

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 the filing will also be available for inspection and copying at the principal office of the Phlx. All submissions should refer to File No. SR-Phlx-2003-04 and should be submitted by March 28, 2003.

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

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-5424 Filed 3-6-03; 8:45 am]

BILLING CODE 8010-01-P

## UNITED STATES SENTENCING COMMISSION

### Sentencing Guidelines for United States Courts

**AGENCY:** United States Sentencing Commission.

**ACTION:** Notice of public hearing.

**SUMMARY:** The Commission has scheduled a public hearing on its proposed amendments for the amendment cycle ending May 1, 2003. Witnesses will be invited to testify by the Commission on issues specified by the Commission prior to the hearing. Tentative topics include implementation of the Sarbanes-Oxley Act of 2002, Pub. L. 107-204, and changes to § 2A1.4 (Involuntary Manslaughter). Further information regarding the public hearing will be provided by the Commission on its Web site at <http://www.ussc.gov>.

**DATES:** The Commission has scheduled a public hearing for March 25, 2003, at 3:15 p.m., at the Thurgood Marshall Federal Judiciary Building, One Columbus Circle, NE., Washington, DC 20002-8002.

**FOR FURTHER INFORMATION CONTACT:** Michael Courlander, Public Affairs Officer, Telephone: (202) 502-4500.

**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). Additional information pertaining to the proposed amendments for the amendment cycle ending May 1, 2003, may be accessed through the Commission's Web site at <http://www.ussc.gov>.

**Authority:** 28 U.S.C. 994(x); USSC Rules of Practice and Procedure 3.4, 4.4, 4.5.

**Diana E. Murphy,**

*Chair.*

[FR Doc. 03-5430 Filed 3-6-03; 8:45 am]

BILLING CODE 2211-01-P

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket OST-02-12148]

### Electronic Transmission and Storage of Drug Testing Information Federal Advisory Committee; Meeting

**AGENCY:** Office of the Secretary, Department of Transportation.

**ACTION:** Notice of Federal Advisory Committee meeting.

**SUMMARY:** Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given that the Department of Transportation (DOT) Electronic Transmission and Storage of Drug Testing Information Federal Advisory Committee will meet for the second time in a public session on April 7-8, 2003, at the Embassy Suites Hotel, Crystal City—National Airport, 1300 Jefferson Davis Highway, Arlington, VA 22202, (703) 979-9799, FAX: (703) 892-8121. The purpose of the Committee is to recommend to the Department the type and level of electronic security that should be used for the transmission and storage of drug testing information, to assess the type of format and methodology that would be appropriate, and to recommend the level and type of electronic signature technology that would support the procedures used in the DOT drug and alcohol program. The Committee held its first meeting on June 18-19, 2002 in Washington, DC. A list of the committee members and a copy of the first meeting's transcripts are available in the docket posted on the Internet at <http://dms.dot.gov/search/>; the docket number is 12148.

**FOR FURTHER INFORMATION CONTACT:** Don Shatinsky or Minnie McDonald, Office of Drug and Alcohol Policy and Compliance (ODAPC), Office of the Secretary, Department of Transportation at voice (202) 366-3784, fax (202) 366-3897.

**SUPPLEMENTARY INFORMATION:** Since the beginning of drug testing, the DOT has sought ways to reduce the significant amount of paper documentation generated for the forensic accountability of drug test results. We are now in an era of various electronic capabilities that can further reduce the paper work burden. The transportation industry is asking us to move more in that direction. We want to accommodate this request, but we want to make sure that the integrity and confidentiality requirements of the program are maintained.

The Department made modest changes when 49 CFR Part 40 was updated and republished on April 19, 2000. We permitted greater use of faxes and scanned computer images for reporting test results. Additionally, for negative test results we permitted laboratories to send electronic reports to MROs, provided the laboratory and MRO ensured that the information is accurate and can be transmitted in such a manner as to prevent unauthorized access or release while it is transmitted or stored.

The Department believes that the increased use of electronic reporting is both inevitable and beneficial. At the same time, we want to make sure that there are good, consistent minimum standards for the use of this technology, in order to protect the important integrity and confidentiality requirements of the program. For these reasons, DOT established the Electronic Transmission and Storage of Drug Testing Information Federal Advisory Committee. The purpose of the Committee is to recommend regulatory modifications it deems necessary if Part 40 is to accommodate newer electronic technology. The Committee will assess the current status of electronic security technology and will make recommendations about consistent minimum standards for its use in the transmission and storage of drug testing results. Additionally, the Committee will examine the formats and methodologies used in transmitting electronic information, as well as the concept, parameters, and procedures used in implementing electronic signature technology within the framework of the DOT drug and alcohol testing program. The Committee will advise DOT regarding these findings. The Department anticipates that, following the receipt of the Committee's final recommendations, DOT will propose changes to Part 40 through a notice of proposed rulemaking that will result in minimum standards for security in transmission and storage of drug testing information and would

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