

the order to confirm, in written format, the acceptance or rejections of such transaction.

The proposal was published for comment in the **Federal Register** on September 7, 2001.³ 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 exchange⁴ and, in particular, the requirements of section 6 of the Act⁵ and the rules and regulations thereunder. The Commission finds specifically that the proposed rule change is consistent with section 6(b)(6) of the Act⁶ in that it will provide a procedure whereby member organizations can be appropriately disciplined in those instances when a rule violation is minor in nature, but a sanction more serious than an admonition letter is appropriate. Additionally, the Commission finds the proposed rule change is consistent with the requirements of sections 6(b)(7)⁷ and 6(d)(1)⁸ of the Act. Section 6(b)(7) requires the rules of an exchange to be in accordance with the provisions of section 6(d) of the Act, and, in general, to provide a fair procedure for the disciplining of members and persons associated with members. Section 6(d)(1) requires an exchange to bring specific charges, notify such member or person of, and give him an opportunity to defend against, such charges, and keep a record, in any proceeding to determine whether a member or person associated with a member should be disciplined. Finally, the Commission finds the proposal is consistent with Rule 19d-1(c)(2)⁹ that governs minor rule violation plans.

In approving this proposal, the Commission in no way minimizes the importance of compliance with this rule, and all other rules subject to the imposition of fines under the Plan. The Commission believes that the violation of any self-regulatory organization's rules, as well as Commission rules, is a serious matter. However, in an effort to provide the Exchange with greater flexibility in addressing certain violations, the Plan provides a

reasonable means to address the rule violations that do not rise to the level of requiring formal disciplinary proceedings. The Commission expects that the NYSE will continue to conduct surveillance with due diligence, and make a determination based on its findings whether fines of more or less than the recommended amount are appropriate for violations of rules under the Plan, on a case by case basis, or if a violation requires formal disciplinary action.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,¹⁰ that the proposed rule change (SR-NYSE-2001-28) be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹¹

Margaret H. McFarland,

Deputy Secretary.

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SMALL BUSINESS ADMINISTRATION

[Declaration of Economic Injury Disaster #9N60]

State of Florida

Franklin County and the contiguous counties of Gulf, Liberty and Wakulla in the State of Florida constitute an economic injury disaster loan area as a result of a Florida Red Tide. The Florida Red Tide was confirmed on October 16, 2001 in the waters of Apalachicola Bay, which includes the coast of Franklin County. Eligible small businesses and small agricultural cooperatives without credit available elsewhere may file applications for economic injury assistance as a result of this disaster until the close of business on August 21, 2002 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 2 Office, One Baltimore Place, Suite 300, Atlanta, GA 30308.

The interest rate for eligible small businesses and small agricultural cooperatives is 4 percent.

The number assigned for economic injury for the State of Florida is 9N6000. (Catalog of Federal Domestic Assistance Program No. 59002)

Dated: November 21, 2001.

John Whitmore,

Acting Administrator.

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¹⁰ 15 U.S.C. 78s(b)(2).

¹¹ 17 CFR 200.30(a)(12).

SMALL BUSINESS ADMINISTRATION

Senior Executive Service; Performance Review Board Members

ACTION: Notice of members of the FY 2001 Performance Review Board.

SUMMARY: Section 4314(c)(4) of Title 5, U.S.C. requires each agency to publish notification of the appointment of individuals who may serve as members of that Agency's Performance Review Boards (PRB). The following have been designated to serve on the FY 2001 Performance Review Board for the U.S. Small Business Administration:

1. Susan W. Wiles, Counselor to the Administrator;
2. Alfredo Armendariz, Associate Deputy Administrator for Government Contracting and Business Development;
3. Kaaren Johnson Street, Associate Deputy Administrator for Entrepreneurial Development;
4. Michael L. Barrera, National Ombudsman;
5. Thomas Dumaresq, Acting Associate Deputy Administrator for Management and Administration;
6. Janet Tasker, Associate Administrator for Lender Oversight;
7. Judith Roussel, District Director (Chicago);
8. Jane Butler, Associate Administrator for Financial Assistance;
9. Aubrey Rogers, District Director (New York);
10. Robert Moffitt, Associate Administrator for Surety Guarantees;
11. Nancy Q. Raum, Assistant Administrator for Human Resources;
12. Richard Spence, Assistant Administrator for Congressional and Legislative Affairs;
13. Patrick J. Rhode, Associate Administrator for Communications and Public Liaison;
14. Calvin Jenkins, Acting Associate Administrator for Field Operations;
15. Jeanne Sclater, Acting Associate Deputy Administrator for Capital Access, and
16. Eric Benderson, Associate General Counsel for Litigation.

Dated: November 23, 2001.

Hector V. Barreto,

Administrator.

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SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Request and Comment Request

The Social Security Administration (SSA) publishes a list of information

³ See Securities Exchange Act Release No. 44752 (August 29, 2001), 66 FR 46853.

⁴ In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁵ 15 U.S.C. 78f.

⁶ 15 U.S.C. 78f(b)(6).

⁷ 15 U.S.C. 78f(b)(7).

⁸ 15 U.S.C. 78f(d)(1).

⁹ 17 CFR 240.19d-1(c)(2).