

and regulations thereunder applicable to a national securities exchange<sup>6</sup> and, in particular, the requirements of Section 6 of the Act.<sup>7</sup> Specifically, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>8</sup> which requires, among other things, that the rules of a national securities exchange be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, 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 notes that it has previously approved NYSE Arca Equities Rule 5.2(j)(6) to list and trade Index-Linked Securities, including Futures-Linked Securities on the Exchange pursuant to Rule 19b-4(e).<sup>9</sup> The Exchange represented that any securities it would list and/or trade pursuant to proposed amended NYSE Arca Equities Rule 5.2(j)(6) would continue to comply with all Exchange rules applicable to the listing and trading of Index Linked Securities. Therefore, the Commission does not believe that the proposed rule change raises any novel regulatory issues and hereby approves the proposed rule change.

In addition, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,<sup>10</sup> for approving the proposed rule change prior to the thirtieth day after the date of publication of notice in the **Federal Register**. The Commission believes that accelerating approval of the proposed rule change would facilitate the listing and trading of additional Futures-Linked Securities, offering greater choices to market participants, while still protecting investors. For the reasons discussed above, the Commission does not believe that the proposed rule change raises any new regulatory issues.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,<sup>11</sup> that the proposed rule change (SR-NYSEArca2008-111) is hereby approved on an accelerated basis.

<sup>6</sup> In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>7</sup> 15 U.S.C. 78f.

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

<sup>9</sup> See, *supra*, note 4.

<sup>10</sup> 15 U.S.C. 78s(b)(2).

<sup>11</sup> 15 U.S.C. 78s(b)(2).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>12</sup>

**Florence E. Harmon,**

*Acting Secretary.*

[FR Doc. E8-27883 Filed 11-21-08; 8:45 am]

**BILLING CODE 8011-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration # 11527 and # 11528]**

**Michigan Disaster # MI-00014**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of Michigan dated 11/17/2008.

*Incident:* Severe Storms and Flooding.  
*Incident Period:* 09/12/2008 through 10/14/2008.

*Effective Date:* 11/17/2008.

*Physical Loan Application Deadline Date:* 01/16/2009.

*Economic Injury (EIDL) Loan Application Deadline Date:* 08/17/2009.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

Primary Counties:

Kalamazoo.

Contiguous Counties:

Michigan: Allegan, Barry, Branch,

Calhoun, Cass, Saint Joseph, and

Van Buren.

*The Interest Rates are:*

	Percent
Homeowners with Credit Available Elsewhere .....	5.750
Homeowners without Credit Available Elsewhere .....	2.875
Businesses with Credit Available Elsewhere .....	8.000
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000

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

	Percent
Other (Including Non-Profit Organizations) with Credit Available Elsewhere .....	5.250
Businesses and Non-Profit Organizations without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 11527 B and for economic injury is 11528 O.

The State which received an EIDL Declaration # is Michigan.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: November 17, 2008.

**Sandy K. Baruah,**

*Acting Administrator.*

[FR Doc. E8-27778 Filed 11-21-08; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF TRANSPORTATION**

**[Docket No. OST-2007-27407]**

**National Surface Transportation Infrastructure Financing Commission**

**AGENCY:** Department of Transportation (DOT).

**ACTION:** Notice of meeting location and time.

**SUMMARY:** This notice lists the location and time of the seventeenth meeting of the National Surface Transportation Infrastructure Financing Commission.

**FOR FURTHER INFORMATION CONTACT:** John V. Wells, Chief Economist, U.S. Department of Transportation, (202) 366-9224, [jack.wells@dot.gov](mailto:jack.wells@dot.gov).

**SUPPLEMENTARY INFORMATION:** By **Federal Register** Notice dated March 12, 2007, and in accordance with the requirements of the Federal Advisory Committee Act ("FACA") (5 U.S.C. App. 2) and the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users ("SAFETEA-LU") (Pub. L. 109-59, 119 Stat. 1144), the U.S. Department of Transportation (the "Department") issued a notice of intent to form the National Surface Transportation Infrastructure Financing Commission (the "Financing Commission"). Section 11142(a) of SAFETEA-LU established the National Surface Transportation Infrastructure Financing Commission and charged it with analyzing future highway and transit needs and the finances of the Highway Trust Fund and with making recommendations regarding alternative approaches to financing surface transportation infrastructure.

**Notice of Meeting Location and Time**

The Commissioners have agreed to hold their seventeenth meeting from 8:30 a.m. to 4 p.m. on Wednesday, December 10, 2008, at the office of the Information Technology and Innovation Foundation (ITIF), 1250 I ("Eye") Street, NW., Suite 200, Washington, DC 20005. The meeting will be open to the public.

If you need accommodations because of a disability or require additional information to attend the meeting, please contact John V. Wells, Chief Economist, U.S. Department of Transportation, (202) 366-9224, [jack.wells@dot.gov](mailto:jack.wells@dot.gov).

Issued on this 14 day of November, 2008.

**John V. Wells,**

Chief Economist, U.S. Department of Transportation, Designated Federal Official.  
[FR Doc. E8-27824 Filed 11-21-08; 8:45 am]

BILLING CODE 4910-9X-P

**DEPARTMENT OF TRANSPORTATION****Federal Motor Carrier Safety Administration**

[Docket No. FMCSA-2008-0299]

**Agency Information Collection Activities; Revision and Renewal of a Currently-Approved Information Collection: OMB Control No. 2126-0017 (Financial Responsibility, Motor Carriers, Freight Forwarders and Brokers)**

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

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

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, FMCSA announces its plan to submit the Information Collection Request (ICR) described below to the Office of Management and Budget (OMB) for its review and approval. The FMCSA requests OMB approval to revise and renew a currently-approved ICR entitled, "Financial Responsibility, Trucking and Freight Forwarding," to reflect an increase in burden hours due to an increase in the estimated number of annual responses. In addition, the title of the ICR is being changed to "Financial Responsibility, Motor Carriers, Freight Forwarders and Brokers," to better describe its purpose. This ICR sets forth the financial responsibility documentation requirements for motor carriers, freight forwarders and property brokers so they can maintain the minimum levels of financial responsibility required under the Federal Motor Carrier Safety

Regulations (FMCSRs) to operate in interstate, foreign or intrastate commerce. FMCSA invites public comment on this ICR.

**DATES:** We must receive your comments on or before *January 23, 2009*.

**ADDRESSES:** You may submit comments bearing the Department of Transportation (DOT) Docket Management System (DMS) Docket Number FMCSA Docket Number FMCSA-2008-0299 using any of the following methods:

- *Federal eRulemaking Portal:* Go to <http://www.regulations.gov>. Follow the on-line instructions for submitting comments.

- *Mail:* Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Group Floor, Room W12-140, Washington, DC 20590-0001.

- *Hand Delivery:* West Building Ground Floor, Room W12-140, 1200 New Jersey Avenue, SE., Washington DC, 20590-0001, between 9 a.m. and 5 p.m., e.t., Monday through Friday, except Federal Holidays.

- *Fax:* 1-202-493-2251.

Each submission must include the Agency name and the docket number for this Notice. Please note that DOT posts all comments received without change to <http://www.regulations.gov>, including any personal information included in a comment. Please see the Privacy Act heading below:

*Docket:* For access to the docket to read background documents or comments, go to <http://www.regulations.gov> at any time or Room W12-140 on the ground level of the West Building, 1200 New Jersey Avenue, SE., Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The DMS is available 24 hours each day, 365 days each year. If you want acknowledgement that we received your comments, please include a self-addressed, stamped envelope or post card or print the acknowledgement page that appears after submitting on-line.

*Privacy Act:* Anyone may search the electronic form of all comments received into any of our dockets by the name of the individual submitting the comment (or of the person signing the comment, if submitted on behalf of an association, business, labor union, etc.). You may review the DOT's complete Privacy Act Statement in the **Federal Register** on April 11, 2000 (65 FR 19477-78). This information is also available at <http://Docketinfo.dot.gov>.

**FOR FURTHER INFORMATION CONTACT:** Ms. Dorothea Grymes, Transportation

Specialist, Office of Enforcement and Compliance, Commercial Enforcement Division, Department of Transportation, Federal Motor Carrier Safety Administration, 6th Floor, West Building, 1200 New Jersey Ave., SE., Washington DC 20590-0001. Telephone Number: (202) 385-2405; E-mail Address: [dorothea.grymes@dot.gov](mailto:dorothea.grymes@dot.gov). Office hours are from 9 a.m. to 5 p.m., Monday through Friday, except Federal Holidays.

**SUPPLEMENTARY INFORMATION:****Background**

The Secretary of Transportation (Secretary) is authorized to register for hire motor carriers of regulated commodities under the provisions of 49 U.S.C. 13902, surface freight forwarders under the provisions of 49 U.S.C. 13903, and property brokers under the provisions of 49 U.S.C. 13904. These persons may conduct transportation services only if they are registered pursuant to 49 U.S.C. 13901. The Secretary has delegated authority pertaining to these registration requirements to the FMCSA. The registration remains valid only as long as these transportation entities maintain, on file with the FMCSA, evidence of the required levels of insurance coverage pursuant to 49 U.S.C. 13906. FMCSA regulations governing the financial responsibility requirements for these entities are found at 49 CFR part 387.

*Forms for Endorsements, Certificates of Insurance and Others*

Evidence of Bodily Injury and Property Damage (BI&PD) Liability Forms BMC-91 and 91X entitled, "Motor Carrier Automobile Bodily Injury and Property Damage Liability Certificate of Insurance," and Form BMC-82 entitled, "Motor Carrier Bodily Injury and Property Damage Liability Surety Bond Under 49 U.S.C. § 13906," provide evidence of the required coverage for bodily injury and property damage (BI&PD) liability.

Requirement to obtain Surety Bond or Trust Fund Agreement Form BMC-34 entitled, "Motor Carrier Cargo Liability Certificate of Insurance," and Form BMC-83 entitled "Motor Carrier Cargo Liability Surety Bond Under 49 U.S.C. § 13906," establish a carrier's compliance with the agency's cargo liability requirements. Form BMC-84 entitled "Property Broker's Surety Bond Under 49 U.S.C. § 13906," and Form BMC-85 entitled, "Property Broker's Trust Fund Agreement Under 49 U.S.C. § 13906," are filed by brokers to comply with the requirement that they must have a \$10,000 surety bond or trust fund