

| Subject firm | Location | Date received at Governor's office | Petition number | Articles produced |
|---|------------------------|------------------------------------|-----------------|--|
| West Print Stevens (UNITE) | Roanoke Rapids, NC. | 02/16/2001 | NAFTA-4,551 | Weaving for towels & washcloths. |
| Motorola (Wkrs) | Harvard, IL | 02/13/2001 | NAFTA-4,552 | Cellular telephones. |
| United Technologies Automotives—Lear (Co.) | Zaneville, OH | 02/16/2001 | NAFTA-4,553 | Headlight switches. |
| Haggar Clothing (Co.) | Edinburg, TX | 02/15/2001 | NAFTA-4,554 | Men's pants, walk shorts & coats. |
| Brown Wooten Mills (Wkrs) | Mt. Airy, NC | 02/15/2001 | NAFTA-4,555 | Socks & tights. |
| Equistar Fort Arthur (PLU) | Fort Arthur, TX | 02/14/2001 | NAFTA-4,556 | Polyethylene plastics. |
| M and S Sewing (Wkrs) | Van Nuys, CA | 02/14/2001 | NAFTA-4,557 | Blouse & uniform wear. |
| Modus Media International (Wkrs) | Fremont, CA | 02/14/2001 | NAFTA-4,558 | Telecommunication. |
| Avery Dennison (Wkrs) | Quakertown, PA | 02/14/2001 | NAFTA-4,559 | Pressure sensitive materials. |
| Erie Forge and Steel (Wkrs) | Erie, PA | 02/12/2001 | NAFTA-4,560 | Steel. |
| Dearborn Brass—Moen (GMPPA) | Tyler, TX | 02/13/2001 | NAFTA-4,561 | Metal traps. |
| Quadion Company (USWA) | Mason City, IA | 02/13/2001 | NAFTA-4,562 | Rubber power brake. |
| HPM Corporation (Wkrs) | Mt. Gilead, OH | 02/16/2001 | NAFTA-4,563 | Injection molding machines. |
| Deltrol Corporation (IAM) | Milwaukee, WI | 02/16/2001 | NAFTA-4,564 | Busings, clamps, bar stock, castings. |
| Cummins (Co.) | Charleston, SC | 02/16/2001 | NAFTA-4,565 | Cylinder heads. |
| Allison Manufacturing (Co.) | Albermarle, NC | 02/15/2001 | NAFTA-4,566 | Children's apparel. |
| Crown Pacific Limited Partnership (Wkrs) | Bonnors Ferry, IL ... | 01/19/2001 | NAFTA-4,567 | Lumber. |
| Ansell Golden Needles-Ansell Healthcare (Co.) | Wilkesboro, NC | 02/20/2001 | NAFTA-4,568 | Glove. |
| Blount (Co.) | Prentice, WI | 02/22/2001 | NAFTA-4,569 | Prentice hydraulic log loaders. |
| Amphenol Corporation (IAMAW) | Sidney, NY | 02/20/2001 | NAFTA-4,570 | Connectors. |
| PerkinElmer Optoelectronics (UAW) | St. Louis, MO | 02/22/2001 | NAFTA-4,571 | Pellets, silicon wafer & CIRD Sensors. |
| Paper Converting Machine (PACE) | Green Bay, WI | 02/23/2001 | NAFTA-4,572 | Paper rolls, die cutters. |
| Medley Company Cedar (Co.) | Pierce, ID | 02/22/2001 | NAFTA-4,573 | Split rail fencing. |
| Genicom Corporation (Wkrs) | Waynesboro, VA ... | 02/23/2001 | NAFTA-4,574 | Warehousing, stockroom & repair. |
| Gorge Lumber (Co.) | Portland, OR | 02/23/2001 | NAFTA-4,575 | Spruce pine fir boards. |
| Gettys (Co.) | Racine, WI | 02/22/2001 | NAFTA-4,576 | Motor & assembly. |
| GST Steel (USWA) | Kansas City, MO ... | 02/21/2001 | NAFTA-4,577 | Steel rods & steel grinding balls. |
| Sample Service (Wkrs) | New York, NY | 02/20/2001 | NAFTA-4,578 | Books, sample cards, bindery. |
| Axiom (IAMAW) | Ithaca, NY | 02/20/2001 | NAFTA-4,579 | Receipt printers |
| Corning Cable Systems (Co.) | Pensacola, FL | 02/15/2001 | NAFTA-4,580 | Cable systems. |
| Eagle Knitting Mills (Co.) | Shawan, WI | 02/19/2001 | NAFTA-4,581 | Apparel. |
| Pangborn Corporation (UAW) | Hagerstown, MD ... | 02/13/2001 | NAFTA-4,582 | Blast cleaning machinery. |
| Munro and Company (Co.) | Monett, MO | 02/23/2001 | NAFTA-4,583 | Sandals & shoes. |
| International Paper (Co.) | Milford, ME | 02/15/2001 | NAFTA-4,584 | Studs. |
| Presto Products (Wkrs) | Alamogordo, NM ... | 01/22/2001 | NAFTA-4,585 | Aluminum pots & pans. |
| O-Z Gedney (Co.) | Pittston, PA | 02/21/2001 | NAFTA-4,586 | Electrical fittings . |
| Thompson River Lumber (Wkrs) | Thompson Falls, MT. | 02/22/2001 | NAFTA-4,587 | Dimension lumber & lumber. |
| Capitol Manufacturing (Co.) | Fayetteville, NC | 02/22/2001 | NAFTA-4,588 | Wooden picture frame moulding. |
| Puget Plastics (Co.) | Tualatin, OR | 02/24/2001 | NAFTA-4,589 | Plastic injection molded parts. |
| Thermal Corporation (Wkrs) | Selmer, TN | 02/21/2001 | NAFTA-4,590 | Steel hammer handles. |

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DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Prohibited Transaction Exemption 2000-66; Application No. D-10706]

Grant of Individual Exemption for Allfirst Bank (Allfirst)

AGENCY: Pension and Welfare Benefits Administration, Department of Labor (the Department).

ACTION: Notice of technical correction.

On December 21, 2000, the Department published in the **Federal Register** at 65 FR 80461 a notice of

individual exemption for Allfirst, which permits, as of November 13, 1998, the receipt of fees by Allfirst from the ARK Funds, open-end investment companies registered under the Investment Company Act of 1940, for acting as an investment adviser for such Funds, as well as for providing secondary services to the ARK Funds, in connection with the investment in shares of the ARK Funds by employee benefit plans for which Allfirst serves as a fiduciary.

Under the heading "Written Comments" (65 FR at 80463), the Department addressed the applicant's comment regarding a typographical error in Section I(l). However, the requested correction was inadvertently omitted from the published final exemption. In the final exemption, the last sentence in subparagraph (2) of Section I(l) should cross-reference

paragraph (i) instead of (j), while the very last sentence in Section I(l) should cross-reference paragraph (j) instead of (i). Thus, beginning from Section I(l)(2) (65 FR at 80462, center column), Section I(l) should read as follows:

(l)(2) For any Client Plan under this exemption, an addition of a Secondary Service (as defined in Section III(i) below) provided by Allfirst to the Fund for which a fee is charged, or an increase in the rate of any fee paid by the ARK Funds to Allfirst for any Secondary Service that results either from an increase in the rate of such fee or from the decrease in the number or kind of services performed by Allfirst for such fee over an existing rate for such Secondary Service that had been authorized by the Second Fiduciary of a Client Plan in accordance with paragraph (i) above;

Allfirst will, at least 30 days in advance of the implementation of such additional service for which a fee is charged or fee

increase, provide a written notice (which may take the form of a proxy statement, letter, or similar communication that is separate from the prospectus of the Fund and that explains the nature and amount of the additional service for which a fee is charged or of the increase in fees) to the Second Fiduciary of the Client Plan. Such notice shall be accompanied by a Termination Form with instructions as described in paragraph (j) above.

Accordingly, the Department hereby corrects such error.

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

Signed at Washington, DC, this 16th day of March, 2001.

Ivan L. Strasfeld,

*Director, Office of Exemption Determinations,
Pension and Welfare Benefits Administration.*

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DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

[Application No. D-10942, et al.]

Proposed Exemptions; Bank of America, et al.

AGENCY: Pension and Welfare Benefits Administration, Labor

ACTION: Notice of Proposed Exemptions.

SUMMARY: This document contains notices of pendency before the Department of Labor (the Department) of proposed exemptions 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).

Written Comments and Hearing Requests

All interested persons are invited to submit written comments or request for a hearing on the pending exemptions, unless otherwise stated in the Notice of Proposed Exemption, within 45 days from the date of publication of this **Federal Register** Notice. Comments and requests for a hearing should state: (1) The name, address, and telephone number of the person making the comment or request, and (2) the nature of the person's interest in the exemption and the manner in which the person would be adversely affected by the exemption. A request for a hearing must also state the issues to be addressed and include a general description of the evidence to be presented at the hearing.

ADDRESSES: All written comments and request for a hearing (at least three

copies) should be sent to the Pension and Welfare Benefits Administration, Office of Exemption Determinations, Room N-5649, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210. Attention: Application No. __, stated in each Notice of Proposed Exemption. The applications for exemption and the comments received will be available for public inspection in the Public Documents Room of the Pension and Welfare Benefits Administration, U.S. Department of Labor, Room N-1513, 200 Constitution Avenue, N.W., Washington, D.C. 20210.

Notice to Interested Persons

Notice of the proposed exemptions will be provided to all interested persons in the manner agreed upon by the applicant and the Department within 15 days of the date of publication in the **Federal Register**. Such notice shall include a copy of the notice of proposed exemption as published in the **Federal Register** and shall inform interested persons of their right to comment and to request a hearing (where appropriate).

SUPPLEMENTARY INFORMATION: The proposed exemptions were requested in applications filed pursuant to section 408(a) of the Act and/or section 4975(c)(2) of the Code, and in accordance with procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32836, 32847, August 10, 1990). 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 requested to the Secretary of Labor. Therefore, these notices of proposed exemption are issued solely by the Department.

The applications contain representations with regard to the proposed exemptions which are summarized below. Interested persons are referred to the applications on file with the Department for a complete statement of the facts and representations.

Bank of America (BofA), Located in Bethesda, Maryland

[Application No. D-10942]

Proposed Exemption

The Department is considering granting an exemption under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with the procedures set forth in 29 CFR Part 2570, Subpart B (55 FR 32,836, 32,847, August 10, 1990). If the exemption is granted, the

restrictions of section 406(a) 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 (D) of the Code, shall not apply to (1) the proposed granting to BofA by the Westbrook Real Estate Fund IV, L.P. (LP), a Delaware Limited Partnership, of a first, exclusive, and prior security interest in the capital commitments (Capital Commitments), reserve amounts (Reserve Amounts) and capital contributions (Capital Contributions), whether now owned or after-acquired, of certain employee benefit plans (Plans) investing in the LP; (2) the proposed collateral assignment and pledge by the LP to BofA of its security interest in each Plan's limited partnership interest, whether now owned or after-acquired; (3) the proposed granting by the LP of a first, exclusive, and prior security interest in a borrower collateral account to which all Capital Contributions will be deposited when paid (Borrower Collateral Account); (4) the proposed granting to BofA by Westbrook Real Estate Partners Management IV, L.L.C., a Delaware limited liability company and the general partner of the LP (the General Partner), of its right to make calls for cash contributions (Drawdowns) under the Amended and Restated Agreement of Limited Partnership of Westbrook Real Estate Fund IV, L.P., dated as of September 15, 2000 (Agreement), where BofA is the representative of certain lenders (the Lenders) that will fund a so-called "credit facility" (Credit Facility) providing credit to the LP, and the Lenders are parties in interest with respect to the Plans; and (5) the execution of a partner agreement and estoppel (Estoppel) under which the Plans agree to honor the Drawdowns; provided that (i) the proposed grants, assignments, and Estoppels are on terms no less favorable to the Plans than those which the Plans could obtain in arm's-length transactions with unrelated parties; (ii) the decisions on behalf of each Plan to invest in the LP and to execute such Estoppels in favor of BofA, for the benefit of each Lender, are made by a fiduciary which is not included among, and is independent of and unaffiliated with, the Lenders and BofA; (iii) with respect to Plans that may invest in the LP in the future, such Plans will have assets of not less than \$100 million¹ and not more than 5% of the

¹ In the case of multiple plans maintained by a single employer or a single group of employers treated as a single employer under Sections 414(b), 414(c), 414(m), and 414(o) of the Code, the assets of which are invested on a commingled basis (e.g.,

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