

9:29:30 a.m., that market participant will be required to send a Trade-or-Move Directed Order to the party it would lock or cross. However, if at or after 9:20 a.m. there is an order being displayed in SIZE, a market participant will not be obligated to send a Trade-or-Move Directed Order to SIZE if they would actively lock/cross SIZE because the system currently cannot route a Trade-or-Move Directed Order to the market participant representing the Non-Attributed Order behind SIZE.<sup>9</sup> As noted above, Non-Attributable Orders that are represented under SIZE will participate in the lock/cross clearing process that commences at 9:29:30 a.m., and thus will be subject to execution prior to the market's open.

Accordingly, Nasdaq believes that its proposed process will significantly improve the Nasdaq market opening by ensuring that quotes in Nasdaq securities are not locked or crossed at the start of normal trading. In addition, Nasdaq believes that its proposed approach of basing pre-market executions on the prices of individual quotes/orders provides maximum flexibility for market participants to price and potentially execute their own trading interest, while still maintaining an orderly market going into the open.

## 2. Statutory Basis

Nasdaq believes that the proposed rule change, as amended, is consistent with the provisions of Section 15A of the Act,<sup>10</sup> in general and with Section 15A(b)(6) of the Act,<sup>11</sup> in particular, in that the proposal is designed to promote just and equitable principles of trade, foster cooperation and coordination with persons engaged in processing information with respect to and facilitating transactions in securities, as well as removing impediments to and perfect the mechanism of a free and open market, and, in general, to protect investors and the public interest.

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

Nasdaq does not believe that the proposed rule change will result in any 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*

Nasdaq neither solicited nor received written comments with respect to the proposed rule change.

### **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 self-regulatory organization 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.<sup>12</sup>

### **IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as amended, 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 the NASD. All submissions should refer to File No. SR-NASD-2002-56 and should be submitted by June 14, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>13</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 02-13101 Filed 5-23-02; 8:45 am]

**BILLING CODE 8010-01-P**

## **SMALL BUSINESS ADMINISTRATION**

### **Reporting and Recordkeeping Requirements Under OMB Review**

**AGENCY:** Small Business Administration.

**ACTION:** Notice of Reporting Requirements Submitted for OMB Review.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

**DATES:** Submit comments on or before June 24, 2002. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

**Copies:** Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

**ADDRESSES:** Address all comments concerning this notice to: Agency Clearance Officer, Jacqueline White, Small Business Administration, 409 3rd Street, SW., 5th Floor, Washington, DC 20416; and OMB Reviewer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline White, Agency Clearance Officer, (202) 205-7044.

### **SUPPLEMENTARY INFORMATION:**

**Title:** Economic Impact Survey of SBA Technical Assistance Clients.

**No:** 2214.

**Frequency:** On Occasion.

**Description of Respondents:** Small Business Client (small business owners & employees, prospective entrepreneurs and other students of enterprise).

**Responses:** 17,000.

<sup>9</sup> The Commission notes that Nasdaq is developing the capability to send a Trade-or-Move Directed Order to SIZE and would have to submit a proposed rule change to the Commission to implement this as a SuperMontage feature.

<sup>10</sup> 15 U.S.C. 78o-3.

<sup>11</sup> 15 U.S.C. 78o-3(b)(6).

<sup>12</sup> Nasdaq has requested that the Commission find good cause pursuant to Section 19(b)(2) of the Act to approve the proposed rule change prior to the 30th day after publication in the **Federal Register**. See Amendment No. 1, *supra* note 3.

<sup>13</sup> 17 CFR 200.30-3(a)(12).

Annual Burden: 2,226.

**Jacqueline White,**

Chief, Administrative Information Branch.

[FR Doc. 02-13086 Filed 5-23-02; 8:45 am]

BILLING CODE 8025-01-P

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3414]

#### State of New York

As a result of the President's major disaster declaration on May 16, 2002, I find that Clinton and Essex Counties in the State of New York constitute a disaster area due to damages caused by an earthquake occurring on April 20, 2002. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on July 15, 2002 and for economic injury until the close of business on February 17, 2003 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 1 Office, 360 Rainbow Blvd., South 3rd Fl., Niagara Falls, NY 14303-1192.

In addition, applications for economic injury loans from small businesses located in the following contiguous counties may be filed until the specified date at the above location: Franklin, Hamilton, Warren and Washington Counties in the State of New York; and Addison, Chittenden and Grand Isle Counties in the State of Vermont.

The interest rates are:

	Percent
<b>For Physical Damage:</b>	
Homeowners with credit available elsewhere .....	6.625
Homeowners without credit available elsewhere .....	3.312
Businesses with credit available elsewhere .....	7.000
Businesses and non-profit organizations without credit available elsewhere .....	3.500
Others (Including Non-Profit Organizations) with credit available elsewhere .....	6.375
<b>For Economic Injury:</b>	
Businesses and small agricultural cooperatives without credit available elsewhere .....	3.500

The number assigned to this disaster for physical damage is 341402. For economic injury the number is 9P7600 for New York; and 9P7700 for Vermont.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: May 16, 2002.

**Herbert L. Mitchell,**

Associate Administrator for Disaster Assistance.

[FR Doc. 02-13087 Filed 5-23-02; 8:45 am]

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## DEPARTMENT OF STATE

### [Public Notice 4025]

#### **Bureau of Educational and Cultural Affairs; 60-Day Notice of Proposed Information Collection: Form DS-3036, Exchange Visitor Program Application and Form DS-3037, Update of Information on Exchange Visitor Program Sponsor; OMB Control Number 1405-0120**

**ACTION:** Notice.

**SUMMARY:** The Office of Exchange Coordination and Designation, Bureau of Educational and Cultural Affairs; 60-Day Notice of Proposed Information Collection: Exchange Visitor Program Application—Form DS-3036; Update of Information on Exchange Visitor Program Sponsor—Form DS-3037. OMB Approval Number 1405-0120.

**Action:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. This process is conducted in accordance with the Paperwork Reduction Act of 1995. Comments should be submitted to OMB within 30 days of the publication of this notice. The following summarizes the information collection proposal submitted to OMB:

*Type of Request:* Comment.

*Originating Office:* Office of Exchange Coordination and Designation, Bureau of Educational and Cultural Affairs.

*Title of Information Collection:* Exchange Visitor Program Application—Form DS-3036; Update of Information on Exchange Visitor Program Sponsor—DS-3037.

*Frequency:* Form DS-3036—Approximately 150 new organizations submit applications to be designated as Exchange Visitor Program sponsors each year. DS-3037—The Department has approximately 1500 currently designated sponsors. It is estimated that each designated organization makes two submissions annually to update information on their Program or to order

Form DS-2019, brochures and supplies to administer their Program.

*Form Number:* Forms DS-3036 and DS-3037.

*Respondents:* U.S. government, and public and private organizations wishing to become designated sponsors and Department of State designated sponsors.

*Estimated Number of Respondents:* DS-3036—150; DS-3037—3,000.

*Average Hours per Response:* DS-3036—20 minutes; DS-3037—8 hours.

*Total Estimated Burden:* DS-3036—1200 hours; DS-3037—1,000 hours.

Public comments are being solicited to permit the Department to:

—Evaluate whether the proposed information collection is necessary for the proper performance of the functions of the Department, including whether the proposed information collection is necessary for the proper performance of the functions of the Department.

- Evaluate the accuracy of the Department's estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

—Minimize the reporting burden on those who are to respond, including through the use of automated collection techniques or other forms of technology.

#### **FOR FURTHER ADDITIONAL INFORMATION:**

Copies of the proposed information collection and supporting documents may be obtained from Sally J. Lawrence, Chief, Private Sector Division, Office of Exchange Coordination and Designation, Bureau of Educational and Cultural Affairs, U.S. Department of State, 301 Fourth Street, SW, Room 734, Washington, DC 20547; telephone 202-401-9810. Public comments and questions should be directed to the State Department Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget (OMB), Washington, DC 20530, who may be reached on 202-395-3897.

Dated: April 4, 2002.

**James D. Whitten,**

Executive Director, Bureau of Educational and Cultural Affairs, Department of State.

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