

those included in the Notice preceding this Proxy Statement. If other matters should come before the meeting which require a membership vote, it is intended that the proxy holders will use their own discretion in voting on such other matters.

**Annex A & B are not included with this document as filed. The Amended Constitution, market for changes, is attached as Exhibit A to this filing.**

**The diagram in Annex C is available on the NYSE's website.**

#### *Exhibit C*

November 4, 2003.

Dear Member: After we "went to the printers" with the enclosed proxy statement, we discovered the need to clarify several points on the "fast track" authority and the independence of the regulatory function.

First, I neglected to subject to the SEC process my expectation that the new boards would begin operating immediately. While I will immediately begin to work with the new boards, their actions will have no legal effect under the federal securities laws until the SEC approves our new Constitution.

Second, my description in the proxy statement of the interaction of the CEO with the Regulatory Oversight Committee should read: "The CEO's views on the regulatory function, its plans, programs, staffing and budget may be sought, but the Regulatory Oversight Committee's views on compensating regulatory personnel will be recommended through the Compensation Committee to the full Board for approval."

Finally, the new Constitution includes provisions to assure the separation and independence of the regulatory function from the Exchange's marketplace function and from inappropriate influence by members and member organizations. To further clarify and underscore this separation, we need to make some additional changes.

The new Constitution permits your new Board to amend four of its 16 articles. At its organizational meeting, I will present specific language for approval and filing with the SEC. Those further changes will:

- Codify the authority of the Audit Committee to hire its own counsel.
- Clarify that the CEO is recused from Board deliberations on the activities of the Standing Committees specified in Article IV, Section 12(a).
- Clarify that rulemaking on the subjects described in Article IV, Section 14(a) as normally confined to the Board or its committees may, if necessary, be

authorized by an officer of the Exchange in between board meetings, subject to informing the Board at its next meeting, and to the approval of the Chief Regulatory Officer if on a regulatory matter.

- Clarify in Article VI, Section 1 that the President does not appoint regulatory officers, and in Section 3 that the CEO's responsibilities are subject to the specific provisions elsewhere in the Constitution regarding the separation of the regulatory functions.

I apologize for the need to supplement the proxy statement, but it is important to make clear to all the independence of our regulatory function under our proposed new architecture.

Best,

John S. Reed.

[FR Doc. 03-28487 Filed 11-10-03; 10:49 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 January 12, 2004.

**ADDRESSES:** Send all comments regarding whether this information collection is 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 collection, to Reginald B. Teamer, Examiner, Office of Small Business Development Centers, Small Business Administration, 409 3rd Street SW., Suite 6400, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Reginald B. Teamer, Examiner, 202-205-7278 or Curtis B. Rich, Management Analyst, 202-205-7030.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* "SBDC Counseling Record."

*Description of Respondents:* Small Business Development Centers.

*Form No:* 1062.

*Annual Responses:* 264,000.

*Annual Burden:* 132,000.

**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 Cynthia Pitts, Program Analyst, Office of Disaster Assistance, Small Business Administration, 409 3rd Street SW., Suite 6050, Washington, DC 20416.

#### **FOR FURTHER INFORMATION CONTACT:**

Cynthia Pitts, Program Analyst, 202-205-7570 or Curtis B. Rich, Management Analyst, 202-205-7030.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* "Disaster Business Loan Application."

*Description:* Applicants applying for Disaster Loans.

*Form No's:* 5, 739A, 1368.

*Annual Responses:* 11,540.

*Annual Burden:* 28,821.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* "Disaster Survey Worksheet."

*Description:* Applicants who warrant Disaster Declaration.

*Form No:* 987.

*Annual Responses:* 4,000.

*Annual Burden:* 332.

**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 Carol Fendler, Director, Office of Licensing and Program Standards, Small Business Administration, 409 3rd Street SW., Suite 6300, Washington, DC 20416.

#### **FOR FURTHER INFORMATION CONTACT:**

Carol Fendler, Director, 202-205-7559 or Curtis B. Rich, Management Analyst, 202-205-7030.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* "Request for Information

Concerning Portfolio Financing."

*Description:* SBIC Investment Companies.

*Form No:* 857.

*Annual Responses:* 2,160.

*Annual Burden:* 2,160.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* "Financial Institution Confirmation Form".

*Description:* SBIC Investment Companies.

*Form No:* 860.

*Annual Responses:* 1,500.

*Annual Burden:* 750.

*Title:* "SBIC License Application; Statement of Personal History and Qualification of Management".

*Description:* SBIC Investment Companies.

*Form No's:* 415, 415A.

*Annual Responses:* 450.

*Annual Burden:* 14,400.

**ADDRESSES:** Send all comments regarding whether this information collection is 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 collection, to Sandra Johnston, Program Analyst, Office of Financial Assistance, Small Business Administration, 409 3rd Street SW., Suite 8300, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Sandra Johnston, Program Analyst, 202-205-7528 or Curtis B. Rich, Management Analyst, 202-205-7030.

**SUPPLEMENTARY INFORMATION:**

*Title:* "PRIME (Program for Investment in Microentrepreneurs)".

*Description:* Disadvantaged Microentrepreneurs.

*Form No:* N/A.

*Annual Responses:* 500.

*Annual Burden:* 40,000.

**Jacqueline White,**

*Chief, Administrative Information Branch.*

[FR Doc. 03-28403 Filed 11-12-03; 8:45 am]

**BILLING CODE 8025-01-P**

## DEPARTMENT OF STATE

[Public Notice 4526]

### Certification Concerning Restoration of Nondiscriminatory Treatment to Serbia and Montenegro Under Public Law 102-420

Pursuant to the authority vested in me as Secretary of State, including under Section 1(c) of Public Law 102-420, and the President's Delegation of Responsibilities Related to Serbia and Montenegro dated March 22, 2001, I hereby certify that Serbia and Montenegro (1) has ceased its armed conflict with the other ethnic peoples of the region formerly comprising the Socialist Federal Republic of Yugoslavia, (2) has agreed to respect the borders of the six republics that comprised the Socialist Federal Republic of Yugoslavia under the 1974 Yugoslav Constitution; and (3) has ceased all support of Serbian forces inside Bosnia-Herzegovina.

This Certification shall be published in the **Federal Register**, and copies shall be provided to the appropriate committees of the Congress.

Dated: October 31, 2003.

**Colin L. Powell,**

*Secretary of State.*

In 1992, Congress enacted Public Law 102-420 withdrawing most favored

nation status (now referred to as "normal trade relations" or "NTR") from Serbia and Montenegro. Pursuant to Public Law 102-420, the President may restore nondiscriminatory treatment to goods that are the product of Serbia or Montenegro 30 days after her certifies to Congress that the conditions set forth in the statute have been met. On March 22, 2001, the President delegated to the Secretary of State authority to make this certification. The certification was notified to Congress on November 4, 2003, and thus normal trade relations status will be restored to Serbia and Montenegro as of December 4, 2003.

[FR Doc. 03-28438 Filed 11-12-03; 8:45 am]

**BILLING CODE 4710-10-P**

## TENNESSEE VALLEY AUTHORITY

### Paperwork Reduction Act of 1995, as Amended by Public Law 104-13; Proposed Collection; Comment Request

**AGENCY:** Tennessee Valley Authority.

**ACTION:** Proposed collection; comment request.

**SUMMARY:** The proposed information collection described below will be submitted to the Office of Management and Budget (OMB) for review, as required by the Paperwork Reduction Act of 1995 (44 U.S.C. chapter 35, as amended). The Tennessee Valley Authority is soliciting public comments on this proposed collection as provided by 5 CFR 1320.8(d)(1). Requests for information, including copies of the information collection proposed and supporting documentation, should be directed to the Agency Clearance Officer: Alice D. Witt, Tennessee Valley Authority, 1101 Market Street (EB 5B), Chattanooga, Tennessee 37402-2801; (423) 751-6832. (SC: 0009BL5) Comments should be sent to the Agency Clearance Officer no later than January 12, 2004.

**SUPPLEMENTARY INFORMATION:**

*Type of Request:* Regular submission, proposal to extend without revisions a currently approved collection of information (OMB control number 3316-0019).

*Title of Information Collection:* *energy right® Residential Program.*

*Frequency of Use:* On occasion.

*Type of Affected Public:* Individuals or households.

*Small Business or Organizations*

*Affected:* No.

*Federal Budget Functional Category Code:* 271.

*Estimated Number of Annual Responses:* 20,000.

*Estimated Total Annual Burden Hours:* 6,000.

*Estimated Average Burden Hours Per Response:* .3.

This information is used by distributors of TVA power to assist in identifying and financing energy improvements for their electrical energy customers.

**Jacklyn J. Stephenson,**

*Senior Manager, Enterprise Operations, Information Services.*

[FR Doc. 03-28398 Filed 11-12-03; 8:45 am]

**BILLING CODE 8120-08-P**

## OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

### Andean Trade Preference Act (ATPA), as Amended: Notice Regarding the 2003 Annual Review

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

**ACTION:** Notice.

**SUMMARY:** The Office of the United States Trade Representative (USTR) received petitions in September 2003 to review certain practices in certain beneficiary developing countries to determine whether such countries are in compliance with the ATPA eligibility criteria. This notice publishes a list of the September 2003 petitions that were filed in response to the announcement of the annual review.

**FOR FURTHER INFORMATION CONTACT:** Bennett M. Harman, Deputy Assistant U.S. Trade Representative for Latin America, Office of the Americas, Office of the United States Trade Representative, 600 17th St., NW., Washington, DC 20508. The telephone number is (202) 395-9446, and the facsimile number is (202) 395-9675.

**SUPPLEMENTARY INFORMATION:** The ATPA (19 U.S.C. 3201 *et seq.*), as renewed and amended by the Andean Trade Promotion and Drug Eradication Act of 2002 (ATPDEA) in the Trade Act of 2002 (Pub. L. 107-210), provides trade benefits for eligible Andean countries. Consistent with Section 3103(d) of the ATPDEA, USTR promulgated regulations (15 CFR part 2016) (68 FR 43922) regarding the review of eligibility of countries for the benefits of the ATPA as amended. The 2003 Annual ATPA Review is the first such review to be conducted pursuant to the ATPA regulations.

In a **Federal Register** notice dated August 14, 2003, USTR initiated the 2003 ATPA Annual Review and