

the principal office of the NASD. All submissions should refer to File No. SR-NASD-2001-78 and should be submitted by November 29, 2001.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁴

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 01-28082 Filed 11-7-01; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45012; File No. SR-NYSE-2001-29]

Self-Regulatory Organizations; Order Approving Proposed Rule Change by the New York Stock Exchange, Inc. Eliminating the Exchange's Discretion To Exempt Relief Specialists From Registration and Approval

November 2, 2001.

On August 21, 2001, the New York Stock Exchange, Inc. ("NYSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission"), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to eliminate the Exchange's discretion to exempt relief specialists from registration and approval requirements. Specifically, the proposed rule change would amend NYSE Rule 103 (Registration of Specialists) to delete the provision that grants the Exchange the discretion to exempt relief specialists from registration and approval requirements.

According to the NYSE, the provision in NYSE Rule 103 is unnecessary because NYSE Rule 104.15 requires regular specialists to either (1) be associated with other members also registered as regular specialists in the same stocks and arrange for at least one member of the group to be in attendance during the hours when the Exchange is open for business, or (2) arrange for the registration by at least one other member as relief specialist, who would always be available, in the regular specialist's absence, to take over the book and to service the market, so that there would be no interruption of the continuity of service during the hours when the Exchange is open for business.³

The proposed rule change was published for comment in the **Federal Register** on September 27, 2001.⁴ The Commission received no comments on the proposal.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange⁵ and, in particular, the requirements of section 6 of the Act.⁶ The Commission finds that the proposed rule change is consistent with section 6(b)(5) of the Act,⁷ which requires, among other things, that the rules of an exchange promote just and equitable principles of trade and in general to protect investors and the public interest. Specifically, the Commission believes that the proposal should ensure that only qualified persons act as specialists because it requires all specialists to comply with registration and approval requirements. In addition, the provisions of NYSE Rule 104.15 will ensure that specialist firms always have a relief specialist who meets the registration and approval requirements of NYSE Rule 103 available to take over the book if necessary at any time. Accordingly, the provisions of NYSE Rule 104.15 make the exemption provided for in NYSE Rule 103 unnecessary.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,⁸ that the proposed rule change (SR-NYSE-2001-29) be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁹

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 01-28080 Filed 11-7-01; 8:45 am]

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Jennifer Lewis, Attorney, Division of Market Regulation, Commission, on October 29, 2001.

⁴ See Securities Exchange Act Release No. 44825 (September 20, 2001), 66 FR 49442.

⁵ In approving this proposal rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁶ 15 U.S.C. 78f.

⁷ 15 U.S.C. 78f(b)(5).

⁸ 15 U.S.C. 78s(b)(2).

⁹ 17 CFR 200.30-3(a)(12).

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

African Growth and Opportunity Act Implementation Subcommittee of the Trade Policy Staff Committee; Extension of Deadline for the Submission of Public Comments on Annual Review of Country Eligibility for Benefits Under the African Growth and Opportunity Act, Title I of the Trade and Development Act of 2000 via Electronic Mail or Facsimile

ACTION: Extension of deadline for submission of comments via E-mail or Fax.

SUMMARY: The African Growth and Opportunity Act Implementation Subcommittee of the Trade Policy Staff Committee (the "Subcommittee") is extending the deadline for the submission of public comments via fax or e-mail for the annual review of the eligibility of sub-Saharan African countries to receive the benefits of the African Growth and Opportunity Act ("AGOA") from November 6, 2001, to November 14, 2001.

DATES: The deadline for comments is November 14, 2001.

FOR FURTHER INFORMATION CONTACT: Office of African Affairs, Office of the United States Trade Representative, 600 17th Street, NW, Room 501, Washington DC 20508. Telephone (202) 395-9514.

SUPPLEMENTARY INFORMATION: On October 17, 2001, the Subcommittee published in the **Federal Register** an extension of the deadline for the submission of written public comments for the annual review of the eligibility of sub-Saharan African countries to receive the benefits of AGOA ("Federal Register notice"). See, 66 FR 52825. According to the **Federal Register** notice, the deadline for the submission of all written comments was extended to November 6, 2001.

Since the week prior to the publication of the **Federal Register** notice, all mail delivery to the Office of the United States Trade Representative has been halted due to concerns of possible biological contamination, and it is unclear when deliveries will resume. Consequently, the Subcommittee is hereby extending the deadline for the submission of comments once again until not later than November 14, 2001, in order to permit Parties additional time to submit their comments via electronic mail ("e-mail") or facsimile ("fax"). Even if a Party has sent its comments via the United States Postal Service or any other delivery service, USTR recommends assuming that they have

¹⁴ 17 CFR 200.30-3(a)(12).

¹⁵ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Telephone conversation between Melvin Hanton, Senior Special Counsel, NYSE, and

not been received by USTR and re-submitting the comments via e-mail or fax.

Parties should refer to the original request for comments, published in the **Federal Register** on September 25, 2001, for an explanation of AGOA, the AGOA eligibility requirements, and a list of current beneficiary and non-beneficiary countries. *See*, 66 FR 49059. Submissions via e-mail should be sent to FR0003@ustr.gov; submissions via fax should be sent to (202) 395-4505.

Carmen Suro-Bredie,

Chair, Trade Policy Staff Committee.

[FR Doc. 01-28223 Filed 11-6-01; 2:23 pm]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[STB Finance Docket No. 34047 (Sub-No. 1)]

Kansas & Oklahoma Railroad, Inc.- Trackage Rights Exemption-Central Kansas Railway, L.L.C.

AGENCY: Surface Transportation Board, DOT.

ACTION: Notice of exemption.

SUMMARY: The Board, under 49 U.S.C. 10502, exempts the trackage rights described in STB Finance Docket No. 34047¹ to permit the trackage rights to expire, as they relate to the operations extending near Garden Plains and Wichita, on the date that CKR certifies the completion of a line-relocation project near Kingman, KS, and a line-rehabilitation project between Wichita and Kingman, via Conway Springs, KS.²

DATES: This exemption is effective on November 8, 2001. Petitions to reopen must be filed by November 28, 2001.

ADDRESSES: An original and 10 copies of all pleadings referring to STB Finance Docket No. 34047 (Sub-No. 1) must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In

¹ On May 25, 2001, K&O filed a notice of exemption under the Board's class exemption procedures at 49 CFR 1180.2(d)(7). The notice covered the trackage rights agreement by Central Kansas Railway, L.L.C. (CKR) to grant temporary overhead trackage rights to K&O over CKR track located between CKR milepost 19.5, near Garden Plain, KS, and CKR milepost 3.5, at Wichita, KS, a distance of 16 miles. *See Kansas & Oklahoma Railroad, Inc.—Trackage Rights Exemption—Central Kansas Railway, L.L.C.*, STB Finance Docket No. 34047 (STB served June 12, 2001).

² K&O has indicated that it currently expects to have the relocation and rehabilitation projects completed and to cease operating over CKR's line some time in October 2001.

addition, a copy of all pleadings must be served on petitioner's representative Karl Morell, Esq., BALL JANI LLP, 1455 F Street, NW., Suite 225, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT:

Joseph H. Dettmar, (202) 565-1600. (TDD for the hearing impaired: 1 (800) 877-8339.)

SUPPLEMENTARY INFORMATION:

Additional information is contained in the Board's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: D 2 D Legal, Suite 405, 1925 K Street, NW., Washington, DC 20006. Telephone: (202) 293-7776. (Assistance for the hearing impaired is available through TDD services 1 (800) 877-8339.)

Board decisions and notices are available on our website at www.stb.dot.gov.

Decided: November 1, 2001.

By the Board, Chairman Morgan, Vice Chairman Clyburn, and Commissioner Burkes.

Vernon A. Williams,

Secretary.

[FR Doc. 01-27952 Filed 11-7-01; 8:45 am]

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DEPARTMENT OF VETERANS AFFAIRS

[OMB Control No. 2900-0605]

Proposed Information Collection Activity: Proposed Collection; Comment Request

AGENCY: Office of General Counsel, Department of Veterans Affairs.

ACTION: Notice.

SUMMARY: The Office of General Counsel (OGC), Department of Veterans Affairs (VA), is announcing an opportunity for public comment on the proposed collection of certain information by the agency. Under the Paperwork Reduction Act (PRA) of 1995, Federal agencies are required to publish notice in the **Federal Register** concerning each proposed collection of information, including each proposed extension of a currently approved collection, and allow 60 days for public comment in response to the notice. This notice solicits comments on information needed to determine applicants' eligibility for accreditation as claims agents.

DATES: Written comments and recommendations on the proposed collection of information should be received on or before January 7, 2002.

ADDRESSES: Submit written comments on the collection of information to

Martin J. Sendek (022C), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420 or e-mail: martin.sendek@mail.va.gov. Please refer to "OMB Control No. 2900-0605" in any correspondence.

FOR FURTHER INFORMATION CONTACT:

Martin J. Sendek at (202) 273-6325 or FAX (202) 273-6404.

SUPPLEMENTARY INFORMATION: Under the PRA of 1995 (Public Law 104-13; 44 U.S.C., 3501-3520), Federal agencies must obtain approval from the Office of Management and Budget (OMB) for each collection of information they conduct or sponsor. This request for comment is being made pursuant to section 3506(c)(2)(A) of the PRA.

With respect to the following collection of information, OGC invites comments on: (1) Whether the proposed collection of information is necessary for the proper performance of OGC's functions, including whether the information will have practical utility; (2) the accuracy of OGC's estimate of the burden of the proposed collection of information; (3) ways to enhance the quality, utility, and clarity of the information to be collected; and (4) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or the use of other forms of information technology.

Title: Application for Accreditation as a Claims Agent, VA Form 21a.

OMB Control Number: 2900-0605.

Type of Review: Extension of a currently approved collection.

Abstract: Applicants for accreditation as claims agents to represent benefit claimants before the VA are required to file VA Form 21a with VA Office of General Counsel to establish initial eligibility for accreditation. The information requested includes basic identifying information, information concerning past representation, military service, employment, criminal activity and mental health and is necessary to establish that statutory and regulatory eligibility requirement; e.g., good character and reputation are met. The form further ensures that VA has the information necessary to make decisions concerning an applicant's potential eligibility for accreditation as a claims agent.

Affected Public: Individuals and households.

Estimated Annual Burden: 15 hours.

Estimated Average Burden Per

Respondent: 45 minutes.

Frequency of Response: On occasion.

Estimated Number of Respondents: 20.