

to mail to all beneficial holders the issuer's annual report and the issuer's proxy statement prior to a stockholders' meeting. Currently, Exchange rules permit member organizations to mail one copy of such material to multiple beneficial owners that have the same address so long as each beneficial owner consents thereto in writing. The practice of sending only one set of materials to multiple beneficial holders with a single address is known as "householding."

The Commission recently adopted amendments to its rules to permit companies and intermediaries to satisfy their delivery requirements for proxy statements, information statements and annual reports with respect to two or more beneficial owners sharing the same address by delivering a single copy of the documents to those beneficial owners so long as certain conditions are met including consent.⁷ Accordingly, the Exchange proposes to amend its own rules to conform to the recently amended Commission rules. Therefore, Supplementary Material to NYSE Rules 451 and 465 is proposed to be amended to specify that member organizations may household proxy statements, annual reports, interim reports and other material provided they do so in compliance with the applicable Commission rules.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b)(5)⁸ the Act, which requires, among other things, that the rules of an exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, 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.

B. Self Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange has neither solicited nor received written comments on the proposed rule change.

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as amended, 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 NYSE. All submissions should refer to File No. SR-NYSE-01-03 and should be submitted by March 26, 2001.

IV. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change

The Commission finds that the proposed rule change, as amended, is consistent with the Act and the rules and regulations thereunder applicable to a national securities exchange,⁹ and in particular the requirements of section 6(b)(5) of the Act.¹⁰ Specifically, the Commission finds that the Exchange's proposal to permit householding of annual reports, proxy statements, interim reports and other materials consistent with Commission rules promotes just and equitable of trade by eliminating conflicting regulatory obligations for NYSE members. The Commission notes that while the current NYSE rule permits householding, the NYSE requires its members to get consent in writing from beneficial owners. The Commission's recent amendments to Rule 14b-1¹¹

under the Act permits householding on an implied consent basis if certain conditions are met. Thus, as a result of this proposal, NYSE rules will conform to the Commission's requirements and NYSE members will be able to receive the benefits provided by householding to an even greater extent by utilizing implied consent. These benefits include reducing the amount of duplicative information that beneficial owners receive and lowering the printing and mailing costs for companies.

The Commission finds good cause to approve the proposal prior to the thirtieth day after the date of publication of notice of the filing in the **Federal Register**. By accelerating effectiveness of the Exchange's rule proposal, NYSE members will be able to utilize the new householding rule for the current proxy season. In addition, the Commission notes that it recently solicited comment from interested persons on its rule amendments¹² and considered the comments received when adopting the final rules.¹³ Accordingly, the Commission believes that good cause exists, consistent with sections 6(b)(5)¹⁴ and 19(b)(2)¹⁵ of the Act to approve the proposed rule change on an accelerated basis.

V. Conclusion

It Is Therefore Ordered, pursuant to section 19(b)(2) of the Act,¹⁶ that the amended proposed rule change (SR-NYSE-01-03) is hereby approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁷

Margaret H. McFarland,
Deputy Secretary.

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BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.

ACTION: Notice of reporting requirements submitted for OMB review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and

¹² See Securities Act Release No. 7767 (November 4, 1999), 64 FR 62548 (November 16, 1999) (proposing release).

¹³ See Householding Release.

¹⁴ 15 U.S.C. 78f(b)(5).

¹⁵ 15 U.S.C. 78s(b)(2).

¹⁶ 15 U.S.C. 78s(b)(2).

¹⁷ 17 CFR 200.30-3(a)(12).

⁷ See note 4 *supra*.

⁸ 15 U.S.C. 78f(b)(5).

⁹ In approving this proposal, the Commission has considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

¹⁰ 15 U.S.C. 78f(b)(5).

¹¹ 17 CFR 240.14b-1.

recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

DATES: Submit comments on or before April 4, 2001. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

ADDRESSES: Address all comments concerning this notice to: Agency Clearance Officer, Jacqueline White, Small Business Administration, 409 3rd Street, SW., 5th Floor, Washington, DC 20416; and OMB Reviewer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: Jacqueline White, Agency Clearance Officer, (202) 205-7044.

SUPPLEMENTARY INFORMATION:

Title: Financial Institution Confirmation Form.
No: 860.

Frequency: On Occasion.
Description of Respondents: SBIC Investment Companies.
Annual Responses: 1,500.
Annual Burden: 750.

Jacqueline White,

Chief, Administrative Information Branch.
[FR Doc. 01-5289 Filed 3-2-01; 8:45 am]

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SMALL BUSINESS ADMINISTRATION

Reporting and Recordkeeping Requirements Under OMB Review

AGENCY: Small Business Administration.
ACTION: Notice of Reporting Requirements Submitted for OMB Review.

SUMMARY: Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

DATES: Submit comments on or before April 4, 2001. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and

the Agency Clearance Officer before the deadline.

COPIES: Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

ADDRESSES: Address all comments concerning this notice to: Agency Clearance Officer, Jacqueline White, Small Business Administration, 409 3rd Street, S.W., 5th Floor, Washington, D.C. 20416; and OMB Reviewer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: Jacqueline White, Agency Clearance Officer, (202) 205-7044.

SUPPLEMENTARY INFORMATION:

Title: Request for Information Concerning Portfolio Financing.
No: 857.

Frequency: On Occasion.
Description of Respondents: SBIC Investment Companies.
Annual Responses: 2,160.
Annual Burden: 2,160.

Jacqueline White,

Chief, Administrative Information Branch.
[FR Doc. 01-5290 Filed 3-2-01; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Docket No. 28895]

Airport Privatization Pilot Program

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

ACTION: Notice of Receipt of Final Application of Niagara Falls International Airport, Niagara Falls, New York; Request for Comments.

SUMMARY: The Federal Aviation Administration (FAA) is seeking information and comments from interested parties on the final application by the Niagara Frontier Transportation Authority (NFTA) for participation of Niagara Falls International Airport (IAG) in the airport privatization pilot program. The final application is accepted for review.

Title 49 U.S.C. Section 47134 establishes an airport privatization pilot program and authorizes the Department of Transportation to grant exemptions from certain Federal statutory and regulatory requirements for up to five airport privatization projects. The application procedures require the FAA

to publish a notice of receipt of the final application in the **Federal Register** and accept public comment on the final application for a period of 60 days.

DATES: Comments must be received by May 4, 2001. Comments that are received after the date will be considered only to the extent possible.

ADDRESSES: The IAG final application is available for public review in the Federal Aviation Administration, Office of Chief Counsel, Attention: Rules Docket (AGC-200), Docket No. 28895, 800 Independence Avenue, SW., Washington, DC 20591. NFTA, the airport sponsor, has also made a copy of the application available at the following locations:

Buffalo & Erie County Public Library, 1 Lafayette Square, Buffalo, New York 14202, (716) 858-8900

Niagara Frontier Transportation Authority, 181 Ellicott Street, Buffalo, New York, 14203 Attn: Ruth Keating, (716) 855-7398

Earl W. Brydges Public Library, 1425 Main Street, Niagara Falls, New York 14305, (716) 286-4881

Niagara Falls International Airport, Niagara Falls Boulevard, Niagara Falls, New York 14304, (716) 297-4494

Comments on the IAG final application must be delivered or mailed, in quadruplicate, to: the Federal Aviation Administration, Office of Chief Counsel, Attention: Rules Docket (AGC-200), Docket No. #28895, 800 Independence Avenue, SW., Washington, DC 20591. All comments must be marked "Docket No. 28895". Commenters wishing the FAA to acknowledge receipt of their comments must include a preaddressed, stamped postcard on which the following statement is made: "Comments to Docket No. 28895." The postcard will be date stamped and mailed to the commenter. Comments on this Notice may be delivered or examined in room 915G on weekdays, except Federal holidays, between 8:30 a.m. and 5:00 p.m.

FOR FURTHER INFORMATION CONTACT: Kevin C. Willis, Compliance Specialist (AAS-400), (202-267-8741) Airport Compliance Division, Office of Airport Safety and Standards, Federal Aviation Administration, 800 Independence Ave. SW., Washington, DC 29591.

SUPPLEMENTARY INFORMATION: Section 149 of the Federal Aviation Administration Authorization Act of 1996, Pub. L. No. 104-264 (October 9, 1996) (1996 Reauthorization Act), added a new 47134 to Title 49 of the U.S. Code. Section 47134 authorizes the