

3. The APPA requires the United States to publish the proposed Final Judgment and Competitive Impact Statement in the **Federal Register** and in newspapers 60 days prior to entry of the Final Judgment. The Notice will inform members of the public that they may submit comments about the Final Judgment to the United States Department of Justice, Antitrust Division.

4. The United States will consider any comments it receives, respond to them, and publish the comments and responses in the **Federal Register**.

5. Pursuant to the APPA, at the expiration of the 60-day period, the United States will file with the Court the comments, its responses, and a Motion For Entry of The Final Judgment, unless it withdraws its consent to entry of the Final Judgment pursuant to Paragraph 2 of the December 18 Stipulation.

6. When the United States files its Motion For Entry of The Final Judgment, pursuant to the APPA the Final Judgment may be entered with or without further hearing, if the Court determines that entry is in the public interest.

Dated: December 18, 1997.

Weeun Wang,
James J. Tierney,
Sanford M. Adler,
Richard I. Irvine,
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Molly L. DeBusschere,
J. Roberto Hizon,
*Attorneys, Antitrust Division, U.S.
Department of Justice, Computers & Finance
Section, Suite 9500, 600 E Street, N.W.,
Washington, D.C. 20530, (202) 307-6200.*

Certificate of Service

The undersigned certifies that he is a paralegal employed by the Antitrust Division of the United States Department of Justice, and is a person of such age and discretion to be competent to serve papers. The undersigned further certifies that on December 18, 1997, he caused true copies of:

1. Complaint;
2. Stipulation;
3. proposed Final Judgment;
4. Competitive Impact Statement;
5. Plaintiff's Memorandum Regarding

Antitrust Consent Decree Procedures; and this certificate of service, to be served upon the persons at the place and addresses stated below, which are the last known addresses:

*Counsel for International Business
Machines Corporation*

Evan R. Chessler, Esq., Cravath,
Swaine & Moore, Worldwide Plaza, 825

Eighth Avenue, New York, NY 10019 (by facsimile (212-474-3700) and by overnight courier).

*Counsel for Storage Technology
Corporation*

J. Edd Stepp, Jr., Esq., Gibson, Dunn & Crutcher 333 South Grand Avenue Los Angeles, CA 90071 (by facsimile (213-229-6466) and by overnight courier).

Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed at Washington, D.C. this ____th day of December, 1997.

J. Cory Allen,

*Paralegal, Antitrust Division, U.S.
Department of Justice, Computers & Finance
Section, Suite 9500, 600 E Street, N.W.,
Washington, D.C. 20530, (202) 307-6200.*

[FR Doc. 98-522 Filed 1-8-98; 8:45 am]

BILLING CODE 4410-11-M

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

January 6, 1998.

The Department of Labor (DOL) has submitted the following public information collection requests (ICR's) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, 44 U.S.C. Chapter 35). A copy of each individual ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor, Department Clearance Officer, Todd R. Owen (202) 219-5096 ext. 143) or by E-Mail at Owen-Todd@dol.gov. Individuals who use a telecommunication device for the deaf (TTY/TDD) may call (202) 219-4720 between 1:00 p.m. and 4:00 p.m. Eastern Time, Monday-Friday.

Comments should be sent to the Office of Information and Regulatory Affairs, Attn: BLS, DM, ESA, ETA, MSHA, OSHA, PWBA, or VETS, Office of Management and Budget, Room 10235, Washington, DC 20503 (202) 395-7316), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- 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; and
- 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.

Agency: Mine Safety and Health Administration.

Title: Certificate of Electrical/Noise Training, MSHA Form 5000-1.

OMB Number: 1219-0001 (extension).

Frequency: On Occasion.

Affected Public: Businesses and other for profit; small business or organizations.

Number of Respondents: 3,800.

Estimated Time Per Respondent: 4.36 hours.

Total Burden Hours: 16,584.

Total annualized capital/startup costs: 0.

Total operating/maintaining costs: \$389,049.

Description: MSHA Form 5000-1, Certificate of Electrical/Noise Training, is required to be used by instructors to report to MSHA for certification those persons who have satisfactorily completed either a coal mine electrical training program or a noise training course.

Agency: Pension and Welfare Benefits Administration.

Title: Summary Plan Description Requirements under the Employee Retirement Income Security Act (ERISA).

OMB Number: 1210-0039 (extension).

Frequency: On occasion.

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

Number of Respondents: 194,235.

Estimated Time Per Respondent: Approximately 6 hours to develop the Summary Plan Descriptions (SPD's); preparation of a summary of such changes (SMM) will average 1 hour; and an estimated 2 minutes for reproduction and mailing of the document.

Total Burden Hours: 1,128,919.

Total annualized capital/startup costs: 0.

Total annual costs (in thousands): \$82,242.

Description: As required by ERISA, this existing regulation provides plan

administrators with the procedures and guidelines necessary to furnish plan participants and beneficiaries with Summary Plan Descriptions that clearly explain their rights and obligations.

Agency: Pension and Welfare Benefits Administration.

Title: Notice of Enrollment Rights.

OMB Number: 1210-0101 (extension).

Frequency: On occasion.

Affected Public: Business or other for-profit; Not-for-profit institutions; Group Health Plans.

Number of Respondents: 14,590.

Estimated Time Per Respondent: .50 minutes.

Total Burden Hours: 5,715.

Total annualized capital/startup costs: 0.

Total annual costs (in thousands): \$730.

Description: Under 29 CFR 2590.701-6 of the April 8 Interim Rules, a group health plan offering group health insurance coverage is obligated to provide a description of the plan's special enrollment rules. The special enrollment rules generally apply in circumstances when the participant initially declined to enroll in the plan, and subsequently would like to have coverage.

Agency: Pension and Welfare Administration.

Title: Notice of Pre-Existing Condition Exclusion.

OMB Number: 1210-0102 (extension).

Frequency: On occasion.

Affected Public: Individuals or households; Business or other for-profit; Not-for-profit institutions; Group Health Plans.

Number of Respondents: 6,590.

Estimated Time Per Respondent:

Notices to all eligible employees are estimated to take 1 hour for preparation of a notice, and .50 minutes for distribution. For notices to participants with insufficient prior coverage, it is estimated to take 1 hour per plan, and an average of 2 minutes for preparation.

Total Burden Hours: 8,150.

Total annualized capital/startup costs: 0.

Total annual costs (in thousands): \$700.

Description: Pursuant to 29 CFR 2590.701-3(c), a group health plan offering group health insurance coverage may not impose any pre-existing condition exclusions on a participant unless the participant has been notified on the plan's provisions and his or her right to establish prior creditable coverage. 29 CFR 2590.701-4 requires that plans that use the alternative method of crediting coverage disclose their method at the time of a

participant's enrollment in the plan. 29 CFR 2590.701-5(d) requires that before a plan imposes a pre-existing condition exclusion on a particular participant, it must first disclose that determination in writing, including the basis for the decision and an explanation of any appeal procedure.

Agency: Provision and Welfare Benefits Administration.

Title: Establishing Prior Creditable Coverage.

OMB Number: 1210-0103 (extension).

Frequency: On occasion.

Affected Public: Individuals or households; Business or other for-profit; Not-for-profit institutions; Group Health Plans.

Number of Respondents: 15,604.

Estimated Time Per Respondent:

Generation of the certification ranges from 2 to 5 minutes depending on when the certification is generated. .50 minutes was used for distribution for all applicable certifications and notices.

Total Burden Hours: 336,060.

Total annualized capital/startup costs (in thousands): \$5,400.

Total annual costs (in thousands): \$26,400.

Description: In order to meet the Health Insurance Portability and Accountability Act's goal of improving access to and portability of health care benefits, the statute provides that, after the submission of evidence establishing prior creditable coverage, a subsequent health insurance provider would be limited in the extent to which it could use pre-existing condition exclusions to limit coverage. This Information Collection Request covers the submission of materials sufficient to establish prior creditable coverage.

Todd R. Owen,

Departmental Clearance Officer.

[FR Doc. 98-570 Filed 1-8-98; 8:45 am]

BILLING CODE 4510-23-M

DEPARTMENT OF LABOR

**Bureau of International Labor Affairs;
U.S. National Administrative Office,
National Advisory Committee for the
North American Agreement on Labor
Cooperation; Notice of Open Meeting
by Teleconference**

AGENCY: Office of the Secretary, Labor.

ACTION: Notice of open meeting by teleconference, February 12, 1998.

SUMMARY: Pursuant to the Federal Advisory Committee Act (Pub. L. 94-463), the U.S. National Administrative Office (NAO) gives notice of a meeting of the National Advisory Committee for the North American Agreement on

Labor Cooperation (NAALC), which was established by the Secretary of Labor.

The Committee was established to provide advice to the U.S. Department of Labor on matters pertaining to the implementation and further elaboration of the NAALC, the labor side accord to the North American Free Trade Agreement (NAFTA). The Committee is authorized under Article 17 of the NAALC.

The Committee consists of 12 independent representatives drawn from among labor organizations, business and industry, and educational institutions.

DATES: The Committee will meet on February 12, 1998 from 4:00 p.m. to 5:00 p.m. The meeting will be by teleconference.

ADDRESS: U.S. Department of Labor, 200 Constitution Avenue, N.W., Room C-5515 (Executive Conference Room), Washington, D.C. 20210. The meeting is open to the public on a first-come, first served basis.

FOR FURTHER INFORMATION CONTACT:

Irasema Garza, designated Federal Officer, U.S. NAO, U.S. Bureau of International Labor Affairs, U.S. Department of Labor, 200 Constitution Avenue, N.W., Room C-4327, Washington, D.C. 20210. Telephone 202-501-6653 (this is not a toll free number).

SUPPLEMENTARY INFORMATION: Please refer to the notice published in the **Federal Register** on December 15, 1994 (59 FR 64713) for supplementary information.

Signed at Washington, D.C. on January 5, 1998.

Irasema T. Garza,

Secretary, U.S. National Administrative Office.

[FR Doc. 98-569 Filed 1-8-98; 8:45 am]

BILLING CODE 4510-28-M

DEPARTMENT OF LABOR

**Employment Standards
Administration/Wage and Hour
Division**

**Minimum Wages for Federal and
Federally Assisted Construction;
General Wage Determination Decisions**

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to