

21, 2001 and May 2, 2001, respectively. The **Federal Register** published the proposed rule change, as amended, for comment on May 15, 2001.<sup>5</sup> The Commission received no comments on the proposed rule change. This order approves the proposal, as amended.

## II. Description of Proposal

The proposed rule change would establish procedures for Exchange members or member organizations to request the Exchange to list options not currently traded on the Exchange, and would codify the factors considered by the Exchange in listing option classes.<sup>6</sup> The Exchange would be required to review a proposed option's eligibility for listing within three business days of receiving a listing recommendation. If the Exchange determines that the proposed listing does not satisfy the Exchange's listing standards, the Exchange would be required to send a written response notifying the member within three days of the determination.

If the Exchange determines that the proposed option meets the Exchange's listing standards, Exchange staff would be required to present the proposal to the Chairman of the Board of Governors or his designee within ten business days of the determination. If the Exchange decides to deny or place limitations or conditions upon the proposed listing, the Exchange would be required to send a written response to the requesting member within three business days, setting forth in reasonable detail the basis on which the decision not to list, or to place limitations or conditions upon, the proposed option was made.

## III. Discussion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.<sup>7</sup> Specifically, the Commission believes that the proposed rule change is consistent with the section 6(b)(5)<sup>8</sup> requirements that the

rules of an exchange be designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanisms 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 proposed rule change will remove impediments to and perfect the mechanisms of a free and open market by providing formal procedures for members to request the listing of options on the Exchange. The proposal would require the Exchange to respond in writing within a maximum of sixteen business days to requests by member to list options. The Commission believes that the proposed procedures and time frames set forth in the proposed rule change are reasonable and adequately balance the Exchange's need to thoroughly examine proposed listings before making its determination with its members' need for a prompt and specific response to its listing recommendation.

In addition, the proposed rule change codifies the factors to be considered by the Exchange in determining whether to list a recommended option. The Commission believes that the proposed factors represent legitimate issues that the Exchange may consider when making a listing decision. The Commission notes that if the Exchange denies or places conditions or limitations upon a proposed listing, it must include its reasons in the letter notifying the member of its decision. The Commission believes that this requirement should help to ensure that the Exchange relies only upon the factors codified in its rules when making a listing decision.

## IV. Conclusion

*It is therefore ordered*, pursuant to section 19(b)(2) of the Act,<sup>9</sup> that the proposed rule change, as amended, (SR-Phlx-2001-02) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>10</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 01-16674 Filed 7-2-01; 8:45 am]

**BILLING CODE 8010-01-M**

## UNITED STATES SENTENCING COMMISSION

### Sentencing Guidelines for United States Courts

**AGENCY:** United States Sentencing Commission.

**ACTION:** Notice of proposed priorities; request for public comment.

**SUMMARY:** As part of its statutory authority and responsibility to analyze sentencing issues, including operation of the federal sentencing guidelines, and in accordance with Rule 5.2 of its Rules of Practice and Procedure, the Commission has identified certain tentative priorities that may be the focus of its policy development work during the amendment cycle ending May 1, 2002. The Commission envisions that much of this policy work may continue into the amendment cycle ending May 1, 2003. The Commission is seeking comment on these tentative priority issues.

**DATES:** Public comment should be received on or before August 3, 2001.

**ADDRESSES:** Send comments to: United States Sentencing Commission, One Columbus Circle, NE., Suite 2-500, South Lobby, Washington, DC 20002-8002, Attention: Public Affairs-Priorities Comment.

**FOR FURTHER INFORMATION CONTACT:** Michael Courlander, Public Affairs Officer, Telephone: (202) 502-4590.

**SUPPLEMENTARY INFORMATION:** The United States Sentencing Commission is an independent agency in the judicial branch of the United States Government. The Commission promulgates sentencing guidelines and policy statements for federal sentencing courts pursuant to 28 U.S.C. 994(a). The Commission also periodically reviews and revises previously promulgated guidelines pursuant to 28 U.S.C. 994(o) and submits guideline amendments to the Congress not later than the first day of May each year pursuant to 28 U.S.C. 994(p).

For the amendment cycle ending May 1, 2002, and possibly continuing into the amendment cycle ending May 1, 2003, the Commission has identified the following tentative priorities:

(1) In anticipation of the 15-year anniversary of the federal sentencing guidelines, the Commission has decided to undertake a 15-Year Study composed of a number of projects geared toward analyzing the guidelines in light of the goals of sentencing reform described in the Sentencing Reform Act and the statutory purposes of sentencing set forth in 18 U.S.C. 3553(a)(2).

<sup>5</sup> Securities Exchange Act Release No. 44235 (May 9, 2001), 66 FR 26901

<sup>6</sup> As part of a settlement of an enforcement action by the Commission, four of the five options exchanges, including the Phlx, are required to adopt rules to codify listing procedures to be carried out when a member or member organization requests the exchange to list options not currently trading on the exchange. See Order Instituting Public Administrative Proceedings Pursuant to Section 19(h)(1) of the Securities Exchange Act of 1934, Making Findings and Imposing Remedial Sanctions. Securities Exchange Act Release No. 43268 (September 11, 2000).

<sup>7</sup> In approving the proposal, the Commission has considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>8</sup> 15 U.S.C. 78f(b)(5).

<sup>9</sup> 15 U.S.C. 78s(b)(2).

<sup>10</sup> 17 CFR 200.30-3(a)(12).

(2) Possibly in conjunction with the 15-Year Study identified in paragraph (1), the Commission may begin an assessment of, and possibly consider guideline amendment proposals for, the following guideline areas: (A) Chapter Two, Part D (Offenses Involving Drugs); (B) Chapter Four (Criminal History); and (C) miscellaneous and discreet issues such as offenses involving damage to cultural heritage resources. As part of this work, the Commission may address any conflicts among the circuits related to the operation of the guidelines in these areas.

The Commission invites comment on these tentative priorities and on any other issues that interested persons believe the Commission should address during the amendment cycle ending May 1, 2002, including short- and long-term research issues. To the extent practicable, comments submitted on such issues should include the following: (1) A statement of the issue, including the scope and manner of study, particular problem areas and possible solutions, and any other matters relevant to a proposed priority; (2) citations to applicable sentencing guidelines, statutes, case law, and constitutional provisions; and (3) a direct and concise statement of why the Commission should make the issue a priority.

**Authority:** 28 U.S.C. 994(a), (o); USSC Rules of Practice and Procedure 5.2.

**Diana E. Murphy,**  
*Chair.*  
[FR Doc. 01-16714 Filed 7-2-01; 8:45 am]  
**BILLING CODE 2210-01-P**

**SMALL BUSINESS ADMINISTRATION**

**Data Collection Available for Public Comments and Recommendations**

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new, and/or currently approved information collection.

**DATES:** Submit comments on or before September 4, 2001.

**ADDRESSES:** Send all comments regarding whether these information collections are necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections, to Sandra Johnston, Program Analyst,

Office of Financial Assistance, Small Business Administration, 409 3rd Street, S.W., Suite 8300, Washington DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Sandra Johnston, Program Analyst, (202) 205-7528 or Curtis B. Rich, Management Analyst, (202) 205-7030.

**SUPPLEMENTARY INFORMATION:**  
*Title:* Personal Financial Statement.  
*Form No:* 413.  
*Description of Respondents:* Small Business Loan Applicants.  
*Annual Responses:* 160,000.  
*Annual Burden:* 240,000.  
*Title:* U.S. Small Business Administration Application for Section 504 Loan.  
*Form No:* 1244.  
*Description of Respondents:* Small Businesses Applying for Financial Assistance.  
*Annual Responses:* 5,200.  
*Annual Burden:* 11,700.

**Jacqueline White,**  
*Chief, Administrative Information Branch.*  
[FR Doc. 01-16630 Filed 7-2-01; 8:45 am]  
**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Declaration of Disaster #3351]**

**State of Kansas**

Leavenworth County and the contiguous counties of Atchison, Douglas, Jefferson, Johnson and Wyandotte in the State of Kansas; and Platte County in the State of Missouri constitute a disaster area as a result of damages caused by severe thunderstorms and flash flooding that occurred on June 19, 2001. Applications for loans for physical damage may be filed until the close of business on August 27, 2001 and for economic injury until the close of business on March 26, 2002 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, Ft. Worth, TX 76155.

The interest rates are:

	Percent
For physical damage:	
Homeowners with credit available elsewhere .....	6.625
Homeowners without credit available elsewhere .....	3.312
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 .....	7.125

	Percent
For economic injury: Businesses and small agricultural cooperatives without credit available elsewhere .....	4.000

The number assigned to this disaster for physical damage is 335111 for Kansas and 335211 for Missouri. The number assigned to this disaster for economic injury is 9M0400 for Kansas and 9M0500 for Missouri.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)  
Dated: June 26, 2001.  
**John Whitmore,**  
*Acting Administrator.*  
[FR Doc. 01-16631 Filed 7-2-01; 8:45 am]  
**BILLING CODE 8025-01-P**

**OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE**

**Notice of Meeting of the Trade and Environment Policy Advisory Committee (TEPAC)**

**AGENCY:** Office of the United States Trade Representative.

**ACTION:** Notice that the July 25, 2001, meeting of the Trade and Environment Policy Advisory Committee will be held from 9:30 a.m. to 12:30 p.m. The meeting will be closed to the public from 9:30 a.m. to 12 noon and open to the public from 12 noon to 12:30 p.m.

**SUMMARY:** The Trade and Environment Policy Advisory Committee will hold a meeting on July 25, 2001, from 9:30 a.m. to 12:30 p.m. The meeting will be closed to the public from 9:30 a.m. to 12 noon. The meeting will include a review and discussion of current issues which influence U.S. trade policy. Pursuant to Section 2155(f)(2) of Title 19 of the United States Code, I have determined that this meeting will be concerned with matters the disclosure of which would seriously compromise the development by the United States Government of trade policy, priorities, negotiating objectives or bargaining positions with respect to the operation of any trade agreement and other matters arising in connection with the development, implementation and administration of the trade policy of the United States. The meeting will be open to the public and press from 12 p.m. to 12:30 p.m., when trade policy issues will be discussed. Attendance during this part of the meeting is for observation only. Individuals who are not members of the