

structural controls on flow at the site by a contractor for the State of Nevada.

The half-day session on Wednesday will include discussions of repository development plans and of the consequences of igneous activity.

Opportunities for public comment will be provided before adjournment on all 3 days. Those wanting to speak during the public comment periods are encouraged to sign the "Public Comment Register" at the check-in table. Additional comment periods will be provided before lunch on Monday and Tuesday for anyone unable to remain at the meeting until the evening comment periods. A time limit may have to be set on individual remarks, but written comments of any length may be submitted for the record. Interested parties also will have the opportunity to submit questions in writing to the Board. As time permits, the questions will be read during the meeting sessions or during the public comment periods.

A detailed agenda will be available the week before the meeting. Copies of the agenda can be requested by telephone or obtained from the Board's Web site at [www.nwtrb.gov](http://www.nwtrb.gov). Beginning on October 8, 2001, transcripts of the meeting will be available on the Board's Web site, via e-mail, on computer disk, and on a library-loan basis in paper format from Davonya Barnes of the Board staff.

A block of rooms has been reserved until August 18 at the Crowne Plaza Hotel. When making a reservation, please state that you will be attending the Nuclear Waste Technical Review Board meeting. For more information, contact the NWTRB, Karyn Severson, External Affairs; 2300 Clarendon Boulevard, Suite 1300; Arlington, VA 22201-3367; (tel) 703-235-4473; (fax) 703-235-4495; (e-mail) [info@nwtrb.gov](mailto:info@nwtrb.gov).

The Nuclear Waste Technical Review Board was created by Congress in the Nuclear Waste Policy Amendments Act of 1987. The Board's purpose is to evaluate the technical and scientific validity of activities undertaken by the Secretary of Energy related to managing the disposal of the nation's spent nuclear fuel and high-level radioactive waste. In the same legislation, Congress directed the DOE to characterize a site at Yucca Mountain, Nevada, to determine its suitability as the location of a potential repository for the permanent disposal of spent nuclear fuel and high-level radioactive waste.

Dated: August 3, 2001.

**William D. Barnard,**

*Executive Director, Nuclear Waste Technical Review Board.*

[FR Doc. 01-19924 Filed 8-08-01; 8:45 am]

**BILLING CODE 6820-AM-M**

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## OFFICE OF PERSONNEL MANAGEMENT

### Submission for OMB Review; Comment Request for Revision of a Currently Approved Expiring Information Collection: SF 87 and SF 87A

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) has submitted to the Office of Management and Budget a request for revision of a currently approved information collection for Standard Forms 87 and 87A, Fingerprint Charts. These forms are used to obtain fingerprint and other data needed to check the Federal Bureau of Investigation's (FBI) fingerprint files. Such checks are required by Executive Order 10450, Security Requirements for Government Employment, issued April 27, 1953, and required or authorized under other authorities, on applicants to and employees of the Federal government. The SF 87 is used by OPM and the SF 87A is used by other agencies having a special agreement with OPM and the FBI.

Approximately 225,000 SF 87 and SF 87A's are completed annually. This is a revised figure which reflects the impact of automation on the processing of fingerprint checks. We estimate that it takes approximately five minutes to complete each form. The annual burden is 18,750 hours.

For copies of this proposal, contact Mary Beth Smith-Toomey at (202) 606-2150, FAX (202) 418-3251, or by E-mail at [mbtoomey@opm.gov](mailto:mbtoomey@opm.gov). Please include a mailing address with your request.

**DATES:** Comments on this proposal should be received on or before September 10, 2001.

**ADDRESSES:** Send or deliver written comments to:

Richard A. Ferris, Associate Director,  
Investigations Service, U.S. Office of  
Personnel Management, 1900 E Street,  
NW, Room 5416, Washington, DC  
20415-4000  
and

Joseph Lackey, OPM Desk Officer,  
Office of Information and Regulatory  
Affairs, Office of Management and  
Budget, New Executive Office  
Building, NW, Room 10235,  
Washington, DC 20503.

### FOR FURTHER INFORMATION CONTACT:

Rasheedah I. Ahmad, Program Analyst,  
Investigations Service, Phone: (202)606-  
7983, FAX: (202)606-2390.

Office of Personnel Management.

**Kay Coles James,**

*Director.*

[FR Doc. 01-19960 Filed 8-8-01; 8:45 am]

**BILLING CODE 6325-40-P**

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## RAILROAD RETIREMENT BOARD

### Agency Forms Submitted for OMB Review

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

*Summary of Proposal(s):*

- (1) *Collection title:* Pay Rate Report.
- (2) *Form(s) submitted:* UI-1e.
- (3) *OMB Number:* 3220-0097.
- (4) *Expiration date of current OMB clearance:* 9/30/2001.
- (5) *Type of request:* Extension of a currently approved collection.
- (6) *Respondents:* Individuals or Households.
- (7) *Estimated annual number of respondents:* 750.
- (8) *Total annual responses:* 750.
- (9) *Total annual reporting hours:* 63.
- (10) *Collection description:* Under the Railroad Unemployment Insurance Act, the daily benefit rate for unemployment and sickness benefits depends on the employee's last daily rate of pay. The report obtains information from the employee and verification from the employer of the claimed rate of pay for use in determining whether an increase in the daily benefit rate is due.

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Chuck Mierzwa, the agency clearance officer (312-751-3363). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-2092 and the OMB Reviewer, Marcie Brown (202-395-7316), Office of Management and Budget, Room 10230, New

Executive Office Building, Washington, D.C. 20503.

**Chuck Mierzwa,**  
Clearance Officer.

[FR Doc. 01-19945 Filed 8-8-01; 8:45 am]

BILLING CODE 7905-01-M

## RAILROAD RETIREMENT BOARD

### Agency Forms Submitted for OMB Review

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

*Summary of Proposal(s):*

- (1) *Collection title:* Employer Service and Compensation Reports.
- (2) *Form(s) submitted:* UI-41, UI-41a.
- (3) *OMB Number:* 3220-0070.
- (4) *Expiration date of current OMB clearance:* 9/30/2001.
- (5) *Type of request:* Revision of a currently approved collection.
- (6) *Respondents:* Business or other for-profit.
- (7) *Estimated annual number of response:* 3000.
- (8) *Total annual responses:* 0.
- (9) *Total annual reporting hours:* 400.
- (10) *Collection description:* The reports obtain the employee's service and compensation for a period subsequent to those already on file and the employee's base year compensation. The information is used to determine the entitlement to and the amount of benefits payable.

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Chuck Mierzwa, the agency clearance officer (312-751-3363). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois, 60611-2092 and the OMB reviewer, Marcie Brown (202-395-7316), Office of Management and Budget, Room 10230, New Executive Office Building, Washington, D.C. 20503.

**Chuck Mierzwa,**  
Clearance Officer.

[FR Doc. 01-19946 Filed 8-8-01; 8:45 am]

BILLING CODE 7905-01-M

## 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 3a-4, SEC File No. 270-401, OMB Control No. 3235-0459.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501-3520), the Securities and Exchange Commission (the "Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension of the previously approved collection of information discussed below.

Rule 3a-4 under the Investment Company Act of 1940 [15 U.S.C. 80a] ("Investment Company Act" or "Act") provides a nonexclusive safe harbor from the definition of investment company under the Act for certain investment advisory programs. These programs, which include "wrap fee" and "mutual fund wrap" programs, generally are designed to provide professional portfolio management services to clients who are investing less than the minimum usually required by portfolio managers but more than the minimum account size of most mutual funds. Under wrap fee and similar programs, a client's account is typically managed on a discretionary basis according to pre-selected investment objectives. Clients with similar investment objectives often receive the same investment advice and may hold the same or substantially the same securities in their accounts. Some of these investment advisory programs may meet the definition of investment company under the Act because of the similarity of account management.

In 1997, the Commission adopted rule 3a-4, which clarifies that programs organized and operated in a manner consistent with the conditions of rule 3a-4 are not required to register under the Investment Company Act or comply with the Act's requirements.<sup>1</sup> These programs differ from investment companies because, among other things, they provide individualized investment advice to the client. The rule's

<sup>1</sup> Status of Investment Advisory Programs Under the Investment Company Act of 1940, Investment Company Act Release No. 22579 (Mar. 24, 1997) [62 FR 15098 (Mar. 31, 1997)] ("Adopting Release"). In addition, there are no registration requirements under section 5 of the Securities Act of 1933 for these programs. See 17 CFR 270.3a-4, introductory note.

provisions have the effect of ensuring that clients in a program relying on the rule receive advice tailored to the client's needs.

Rule 3a-4 provides that each client's account must be managed on the basis of the client's financial situation and investment objectives and consistent with any reasonable restrictions the client imposes on managing the account. When an account is opened, the sponsor<sup>2</sup> (or its designee) must obtain information from each client regarding the client's financial situation and investment objectives, and must allow the client an opportunity to impose reasonable restrictions on managing the account.<sup>3</sup> In addition, the sponsor (or its designee) annually must contact the client to determine whether the client's financial situation or investment objectives have changed and whether the client wishes to impose any reasonable restrictions on the management of the account or reasonably modify existing restrictions. The sponsor (or its designee) also must notify the client quarterly, in writing, to contact the sponsor (or the designee) regarding changes to the client's financial situation, investment objectives, or restrictions on the account's management.<sup>4</sup>

The program must provide each client with a quarterly statement describing all activity in the client's account during the previous quarter. The sponsor and personnel of the client's account manager who know about the client's account and its management must be reasonably available to consult with the client. Each client also must retain certain indicia of ownership of all securities and funds in the account.

Rule 3a-4 is intended primarily to provide guidance regarding the status of investment advisory programs under the Investment Company Act. The rule is not intended to create a presumption about a program that is not operated according to the rule's guidelines.

The requirement that the sponsor (or its designee) obtain information about the client's financial situation and investment objectives when the account

<sup>2</sup> For purposes of rule 3a-4, the term "sponsor" refers to any person who receives compensation for sponsoring, organizing or administering the program, or for selecting, or providing advice to clients regarding the selection of, persons responsible for managing the client's account in the program.

<sup>3</sup> Clients specifically must be allowed to designate securities that should not be purchased for the account or that should be sold if held in the account. The rule does not require that a client be able to require particular securities be purchased for the account.

<sup>4</sup> The sponsor also must provide a means by which clients can contact the sponsor (or its designee).