

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 will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-PCX-99-07 and should be submitted by June 6, 2000.

## VI. Conclusion

*It is therefore ordered*, pursuant to section 19(b)(2) of the Act, that the proposed rule change SR-PCX-99-07, including Amendment No. 2, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>39</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 00-12272 Filed 5-15-00; 8:45 am]

BILLING CODE 8010-01-M

## SMALL BUSINESS ADMINISTRATION

### Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest

Notice is hereby given that TD Origen Fund, L.P. ("TD Origen"), 150 Washington Avenue, Suite 201, Santa Fe, New Mexico 87501, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), TD Javelin Capital Fund, LP ("TD Javelin"), 2850 Cahaba Road, Suite 240, Birmingham, Alabama 35223, a Federal Licensee under the Act, TD Javelin Capital Fund II, LP ("TD Javelin II"), 2850 Cahaba Road, Suite 240, Birmingham, Alabama 35223, a Federal Licensee under the Act, and TD Lighthouse Capital Fund, LP ("TD Lighthouse", and together with TD Javelin, TD Javelin II, and TD Origen, the "Funds"), 303 Detroit Street, Suite 301, Ann Arbor, Michigan 48104, an applicant for a Federal license under the Act, in connection with the financing of a small concern, are seeking an exemption under section 312 of the Act and section 107.730, Financialings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") rules and regulations (13 CFR 107.730 (2000)). The Funds propose to provide

equity financing to TransMolecular, Inc. ("TMI"), 2850 Cahaba Road, Suite 240, Birmingham, Alabama 35223. The financing is contemplated for product development and working capital.

The financing is brought within the purview of Sec. 107.730(a)(1) of the Regulations because TD Javelin, an Associate of the Funds, currently owns greater than 10 percent of TMI and therefore TMI is considered an Associate of each of the Funds as defined in Sec. 107.50 of the regulations.

Notice is hereby given that any interested person may submit written comments on the transaction to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street, SW; Washington, DC 20416.

Dated: April 26, 2000.

**Don A. Christensen,**

*Associate Administrator for Investment.*

[FR Doc. 00-12185 Filed 5-15-00; 8:45 am]

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## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities: Emergency Consideration Request

In compliance with Public Law 104-13, the Paperwork Reduction Act of 1995, the Social Security Administration (SSA) is providing notice of its information collections that require submission to the Office of Management and Budget (OMB). SSA is requesting emergency consideration from OMB by 06/02/2000 of the information collection listed below.

1. *Annual Earning Test-Direct Mail Follow-up Program Notices-0960-0369*. In 1997, as part of the initiative to reinvent government, SSA began to use the information reported on W-2's and self-employment tax returns to adjust benefits under the earnings test rather than have beneficiaries make a separate report, which often showed the same information. As a result, beneficiaries under full retirement age (FRA) complete forms SSA-L9778-SM-SUP, SSA-L9779-SM-SUP and SSA-L9781-SM (the "Midyear Mailer" forms) under this information collection.

With the passage of the Senior Citizen Freedom to Work Act of 2000, the annual earnings test (AET) at FRA was eliminated. As a result, SSA designed 2 new Midyear Mailer forms, the SSA-L9784-SM and the SSA-L9785-SM, to request an earnings estimate in the year of FRA for the period prior to the month of FRA. Social Security benefits may be

adjusted based on the information provided and this information is needed to comply with the recent change to the law. Consequently, the Midyear Mailer program has become an even more important tool in helping SSA to ensure that Social Security payments are correct. Respondents are beneficiaries who must update their current year estimate of earnings, give SSA an estimate of earnings for the following year and an earnings estimate (in the year of FRA) for the period prior to the month of FRA.

*Number of Respondents:* 315,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 10 minutes.

*Estimated Annual Burden:* 52,500 hours.

You can obtain a copy of the collection instruments and/or OMB clearance package by calling the SSA Reports Clearance Officer on (410) 965-4145, or by writing to him. Written comments and recommendations regarding the information collection should be submitted to the SSA Reports Clearance Officer and to the OMB Desk Officer at the addresses at the end of this document. Comments and recommendations should be received before June 2, 2000.

### (OMB Address)

Desk Officer for SSA, New Executive Office Building, Room 10230, 725 17th St., NW, Washington, DC 20503.

### (SSA Address)

Social Security Administration, DCFAM, Attn: Frederick W. Brickenkamp, 1-A-21 Operations Bldg., 6401 Security Blvd., Baltimore, MD 21235.

Dated: May 9, 2000.

**Frederick W. Brickenkamp,**

*Reports Clearance Officer.*

[FR Doc. 00-12323 Filed 5-15-00; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Proposed Advisory Circular 25-XX, Sustained Engine Imbalance

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of availability of proposed advisory circular (AC) 25-XX and request for comments.

**SUMMARY:** This notice announces the availability of and requests comments on a proposed advisory circular (AC) which provides methods acceptable to

<sup>39</sup> See 17 CFR 200.30-3(a)(12).

the Administrator related to the aircraft design for sustained engine rotor imbalance conditions provisions of 14 CFR part 25 regarding the type certification requirements for transport airplane structure. This notice is necessary to give all interested persons an opportunity to present their views on the proposed AC.

**DATES:** Comments must be received on or before July 10, 2000.

**ADDRESSES:** Send all comments on the proposed AC to: Federal Aviation Administration, Attention: Jim Haynes, Airframe/Airworthiness Branch, ANM-115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW, Renton, WA 98055-4056. Comments may also be submitted electronically to the following address: jim.haynes@faa.gov. Comments may be inspected at the above address between 7:30 a.m. and 4:00 p.m. weekdays, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Jim Haynes, Airframe/Airworthiness Branch, ANM-115, Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW, Renton, WA 98055-4056; telephone (425) 227-2131; facsimile (425) 227-1320. Questions may also be submitted electronically to the following address: jim.haynes@faa.gov.

#### **SUPPLEMENTARY INFORMATION:**

#### **Comments Invited**

You may obtain an electronic copy of the advisory circular identified in this notice at the following Internet address: [www.faa.gov/avr/air/airhome.htm](http://www.faa.gov/avr/air/airhome.htm). If you do not have access to the Internet, you may request a copy by contacting Susan Boylon, Program Management Branch, ANM-114, FAA Transport Airplane Directorate, Aircraft Certification Service, 1601 Lind Avenue SW., Renton, WA 98055-4056; telephone (425) 227-1152. Interested persons are invited to comment on the proposed AC by submitting such written data, views, or arguments, as they may desire. Commenters should identify AC 25-XX, and submit comments, in duplicate, to the address specified above. All communications received on or before the closing date for comments will be considered by the Transport Standards Staff before issuing the final AC.

#### **Discussion**

This AC contains guidance for the latest amendment of the regulations and applies to all transport category airplanes for which a new, amended, or supplemental type certificate is required. This guidance should be

applied to any portion of the airplane structure that has been modified. In the past, advisory and guidance information applicable to transport airplane structure has been published as AC's. Advisory circulars have not been developed for all of the regulatory requirements applicable to transport airplane structure, however. In many instances, certification of new technology airplanes resulted in the need to interpret the existing regulations and to apply new regulations. Issue papers and special conditions were generated to document the compliance method agreed upon between the applicant and the FAA. In other instances, applicants, FAA Aircraft Certification Office (ACO) managers, and foreign regulatory authorities have requested interpretation of the intent of specific regulations. This guidance was documented in the form of policy memorandums that were distributed to all ACO's, letters to applicants and foreign airworthiness authorities, and issue papers. In many instances, this information was not organized in a manner that allowed easy access, and applicants were not aware of revised policy. This AC formalizes existing policy so that the public and FAA personnel have access to this information. The methods and procedures described in this AC have evolved after many years and represent current certification practice.

Issued in Renton, Washington, on May 8, 2000.

**Vi L. Lipski,**

*Acting Manager, Transport Airplane Directorate, Aircraft Certification Service, ANM-100.*

[FR Doc. 00-12311 Filed 5-15-00; 8:45 am]

**BILLING CODE 4910-13-M**

## **DEPARTMENT OF TRANSPORTATION**

### **Federal Railroad Administration**

#### **Petition for Waiver of Compliance**

In accordance with part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the Federal Railroad Administration (FRA) received a request for a waiver of compliance with certain requirements of its safety standards. The individual petition is described below, including the party seeking relief, the regulatory provisions involved, the nature of the relief being requested, and the petitioner's arguments in favor of relief.

### **The Texas Mexican Railway Company**

[Waiver Petition Docket Number FRA-2000-7040]

The Texas Mexican Railway Company (TM) seeks a permanent waiver of compliance from certain provisions of the Safety Appliances Standards, 49 CFR part 231, and the Power Brakes and Drawbars regulations, 49 CFR part 232, concerning RoadRailer® train operations over their railroad system. Specifically, TM requests relief from the requirements of 49 CFR part 231, which specifies the number, location and dimensional specifications for handholds, ladders, sill steps, uncoupling levers, and handbrakes; and § 232.2, which regulates drawbar height.

TM would like to begin operations of RoadRailer® equipment over its system in connection with the Burlington Northern Santa Fe Railway (BNSF) and/or the Kansas City Southern Railroad to and from interchange with the Transportation Ferroviaria Mexicana at Laredo, Texas, with movement of the equipment between interchange points at Beaumont, Houston, or Corpus Christi, Texas. TM requests that FRA consider this waiver under the same conditions as granted to BNSF under Docket Number FRA 1999-5895.

Interested parties are invited to participate in these proceedings by submitting written views, data, or comments. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning these proceedings should identify the appropriate docket number (e.g., Waiver Petition Docket Number 1999-5894) and must be submitted to the Docket Clerk, DOT Docket Management Facility, Room PL-401 (Plaza Level), 400 7th Street, SW, Washington, DC 20590. Communications received within 15 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9:00 a.m.-5:00 p.m.) at the above facility. All documents in the public docket are also available for inspection and copying on the Internet at the docket facility's web site at <http://dms.dot.gov>.