Fidelity asserted that reducing a dealer's role in disseminating secondary market disclosure ''runs completely counter to the policy underpinnings of the investor protection provisions of the Investment Company Act of 1940 * * * including preserving liquidity * * * and providing adequate information''.[31]

Similar to Fidelity's letters asserting concerns with the proposal's negative impact on municipal mutual funds and money market funds, Vanguard cites the interpretation's appearance of eliminating a dealer's obligation to make suitability determinations.[32] To avoid dilution of disclosure information, Vanguard recommends that the MSRB insert a carve-out for Rule G–19. According to the letter, Vanguard's opinion is that the MSRB has not demonstrated a commensurate benefit to be gained by reducing obligations for SMMPs and thus, should not affect a change that may ''exacerbate the problems caused by the limited disclosure regime for municipal securities''.[33] Vanguard stated that it recognizes that mutual funds and money market fund have their own regulatory compliance responsibilities, nevertheless, Vanguard sees cooperation of dealers as critical investor protection.

The comment letter from Schwab focused on interests of its retail customers. The letter expressed Schwab's agreement in the tremendous benefits the growth of on-line trading brings to the fixed-income marketplace. However, Schwab questioned the encouragement of growth in a ''professionals-only'' platform.[34] In its letter, Schwab stated that its ''principal objection'' to the proposal is the proposal's failure ''to adequately acknowledge and protect the retail investor's right to fully participate in the growing electronic marketplace''.[35] Schwab expressed fear that the proposed rule change will create a two-tiered market in fixed income securities and deny retail investors access to the best market prices.[36]

III. Discussion

The Commission must approve a proposed MSRB rule change if the Commission finds that the proposal is consistent with the requirements set forth under the Exchange Act, the rules and regulations thereunder, which govern the MSRB.[37] The language of Section 15B(b)(2)(C) of the Exchange Act requires that the MSRB's rules must be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, settling, processing information with respect to, and facilitiating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national system, and, in general, to protect investors and the public interest.[38]

After careful review, the Commission finds that the MSRB's proposed rule change consisting of an interpretation of transactions with sophisticated municipal market professionals meets this standard. The Commission believes that this proposed rule change is consistent with the requirements of the Exchange Act, and the rules and regulations thereunder. In particular, the Commission finds that the proposed rule is consistent with the requirements of Section 15B(b)(2)(C) of the Exchange Act, set forth above.

IV. Conclusion

It is therefore Ordered, pursuant to Section 19(b)(2) of the Exchange Act,[39] that the proposed rule change (File No. SR-MSRB–2002–02) be and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[40]

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 02–11231 Filed 5–6–02; 8:45 am]

BILLING CODE 8010–01–u

[31] *Id.*

[32] *See* letter from Vanguard, note 20, *supra.*

[33] *Id.*

[34] *See* letter from Schwab, note 20, *supra.*

[35] *Id.*

[36] *Id.*

[37] Additionally, in approving this rule, the Commission notes that it has considered the proposed rule's impact on efficiency, competition and capital formation. 15 U.S.C. 78c(f).

[38] 15 U.S.C. 78o–4(b)(2)(c).

[39] 15 U.S.C. 78s(b)(2).

[40] 17 CFR 200.30–3(a)(12).

SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Request and Comment Request

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 Public Law 104–13 effective October 1, 1995, The Paperwork Reduction Act of 1995. 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 and at the following addresses:

(OMB), Office of Management and Budget, Attn: Desk Officer for SSA, New Executive Office Building, Room 10235, 725 17th St., NW., Washington, DC 20503.

(SSA), Social Security Administration, DCFAM, Attn: Reports Clearance Officer, 1–A–21 Operations Bldg., 6401 Security Blvd., Baltimore, MD 21235.

I. The information collections listed below 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 410–965–4145, or by writing to the address listed above.

1. Letter to Landlord Requesting Rental Information—0960–0454. Form SSA–L5061 is used by SSA to provide a nationally uniform vehicle for collecting information from landlords in making a rental subsidy determination in the Supplemental Security Income (SSI) Program. The information is used in deciding whether income limits are met for SSI eligibility. The respondents are landlords who provide subsidized rental arrangements to SSI applicants and recipients.

Number of Respondents: 49,000.

Frequency of Response: 1.

Average Burden Per Response: 10 minutes.

Estimated Average Burden: 8,167.

2. Continuation of Full Benefit Standard for Persons Institutionalized—0960–0516. SSA is required by law to establish procedures for collecting information on whether an SSI recipient who becomes institutionalized (e.g., hospital, nursing home) may be eligible for continued benefits, based on the full federal benefit rate, if a physician certifies that he expects the period of medical confinement will last no more than 90 days. The individual (or someone acting on his behalf) must demonstrate that he needs to pay some or all of the expenses of maintaining the home to which he expects to return. The respondents are applicants for SSI benefits.

Number of Respondents: 60,000.

Frequency of Response: 1.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 5,000 hours.

3. Inquiry To File an SSI Child's Application—0960–0557. The information collected on Form SSRO–3–293 (formerly SSA–293) is used by SSA to document the earliest possible filing date and to determine potential eligibility for SSI child's benefits. The respondents are individuals, such as hospital social workers, who inquire about SSI eligibility for low birth weight babies.

Number of Respondents: 2,100.

Frequency of Response: 1.

Average Burden Per Response: 3 minutes.

Estimated Average Burden: 105 hours.

4. Supplemental Security Income Notice of Interim Assistance Reimbursement (Two Forms)—0960–0546. Form SSA–8125 and SSA–L8125–F6 collect interim assistance reimbursement (IAR) information from the States that provide such assistance. Form SSA–8125 is used in situations where IAR can be distributed directly to the recipient after the State has deducted the amount of assistance it provided. Form SSA–L8125–F6 is used in situations where a recipient entitled to underpayments has received IAR from a State and SSA will control the benefit through the installment process. SSA uses the information collected through these forms for accounting and auditing purposes in administering the IAR process. The respondents are States that provide IAR to SSI claimants.

	SSA–8125	SSA–L8125–F6
Number of Respondents	50,000	50,000.
Frequency of Response	1	1.
Average Burden Per Response	10 minutes	10 minutes.
Estimated Annual Burden	8,333 hours	8,333 hours.

5. National Employment Activity and Disability Survey —0960–NEW

Background

The Ticket to Work program (TTW) was established by the 1999 Ticket to Work and Work Incentives Improvement Act. The program will provide eligible Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI) disability beneficiaries with a Ticket, which can be used to obtain vocational rehabilitation (VR) or employment services through participating providers, called Employment Networks (ENs).

The reason for the TTW program is that some beneficiaries currently lack the resources necessary to return to work at a level above the Substantial Gainful Activity (SGA) level, either because they do not have easy access to such services, or because they lack the incentive to invest resources in return to work activities because of a variety of factors affecting the decision to work. TTW confers upon a beneficiary a means to access those resources in a less restrictive manner than under the traditional program. The manner in which the program is being implemented is expected to increase beneficiary demand for employment-related services and activities. It is also expected to increase the number and diversity of providers in response to the less restrictive participation requirements and increased consumer demand for services.

The National Employment Activity and Disability Survey

The National Employment Activity and Disability Survey will collect data on the work-related activities of SSI and Old Age, Survivors and Disability Insurance (OASDI) beneficiaries as the TTW program, and other initiatives designed to improve beneficiary employment outcomes, are implemented. The TTW Survey is specifically designed to be a significant resource for the formal evaluation of TTW, but SSA anticipates that the survey will provide useful information for a variety of evaluation and policy analysis purposes, especially related to current efforts that attempt to improve return to work. The survey questionnaire focuses on information about beneficiaries and their work-related activities that cannot be obtained from SSA's administrative records. The survey will provide information about: (1) Beneficiaries who assign their Tickets to ENs, and their experience in the program; (2) beneficiaries who do not assign their Tickets, and the reasons why they do not, including involuntary non-participants; (3) the employment outcomes of Ticket users and other beneficiaries; and (4) the use of employment services by Ticket users and other beneficiaries. The respondents will be selected from SSI and OASDI disabled beneficiaries who meet the Ticket to Work program eligibility requirements.

Number of Respondents: 6,557.

Frequency of Response: 1.

Average Burden Per Response: 45 minutes.

Estimated annual Burden: 4,918 hours.

6. Public Information Campaign Collections—0960–0544. SSA uses the information from public broadcasting systems to determine media interest in broadcasting SSA's public information materials. The respondents are radio and television stations.

Number of Respondents: 8,000.

Frequency of Response: 3.

Average Burden Per Response: 1 minute

Estimated Annual Burden: 400.

7. State Mental Institution Policy Review—0960–0110. SSA uses the information collected on Form SSA–9584 to determine whether policies and practices of State mental institutions conform with SSA's regulations in the use of benefits and whether an institution is performing other duties and responsibilities required of a representative payee. The information also provides a basis for conducting an onsite review of the institution and is used in preparing the subsequent report of findings. The respondents are State mental institutions that serve as representative payees.

Number of Respondents: 125.

Frequency of Response: 1.

Average Burden Per Response: 60 minutes.

Estimated Annual Burden: 125 hours.

8. Record of Supplemental Security Income Inquiry—0960–0140. Form SSA–3462 is completed by SSA personnel via telephone or personal interview, and it is used to determine potential eligibility for SSI benefits. The respondents are individuals who inquire about SSI eligibility for themselves or someone else.

Number of Respondents: 2,341,856.

Frequency of Response: 1.

Average Burden Per Response: 5 minutes.

Estimated Annual Burden: 195,155 hours.

II. The information collections listed below have been submitted to OMB for

clearance. Your comments on the information collections 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 on (410) 965–4145, or by writing to the address listed above.

1. Internet Social Security Disability Report—0960–NEW. The Social Security Act requires applicants to furnish medical and other evidence and information to prove they are disabled. Applicants for disability benefits will be given the option to provide information needed to help determine they are disabled through the Internet. The Internet Social Security Disability Report, which is similar to the Form SSA–3368-BK, Disability Report-Adult, will collect allegations of disability and gather information about the disabling condition and sources of medical evidence. Collecting this information is critical to case development and adjudication. The information on the Disability Report, together with other evidence and information, will be used by State Disability Determination Services (who make disability decisions on behalf of SSA) to develop medical evidence, assess the alleged disability, and make a determination on whether or not the applicant is disabled under the Act. SSA plans to conduct a limited pilot of the Internet Social Security Disability Report followed by national implementation. The respondents are applicants for title II and title XVI disability benefits.

Pilot Burden Hours Estimate

Number of Respondents: 8,400.
Frequency of Response: 1.
Average Burden Per Response: 2 hours.
Estimated annual Burden: 16,800 hours.

National Implementation Burden Hours Estimate

Number of Respondents: 66,000.
Frequency of Response: 1.
Average Burden Per Response: 2 hours.
Estimated annual Burden: 132,000 hours.

2. Employee Work Activity Report—0960–0483. The data collected by SSA on Form SSA–3033 is used to determine if the claimant meets the disability requirements of the law, when the claimant returns to work after the alleged or established onset date of disability. When a possible unsuccessful work attempt or nonspecific subsidy is involved, Form SSA-3033 will be used to request a description of the employee's work effort. The respondents are employers of OASDI and SSI disability applicants and beneficiaries.

Number of Respondents: 12,500.
Frequency of Response: 1.
Average Burden Per Response: 15 minutes.
Estimated Annual Burden: 3,125 hours.

Dated: May 1, 2002.

Liz Davidson,

Reports Clearance Officer, Social Security Administration.

[FR Doc. 02–11210 Filed 5–6–02; 8:45 am]

BILLING CODE 4191–02–P

DEPARTMENT OF STATE

[Public Notice 4011]

Bureau of Political-Military Affairs; Rescission of Policy of Denial for China National Aero-Technology Import and Export Corporation (CATIC), China National Aero-Technology International Supply Company, CATIC (USA) Inc., Yan Liren and Hu Boru (Employees of CATIC), McDonnell Douglas Corporation, Douglas Aircraft Company and Robert Hitt (Employee of McDonnell Douglas Corporation and Douglas Aircraft Company); Continuation of Policy of Denial for Tal Industries Inc.

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: Notice is hereby given that Public Notice 3195, establishing as a policy of the Department of State the denial of all export applications and other requests of approval pursuant to section 38 of the Arms Export Control Act (''AECA'') is partially rescinded. This rescission applies only to China National Aero-Technology Import and Export Corporation (CATIC), China National Aero-Technology International Supply Company, CATIC (USA) Inc., Yan Liren, Hu Boru, McDonnell Douglas Corporation, Douglas Aircraft Company and Robert Hitt. The Policy of Denial announced in Public Notice 3195 for Tal Industries, Inc. will continue to be in effect.

Public Notice 3195 stated that it would be the Department of State's policy to deny all export license applications and other requests for approval pursuant to section 38 of the AECA, for the export of, or the brokering activity involving the transfer of, defense articles or defense services by, for, or to the aforementioned persons and entities as well as any of their subsidiaries, affiliates, or successor entities.

EFFECTIVE DATE: The date of the dismissal of all charges: July 14, 2000 for Robert Hitt; May 15, 2001 for CATIC, CATIC (USA) Inc., Yan Liren, and Hu Boru; and November 14, 2001 for McDonnell Douglas and Douglas Aircraft.

FOR FURTHER INFORMATION CONTACT: David Trimble, Director, Compliance Division, Office of Defense Trade Controls, Bureau of Political-Military Affairs, Department of State (202) 633–2700.

SUPPLEMENTARY INFORMATION: Effective October 19, 2001 the Department of State, pursuant to sections 38 and 42 of the AECA, 22 U.S.C. 2778 and 2791, and 22 CFR 126.7(a)(2) and 126.7(a)(3) of the International Traffic in Arms Regulations (''ITAR''), instituted a policy of denial of all requests for licenses and other written approvals (including all activities under manufacturing license and technical assistance agreements and brokering activities) concerning exports of defense articles and provision of defense services or other transactions involving directly or indirectly CATIC, China National Aero-Technology International Supply Company, CATIC (USA) Inc., Tal Industries, Inc., Yan Liren, Hu Boru, McDonnell Douglas Corporation, Douglas Aircraft Company, and Robert Hitt and any of their affiliates, subsidiaries, or successor entities. Furthermore, the Department precluded the use of any exemptions from licenses or other approvals included in the ITAR except as those exemptions directly pertained to licenses or other written approvals granted prior to October 19, 1999.

This policy of denial was instituted in response to a sixteen-count indictment in the US District Court for the District of Columbia charging CATIC, CATIC (USA) Inc., TAL Industries, Inc., Yan Liren, Hu Boru, McDonnell Douglas Corporation, Douglas Aircraft Company, and Robert Hitt with violating, inter alias, the Export Administration Act of 1979 (EAA), 50 U.S.C. App. 2410 and the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1701–1706.

With the exception of TAL Industries, all of the defendants have had their charges dismissed. The charges against Robert Hitt were dismissed on July 14, 2000. Subsequently, on May 15, 2001, the charges against CATIC, CATIC (USA) Inc., Yan Liren, and Hu Boru were dismissed. Finally, on November 14, 2001, the charges against McDonnell Douglas and Douglas Aircraft were