

20-day period. Specified Activity includes cash trades, next day settling trades, as-of trades compared or recorded on T+3 (including trades received after the applicable T+2 cut-off time), and other similar transactions.

III. Discussion

Section 19(b) of the Act directs the Commission to approve a proposed rule change of a self-regulatory organization if it finds that such proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to such organization. Section 17A(b)(3)(F) of the Act requires that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions and to assure the safeguarding of securities and funds which are in its custody or control or for which it is responsible.¹³ The Commission believes that NSCC's rule change is consistent with this section because it should facilitate the prompt and accurate clearance and settlement of securities by expanding the types of trades eligible for inclusion in settlement through CNS. In addition, the proposed rule change should help assure the safeguarding of securities and funds in NSCC's custody or control or for which it is responsible by enabling NSCC to more accurately determine and collect collateral to cover the potential additional exposures resulting from trades that are processed on a settlement cycle shorter than three days.

IV. Conclusion

On the basis of the foregoing, the Commission finds that the proposed rule change is consistent with the requirements of the Act and in particular section 17A of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to section 19(b)(2) of the Act, that the proposed rule change (File No. SR-NSCC-2006-09) be and hereby is approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.¹⁴

Nancy M. Morris,
Secretary.

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-2006-42]

Petitions for Exemption; Summary of Petitions Received

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption part 11 of Title 14, Code of Federal Regulations (14 CFR), this notice contains a summary of certain petitions seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before December 21, 2006.

ADDRESSES: You may submit comments [identified by DOT DMS Docket Number FAA-2006-24982] by any of the following methods: Web site: <http://dms.dot.gov>. Follow the instructions for submitting comments on the DOT electronic docket site. Fax: 1-202-493-2251. Mail: Docket Management Facility; U.S. Department of Transportation, 400 Seventh Street, SW., Nassif Building, Room PL-401, Washington, DC 20590-001. Hand Delivery: Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Docket: For access to the docket to read background documents or comments received, go to <http://dms.dot.gov> at any time or to Room PL-401 on the plaza level of the Nassif Building, 400 Seventh Street, SW., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Tim Adams (202) 267-8033, Tyneka L. Thomas (202) 267-7626, or Frances Shaver (202) 267-9681, Office of Rulemaking (ARM-1), Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591. This notice is published pursuant to 14 CFR 11.85 and 11.91.

Issued in Washington, DC, on November 27, 2006.

Pamela Hamilton-Powell,
Director, Office of Rulemaking.

Petitions For Exemption

Docket No.: FAA-2006-24982.
Petitioner: The Lightship Group.
Section of 14 CFR Affected: Part 121 appendices I and J.

Description of Relief Sought: The Lightship Group is seeking relief from part 121 appendices I and J to allow Lightship employees that perform in international events to be exempt from random drug testing due to the difficulty in reaching an approved lab within the allotted time.

[FR Doc. E6-20354 Filed 11-30-06; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

[Docket No. FMCSA-2006-24925]

Establishment of the Commercial Driver's License (CDL) Advisory Committee

AGENCY: Federal Motor Carrier Safety Administration (FMCSA), DOT.

ACTION: Notice; Request for applications for membership.

SUMMARY: The FMCSA announces establishment of the Commercial Driver's License (CDL) Advisory Committee. Section 4135 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) requires creation of a "task force" to study and address current impediments and foreseeable challenges to the CDL Program's effectiveness and measures needed to realize the full safety potential of the Program. The FMCSA is chartering an advisory committee under the Federal Advisory Committee Act (FACA) to satisfy this SAFETEA-LU requirement. This Notice provides background and details about the purpose and functions of the CDL Advisory Committee, in accordance with FACA, and discusses the issues the CDL Advisory Committee will study and address. The Secretary of Transportation will appoint to the CDL Advisory Committee 15 individuals, representing stakeholders. The CDL Advisory Committee will begin work by the end of calendar year 2006.

DATES: Applications must be received by January 2, 2007. FMCSA will periodically call for applications, as necessary.

¹³ 15 U.S.C. 78q-1(b)(3)(F).

¹⁴ 17 CFR 200.30-3(a)(12).

FOR FURTHER INFORMATION CONTACT: Mr. Lloyd Goldsmith, Office of State Programs, CDL Division, Federal Motor Carrier Safety Administration, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590-0001. Telephone: (202) 366-2964. E-mail: Lloyd.Goldsmith@dot.gov. Office hours are from 8 a.m. to 5 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Background

Congress found that one of the leading factors operating against commercial motor vehicle (CMV) safety is the possession of multiple licenses by commercial drivers. Drivers with multiple licenses spread their traffic violations over a number of licenses to maintain a "good driver" rating regardless of the number of violations they may have acquired in one or more States. In response to States' concerns, the Commercial Motor Vehicle Safety Act (CMVSA) of 1986 (49 U.S.C. 31311(a)) directed the Department of Transportation (DOT) to establish, through the CDL Program, Federal minimum standards for licensing, testing, qualification, and classification of commercial drivers. The goal of CMVSA was to improve highway safety by ensuring that drivers of large trucks and buses were qualified to operate those vehicles and removing unsafe and unqualified drivers from the highways. CMVSA retained the State's right to issue a driver's license but established minimum national standards which States must meet when licensing CMV drivers.

The established standards are based on CMVSA and were designed to: Prohibit commercial drivers from possessing more than one commercial license; require that commercial drivers pass meaningful written and driving tests; require special qualifications for hazardous materials drivers; and establish disqualifications and penalties for drivers convicted of the traffic violations specified in 49 CFR 383.51. States that fail to comply with the requirements imposed by DOT are subject to withholding of a percentage of their highway funds. To enable the States to fully implement the provisions of CMVSA, Congress required DOT to create a national Commercial Driver's License Information System (CDLIS) to enable States to communicate and exchange driver license information.

FMCSA provides grant funds to States to support CDL Program activities. CMVSA authorized DOT, working in partnership with the States, to help implement the CDL Program by

expending \$60 million in order to meet the goals established by Congress. These funds were to be used to develop the knowledge and skills tests; create a CDLIS telecommunications network connecting all State Departments of Motor Vehicles (DMVs); create national computer software to support each State in sharing information among the DMVs; implement the testing and licensing procedures of each State; and implement in each State an information system that would support the Program. Congress has provided additional funding to continue to improve the Program, and to implement new program initiatives and systems enhancements mandated by subsequent legislation.

FMCSA conducts compliance reviews to ensure that States comply with the provisions of section 12009(a) of CMVSA.

CDL Advisory Committee

Section 4135 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) (Pub. L. 109-59, August 10, 2005, 119 Stat. 1736) directed the Secretary of Transportation to establish a "task force" to study and address current impediments and foreseeable challenges to the CDL Program's effectiveness. The FMCSA is chartering an advisory committee under the Federal Advisory Committee Act (FACA) to satisfy this SAFETEA-LU requirement.

The CDL Advisory Committee will examine a number of issues, including the following:

- (1) State enforcement practices;
- (2) Operational procedures to detect and deter fraud;
- (3) Needed improvements for seamless information sharing between states;
- (4) Effective methods for accurately sharing electronic data between States;
- (5) Adequate proof of citizenship;
- (6) Updated technology; and
- (7) Timely notification from judicial bodies concerning traffic and criminal convictions of CDL holders.

Request for Applications

FMCSA seeks applications for membership on the CDL Advisory Committee from interested persons who have education, training or experience in CDL issues. Specifically we seek applications from the following: State motor vehicle administrators, organizations representing government agencies or officials, members of the Judicial Conference, representatives of the trucking industry, representatives of labor organizations, safety advocates, and other significant stakeholders. To be

eligible for appointment, members must be able to attend three to four meetings each year in the Washington, DC area and spend approximately five hours per month providing additional consultation. Interested individuals should have a commitment to transportation safety. For application information, please contact Mr. Lloyd Goldsmith at (202) 366-2964, or via e-mail at Lloyd.Goldsmith@dot.gov.

Conclusion

The Department and the Agency are committed to making our Nation's highways safer by implementing and enforcing commercial driver's license program effectiveness measures.

Issued on: November 27, 2006.

John H. Hill,

Administrator.

[FR Doc. E6-20304 Filed 11-30-06; 8:45 am]

BILLING CODE 4910-EX-P

DEPARTMENT OF TRANSPORTATION

Federal Railroad Administration

Safety Advisory 2006-05

AGENCY: Federal Railroad Administration (FRA), Department of Transportation (DOT).

ACTION: Notice of Safety Advisory; Passenger Train Safety—Passengers Boarding or Alighting from Trains.

SUMMARY: FRA is issuing Safety Advisory 2006-05 recommending that each railroad operating passenger trains assess the rules, instructions, and procedures used to ensure that a train will not depart a station until all passengers successfully board or alight from the train, and ensure compliance with such rules, instructions, and procedures.

FOR FURTHER INFORMATION CONTACT: Brenda Moscoso, Operations Research Analyst, Grade Crossing Division (RRS-23), FRA Office of Safety Analysis, 1120 Vermont Avenue, NW., Washington, DC 20590, telephone: (202) 493-6282 or Anna Winkle, Trial Attorney, FRA Office of Chief Counsel, 1120 Vermont Avenue, NW., Washington, DC 20590, telephone: (202) 493-6166.

SUPPLEMENTARY INFORMATION: Although the safety of passengers traveling by rail compares extremely favorably to other modes of transportation, the recent fatality of a passenger who apparently became caught in the doors of a train from which he was alighting and was dragged as the train departed the station emphasizes the need for close adherence to certain railroad safety procedures and rules. The November 21,