

- Are the identified containment functions being considered appropriate?
- Are the options for containment performance criteria appropriate?
- Are there other or alternative containment functions and options which should be considered?
- What metrics should be considered in evaluating the options, including specific advantages and disadvantages for the identified options?

Preliminary Workshop Agenda

January 14, 2004

8:30–10:15—NRC Presentation and Discussion on Options for Non-LWR Containment Functional Performance Requirements and Criteria

10:15–10:30—BREAK

10:45–noon—NRC Presentation and Discussion on Options for Non-LWR Containment Functional Performance Requirements and Criteria (continued)

Noon–1—LUNCH

1–2:15—NRC Presentation and Discussion on Options for Non-LWR Containment Functional Performance requirements and Criteria

2:15–2:30—BREAK

2:30–5—General discussion and wrap-up

Dated at Rockville, Maryland, this 11th day of December, 2003.

For the Nuclear Regulatory Commission.

Farouk Eltawila,

Director, Division of Systems Analysis and Regulatory Effectiveness, Office of Nuclear Regulatory Research.

[FR Doc. 03–31210 Filed 12–17–03; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. IC–26292; 812–12854]

Citicorp North America, Inc.; Notice of Application

December 12, 2003.

AGENCY: Securities and Exchange Commission (“Commission”).

ACTION: Notice of application under section 6(c) of the Investment Company Act of 1940 (the “Act”) for an exemption from section 18(f)(1) of the Act.

Applicant: Citicorp North America, Inc. (“CNAI”).

SUMMARY: Applicant requests an order permitting registered open-end management investment companies to enter into secured loan transactions with commercial paper and medium-term note conduits administered by CNAI.

DATES: The application was filed on July 17, 2002, and amended on May 8, 2003, and August 26, 2003.

Hearing or Notification of Hearing: An order granting the requested relief will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission’s Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on January 5, 2004, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer’s interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission’s Secretary.

ADDRESSES: Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549–0609. Applicant, c/o Marc B. Adelman, Director and Vice President, Citicorp North America, Inc., 388 Greenwich Street, New York, NY 10013.

FOR FURTHER INFORMATION CONTACT: Julia Kim Gilmer, Senior Counsel, at (202) 942–0528, or Janet M. Grossnickle, Branch Chief, at (202) 942–0564 (Division of Investment Management, Office of Investment Company Regulation).

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained for a fee at the Commission’s Public Reference Branch, 450 Fifth Street, NW., Washington, DC 20549–0102 (tel. 202–942–8090).

Applicant’s Representations

1. CNAI is a wholly-owned subsidiary of Citicorp, a bank holding company, that is, in turn, wholly-owned by Citigroup Inc. (“Citigroup”), a global financial services organization. CNAI has extensive experience and expertise as an administrator of asset-backed commercial paper and medium-term note conduit programs, having managed such programs since 1983. CNAI administers approximately \$43 billion in assets in such programs worldwide. Applicant states that several open-end investment companies have expressed interest in borrowing from the commercial paper and medium-term note conduit programs that CNAI administers.

2. Applicant requests relief to permit any registered open-end management investment company or series thereof to participate from time to time as

borrowers (“Borrowing Funds”) in loan facilities administered by CNAI (“Loan Facilities”). The entities proposed to be used in connection with a Loan Facility issue commercial paper and, in certain cases, medium-term notes (collectively, “Promissory Notes”) and will use liquidity support provided by financial institutions that are “banks” within the meaning of section 2(a)(5) of the Act (“Liquidity Providers”) in connection with the Loan Facility (each such CNAI-administered entity, a “Conduit”). The Conduits are limited liability companies organized under the laws of Delaware that issue Promissory Notes to fund loans secured by receivables or other financial assets of the borrowers.

3. The Promissory Notes issued by the Conduits generally are sold to institutional investors that are “accredited investors” as defined in rule 501(a) of Regulation D under the Securities Act of 1933 (the “Securities Act”) or “qualified institutional buyers” as defined in rule 144A under the Securities Act. As administrator, CNAI negotiates business arrangements on behalf of a Conduit, including loan amounts, interest rates and fees. CNAI will act as agent for the Conduits and the related Liquidity Providers under the agreements entered into with each Borrowing Fund and in such capacity will exercise rights and enforce remedies on behalf of the Conduit and Liquidity Providers. Personnel employed by CNAI have substantially similar levels of experience and expertise as personnel that administer loans backed by financial assets made by Citibank, N.A., which may act as a Liquidity Provider.

4. As security for a loan, Borrowing Funds will pledge assets (“Pledged Assets”) for the benefit of the Conduit and the Liquidity Providers. The Pledged Assets will meet eligibility criteria set by the Conduit and such criteria will be consistent with the Borrowing Fund’s investment objectives and policies. For each loan transaction, CNAI will evaluate (a) the type and nature of a Borrowing Fund’s Pledged Assets to determine whether they meet the Conduit’s standards for collateral; (b) the operations and history of the Borrowing Fund; and (c) the financial position and operations of the Borrowing Fund’s investment adviser.

5. Applicant states that a Conduit would make loans to a Borrowing Fund on an uncommitted basis and the related Liquidity Providers would, subject to the terms of the Loan Facility, be obligated to make loans to the Borrowing Fund in the event the Conduit was unable or unwilling to make such loans. The Conduit at any