

processing issues such as valuation and certification requirements, plant and animal health requirements, food standards, restrictions maintained through state trading enterprises, and other laws or procedures that currently affect exports from the United States (e.g., subsidies, transparency, uniform application of the trading system, national treatment, trade performance requirements associated with investment). Market access issues for services include, but are not limited to, the right of establishment for U.S. services providers, the ability to provide services on a cross-border basis, and the ability of persons to enter temporarily to provide services.

All comments will be considered in developing U.S. positions and objectives for a request of each government in the areas of agriculture, industrial goods, and trade in services. Information on products or practices subject to these negotiations should include, whenever appropriate, the import or export tariff classification number used by Estonia, Latvia or Lithuania for the product concerned (generally based on the tariff nomenclature of the European Union at the 8 digit-level).

Persons submitting written comments should provide a statement, in twenty copies, by noon, Friday, December 1, 1995, to Carolyn Frank, Executive Secretary, TPSC, Office of the U.S. Trade Representative, Room 501, 600 17th Street, N.W., Washington, D.C. 20508. Non-confidential information received will be available for public inspection by appointment, in the USTR Reading Room, Room 101, Monday through Friday, 10:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. for an appointment call Brenda Webb on 202-395-6186. Business confidential information will be subject to the requirements of 15 CFR 2003.6. Any business confidential material must be clearly marked as such on the cover letter or page and each succeeding page, and must be accompanied by a non-confidential summary thereof.

Frederick L. Montgomery,

Chairman, Trade Policy Staff Committee.

[FR Doc. 95-27206 Filed 11-1-95;8:45am]

BILLING CODE 3190-01-M

Trade Policy Staff Committee; Public Comments on U.S. Negotiations With the Russian Federation (Russia) Concerning Its Accession to the World Trade Organization (WTO)

AGENCY: Office of the United States Trade Representative.

ACTION: Notice and request for comments.

SUMMARY: The Trade Policy Staff Committee (TPSC) is requesting written public comments with respect to market access issues, including but not limited to tariffs, non-tariff measures and trade in services, related to the accession of Russia to the WTO. Comments received will be considered by the Executive Branch in developing U.S. positions and objectives for the multilateral and bilateral negotiations that will determine the terms of WTO accession for Russia.

DATES: Public comments are due by noon, December 1, 1995.

ADDRESSES: Office of the U.S. Trade Representative, 600 17th Street, N.W., Washington, D.C. 20508.

FOR FURTHER INFORMATION CONTACT: Barbara Chattin, Director for Tariff Negotiations (202-395-5097), Peter Collins, Deputy Assistant USTR for Services and Investment (202-395-7271) or Cecilia Leahy Klein, Director for WTO Affairs (202-395-3063), Office of the U.S. Trade Representative.

SUPPLEMENTARY INFORMATION: The Chairman of the Trade Policy Staff Committee invites written comments from the public on the market access-related issues to be addressed in the course of negotiations with Russia for its accession to the WTO. The terms will be negotiated in bilateral meetings with government representatives and in meetings of the Working Party, established by the Members of the WTO to conduct the negotiations.

The Committee is seeking public comments on the possible effect on U.S. trade of Russia's accession to the WTO, with particular reference to any currently applied trade measure that could be subject to the provisions of the WTO, particularly market access for goods and services. Market access issues for goods include, but are not limited to, tariff reductions, border measures such as quotas or import licenses, customs processing issues such as valuation and certification requirements, plant and animal health requirements, food standards, restrictions maintained through state trading enterprises, and other laws or procedures that currently affect exports from the United States (e.g., subsidies, transparency, uniform application of the trading system, national treatment, trade performance requirements associated with investment). Market access issues for services include, but are not limited to, the right of establishment for U.S. services providers, the ability to provide services on a cross-border basis, and the

ability of persons to enter temporarily to provide services.

All comments will be considered in developing U.S. positions and objectives for a request of Russia in the areas of agriculture, industrial goods, and trade in services. Information on products or practices subject to these negotiations should include, whenever appropriate, Russia's import or export tariff classification number for the product concerned (generally based on the tariff nomenclature of the European Union at the 8-digit level).

Persons submitting written comments should provide a statement, in twenty copies, by noon, Friday, December 1, 1995, to Carolyn Frank, Executive Secretary, TPSC, Office of the U.S. Trade Representative, Room 501, 600 17th Street, N.W., Washington, D.C. 20508. Non-confidential information received will be available for public inspection by appointment, in the USTR Reading Room, Room 101, Monday through Friday, 10:00 a.m. to 12:00 noon and 1:00 p.m. to 4:00 p.m. For an appointment call Brenda Webb on 202-395-6186. Business confidential information will be subject to the requirements of 15 CFR 2003.6. Any business confidential material must be clearly marked as such on the cover letter or page and each succeeding page, and must be accompanied by a non-confidential summary thereof.

Frederick L. Montgomery,

Chairman, Trade Policy Staff Committee.

[FR Doc. 95-27205 Filed 11-1-95; 8:45 am]

BILLING CODE 3190-01-M

PENSION BENEFIT GUARANTY CORPORATION

Exemption From Bond/Escrow Requirement Relating to Sale of Assets by an Employer Who Contributes to a Multiemployer Plan; Associated Wholesale Grocers, Inc.

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Notice of exemption.

SUMMARY: The Pension Benefit Guaranty Corporation has granted a request from Associated Wholesale Grocers, Inc. for an exemption from the bond/escrow requirement of section 4204(a)(1)(B) of the Employee Retirement Income Security Act of 1974, as amended. A notice of the request for exemption from the requirement was published on July 14, 1995 (60 FR 36316). The effect of this notice is to advise the public of the decision on the exemption request.

ADDRESSES: The nonconfidential portions of the request for an exemption

and the PBGC response to the request are available for public inspection at the PBGC Communications and Public Affairs Department, Suite 240, at the address below, between the hours of 9:00 a.m. and 4:00 p.m.

FOR FURTHER INFORMATION CONTACT: Gennice D. Brickhouse, Attorney, Office of General Counsel (22550), Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, D.C. 20005; telephone 202-326-4029 (202-326-4179 for TTY and TDD). These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

Background

Section 4204 of the Employee Retirement Income Security Act of 1974, as amended by the Multiemployer Pension Plan Amendments Act of 1980, ("ERISA" or "the Act"), provides that a bona fide arm's-length sale of assets of a contributing employer to an unrelated party will not be considered to result in a withdrawal if three conditions are met. These conditions, enumerated in section 4204(a)(1)(A)-(C), are that—

(A) the purchaser has an obligation to contribute to the plan with respect to the operations for substantially the same number of contribution base units for which the seller was obligated to contribute;

(B) the purchaser obtains a bond or places an amount in escrow, for a period of five plan years after the sale, in an amount equal to the greater of the seller's average required annual contribution to the plan for the three plan years preceding the year in which the sale occurred or the seller's required annual contribution for the plan year preceding the year in which the sale occurred (the amount of the bond or escrow is doubled if the plan is in reorganization in the year in which the sale occurred); and

(C) the contract of sale provides that if the purchaser withdraws from the plan within the first five plan years beginning after the sale and fails to pay any of its liability to the plan, the seller shall be secondarily liable for the liability it (the seller) would have had but for section 4204.

The bond or escrow described above would be paid to the plan if the purchaser withdraws from the plan or fails to make any required contributions to the plan within the first five plan years beginning after the sale.

Additionally, section 4204(b)(1) provides that if a sale of assets is covered by section 4204, the purchaser assumes by operation of law the contribution record of the seller for the

plan year in which the sale occurred and the preceding four plan years.

Section 4204(c) of ERISA authorizes the Pension Benefit Guaranty Corporation ("PBGC") to grant individual or class variances or exemptions from the purchaser's bond/escrow requirement of section 4204(a)(1)(B) when warranted. The legislative history of section 4204 indicates a Congressional intent that the sales rules be administered in a manner that assures protection of the plan with the least practicable intrusion into normal business transactions. Senate Committee on Labor and Human Resources, 96th Cong., 2nd Sess., S.1076, The Multiemployer Pension Plan Amendments Act of 1980: Summary and Analysis of Considerations 16 (Comm. Print, April 1980); 128 Cong. Rec. S10117 (July 29, 1980). The granting of an exemption or variance from the bond/escrow requirement does not constitute a finding by the PBGC that a particular transaction satisfies the other requirements of section 4204(a)(1). Such questions are to be decided by the plan sponsor in the first instance, and any disputes are to be resolved in arbitration. 29 U.S.C. 1382, 1399, 1401.

Under the PBGC's regulation on variances for sales of assets (29 CFR Part 2643), a request for a variance or waiver of the bond/escrow requirement under any of the tests established in the regulation (29 CFR 2643.12-2643.14) is to be made to the plan in question. The PBGC will consider waiver requests only when the request is not based on satisfaction of one of the four regulatory tests or when the parties assert that the financial information necessary to show satisfaction of one of the regulatory tests is privileged or confidential financial information within the meaning of 5 U.S.C. section 552(b)(4) (the Freedom of Information Act).

Under § 2643.3 of the regulation, the PBGC shall approve a request for a variance or exemption if it determines that approval of the request is warranted, in that it—

(1) would more effectively or equitably carry out the purposes of Title IV of the Act; and

(2) would not significantly increase the risk of financial loss to the plan.

Section 4204(c) of ERISA and § 2643.3(b) of the regulation require the PBGC to publish a notice of the pendency of a request for a variance or exemption in the Federal Register, and to provide interested parties with an opportunity to comment on the proposed variance or exemption.

The Decision

On July 14, 1995 (60 FR 36316), the PBGC published a request from Associated Wholesale Grocers, Inc. (the "Buyer") for an exemption from the bond/escrow requirement of section 4204(a)(1)(B) with respect to its April 21, 1995, purchase of certain assets of Homeland Stores, Inc. (the "Seller"). No comments were received in response to the notice.

According to the request, the Buyer and Seller entered into an Asset Purchase Agreement for the Buyer to purchase, among other things, assets of the Seller in the form of a distribution center located in Oklahoma City and a number of retail stores located in Oklahoma. The final closing of the transaction occurred on April 21, 1995.

Pursuant to a collective bargaining agreement, the Seller contributes to the Central States Southwest and Southeast Areas Pension Fund (the "Plan") for employees at operations subject to the sale. Pursuant to collective bargaining agreements, the Buyer is also a contributing sponsor under the Plan.

It is anticipated that the Buyer will enter into a collective bargaining agreement whereby the Buyer will be required to contribute to the Plan for substantially the same number of contribution base units with respect to employees of the Seller who work at operations subject to the sale. Under a Supplemental Agreement, the Seller has agreed to be secondarily liable for any withdrawal liability it would have had with respect to sold operations (if not for section 4204) should the Buyer withdraw from the Plan within five years of the sale.

The amount of the bond/escrow that would be required under section 4204(a)(1)(B) of ERISA is \$1,000,000.

Based on the representations and statements made in connection with the request for an exemption, the PBGC has determined that an exemption from the bond/escrow requirement is warranted, in that it would more effectively carry out the purposes of Title IV of ERISA and would not significantly increase the risk of financial loss to the Plan. Therefore, the PBGC hereby grants the request for an exemption from the bond/escrow requirement. The granting of an exemption or variance from the bond/escrow requirement of section 4204(a)(1)(B) does not constitute a finding by the PBGC that the transaction satisfies the other requirements of section 4204(a)(1). The determination of whether the transaction satisfies such other requirements is a determination to be made by the Plan sponsor.

Issued at Washington, D.C., on this 24th day of October, 1995.
Martin Slate,
Executive Director.
[FR Doc. 95-27200 Filed 11-1-95; 8:45 am]
BILLING CODE 7708-01-P

PRESIDENTIAL ADVISORY COMMITTEE ON GULF WAR VETERANS' ILLNESSES

Meeting

AGENCY: Presidential Advisory Committee on Gulf War Veterans' Illnesses.

ACTION: Notice of open meeting.

SUMMARY: Under the provisions of the Federal Advisory Committee Act, this notice is hereby given to announce an open meeting concerning the Presidential Advisory Committee on Gulf War Veterans' Illnesses.

DATES: December 4, 1995, 9:00 a.m.-4:30 p.m.; December 5, 1995, 9:00 a.m.-4:30 p.m.

PLACE: Wyndham Emerald Plaza, 400 West Broadway, San Diego, CA, 92101-3504.

SUPPLEMENTARY INFORMATION: The President established the Presidential Advisory Committee on Gulf War Veterans' Illnesses by Executive Order 12961, May 26, 1995. The purpose of this committee is to review and provide recommendations on the full range of government activities associated with Gulf War veterans' illnesses. The committee reports to the President through the Secretary of Defense, the Secretary of Health and Human Services, and the Secretary of Veterans Affairs. The committee members have expertise relevant to the functions of the committee and are appointed by the President from non-Federal sectors.

Tentative Agenda

Monday, December 4, 1995

9:00 a.m.—Call to order and opening remarks
9:05 a.m.—Public comment
10:35 a.m.—Break
10:50 a.m.—Public comment (cont.)
12:00 p.m.—Lunch
1:30 p.m.—Followup on epidemiological research issues panel meeting
3:30 p.m.—Committee discussion and staff briefings on research and health risks
4:30 p.m.—Meeting recessed

Tuesday, December 5, 1995

9:00 a.m.—Committee discussion and staff briefings on charter and interim report

10:45 a.m.—Break
11:00 a.m.—Committee discussion and staff briefings on charter and interim report (cont.)
12:30 p.m.—Lunch
1:30 p.m.—Committee discussion and staff briefings on charter and interim report (cont.)
2:45 p.m.—Break
3:00 p.m.—Committee discussion and staff briefings on charter and interim report (cont.)
4:30 p.m.—Meeting adjourned.

A final agenda will be available at the meeting.

Public Participation

The meeting is open to the public. Members of the public who wish to make oral statements should contact the Advisory Committee at the address or telephone number listed below at least five business days prior to the meeting. Reasonable provisions will be made to include on the agenda presentations from individuals who have not yet had an opportunity to address the Advisory Committee. The Advisory Committee Chair is empowered to conduct the meeting in a fashion that will facilitate the orderly conduct of business. People who wish to file written statements with the Advisory Committee may do so at any time.

FOR FURTHER INFORMATION CONTACT: Miles W. Ewing, Presidential Advisory Committee on Gulf War Veterans' Illnesses, 1411 K Street NW., suite 1000, Washington, DC 20005, Telephone: (202) 761-0066, Fax: (202) 761-0310.

Dated: October 30, 1995.
Carol A. Bock,
Federal Register Liaison Officer, Presidential Advisory Committee on Gulf War Veterans' Illnesses.
[FR Doc. 95-27241 Filed 11-1-95; 8:45 am]
BILLING CODE 3610-76-M

RAILROAD RETIREMENT BOARD

Proposed Data Collection Available for Public Comment and Recommendation

SUMMARY: In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board will publish periodic summaries of proposed data collections.

Comments are invited on: (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's

estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Title and Purpose of Information Collection:

Representative Payee Parental Custody Monitoring: Under Section 12 (a) of the Railroad Retirement Act (RRA), the Railroad Retirement Board (RRB) is authorized to select, make payments to, and to conduct transactions with, a beneficiary's relative or some other person willing to act on behalf of the beneficiary as a representative payee. The RRB is responsible for determining if direct payment to the beneficiary or payment to a representative payee would best serve the beneficiary's interest. Inherent in the RRB's authorization to select a representative payee is the responsibility to monitor the payee to assure that the beneficiary's interests are protected. Triennially, the RRB utilizes Form G-99d, Parental Custody Report, to obtain information needed to verify that a parent-for-child representative payee still has custody of the child. One response is required from each respondent.

Estimate of Annual Respondent Burden

The estimated annual respondent burden is as follows:

Form Nos.	Annual re-sponses	Time (min-utes)	Burden (hours)
G-99d	1,850	5	154

ADDITIONAL INFORMATION OR COMMENTS:

To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363. Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 N. Rush Street, Chicago, Illinois 60611-2092. Written comments should be received within 60 days of this notice.

Chuck Mierzwa,
Clearance Officer.
[FR Doc. 95-27219 Filed 11-1-95; 8:45 am]
BILLING CODE 7905-01-M