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Dated at Rockville, MD this 21st day of November 2003.

For the Nuclear Regulatory Commission.  
**Ashok C. Thadani,**  
*Director, Office of Nuclear Regulatory Research.*

[FR Doc. 03-29900 Filed 12-1-03; 8:45 am]

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## NUCLEAR REGULATORY COMMISSION

### Pilot Program on the Use of Alternative Dispute Resolution in the Enforcement Program; Request for Comments and Announcement of Public Meeting

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Request for comments and announcement of public meeting.

**SUMMARY:** The Commission has recently approved an NRC staff proposal to develop a pilot program on the use of "Alternative Dispute Resolution" (ADR) in cases involving the NRC's enforcement activities concerning allegations or findings of discrimination and other wrongdoing. See SECY-03-0115. "ADR" is a term that refers to a number of processes that can be used in assisting parties in resolving disputes and potential conflicts. Most of these processes are voluntary, where the parties to the dispute are in control of the decision on whether to participate in the process and whether to agree to any resolution of the dispute. The parties are assisted in their efforts to reach agreement by a neutral third party. The NRC staff is now proceeding to develop the policies and procedures for implementation of the pilot program. As an initial step in the development of the pilot program, the NRC will be holding a public workshop on December 10, 2003, at One White Flint North, 11555 Rockville Pike, Room 014B6, Rockville, Maryland from 9 a.m.-3:30 p.m. to discuss multiple issues. These issues include: (1) How should cases be selected for the use of ADR?, (2) What ADR processes should be used?, (3) What is the appropriate NRC involvement in the early ADR process?, (4) Who Should Participate in the ADR Process?, (5) How Should Neutrals Be

Selected?, (6) How Should Confidentiality Be Handled?, (7) What Information Concerning ADR Sessions Should Be Public?, (8) How Will NRC internal management procedures Be Impacted?, (9) How Will The Program Be Coordinated with NRC Enforcement Process? (10) What Training Will Be Done?, and (11) How Will The Program Be Evaluated? These issues are addressed in a document for comment on the NRC's Web site at <http://www.nrc.gov>: select What We Do, Enforcement, then Alternative Dispute Resolution. This document is also available in ADAMS at ML033290248.

**DATES:** The comment period expires December 31, 2003.

**ADDRESSES:** Submit written responses to the issues addressed in the "ADR Pilot Program Discussion Issues" document included on the ADR Web page to Chief, Rules and Directives Branch, Division of Administrative Services, Office of Administration, Mail Stop T-6D59, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Hand deliver comments to: 11555 Rockville Pike, Rockville, Maryland, between 7:30 a.m. and 4:15 p.m., Federal workdays. Comments may be submitted by e-mail to [nrcprep@nrc.gov](mailto:nrcprep@nrc.gov). Copies of comments received may be examined at the NRC's Public Document Room, located at One White Flint North (O1-F21), Rockville, Maryland, 20852-2738.

**FOR FURTHER INFORMATION CONTACT:** Nick Hilton, Enforcement Specialist, Office of Enforcement, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, (301) 415-2741, e-mail [ndh@nrc.gov](mailto:ndh@nrc.gov).

Dated at Rockville, Maryland, this 25th day of November, 2003.

For the Nuclear Regulatory Commission.  
**Frank J. Congel,**

*Director, Office of Enforcement.*

[FR Doc. 03-29902 Filed 12-1-03; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

#### Extension:

Rule 17Ad-4(b) and (c), SEC File No. 270-264, OMB Control No. 3235-0341.

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

("Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

### Rule 17Ad-4(b) and (c) Notices Regarding Exempt Transfer Agent Status

Rule 17Ad-4(b) and (c) are used to document when transfer agents are exempt, or no longer exempt, from the minimum performance standards and certain recordkeeping provisions of the Commission's transfer agent rules. Rule 17Ad-4(c) sets forth the conditions under which a registered transfer agent loses its exempt status. Once the conditions for exemption no longer exist, the transfer agent, to keep the appropriate regulatory authority ("ARA") apprised of its current status, must prepare, and file if the ARA for the transfer agent is the Board of Governors of the Federal Reserve System ("BGFRS") or the Federal Deposit Insurance Corporation ("FDIC"), a notice of loss of exempt status under paragraph (c). The transfer agent then cannot claim exempt status under Rule 17Ad-4(b) again until it remains subject to the minimum performance standards for non-exempt transfer agents for six consecutive months. The ARAs use the information contained in the notice to determine whether a registered transfer agent qualifies for the exemption, to determine when a registered transfer agent no longer qualifies for the exemption, and to determine the extent to which that transfer agent is subject to regulation.

The BGFRS receives approximately twelve notices of exempt status and six notices of loss of exempt status annually. The FDIC receives approximately eighteen notices of exempt status and three notices of loss of exempt status annually. The Commission and the Office of the Comptroller of the Currency ("OCC") do not require transfer agent to file notice of exempt status or loss of exempt status. Instead, transfer agents whose ARA is the Commission or OCC need only to prepare and maintain these notices. The Commission estimates that approximately sixteen notices of exempt status and loss of exempt status are prepared annually by transfer agents whose ARA is the Commission. Similarly, the OCC estimates that the transfer agents for which it is the ARA prepare and maintain approximately fifteen notices of exempt status and loss of exempt status annually. Thus, a total of approximately seventy notices of exempt status and loss of exempt status are prepared and maintained by transfer

agents annually. Of these seventy notices, approximately forty are filed with an ARA. Any additional costs associated with filing such notices would be limited primarily to postage, which would be minimal. Since the Commission estimates that no more than one-half hour is required to prepare each notice, the total annual burden to transfer agents is approximately thirty-five hours. The average cost per hour is approximately \$30. Therefore, the total cost of compliance to the transfer agent community is \$1,050.

Transfer agents should prepare and maintain in its possession or file with its ARA notice of exempt status or loss of exempt status for the period of the exemption or loss of exemption. When the transfer agent's status changes, the transfer agent should file a notice of exempt status or loss of exempt status reflecting that change. The notice requirement is mandatory to determine when a registered transfer agent no longer qualifies for the exemption, and to determine the extent to which that transfer agent is subject to regulation. Notices submitted according to Rule 17Ad-4(b) & (c) will not be kept confidential. Please note that 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.

General comments regarding the estimated burden hours should be directed to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503; and (ii) Kenneth A. Fogash, Acting Associate Executive Director/CIO, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549. Comments must be submitted to OMB within 30 days of this notice.

Dated: November 25, 2003.

**Margaret H. McFarland,**

*Deputy Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

*Upon Written Request, Copies Available From: Securities and Exchange Commission,*

Office of Filing and Information Services, Washington, DC 20549.

#### Extension:

Rule 30e-2, SEC File No. 270-437, OMB Control No. 3235-0494.

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

Section 30(e) of the Investment Company Act of 1940 [15 U.S.C. 80a-29(e)] (the "Investment Company Act" or "Act") and rule 30e-2<sup>1</sup> thereunder [17 CFR 270.30e-2] require registered unit investment trusts ("UITs") that invest substantially all of their assets in securities of a management investment company<sup>2</sup> ("fund") to send to shareholders at least semi-annually a report containing certain financial statements and other information. Specifically, rule 30e-2 requires that the report contain the financial statements and other information that rule 30e-1 under the Act [17 CFR 270.30e-1] requires to be included in the report of the underlying fund for the same fiscal period. Rule 30e-1 requires that the underlying fund's report contain, among other things, the financial statements and other information that is required to be included in such report by the fund's registration form. Preparing and sending the above-described reports under rule 30e-2 are collections of information under the Paperwork Reduction Act.

Rule 30e-2, however, permits, under certain conditions, delivery of a single shareholder report to investors who share an address ("householding"). The purpose of the householding provisions of the rule is to reduce the amount of duplicative reports delivered to investors sharing the same address. Specifically, rule 30e-2 permits householding of annual and semi-annual reports by UITs to satisfy the delivery requirements of rule 30e-2 if, in addition to the other conditions set

forth in the rule, the UIT has obtained from each applicable investor written or implied consent to the householding of shareholder reports at such address. The rule requires UITs that wish to household shareholder reports with implied consent to send a notice to each applicable investor stating that the investors in the household will receive one report in the future unless the investors provide contrary instructions. In addition, at least once a year, UITs relying on the rule for householding must explain to investors who have provided written or implied consent how they can revoke their consent. Preparing and sending the initial notice and the annual explanation of the right to revoke consent are collections of information under the Paperwork Reduction Act.

The purpose of the requirement that UITs that invest substantially all of their assets in securities of a fund transmit to shareholders at least semi-annually reports containing financial statements and certain other information is to apprise current shareholders of the operational and financial condition of the UIT. Absent the requirement to disclose all material information in reports, investors would be unable to obtain accurate information upon which to base investment decisions and consumer confidence in the securities industry might be adversely affected. Requiring the submission of these reports to the Commission permits us to verify compliance with securities law requirements.

The purpose of the notice and annual explanation requirements associated with the householding provisions of the rule is to ensure that investors who wish to receive individual copies of shareholder reports are able to do so.

The Commission estimates that as of April 2003, approximately 733 UITs were subject to the provisions of rule 30e-2. The Commission further estimates that the annual burden associated with rule 30e-2 is 121 hours for each UIT, including an estimated 20 hours associated with the notice requirement for householding and an estimated 1 hour associated with the explanation of the right to revoke consent to householding, for a total of 88,693 burden hours.

The estimate of average burden hours is made solely for the purposes of the Paperwork Reduction Act, and is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms.

In addition to the burden hours, the Commission estimates that the cost of contracting for outside services associated with complying with rule

<sup>1</sup> Rule 30e-2 was originally adopted as rule 30d-2, but was redesignated as rule 30e-2 effective February 15, 2001. See Role of Independent Directors of Investment Companies, Securities Act Rel. No. 7932; Exchange Act Rel. No. 43786; Investment Company Act Rel. No. 24816 (Jan. 2, 2001) [66 FR 3734 (Jan. 16, 2001)].

<sup>2</sup> Management investment companies are defined in section 4(3) of the Investment Company Act as any investment company other than a face-amount certificate company or a unit investment trust, as those terms are defined in sections 4(1) and 4(2) of the Investment Company Act. See 15 U.S.C. 80a-4.