

listing bid price requirement from \$3 to \$1 for those issuers qualifying for continued listing based on the market value of listed securities or total assets and total revenue, as set forth in NASD Rule 4450(b).¹⁰ Nasdaq does not believe that any material additional protection is afforded to investors as a result of the \$3 bid price requirement. Further, investors and issuers are often confused by the dual price requirements. Nasdaq notes that no other marketplace has such a dual price requirement, and there are only about 40 issuers currently subject to the \$3 bid price requirement.

2. Statutory Basis

Nasdaq believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act¹¹ in that it is designed to prevent fraudulent and manipulative acts and practices, and to protect investors and the public interest. As previously mentioned, Nasdaq is proposing this rule change to allow issuers additional time to comply with the bid price requirements if they demonstrate compliance with heightened financial standards. Under the proposed pilot, issuers meeting heightened standards will have additional time to execute business and compliance plans, which Nasdaq states will minimize disruption to investors and provide greater transparency and consistency.

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

Nasdaq does not believe that the proposed rule change would 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

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Nasdaq asserts that the proposed rule change is effective upon filing pursuant to Section 19(b)(3)(A) of the Act¹² and paragraph (f)(6) of Rule 19b-4 thereunder,¹³ because the proposed rule change: (1) Does not significantly affect the protection of investors or the public interest; (2) does not impose any significant burden on competition; and

(3) does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest.¹⁴ Nasdaq asserts that the proposed rule change does not alter the \$1 minimum bid price requirement, but merely extends the existing compliance periods applicable to this requirement. Nasdaq believes that the proposed compliance periods are generally comparable to, or more stringent than, those available on other marketplaces and already approved by the Commission.¹⁵ Nasdaq further states that the proposal to change the National Market continued listing bid price requirement from \$3 to \$1 for those issuers qualifying for continued listed under NASD Rule 4450(b) is comparable to, or more stringent than, bid price requirements currently existing on other markets and already approved by the Commission.¹⁶

Nasdaq has requested that the Commission waive the 30-day period, which would make the rule operative immediately. The Commission finds that it is consistent with the protection of investors and the public interest to waive the 30-day pre-operative period in this case.¹⁷ The Commission believes that no purpose would be served by having 30 days pass before the rule becomes operative because, issuers and investors could become confused as to which grace periods applied during the intervening period. Allowing the rule to become operative immediately will allow Nasdaq to explain its bid price standards more clearly to issuers that might have need of the grace period.

At any time within 60 days of this filing, the Commission may summarily abrogate this proposal if it appears to

¹⁴ In addition, Nasdaq complied with the requirement in Rule 19b-4(f)(6) that the self-regulatory organization give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of such proposed rule change, or such shorter time as designated by the Commission.

¹⁵ Nasdaq states that the proposed compliance period for the Nasdaq National Market is similar to the existing compliance period available on the New York Stock Exchange ("NYSE"). See NYSE Rule 802.01C. Nasdaq also states that the proposed compliance period for the Nasdaq SmallCap Market is more stringent than the American Stock Exchange ("Amex") listing standards, which do not have a specific minimum price requirement or compliance period. See Amex Rule 1003(f)(v).

¹⁶ The proposed \$1 bid price is the same as the NYSE continued listing requirement. See NYSE Rule 802.01C. As noted above, Amex does not have this requirement.

¹⁷ For purposes only of accelerating the operative date of this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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 the NASD. All submissions should refer to File No. SR-NASD-2003-34 and should be submitted by April 7, 2003.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁸

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 03-6344 Filed 3-14-03; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice-4310]

60-Day Notice of Proposed Information Collection: Form DS-4024, American Citizens Services Internet Based Registration Service (IBRS); OMB Control Number 1405-XXXX

AGENCY: Department of State.

ACTION: Notice.

SUMMARY: 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.

¹⁸ 17 CFR 200.30-3(a)(12).

¹⁰ This proposal is not part of the pilot program discussed above.

¹¹ 15 U.S.C. 78o-3(b)(6).

¹² 15 U.S.C. 78s(b)(3)(A).

¹³ 17 CFR 240.19b-4(f)(6)

The following summarizes the information collection proposal to be submitted to OMB: Type of Request: A new Internet Based Information Collection system that permits U.S. citizens who travel or reside abroad to register their destination and emergency contacts with the Department of State. This facilitates the provision of emergency assistance to U.S. citizens during crisis or disaster.

Originating Office: Bureau of Consular Affairs, Overseas Citizens Services CA/OCS.

Title of Information Collection: American Citizens Services Internet Based Registration Service (IBRS).

Frequency: Daily.

Form Number: DS-4024.

Respondents: American citizens traveling and residing overseas.

Estimated Number of Respondents: (estimate) 3.2 million.

Average Hours Per Response: (10 minutes).

Total Estimated Burden: 800,000.

Public comments are being solicited to permit the agency to:

- Evaluate whether the proposed information collection is necessary for the proper performance of the functions of the agency.
- Evaluate the accuracy of the agency'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 Additional Information: Public comments, requests for additional information, regarding the collection listed in this notice should be directed to Mike Meszaros, Bureau of Consular Affairs, Overseas Citizens Services, Office of Policy Review and Interagency Liaison, 1800 G Street NW., Washington, DC 20520-4811 who may be reached on 202-312-9750.

Dated: January 27, 2003.

Maura Harty,

Assistant Secretary, Bureau of Consular Affairs, Department of State.

[FR Doc. 03-6316 Filed 3-14-03; 8:45 am]

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DEPARTMENT OF STATE

[Public Notice 4271]

Advisory Committee for the Study of Eastern Europe and the Independent States of the Former Soviet Union Notice of Meeting

The Department of State announces that the Advisory Committee for the Study of Eastern Europe and the Independent States of the Former Soviet Union (Title VIII) will convene on Monday, April 28, 2003, beginning at 10 a.m. in Room 1408, U.S. Department of State, Harry S Truman Building, 2201 C Street, NW., Washington, DC.

The Advisory Committee will recommend grant recipients for the FY 2003 competition of the Program for the Study of Eastern Europe and the Independent States of the Former Soviet Union in connection with the "Research and Training for Eastern Europe and the Independent States of the Former Soviet Union Act of 1983, as amended." The agenda will include opening statements by the Chairman and members of the committee, and, within the committee, discussion, approval, and recommendation that the Department of State negotiate grant agreements with certain "national organizations with an interest and expertise in conducting research and training concerning the countries of Eastern Europe and the independent states of the former Soviet Union," based on the guidelines contained in the call for applications published in the **Federal Register** on November 19, 2002. Following committee deliberation, interested members of the public may make oral statements concerning the Title VIII program in general.

This meeting will be open to the public; however, attendance will be limited to the seating available. Entry into the Harry S Truman building is controlled and must be arranged in advance of the meeting. Those planning to attend should notify Susan Nelson, INR/RES, U.S. Department of State, (202) 736-4610 by Wednesday, April 23, 2003, providing their date of birth, Social Security Number, and any requirements for special needs. All attendees must use the 2201 C Street, NW., entrance to the building. Visitors who arrive without prior notification and without photo identification will not be admitted.

Dated: March 7, 2003.

Kenneth E. Roberts,

Executive Director, Advisory Committee for Study of Eastern Europe and the Independent States of the Former Soviet Union, Department of State.

[FR Doc. 03-6315 Filed 3-14-03; 8:45 am]

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TENNESSEE VALLEY AUTHORITY

Sunshine Act Notice; Meeting No. 1544

TIME AND DATE: 9 a.m. (EST), March 19, 2003, TVA Chattanooga Office Complex Auditorium, 1101 Market Street, Chattanooga, Tennessee.

STATUS: Open.

Agenda

Approval of minutes of meeting held on January 14, 2003.

New Business

B—Purchase Awards

B1. Contract with Edwards Supply Co., Inc., for custodial supplies and equipment.

B2. Supplement to Contract No. 2232 with SSC Service Solutions for custodial services at various TVA locations.

B3. Contracts with Milan Express and Overnite Transportation for purchase of less-than-truckload transportation services for TVA operations.

C—Energy

C1. Contract with VA Tech Elin Transformatoren GMBH & Co for extra-high voltage transformers.

C2. Contract with Roberts & Schaefer Company/AZCO, Inc., for coal-handling system equipment and engineering services for any TVA fossil plant.

C3. Contract with Twentymile Coal Company for bituminous coal for Widows Creek Fossil Plant Units 1-6.

C4. Contract with Mitsui Babcock LLC to design, manufacture, deliver, and install NO_xStar equipment for Colbert Fossil Plant Unit 4.

C5. Contract with Industrial Control Distributors, LLC, for valves and gauges and their related parts.

E—Real Property Transactions

E1. Grant of a 30-year public recreation easement, with conditional option for renewals, to the city of Soddy-Daisy, Tennessee, affecting approximately 23.3 acres of land on Chickamauga Reservoir in Hamilton County, Tennessee, Tract No. XTCR-163RE.

E2. Grant of permanent and temporary construction easements to the State of North Carolina for a highway and bridge project, affecting approximately 1.6