

distribute *information with respect to* quotations, including limit orders.<sup>8</sup>

#### 1. Section 11A(c)(1) (D) and (C)

Section 11A(c)(1)(D) of the Act<sup>9</sup> requires, among other things, that exchange members, brokers, dealers, and securities information processors be able to obtain information with respect to quotations for and transactions in securities on terms that are not unreasonably discriminatory. The Commission requests comment on whether the NYSE's proposal is consistent with this provision. Commenters are requested to address whether the restrictions on vendor re-dissemination of the data, including the prohibition on providing the full data feed and providing enhanced, integrated, or consolidated data, are unfairly discriminatory. Commenters are also asked to identify any other aspect of the proposal that may be unfairly discriminatory.

The Commission also requests comment on whether the proposal is consistent with the requirements of section 11A(c)(1)(C) of the Act,<sup>10</sup> which requires among other things, that all securities information processors be able to obtain information with respect to quotations and transactions for purposes of distribution and publication on fair and reasonable terms. Specifically, are the contract terms that restrict the use and redissemination of the OpenBook fair and reasonable?

<sup>8</sup>In 1975, Congress gave the Commission authority under section 11A to regulate information with respect to quotations, including limit orders. See S. Rep. 94-75 94th Cong., 1st Sess. 93 at 8 (1975) (stating in relevant part, "[t]here are two paramount objectives in the development of a national market system. \* \* \* And second, the centralization of *all* buying and selling interest so that each investor will have the opportunity for the best possible execution of his order regardless of where in the system it originates.") (Emphasis added); *Id.* at 9 (stating in relevant part, "[t]he regulation of securities communication systems would be accomplished under S. 249 by adding a new section 11A to the Exchange Act. This section is intended to bring under the SEC's direct jurisdiction all organizations engaged in the business of collecting, processing, or publishing information relating to quotations for, indications of interest to purchase and sell, and transactions in securities.") In 1996, the Commission adopted the customer limit order display rule to further the principles of a national market system. See Securities Exchange Act Release No. 37619A (August 29, 1996), 61 FR 48290, 48297 (September 12, 1996) (noting that "[t]he Commission has consistently recognized since 1975 that, in order to satisfy this Congressional vision, multiple-market display of limit orders was an important component for qualified securities.")

<sup>9</sup> 15 U.S.C. 78k-1(c)(D).

<sup>10</sup> 15 U.S.C. 78k-1(c)(1)(C).

#### 2. Section 11A(c)(1)(B)

Section 11A(c)(1)(B) of the Act<sup>11</sup> requires, among other things, that a SRO distribute information with respect to quotations in such a manner as to assure the prompt, accurate, reliable, and fair collection, processing, distribution, and publication of information with respect to quotations for and transactions in such securities, and the fairness and usefulness of the form and content of such information. In this regard, the Commission requests commenters' views on whether the form and content of the OpenBook data are useful and fair in light of the restrictions on the form of display (*i.e.*, the Exchange requirement that a subscriber that redisseminates the data must display it in a separate window marked NYSE Open Book).

#### 3. Other Issues

Finally, the Commission requests comment on the proposal's potential impact on competition. Specifically, the Commission requests comment on whether the proposal imposes any burden on competition that is not necessary or appropriate.<sup>12</sup> In this regard, the Commission requests commenters' views on whether the prohibition on redisseminating OpenBook in an enhanced, integrated, or consolidated form prevents vendors from competing with the NYSE.

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-NYSE-2001-42 and should be submitted by November 19, 2001.

<sup>11</sup> 15 U.S.C. 78k-1(c)(1)(B).

<sup>12</sup> See, *e.g.*, sections 6(b)(8) and (5) of the Act. 15 U.S.C. 78f(b)(8) and (5).

For the Commission, by the Division of Market Regulation, pursuant to the delegated authority.<sup>13</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 01-27131 Filed 10-26-01; 8:45 am]

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## SOCIAL SECURITY ADMINISTRATION

### President's Commission To Strengthen Social Security

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Announcement of meeting location.

**DATES:** November 9, 2001, 10 a.m.-3:30 p.m.

**ADDRESSES:** Park Hyatt Ballroom, Park Hyatt Washington, 24th at M Street NW., Washington, DC 20037, (202) 789-1234.

**SUPPLEMENTARY INFORMATION:** The October 23, 2001 **Federal Register** notice (Volume 66, Number 205, Pages 53650-53651) announcing the November 9 meeting of the President's Commission to Strengthen Social Security did not include a meeting location. The purpose of this announcement is to provide the meeting location.

The Commission will meet commencing Friday, November 9, at 10 a.m. and ending at 3:30 p.m., with a break for lunch between 1 p.m. and 2 p.m. The Commission will be deliberating on Social Security reform options, including how to administer personal accounts.

Dated: October 23, 2001.

**Michael A. Anzick,**

*Designated Federal Officer.*

[FR Doc. 01-27224 Filed 10-26-01; 8:45 am]

BILLING CODE 4191-02-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Agency Information Collection Activities Under OMB Review

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Note.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Requests (ICR) abstracted below have been forwarded to the Office

<sup>13</sup> 17 CFR 200.30-3(a)(12).

of Management and Budget (OMB) for extension of the currently approved collections. The ICR describes the nature of the information collections and the expected burdens. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on April 26, 2001, pages 2017–2138.

**DATES:** Comments must be submitted on or before November 29, 2001. A comment to OMB is most effective if OMB receives it within 30 days of publication.

**ADDRESSES:** Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW, Washington, DC 20503, Attention FAA Desk Officer.

**FOR FURTHER INFORMATION CONTACT:** Judy Street on (202) 267–9895.

**SUPPLEMENTARY INFORMATION:**

**Federal Aviation Administration (FAA)**

1. *Title:* Safety Improvement Report, Accident Prevention Counselor Activity Reports.

*Type of Request:* Extension of a currently approved collection.

*OMB Control Number:* 2120–0057.

*Forms(s)* FAA Forms 89740–5 and 8740–6.

*Affected Public:* 4,792 Individuals and Businesses.

*Abstract:* Airmen use Safety Improvement Reports to notify the FAA of Hazards to flight operations. Counselors use Accident Prevention Counselor Activity Reports to advise the FAA of accomplishments of the accident prevention program. The affected public includes pilots, airport operators, and charter and commuter aircraft operators engaging in air transportation.

*Estimated Annual Burden Hours:* 1,769 hours annually.

2. *Title:* Implementation of the Equal Access to Justice Act.

*Type of Request:* Extension of a currently approved collection.

*OMB Control Number:* 2120–0539.

*Forms(s)* NA.

*Affected Public:* Estimated 15 applicant petitioning for an award of attorney's fees and other expenses under the Equal Access to Justice Act (EAJA).

*Abstract:* The information will be used to determine whether the applicant is eligible to receive an award under the EAJA.

*Estimated Annual Burden Hours:* An estimated 600 hours annually.

3. *Title:* Office of Dispute Resolution Procedures for Protests and Contract Disputes, 14 CFR part 17.

*Type of Request:* Extension of a currently approved collection.

*OMB Control Number:* 2120–0632.

*Forms(s)* NA.

*Affected Public:* A combined estimated 40 respondents (businesses, individuals, not-for-profit institutions, and state and local governments).

*Abstract:* These are procedural requirements for the conduct of protests and contract disputes before the Office of Dispute Resolution for Acquisition. 14 CFR 17.15 and 17.25 provide the procedures for filing protests and contract claims with the ODRA. The regulations seek factual and legal information from protesters or claimants.

*Estimated Annual Burden Hours:* An estimated 820 hours annually.

*Comments are invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimates of the burden of the proposed information collection ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Dated: Issued Washington, DC, on October 16, 2001.

**Steve Hopkins,**

*Manager, Standards and Information Division, APF-100.*

[FR Doc. 01–27164 Filed 10–26–01; 8:45 am]

**BILLING CODE 4910–13–M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE–2001–86]

#### Petitions for Exemption; Summary of Petition Received

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain a petition seeking relief from specified

requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

**DATES:** Comments on petitions received must identify the petition docket number involved and must be received on or before November 8, 2001.

**ADDRESSES:** Send comments on any petition to the Docket Management System, U.S. Department of Transportation, Room Plaza 401, 400 Seventh Street, SW., Washington, DC 20590–0001. You must identify the docket number FAA–2000–XXXX at the beginning of your comments. If you wish to receive confirmation that FAA received your comments, include a self-addressed, stamped postcard.

You may also submit comments through the Internet to <http://dms.dot.gov>. You may review the public docket containing the petition, any comments received, and any final disposition in person in the Dockets Office between 9:00 a.m. and 5:00 p.m., Monday through Friday, except Federal holidays. The Dockets Office (telephone 1–800–647–5527) is on the plaza level of the NASSIF Building at the Department of Transportation at the above address. Also, you may review public dockets on the Internet at <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:**

Forest Rawls (202) 267–8033, Sandy Buchanan-Sumter (202) 267–7271, or Vanessa Wilkins (202) 267–8029, Office of Rulemaking (ARM–1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC on: October 24, 2001.

**Donald P. Byrne,**

*Assistant Chief Counsel for Regulations.*

#### Petitions for Exemption

*Docket No.:* FAA–2001–10191.

*Petitioner:* Department of the Air Force.

*Section of 14 CFR Affected:* 14 CFR 91.209(a)(1) and (b).

*Description of Relief Sought:* To permit the United States Air Force to conduct night-vision goggle lights-out training in the Alaskan military operating areas (MOA's), and selected MOA's