

applicable to a national securities association.⁸ In particular, the Commission believes that the proposal, as amended, is consistent with the requirements of section 15A(b)(7) of the Act⁹ because it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. The Commission believes that the failure to have uniform application of the Affirmative Determination Requirements affects the integrity of the marketplace by potentially increasing fails to deliver and creates regulatory disparity by allowing certain firms to effect short sales outside the purview of the NASD's Affirmative Determination Requirements.

VI. Accelerated Approval of Amendment Nos. 1 and 2

The Commission finds good cause for approving Amendment Nos. 1 and 2 to the proposed rule change prior to the thirtieth day after the amendments are published for comment in the **Federal Register** pursuant to section 19(b)(2) of the Act.¹⁰ Amendment No. 1 extends NASD members' affirmative determination obligations to orders received from non-member broker-dealers. Amendment No. 2 specifies which firms can claim an exemption from the affirmative determination requirements. These amendments will correct a regulatory disparity that allows certain firms to effect short sales outside the purview of the Affirmative Determination Requirements. The Commission believes that accelerating approval will allow the implementation of this rule without unnecessary delay.

VII. Conclusion

For the foregoing reasons, the Commission finds that the proposed rule change, as amended, is consistent with the Act and the rules and regulations thereunder applicable to a national securities association, and, in particular, with section 15A(b)(7) of the Act.¹¹

⁸ In approving the proposed rule change, as amended, the Commission has considered its impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

⁹ 15 U.S.C. 78o-3.

¹⁰ 15 U.S.C. 78s(b)(2).

¹¹ 15 U.S.C. 78o(3).

It is therefore ordered, pursuant to section 19(b)(2) of the Act,¹² that the proposed rule change (SR-NASD-2001-85) is approved, and that Amendment Nos. 1 and 2 thereto are approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹³

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 03-29295 Filed 11-21-03; 8:45 am]
BILLING CODE 8010-01-P

SMALL BUSINESS ADMINISTRATION

Senior Executive Service; Performance Review Board Members

AGENCY: Small Business Administration.

ACTION: Notice of members of the FY 2003 Performance Review Board.

SUMMARY: Section 4314(c)(4) of Title 5, U.S.C., requires each agency to publish notification of the appointment of individuals who may serve as members of that Agency's Performance Review Boards (PRB). The following have been designated to serve on the FY 2003 Performance Review Boards for the U.S. Small Business Administration:

1. Lisa Goeas, Chief of Staff;
2. Cheryl Mills, Associate Deputy Administrator for Entrepreneurial Development;
3. Lewis D. Andrews, Jr., Associate Deputy Administrator for Management and Administration;
4. Stephen Galvan, Chief Information Officer;
5. Susan Hensley, Associate Administrator for Communications and Public Liaison;
6. Judith Roussel, District Director (Chicago);
7. José Sifontes, District Director (New York);
8. Robert J. Moffitt, Deputy Associate Deputy Administrator for Management and Administration;
9. Monika Edwards Harrison, Chief Human Capital Officer;
10. Loyola R. Trujillo, Assistant Administrator for Equal Employment Opportunity and Civil Rights Compliance;
11. Eric Benderson, Associate General Counsel for Litigation;
12. Calvin Jenkins, Deputy Associate Deputy Administrator for Capital Access;
13. Jennifer Main, Deputy Chief Financial Officer;

¹² 15 U.S.C. 78s(b)(2).

¹³ 17 CFR 200.30-3(a)(12).

14. James Rivera, Associate Administrator for Financial Assistance; and,

15. Jerry Williams, Deputy Chief Information Officer.

Dated: November 17, 2003.

Hector V. Barreto,
Administrator.

[FR Doc. 03-29227 Filed 11-21-03; 8:45 am]
BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Delegation of Authority No. 266-1]

Delegation of Authority by the Under Secretary for Management for the Administrative Collection, Compromise, Suspension, Termination of Department Collection, Advance Decision, Settlement, and Waiver of Claims of or Against Debtors of the Department of State

Section 1. General Delegation

By virtue of the authority vested in me as Under Secretary of State for Management, including under Delegation of Authority No. 198, dated September 16, 1992, I hereby delegate the duties, functions and responsibilities for the administrative collection, compromise, suspension, termination of Department collection, advance decision, settlement, and waiver of claims of or against debtors of the Department of State pursuant to section 211 of the Legislative Branch Appropriation Act, 1996, Public Law 104-53, 109 Stat. 514(1995); the Office of Management and Budget's Determination with Respect to Transfer of Functions Pursuant to Public Law 104-53 (June 30, 1996); sections 103(d), 105(b), 116, and 204 of the General Accounting Office Act of 1996, Public Law 104-316, 110 Stat. 3816 (1996); the Office of Management and Budget's Determination with Respect to Transfer of Functions Pursuant to Public Law 104-316 (December 17, 1996); and Title 31 of the United States Code Chapter 37 to the Chief Financial Officer. I further delegate such authority to additional officers regarding claims for specified amounts as follows:

- Over \$35,000 but not more than \$50,000: Deputy Chief Financial Officer;
- Up to and including \$35,000: Deputy Assistant Secretary for Global Financial Services; and
- Up to and including \$500: Principal Officer of the post.

Section 2. Delegation Revoked

The following delegation of authority is hereby revoked: the June 15, 1999,

delegation of authority to adjudicate and waive claims of or against the Department of State.

Section 3. General Provisions

(a) This Delegation of authority shall be published in the **Federal Register** and is effective upon the date of my signature.

(b) Notwithstanding any provision of this Delegation of Authority, the Secretary of State, the Deputy Secretary of State, or the Under Secretary of State for Management may at any time exercise any function delegated by this delegation of authority.

(c) Functions delegated by this delegation of authority may not be redelegated.

(d) Any reference in this delegation of authority to any act, executive order, determination, delegation of authority, regulation, or procedure shall be deemed to be a reference to such act, order, determination, delegation of authority, regulation, or procedure as amended from time to time.

Dated: October 22, 2003.

Grant S. Green, Jr.,

*Under Secretary of State for Management,
Department of State.*

[FR Doc. 03-29310 Filed 11-21-03; 8:45 am]

BILLING CODE 4710-15-P

DEPARTMENT OF STATE

Office of the Secretary

[Public Notice: 4542]

Extension of the Restriction on the Use of United States Passports for Travel to, in, or Through Libya

On December 11, 1981, pursuant to the authority of 22 U.S.C. 211a and Executive Order 11295 (31 FR 10603), and in accordance with 22 CFR 51.73(a)(3), all United States passports were declared invalid for travel to, in, or through Libya unless specifically validated for such travel. This restriction has been renewed yearly because of the unsettled relations between the United States and the Government of Libya and the possibility of hostile acts against Americans in Libya. The American Embassy in Tripoli remains closed, thus preventing the United States from providing routine diplomatic protection or consular assistance to Americans who may travel to Libya.

In light of these events and circumstances, I have determined that Libya continues to be a country "where there is imminent danger to the public health or physical safety of United

States travellers" within the meaning of 22 U.S.C. 211a and 22 CFR 51.73(a)(3).

Accordingly, all United States passports shall remain invalid for travel to, in, or through Libya unless specifically validated for such travel under the authority of the Secretary of State.

This Public Notice shall be effective upon publication in the **Federal Register** and the restriction herein shall expire at midnight November 24, 2004, unless extended or sooner revoked by Public Notice. The Department of State will review this restriction every three months while it remains in effect.

Dated: November 17, 2003.

Colin L. Powell,

Secretary of State, Department of State.

[FR Doc. 03-29311 Filed 11-21-03; 8:45 am]

BILLING CODE 4710-06-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Environmental Impact Statement: Fond du Lac & Sheboygan Counties, Wisconsin

AGENCY: Federal Highway Administration (FHWA), DOT.

ACTION: Notice of intent to prepare an environmental impact statement.

SUMMARY: The FHWA is issuing this notice to advise the public that an environmental impact statement (EIS) will be prepared for the proposed improvements of STH 23 between CTH K east of Fond du Lac in Fond du Lac County and CTH P west of Plymouth in Sheboygan County, Wisconsin.

FOR FURTHER INFORMATION CONTACT: Mr. Johnny M Gerbitz, Field Operations Engineer, Federal Highway Administration, 567 D'Onofrio Drive, Madison, Wisconsin 53719-2814; telephone: (608) 829-7511. You may also contact Mr. Eugene Johnson, Director, Bureau of Equity & Environmental Services, Wisconsin Department of Transportation, P.O. Box 7965, Madison, Wisconsin 53707-7965; telephone: number 608-267-9527.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded by using a computer, modem and suitable communications software from the Government Printing Office's Electronic Bulletin Board Service at (202) 512-1661. Internet users may reach the Office of **Federal Register's** home page at: <http://www.archives.gov/> and the

Government Printing Office's database at: <http://www.gpoaccess.gov/nara/index.html>.

Background

The FHWA, in cooperation with the Wisconsin Department of Transportation, will prepare an Environmental Impact Statement to construct a four-lane facility on STH 23. The project begins at CTH K east of Fond du Lac in Fond du Lac County and extends approximately 19 miles to CTH P west of Plymouth in Sheboygan County, Wisconsin.

The anticipated format for the EIS will be Screening Worksheets rather than the typical narrative form. The Wisconsin Department of Transportation has developed a series of Environmental Screening Worksheets which are divided into Basic Sheets and Factor Sheets. The Screening Worksheets provide a flexible means of addressing the requirements for an Environmental Document.

The improvements to this highway are considered necessary to decrease the potential for crashes, lower congestion, and complete the construction of a multi-lane highway facility between the Fond du Lac and Sheboygan urban areas.

Planning, environmental, and engineering studies are underway to develop transportation alternatives. The EIS will assess the need, location, and environmental impacts of alternatives within the study area. These alternatives include (1) *No Build*—this alternative assumes the continued use of existing facility with the maintenance necessary to ensure its continued use; (2) *Upgrade the Existing Facilities*—this alternative would improve the safety and traffic handling capabilities of the existing route; (3) *Construction of Added Lanes on Existing or New Alignment*—This alternative would involve one or more proposals for construction of two new lanes adjacent to the existing highway or another local roadway, constructing four lanes on new locations, or a combination of add lanes and a new location. All alternatives will examine improvements to bicycle and pedestrian facilities.

Information describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies and to private organizations and citizens who have previously expressed, or are known to have interest in this proposal. A series of public meetings will be held in the project corridor throughout the data gathering and development of alternatives. In addition, a public hearing will be held. Public notice will be given of the time and place of the