

*General Services Administration*

Senior Advisor to the Regional Administrator, National Capital Regional. Effective October 4, 2002.

*National Mediation Board*

Confidential Assistant to the Chairman/Board Member. Effective October 25, 2002.

*Occupational Safety and Health Review Commission*

Confidential Assistant to the Member (Commissioner), Occupational Safety and Health Review Commission. Effective October 28, 2002.

Counsel to the Member (Commissioner). Effective October 28, 2002.

*Office of Management and Budget*

Confidential Assistant to the Associate Director for Administration. Effective October 31, 2002.

*Office of Science and Technology Policy*

Confidential Assistant to the Associate Director for Science. Effective October 3, 2002.

*Office of the United States Trade Representative*

Confidential Assistant to the Deputy, United States Trade Representative. Effective October 7, 2002.

Confidential Assistant to the Chief of Staff. Effective October 17, 2002.

*Overseas Private Investment Corporation*

Investment Development Associate to the Vice President for Investment Development and Economic Growth. Effective October 24, 2002.

*President's Commission on White House Fellowships*

Public Relations Coordinator to the Associate Director, President's Commission on White House Fellowships. Effective October 11, 2002.

*Securities and Exchange Commission*

Confidential Assistant to the General Counsel. Effective October 1, 2002.  
Senior Advisor to the Chairman. Effective October 11, 2002.

*Small Business Administration*

Senior Advisor to the Assistant Administrator for Congressional Affairs. Effective October 11, 2002.

*Social Security Administration*

Special Assistant to the Deputy Commissioner for Disability and Income Security Programs. Effective October 11, 2002.

**Authority:** 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954-1958 Comp., P.218.

Office of Personnel Management.

**Kay Coles James,**

*Director.*

[FR Doc. 02-29849 Filed 11-22-02; 8:45 am]

**BILLING CODE 6325-38-P**

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**SECURITIES AND EXCHANGE COMMISSION**
**Sunshine Act Meeting**

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** [67 FR 69577, November 18, 2002].

**STATUS:** Closed Meeting.

**PLACE:** 450 Fifth Street, NW., Washington, DC.

**DATE AND TIME OF PREVIOUSLY ANNOUNCED MEETING:** Wednesday, November 20, 2002, at 10 a.m.

**CHANGE IN THE MEETING:** Time Change/Additional Item.

The Closed Meeting scheduled for Wednesday, November 20, 2002 at 10 a.m. was changed to Wednesday, November 20, 2002 at 10:45 a.m.

The following item was added to the Closed Meeting scheduled for Wednesday, November 20, 2002: amicus consideration.

Commissioner Campos, as duty officer, determined that Commission business required the above change and that no earlier notice thereof was possible.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 942-7070.

Dated: November 20, 2002.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 02-30033 Filed 11-21-02; 8:45 am]

**BILLING CODE 8010-01-M**

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**SECURITIES AND EXCHANGE COMMISSION**

**[Release No. 34-46844; File No. SR-Phlx-2002-74]**

**Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Relating to the Date for Deployment of the ROT Access System**

November 18, 2002.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934

("Act"),<sup>1</sup> and rule 19b-4<sup>2</sup> thereunder, notice is hereby given that on November 8, 2002, the Philadelphia Stock Exchange, Inc. ("Exchange" or "Phlx") submitted to the Securities and Exchange Commission ("Commission") the proposed rule change as described in items I, II, and III below, which items have been prepared by the Phlx. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

**I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change**

The Phlx proposes to set forth the date of deployment of its system<sup>3</sup> designed to enable Registered Options Traders ("ROTs") to place limit orders directly onto the limit order book through electronic interface with AUTOM.<sup>4</sup>

**II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, the Phlx included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

**A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

**1. Purpose**

The purpose of the proposed rule change is to state that the Exchange will deploy its system to enable Registered Options Traders ("ROTs") and specialists on the Exchange's options floor to place limit orders directly onto the limit order book through electronic

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

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

<sup>3</sup> See Securities Exchange Act Release No. 46763 (November 1, 2002), 67 FR 68898 (November 13, 2002) (Order approving SR-Phlx-2002-04).

<sup>4</sup> AUTOM is the Exchange's electronic order delivery, routing, execution and reporting system, which provides for the automatic entry and routing of equity option and index option orders to the Exchange trading floor. Orders delivered through AUTOM may be executed manually, or certain orders are eligible for AUTOM's automatic execution feature, AUTO-X. Equity option and index option specialists are required by the Exchange to participate in AUTOM and its features and enhancements. Option orders entered by Exchange members into AUTOM are routed to the appropriate specialist unit on the Exchange trading floor.

interface with AUTOM ("ROT Access System") on November 11, 2002.

## 2. Statutory Basis

The Exchange believes the proposed rule change is consistent with section 6 of the Act<sup>5</sup> in general, and with section 6(b)(5) of the Act<sup>6</sup> in particular, in that it is designed to perfect the mechanism of a free and open market and the national market system, protect investors and the public interest and promote just and equitable principles of trade.

### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The Phlx does not believe that the proposed rule change will impose any inappropriate burden on competition.

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

No written comments were either solicited or received.

## III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the proposal effects a change in an existing order-entry or trading system of the Exchange that (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) does not have the effect of limiting the access to or availability of the system, it has become effective pursuant to section 19(b)(3)(A) of the Act<sup>7</sup> and subparagraph (f)(5) of rule 19b-4<sup>8</sup> thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

## IV. Solicitation of Comments

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-Phlx-2002-74 and should be submitted by December 16, 2002.

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

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 02-29871 Filed 11-22-02; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-46841; File No. SR-Phlx-2001-104]

### **Self-Regulatory Organizations; Order Approving Proposed Rule Change and Amendment No. 1 Thereto, and Notice of Filing and Order Granting Accelerated Approval of Amendment No. 2 Thereto, by the Philadelphia Stock Exchange, Inc. Relating to Clerks on the Exchange's Options Floor**

November 15, 2002.

On December 18, 2001, the Philadelphia Stock Exchange, Inc. ("Phlx") filed with 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<sup>2</sup> thereunder, a proposal to adopt Phlx Rule 1090, Clerks, to define and set forth permitted and prohibited activities of Clerks on the Exchange's Options Floor. On June 27, 2002, the Phlx submitted Amendment No. 1 to the proposed rule change.<sup>3</sup> On October 25, 2002, the Phlx submitted Amendment No. 2 to the proposed rule change.<sup>4</sup> On September

25, 2002, notice of the proposed rule change and Amendment No. 1 was published thereto in the **Federal Register**.<sup>5</sup> The Commission received no comments on the proposal. This order approves the proposed rule change and Amendment No. 1, accelerates approval of Amendment No. 2, and solicits comment from interested persons on Amendment No. 2.

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.<sup>6</sup> In particular, the Commission finds that the proposal is consistent with Section 6(b)(5) of the Act<sup>7</sup> 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, and, in general, to protect investors and the public interest. The Commission believes that the proposed rule change should provide guidance as to the roles and responsibilities of Clerks on the Exchange's Options Floor and should clarify the types of activities in which Clerks may and may not engage. As a result, the Commission believes that the proposed rule change should assist the Exchange in its surveillance for potential violation of Exchange rules.

The Commission finds good cause for approving Amendment No. 2 prior to the 30th day after publication of notice of filing. The Commission notes that Amendment No. 2 makes only a clarification to the proposed rule text.<sup>8</sup> Accordingly, the Commission believes that there is good cause consistent with Section 19(b)(2) of the Act<sup>9</sup> to approve Amendment No. 2 to the proposed rule change on an accelerated basis.

### **Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether Amendment No. 2 is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission,

Commission, dated October 25, 2002 ("Amendment No. 2"). In Amendment No. 2, Phlx replaces the word "person" with the word "Clerk" in proposed Commentaries .01 and .02 to proposed Phlx Rule 1090.

<sup>5</sup> See Securities Exchange Act Release No. 46505 (September 17, 2002), 67 FR 60273.

<sup>6</sup> In approving the proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>7</sup> 15 U.S.C. 78f(b)(5).

<sup>8</sup> See *supra* note 4.

<sup>9</sup> 15 U.S.C. 78f(b)(5) and 78s(b)(2).

<sup>5</sup> 15 U.S.C. 78f.

<sup>6</sup> 15 U.S.C. 78f(b)(5).

<sup>7</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>8</sup> 17 CFR 240.19b-4(f)(5)

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

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

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

<sup>3</sup> See letter from Richard S. Rudolph, Director and Counsel, Phlx, to Nancy J. Sanow, Assistant Director, Division of Market Regulation ("Division"), Commission, dated June 26, 2002 ("Amendment No. 1").

<sup>4</sup> See letter from Richard S. Rudolph, Director and Counsel, Phlx, to Frank Genco, Division,