

based. Such transactions remain subject to the requirement that they be effected in a manner that is consistent with the maintainances of a fair and orderly market.

Finally, the Exchange proposes to close trading in an ETF at 4:05 p.m. (Eastern Time) on the last business day of each month, which is the same time that trading in a related futures contract closes on the last business day of the month.

III. Summary of Comments

The commenter stated that registered competitive market makers on the Exchange should be treated in a similar manner as specialists when trading ETFs on a UTP basis with respect to the ability to effect destabilizing transactions.

The Exchange responded that, as a matter of policy, it has a determined to utilize a unitary market maker system, *i.e.*, specialists, when trading ETFs on a UTP basis.

IV. Discussion

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange⁷ and, in particular, the requirements of Section 6 of the Act⁸ and the rules and regulations thereunder. The Commission finds specifically that the proposed rule change is consistent with Section 6(b)(5) of the Act⁹ because it is designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest.

In particular, the Commission finds that the proposed amendments to NYSE Rules 104 and 1100 will enable the NYSE to accommodate the trading of ETFs on a UTP basis. The Commission believes clarifying NYSE Rule 1100(a) to expressly state that NYSE rules applying to Investment Company Units will also apply to ETFs trading on the Exchange on the basis of UTP should provide members and investors with notice as to the rules applicable to ETFs traded on the NYSE.

In addition, because ETFs are considered Investment Company Units, an ETF specialist is permitted under current NYSE Rule 104.10(7) to effect

proprietary destabilizing trades without Floor Official approval to bring the ETF into parity with the underlying index or the net asset value of the securities comprising the ETF. The Exchange proposes to amend this rule to permit an ETF specialist to effect proprietary destabilizing transactions without Floor Official approval to bring the ETF into parity with a futures contract on the index on which the ETF is based. The Commission believes that it is reasonable to allow such transactions without Floor Official approval, so long as such trades are effected in a manner that is consistent with the maintenance of a fair and orderly market.¹⁰ The Commission notes that ETFs have a pricing and trading relationship linked to the index on which the ETF is based, the net asset value of securities comprising the Unit, as well as the futures contract on the value of the index on which the Unit is based. Thus, a specialist may determine that it needs to engage in a parity transaction to bring the ETF in line with these related products. The requirement to secure floor approval could delay specialists from effectuating such transactions, during which time the values of the related index, components, or futures contract could continue to move. Therefore, the Commission believes that it is reasonable for NYSE to remove floor official approval when a specialist engages in transactions to bring an ETF in line with its related futures contract.

Furthermore, the Exchange proposal to close trading in an ETF at 4:05 p.m. on the last business day of each month is consistent with the close of trading in ETFs and futures on other markets and should facilitate the trading of these products across markets.

Finally, the Commission notes that the proposal was noticed for a 15-day comment period and the Commission received only one comment letter regarding the proposal for which the Exchange provided a response. Accordingly, the Commission finds good cause pursuant to Section 19(b)(2) of the Act¹¹ to approve the proposed rule change on an accelerated basis prior to the thirtieth day after the date of publication of notice of filing thereof in the **Federal Register** in order to allow

the NYSE to have these amendments to its rules in place to accommodate the trading of ETFs on a UTP basis scheduled to begin on July 31, 2001.

V. Conclusion

For the foregoing reasons, the Commission finds that the proposal is consistent with the requirements of the Act and rules and regulations thereunder.

It is Therefore Ordered, pursuant to Section 19(b)(2) of the Act¹² that the proposed rule change (File No. SR-NYSE-2001-15) be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹³

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 01-19282 Filed 8-1-01; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3355]

State of Ohio and Contiguous Counties in Indiana and Kentucky

Butler and Hamilton Counties and the contiguous counties of Clermont, Montgomery, Preble, and Warren in the State of Ohio; Dearborn, Franklin, and Union Counties in the State of Indiana; and Boone, Campbell, and Kenton Counties in the Commonwealth of Kentucky constitute a disaster area due to damages caused by severe storms and flooding that occurred July 15 through July 18, 2001. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on September 27, 2001 and for economic injury until the close of business on April 29, 2002 at the address listed below or other locally announced locations:

U.S. Small Business Administration, Disaster Area 2 Office, One Baltimore Place, Suite 300, Atlanta, GA 30308.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners With Credit Available Elsewhere	6.625
Homeowners Without Credit Available Elsewhere	3.312
Businesses With Credit Available Elsewhere	8.000
Businesses and Non-Profit Organizations Without Credit Available Elsewhere	4.000

⁷ In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁸ 15 U.S.C. 78f.

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ The Commission notes, however, that direct destabilizing transactions that are leading, rather than following, the related futures contract would continue to require Floor Official approval. In addition, specialists remain subject to all other requirements of NYSE Rule 104 with respect to their affirmative and negative obligations to maintain a fair and orderly market. Telephone conversation between Don Siemer, Director, Market Surveillance, NYSE, and Kelly Riley, Special Counsel, Division, Commission, on July 26, 2001.

¹¹ 15 U.S.C. 78s(b)(2).

¹² 15 U.S.C. 78s(b)(2).

¹³ 17 CFR 200.30-3(a)(12).

	Percent
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 numbers assigned to this disaster for physical damage are 335511 for Ohio, 335611 for Indiana, and 335711 for Kentucky. The numbers assigned to this disaster for economic injury are 9M2300 for Ohio, 9M2400 for Indiana, and 9M2500 for Kentucky.

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

Dated: July 27, 2001.

John Whitmore,

Acting Administrator.

[FR Doc. 01-19361 Filed 8-1-01; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Public Notice 3736]

Culturally Significant Objects Imported for Exhibition Determinations: "The Short Century: Independence and Liberation Movements in Africa 1945-1994"

ACTION: Notice.

SUMMARY: Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 [79 Stat. 985, 22 U.S.C. 2459], the Foreign Affairs Reform and Restructuring Act of 1998 [112 Stat. 2681 *et seq.*], Delegation of Authority No. 234 of October 1, 1999 [64 FR 56014], Delegation of Authority No. 236 of October 19, 1999 [64 FR 57920], as amended by Delegation of Authority No. 236-3 of August 28, 2000 [65 FR 53795], and Delegation of Authority dated June 29, 2001, I hereby determine that the objects to be included in the exhibit, "The Short Century: Independence and Liberation Movements in Africa 1945-1994," imported from abroad for the temporary exhibition without profit within the United States, are of cultural significance. These objects are imported pursuant to loan agreements with foreign lenders. I also determine that the temporary exhibition or display of the exhibit objects at the Museum of Contemporary Art, Chicago, Illinois from on or about September 8, 2001, to on or about December 30, 2001, and at the P.S.1 Contemporary Art Center, Long Island City, New York from on or about February 10, 2002, to on or about

May 5, 2002, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

FOR FURTHER INFORMATION CONTACT: For further information, including a list of exhibit objects, contact Paul W. Manning, Attorney-Adviser, Office of the Legal Adviser, 202/619-5997, and the address is United States Department of State, SA-44, Room 700, 301 4th Street, SW., Washington, DC 20547-0001.

Dated: July 26, 2001.

Brian J. Sexton,

Deputy Assistant Secretary for Professional Exchanges, United States Department of State.

[FR Doc. 01-19332 Filed 8-1-01; 8:45 am]

BILLING CODE 4710-08-P

DEPARTMENT OF STATE

[Public Notice 3734]

Bureau of Educational and Cultural Affairs Request for Grant Proposals: Administration of Partnership Programs in Higher Education

SUMMARY: The Humphrey Fellowships and Institutional Linkages Branch of the Office of Global Educational Programs in the Bureau of Educational and Cultural Affairs of the United States Department of State announces an open competition for an assistance award to cooperate with the Bureau in the administration of partnership programs in higher education in Fiscal Year 2002. These programs include the Educational Partnerships Program (formerly known as the College and University Affiliations Program), the NIS College and University Partnerships Program (NISCUPP), and the NIS Community College Partnerships Program (NISCCPP). The partnership programs in higher education award grants to accredited U.S. post-secondary institutions to administer projects that will strengthen mutual understanding and scholarly cooperation on subjects of enduring common interest to the United States, to other countries, and to the participating institutions. Contingent on the availability of funds, approximately 35 to 45 grant awards in an amount totaling between \$7 million and \$9 million may be issued under these programs during Fiscal Year 2002.

The integrity of these programs requires that they maintain the highest and most consistent standards of academic and professional quality in the selection of proposals and the implementation of projects. Public and private non-profit organizations meeting

the provisions described in IRS regulation 26 CFR 1.501(c) may submit proposals to provide administrative and program services for the Bureau's educational partnership programs in Fiscal Year 2002 by undertaking the following activities: (1) Technical review of approximately 225 proposals that are expected to be submitted to the Bureau for these programs in Fiscal Year 2002; (2) coordinating the academic review of eligible proposals by independent panels of scholarly and professional experts in consultation with representatives of the Department of State, and providing expert recommendations about the merits of the proposals that should receive final consideration; (3) making substantive recommendations concerning the administration of the exchange projects to be funded through these programs and about the parameters and guidelines for these programs in future years; (4) dissemination of information about these programs for the FY2003 cycle; (5) conducting a proposal development workshop for approximately 25 administrators and faculty members at U.S. institutions of higher education; (6) cooperation in announcing the issuance of the FY 2002 grant awards and in promoting visibility for the projects funded under these programs; and, (7) development of an illustrated brochure for use in disseminating information about the purposes and achievements of educational partnership programs since their establishment by the Bureau in 1982.

Program Information

Overview

The Bureau's international institutional partnership programs in higher education support cooperative partnerships of U.S. colleges and universities with foreign post-secondary institutions through faculty and staff exchanges and related activities. Competitions target specified themes and geographic regions and typically focus on the humanities, the social sciences, public administration, business, law, journalism and mass communications, public health policy and administration, or educational administration. A list of previously issued educational partnership and affiliations grants can be found online at: <http://exchanges.state.gov/education/cuap/history>. Programs for which administrative cooperation is requested through this solicitation include the following programs:

(1) The Educational Partnerships Program, formerly known as the College and University Affiliations Program,