

In some cases, depending on the service or product requested by the customer, eServices Registration may collect a customer's Social Security Number as part of the registration process in order for the application to provide the customer the desired product or service.

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**

39 U.S.C. 401, 403, and 404.

**PURPOSE(S):**

Information in this system is used to provide online registration capability to postal customers who request an Internet-based eService, and to provide that service.

**ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:**

General routine-use statements b, e, f, and j, listed in the prefatory statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses of information from this system are as follows:

1. Disclosure to a Postal Service technology and/or service provider who is acting as an agent on behalf of the Postal Service, such as a Registration Authority or Customer Care/helpdesk operator.
2. Disclosure to a payee or financial institution for billing payment.
3. Disclosure to an authorized credit bureau or government agency maintaining a system of records (Social Security Administration, Health Care Finance Administration, etc.) for the purpose of identity verification.
4. Disclosure for law enforcement purposes to a government agency, either federal, state, local, or foreign, but only pursuant to a federal warrant duly issued under Rule 41 of the Federal Rules of Criminal Procedure. See Administrative Support Manual 274.6 for procedures relating to search warrants.
5. Disclosure pursuant to the order of a federal court of competent jurisdiction.

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Automated database, computer storage media, and paper forms.

**RETRIEVABILITY:**

Information is retrieved by customer identification name or number, email address, phone number, customer name, and/or physical address.

**SAFEGUARDS:**

Paper records and computer storage tapes and disks are maintained in controlled-access areas or under general scrutiny of program personnel. Computers containing information are located in controlled-access areas with personnel access controlled by a cypher lock system, card key system, or other physical access control method, as appropriate. Authorized persons must be identified by a badge. Computer systems are protected with an installed security software package, computer logon identifications, and operating system controls including access controls, terminal and user identifications, and file management. Online data transmission is protected by encryption. Contractors must provide similar protection subject to operational security compliance review by the Postal Inspection Service.

**RETENTION AND DISPOSAL:**

Personal enrollment information stored in the eServices Registration database is maintained until the customer cancels the profile record or the profile information has not been accessed for any purpose for a period of 12 months; the information is then archived for 2 years. If an individual has been issued a USPS digital certificate, the maintenance of that person's profile information in the eRS database will be extended beyond this 12-month disuse period, to coincide with the certificate's expiration date. Thereafter, the information is archived on nonportable computer hard disk or magnetic tape for seven (7) years. Customers who have requested postal services or products requiring in-person identity authentication will have a USPS Form 2001, Identity Validation Form, maintained on file as part of this record system. The information on this paper record will be maintained for seven (7) years. At the end of the retention period, data on magnetic tape is destroyed by over-recording, data on hard disk is deleted or over-recorded, and, if issued, USPS Form 2001 is shredded.

**SYSTEM MANAGER(S) AND ADDRESS:**

Chief Technology Officer Senior Vice President, United States Postal Service, 475 L'Enfant Plaza SW RM 2100, Washington DC 20260-4400.

**NOTIFICATION PROCEDURE:**

Individuals wanting to know whether information about them is maintained in this system of records must address inquiries in writing to the system manager. Inquiries must contain name and address or other identifying information.

**RECORD ACCESS PROCEDURES:**

Requests for access must be made in accordance with the Notification Procedure above and the Postal Service Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

**CONTESTING RECORD PROCEDURES:**

See Notification Procedure and Record Access Procedures above.

**RECORD SOURCE CATEGORIES:**

Customers registering for USPS eServices.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

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**SECURITIES AND EXCHANGE COMMISSION**

[Extension: Rule 23c-3 and Form N-23c-3; SEC File No. 270-373; OMB Control No. 3235-0422]

**Existing Collection; Comment Request**

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, 450 5th Street, NW., Washington, DC 20549.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et. seq.*), the Securities and Exchange Commission (the "Commission") is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget ("OMB") for extension and approval.

Rule 23c-3 under the Investment Company Act of 1940 (17 CFR 270.23c-3) is entitled: "Repurchase of Securities of Closed-End Companies." The rule permits certain closed-end investment companies ("closed-end funds" or "funds") periodically to offer to repurchase from shareholders a limited number of shares at net asset value. The rule includes several reporting and recordkeeping requirements. The fund must send shareholders a notification that contains specified information each time the fund makes a repurchase offer (on a quarterly, semi-annual, or annual basis, or for certain funds, on a discretionary basis not more often than every two years). The fund also must file copies of the shareholder notification with the Commission (electronically through the Commission's Electronic Data Gathering, Analysis and Retrieval System ("EDGAR")) attached to Form

N-23c-3 [17 CFR 274.211], a cover sheet that provides limited information about the fund and the type of offer the fund is making.<sup>1</sup> The fund must describe in its annual report to shareholders the fund's policy concerning repurchase offers and the results of any repurchase offers made during the reporting period. The fund's board of directors must adopt written procedures designed to ensure that the fund's investment portfolio is sufficiently liquid to meet its repurchase obligations and other obligations under the rule. The board periodically must review the composition of the fund's portfolio and change the liquidity procedures as necessary. The fund also must file copies of advertisements and other sales literature with the Commission as if it were an open-end investment company subject to section 24 of the Investment Company Act (15 U.S.C. 80a-24) and the rules that implement section 24.<sup>2</sup>

The requirement that the fund send a notification to shareholders of each offer is intended to ensure that a fund provides material information to shareholders about the terms of each offer, which may differ from previous offers on such matters as the maximum amount of shares to be repurchased (the maximum repurchase amount may range from 5% to 25% of outstanding shares). The requirement that copies be sent to the Commission is intended to enable the Commission to monitor the fund's compliance with the notification requirement. The requirement that the shareholder notification be attached to Form N-23c-3 is intended to ensure that the fund provides basic information necessary for the Commission to process the notification and to monitor the fund's use of repurchase offers. The requirements that the fund describe its current policy on repurchase offers and the results of recent offers in the annual shareholder report is intended to provide shareholders current information about the fund's repurchase policies and its recent experience. The requirement that the board approve and review written procedures designed to maintain portfolio liquidity is intended to ensure that the fund has enough cash or liquid securities to meet its

repurchase obligations, and that written procedures are available for review by shareholders and examination by the Commission. The requirement that the fund file advertisements and sales literature as if it were an open-end investment company is intended to facilitate the review of these materials by the Commission or the NASD to prevent incomplete, inaccurate, or misleading disclosure about the special characteristics of a closed-end fund that makes periodic repurchase offers.

The Commission estimates that 23 funds currently rely upon the rule. The Commission estimates that each fund spends approximately 80 hours annually in preparing, mailing, and filing shareholder notifications for each repurchase offer, 4 hours annually in preparing and filing Form N-23c-3, 6 hours annually in preparing disclosures in the annual shareholder report concerning the fund's repurchase policy and recent offers, 28 hours annually in preparing procedures to protect portfolio liquidity, and 8 hours annually in performing subsequent reviews of these procedures. The total annual burden of the rule's paperwork requirements for all funds thus is estimated to be 2898 hours. This represents an increase of 1638 hours from the prior estimate of 1260 hours. The increase results primarily from an increase in the number of funds relying upon the rule from 10 to 23 funds.

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act. The estimate is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms. Complying with the collection of information requirements of the rule is mandatory only for those funds that rely on the rule in order to repurchase shares of the fund. The information provided to the Commission on Form N-23c-3 will not be kept confidential. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Written comments are invited on: (a) Whether the collections of information are necessary for the proper performance of the functions of the Commission, including whether the information has practical utility; (b) the accuracy of the Commission's estimate of the burdens of the collections of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burdens of the collections of information on respondents, including through the use of automated

collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: March 26, 2001.

**Margaret H. McFarland,**

*Deputy Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC-24915; File No. 812-12364]

### Golden American Life Insurance Company, et al.

March 26, 2001.

**AGENCY:** Securities and Exchange Commission (the "Commission").

**ACTION:** Notice of application for an order pursuant to section 6(c) of the Investment Company Act of 1940 (the "Act") granting exemptions from the provisions of sections 2(a)(32) and 27(i)(2)(A) of the Act and Rule 22c-1 thereunder.

*Applicants:* Golden American Life Insurance Company ("Golden American"), Separate Account B of Golden American (the "Account") and Directed Services, Inc. ("DSI") (together, the "Applicants").

*Summary of the Application:* Applicants seek an order of the Commission, pursuant to Section 6(c) of the Act to the extent necessary to permit the recapture of certain credits applied to premium payments made in consideration of deferred variable annuity contracts which Golden American currently issues (the "Contracts") and substantially similar variable annuity contracts that Golden American may issue in the future ("Future Contracts") as well as any other separate accounts of Golden American and its successors in interest ("Future Accounts") that support in the future variable annuity contracts that are similar in all material respects to the Contracts and principal underwriters of such contracts ("Future Underwriters").

*Filing Date:* The application was filed on December 13, 2000, and amended and restated on March 23, 2001.

*Hearing or Notification of Hearing:* An order granting the application will be issued unless the Commission orders a

<sup>1</sup> Form N-23c-3 requires the fund to state its registration number, its full name and address, the date of the accompanying shareholder notification, and the type of offer being made (periodic, discretionary, or both).

<sup>2</sup> Rule 24b-3 under the Investment Company Act [17 CFR 270.24b-3], however, would generally exempt the fund from the requirement when the materials are filed instead with the National Association of Securities Dealers ("NASD"), as nearly always occurs under NASD procedures, which apply to the underwriter of every fund.