

to be made available to the Committee prior to the meeting.

*11:10 a.m.–11:40 a.m.: Election of ACRS Officers (Open)*

The Committee will elect Chairman and Vice Chairman for the ACRS and Member-at-Large for the Planning and Procedures Subcommittee for CY 2002.

*12:45 p.m.–7 p.m.: Discussion of Proposed ACRS Reports (Open)*

The Committee will discuss proposed ACRS reports.

#### **Saturday, December 8, 2001**

*8:30 a.m.–12:30 p.m.: Discussion of Proposed ACRS Reports (Open)*

The Committee will continue its discussion of proposed ACRS reports.

*12:30 p.m.–1 p.m.: Miscellaneous (Open)*

The Committee will discuss matters related to the conduct of Committee activities and matters and specific issues that were not completed during previous meetings, as time and availability of information permit.

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on October 3, 2001 (66 FR 50462). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Electronic recordings will be permitted only during the open portions of the meeting and questions may be asked only by members of the Committee, its consultants, and staff. Persons desiring to make oral statements should notify Dr. Sher Bahadur, ACRS, five days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman.

Information regarding the time to be set aside for this purpose may be obtained by contacting Dr. Sher Bahadur prior to the meeting. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with Dr. Sher Bahadur if such rescheduling would result in major inconvenience.

In accordance with subsection 10(d) P.L. 92-463, I have determined that it is necessary to close a portion of this meeting noted above to discuss proprietary information per 5 U.S.C. 552b(c)(4).

Further information regarding topics to be discussed, whether the meeting has been canceled or rescheduled, the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted therefor can be obtained by contacting Dr. Sher Bahadur (telephone 301-415-0138), between 7:30 a.m. and 4:15 p.m., EST.

ACRS meeting agenda, meeting transcripts, and letter reports are available for downloading or viewing on the internet at <http://www.nrc.gov/ACRSACNW>.

Videoteleconferencing service is available for observing open sessions of ACRS meetings. Those wishing to use this service for observing ACRS meetings should contact Mr. Theron Brown, ACRS Audio Visual Technician (301-415-8066), between 7:30 a.m. and 3:45 p.m., EST, at least 10 days before the meeting to ensure the availability of this service. Individuals or organizations requesting this service will be responsible for telephone line charges and for providing the equipment and facilities that they use to establish the videoteleconferencing link. The availability of videoteleconferencing services is not guaranteed.

The ACRS meeting dates for Calendar Year 2002 are provided below:

ACRS meeting No.	Meeting dates
489 .....	January 2002—No meeting.
490 .....	February 7–9, 2002.
491 .....	March 7–9, 2002.
492 .....	April 11–13, 2002.
493 .....	May 2–4, 2002.
494 .....	June 5–7, 2002.
495 .....	July 10–12, 2002.
496 .....	August 2002—No meeting.
497 .....	September 12–14, 2002.
498 .....	October 10–12, 2002.
499 .....	November 7–9, 2002.
500 .....	December 5–7, 2002.

Dated: November 19, 2001.

**Andrew L. Bates,**

*Advisory Committee Management Officer.*

[FR Doc. 01-29365 Filed 11-23-01; 8:45 am]

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## **UNITED STATES POSTAL SERVICE**

### **Board of Governors; Sunshine Act Meeting**

**TIMES AND DATES:** 12:30 p.m., Monday, December 3, 2001; 8:30 a.m., Tuesday, December 4, 2001; and 10:00 a.m., Tuesday, December 4, 2001.

**PLACE:** Washington, D.C., at U.S. Postal Service Headquarters, 475 L'Enfant

Plaza, S.W., in the Benjamin Franklin Room.

**STATUS:** December 3 (Closed); December 4—8:30 a.m. (Open); 10:00 a.m. (Closed).

#### **MATTERS TO BE CONSIDERED:**

*Monday, December 3—12:30 p.m. (Closed)*

1. Audit and Finance Committee Report and Review of Year-End Financial Statements.
2. Notes to the Financial Statements.
3. Financial Performance.
4. Pay for Performance Program.
5. Strategic Planning.
6. Personnel Matters and Compensation Issues.

*Tuesday, December 4—8:30 a.m. (Open)*

1. Minutes of the Previous Meetings, November 5–6, and November 13 and 15, 2001.
2. Remarks of the Postmaster General/Chief Executive Officer.
3. Fiscal Year 2001 Audited Financial Statements.
4. Final Fiscal Year 2003 Appropriations Request.
5. Updates on Time and Attendance Collection System (TACS).
6. Tentative Agenda for the January 7–8, 2002, meeting in Washington, D.C.

*Tuesday, December 4—10:00 a.m. (Closed)*

1. Continuation of Monday's Closed Agenda.

**CONTACT PERSON FOR MORE INFORMATION:** David G. Hunter, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, S.W., Washington D.C. 20260-1000. Telephone (202) 268-4800.

**David G. Hunter,**  
*Secretary.*

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## **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:

Regulation S, OMB Control No. 3235-0357, SEC File No. 270-315  
Rule 13e-3 and Schedule 13E-3, OMB Control No. 3235-0007, SEC File No. 270-1  
Form 12b-25, OMB Control No. 3235-0058—, SEC File No. 270-71

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") has submitted to the Office of Management and Budget requests for extension of the previously approved collections of information discussed below.

Regulation S governs offers and sales of securities made outside the United States without registration under the Securities Act of 1933 (Securities Act). The purpose of Regulation S is to provide clarification of the extent to which section 5 of the Securities Act applies to sales and resales of securities outside of the United States. Regulation S is assigned one burden hour for administrative convenience.

Rule 13e-3 prescribes the filing, disclosure and dissemination requirements in connection with a going private transaction by an issuer or an affiliate. Schedule 13E-3 provides shareholders and the marketplace with information concerning going private transactions that is important in determining how to respond to such transactions. The information collected permits verification of compliance with securities laws requirements and ensures the public availability and dissemination of the collected information. This information is made available to the public. Information provided on Schedule 13E-3 is mandatory. Approximately 300 issuers file Schedule 13E-3 annually and it takes approximately 137.25 hours per response for a total of 41,175 annual burden hours. It is estimated that 25% of the 41,175 total burden hours (10,294 burden hours) is prepared by the company.

Form 12b-25 provides notice to the Commission and the marketplace that a public company will be unable to timely file a required periodic report. The purpose of Form 12b-25 collection of information is to aid in the development of, and to ensure the maintenance of fair markets, in the securities of publicly held companies. The information required is filed on occasion and is mandatory. All information is provided to the public for review. Publicly held companies file Form 12b-25. Approximately 6,000 issuers file Form 12b-25 and it takes approximately 2.5 hours per response for a total of 15,000 burden hours.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Written comments regarding the above information should be directed to

the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503; and (ii) Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, DC 20549. Comments must be submitted to OMB within 30 days of this notice.

Dated: November 16, 2001.

**Margaret H. McFarland,**

*Deputy Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45071; File No. SR-Amex-2001-27]

### Self-Regulatory Organizations; Order Approving Proposed Rule Change and Notice of Filing and Order Granting Accelerated Approval to Amendment No. 2 to the Proposed Rule Change Filed by the American Stock Exchange LLC Relating to the Prohibition on the Entry of Certain Limit Orders and Electronically Generated Orders Into the Exchange's Order Routing System

November 16, 2001.

#### I. Introduction

On May 4, 2001, the American Stock Exchange LLC ("Amex" or "Exchange") submitted to the Securities and Exchange Commission ("SEC" or "Commission"), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934<sup>1</sup> and rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to restrict the entry of certain limit orders and electronically generated orders into the Exchange's Order Routing System. On July 16, 2001, the Exchange submitted Amendment No. 1 to the proposal.<sup>3</sup> The proposed rule change, including Amendment No. 1, was published for comment in the **Federal Register** on August 3, 2001.<sup>4</sup> The Commission received one comment letter on the proposal.<sup>5</sup> On August 31, 2001 the

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> See letter from Claire McGrath, Vice President and Special Counsel, Amex, to Nancy Sanow, Assistant Director, Division of Market Regulation ("Division"), Commission, dated July 13, 2001 ("Amendment No. 1").

<sup>4</sup> See Securities Exchange Act Release No. 44594 (July 26, 2001), 66 FR 40755.

<sup>5</sup> See letter from Joel Greenberg, Managing Director, Susquehanna International Group, Inc. to

Exchange filed Amendment No. 2 to the proposed rule change.<sup>6</sup>

#### II. Description of the Proposal

The Exchange is proposing to amend Amex Rules 1000, 1000A and 1200 to adopt restrictions on the entry of orders for the following equity derivative products: PDRs, such as Standard & Poors Depository Receipts ("SPDRS"), DIAMONDS and Nasdaq 100 Tracking Stock ("QQQ"); IFs, such as I-Shares; and TIRs such as Holding Company Depository Receipts ("HOLDRS"). Specifically, the proposed amendments would restrict the entry of certain limit orders and orders that are created and communicated electronically without manual input into the Exchange's electronic order routing and delivery system (Amex Order File—"AOF"), which routes orders of up to 99,900 shares of each equity derivative to the Exchange's electronic order execution and processing systems (*i.e.*, Point of Sale Specialist's Book), under certain circumstances as described below.

##### a. Limit Orders

Under the proposed rules, members, acting as either principal or agent, would be prohibited from entering limit orders for PDFs, IFs, or TIRs into the electronic order routing system if such orders are for the account or accounts of the same or related beneficial owners, and the limit orders are entered in such a manner that the member or the beneficial owner effectively is operating as a market maker by holding itself out as willing to buy and sell such securities on a regular or continuous basis. The proposed rules provide that, in determining whether a member or beneficial owner effectively is operating as a market maker, the Exchange would consider, among other things, the simultaneous or near-simultaneous entry of limit orders to buy and sell the same security; the multiple acquisition and liquidation of positions in the security during the same day; and the entry of multiple limit orders at different prices in the same security.

##### b. Electronically Created and Communicated Orders

The Exchange also proposes to adopt rules that prohibit members from

Jonathan G. Katz, Secretary, Commission, dated August 16, 2001 ("SIG Letter").

<sup>6</sup> See letter from Claire McGrath, Vice President and Special Counsel, Amex, to Nancy Sanow, Assistant Director, Division, Commission, dated August 31, 2001 ("Amendment No. 2"). In Amendment No. 2, the Exchange amended the proposed rule text to clarify that the Exchange maintains separate automatic execution systems or Portfolio Depository Receipts ("PDRs"), Index Fund Shares ("IFs"), and Trust Issue Receipts ("TIRs").