

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 (the Notice) published on July 8, 2008 at 73 FR 39177.

The Department received no substantive written comments with respect to the Notice. The Department received a clarification from the Applicant regarding the number of direct investors in the Fund as of January 17, 2008, as was stated in the Summary of Facts and Representations and the Notice to Interested Persons sections of the Notice. The Applicant stated that due to an inadvertent error, its submission stated that there were 25 direct investors in the fund as of that date, when in fact there were actually 24.

FOR FURTHER INFORMATION CONTACT: Ms. Karen Lloyd of the Department, telephone (202) 693-8554. (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 describe all material terms of the transaction which is the subject of the exemption.

Signed at Washington, DC, this 19th day of September 2008.

Ivan Strasfeld,

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

[FR Doc. E8-22486 Filed 9-24-08; 8:45 am]

BILLING CODE 4510-29-P

DEPARTMENT OF LABOR

Office of the Assistant Secretary for Veterans' Employment and Training

The Advisory Committee on Veterans' Employment, Training and Employer Outreach (ACVETEO); Notice of Open Meeting

The Advisory Committee on Veterans' Employment, Training and Employer Outreach (ACVETEO) was established pursuant to Title II of the Veterans' Housing Opportunity and Benefits Improvement Act of 2006 (Pub. L. 109-233) and Section 9 of the Federal Advisory Committee Act (FACA) (Pub. L. 92-462, Title 5 U.S.C. app. II). The authority of the ACVETEO is codified in Title 38 U.S. Code, Section 4110.

The ACVETEO is responsible for assessing employment and training needs of veterans; determining the extent to which the programs and activities of the U.S. Department of Labor meet these needs; and assisting to conduct outreach to employers seeking to hire veterans. The ACVETEO will conduct a business meeting on Wednesday, October 22, from 7:30 a.m. to 2 p.m., at the offices of The Home Depot, USA, at 2455 Paces Ferry Road, C-21 Large Conference Room, Atlanta, Georgia. The ACVETEO will discuss programs to assist veterans seeking employment and to raise employer awareness as to the advantages of hiring veterans, with special emphasis on employer outreach and wounded and injured veterans.

Individuals needing special accommodations should notify Bill Offutt at (202) 693-4717 by October 13, 2008.

Signed in Washington, DC, this 19th day of September, 2008.

Charles S. Ciccolella,

Assistant Secretary, Veterans' Employment and Training Service.

[FR Doc. E8-22514 Filed 9-24-08; 8:45 am]

BILLING CODE 4510-79-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration (NARA).

ACTION: Notice of availability of proposed records schedules; request for comments.

SUMMARY: The National Archives and Records Administration (NARA) publishes notice at least once monthly of certain Federal agency requests for records disposition authority (records schedules). Once approved by NARA, records schedules provide mandatory instructions on what happens to records when no longer needed for current Government business. They authorize the preservation of records of continuing value in the National Archives of the United States and the destruction, after a specified period, of records lacking administrative, legal, research, or other value. Notice is published for records schedules in which agencies propose to destroy records not previously authorized for disposal or reduce the retention period of records already authorized for disposal. NARA invites public comments on such records schedules, as required by 44 U.S.C. 3303a(a).

DATES: Requests for copies must be received in writing on or before October 27, 2008. Once the appraisal of the records is completed, NARA will send a copy of the schedule. NARA staff usually prepare appraisal memorandums that contain additional information concerning the records covered by a proposed schedule. These, too, may be requested and will be provided once the appraisal is completed. Requesters will be given 30 days to submit comments.

ADDRESSES: You may request a copy of any records schedule identified in this notice by contacting the Life Cycle Management Division (NWML) using one of the following means:

Mail: NARA (NWML), 8601 Adelphi Road, College Park, MD 20740-6001.

E-mail: request.schedule@nara.gov.

Fax: 301-837-3698.

Requesters must cite the control number, which appears in parentheses after the name of the agency which submitted the schedule, and must provide a mailing address. Those who desire appraisal reports should so indicate in their request.

FOR FURTHER INFORMATION CONTACT: Laurence Brewer, Director, Life Cycle Management Division (NWML),

National Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001. Telephone: 301-837-1539. E-mail: records.mgt@nara.gov.

SUPPLEMENTARY INFORMATION: Each year Federal agencies create billions of records on paper, film, magnetic tape, and other media. To control this accumulation, agency records managers prepare schedules proposing retention periods for records and submit these schedules for NARA's approval, using the Standard Form (SF) 115, Request for Records Disposition Authority. These schedules provide for the timely transfer into the National Archives of historically valuable records and authorize the disposal of all other records after the agency no longer needs them to conduct its business. Some schedules are comprehensive and cover all the records of an agency or one of its major subdivisions. Most schedules, however, cover records of only one office or program or a few series of records. Many of these update previously approved schedules, and some include records proposed as permanent.

The schedules listed in this notice are media neutral unless specified otherwise. An item in a schedule is media neutral when the disposition instructions may be applied to records regardless of the medium in which the records are created and maintained. Items included in schedules submitted to NARA on or after December 17, 2007, are media neutral unless the item is limited to a specific medium. (See 36 CFR 1228.24(b)(3).)

No Federal records are authorized for destruction without the approval of the Archivist of the United States. This approval is granted only after a thorough consideration of their administrative use by the agency of origin, the rights of the Government and of private persons directly affected by the Government's activities, and whether or not they have historical or other value.

Besides identifying the Federal agencies and any subdivisions requesting disposition authority, this public notice lists the organizational unit(s) accumulating the records or indicates agency-wide applicability in the case of schedules that cover records that may be accumulated throughout an agency. This notice provides the control number assigned to each schedule, the total number of schedule items, and the number of temporary items (the records proposed for destruction). It also includes a brief description of the temporary records. The records

schedule itself contains a full description of the records at the file unit level as well as their disposition. If NARA staff has prepared an appraisal memorandum for the schedule, it too includes information about the records. Further information about the disposition process is available on request.

Schedules Pending

1. Department of Agriculture, Natural Resources Conservation Service (N1-114-08-2, 1 item, 1 temporary item). Master file associated with an electronic information system that provides information supporting the planning and application of conservation on working lands.

2. Department of Agriculture, Natural Resources Conservation Service (N1-114-08-3, 1 item, 1 temporary item). Master file associated with an electronic information system that provides assistance to land owners and managers in regard to conservation planning and technical consultation, conservation implementation, natural resources technology, and financial support.

3. Department of Commerce, National Oceanic and Atmospheric Administration (N1-370-08-1, 1 item, 1 temporary item). National Oceanic and Atmospheric Administration Diving Center Diver Training and Certification System database.

4. Department of Education, Agency-wide (N1-441-08-1, 4 items, 3 temporary items). The records are related to Department-sponsored national and international conferences and conventions and include plans, announcements, invitations, agenda, Web site, papers presented, summaries, evaluations, resolutions, and final reports. Proposed for permanent retention are records related to significant conferences and conventions that may involve public scrutiny.

5. Department of Education, Agency-wide (N1-441-08-3, 2 items, 1 temporary item). The records consist of reports to Congress and/or the President in accordance with mandates of Department-related legislation and include the working files of the reports presenting objectives, accomplishments, evaluation or study results, and summaries of education problems. Proposed for permanent retention are the final reports.

6. Department of Education, Agency-wide (N1-441-08-13, 2 items, 2 temporary items). General correspondence files, including routine incoming and outgoing correspondence and memoranda with enclosures relating to the day-to-day activities of the office.

7. Department of Education, Agency-wide (N1-441-08-14, 4 items, 3 temporary items). Calendars, appointment books, schedules, logs, diaries, handwritten notes and other records documenting substantive communications and appointments for non-senior officials. Proposed for permanent retention are recordkeeping copies of these records for senior officials.

8. Department of Education, Office of Hearings and Appeals (N1-441-08-15, 3 items, 3 temporary items). Administrative adjudication case files and attorney working files relating to such matters as administrative appeals for violations, fines, and misappropriations of Federal funds; final program review determinations; final audit determinations; grant paybacks; and termination of institutions' participation in Federal student aid programs. Records include correspondence, motions, briefs, orders, and decisions.

9. Department of Homeland Security, National Protection and Programs Directorate (N1-563-08-34, 1 item, 1 temporary item). Master file for the Automated Biometric Identification System, which collects biometric and biographic data used to establish an individual's identity during an immigration and border management encounter or other encounters with the agency. These data were approved for disposal in a previous schedule.

10. Department of Housing and Urban Development, Office of Multifamily Housing (N1-207-08-4, 4 items, 4 temporary items). Master files and outputs of an electronic information system which contains information about low income rental housing contracts.

11. Department of Justice, Agency-wide (N1-60-08-28, 4 items, 4 temporary items). Inputs and master file for data in the Civil Applicant System, an electronic fingerprint submission system used as part of new employee and contractor background investigations.

12. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (N1-436-08-10, 1 item, 1 temporary item). Master file of the Laboratory Information Management System, which tracks evidence submitted to the laboratory for examination.

13. Department of Justice, Federal Bureau of Investigation (N1-65-08-21, 5 items, 5 temporary items). Records of the Strategic Information and Operations Center, including its daily log and journal.

14. Department of Labor, Benefits Review Board (N1-174-08-1, 6 items, 4 temporary items). Records of the Benefits Review Board, including non-record copy of official case file material, reference files, and general and miscellaneous files. Also included are the Adjudicatory Board's monthly and quarterly production reports. Proposed for permanent retention are recordkeeping copies of decisions and orders and the Adjudicatory Board's annual report.

15. Department of State, Bureau of Overseas Buildings Operations (N1-59-08-14, 3 items, 3 temporary items). Records of the Office of Human Resources, including the master file of the Personnel Administration Security System, a personnel management system, and personnel files for contractors and transferred or separated employees.

16. Department of Transportation, Federal Railroad Administration (N1-399-08-6, 2 items, 2 temporary items). Master file and outputs of an electronic information system used to provide ready access to frequently used agency information in a public forum format.

17. Department of the Treasury, Departmental Offices (N1-56-08-3, 5 items, 5 temporary items). Master files of the Financial Analysis and Reporting System, which is a consolidated reporting tool for financial, performance, and management data.

18. Federal Communications Commission, Office of Public Safety and Homeland Security (N1-173-08-7, 5 items, 5 temporary items). Records relating to the Policy Division's enforcement of the Communications Assistance for Law Enforcement Act. Included are policy and procedure filings, permit filings, monitoring reports, as well as the master file of an electronic information system used to monitor compliance of telecommunications carriers with the act.

Dated: September 19, 2008.

Michael J. Kurtz,

Assistant Archivist for Records Services—Washington, DC.

[FR Doc. E8-22566 Filed 9-24-08; 8:45 am]

BILLING CODE 7515-01-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Senior Executive Service (SES) Performance Review Board; Members

AGENCY: National Archives and Records Administration.

ACTION: Notice; SES Performance Review Board.

SUMMARY: Notice is hereby given of the appointment of members of the National Archives and Records Administration (NARA) Performance Review Board.

DATES: *Effective Date:* This appointment is effective on September 25, 2008.

FOR FURTHER INFORMATION CONTACT:

Steven G. Rappold, Human Resources Services Division (NAH), National Archives at College Park, 8601 Adelphi Road, College Park, MD 20740-6001, (301) 837-2084.

SUPPLEMENTARY INFORMATION: Section 4314(c) of Title 5, U.S.C., requires each agency to establish, in accordance with regulations prescribed by the Office of Personnel Management, one or more SES Performance Review Boards. The Board shall review the initial appraisal of a senior executive's performance by the supervisor and recommend final action to the appointing authority regarding matters related to senior executive performance.

The members of the Performance Review Board for the National Archives and Records Administration are: Adrienne C. Thomas, Deputy Archivist of the United States, Michael J. Kurtz, Assistant Archivist for Records Services—Washington, DC, and Martha A. Morphy, Assistant Archivist for Information Services. These appointments supersede all previous appointments.

Dated: September 22, 2008.

Allen Weinstein,

Archivist of the United States.

[FR Doc. E8-22684 Filed 9-24-08; 8:45 am]

BILLING CODE 7515-01-P

NUCLEAR REGULATORY COMMISSION

[Docket No. NRC-2008-0358]

Agency Information Collection Activities: Submission for the Office of Management and Budget (OMB) Review; Comment Request

AGENCY: U.S. Nuclear Regulatory Commission (NRC).

ACTION: Notice of the OMB review of information collection and solicitation of public comment.

SUMMARY: The NRC has recently submitted to OMB for review the following proposal for the collection of information under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35). The NRC hereby informs potential respondents that an

agency may not conduct or sponsor, and that a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The NRC published a **Federal Register** Notice with a 60-day comment period on this information collection on June 30, 2008.

1. *Type of submission, new, revision, or extension:* Revision.

2. *The title of the information collection:* Voluntary Reporting of Performance Indicators.

3. *Current OMB approval number:* 3150-0195.

4. *The form number if applicable:* NA.

5. *How often the collection is required:* Quarterly.

6. *Who will be required or asked to report:* Power reactor licensees.

7. *An estimate of the number of annual responses:* 416.

8. *The estimated number of annual respondents:* 104.

9. *An estimate of the total number of hours needed annually to complete the requirement or request:* Approximately 84,500 hours (83,200 reporting hours plus 1,300 recordkeeping hours for 26 recordkeepers).

10. *Abstract:* As part of a joint industry-NRC initiative, the NRC receives information submitted voluntarily by power reactor licensees regarding selected performance attributes known as performance indicators (PIs). PIs are objective measures of the performance of licensee systems or programs. The NRC's reactor oversight process uses PI information, along with the results of inspections, as the basis for NRC conclusions regarding plant performance and necessary regulatory response. Licensees transmit PIs electronically to reduce burden on themselves and the NRC.

A copy of the final supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions should be directed to the OMB reviewer listed below by October 27, 2008. Comments received after this date will be considered if it is practical to do so, but assurance of consideration cannot be given to comments received after this date. Nathan J. Frey, Office of Information and Regulatory Affairs (3150-0195), NEOB-10202, Office of