

SR–NYSE–99–38 and should be submitted by November 13, 2001.

#### IV. Discussion and Commission Findings

The Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules 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> and the rules and regulations thereunder. The Commission finds specifically that the proposed rule change is consistent with section 6(b)(6) of the Act<sup>8</sup> because it provides an additional option for the appropriate discipline of the NYSE's members and persons associated with its members for certain rule violations. Finally, the Commission finds the proposal is consistent with Securities Exchange Act Rule 19d–1(c)(2)<sup>9</sup> that governs minor rule violation plans.

The Commission finds good cause for accelerating approval of Amendment No. 2 to the proposed rule change prior to the 30th day after publication in the **Federal Register**. Amendment No. 2 removes the Regulatory Element of the Continuing Education requirements from the list of rules the NYSE administers pursuant to the Plan. The Commission notes that the National Association of Securities Dealers, ("NASD"), at the Commission's request, removed the Continuing Education Regulatory Element requirement from its proposal regarding administration of

rules pursuant to its minor rule violation plan.<sup>10</sup> Amendment No. 2 ensures that the NYSE and the NASD have the same disciplinary options for their members and associated persons with regard to violations of Continuing Education requirements. Accordingly, the Commission finds that good cause exists, consistent with section 6(b)(6) of the Act,<sup>11</sup> and section 19(b) of the Act<sup>12</sup> to accelerate approval of Amendment No. 2 to the proposed rule change.

In approving this proposal, the Commission in no way minimizes the importance of compliance with these rules, and all other rules subject to the imposition of fines under the Plan. The Commission believes that the violation of any self-regulatory organizations' rules, as well as Commission rules, is a serious matter. However, in an effort to provide the Exchange with greater flexibility in addressing certain violations, the Plan provides a reasonable means to address rule violations that do not rise to the level of requiring formal disciplinary proceedings. The Commission expects that the NYSE will continue to conduct surveillance with due diligence, and make a determination based on its findings whether fines of more or less than the recommended amount are appropriate for violations of rules under the Plan, on a case by case basis, or if a violation requires formal disciplinary action.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,<sup>13</sup> and Rule

19d–1(c)(2)<sup>14</sup> thereunder, that the proposed rule change (SR–NYSE–99–38), as amended, be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>15</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 01–26591 Filed 10–22–01; 8:45 am]

**BILLING CODE 8010–01–M**

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3370]

#### State of Texas

Bee and Maverick Counties and the contiguous counties of Dimmit, Goliad, Karnes, Kinney, Live Oak, Refugio, San Patricio, Uvalde, Webb and Zavala in the State of Texas constitute a disaster area as a result of severe storms and flooding that occurred from August 28 through September 14, 2001. Applications for loans for physical damage may be filed until the close of business on December 17, 2001 and for economic injury until the close of business on July 17, 2002 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 3 Office, 4400 Amon Carter Blvd., Suite 102, Ft. Worth, TX 76155.

The interest rates are:

For Physical Damage:	
Homeowners with credit available elsewhere .....	6.750%
Homeowners without credit available elsewhere .....	3.375
Businesses with credit available elsewhere .....	8.000
Businesses and non-profit organizations without credit available elsewhere .....	4.000
Others (including non-profit organizations) with credit available elsewhere .....	7.125
For Economic Injury:	
Businesses and small agricultural cooperatives without credit available elsewhere .....	4.000

The number assigned to this disaster for physical damage is 337011 and for economic injury is 9M9600.

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

Dated: October 17, 2001.

**John Whitmore,**

*Acting Administrator.*

[FR Doc. 01–26670 Filed 10–22–01; 8:45 am]

**BILLING CODE 8025–01–P**

## SOCIAL SECURITY ADMINISTRATION

### President's Commission to Strengthen Social Security

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Announcement of Meeting.

**DATES:** November 9, 2001 10:00 a.m.–3:30 p.m.

**ADDRESSES:** Washington, DC–Venue to be determined. Due to unforeseen circumstances the venue has not been

identified to date. This information will be published in the **Federal Register** and posted at [www.CSSS.gov](http://www.CSSS.gov) as soon as it is available.

#### SUPPLEMENTARY INFORMATION:

**Type of meeting:** The meeting will be open to the public between 10:00 a.m. and 3:30 p.m., with a break for lunch between 1:00 p.m. and 2:00 p.m.

**Purpose:** This is the fifth deliberative meeting of the Commission. No public testimony will be heard at this meeting.

<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)(6).

<sup>9</sup> 17 CFR 240.19d–1(c)(2).

<sup>10</sup> See Securities Exchange Act Release No. 44512 (July 3, 2001), 66 FR 36812 (July 13, 2001) (SR–NASD–00–39).

<sup>11</sup> 15 U.S.C. 78f(b)(6).

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

<sup>13</sup> 15 U.S.C. 78s(b)(2).

<sup>14</sup> 17 CFR 204.19d–1(c)(2).

<sup>15</sup> 17 CFR 200.30–3(a)(12).