

a registered national securities association's rules be designed to prevent fraudulent and manipulative acts and practices, promote just and equitable principles of trade, and, in general, protect investors and the public interest. Nasdaq believes the proposed amendments to the rule are consistent with the Act because they establish procedures that Nasdaq will follow in connection with a trading halt that is based on the misuse or malfunction of a system that is not operated by Nasdaq, and will therefore help to ensure that the rule is applied in an appropriate manner.

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

Nasdaq believes that the proposed rule change will impose no 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

Instinet Corporation ("Instinet") commented on the proposed rule change as originally proposed, expressing concerns about trading halts that might be premised on the misuse or malfunction of systems that are not operated by Nasdaq.¹¹ Nasdaq believes that the amendments to the rule proposed in this filing respond to the concerns expressed by Instinet without impairing the flexibility that the rule must retain in order for the rule to assist Nasdaq in meeting its overarching responsibility to maintain the fairness and orderly structure of the Nasdaq market. Written comments on the proposed rule change were neither solicited nor 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 NASD 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.

¹¹ See July 27, 2001 letter from Jon Kroeper, First Vice President-Regulatory Policy/Strategy, Instinet, to Jonathan G. Katz, Secretary, SEC.

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 Nasdaq. All submissions should refer to file number SR-NASD-2001-75 and should be submitted by February 26, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹²

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 02-2654 Filed 2-4-02; 8:45 am]

BILLING CODE 8010-01-P

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new, and/or currently approved information collection.

DATES: Submit comments on or before April 8, 2002.

ADDRESSES: Send all comments regarding whether these information collections are necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections, to Ruthie Abney, Office Automation Assistant, Office of Business Development, Small Business

¹² 17 CFR 200.30-3(a)(12).

Administration, 409 3rd Street, SW., Suite 8000, Washington DC 20416.

FOR FURTHER INFORMATION CONTACT:

Ruthie Abney, Office Automation Assistant, (202) 205-6410 or Curtis B. Rich, Management Analyst, (202) 205-7030.

SUPPLEMENTARY INFORMATION:

Title: 8(a) Annual Update.

Form No: 1450.

Description of Respondents: 8(a) Program Participants.

Annual Responses: 5,000.

Annual Burden: 13,000.

Title: Semiannual Report on Representatives and Compensation Paid for Services in Connection with Obtained Federal Contracts.

Form No: 1790.

Description of Respondents: 8(a) Program Participants.

Annual Responses: 9,000.

Annual Burden: 9,000.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 02-2725 Filed 2-4-02; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Agency Information Collection; Other Than Those Contained In Proposed Rules or In Current Rules; Transportation for Individuals With Disabilities-Accessibility of Over-the-Road Buses (OTRBs)

AGENCY: Office of the Secretary, DOT.

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended), this notice announces the Department of Transportation's (DOT) amendment of its Americans with Disabilities Act and Final Rule on Accessibility of Over-the-Road Buses.

DATES: Comments on this notice must be received by April 8, 2002.

ADDRESSES: Comments should be directed to the Assistant General Counsel for Regulation and Enforcement, Office of the Secretary, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590.

FOR FURTHER INFORMATION CONTACT:

Linda A. Lasley, Attorney-Advisor, Regulation and Enforcement, Office of the General Counsel, U.S. Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, (202)366-4723.

SUPPLEMENTARY INFORMATION:

Title: Transportation For Individuals With Disabilities-Accessibility of Over-the-Road Buses (OTRBs).

OMB Number: 2100-0019.

Type of Request: New Collection.

Affected Public: Bus companies and the disability community.

Abstract: The Department of Transportation (DOT), in conjunction with the U.S. Architectural and Transportation Barriers Compliance Board, issued final access regulations for privately-operated over-the-road buses (OTRBs) as required by the Americans with Disability Act (ADA) of 1990. The final rule has four different recordkeeping/reporting requirements. The first has to do with 48 hour advance notice and compensation. The second has to do with equivalent service and compensation. The third has to do with reporting information on ridership on accessible fixed-route buses. The fourth has to do with reporting information on the purchase and lease of accessible and inaccessible new and used buses. The purpose of the information collection requirements is to provide data that the Department can use in its regulatory review and to assist the Department in its oversight of compliance by bus companies.

Respondents: Charter/Tour Service Operators, Fixed Route Companies, Small Mixed Service Operators.

Estimated Number of Respondents: 3,448.

Average Annual Burden Per Respondent: Variable.

Estimated Total Burden on Respondents: 316,226 hours.

Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. All responses to this notice, will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

Issued in Washington, DC on January 30, 2002.

Robert Ashby,

Deputy Assistant General, Counsel for Regulation and Enforcement.

[FR Doc. 02-2724 Filed 2-4-02; 8:45 am]

BILLING CODE 4910-6-P

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Notice of Intent To Rule on Application To impose and Use a Passenger Facility Charge (PFC) at Metropolitan Oakland International Airport, Oakland, CA**

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use a PFC at Metropolitan Oakland International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before March 7, 2002.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Hawthorne, CA 90250, or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Tay Yoshitani, Executive Director, Port of Oakland, at the following address: 530 Water Street, Oakland, CA 94607. Air carriers and foreign air carriers may submit copies of written comments previously provided to the Port of Oakland under section 158.23 of part 158.

FOR FURTHER INFORMATION CONTACT: Marlys Vandervelde, Airports Program Analyst, San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA 94010-1303, Telephone: (650) 876-2806. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Metropolitan Oakland International Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On January 17, 2002, the FAA determined that the application to

impose and use a PFC submitted by the Port of Oakland was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than April 19, 2002.

The following is a brief overview of the application No.: 02-11-C-00-OAK.

Project No. 1 (Use Project) Construct Remote Overnight Aircraft Parking Apron

Level of proposed PFC: \$3.00.

Charge effective date: July 1, 1997.

Proposed charge expiration date: July 1, 2002.

Total estimated PFC revenue: \$30,000,000.

Project No. 2 (Impose and Use Project) Terminal One Gate Improvement Project

Level of proposed PFC: \$4.50.

Proposed Charge effective date: October 1, 2003.

Proposed charge expiration date: January 1, 2003.

Total estimated PFC revenue: \$7,000,000.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Nonscheduled/On-Demand Air Carriers filing FAA form 1800-31 and Commuters or Small Certificated Air Carriers filing DOT form 298-C of T1 or E1.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: Federal Aviation Administration, Airports Division, 15000 Aviation Blvd., Hawthorne, CA 90250. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Port of Oakland.

Issued in Hawthorne, California, on January 25, 2002.

Herman C. Bliss,

Manager, Airports Division, Western-Pacific Region.

[FR Doc. 02-2722 Filed 2-4-02; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION**Federal Aviation Administration****Notice of Intent To Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Reno/Tahoe International Airport, Reno, NV**

AGENCY: Federal Aviation Administration (FAA), DOT.