

will allow brokers to focus on other orders they are representing. It will allow brokers to avoid undue liability and to avoid having to spend an inordinate amount of time in executing stock/option orders in compliance with the current restrictions of Rule 6.75 relating to orders in the order book. It will also allow stock/option orders to be executed when otherwise they might not be executed under Rule 6.75. The Exchange believes that the current exemptions for spread, straddle and combination orders under Rule 6.75 should be extended to include stock/option orders based upon just and equitable principles of trade.

## 2. Basis

The Exchange believes that this proposal is consistent with Section 6(b) of the Act,<sup>11</sup> in general, and furthers the objectives of Section 6(b)(5),<sup>12</sup> in particular, in that it is designed to facilitate transactions in securities, promote just and equitable principles of trade, and to protect investors and the public interest.

### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments on the proposed rule change were neither solicited nor received.

### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will—

(A) By order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views and

arguments concerning the foregoing, including whether the proposal 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 in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office at the PCX. All submissions should refer to File No. SR-PCX-00-04 and should be submitted by December 26, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>13</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 00-30769 Filed 12-1-00; 8:45 am]

**BILLING CODE 8010-01-M**

---

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3305; Amendment No. 2]

#### State of Arizona

In accordance with a notice received from the Federal Emergency Management Agency, dated November 27, 2000, the above-numbered Declaration is hereby amended to include Yavapai County in the State of Arizona as a disaster area due to damages caused by severe storms and flooding which occurred beginning on October 21, 2000 and continuing through November 8, 2000.

In addition, applications for economic injury loans from small businesses located in the contiguous county of Coconino, Arizona may be filed until the specified date at the previously designated location. All other contiguous counties have been previously declared.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is December 26, 2000 and for economic injury the deadline is July 27, 2001.

<sup>13</sup> 17 CFR 200.30-3(a)(12).

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

Dated: November 28, 2000.

**Herbert L. Mitchell,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 00-30778 Filed 12-1-00; 8:45 am]

**BILLING CODE 8025-01-U**

---

## SMALL BUSINESS ADMINISTRATION

[License #09/09-0386]

### First Commerce & Loan, L.P.; Notice of License Surrender

Notice is hereby given that First Commerce & Loan, L.P. ("First Commerce"), an Arizona limited partnership, has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended ("the Act"). First Commerce was licensed by the Small Business Administration on October 19, 1990.

Under the authority vested by the Act and pursuant to the regulations promulgated thereunder, the surrender of the license was accepted on November 9, 2000, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59-011, Small Business Investment Companies)

Dated: November 28, 2000.

**Don A. Christensen,**

*Associate Administrator for Investment.*

[FR Doc. 00-30777 Filed 12-1-00; 8:45 am]

**BILLING CODE 8025-01-U**

---

## SMALL BUSINESS ADMINISTRATION

### Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance

**AGENCY:** U.S. Small Business Administration (SBA).

**ACTION:** Notice of the U.S. Small Business Administration Financial Assistance Programs Subject to Title IX of the Education Amendments of 1972, as amended.

**SUMMARY:** In accordance with Subpart F of the final common rule for the enforcement of Title IX of the Education Amendments of 1972, as amended ("Title IX"), this notice lists federal financial assistance administered by the U.S. SBA that is covered by Title IX. Title IX prohibits recipients of federal financial assistance from discriminating on the basis of sex in education programs or activities. Subpart F of the

<sup>11</sup> 15 U.S.C. 78f(b).

<sup>12</sup> 15 U.S.C. 78f(b)(5).

Title IX common rule requires each federal agency that awards federal financial assistance to publish in the **Federal Register** a notice of the federal financial assistance covered by the Title IX regulations within sixty (60) days after the effective date of the final common rule. The final common rule for the enforcement of Title IX was published in the **Federal Register** by the twenty-one (21) federal agencies, including SBA, on August 30, 2000 (65 FR 52857–52895). SBA's portion of the final common rule will be codified at 13 CFR Part 113.

**SUPPLEMENTARY INFORMATION:** Title IX prohibits recipients of federal financial assistance from discriminating on the basis of sex in educational programs or activities. Specifically, the statute that “[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance,” with specific exceptions for various entities, programs, and activities. 20 U.S.C. 1681(a). Title IX and the Title IX common rule prohibit discrimination on the basis of sex in the operation of, and the provision or denial of benefits by, education programs or activities conducted not only by educational institutions but by other entities as well, including, for example, SBA-funded small business development centers and for profit and nonprofit organizations that receive SBA disaster loans.

#### List of Federal Financial Assistance Administered by the U.S. Small Business Administration to Which Title IX Applies

**Note:** All recipients of federal financial assistance from SBA are subject to Title IX, but Title IX's anti-discrimination prohibitions are limited to the educational components of the recipient's program or activity, if any.

Failure to list a type of federal assistance below shall not mean, if Title IX is otherwise applicable, that a program or activity is not covered by Title IX.

Information on SBA federal financial assistance can be found by consulting the Catalog of Domestic Financial Assistance (CFDA) at <http://www.cfda.gov>. If using the Internet site, please select “Search Catalog,” select “Browse the Catalog—By Agency,” and then click on “Small Business Administration.” Catalog information is also available by calling, toll free, 1–800–699–8331 or by writing to: Federal Domestic Assistance Catalog Staff (MVS), General Services Administration, Reporters Building,

Room 101, 300 7th Street, SW, Washington, DC 20407.

The following types of federal financial assistance administered through SBA are listed in the CFDA. For further information on any of these types of federal financial assistance, please consult the CFDA.

Economic Injury Disaster Loans  
Business Development Assistance to Small Business  
8(a) Business Development Management and Technical Assistance for Socially and Economically Disadvantaged Businesses  
Physical Disaster Loans  
Procurement Assistance to Small Businesses  
Small Business Investment Companies  
Bond Guarantees for Surety Companies  
Service Corps of Retired Executives Association  
Small Business Development Centers  
Certified Development Company Loans (504 Loans)  
Women's Business Ownership Assistance  
Veterans Entrepreneurial Training and Counseling  
Microloan Demonstration Program  
Office of Small Disadvantaged Business Certification and Eligibility

(Authority: 28 U.S.C. 1681–1688)

Dated: November 28, 2000.

**James A. Westbrook,**

*Acting Assistant Administrator, Office of Equal Employment Opportunity and Civil Rights Compliance.*

[FR Doc. 00–30780 Filed 12–1–00; 8:45 am]

**BILLING CODE 8025–01–U**

#### SOCIAL SECURITY ADMINISTRATION

##### Rescission of Social Security Acquiescence Ruling 00–3(10)

**AGENCY:** Social Security Administration.

**ACTION:** Notice of rescission of Social Security Acquiescence Ruling 00–3(10)—*Haddock v. Apfel*, 196 F.3d 1084 (10th Cir. 1999).

**SUMMARY:** In accordance with 20 CFR 402.35(b)(2), 404.985(e) and 416.1485(e) the Commissioner of Social Security gives notice of the rescission of Social Security Acquiescence Ruling 00–3(10).

**EFFECTIVE DATE:** December 4, 2000.

**FOR FURTHER INFORMATION CONTACT:** Cassia W. Parson, Litigation Staff, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965–1695.

**SUPPLEMENTARY INFORMATION:** A Social Security Acquiescence Ruling explains how we will apply a holding in a decision of a United States Court of

Appeals that we determine conflicts with our interpretation of a provision of the Social Security Act or regulations when the Government has decided not to seek further review of the case or is unsuccessful on further review.

As provided by 20 CFR 404.985(e)(4) and 416.1485(e)(4), a Social Security Acquiescence Ruling may be rescinded as obsolete if we subsequently clarify, modify or revoke the regulation or ruling that was the subject of the circuit court holding for which the Acquiescence Ruling was issued.

On June 20, 2000, we issued Acquiescence Ruling 00–3(10) (65 FR 38312) to reflect the holding in *Haddock v. Apfel*, 196 F.3d 1084 (10th Cir. 1999). This circuit court holding interpreted 20 CFR 404.1566 and 416.966 to require that, before an Administrative Law Judge (ALJ) may rely on evidence from a Vocational Expert (VE) to support a determination of nondisability at step five of the sequential evaluation process, he or she must ask the expert how the testimony or information corresponds to the information provided in the Dictionary of Occupational Titles (DOT)<sup>1</sup> and elicit a reasonable explanation for any conflict.

We are publishing this notice of rescission of the Acquiescence Ruling concurrently with our publication of Social Security Ruling (SSR) 00–4p clarifying 20 CFR 404.1566 and 416.966. The SSR clarifies our rules on identifying and resolving conflicts or apparent conflicts between the testimony of the VE or a Vocational Specialist (VS) and the information contained in the DOT. The SSR explains that when a VE or VS provides evidence about the requirements of a job or occupation, the adjudicator has an affirmative responsibility to ask about any possible conflict between that VE or VS evidence and the information provided in the DOT. The SSR also provides that, before relying on VE or VS evidence to support a disability determination or decision, the adjudicator must obtain a reasonable explanation for any such conflict.

Because the SSR clarifies the provision of our rules upon which the holding in *Haddock* is based and our standards for identifying and resolving conflicts between occupational evidence provided by a VE and the information in the DOT, we are rescinding Acquiescence Ruling 00–3(10). By clarifying our regulations and

<sup>1</sup> Employment and Training Administration, U.S. Department of Labor, Dictionary of Occupational Titles (Fourth Edition, Revised 1991) and its companion publication, Selected Characteristics of Occupations Defined in the Revised Dictionary of Occupational Titles, (1993).