

#### 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. Comments may be submitted by any of the following methods:

##### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSE-2006-98 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSE-2006-98. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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 also will be available for inspection and copying at the principal office of NYSE. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2006-98 and should be submitted on or before December 5, 2006.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>4</sup>

**Nancy M. Morris,**

*Secretary.*

[FR Doc. E6-19165 Filed 11-13-06; 8:45 am]

**BILLING CODE 8011-01-P**

#### **SOCIAL SECURITY ADMINISTRATION**

[Docket No. SSA 2006-0095]

#### **No Fear Act Notice**

**AGENCY:** Social Security Administration.  
**ACTION:** Notice.

**SUMMARY:** The Social Security Administration is required to provide notice to all of its employees, former employees, and applicants for Federal employment in order to inform them of applicable rights and remedies available under the Federal antidiscrimination and whistleblower Protection Laws. The notice is set forth below.

**DATES:** This notice will be effective on November 1, 2006.

**FOR FURTHER INFORMATION CONTACT:** Chester Kleinman, Senior Advisor, by mail at Office of Civil Rights and Equal Opportunity, Social Security Administration, P.O. Box 17712, Baltimore, Maryland 21235-7712; or by telephone at 410-965-0697.

**SUPPLEMENTARY INFORMATION:** On May 15, 2002, Congress enacted the "Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002," which is now known as the No FEAR Act. One purpose of the Act is to "require that Federal agencies be accountable for violations of antidiscrimination and whistleblower protection laws." Public Law 107-174, Summary. In support of this purpose, Congress found that "agencies cannot be run effectively if those agencies practice or tolerate discrimination." Public Law 107-174, Title I, General Provisions, section 101(1).

The Act also requires this agency to provide this notice to Federal employees, former Federal employees and applicants for Federal employment to inform you of the rights and protections available to you under Federal antidiscrimination and whistleblower protection laws.

#### **Antidiscrimination Laws**

A Federal agency cannot discriminate against an employee or applicant with respect to the terms, conditions or privileges of employment on the basis of race, color, religion, sex, national origin, age, disability, marital status or political affiliation. Discrimination on these

bases is prohibited by one or more of the following statutes: 5 U.S.C. 2302(b)(1), 29 U.S.C. 206(d), 29 U.S.C. 631, 29 U.S.C. 633a, 29 U.S.C. 791 and 42 U.S.C. 2000e-16.

This agency also prohibits discrimination based on parental status and sexual orientation. Executive Order 13152 states explicitly that discrimination based upon an individual's status as a parent is prohibited within the Executive Branch of the Federal Government. The right to address sexual orientation discrimination derives from Agency policy.

If you believe that you have been the victim of unlawful discrimination on the basis of race, color, religion, sex, national origin, disability, parental status or sexual orientation you must contact an Equal Employment Opportunity (EEO) counselor within 45 calendar days of the alleged discriminatory action, or, in the case of a personnel action, within 45 calendar days of the effective date of the action, before you can file a formal complaint of discrimination with the Agency. *See e.g.* 29 CFR 1614. If you believe that you have been the victim of unlawful discrimination on the basis of age, you must either contact an EEO counselor as noted above or give notice of intent to sue to the Equal Employment Opportunity Commission (EEOC) within 180 calendar days of the alleged discriminatory action. If you are alleging discrimination based on marital status or political affiliation, you may file a written complaint with the U.S. Office of Special Counsel (OSC) (*see* contact information below). In the alternative (or in some cases, in addition), you may pursue a discrimination complaint by filing a grievance through the Agency's administrative or negotiated grievance procedures, if such procedures apply and are available.

#### **Whistleblower Protection Laws**

A Federal employee with authority to take, direct others to take, recommend or approve any personnel action must not use that authority to take or fail to take, or threaten to take or fail to take, a personnel action against an employee or applicant because of disclosure of information by that individual that is reasonably believed to evidence violations of law, rule or regulation; gross mismanagement; gross waste of funds; an abuse of authority; or a substantial and specific danger to public health or safety, unless disclosure of such information is specifically prohibited by law and such information is specifically required by Executive Order to be kept secret in the interest of

<sup>4</sup> 17 CFR 200.30-3(a)(12).

national defense or the conduct of foreign affairs.

Retaliation against an employee or applicant for making a protected disclosure is prohibited by 5 U.S.C. 2302(b)(8). If you believe that you have been the victim of whistleblower retaliation, you may file a written complaint (Form OSC-11) with the U.S. Office of Special Counsel at 1730 M Street, NW., Suite 218, Washington, DC 20036-4505 or online through the OSC Web site—<http://www.osc.gov>.

#### Retaliation for Engaging in Protected Activity

A Federal agency cannot retaliate against an employee or applicant because that individual exercises his or her rights under any of the Federal antidiscrimination or whistleblower protection laws listed above. If you believe that you are the victim of retaliation for engaging in protected activity, you must follow, as appropriate, the procedures described in the Antidiscrimination Laws and Whistleblower Protection Laws sections or, if applicable, the administrative or negotiated grievance procedures in order to pursue any legal remedy.

#### Disciplinary Actions

Under the existing laws, each agency retains the right, where appropriate, to discipline a Federal employee for conduct that is inconsistent with Federal Antidiscrimination and Whistleblower Protection Laws up to and including removal. If OSC has initiated an investigation under 5 U.S.C. 1214, however, according to 5 U.S.C. 1214(f), agencies must seek approval from the Special Counsel to discipline employees for, among other activities, engaging in prohibited retaliation. Nothing in the No FEAR Act alters existing laws or permits an agency to take unfounded disciplinary action against a Federal employee or to violate the procedural rights of a Federal employee who has been accused of discrimination.

#### Additional Information

For further information regarding the No FEAR Act regulations, refer to 5 CFR Part 724. You may also contact the Office of Civil Rights and Equal Opportunity (Headquarters), the appropriate Civil Rights and Equal Opportunity office (Regions), or the Civil Rights and Equal Opportunity Manager (Office of Disability Adjudication and Review). Additional information regarding Federal antidiscrimination, whistleblower protection and retaliation laws can be found at the EEOC Web site—[http://](http://www.eeoc.gov)

[www.eeoc.gov](http://www.eeoc.gov) and the OSC Web site—<http://www.osc.gov>.

#### Existing Rights Unchanged

Pursuant to section 205 of the No FEAR Act, neither the Act nor this notice creates, expands or reduces any rights otherwise available to any employee, former employee or applicant under the laws of the United States, including the provisions of law specified in 5 U.S.C. 2302(d).

Dated: October 25, 2006.

**Mark A. Anderson,**

*Associate Commissioner, Office of Civil Rights and Equal Opportunity.*

[FR Doc. E6-19140 Filed 11-13-06; 8:45 am]

**BILLING CODE 4191-02-P**

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#### DEPARTMENT OF STATE

[Public Notice 5590]

#### Advisory Committee on International Economic Policy; Notice of Open Meeting

The Advisory Committee on International Economic Policy (ACIEP) will meet from 1:30 p.m. to 4:30 p.m. on Wednesday, November 29, 2006, in Room 1107, U.S. Department of State, 2201 C Street, NW., Washington, DC. The meeting will be hosted by Assistant Secretary of State for Economic and Business Affairs Daniel S. Sullivan and Committee Chairman R. Michael Gadbaw. The ACIEP serves the U.S. Government in a solely advisory capacity concerning issues and problems in international economic policy. The meeting will focus on transformational economic diplomacy, including a discussion of U.S. international economic objectives in South and Central Asia.

This meeting is open to the public as seating capacity allows. Entry to the building is controlled; to obtain pre-clearance for entry, members of the public planning to attend should provide, by November 24, 2006, their name, professional affiliation, valid government-issued ID number (i.e., U.S. government ID (agency), U.S. military ID (branch), passport (country), or driver's license (state)), date of birth, and citizenship to La Keisha Barner by fax (202) 647-5936, e-mail ([BarnerLR@state.gov](mailto:BarnerLR@state.gov)), or telephone (202) 647-0847. One of the following forms of valid photo identification will be required for admission to the State Department building: U.S. driver's license, passport, or U.S. Government identification card. Enter the Department of State from the C Street lobby. In view of escorting

requirements, non-Government attendees should plan to arrive not less than 15 minutes before the meeting begins.

For additional information, contact David Freudenwald, Office of Economic Policy and Public Diplomacy, Bureau of Economic and Business Affairs, at (202) 647-2231 or [FreudenwaldDJ@state.gov](mailto:FreudenwaldDJ@state.gov).

Dated: November 7, 2006.

**David R. Burnett,**

*Office Director, Office of Economic Policy Analysis and Public Diplomacy, Department of State.*

[FR Doc. E6-19178 Filed 11-13-06; 8:45 am]

**BILLING CODE 4710-07-P**

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#### DEPARTMENT OF STATE

[Public Notice 5592]

#### Announcement of Meetings of the International Telecommunication Advisory Committee

**SUMMARY:** This notice announces meetings of the International Telecommunication Advisory Committee (ITAC) to continue to prepare advice on the U.S. position on ITU budget shortfalls and related matters.

The International Telecommunication Advisory Committee (ITAC) will meet to continue to prepare advice on the U.S. position on ITU budget shortfalls, their impact on the structure of the ITU study programs, and the impact on the U.S. preparatory process on December 1, 2006 from 9:30 to noon Eastern Time at a location in the metropolitan Washington area. A conference bridge will be provided.

This meeting is open to the public. Further information may be obtained from the secretariat [minardje@state.gov](mailto:minardje@state.gov), telephone 202 647-3234.

Dated: November 7, 2006.

**James G. Ennis,**

*Foreign Affairs Officer, International Communications & Information Policy, Multilateral Affairs, Department of State.*

[FR Doc. E6-19181 Filed 11-13-06; 8:45 am]

**BILLING CODE 4710-07-P**

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#### DEPARTMENT OF TRANSPORTATION

#### Surface Transportation Board

#### Notice and Request for Comments

**ACTION:** 30-Day Notice of Information Collection Under Review: Maps in Abandonment Exemption Proceedings.

**SUMMARY:** The Surface Transportation Board (Board), as part of its continuing