

The Phlx believes this should streamline the sanctioning process and make it more efficient for all parties involved.

Phlx Rule 610 requires members or member organizations for which the Exchange is the designated examining authority operating as a specialist, floor broker or Registered Options Trader ("ROT") to provide prior written notification to the Phlx Department of Examinations ("Department") of any change in certain of its business operations which would cause the member or member organization to be subject to certain additional or modified regulatory or financial requirements.⁵ The Exchange also proposes to amend Phlx Rule 610 to require at least ten business days prior notification to a change in business operations. The requirement for ten business days prior notification is consistent with the proposal for the OFPA and EFPA.

Currently, when a violation of Phlx Rule 610 is detected, the Department sends a letter of inquiry to the member or member organization and makes a formal request that begins an examination. If a violation is found, the Department sends a recommendation to the Exchange's Business Conduct Committee ("Committee"). The Committee considers the matter and may determine to issue a statement of charges.⁶ This action is reportable on a member's Form U-4 or member organization's Form BD (Uniform Application for Broker-Dealer Registration) because it is a disciplinary action. By adopting a fine schedule under the Minor Rule Plan, the Department can issue fines for minor infractions without the need for formal disciplinary action.

The Exchange believes that it is appropriate to add the requirements of Phlx Rule 610 to its Minor Rule Plan. The Exchange's Minor Rule Plan is intended to provide a response to a violation of Exchange rules when a meaningful sanction is needed, but initiation of a disciplinary proceeding pursuant to Phlx Rule 960.2 is not suitable because such a proceeding would be more costly and time consuming than would be warranted given the nature of the violation.⁷ Therefore, the inclusion of the

requirements of Phlx Rule 610 in the Minor Rule Plan should make the Exchange's disciplinary system more efficient. If the Exchange determines that a violation of Phlx Rule 610 is not minor in nature, the Exchange may initiate full disciplinary proceedings in accordance with Phlx Rule 960.2.

2. Statutory Basis

The Phlx believes the proposed rule change is consistent with Section 6 of the Act⁸ in general, and furthers the objectives of Section 6(b)(5)⁹ in particular, in that it is designed to promote just and equitable principles of trade, and to remove impediments to and perfect the mechanism of a free and open market and a national market system, and protect investors and the public interest, and specifically with Section 6(b)(6) of the Act¹⁰ which requires that the rules of an exchange provide that its members be disciplined appropriately for violations of an exchange's rules and the Act, by providing the Exchange the ability to impose sanctions in a more efficient manner that are proportionate to the nature of the violation.

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

The Phlx does not believe that the proposed rule change would 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

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding, or (ii) as to which the Exchange consents, the Commission will:

(A) By order approve such proposed rule change; or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

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 filings will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR-Phlx-2001-68 and should be submitted by October 22, 2001.

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

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 01-24476 Filed 9-28-01; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 3791]

Bureau of Consular Affairs; Designation of Certain Posts for Special Fee Payment Procedures

This public notice identifies additional posts designated by the Deputy Assistant Secretary for Visa Services for two purposes related to the payment of immigrant visa fees. The first purpose relates to the revised procedure for payment of the fee for the processing of the application for an immigrant visa set forth in the **FEDERAL REGISTER** on September 8, 2000, (65 FR 54598). The effective date of that notice was stayed until January 1, 2001 by a public notice in the Federal Register of December 14, 2000, (65 FR 78243).

The second purpose is to identify the posts for which a fee pursuant to Item 61 of the Schedule of Fees for Consular Services (22 CFR 22.1) will be assessed for advance review of and assistance with the Affidavit of Support that is required in certain immigrant visa cases. Notice of this fee requirement was added to the visa regulation pertaining

⁵ See Phlx Rule 610. Securities Exchange Act Release No. 43546 (November 9, 2000), 65 FR 69983 (November 21, 2000)(SR-Phlx-00-47).

⁶ See Phlx Rule 960.3. The Committee could also determine that a less formal sanction, such as a letter of caution, is appropriate.

⁷ Phlx Rule 960.2 governs the initiation of disciplinary proceedings by the Exchange for violations within the disciplinary jurisdiction of the Exchange.

⁸ 15 U.S.C. 78f.

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ 15 U.S.C. 78f(b)(6).

¹¹ 17 CFR 200.30-3(a)(12).

to the Affidavit of Support requirement in 22 CFR 40.41(b), and was effective January 1, 2001.

The Department will publish further public notices as additional designations are made.

The Deputy Assistant Secretary for Visa Services hereby designates the Foreign Service posts in the following cities for participation in the new immigrant visa application processing fee payment system and the fee for review of and assistance with the Affidavit of Support required under section 213A of the Immigration and Nationality Act The effective date of this notice is October 1, 2001.

Abidjan, Cote D'Ivoire
Accra, Ghana
Addis Ababa, Ethiopia
Algiers, Algeria
Antananarivo, Madagascar
Cairo, Egypt
Cotonou, Benin
Casablanca, Morocco
Dakar, Senegal
Dar-es-Salaam, Tanzania
Djibouti, Djibouti
Harare, Zimbabwe
Johannesburg, South Africa
Kinshasa, Democratic Republic of the Congo
Lagos, Nigeria
Libreville, Gabon
Lilongwe, Malawi
Lome, Togo
Lusaka, Zambia
Monrovia, Liberia
Nairobi, Kenya
Niamey, Niger
Ouagadougou, Burkina Faso
Praia, Cape Verde Islands
Tunis, Tunisia
Yaounde, Cameroon

Dated: September 4, 2001.

Wayne G. Griffith,

*Deputy Assistant Secretary for Visa Services,
U.S. Department of State.*

[FR Doc. 01-24490 Filed 9-28-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed During Week Ending September 14, 2001

The following Agreements were filed with the Department of Transportation under provisions of 49 U.S.C. Sections 412 and 414. Answers may be filed within 21 days after the filing of the applications.

Docket Number: OST-2001-10601

Date Filed: September 10, 2001

Parties: Members of the International Air Transport Association

Subject:

PTC3 0512 dated 7 September 2001

Mail Vote 144—Resolution 0100

TC3 Special Passenger Amending Resolution between Korea (Rep. of) and Japan,

Intended Effective Date: 1 October 2001

Docket Number: OST-2001-10602

Date Filed: September 10, 2001

Parties: Members of the International Air Transport Association

Subject:

PTC1 0197 dated 21 August 2001

TC1 Longhaul between USA and Chile Resolutions r1-r15

MINUTES—PTC1 0199 dated 31 August 2001

TABLES—PTC1 Fares 0066 dated 24 August 200

Intended Effective Date: 1 January 2002

Docket Number: OST-2001-10618

Date Filed: September 11, 2001

Parties: Members of the International Air Transport Association

Subject:

PTC1 0194 dated 21 August 2001

TC1 Caribbean Resolutions r1-r12

PTC1 0196 dated 21 August 2001

TC1 Within South America

Resolutions r13-r25

MINUTES—PTC1 0198 dated 31 August 2001

TABLES—PTC1 Fares 0063 dated 21 August 2001

TC1 Caribbean Specified Fares Tables, PTC1 Fares 0064 dated 21 August 2001

TC1 Within South America Specified Fares Tables

Intended effective date: 1 January 2002

Docket Number: OST-2001-10631

Date Filed: September 13, 2001

Parties: Members of the International Air Transport Association

Subject:

Mail Vote 139

PTC12 CAN-EUR 0075 dated 7 September 2001

TC12 North Atlantic Canada-Europe Passenger Agreement r1-r26

MINUTES—PTC12 CAN-EUR 0073 dated 24 July 2001

TABLES—PTC12 CAN-EUR Fares 0025 dated 7 September 2001

Intended effective date: 1 November 2001

Dorothy Y. Beard,

Federal Register Liaison.

[FR Doc. 01-24477 Filed 9-28-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Federal Advisory Committee Act; Rapid Response Teams on Airport Security and Aircraft Security

AGENCY: Office of the Secretary, Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: Notice is hereby given that the Department of Transportation's Rapid Response Teams on Airport Security and Aircraft Security will meet on an as-needed basis throughout the rest of September 2001. The purpose of the meetings is to review and evaluate means for improving the security of airports and aircraft against unlawful interference in light of the terrorist incidents of September 11, 2001. All meetings will be closed to the public because matters related to aviation security will be discussed. The bases for closing the meetings are section 10(d) of the Federal Advisory Committee Act and 5 U.S.C. 552b(c)(3) and (4).

FURTHER INFORMATION: Questions regarding these meetings should be directed to David Tochen, Deputy Assistant General Counsel, Committee Management Officer, U.S. Department of Transportation, 400 7th Street, SW., Washington, DC 20590, phone number (202) 366-9161.

Issued on September 21, 2001.

Rosalind A. Knapp,

Acting General Counsel.

[FR Doc. 01-24479 Filed 9-28-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

Agency Information Collection Activities Under OMB Review: OMB Control No. 2126-NEW (Graduated Commercial Driver's License (CDL) Survey)

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice; request for comments.

SUMMARY: The FMCSA announces that the Information Collection Request (ICR) described in this notice is being sent to the Office of Management and Budget (OMB) for review and approval. The FMCSA is requesting OMB's approval for a new information collection as described below. The Federal Highway Administration (FHWA) published a **Federal Register** notice offering a 60-day comment period on this information