

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).³ On another occasion, an employee of another Applicant, FAMD, also received an exemption under section 9(c).⁴

³ *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).

⁴ *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.

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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