

(f) The repayment of the Advances was made at the direction of the Plan's sponsor and was restricted to amounts received from the proceeds of the installment payments made by Travelers under the GIC, and no other plan assets were used for that purpose;

(g) The Bank will maintain or cause to be maintained for a period of six years from the date of the granting of the exemption proposed herein the records necessary to enable the persons described in paragraph (h) to determine whether the conditions of this exemption have been met, except that:

(1) A prohibited transaction will not be considered to have occurred, if due to circumstances beyond the control of the Bank, the records are lost or destroyed prior to the end of the six year period; and

(2) No party in interest, other than the Bank, shall be subject to the civil penalty that may be assessed under section 502(i) of the Act, or to the taxes imposed by section 4975(a) and (b) of the Code, if the records are not maintained, or are not available for examination as required by paragraph (h); and

(h)(1) Except as provided in paragraph (h)(2) and notwithstanding any provisions of subsections (a)(2) and (b) of section 504 of the Act, the records referred to in paragraph (g) are unconditionally available at their customary location for examination during normal business hours by:

(A) Any duly authorized employee or representative of the Department or the Internal Revenue Service;

(B) Any fiduciary of the Plan, or any duly authorized employee or representative of such fiduciary; and

(C) Any participant or beneficiary of the Plan or duly authorized representative of such participant or beneficiary;

(2) None of the persons described in paragraph (h)(1)(B) and (h)(1)(C) shall be authorized to examine trade secrets of the Bank or commercial or financial information which is privileged or confidential.

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 March 4, 1999 at 64 FR 10503.

EFFECTIVE DATES: This exemption is effective from July 8, 1997 through June 22, 1998.

FOR FURTHER INFORMATION CONTACT: Gary H. Lefkowitz 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 are true and complete and accurately describe all material terms of the transaction which is the subject of the exemption. In the case of continuing exemption transactions, if any of the material facts or representations described in the application change after the exemption is granted, the exemption will cease to apply as of the date of such change. In the event of any such change, application for a new exemption may be made to the Department.

Signed at Washington, DC, this 28th day of April, 1999.

Ivan Strasfeld,

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

[FR Doc. 99-11004 Filed 5-5-99; 8:45 am]

BILLING CODE 4510-29-P

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Records Schedules; Availability and Request for Comments

AGENCY: National Archives and Records Administration, Office of Records Services—Washington, DC.

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 June 21, 1999. 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: To request a copy of any records schedule identified in this notice, write to the Life Cycle Management Division (NWML), National Archives and Records Administration (NARA), 8601 Adelphi Road, College Park, MD 20740-6001. Requests also may be transmitted by FAX to 301-713-6852 or by e-mail to records.mgt@arch2.nara.gov. 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: Michael L. Miller, Director, Modern Records Programs (NWM), National

Archives and Records Administration, 8601 Adelphi Road, College Park, MD 20740-6001, telephone (301) 713-7110.

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 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.

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 Commerce, Bureau of the Census (N1-29-99-2, 16 items, 11 temporary items). Files maintained by the director, deputy director, and principal associate directors relating to

routine administrative subjects such as travel requests, itineraries, vouchers, training forms, personnel matters, printing, and procurement. Also included are reading or chronological files consisting of duplicate copies of official correspondence and electronic copies of documents created using word processing and electronic mail.

Proposed for permanent retention are recordkeeping copies of biographical sketches, photographs, appointment schedules and calendars, program subject files, official speeches and other presentations, and committee, meeting, and conference files.

2. Department of Energy, Federal Energy Regulatory Commission, (N1-138-99-6, 8 items, 8 temporary items). Commuter transportation records relating to applications for use of parking facilities, parking violations, and tracking and monitoring permit applications. Included are electronic copies of documents created using electronic mail and word processing.

3. Department of Energy, Agency-wide (N1-434-98-17, 7 items, 5 temporary items). Media relations records such as speeches by lower level employees and contractors, press clippings, and non-mission related press releases. Also included are electronic copies of documents created using electronic mail and word processing. Recordkeeping copies of speeches of high officials, and press releases and other records documenting program activities are proposed for permanent retention.

4. Department of Justice, Civil Rights Division (N1-60-98-5, 3 items, 2 temporary items). Case files relating to the Church Arson Prevention Act of 1996 that consist of only a single section (binder) of documents. Included are electronic copies of documents created using electronic mail and word processing. Recordkeeping copies of files that consist of more than one section are proposed for permanent retention.

5. Department of Justice, Civil Rights Division (N1-60-98-6, 3 items, 2 temporary items). Case files relating to the Freedom of Access to Clinic Entrances Act of 1994 that consist of a single section (binder) of documents. Included are electronic copies of documents created using electronic mail and word processing. Recordkeeping copies of files that consist of more than one section are proposed for permanent retention.

6. Department of Justice, Civil Rights Division (N1-60-98-7, 3 items, 2 temporary items). Case files relating to police misconduct that consist of only a single section (binder) of documents.

Included are electronic copies of documents created using electronic mail and word processing. Recordkeeping copies of files that consist of more than one section are proposed for permanent retention.

7. Department of Justice, Office of Community Oriented Policing Services (N1-60-99-3, 2 items, 2 temporary items). Records of successful grant applications consisting of applications and related correspondence. Included are electronic copies of documents created using electronic mail and word processing.

8. Department of Justice, United States Marshals Service (N1-527-99-1, 11 items, 11 temporary items). Remands, orders to deliver, receipts, prisoner death investigations, jail inspections, and tracking records in paper and electronic form relating to Federal prisoners in the custody of the U.S. Marshals Service for transporting for court appearances, transferring to a penal institution, and similar actions. Included are electronic copies of documents created using electronic mail and word processing.

9. Department of State, Bureau of Finance and Management Policy (N1-59-99-11, 8 items, 5 temporary items). Records relating to periodic accountability reports and financial policy and management. Included are electronic copies of reports and other documents created using electronic mail and word processing. Recordkeeping copies of the reports are proposed for permanent retention.

10. Department of State, Foreign Service Posts (N1-84-99-1, 2 items, 2 temporary items). Files relating to the social and representational activities of Ambassadors and Chiefs of Mission, including electronic copies of documents created using electronic mail and word processing.

11. Department of the Treasury, United States Secret Service (N1-87-99-1, 1 item, 1 temporary item). Audio recordings of radio traffic between the Command Post and agents during Presidential and Vice Presidential trips. This schedule covers recordings made during trips when nothing out of the ordinary occurs. Tapes made during trips in which an assassination attempt takes place were previously approved for permanent retention.

12. Federal Communications Commission, Financial Analysis and Compliance Division (N1-173-99-2, 2 items, 2 temporary items). Case files of cable television operator rate filings, consisting of cable subscriber complaints regarding cable television rates, along with cable operator rate justifications submitted to the FCC for

review and analysis. Electronic copies of documents created using electronic mail and word processing are also included.

13. National Aeronautics and Space Administration, Agency-wide (N1-255-99-1, 2 items, 2 temporary items). Employee training plans and other records documenting on-the-job or other general training (but not specialized technical training). Electronic copies of documents created using electronic mail and word processing are included.

14. Tennessee Valley Authority, Communications Program (N1-142-97-19, 3 items, 2 temporary items). Correspondence, approval forms, and other administrative records generated in processing funding requests for community activities. Procedural manuals, publications, program reports, and related program subject files are proposed for permanent retention.

15. Tennessee Valley Authority, Agency-wide (N1-142-99-3, 2 items, 2 temporary items). Electronic copies of documents, created using electronic mail and word processing, pertaining to record series included in TVA Schedule 1, Records Common to Most Offices, of the TVA Comprehensive Records Schedule. Records relate to a wide variety of housekeeping functions such as announcing position vacancies, business credit card support, and employee authorizations.

16. Export-Import Bank (N1-275-98-1, 2 items, 2 temporary items). Draft loan agreements reflecting technical changes including electronic copies of documents created using electronic mail and word processing. Recordkeeping copies of files relating to policy issues and minutes of meetings as well as final loan agreements were previously approved for permanent retention.

17. Federal Home Loan Banks, Office of Finance (N1-485-99-1, 13 items, 13 temporary items). Records relating to dealers whom the office serves, market indications, term funding issues, bonds arranged, settlement confirmations, daily securities transactions, audits, and meeting agendas. Also included are sound recordings of investment transactions.

Dated: April 30, 1999.

Michael J. Kurtz,

*Assistant Archivist for Record Services—
Washington, DC.*

[FR Doc. 99-11368 Filed 05-04-99; 8:45 am]

BILLING CODE 7515-01-P

NATIONAL TRANSPORTATION SAFETY BOARD

Agenda; Sunshine Act Meeting

TIME AND DATE: 9:30 a.m., Tuesday, May 11, 1999.

PLACE: NTSB Board Room, 5th Floor, 490 L'Enfant Plaza, S.W., Washington, D.C. 20594.

STATUS: Open.

MATTERS TO BE CONSIDERED:

5299E—"Most Wanted" Safety Recommendations Program Status Report and Suggested Modifications.
7155—Safety Report on the Status of Operator Fatigue.

NEWS MEDIA CONTACT: Telephone: (202) 314-6100.

FOR FURTHER INFORMATION CONTACT:

Rhonda Underwood, (202) 314-6065.

Dated: May 3, 1999.

Rhonda Underwood,

Federal Register Liaison Officer.

[FR Doc. 99-11473 Filed 5-3-99; 5:05 pm]

BILLING CODE 7533-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-293]

Boston Edison Company; (Pilgrim Nuclear Power Station, Unit No. 1); Order Approving Transfer of Licenses and Conforming Amendments

I

Boston Edison Company (Boston Edison) is owner of the Pilgrim Nuclear Power Station (Pilgrim), and is authorized to possess, use, and operate the facility as reflected in Operating License No. DPR-35. Boston Edison also is the holder of Materials License No. 20-07626-04, which authorizes Boston Edison to possess, use, and transport certain materials in the form of contamination on reactor components. The Atomic Energy Commission issued Operating License No. DPR-35 on September 15, 1972, pursuant to Part 50 of Title 10 of the Code of Federal Regulations (10 CFR Part 50). Materials License No. 20-07626-04 was issued on March 21, 1997, pursuant to 10 CFR Parts 30, 40, and 70. The facility is located in Plymouth County, on the southeast coast of the State of Massachusetts.

II

Under cover of a letter dated December 21, 1998, Boston Edison and Entergy Nuclear Generation Company (Entergy Nuclear) jointly submitted an application requesting approval of the

proposed transfer of Operating License No. DPR-35 and Materials License No. 20-07626-04 from Boston Edison to Entergy Nuclear. The application also requested approval of conforming amendments to reflect the transfer. The application was supplemented by submittals dated January 28, February 18, April 2, April 15, and April 16, 1999. The initial application and the supplements are hereinafter collectively referred to as "the application" unless otherwise indicated.

Boston Edison is a wholly-owned subsidiary of BEC Energy, a Massachusetts business trust. Entergy Nuclear, a Delaware corporation, is an indirect wholly owned subsidiary of Entergy Corporation. According to the application, Boston Edison has agreed to sell its ownership interest in Pilgrim to Entergy Nuclear, subject to obtaining all necessary regulatory approvals. After the completion of the proposed sale and transfer, Entergy Nuclear would be the sole owner and operator of Pilgrim. The conforming amendments, which would be issued pursuant to 10 CFR 30.38, 40.44, 50.90, and 70.34, would remove references to Boston Edison from the Operating License and Materials License, and replace them with references to Entergy Nuclear, as well as make miscellaneous changes to the Operating License, administrative in nature, to reflect the transfer.

Notice of the initial application and an opportunity for a hearing was published in the **Federal Register** on January 26, 1999 (64 FR 3984) and supplemented on February 5, 1999 (64 FR 5841). Pursuant to such notice, the Attorney General of the Commonwealth of Massachusetts and Local Unions 369 and 387 filed hearing requests. By letter dated April 7, 1999, Local Unions 369 and 387 formally withdrew their request. Similarly, on April 16, 1999, the Attorney General of the Commonwealth of Massachusetts withdrew his request. The Commission, in light of the withdrawals, terminated the pending proceeding on April 26, 1999, *Boston Edison Co.* (Pilgrim Nuclear Power Station), CLI-99-17, 49 NRC __, slip op. (April 26, 1999). Certain municipalities which purchase power from Pilgrim filed written comments, and Citizens Urging Responsible Energy filed written comments and requested a public hearing. The written comments have been considered by the staff in connection with the issuance of this Order.

Under 10 CFR 50.80, no license for a production or utilization facility, or any right thereunder, shall be transferred, directly or indirectly, through transfer of