

appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purpose 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 at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-Phlx-00-42 and should be submitted by June 16, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁹

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 00-13258 Filed 5-25-00; 8:45 am]

BILLING CODE 8010-01-M

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 26, 2000. 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, S.W., 5th Floor, Washington, D.C. 20416; and OMB Reviewer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

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

SUPPLEMENTARY INFORMATION:

Title: Surety Bond Guarantee Assistance.

No's: SBA Forms 990, 991, 994B, 994C, 994F and 994H.

Frequency: On Occasion.

Description of Respondents: Small Business Contractors applying for the Surety Bond Guarantee Program.

Annual Responses: 195,930.

Annual Burden: 53,375.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 00-13341 Filed 5-25-00; 8:45 am]

BILLING CODE 8025-01-M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3254]

State of Missouri

As a result of the President's major disaster declaration on May 12, 2000, I find that the following Counties in the State of Missouri constitute a disaster area due to damages caused by severe thunderstorms and flash flooding that occurred on May 6 and 7, 2000: Crawford, Franklin, Gasconade, Jefferson, St. Charles, Ste. Genevieve, St. Francois, St. Louis County, Warren, and Washington. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on July 11, 2000, and for loans for economic injury until the close of business on February 12, 2001 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 3 Office, 4400 Amon Carter Blvd., Suite 102, Fort Worth, TX 76155.

In addition, applications for economic injury loans from small businesses located in the following contiguous specified counties may be filed until the specified

date at the above location: Callaway, Dent, Iron, Lincoln, Madison, Maries, Montgomery, Osage, Perry, and Phelps Counties, and the City of St. Louis in the State of Missouri, and Calhoun, Jersey, Madison, Monroe, Randolph, and St. Clair Counties in the State of Illinois.

The interest rates are:

For Physical Damage

Homeowners With Credit Available

Elsewhere: 7.375%

Homeowners Without Credit Available

Elsewhere: 3.687%

Businesses With Credit Available

Elsewhere: 8.000%

Businesses and Non-Profit

Organizations Without Credit

Available Elsewhere: 4.000%

Others (Including Non-Profit

Organizations) With Credit Available

Elsewhere: 6.750%

For Economic Injury

Businesses and Small Agricultural

Cooperatives Without Credit

Available Elsewhere: 4.000%

The number assigned to this disaster for physical damage is 325406. For economic injury the numbers are 9H3600 for Missouri and 9H3700 for Illinois.

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

Dated: May 18, 2000.

James E. Rivera,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 00-13231 Filed 5-25-00; 8:45 am]

BILLING CODE 8025-01-U

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3255]

State of New Mexico

As a result of the President's major disaster declaration on May 13, 2000, and an amendment thereto on May 16, I find that the following Counties in the State of New Mexico constitute a disaster area due to damages caused by a severe forest fire beginning on May 5, 2000 and continuing: Bernalillo, Chaves, Cibola, DeBaca, Dona Ana, Eddy, Guadalupe, Lincoln, Los Alamos, McKinley, Mora, Otero, Rio Arriba, San Juan, San Miguel, Sandoval, Santa Fe, Sierra, Socorro, Taos, and Torrance. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on July 12, 2000, and for loans for economic injury until the close of business on February 13, 2001 at the address listed below or other locally announced locations: U.S. Small

⁹ 17 CFR 200.30-3(a)(12).

Business Administration, Disaster Area 3 Office, 4400 Amon Carter Blvd., Suite 102, Fort Worth, TX 76155.

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: Catron, Colfax, Curry, Grant, Harding, Lea, Luna, Quay, Roosevelt, and Valencia Counties in New Mexico; Apache County, Arizona; Archuleta, Conejos, Costilla, La Plata, and Montezuma Counties in Colorado; San Juan County, Utah; and Culberson, El Paso, Hudspeth, Loving, and Reeves Counties in Texas.

The interest rates are:

For Physical Damage

Homeowners With Credit Available

Elsewhere: 7.375%

Homeowners Without Credit Available

Elsewhere: 3.687%

Businesses With Credit Available

Elsewhere: 8.000%

Businesses and Non-Profit

Organizations Without Credit

Available Elsewhere: 4.000%

Others (Including Non-Profit

Organizations) With Credit Available

Elsewhere: 6.750%

For Economic Injury

Businesses and Small Agricultural

Cooperatives Without Credit

Available Elsewhere: 4.000%

The number assigned to this disaster for physical damage is 325505. For economic injury the numbers are 9H3800 for New Mexico, 9H3900 for Arizona, 9H4000 for Colorado, 9H4100 for Utah, and 9H4200 for Texas.

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

Dated: May 18, 2000.

James E. Rivera,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 00-13232 Filed 5-25-00; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Federal Motor Carrier Safety Administration

Controlled Substances and Alcohol Testing Management Information System (MIS) Statistical Data

May 15, 2000.

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

ACTION: Notice.

SUMMARY: The FMCSA is announcing the motor carrier industry's 1997 and 1998 controlled substances and alcohol

usage rates based on random testing. The positive rate for controlled substances was 1.3 percent in calendar year 1997, and 1.5 percent in 1998. The alcohol "violation" rate was 0.2 percent in 1997, and 0.4 percent in 1998.

Because the alcohol "violation" rate has remained below 0.5 percent for these two years, the FMCSA is announcing that it is maintaining the random alcohol testing rate for calendar year 2000 at 10 percent, in accordance with the provisions of the testing regulations. This lowered rate continues the DOT policy set in 1998 when data supported the same policy decision. Because the positive rate from controlled substances testing has remained above 1.0 percent during this same period, the FMCSA is maintaining the random controlled substances testing rate for calendar year 2000 at 50 percent, in accordance with FMCSA regulations. This notice serves to continue the existing policy and provides that it is effective until further notice.

FOR FURTHER INFORMATION CONTACT: For enforcement questions: Mr. Kenneth Rodgers, Office of Enforcement and Compliance (HMCE-20), (202) 366-4016; For substantive questions: Mr. David M. Lehrman, Office of Policy, Plans, and Regulations, (202) 366-0994; For statistical questions: Mr. Richard Gruberg, Office of Motor Carrier Information Analysis (HIA-20), (202) 366-2959; For legal questions, Mr. Michael Falk, Office of the Chief Counsel, (HCC-20), (202) 366-1384, Federal Highway Administration, 400 Seventh Street, SW., Washington, DC 20590.

SUPPLEMENTARY INFORMATION:

Electronic Access

An electronic copy of this document may be downloaded using a 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 the **Federal Register's** home page at: <http://www.nara.gov/fedreg> and the Government Printing Office's database at: <http://www.access.gpo.gov/nara>.

Creation of New Agency

In October 1999, the Secretary of Transportation rescinded the authority previously delegated to the Federal Highway Administrator to perform the motor carrier functions and operations, and to carry out the duties and powers related to motor carrier safety, that are statutorily vested in the Secretary. That authority was redelegated to the Director of the Office of Motor Carrier

Safety (OMCS), a new office within the Department (see, 64 FR 56270, October 19, 1999, and 64 FR 58356, October 29, 1999). The OMCS had previously been the FHWA's Office of Motor Carriers (OMC).

The Motor Carrier Safety Improvement Act of 1999 established the Federal Motor Carrier Safety Administration as a new operating administration within the Department of Transportation, effective January 1, 2000 (Public Law 106-159, 113 Stat. 1748, December 9, 1999). The Secretary therefore rescinded the motor carrier authority delegated to the Director of the OMCS and redelegated it to the Administrator of the FMCSA (65 FR 220, January 4, 2000).

The staff previously assigned to the FHWA's OMC, and then to the OMCS, are now assigned to the FMCSA. The motor carrier functions of the FHWA's Resource Centers and Division (i.e., State) Offices have been transferred without change to the FMCSA Resource Centers and FMCSA Division Offices, respectively. For the time being, all phone numbers and addresses are unchanged. Similarly, rulemaking activities begun under the auspices of the FHWA and continued under the OMCS will be completed by the FMCSA.

Background

On December 23, 1993 (58 FR 68220), the FHWA announced it would require motor carriers subject to 49 CFR part 391, later replaced by part 382, to implement and maintain specific controlled substance testing data, and submit an appropriate annual report when requested. All motor carriers must maintain this information. The FHWA randomly selects a sample of motor carriers annually and asks those selected to submit their data.

On February 15, 1994 (59 FR 7484), the FHWA promulgated new controlled substances and alcohol testing rules in 49 CFR part 382. These rules combined the controlled substances annual report with a similar alcohol rule "violation" annual report. An alcohol rule violation for purposes of the annual report are alcohol concentrations of 0.04 or greater and refusals to submit to alcohol testing.

On March 13, 1995, the FHWA amended the rule to reduce the information collection burden on all respondents, including small entities (60 FR 13369).

The current rule at § 382.403, formerly at 49 CFR 391.87(h), is essential for the accomplishment of the following four goals:

1. Collect controlled substance and alcohol testing statistical data.