

underwriting services to the Funds participated in any way in the conduct described in the Injunction. Certain Funds held securities issued by Enron at the time of the conduct described in the Injunction. The Applicants state that as far as they are aware, none of the officers, portfolio managers or any other investment personnel employed by the Advisers had any knowledge of any non-public information relating to, or had any involvement in, the conduct complained of in the Injunction. Applicants further state that the Advisers had, and continue to have, policies and procedures in place designed to prohibit or restrict communications with other Merrill Lynch employees.

5. Applicants state that the inability of the Advisers to continue providing advisory services to the Funds and the inability of the Underwriters to continue to serve as principal underwriter to the Funds would result in potentially severe hardships for the Funds and their shareholders. The Applicants also state that they will distribute written materials, including an offer to meet in person to discuss the materials, to the boards of directors ("Boards") of the Funds that are management investment companies other than BDCs or ESCs, including the disinterested directors of such Funds and their independent legal counsel, regarding the circumstances of the Injunction, any impact on the Funds and this application. The Applicants will provide such Funds' Boards with all information concerning the Injunction and this application necessary for the Funds to fulfill their disclosure and other obligations under the federal securities laws.

6. Additionally, Applicants assert that if they were barred from providing services to registered investment companies, the effect on their businesses and employees would be severe. The Applicants state that they have committed substantial resources over more than 25 years to establish an expertise in advising and distributing registered investment companies. One of the Applicants, MLPF&S, previously has been subject to an injunction that triggered section 9(a) and received an exemption under section 9(c).<sup>3</sup> On another occasion, an employee of another Applicant, FAMD, also received an exemption under section 9(c).<sup>4</sup>

<sup>3</sup> *Merrill, Lynch, Pierce, Fenner & Smith, Inc.*, Investment Company Act Release Nos. 8841 (July 2, 1975)(notice and temporary order) and 9022 (Nov. 10, 1975)(permanent order).

<sup>4</sup> *Charles O. Daly*, Investment Company Act Release Nos. 13003 (Feb. 1, 1983)(notice and temporary order) and 13137 (Apr. 4, 1983)(permanent order).

### Applicants' Condition

Applicants agree that the order granting the requested relief will be subject to the following condition:

Any temporary exemption granted pursuant to the application shall be without prejudice to, and shall not limit the Commission's rights in any manner with respect to, any Commission investigation of, or administrative proceedings involving or against, Applicants, including without limitation, the consideration by the Commission of a permanent exemption from section 9(a) of the Act requested pursuant to the application or the revocation or removal of any temporary exemptions granted under the Act in connection with the application.

### Temporary Order

The Commission has considered the matter and finds that Applicants have made the necessary showing to justify granting a temporary exemption.

Accordingly,

*It is hereby ordered*, pursuant to section 9(c) of the Act, that the Applicants are granted a temporary exemption from the provisions of section 9(a), effective forthwith, solely with respect to the Injunction, subject to the condition in the application, until the Commission takes final action on an application for a permanent order.

By the Commission.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-6877 Filed 3-21-03; 8:45 am]

BILLING CODE 8010-01-P

## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities: Notice of Office of Management and Budget (OMB) Approval, Proposed Request and Comment Request

As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507), the Social Security Administration (SSA) is providing notice of OMB's approval of the information collections in the 20 CFR 422.527, Private Printing and Modification of Prescribed Application and Other Forms. In accordance with the Paperwork Reduction Act, persons are not required to respond to an information collection unless it displays a valid Office of Management and Budget control number. The OMB Number is 0960-0663, which expires December 31, 2005.

The Social Security Administration (SSA) publishes a list of information collection packages that will require

clearance by the Office of Management and Budget (OMB) in compliance with Pub. L. 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995. The information collection packages that may be included in this notice are for new information collections, revisions to OMB-approved information collections and extensions (no change) of OMB-approved information collections.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Written comments and recommendations regarding the information collection(s) should be submitted to the OMB Desk Officer and the SSA Reports Clearance Officer. The information can be mailed and/or faxed to the individuals at the addresses and fax numbers listed below: OMB:

Office of Management and Budget,  
Attn: Desk Officer for SSA, New  
Executive Office Building, Room  
10235, 725 17th St., NW.,  
Washington, DC 20503, Fax: 202-  
395-6974.

SSA:

Social Security Administration,  
DCFAM, Attn: Reports Clearance  
Officer, 1338 Annex Bldg., 6401  
Security Blvd., Baltimore, MD  
21235, Fax: 410-965-6400.

I. The information collections listed below are pending at SSA and will be submitted to OMB within 60 days from the date of this notice. Therefore, your comments should be submitted to SSA within 60 days from the date of this publication. You can obtain copies of the collection instruments by calling the SSA Reports Clearance Officer at 410-965-0454 or by writing to the address listed above.

#### 1. Disability Report—20 CFR 404.1512 and 416.912, 20 CFR 404.916(c) and 416.1416(c)—Appeal—0960-0144

SSA uses form SSA-3441 to secure updated resource and condition information from claimants seeking reconsideration of denied disability benefits. The claimant also has the option of providing the information during a personal interview or through SSA's Internet application. This information assists the State Disability Determination Services (DDS) and Administrative Law Judges (ALJ) in preparing for the appeals and hearings and in issuing a decision on whether or

not an individual is entitled to or continues to be entitled to disability benefits. SSA requests completion of the SSA-3441 when individuals appeal denial of Social Security Disability Income (SSDI) and Supplemental Security Income (SSI) benefits following a previous denial. The respondents are

applicants for reconsideration of initial denial of disability benefits; reconsideration of disability cessation and individuals requesting hearings before an ALJ.

*Type of Request:* Revision of a currently approved OMB information collection.

SSA will collect this information using both the traditional paper format and via electronic formats through SSA information gathering systems and an online Internet collection as follows:

	Number of respondents	Frequency of response	Average burden per response (in minutes)	Estimated annual burden
SSA-3441 (Paper Form) .....	1,079,338	1	30	539,669
Electronic Disability Collection System (EDCS) .....	16,790	1	30	8,395
I3441 (Internet Form) .....	16,690	1	60	16,690
Total Respondents— .....	1,112,818	.....	.....	.....
Total Burden Hours— .....	564,754	.....	.....	.....

## 2. Driver's License Signature Proof-of-Concept Study—20 CFR 404.610—0960-NEW

SSA plans to explore the feasibility of providing an electronic alternative to the traditional pen-and-ink signature by conducting a Proof-of-Concept (POC) test using an individual's driver's license or State-issued identity card number as an electronic signature. If the applicant voluntarily decides to provide the driver's license or State-issued identity card number, an SSA employee will verify the validity of the number with the issuing State motor vehicle agency by submitting the information electronically to the State that issued the license through a connection with the American Association of Motor Vehicle Administrators (AAMVA). If the State confirms that the number is valid and the name provided matches that on its records, the SSA interviewer will annotate SSA's electronic claims record that the application was signed by electronic signature. The respondents to this collection are applicants that apply for Social Security Retirement benefits within a test State and opt to participate in the POC.

*Type of Request:* New information collection.

*Number of Respondents:* 93,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 3 minutes.

*Estimated Annual Burden:* 4,650 hours.

## 3. Request for Workers' Compensation/Public Disability Information—20 CFR, Subpart E, 404.408—0960-0098

SSA uses form SSA-1709 to request and/or verify information about workers' compensation or public disability benefits given to Social Security disability recipients so that the proper adjustment is made to their

monthly benefits. The respondents are Federal, State, and local agencies administering Workers' Compensation or public disability benefits, private workers, insurance carriers and public or private self-insured companies.

*Type of Request:* Extension of an OMB-approved information collection:

*Number of Respondents:* 140,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 15 minutes.

*Estimated Annual Burden:* 35,000 hours.

## 4. Self-Employment/Corporate Officer Questionnaire—20 CFR 404.435(e) 404.446—0960-0487

Form SSA-4184 is used to develop earnings data and corroborate the claimant's allegations of retirement when the claimant is self-employed or a corporate officer. The information collected is used to determine benefit amounts. The respondents are self-employed individuals and corporate officers.

*Type of Request:* Extension of an OMB-approved information collection.

*Number of Respondents:* 20,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 20 minutes.

*Estimated Annual Burden:* 6,667 hours.

## 5. Claim for Amount Due in the Case of a Deceased Beneficiary—20 CFR 405.503(b)—0960-0101

Section 204(d) of the Social Security Act provides that if a beneficiary dies before payment of Social Security benefits has been completed, the amount due will be paid to the persons meeting specified qualifications. The information collected on Form SSA-1724 is used by SSA to determine whether an individual is entitled to the

underpayment. The respondents are applicants for the amounts of an underpayment of a deceased beneficiary.

*Type of Request:* Revision of a currently approved OMB information collection.

*Number of Respondents:* 300,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 10 minutes.

*Estimated Annual Burden:* 50,000 hours.

II. The information collection listed below has been submitted to OMB for clearance. Your comments on this information collection would be most useful if received by OMB and SSA within 30 days from the date of this publication. You can obtain a copy of the OMB clearance package by calling the SSA Reports Clearance Officer at 410-965-0454, or by writing to the address listed above.

### Action: Comment Request

Statement of Income and Resources—0960-0124

The information collected on form SSA-8010-BK is used in Supplemental Security Income (SSI) claims and redeterminations to obtain information about the income and resources of: Ineligible spouses, parents/spouses of parents, and children living in the claimant's/beneficiary's household; essential persons; and sponsors of aliens (including spouses of sponsors who live with the sponsor). The information is needed to make initial or continuing eligibility determinations for SSI claimants/beneficiaries who are subject to deeming. If eligible, the information is used to determine the amount of the SSI payment. The respondents are persons whose income and/or resources must be considered in determining the

eligibility of SSI claimants or beneficiaries.

*Type of Request:* Extension of an OMB-approved information collection.

*Number of Respondents:* 341,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 25 minutes.

*Estimated Annual Burden:* 142,083 hours.

Dated: March 18, 2003.

**Elizabeth A. Davidson,**

*Reports Clearance Officer, Social Security Administration.*

[FR Doc. 03-6890 Filed 3-21-03; 8:45 am]

**BILLING CODE 4191-02-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

**[Policy Statement Numbers ANE-2001-35.13-R0 and ANE-2001-35.31-R0]**

#### **Policy for Propeller Level Failure Effects; Policy for Bird Strike, Lightning, and Centrifugal Load Testing for Composite Propeller Blades**

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of availability; policy statements.

**SUMMARY:** The Federal Aviation Administration (FAA) announces the availability of policy for propeller-level failure effects and policy for bird strike, lightning, and centrifugal load testing for composite propeller blades.

**DATES:** The FAA issued policy statement numbers ANE-2001-35.13-R0 and ANE-2001-35.31-R0 on March 12, 2003.

**FOR FURTHER INFORMATION CONTACT:** Jay Turnberg, FAA, Engine and Propeller Standards Staff, ANE-110, 12 New England Executive Park, Burlington, MA 01803; e-mail: [jay.turnberg@faa.gov](mailto:jay.turnberg@faa.gov); telephone: (781) 238-7116; fax: (781) 238-7199.

The policy statements are available on the Internet at the following address: <http://www.airweb.faa.gov/rgl>. If you do not have access to the Internet, you may request a copy of the policies by contacting the individual listed in this section.

**SUPPLEMENTARY INFORMATION:** The FAA published a notice in the **Federal Register** on April 29, 2002 (67 FR 21012) to announce the availability of the proposed policies and invite interested parties to comment.

### Background

Many new propeller certification programs include composite blades and spinners and electronic controls. Part 35 of Title 14 of the Code of Federal Regulations (14 CFR part 35) does not have explicit safety standards for the substantiation of propellers with composite blades and spinners for bird strike, lightning strike, and centrifugal loads, nor does it address electronic controls and safety assessment. The safety standards for these design features and analyses have been incorporated into the propeller certification basis by issuing special conditions. Until rulemaking is finalized to incorporate these standards into part 35, individual propeller certifications that contain these novel or unusual design features must continue to be addressed with special conditions.

Policy Statement Number ANE-2001-35.13-R0 provides guidance for the development of those special conditions with regard to propeller-level failure effects. Policy Statement Number ANE-2001-35.31-R0 provides guidance for structurally substantiating propellers with composite blades and spinners for bird strike, lightning strike, and centrifugal loads. These policies do not create any new requirement.

**Authority:** 49 U.S.C. 106(g), 40113, 44701-44702, 44704.

Issued in Burlington, Massachusetts, on March 12, 2003.

**Mark C. Fulmer,**

*Acting Manager, Engine and Propeller Directorate, Aircraft Certification Service.*

[FR Doc. 03-6919 Filed 3-21-03; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### **Environmental Impact Statement: Wayne County, MI**

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an Environmental Impact Statement will be prepared for proposed international border crossing improvements in Wayne County, Michigan, including improvements to existing infrastructure, new border crossing(s) and new or expanded border processing facilities. The study is being undertaken in partnership with Transport Canada, the Michigan Department of Transportation, and the Ontario Ministry of

Transportation referred to below as the Border Partnership.

**FOR FURTHER INFORMATION CONTACT:** In the United States, James A. Kirschensteiner, Assistant Division Administrator, Federal Highway Administration, 315 West Allegan Street, Room 207, Lansing, Michigan 48933, Telephone: (517) 702-1835, Fax: (517) 377-1804, email: [james.kirschensteiner@fhwa.dot.gov](mailto:james.kirschensteiner@fhwa.dot.gov). Or, Margaret Barondess, Manager, Environmental Section, Michigan Department of Transportation, P.O. Box 30050, Lansing, Michigan 48909, Telephone: (517) 335-2621, Fax: (517) 373-9255, email: [barondessm@michigan.gov](mailto:barondessm@michigan.gov).

In Canada, James Lothrop, Manager Highway Programs, Transport Canada, Tower C, Place de Ville 18th Floor, 330 Sparks Street, Ottawa, ON K1A 0N5, Telephone: (613) 998-1902, Fax: (613) 990-9636, email: [lothroj@tc.gc.ca](mailto:lothroj@tc.gc.ca). Or, Fred Leech, Project Coordinator Ontario Ministry of Transportation (MTO), MTO Head Office, Garden City Tower, 4th Floor 301 St. Paul Street, St. Catharines, Ontario, L2R 7R4, Telephone: (905) 704-2218, Fax: (905) 704-2007, email: [Fred.Leech@mto.gov.on.ca](mailto:Fred.Leech@mto.gov.on.ca).

**SUPPLEMENTARY INFORMATION:** The FHWA, as a member of the Bi-National Border Partnership, will prepare an Environmental Impact Statement for a proposal to develop transportation improvements to alleviate traffic congestion and address future travel demand and capacity between southeast Michigan and southwest Ontario as identified in a Planning Needs and Feasibility study. The project would identify the purpose and evaluate needs, potential improvements to existing infrastructure, including new crossings, the potential for expansion or implementation of all modes of transportation (rail, highway, marine, etc.) and the need for new or improved border processing facilities to improve the safe and secure flow of people, goods, and services across the international border. Improvements are considered necessary to provide for increased international movement efficiencies both regionally and nationally.

The existing geographical international ways and means in Southeast Michigan and Southwest Ontario include the Blue Water bridges, the Detroit-Windsor Tunnel, the Ambassador Bridge, and railroad tunnels between Windsor and Detroit and Port Huron, Michigan, and Sarnia, Ontario, as well as a ferry that operates on the Detroit River.