor or underwriter and an employee benefit plan when the sponsor, servicer, trustee or insurer of a trust, the underwriter of the certificates representing an interest in the trust, or an obligor is a party in interest with respect to such plan;

(2) The direct or indirect acquisition or disposition of certificates by a plan in the secondary market for such certificates; and

(3) The continued holding of certificates acquired by a plan pursuant to subsection I.A.(1) or (2).

Notwithstanding the foregoing, section I.A. does not provide an exemption from the restrictions of sections 406(a)(1)(E), 406(a)(2) and 407 for the acquisition or holding of a certificate on behalf of an Excluded Plan by any person who has discretionary authority or renders investment advice with respect to the assets of that Excluded Plan.¹

B. Effective October 8, 1996, the restrictions of sections 406(b)(1) and 406(b)(2) of the Act and the taxes imposed by section 4975(a) and (b) of the Code by reason of section 4975(c)(1)(E) of the Code shall not apply to:

(1) The direct or indirect sale, exchange or transfer of certificates in the initial issuance of certificates between the sponsor or underwriter and a plan when the person who has discretionary authority or renders investment advice with respect to the investment of plan assets in the certificates is (a) an obligor with respect to 5 percent or less of the fair market value of obligations or

¹ Section I.A. provides no relief from sections 406(a)(1)(E), 406(a)(2) and 407 for any person rendering investment advice to an Excluded Plan within the meaning of section 3(21)(A)(ii) and regulation 29 CFR 2510.3-21(c).