

less than or equal to three-to-one will help market participants to tailor their positions more precisely to implement their trading and hedging strategies. Because of concerns that a higher ratio could provide market participants with a means to enter a ratio order that was designed primarily to gain priority over orders on the limit order book or in the trading crowd, rather than to effectuate a bona fide trading or hedging strategy, the Commission would need to examine closely any proposal to provide a higher ratio for ratio orders and would be concerned about whether such a proposal would be consistent with investor protection and the public interest under the Act.<sup>11</sup>

#### IV. Conclusion

*It is therefore ordered*, pursuant to section 19(b)(2) of the Act,<sup>12</sup> that the proposed rule change (SR-CBOE-2003-07), as amended, is approved.

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

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

[FR Doc. 03-30250 Filed 12-4-03; 8:45 am]  
BILLING CODE 8010-01-P

#### SECURITIES AND EXCHANGE COMMISSION

[(Release No. 34-48854; File No. SR-NASD-2003-135)]

#### Self-Regulatory Organizations; Order Approving Proposed Rule Change and Amendment No. 1 Thereto by the National Association of Securities Dealers, Inc. To Aggregate Odd-Lot Amounts for Display in SuperMontage Under Certain Circumstances

November 28, 2003.

On August 28, 2003, the National Association of Securities Dealers, Inc. ("NASD"), through its subsidiary, The Nasdaq Stock Market, Inc. ("Nasdaq") submitted to the Securities and Exchange Commission ("Commission"), pursuant to section 19(b)(1) of the Securities Exchange Act of 1934

("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to aggregate odd-lot share amounts inside the inside spread for display purposes via the SIZE MMID. On October 20, 2003, Nasdaq filed Amendment No. 1 to the proposed rule change.<sup>3</sup> The **Federal Register** published the proposed rule change, as amended, for comment on October 28, 2003.<sup>4</sup> The Commission received no comments on the proposal.

The Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities association<sup>5</sup> and, in particular, the requirements of section 15A of the Act<sup>6</sup> and the rules and regulations thereunder. The Commission notes that the proposed rule change, as amended, permits Nasdaq to aggregate odd-lots for display purposes that better the Nasdaq inside market and that combined equal or are larger than one round lot, thus increasing transparency and providing investors with greater price information. Therefore, the Commission finds the proposed rule change is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest, consistent with section 15A(b)(6) of the Act.<sup>7</sup> As proposed by Nasdaq, the proposed rule change will be effective on December 8, 2003.

*It is therefore ordered*, pursuant to section 19(b)(2) of the Act,<sup>8</sup> that the proposed rule change, as amended, (SR-NASD-2003-135) be, and it hereby is, approved.

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

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

<sup>3</sup> See letter from Mary M. Dunbar, Vice President and Deputy General Counsel, Nasdaq, to Katherine A. England, Assistant Director, Division of Market Regulation, Commission, dated October 17, 2003 ("Amendment No. 1"). Amendment No. 1 replaced and superseded the original proposed rule change in its entirety.

<sup>4</sup> See Securities Exchange Act Release No. 48671 (October 21, 2003), 68 FR 61531.

<sup>5</sup> In approving this proposed 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).

<sup>6</sup> 15 U.S.C. 78o-3.

<sup>7</sup> 15 U.S.C. 78o-3(b)(6).

<sup>8</sup> 15 U.S.C. 78s(b)(2).

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

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

[FR Doc. 03-30251 Filed 12-4-03; 8:45 am]  
BILLING CODE 8010-01-P

#### SMALL BUSINESS ADMINISTRATION

#### Region IX Regulatory Fairness Board; Public Federal Regulatory Enforcement Fairness Roundtable

The Small Business Administration Region IX Regulatory Fairness Board and the SBA Office of the National Ombudsman will hold a Public Roundtable on Thursday, December 4, 2003 at 1 p.m. at the SETA Headquarters, Board Room, 925 Del Paso Boulevard, Sacramento, CA 95815, to provide small business owners and representatives of trade associations with an opportunity to share information concerning the federal regulatory enforcement and compliance environment.

Anyone wishing to attend or to make a presentation must contact Robert Stitt in writing or by fax, in order to be put on the agenda. Robert Stitt, SBA Sacramento District Office, 650 Capital Mall, Suite 7-500, Sacramento, CA 95814, phone (916) 930-3722, fax (916) 930-3736 or (202) 481-5298, e-mail: [Robert.Stitt@sba.gov](mailto:Robert.Stitt@sba.gov).

For more information, see our Web site at <http://www.sba.gov/ombudsman>.

Dated: December 1, 2003.

**Peter Sorum,**

*National Ombudsman (Acting).*

[FR Doc. 03-30209 Filed 12-4-03; 8:45 am]  
BILLING CODE 8025-01-P

#### DEPARTMENT OF STATE

[Public Notice 4549]

#### 60-Day Notice of Proposed Information Collection: DS-2028 Overseas Schools—Grant Status Report; OMB Control Number 1405-0033

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. This process is conducted in accordance

<sup>9</sup> 17 CFR 200.30-3(a)(12).

<sup>11</sup> In this regard, the Commission notes that one exchange stated that a proposed three-to-one cap on the ratio for foreign currency option orders "would prevent a trader seeking priority over an order on the book or in the crowd from restating an order as a ratio order. For example, such a cap would prevent a trader from recasting an order to buy 100 calls and sell one out-of-the-money put." See Securities Exchange Act Release No. 25503 (March 23, 1988), 53 FR 10323 (March 30, 1988) (order approving File No. SR-PHLX-87-33).

<sup>12</sup> 15 U.S.C. 78s(b)(2).

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

with the Paperwork Reduction Act of 1995.

The following summarizes the information collection proposal to be submitted to OMB:

*Type of Request:* An extension of a currently approved collection.

*Originating Office:* A/OPR/OS.

*Title of Information Collection:*

Overseas Schools "Grant Status Report.

*Frequency:* Annually.

*Form Number:* DS-2028.

*Respondents:* Overseas school grantees.

*Estimated Number of Respondents:* 185.

*Average Hours Per Response:* 15 minutes.

*Total Estimated Burden:* 46.25.

Public comments are being solicited to permit the agency to:

- Evaluate whether the proposed information collection is necessary for the proper performance of the functions of the agency.

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the reporting burden on those who are to respond, including through the use of automated collection techniques or other forms of technology.

**FOR FURTHER INFORMATION CONTACT:**

Public comments, or requests for additional information, regarding the collection listed in this notice should be directed to Keith D. Miller, Department of State, Office of Overseas Schools, Room H328 SA-1, Washington, DC 20522-0132 who may be reached on 202-261-8200.

Dated: December 1, 2003.

**Peggy M. Philbin,**

*Executive Director, Bureau of Administration, Department of State.*

[FR Doc. 03-30275 Filed 12-4-03; 8:45 am]

**BILLING CODE 4710-24-P**

## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[Docket No. NHTSA-2003-16356]

#### Extension of Comment Period on Whether Nonconforming 2002 and 2003 Ferrari 575 Passenger Cars Are Eligible for Importation

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), DOT.

**ACTION:** Extension of comment period.

**SUMMARY:** This document announces the extension of the comment period on a petition for NHTSA to decide that 2002 and 2003 Ferrari 575 passenger cars that were not originally manufactured to comply with all applicable Federal motor vehicle safety standards are eligible for importation into the United States.

**DATES:** The closing date for comments on the petition is December 12, 2003.

**ADDRESSES:** Comments are to be submitted to: Docket Management, Room PL-401, 400 Seventh Street SW., Washington, DC 20590. Docket hours are from 9 am to 5 pm. Anyone is able to search the electronic form of all comments received into any of our dockets by the name of the individual submitting the document (or signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (Volume 65, Number 70; Pages 19477-787) or you may visit <http://dms.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Coleman Sachs, Office of Vehicle Safety Compliance, NHTSA (202) 366-3151.

**SUPPLEMENTARY INFORMATION:** On October 28, 2003, NHTSA published a notice (at 68 FR 61549) that it had received a petition to decide that nonconforming 2002 and 2003 Ferrari 575 passenger cars are eligible for importation into the United States. The notice solicited public comments on the petition and stated that the closing date for comments is November 28, 2003.

This is to notify the public that NHTSA is extending the comment period until December 12, 2003. This extension is based on a request from Ferrari North America, Inc. (FNA), the U.S. representative of the vehicle's manufacturer, Ferrari, SpA. In requesting the extension, FNA that "the employee of Ferrari SpA who has, among other duties, principal responsibility for technical analysis of importation eligibility petitions has been traveling on company business and therefore has not yet provided FNA with the information needed by FNA to prepare comments in the proceeding." FNA contended that the requested 2-week extension of the comment period "will not prejudice the parties or unduly delay the proceeding."

NHTSA has granted FNA's request. All comments received before the close of business on the closing date indicated above will be considered, and will be available for examination in the docket at the above address both before and after that date. To the extent possible,

comments filed after the closing date will also be considered. Notice of final action on the petition will be published in the **Federal Register** pursuant to the authority indicated below.

**Authority:** 49 U.S.C. 30141(a)(1)(A) and (b)(1); 49 CFR 593.8; delegations of authority at 49 CFR 1.50 and 501.8.

Issued on: December 2, 2003.

**Kenneth N. Weinstein,**

*Associate Administrator for Enforcement.*

[FR Doc. 03-30279 Filed 12-4-03; 8:45 am]

**BILLING CODE 4910-59-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34424]

#### Canadian National Railway Company and Grand Trunk Corporation—Control—Duluth, Missabe and Iron Range Railway Company, Bessemer and Lake Erie Railroad Company, and The Pittsburgh & Conneaut Dock Company

**AGENCY:** Surface Transportation Board, DOT.

**ACTION:** Decision No. 2 in STB Finance Docket No. 34424; Notice of Acceptance of Primary Application and Related Filings; Issuance of Procedural Schedule.<sup>1</sup>

**SUMMARY:** The Surface Transportation Board (Board) is accepting for consideration the primary application and related filings filed November 5, 2003, by Canadian National Railway Company (CNR, a rail carrier that controls several rail carrier subsidiaries) and Grand Trunk Corporation (GTC, a noncarrier holding company through which CNR controls its U.S. rail carrier subsidiaries). CNR and GTC are referred to collectively as CN or as applicants. The primary application seeks Board approval and authorization under 49

<sup>1</sup> This decision covers: the railroad control application filed in STB Finance Docket No. 34424, *Canadian National Railway Company and Grand Trunk Corporation—Control—Duluth, Missabe and Iron Range Railway Company, Bessemer and Lake Erie Railroad Company, and The Pittsburgh & Conneaut Dock Company*; the trackage rights exemption notice filed in STB Finance Docket No. 34424 (Sub-No. 1), *Duluth, Winnipeg and Pacific Railway Company—Trackage Rights—Duluth, Missabe and Iron Range Railway Company*; and the trackage rights exemption notice filed in STB Finance Docket No. 34424 (Sub-No. 2), *Duluth, Missabe and Iron Range Railway Company—Trackage Rights—Duluth, Winnipeg and Pacific Railway Company*. The railroad control application filed in STB Finance Docket No. 34424 is referred to as the "primary application." The trackage rights exemption notices filed in STB Finance Docket No. 34424 (Sub-Nos. 1 and 2) are referred to collectively as the "related filings."