

investigation of the acts, policies or practices which led to their designation.

USTR requests written submissions from the public concerning foreign countries' acts, policies, and practices that are relevant to the decision whether particular trading partners should be identified under section 182 of the Trade Act.

**DATES:** Submissions must be received on or before 12:00 noon on Tuesday, February 20, 1996.

**FOR FURTHER INFORMATION CONTACT:** Joseph Papovich, Deputy Assistant USTR for Intellectual property (202) 395-6864; JoEllen Urban, Director for Intellectual Property (202) 395-6864; or Thomas Robertson, Assistant General Counsel (202) 395-6800, Office of the United States Trade Representative.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 182 of the Trade Act of 1974, as amended by the Omnibus Trade and Competitiveness Act of 1988, the USTR must identify those countries that deny adequate and effective protection for intellectual property rights or deny fair and equitable market access to U.S. persons who rely on intellectual property protection. Those countries that have the most onerous or egregious acts, policies, or practices and whose acts, policies or practices have the greatest adverse impact (actual or potential) on relevant U.S. products are to be identified as priority foreign countries.

USTR may not identify a country as a priority foreign country if it is entering into good faith negotiations, or making significant progress in bilateral or multilateral negotiations, to provide adequate and effective protection of intellectual property rights.

USTR must decide whether to identify countries as priority foreign countries each year and issue a decision within 30 days after publication of the National Trade Estimate (NTE) report, i.e., no later than April 30, 1996. Priority foreign countries typically are subject to a "special" 301 investigation of the acts, policies or practices which led to their designation.

#### Requirements for Submissions

Submissions should include a description of the problems experienced and the effect of the acts, policies, and practices on U.S. industry. Submissions should be as detailed as possible and should provide all necessary information for assessing the effect of the acts, policies and practices. Any submissions that include quantitative loss claims should be accompanied by the methodology used in calculating such estimated losses. Comments must

be filed in accordance with the requirements set forth in 15 CFR § 2006.8(b) (55 FR 20593) and must be sent to Sybia Harrison, Special Assistant to the Section 301 Committee, Room 223, 600 17th Street NW., Washington, DC 20506, no later than 12 noon on Tuesday, February 20, 1996. Because submissions will be placed in a file open to public inspection at USTR, business-confidential information should be submitted.

#### Public Inspection of Submissions

Within one business day of receipt, submissions will be placed in a public file, open for inspection at the USTR Reading Room, in Room 101, Office of the United States Trade Representative, 600 17th Street NW., Washington, DC. An appointment to review the file may be made by calling Brenda Webb, (202) 395-6186. The USTR Reading Room is open to the public from 10 a.m. to 12 noon and from 1 p.m. to 4 p.m., Monday through Friday.

Donald Abelson,

*Assistant USTR for Services, Investment and Intellectual Property.*

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## PENSION BENEFIT GUARANTY CORPORATION

### Disaster Relief

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of disaster relief in response to the Blizzard of '96.

**SUMMARY:** The Pension Benefit Guaranty Corporation is waiving penalties for certain late payments of premiums, is forgoing assessment of penalties for failure to comply with certain information submission requirements, and is extending the deadlines for complying with certain requirements of its administrative review, standard and distress termination, and disclosure to participants regulations. This relief is generally available to persons residing in, or whose principal place of business is within, an area designated by the Federal Emergency Management Agency as affected by the major disaster declared by the President of the United States on account of the Blizzard of '96.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, Office of the General Counsel, Suite 340, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005, 202-326-4024 (202-326-4179 for TTY and TDD). (These are not toll-free numbers.)

**SUPPLEMENTARY INFORMATION:** The Pension Benefit Guaranty Corporation administers the pension plan termination insurance program under title IV of the Employee Retirement Income Security Act of 1974, as amended 29 U.S.C. 1001 *et seq.* Under ERISA and the PBGC's regulations, a number of deadlines must be met in order to avoid the imposition of penalties or other consequences. Six areas in which the PBGC is providing relief are (1) penalties for late payment of premiums due the PBGC, (2) ERISA section 4071 penalties for failure to provide required notices or other material information by the applicable time limit, (3) deadlines for filing a standard termination notice and distributing plan assets in a standard termination, (4) deadlines for filing a distress termination notice and, in the case of a plan that is sufficient for guaranteed benefits, issuing notices of benefit distribution and completing the distribution of plan assets, (5) deadlines for filing requests for reconsideration or appeals of certain agency determinations; and (6) deadlines for issuing Participant Notices under ERISA section 4011.

On January 12, 13, and 14, 1996, the President of the United States issued a series of declarations, under the Disaster Relief Act of 1974, as amended (42 U.S.C. 5121, 5122(2), 5141(b)), that a major disaster exists because of the Blizzard of '96 in certain locations. At this time, Maryland, the District of Columbia, Delaware, New York, Kentucky, New Jersey, North Carolina, Pennsylvania, Virginia, and West Virginia are designated major disaster areas (within the meaning of Federal Emergency Management Agency regulations; 44 CFR 205.2(a)(5)).

Given the severity of the Blizzard of '96, as the Executive Director of the PBGC, I have decided to provide relief from certain PBGC deadlines and penalties. For purposes of premium penalties, section 4071 penalties, standard and distress termination deadlines, and Participant Notice deadlines, this notice is applicable with respect to plans whose administrators' or sponsors' principal place of business, or for which the office of a service provider, bank, insurance company, or other person maintaining information necessary to meet the applicable deadlines, is located in a designated disaster area. For purposes of filing requests for reconsideration or appeals, this notice is applicable to any aggrieved person who is residing in, or whose principal place of business is within, a designated disaster area, or with respect to whom the office of the

service provider, bank, insurance company, or other person maintaining the information necessary to file the request for reconsideration or appeal is within such an area.

#### Premiums

The PBGC will waive the late payment penalty charge with respect to any premium payment required to be made on or after January 6, 1996, and before January 31, 1996, if the payment is made by January 31, 1996. The PBGC is not permitted by law to waive late payment interest charges. (ERISA section 4007(b); 29 CFR 2610.7 and 2610.8(b)(3).)

#### Section 4071 Penalties

The PBGC will not assess a section 4071 penalty for a failure to file any of the following notices required to be filed with the PBGC on or after January 6, 1996, and before January 31, 1996, if the notice is filed by January 31, 1996:

- (1) Post-distribution certification for single-employer plan (PBGC Form 501 or 602; ERISA section 4041(b)(3)(B) or (c)(3)(B); 29 CFR 2617.28(h) or 2616.29(b)),
- (2) Notice of termination for multiemployer plans (ERISA section 4041A; 29 CFR 2673.2),
- (3) Notice of plan amendments increasing benefits by more than \$10 million (ERISA section 307(e)), and
- (4) Reportable event notice, except for reportable events related to bankruptcy or insolvency (or similar proceeding or settlement), liquidation or dissolution, or transactions involving a change in contributing sponsor or controlled group (29 CFR 2615.21, 2615.22, and 2615.23), or reportable events described in amended ERISA section 4043(c)(9)-(12). (Subsection (b) of section 4043 was redesignated as subsection (c) and amended, in part, with the addition of new reportable events in paragraphs (9) through (12) by section 771(c)(3) of the Retirement Protection Act of 1994 ("RPA amendments").)

The PBGC will not assess a section 4071 penalty for a failure to provide certain supporting information and documentation when any of the following notices is timely filed:

- (1) Notice of failure to make required contributions totaling more than \$1 million (including interest) (PBGC Form 200; ERISA section 302(f)(4); 29 CFR 2615.31). The timely filed notice must include at least items 1 through 7 and items 11 and 12 of Form 200; the responses to items 8 through 10, with the certifications in items 11 and 12, may be filed late.
- (2) Notice of a reportable event related to bankruptcy or insolvency (or similar proceeding or settlement), liquidation or dissolution, or a transaction involving a change in contributing sponsor or controlled group. The timely filed notice must include at least the information specified in 29 CFR 2615.3(b) (1) through (5); the information that may be filed late is that specified in 29 CFR

2615.3(b) (6) through (9) and 2615.3(c) (5) and (6), as applicable.

(3) Notice of a reportable event described in the RPA amendments for which notice is required no later than 30 days after the event occurs.

(A) If the event is reportable under both the RPA amendments and 29 CFR 2615, the notice will be considered timely filed if the notice satisfies the requirements described in paragraph (2) above.

(B) If the event is reportable only under the RPA amendments, the notice will be considered timely filed if the notice includes at least the information specified in 29 CFR 2615.3(b) (1) through (5); the information that may be filed late is that specified in 29 CFR 2615.3(b) (6) through (9).

(4) Notice of a reportable event described in the RPA amendments for which notice is required at least 30 days before the event occurs. The notice will be considered timely filed if the filer makes a good faith effort to include with the notice at least the information specified in 29 CFR 2615.3(b) (1) through (5); the information specified in 29 CFR 2615.3(b) (6) through (9) and 2615.3(c) (5) and (6), as applicable, may be filed late and should be as soon thereafter as it is available.

This relief applies to notices required to be filed with the PBGC on or after January 6, 1996, and before January 31, 1996, provided that all supporting information and documentation are filed by January 31, 1996.

#### Standard and Distress Termination Notices and Distribution of Assets

With respect to a standard termination for which the standard termination notice is required to be filed, or the distribution of plan assets is required to be completed, on or after January 6, 1996 and before January 31, 1996, the PBGC is (pursuant to 29 CFR 2617.25(a)(2) and 2617.28(f)(4)) extending to January 31, 1996, the time within which the standard termination notice must be filed (and, thus, the time within which notices of plan benefits must be provided) and the time within which the distribution of plan assets must be completed. With respect to a distress termination for which the distress termination notice is required to be filed or, in the case of a plan that is sufficient for guaranteed benefits, other actions must be taken on or after January 6, 1996 and before January 31, 1996, the PBGC is (pursuant to 29 CFR 2616.10(a) and 2616.24(d)) extending to January 31, 1996, the time within which the termination notice must be filed and, in the case of a plan that is sufficient for guaranteed benefits, notices of benefit distribution must be provided and plan assets must be distributed. In addition, as noted above, the PBGC is providing relief from penalties for late filing of the post-distribution certification.

#### Requests for Reconsideration or Appeals

For persons who are aggrieved by certain agency determinations and for whom a request for reconsideration or an appeal is required to be filed on or after January 6, 1996, and before January 31, 1996, the PBGC is (pursuant to 29 CFR 2606.4(b)) extending the time for filing to January 31, 1996.

#### Participant Notices

For Participant Notices that are required to be issued on or after January 6, 1996, and before January 31, 1996, the PBGC is (pursuant to 29 CFR 2627.8) extending the due date to January 31, 1996.

#### Applying for Waivers/Extensions

A submission to the PBGC to which a waiver or an extension is applicable under this notice should be marked in bold print "BLIZZARD OF '96, State of (fill in appropriate state)" at the top center.

Issued in Washington, DC this 16th day of January, 1996.

Martin Slate,

*Executive Director, Pension Benefit Guaranty Corporation.*

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## RAILROAD RETIREMENT BOARD

### Proposed Data Collection Available for Public Comment and Recommendations

**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 (RRB) 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

*Railroad Job Vacancies:* OMB 3220-0122.