

estimates can be generated using WesVar PC.

5. Write profiles of the 45 State courts' civil litigation process, and review and update State contributory negligence rules.

6. Deliver to BJS an electronic version of the data in SPSS format and supporting documentation. Documentation should include, but is not limited to, a comprehensive codebook detailing variable positions, data coding, variable and value labels, procedures for data verification, any recoding implemented during the data cleaning process, and copies of all programs used to generate data or published statistics. All data and documentation will be posted on the BJS website, and data archived at the Inter-University Consortium for Political and Social Research (ICPSR). All data collected under the project remains property of BJS until such time that BJS releases the data to the public. The grantee may not share or release any data collected under the project without prior written approval from BJS.

7. Develop a detailed timetable for each task in the project. Data collection should begin within four months of the project start and be completed within 12 months. After the BJS project manager has agreed to the timetable, all work must be completed as scheduled.

Award Procedures and Evaluation Criteria

Proposals should describe the plan and implementation strategy to accomplish each of the activities outlined in the Scope of Work. Information on staffing levels and qualifications should be included for each task and descriptions of experience relevant to the project. Resumes of the proposed project director and key staff should be enclosed with the proposal.

Applications will be reviewed competitively. The final selection decision will be made by the Acting Director of BJS. The applicant will be evaluated on the basis of:

1. Ability to complete Scope of Work with documented evidence of research expertise and experience in sample design, objective data gathering, data coding, entry and verification, project documentation, and the production of public use data files. This includes availability of an adequate computing environment, knowledge of standard social science data processing software, and demonstrated ability to produce SPSS readable data files for analysis and report production.

2. Knowledge of relevant civil justice issues regarding tort, contract, and real property rights cases and prior research

in this area. Applicants should be familiar with the findings from the six BJS reports produced from the 1992 and 1996 Civil Justice Survey of State Courts. Copies of these reports are available from the BJS website <http://www.ojp.usdoj.gov/bjs> or the National Criminal Justice Reference Service, 1-800-732-3277. The application should include a summary of key findings from these reports and outline how the current project would gather the same type of information for comparative purposes and address additional topics.

3. Availability of qualified professional, field and support staff, and suitable equipment for data gathering and processing. This includes expertise in multi-stage sampling, probability sampling techniques and standard error estimation from sample data.

4. Demonstrated fiscal, management, staff, and organizational capability to provide sound management for this project.

Application and Award Process

An original and three (3) copies of the full proposal must be submitted including:

- Standard Form 424, Application for Federal Assistance
- OJP Form 7150/1, Budget Detail Worksheet
- OJP Form 4000/3, Assurances
- OJP Form 4061/6, Certification Regarding Lobbying, Debarment, Suspension, and Other Responsibility Matters; Drug Free Workplace Requirements
- OJP Form 7120-1, Accounting System and Financial Capability Questionnaire (to be submitted by applicants who have not previously received Federal funds from the Office of Justice Programs).

These forms can be obtained online from <http://www.ojp.usdoj.gov/bjs/apply.htm>.

In addition, fund recipients are required to comply with regulations designed to protect human subjects and ensure confidentiality of data. In accordance with 28 CFR Part 22, a Privacy Certificate must be submitted to BJS. Furthermore, a Screening Sheet for Protection of Human Subjects must be completed prior to the award being issued. Questions regarding Protection of Human Subjects and/or Privacy Certificate requirements can be directed to the Human Subjects Protection Officer (HSPO) at (202) 616-3282 [This is not a toll free number].

Proposals must include a project narrative and detailed budget. The project narrative should describe activities as discussed in the Scope of Work and address the evaluation

criteria. The detailed budget must provide detailed costs including salaries of staff involved in the project and the portion of those salaries to be paid from the award, fringe benefits paid to each staff person, travel costs, supplies required for the project, sub-contractual agreements, and other allowable costs. The grant award will be made for a period of 24 months.

Lawrence A. Greenfeld,

Acting Director, Bureau of Justice Statistics.

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DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

Proposed Extension of Information Collection Request Submitted for Public Comment and Recommendations; Procedure for Application for Exemption From the Prohibited Transaction Provisions of Section 408(a) of the Employee Retirement Income Security Act (ERISA)

ACTION: Notice.

SUMMARY: The Department of Labor (the Department), as part of its continuing effort to reduce paperwork and respondent burden conducts a preclearance consultation program to provide the general public and other federal agencies with an opportunity to comment on proposed and continuing collections of information in accordance with the Paperwork Reduction Act of 1995 (PRA 95) (44 U.S.C. 3506(c)(2)(A)). This program helps to ensure that requested data is provided in the desired format, reporting burden (time and financial resources) is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed.

Currently, the Pension and Welfare Benefits Administration is soliciting comments on the extension of the information collection request (ICR) included in the procedure for applications for exemption from the prohibited transaction provisions of section 408(a) of the Employee Retirement Income Security Act of 1974 (ERISA). A copy of the proposed information collection request (ICR) can be obtained by contacting the office listed below in the addresses section of this notice.

DATES: Written comments must be submitted to the office listed in the

addresses section on or before October 15, 2001.

ADDRESSES: Interested parties are invited to submit written comments regarding the ICR to Mr. Gerald B. Lindrew, Office of Policy and Research, U.S. Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW., Room N-5647, Washington, DC 20210. Telephone: (202) 219-4782; Fax: (202) 219-4745. These are not toll-free numbers.

SUPPLEMENTARY INFORMATION:

I. Background

Section 408(a) of ERISA provides that the Secretary may grant exemptions from the prohibited transaction provisions of sections 406 and 407(a) of ERISA and directs the Secretary to establish an exemption procedure with respect to such provisions. The regulation at 29 CFR 2570.30, *et seq.* establishes such a procedure for an Application for Exemption from the Prohibited Transaction Provisions of Section 408(a). In order for the Secretary to grant an exemption under section 408(a) of ERISA, it must be determined that such exemption is: (1) Administratively feasible; (2) in the interests of the plan and its participants and beneficiaries, and; (3) protective of the rights of participants and beneficiaries. To make such a determination, the Department requires full information regarding the specific circumstances surrounding the transaction and the parties and assets involved, including identifying information (name, type of plan, EIN number, etc.), the number of participants and beneficiaries in the plan, whether the applicant or others involved in the transaction are parties in interest, specialized information relating to the prohibited transaction, and filing requirements. In addition, the applicant must certify to the Department that the information supplied is accurate and complete.

If the Department tentatively decides that the exemption should be granted, it will publish a notice of the proposed exemption in the **Federal Register**. An applicant for an exemption must provide interested persons with a copy of the **Federal Register** notice and a supplemental statement that informs them of their right to comment to the Department on the proposed exemption.

Type of Review: Extension of a currently approved collection of information.

Agency: U.S. Department of Labor, Pension and Welfare Benefits Administration (PWBA).

Title: Procedure for Application for Exemption from the Prohibited Transaction Provisions of Section 408(a) of the Employee Retirement Income Security Act (ERISA).

OMB Number: 1210-0060.

Frequency: On occasion.

Affected Public: Business or other for-profit; not-for-profit institutions; individuals or households.

Number of Respondents: 116.

Number of Responses: 116.

Total Estimated Burden Hours: 4.

Total Estimated Burden Costs (O&M): \$160,200.

II. Desired Focus of Comments

The Department of Labor is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected;
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

III. Current Actions

The Department intends to request an extension of the approval for this ICR by the Office of Management and Budget under control number 1210-0060. No change has been made to the existing regulation or the ICR. The information to be provided to the Department under this ICR is necessary for the Department to make an informed decision regarding the application for exemption. Further, the required notice to interested parties ensures that participants and beneficiaries are informed about the application for exemption and have an opportunity to comment.

Comments submitted in response to this notice will be summarized and/or included in the request for Office of Management and Budget approval of the ICR; they will also become a matter of public record.

Dated: August 8, 2001.

Gerald B. Lindrew,

Deputy Director, Pension and Welfare Benefits Administration, Office of Policy and Research.

[FR Doc. 01-20375 Filed 8-13-01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

[Docket No. 50-333]

Entergy Nuclear Operations; James A. FitzPatrick Nuclear Power Plant Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the NRC) is considering issuance of an amendment to Facility Operating License No. NPR-59, issued to Entergy Nuclear Operations (ENO or the licensee) for operation of the James A. FitzPatrick Nuclear Power Plant (FitzPatrick), located in Oswego County, New York. Therefore, as required by 10 CFR 51.21, the NRC is issuing this environmental assessment and finding of no significant impact. The original application was submitted by the Power Authority of the State of New York, (PASNY), and an Environmental Assessment (EA) and Finding of No Significant Impact (FONSI) was originally published in the **Federal Register** (64 FR 66509) on November 26, 1999.

On November 21, 2000, PASNY's ownership interest in FitzPatrick was transferred to Entergy Nuclear FitzPatrick, LLC, to possess and use FitzPatrick and to ENO to possess, use and operate FitzPatrick. By letter dated January 26, 2001, ENO requested that the NRC continue to review and act on all requests before the Commission which had been submitted by PASNY before the transfer. As set forth below, PASNY and ENO submitted several supplements to the application. The information included in the supplemental letters indicates that the original notice, which included eleven proposed beyond-scope issues (BSIs) to the improved Technical Specifications (ITS) conversion, needs to be expanded (added 27 new BSIs) and revised to include a total of 38 BSIs. Accordingly, the NRC is issuing this EA and FONSI, which supercede the original EA and FONSI.

Environmental Assessment

Identification of the Proposed Action

The proposed action would revise the existing, or current, Technical Specifications (TS) for FitzPatrick in