

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.<sup>3</sup> 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 exchange<sup>4</sup> and, in particular, the requirements of section 6 of the Act<sup>5</sup> and the rules and regulations thereunder. The Commission finds specifically that the proposed rule change is consistent with section 6(b)(6) of the Act<sup>6</sup> 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)<sup>7</sup> and 6(d)(1)<sup>8</sup> 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)<sup>9</sup> 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,<sup>10</sup> 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.<sup>11</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 01-29827 Filed 11-30-01; 8:45 am]

**BILLING CODE 8010-01-M**

## 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.*

[FR Doc. 01-29807 Filed 11-30-01; 8:45 am]

**BILLING CODE 8025-01-P**

<sup>10</sup> 15 U.S.C. 78s(b)(2).

<sup>11</sup> 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.*

[FR Doc. 01-29833 Filed 11-30-01; 8:45 am]

**BILLING CODE 8025-01-P**

## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities: Proposed Request and Comment Request

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

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

<sup>4</sup> 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).

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

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

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

<sup>8</sup> 15 U.S.C. 78f(d)(1).

<sup>9</sup> 17 CFR 240.19d-1(c)(2).

collection packages that will require clearance by the Office of Management and Budget (OMB) in compliance with Pub.L. 104-13 effective October 1, 1995. The Paperwork Reduction Act of 1995. SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology.

Written comments and recommendations regarding the information collection(s) should be submitted to the OMB Desk Officer and the SSA Reports Clearance Officer and at the following addresses:

(OMB)  
Office of Management and Budget, Attn: Desk Officer for SSA, New Executive Office Building, Room 10230, 725 17th St., NW., Washington, DC 20503  
(SSA)  
Social Security Administration, DCFAM, Attn: Reports Clearance Officer 1-A-21 Operations Bldg., 6401 Security Blvd., Baltimore, MD 21235

I. The information collections listed below will be submitted to OMB within 60 days from the date of this notice. Therefore, your comments should be submitted to SSA within 60 days from the date of this publication. You can obtain copies of the collection instruments by calling the SSA Reports Clearance Officer at 410-965-4145, or by writing to him at the address listed above.

1. Information Collections Conducted by State Disability Determination Services (DDS) on Behalf of SSA—0960-0555. The State DDSs collect certain information to administer SSA's disability program. The information collected is as follows: (1) Medical evidence of record (MER)—DDSs use MER information to determine a person's physical and/or mental status prior to making a disability determination; (2) consultative exam (CE) medical evidence—DDSs use CE medical evidence to make disability determinations when the claimant's own medical sources cannot or will not provide the information; (3) CE claimant forms—The DDSs request that claimants complete an authorization form for the release of consultative exam information to a personal physician and to complete an appointment form to confirm scheduled CE appointments; (4) CE provider information—DDSs use the CE provider information to verify medical providers' credentials and licenses

before hiring them to conduct CEs; (5) activities of daily living (ADL)—this information and other medical evidence are part of the evidentiary documentation used by the DDS's in evaluating a person's disability; and (6) pain information—this information is used by the DDSs to assess the effects of symptoms on functionality for determining disability. The respondents are medical providers, other sources of MER and disability claimants.

**(1) MER (Respondents—Medical Providers and Other Sources)**

*Number of Responses:* 6,052,494  
*Frequency of Response:* Unknown  
*Average Burden Per Response:* 15 minutes  
*Estimated Annual Burden:* 1,513,124

**(2) CE Medical Evidence (Respondents—Medical Providers)**

*Number of Responses:* 1,640,269  
*Frequency of Response:* Unknown  
*Average Burden Per Response:* 30 minutes  
*Estimated Annual Burden:* 820,135 hours

**(3) CE Forms (Respondents—Claimants)**

	Appointment form	Medical release
Number of Respondents:	820,134 .....	1,640,269.
Frequency of Response:	1 .....	1.
Average Burden Per Response:	5 minutes .....	5 minutes.
Estimated Annual Burden:	68,345 hours	136,689 hours.

**(4) CE Providers (Respondents—Medical Providers)**

*Number of Responses:* 3,000  
*Frequency of Response:* 1  
*Average Burden:* 20 minutes  
*Estimated Annual Burden:* 1,000 hours

**(5) ADL (Respondents—Claimants)**

*Number of Responses:* 2,000,000  
*Frequency of Response:* 1  
*Average Burden Per Response:* 15 minutes  
*Estimated Annual Burden:* 500,000 hours

**(6) Pain (Respondents—Claimants)**

*Number of Responses:* 1,000,000  
*Frequency of Response:* 1  
*Average Burden Per Response:* 15 minutes  
*Estimated Average Burden:* 250,000 hours

2. Application for U.S. Benefits Under the Canada-U.S. International Agreement—0960-0371. The information collected on Form SSA-1294 is used to determine entitlement to benefits. The respondents are individuals who live in Canada and file for U.S. Social Security Benefits.

*Number of Respondents:* 1,000  
*Frequency of Response:* 1  
*Average Burden Per Response:* 15 minutes

*Estimated Annual Burden:* 250 hours

3. Disability Hearing Officer's Report of Disability Hearing (DC)—0960-0507. The information collected on form SSA-1204-BK is used by the Disability Hearing Officer (DHO) to conduct and document disability hearings, and to provide a structured format that concerns all conceivable issues relating supplemental security income claims for disabled children. The completed form SSA-1204-BK will aid the DHO in preparing the disability decision and will provide a record of what transpired at the hearing.

The respondents are DHO's in the State Disability Determination Services.

*Number of Respondents:* 100,000  
*Frequency of Response:* 1  
*Average Burden Per Response:* 60 minutes

*Estimated Annual Burden:* 100,000 hours

4. Statement of Death by Funeral Director—0960-0142. The Social Security Administration (SSA) uses the information on form SSA-721 to make timely and accurate decisions based on a report of death. The respondents are funeral directors with knowledge of the fact of death.

*Number of Respondents:* 1,059,400  
*Frequency of Response:* 1  
*Average Burden Per Response:* 4 minutes

*Estimated Annual Burden:* 70,627 hours

5. Statement Regarding Marriage—0960-0017. Form SSA-753 elicits information from third parties to verify the applicant's statements about intent, cohabitation, and holding out to the public as married, which are the basic tenets of a common-law marriage. The responses are used by SSA to determine if a valid marital relationship exists and to make an accurate determination regarding entitlement to spouse/widow(er) benefits. The respondents are individuals who are familiar with and can provide confirmation of an applicant's common-law marriage.

*Number of Respondents:* 40,000  
*Frequency of Response:* 1  
*Average Burden Per Response:* 9 minutes

*Estimated Annual Burden:* 6,000

6. Quarterly Statistical Report on Recipients and Payments Under State-Administered Assistance Programs for Aged, Blind, and Disabled (Individuals and Couples) Recipients—0960-0130. The information collected on Form SSA-9741 is used by States to provide statistical data on recipients and assistance payments under the SSI State-administered State Supplementation Programs. The data are needed to complement information available for the programs administered by SSA and to fully explain the impact of the public income support programs on the needy, aged, blind, and disabled. The respondents are State agencies who administer supplementary payment programs under SSI.

*Number of Respondents:* 30

*Frequency of Response:* 4

*Average Burden Per Response:* 60 minutes

*Estimated Annual Burden:* 2 hours

II. The information collections listed below have been submitted to OMB for clearance. Your comments on the information collections would be most useful if received by OMB and SSA within 30 days from the date of this publication. You can obtain a copy of the OMB clearance packages by calling the SSA Reports Clearance Officer on (410) 965-4145, or by writing to him at the address listed above.

1. Modified Benefits Formula Questionnaire, Employer—0960-0477. Form SSA-58 is used by SSA to verify or disprove a claimant's allegation regarding a pension based on non-covered employment after 1956. It also shows whether that claimant was eligible for the pension before 1986. The respondents are persons who are eligible (after 1985) for both Social Security benefits and a pension from their employer, based on work not covered by SSA.

*Number of Respondents:* 30,000

*Frequency of Response:* 1

*Average Burden Per Response:* 20 minutes

*Estimated Annual Burden:* 10,000 hours

2. Application for Survivors Benefits—0960-0062. The information collected on Form SSA-24 is needed to satisfy the "Jointly Prescribed Application" of title 38 U.S.C. 5105. The provision requires that survivors who file with SSA or the VA shall be deemed to have filed with both agencies, and that each agency's forms must request information to constitute an application for both SSA and VA benefits. The respondents are survivors of military service veterans filing for Social Security benefits.

*Number of Respondents:* 3,200

*Frequency of Response:* 1

*Average Burden Per Response:* 15 minutes

*Estimated Annual Burden:* 800 hours

3. Medical Report (Individual With Childhood Impairment)—0960-0102. The information on Form SSA-3827-BK is needed to determine the claimant's physical and mental status prior to making a childhood disability determination. The respondents are medical sources.

*Number of Respondents:* 12,000

*Frequency of Response:* 1

*Average Burden Per Response:* 30 minutes

*Estimated Annual Burden:* 6,000 hours

4. Work Activity Report (Self-Employed)—0960-0598. Form SSA-820-F4 is used to determine whether work an individual performs in self-employment is at the substantial gainful activity (SGA) level. An individual's entitlement to benefits ends if he/she demonstrates an ability to perform SGA. The respondents are social security disability beneficiaries and Supplemental Security Income recipients.

*Number of Respondents:* 100,000

*Frequency of Response:* 1

*Average Burden Per Response:* 30 minutes

*Estimated Annual Burden:* 50,000 hours

5. Agreement to Sell Property—0960-0127. Form SSA-8060-U3 is used by SSA to document and ensure that individuals or couples who are otherwise eligible for Supplemental Security Income (SSI) payments, but who own in excess of the statutory limit, may receive conditional benefit payments if they agree to dispose of the excess resources and repay any overpayments with the proceeds of the disposition. The form is also used to ensure that the individuals understand their obligations under the agreement. The respondents are individuals (or couples) who are receiving (or will receive) conditional SSI payments.

*Number of Respondents:* 20,000

*Frequency of Response:* 1

*Average Burden Per Response:* 10 minutes

*Estimated Annual Burden:* 3,333 hours

6. Reconsideration Disability Report—0960-0144. SSA uses the information collected on Form SSA-3441 to determine if the claimant's medical or vocational situation changed after the initial disability determination, when the claimant requests a reconsideration of a denied disability claim. The form also elicits additional sources of medical and vocational evidence that

were not considered in the initial determination. The respondents are disability beneficiaries who request a reconsideration of their claim.

*Number of Respondents:* 400,000

*Frequency of Response:* 1

*Average Burden Per Response:* 30 minutes

*Estimated Average Burden:* 200,000 hours

7. Electronic Benefit Verification Information—0960-0595. SSA provides verification of benefits, when requested, to individuals receiving title II and/or title XVI benefits. In order to provide to the public an easy and convenient means of requesting benefit information, SSA has developed an electronic request form that will allow persons to request the information through the Internet. The information collected on the electronic screens will be used by SSA to process the request for a benefit verification statement. To ensure appropriate confidentiality, the statement will be mailed to the recipient/beneficiary address shown in SSA's records. The respondents are title II and XVI recipients/beneficiaries who request benefit verification information using the Internet.

*Number of Respondents:* 133,920

*Frequency of Response:* 1

*Average Burden Per Response:* ½ minute

*Estimated Average Burden:* 1,116 hours

8. Statement by School Official About Student's Attendance; Statement to U.S. Social Security Administration By School Outside the United States About Student's Attendance—0960-0090. The information collected on Forms SSA-1371 and SSA-1371-FC is used by SSA to verify a student's alleged full-time attendance at an educational institution, in order to determine the student's eligibility for Social Security student benefits. The respondents are school officials who provide the information on these forms.

*Number of Respondents:* 5,000

*Frequency of Response:* 1

*Average Burden Per Response:* 10 minutes

*Estimated Average Burden:* 833 hours

9. Report of Continuing Disability Interview—0960-0072. SSA periodically reviews the cases of individuals who receive Social Security benefits and Supplemental Security Income (SSI) to determine if disability continues. During a review, SSA uses Form SSA-454-BK to collect information on disability. The information on the form is used to update the record of the disabled individual on recent medical treatment, vocational and educational experiences,

work activity, and evaluations of potential for return to work. Based on this information and other evidence, SSA makes a determination on whether disability continues or has ended, and if so, when disability ended. The respondents are individuals who receive Social Security or SSI disability benefits, or their representatives.  
*Number of Respondents:* 852,000  
*Frequency of Response:* 1  
*Average Burden Per Response:* 30 minutes  
*Estimated Annual Burden:* 426,000 hours

Dated: November 26, 2001.

**Nicholas E. Tagliareni,**

*Director, Center for Publications Management, Social Security Administration.*  
 [FR Doc. 01-29848 Filed 11-30-01; 8:45 am]

**BILLING CODE 4191-02-U**

## DEPARTMENT OF STATE

[Public Notice 3849]

### Culturally Significant Objects Imported for Exhibition Determinations: "Korean Ceramics From the Fitzwilliam Museum, Cambridge"

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 [79 Stat. 985, 22 U.S.C. 2459], the Foreign Affairs Reform and Restructuring Act of 1998 [112 Stat. 2681 *et seq.*], Delegation of Authority No. 234 of October 1, 1999 [64 FR 56014], and Delegation of Authority No. 236 of October 19, 1999 [64 FR 57920], as amended, I hereby determine that the objects to be included in the exhibit "Korean Ceramics from the Fitzwilliam Museum, Cambridge," imported from abroad for the temporary exhibition without profit within the United States, are of cultural significance. These objects are imported pursuant to a loan agreement with a foreign lender. I also determine that the temporary exhibition or display of the exhibit objects at The Metropolitan Museum of Art, of New York, NY, from on or about November 5, 2002, to on or about April 6, 2003, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of exhibit objects, contact Julianne Simpson, Attorney-Adviser, Office of the Legal Adviser, U.S. Department of State (telephone: 202/619-6529). The address is U.S. Department of State, SA-

44, 301 4th Street, SW, Room 700, Washington, DC 20547-0001.

Dated: November 28, 2001.

**Patricia S. Harrison,**

*Assistant Secretary for Educational and Cultural Affairs, Department of State.*

[FR Doc. 01-29999 Filed 11-30-01; 8:45 am]

**BILLING CODE 4710-08-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Request for Public Comment With Respect to the Annual National Trade Estimate Report on Foreign Trade Barriers

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice.

**SUMMARY:** Pursuant to section 303 of the Trade and Tariff Act of 1984, as amended, USTR is required to publish annually the National Trade Estimate Report on Foreign Trade Barriers (NTE). With this notice, the Trade Policy Staff Committee (TPSC) is requesting interested parties to assist it in identifying significant barriers to U.S. exports of goods, services and overseas direct investment for inclusion in the NTE. Particularly important are impediments materially affecting the actual and potential financial performance of an industry sector. The TPSC invites written comments that provide views relevant to the issues to be examined in preparing the NTE. Due to the disruption of postal service at the Office of the United States Trade Representative, the Department of Commerce will receive comments in response to this Notice. Commenters should review carefully the written comments section of this Notice for special procedures for filing comments this year.

**DATES:** Public comments are due not later than Monday, December 17, 2001.

**ADDRESSES:** *Paper submissions:* NTE Comments, Office of Trade and Economic Analysis, Room H-2815, U.S. Department of Commerce, Washington, DC 20230.

*Submissions by electronic mail:* [ntecomments@ita.doc.gov](mailto:ntecomments@ita.doc.gov).

**FOR FURTHER INFORMATION CONTACT:** Procedural questions about transmitting comments or viewing public submissions should be directed to Ms. Marva Thompson (202-482-2185) or Mr. Howard Schreier (202-482-4180), U.S. Department of Commerce. Questions regarding the report or its subject matter should be directed to Ms. Gloria Blue, Office of Policy

Coordination, Office of the United States Trade Representative (202-395-3475).

**SUPPLEMENTARY INFORMATION:** Last year's report may be found on USTR's Internet homepage ([www.ustr.gov](http://www.ustr.gov)) under the section on Reports. In order to ensure compliance with the statutory mandate for reporting foreign trade barriers that are significant, we will focus particularly on those restrictions where there has been active private sector interest.

The information submitted should relate to one or more of the following ten categories of foreign trade barriers:

(1) Import policies (*e.g.*, tariffs and other import charges, quantitative restrictions, import licensing, and customs barriers);

(2) Standards, testing, labeling, and certification (including unnecessarily restrictive application of phytosanitary standards, refusal to accept U.S. manufacturers' self-certification of conformance to foreign product standards, and environmental restrictions);

(3) Government procurement (*e.g.*, "buy national" policies and closed bidding);

(4) Export subsidies (*e.g.*, export financing on preferential terms and agricultural export subsidies that displace U.S. exports in third country markets);

(5) Lack of intellectual property protection (*e.g.*, inadequate patent, copyright, and trademark regimes);

(6) Services barriers (*e.g.*, limits on the range of financial services offered by foreign financial institutions, regulation of international data flows, restrictions on the use of data processing, quotas on imports of foreign films, and barriers to the provision of services by professionals (*e.g.*, lawyers, doctors, accountants, engineers, nurses, etc.));

(7) Investment barriers (*e.g.*, limitations on foreign equity participation and on access to foreign government-funded R&D consortia, local content, technology transfer and export performance requirements, and restrictions on repatriation of earnings, capital, fees and royalties);

(8) Anticompetitive practices with trade effects tolerated by foreign governments (including anticompetitive activities of both state-owned and private firms that apply to services or to goods and that restrict the sale of U.S. products to any firm, not just to foreign firms that perpetuate the practices);

(9) Trade restrictions affecting electronic commerce (*e.g.*, tariff and non-tariff measures, burdensome and discriminatory regulations and