

4044). The interest assumptions applicable to valuation dates in November 2003 under part 4044 are contained in an amendment to part 4044 published elsewhere in today's **Federal Register**. Tables showing the assumptions applicable to prior periods are codified in appendix B to 29 CFR part 4044.

Issued in Washington, DC, on this 7th day of October 2003.

**Joseph H. Grant,**

*Deputy Executive Director and Chief Operating Officer, Pension Benefit Guaranty Corporation.*

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## OFFICE OF PERSONNEL MANAGEMENT

### Privacy Act of 1974; Computer Matching Programs, Office of Personnel Management/Department of Labor, Office of Workers' Compensation Programs

**AGENCY:** Office of Personnel Management (OPM).

**ACTION:** Publication of notice of computer matching to comply with Public Law 100-503, the Computer Matching and Privacy Act of 1988.

**SUMMARY:** OPM is publishing notice of its computer matching program with the Department of Labor, Office of Workers' Compensation Programs (OWCP) to meet the reporting and publication requirements of Public Law 100-503. The purpose of this match is to identify and/or prevent erroneous payments under the Civil Service Retirement Act (CSRA) or the Federal Employees' Retirement System Act (FERSA) and the Federal Employees' Compensation Act (FECA). The match will identify individuals receiving prohibited benefits simultaneously under CSRA or FERSA and the FECA. All three laws prohibit the receipt of certain simultaneous payments covering the same period of time.

The match will involve the OPM system of records published as OPM CENTRAL-1, Civil Service Retirement and Insurance Records at 64 FR 54930 October 8, 1999, as amended May 3, 2000, (65 FR 25775) and the Department of Labor system of records published as DOL/GOVT-1, entitled "Office of Workers' Compensation Programs, Federal Employees' Compensation Act File" at 67 FR 16817, on April 8, 2002.

**DATES:** The matching program will begin in October 2003, or 40 days after agreements by the parties participating in the match have been submitted to

Congress and the Office of Management and Budget, whichever is later. The matching program will continue for 18 months from the beginning date and may be extended an additional 12 months thereafter. The data exchange will begin at a date mutually agreed upon between OPM and OWCP after October 2003, unless comments on the match are received that result in cancellation of the program. Subsequent matches will take place semi-annually on a recurring basis until one of the parties advises the other in writing of its intention to reevaluate, modify and/or terminate the agreement.

**ADDRESSES:** Send comments to Maurice O. Duckett, Assistant Director for RIS Support Services Program, Office of Personnel Management, Room 4H28, 1900 E. Street NW., Washington, DC 20415.

**FOR FURTHER INFORMATION CONTACT:** James Sparrow, (202) 606-1803.

**SUPPLEMENTARY INFORMATION:** The computer matching program between OPM and OWCP will involve comparison of beneficiaries under the FECA and the CSRA or the FERSA. The match will identify beneficiaries receiving payment of compensation for wage loss or death under the FECA and those receiving retirement or death benefits under the CSRA or FERS covering the same period of time.

The concurrent receipt of benefits under the FECA based on wage loss and under the CSRA or FERSA for retirement, or under the FECA, CSRA, or FERSA based on the death of a Federal employee, is prohibited. OPM has the responsibility to monitor retirement annuity and survivor benefits paid under the retirement laws to ensure that its beneficiaries are not receiving benefits under the FECA which are prohibited during receipt of benefits under the CSRA or FERSA. Similarly, it is OWCP's responsibility to ensure that Federal employees or dependents of deceased Federal employees receiving benefits under the FECA are not also receiving benefits under CSRA or FERSA which are prohibited.

By comparing the information received through this computer matching program on a regular basis, the agencies will be able to make a timely and more accurate adjustment in their benefit payments. The match will prevent overpayments, fraud and abuse, thus assuring that benefit payments are proper under the appropriate Acts.

Additional information regarding the matching program, including the authority for the program, a description of the matches, the personnel records to

be matched, security safeguards, and plans for the disposal of records following completion of the match are provided in the text below.

Office of Personnel Management

**Kay Coles James,**

*Director.*

### Matching of Records Between Office of Workers' Compensation Programs and the Office of Personnel Management

**A. Authority.** The Civil Service Retirement Act (CSRA), 5 U.S.C. 8331, *et seq*; the Federal Employees' Retirement System Act (FERSA), 5 U.S.C. 8401, *et seq*; and the Federal Employees' Compensation Act (FECA), 5 U.S.C. 8101, *et seq*.

**B. Description of Computer Matching Program.** OPM pays annuities or survivor benefits to individuals who also may receive benefits under the FECA. OPM's responsibility as the administrator of CSRA and the FERSA is to assure that such benefit payments are proper and to prevent fraud and abuse. The computer matching program is an efficient method of determining whether these individuals are receiving benefits simultaneously from both OPM and OWCP which is prohibited by law.

OWCP will provide OPM with extracts of its payment files containing data (names, social security numbers, payee relationship codes, addresses, zip codes, and payment data) needed to identify the individual and determine if he or she is receiving benefits from both organizations at the same time. OPM will match OWCP's extract of its payment files against its payment records for the same dates to determine if benefits were being paid for the same day by both agencies. OPM will provide OWCP with a list of valid matches. Both organizations will detect, identify, and follow-up on payment of prohibited dual benefits. An individual identified as receiving prohibited dual benefits will be offered an opportunity to contest the findings and proposed actions and the opportunity to elect the benefits he or she wishes to receive. This due process will be provided to the individual before any payment adjustments are made.

**C. Personnel Records to be Matched.** The respective OPM and OWCP system of records cited above, which contain payment data on beneficiaries, will be matched.

**D. Privacy Safeguards and Security.** The personal privacy of the individuals whose names are included in the tapes is protected by strict adherence to the provisions of the Privacy Act of 1974 and OMB's Guidance Interpreting the Provisions of Pub. L. 100-503, the

Computer Matching and Privacy Act of 1988 (54 FR 25818). Security safeguards include limiting access only to the files agreed to and only to agency personnel having a "need to know." All automated records will be password protected and the data listing will be locked in file areas after normal duty hours. Records matched or created by the match will be stored in an area that is physically safe from access by unauthorized persons during normal work hours and after work, or when not in use.

E. *Disposal of Records*. The files will remain the property of the respective source agencies and all records including those not containing matches will be returned to the source agency for destruction. "Hits," those records relating to matched individuals, will be disposed of in accordance with the Privacy Act and the Federal Record Schedules after serving their purpose. The data obtained from confirmed hits will be entered in the claims file, subject to release only in accordance with the provisions of the Privacy Act.

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## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

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

#### Extension:

Rule 17f-2(a) SEC File No. 270-34 OMB Control No. 3235-0034.

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") is soliciting comments on the collection 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.

Rule 17f-2(a) Fingerprinting Requirements for Securities Professionals. Rule 17f-2(a) requires that securities professionals be fingerprinted. This requirement serves to identify security risk personnel, to allow an employer to make fully informed employment decisions, and to deter possible wrongdoers from seeking employment in the securities industry. Partners, directors, officers, and employees of exchanges, brokers,

dealers, transfer agents, and clearing agencies are included.

It is estimated that approximately 10,000 respondents will submit fingerprint cards. It is also estimated that each respondent will submit 55 fingerprint cards. The staff estimates that the average number of hours necessary to comply with the Rule 17f-2(a) is one-half hour. The total burden is 275,000 hours for respondents, based upon past submissions. The average cost per hour is approximately \$50. Therefore, the total cost of compliance for respondents is \$13,750,000.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Kenneth A. Fogash, Acting Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW., Washington, DC 20549.

Dated: October 6, 2003.

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 03-25972 Filed 10-14-03; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### Issuer Delisting; Notice of Application To Withdraw From Listing and Registration on the Boston Stock Exchange, Inc. (Able Laboratories, Inc., Common Stock, \$.01 par value) File No. 1-11352

October 8, 2003.

Able Laboratories, Inc., a Delaware corporation ("Issuer"), has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d)

<sup>1</sup> 15 U.S.C. 78l(d).

thereunder,<sup>2</sup> to withdraw its Common Stock, \$.01 par value ("Security"), from listing and registration on the Boston Stock Exchange, Inc. ("BSE" or "Exchange").

On September 19, 2003, the Board of Directors ("Board") of the Issuer approved a resolution to withdraw the Security from listing on the Exchange. The Board states that it made the decision to withdraw the Security from listing and registration on the BSE because the Security has been listed to trade on the Nasdaq National Market since February 27, 2003.

The Issuer stated in its application that it has met the requirements of the BSE rules governing an issuer's voluntary withdrawal of a security from listing and registration. The Issuer's application relates solely to the Security's withdrawal from listing on the BSE and from registration under Section 12(b) of the Act<sup>3</sup> and shall not affect its obligation to be registered under Section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before October 30, 2003, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609, facts bearing upon whether the application has been made in accordance with the rules of the BSE and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**  
*Secretary.*

[FR Doc. 03-25974 Filed 10-14-03; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Rel. No. IC-26203; File No. 812-12981]

### MLIG Variable Insurance Trust and Roszel Advisors, LLC; Notice of Application

October 8, 2003.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of application for an order pursuant to Section 6(c) of the

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 78l(b).

<sup>4</sup> 15 U.S.C. 78l(g).

<sup>5</sup> 17 CFR 200.30-3(a)(1).