

they do not know if an adjustment will be made.

The advantage of a fixed dollar threshold is avoiding uncertainty. The per contract value of the dividend can be immediately determined without the need to wait until the declaration date and without the need to do a calculation based on the closing price of the underlying shares.

### 3. Consistency Across Relevant Interpretations

Interpretations and Policies .01 and .08 under Article VI, Section 11A apply to cash distributions. Interpretation and Policy .01 (as proposed to be amended) would apply in general to all cash distributions. Interpretation and Policy .08 currently carves out exceptions for fund share cash distributions and does not include a threshold minimum. In the interest of clarity and consistency with Interpretation and Policy .01, Interpretation .08 would be revised to provide for the same \$12.50 per contract threshold. Clause (ii) of Interpretation and Policy .08 would be deleted because it is an exception to the 10% Rule and would no longer be needed when the 10% Rule is abolished.

OCC believes that the proposed rule change is consistent with the requirements of Section 17A of the Act<sup>9</sup> and the rules and regulations thereunder applicable to OCC because (1) it is intended to eliminate inequities that result from certain rounding practices currently required by OCC's By-Laws and thus protect investors and (2) it is intended to make more predictable when cash distributions by an issuer will result in an adjustment to an option contract and thus make the process for adjustments more equitable for all investors.

#### *(B) Self-Regulatory Organization's Statement on Burden on Competition*

OCC does not believe that the proposed rule change would impose any burden on competition.

#### *(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others*

Written comments were not and are not intended to be solicited with respect to the proposed rule change, and none have been received.

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

Within thirty-five 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 ninety 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 proposed rule change, as amended, is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-OCC-2006-01 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-OCC-2006-01. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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 Section, 100 F Street, NE, Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of OCC and on OCC's Web site at <http://www.theocc.com>. All comments received will be posted without change; the Commission does not edit personal

identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-OCC-2006-01 and should be submitted on or before March 24, 2006.

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

**Nancy M. Morris,**  
*Secretary.*

[FR Doc. E6-3326 Filed 3-8-06; 8:45 am]

BILLING CODE 8010-01-P

## SMALL BUSINESS ADMINISTRATION

### Small Business Size Standards: Waiver of the Nonmanufacturer Rule

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

**ACTION:** Notice of intent to Waive the Nonmanufacturer Rule for Chemical and Allied Products.

**SUMMARY:** The U.S. Small Business Administration (SBA) is considering granting a request for a waiver of the Nonmanufacturer Rule for Ammonia (except fertilizer material) merchant wholesalers; Chemical gases merchant wholesalers; Chemicals (except agriculture); Compressed gases (except LP gas) merchant wholesalers; Dry ice merchant wholesalers; Gases, compressed and liquefied (except liquefied petroleum gas), merchant wholesaler; Ice, dry, merchant wholesalers; Industrial chemicals merchant wholesalers; Liquefied gases (except LP) merchant wholesalers; Organic chemicals merchant wholesalers; and Welding gases merchant wholesalers.

According to the request, no small business manufacturers supply this class of products to the Federal government. If granted, the waiver would allow otherwise qualified regular dealers to supply the products of any domestic manufacturer on a Federal contract set aside for small businesses; service-disabled veteran-owned small businesses or SBA's 8(a) Business Development Program.

**DATES:** Comments and source information must be submitted by March 24, 2006.

**ADDRESSES:** You may submit comments and source information to Edith Butler, Program Analyst, U.S. Small Business Administration, Office of Government Contracting, 409 3rd Street, SW., Suite 8800, Washington, DC 20416.

<sup>9</sup> 15 U.S.C. 78q-1.

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

**FOR FURTHER INFORMATION CONTACT:**

Edith Butler, Program Analyst, by telephone at (202) 619-0422; by FAX at (202) 481-1788; or by e-mail at [edith.butler@sba.gov](mailto:edith.butler@sba.gov).

**SUPPLEMENTARY INFORMATION:** Section 8(a)(17) of the Small Business Act (Act), 15 U.S.C. 637(a)(17), requires that recipients of Federal contracts set aside for small businesses, service-disabled veteran-owned small businesses, or SBA's 8(a) Business Development Program provide the product of a small business manufacturer or processor, if the recipient is other than the actual manufacturer or processor of the product. This requirement is commonly referred to as the Nonmanufacturer Rule. The SBA regulations imposing this requirement are found at 13 CFR 121.406(b). Section 8(a)(17)(b)(iv) of the Act authorizes SBA to waive the Nonmanufacturer Rule for any "class of products" for which there are no small business manufacturers or processors available to participate in the Federal market.

As implemented in SBA's regulations at 13 CFR 121.1202(c), in order to be considered available to participate in the Federal market for a class of products, a small business manufacturer must have submitted a proposal for a contract solicitation or received a contract from the Federal government within the last 24 months. The SBA defines "class of products" based on a six digit coding system. The coding system is the Office of Management and Budget North American Industry Classification System (NAICS).

The SBA is currently processing a request to waive the Nonmanufacturer Rule for Ammonia (except fertilizer material) merchant wholesalers; Chemical gases merchant wholesalers; Chemicals (except agriculture); Compressed gases (except LP gas) merchant wholesalers; Dry ice merchant wholesalers; Gases, compressed and liquefied (except liquefied petroleum gas), merchant wholesaler; Ice, dry, merchant wholesalers; Industrial chemicals merchant wholesalers; Liquefied gases (except LP) merchant wholesalers; Organic chemicals merchant wholesalers; and Welding gases merchant wholesalers North American Industry Classification System (NAICS) codes 424690. The public is invited to comment or provide source information to SBA on the proposed waiver of the Nonmanufacturer Rule for this class of NAICS code by March 24, 2006.

Dated: February 18, 2006.

**Karen C. Hontz,**

*Associate Administrator for Government Contracting.*

[FR Doc. E6-3353 Filed 3-8-06; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF STATE****[Public Notice 5339]**

**30-Day Notice of Proposed Information Collection: Forms DS-100, DS-100E, DS-101, DS-101E, DS-102, DS-102E, & DS-104, DS-104E, Diplomatic Motor Vehicle Applications for: Vehicle Registration, Title, & Replacement Plates, OMB Control Number 1405-0072**

**ACTION:** Notice of request for public comments and submission to OMB of proposed collection of information.

**SUMMARY:** The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995.

- *Title of Information Collection:* Diplomatic Motor Vehicle Applications for: Vehicle Registration, Title, & Replacement Plates OMB Control Number: 1405-0072.
- *OMB Control Number:* 1405-0072.
- *Type of Request:* Revision of a Currently Approved Collection.
- *Originating Office:* Diplomatic Security/Office of Foreign Missions (DS/OFM/VTC/V).
- *Form Numbers:* DS-100, DS-100E, DS-101, DS-101E, DS-102, DS-102E, & DS-104, DS-104E.
- *Respondents:* Foreign missions that have personnel assigned to the United States: diplomatic agents, consular officers, administrative and technical staff, specified official representatives of foreign governments to international organizations, and their dependents.
- *Estimated Number of Respondents:* 20,270.
- *Estimated Number of Responses:* 20,270.
- *Average Hours per Response:* .5 hours (30 minutes).
- *Total Estimated Burden:* 10,135.
- *Frequency:* On occasion.
- *Obligation to Respond:* Required to obtain or retain a benefit.

**DATES:** Submit comments to the Office of Management and Budget (OMB) for up to 30 days from March 9, 2006.

**ADDRESSES:** Direct comments and questions to Alex Hunt, the Department of State Desk Officer in the Office of Information and Regulatory Affairs at

the Office of Management and Budget (OMB), who may be reached at 202-395-7860. You may submit comments by any of the following methods:

- E-mail: [ahunt@omb.eop.gov](mailto:ahunt@omb.eop.gov). You must include the DS form number, information collection title, and OMB control number in the subject line of your message.

- Mail (paper, disk, or CD-ROM submissions): Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503.

- Fax: 202-395-6974.

**FOR FURTHER INFORMATION CONTACT:**

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed information collection and supporting documents, to Attn: Jacqueline Robinson, Diplomatic Motor Vehicle Director, Office of Foreign Missions, 3507 International Place, NW., State Annex 33, Washington, DC 20522-3302, who may be reached at 202-895-3528 or [RobinsonJD@state.gov](mailto:RobinsonJD@state.gov).

**SUPPLEMENTARY INFORMATION:**

*We are soliciting public comments to permit the Department to:*

- Evaluate whether the proposed information collection is necessary for the proper performance of our functions.

- Evaluate the accuracy of our estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of technology.

*Abstract of proposed collection:*

The operation of a motor vehicle in the United States by foreign mission personnel is a benefit under the Foreign Mission Act, 22 U.S.C. 4301 *et seq.* The U.S. Department of State Registration and Title application forms (DS-100, DS-100E, DS-101, DS-101E, DS-102, DS-102E, & DS-104, DS-104E) are the means by which foreign missions in the United States request the registration, titling, and issuance of replacement license plates for motor vehicles owned/operated by foreign missions, foreign diplomatic and consular personnel, as well as specified official representatives of foreign governments to international organizations in the United States, and their dependents.

*Methodology:*

This collection is submitted by all foreign missions in paper format on one