

personally serve (hand deliver) all final decisions imposing a bar or expulsion. Rule 9360's personal service provision for final decisions imposing bars or expulsions was created because these decisions become effective immediately and personal service was believed to be the best means of achieving prompt service.

The Association argues that the proposed rule change, eliminating the personal service requirement in the case of a bar or expulsion, is consistent with Section 15A(b)(7) in that it provides a reasonable means for notifying respondents of final disciplinary actions. In the proposal, the Association represented that other methods of prompt service, such as facsimile and commercial courier, are as effective in providing prompt service to a respondent as personal service. The NASD argues that reasonable efforts at personal service (hand delivery) in final default decisions imposing bars or expulsions are generally not successful. Moreover, with respect to litigated decisions, the most effective type of service is a commercial courier or facsimile, not personal service. In addition, the staff of NASD Regulation has told the Commission that these alternative types of service are less costly than personal service.⁹

The Commission believes that personal service is the best means of ensuring actual service. Notwithstanding this, however, the Act requires *reasonable means*. Given the Association's representations concerning the costs and effectiveness of the different types of alternative service, the Commission has decided to approve the Association's proposal. Moreover, the protection afforded respondents against whom default decisions have been entered—specifically, the provisions permitting set aside of a default decision in Rule 9269(c)—further supports use of the less costly methods of service. Finally, the Commission notes that all persons subject to bar or expulsion by the Association are NASD members, and as such, have agreed to such alternative service upon association with the NASD.¹⁰

IV. Conclusion

The Commission believes that the proposed rule change is consistent with

Act, and, particularly, with Section 15A thereof.¹¹ In approving the proposal, the Commission has considered its impact on efficiency, competition, and capital formation.¹²

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,¹³ that the proposed rule change (SR-NASD-98-58), as amended, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁴

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 99-166 Filed 1-5-99; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3150]

State of Florida

Sumter County and the contiguous Counties of Citrus, Hernando, Lake, Marion, Pasco, and Polk in the State of Florida constitute a disaster area as a result of damages caused by a fire at the Bushnell Flea Market in Bushnell, Florida that occurred on December 6, 1998. Applications for loans for physical damages as a result of this disaster may be filed until the close of business on February 19, 1999 and for economic injury until the close of business on September 21, 1999 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:

	<i>Percent</i>
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	7.000
For Economic Injury:	
Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere	4.000

The number assigned to this disaster for physical damage is 315005 and for economic injury the number is 9A6000.

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

¹¹ 15 U.S.C. § 78o-3.

¹² 15 U.S.C. § 78c(f).

¹³ 15 U.S.C. § 78(b)(2).

¹⁴ 17 CFR 200.30-3(a)(12).

Dated: December 21, 1998.

Aida Alvarez,

Administrator.

[FR Doc. 99-224 Filed 1-5-99; 8:45 am]

BILLING CODE 8025-01-P

SMALL BUSINESS ADMINISTRATION

(Declaration of Disaster #3145); State of Texas, (Amendment #5)

In accordance with information received from the Federal Emergency Management Agency dated December 17 and 18, 1998, the above-numbered Declaration is hereby amended to include Jim Wells, Kendall, Lavaca, and Walker Counties in the State of Texas as a disaster area due to damages caused by severe storms, flooding, and tornadoes beginning on October 17 and continuing through November 15, 1998, and to extend the deadline for filing applications for physical damage to January 21, 1999 in the above-named counties.

In addition, applications for economic injury loans from small businesses located in the contiguous counties of Brooks, Duval, and Kerr in the State of Texas may be filed until the specified date at the previously designated location. Any counties contiguous to the above-named primary counties and not listed herein have been previously declared.

All other information remains the same, i.e., the deadline for filing applications for economic injury is July 21, 1999.

Dated: December 28, 1998.

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

Bernard Kulik,

Associate Administrator for Disaster Assistance.

[FR Doc. 99-223 Filed 1-5-99; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Public Notice 2954]

International Joint Commission; Boundary Waters Treaty of 1909

An invitation for public comment on two proposed projects in the Niagara River.

The International Joint Commission (IJC) has been asked by the Governments of Canada and the United States to address two projects in the Niagara River pursuant to the terms of the Boundary Waters Treaty of 1909.

⁹ Conversation between Eric Moss, Office of General Counsel, NASD Regulation and Mandy Cohen, Division of Market Regulation on November 24, 1998.

¹⁰ See *Uniform Application for Securities Industry Registration or Transfer (Form U-4)*, at page 4, paragraph 7 (version effective November 1995).

Peace Bridge Capacity Expansion Project

On December 9, 1998, the IJC received an application by the Buffalo and Fort Erie Public Bridge Authority to approve the Peace Bridge Capacity Expansion Project. The proposed project consists of a multi-span, multiple steel arch bridge over the Niagara River and Black Rock Canal between Fort Erie, Ontario and Buffalo, New York. The project will be constructed parallel to the existing Peace Bridge, which will remain in use after the project is completed.

Under the Boundary Waters Treaty, the IJC approves any uses, obstructions and diversions of boundary waters that would affect the natural level or flow across the boundary, unless the two federal governments give approval by a special agreement. The IJC will evaluate potential effects on water levels and flows, and other potential transboundary effects, of the proposed bridge construction. The original Peace Bridge was approved by the IJC in 1925.

Ontario Hydro Water Diversion Facilities Project

On December 21, 1998, the IJC received a reference from the Governments of the United States and Canada to investigate and report on the effects of a proposed Ontario Hydro project on the remedial works associated with its water diversion facilities in the Niagara River and on other transboundary effects, including environmental effects, as the IJC considers necessary or helpful.

The proposed project by Ontario Hydro would require modification of remedial works in the Niagara River that were previously recommended and approved by the IJC. Under the reference, the IJC will be investigating the effects of the proposed project on the remedial works and will be recommending any changes in the design plans or operating conditions needed to achieve objectives recommended by the IJC in 1953. The objectives included ensuring that there is an unbroken crest line over Horseshoe Falls and no effect on the level of Lake Erie.

Public Hearings

The IJC has scheduled public hearings at the following times and locations to receive comment from any interested citizens or organizations in Canada or the United States:

Canada

7:00–10:00 p.m., January 27, 1999,
Marriott Hotel of Niagara Falls, 6740
Oakes Drive, Niagara Falls, ON L2G
3W6, 905.871.2546

United States

7:00–10:00 p.m., January 28, 1999,
Buffalo-Niagara Marriott, 1340
Millersport Highway, Amherst, NY
14221, Ballrooms 1, 2 and 3,
716.689.6900

Topics will be addressed in the following order at the public hearings:

- (1) Comment on the proposed Peace Bridge Capacity Expansion Project;
- (2) Comment on the proposed redevelopment and expansion of Ontario Hydro's water diversion facilities in the Niagara River;
- (3) Comment on the effects of the two projects combined.

The IJC has asked its International Niagara Board of Control to review and advise the IJC on certain issues with respect to the Peace Bridge application and the Ontario Hydro project reference. The IJC has asked the board to provide a status report on January 22, 1999 on potential issues and to make a presentation at the public hearings. The IJC's request to the board will be available and the board's status report will also be available, when it is received, on the IJC's website at: www.ijc.org.

Document Availability

Descriptions of the proposed projects, along with the application and reference, will be available for inspection at the following locations:

IJC website: www.ijc.org
Buffalo and Fort Erie Public Bridge Authority*, The Peace Bridge—Peace Bridge Plaza, Buffalo, NY 14213, 716.884.6744 (United States), 905.871.1608 (Canada), *Peace Bridge information only
Ontario Hydro Public Reference Centre**, 700 University Avenue, Mezzanine Floor, Toronto, ON M5G 1X6, 416.592.5111, **Ontario Hydro information only,
Business, Science and Technology Dept., Buffalo and Erie County Public Library, Lafayette Square, Buffalo, NY 14203, 716.858.7181
Reference Desk, Niagara Falls Public Library, 1425 Main Street, Niagara Falls, NY 14305, 716.286.4881
Fort Erie Public Library, 136 Gilmore Road, Fort Erie, Ontario L2A 2M1

Written Comment

All interested persons and organizations are encouraged to submit comments in writing. Depending on the number of people wishing to speak, speakers may only have the opportunity to summarize their comments at the public hearing. Written comments may be submitted to the IJC's secretaries at the public hearing, or at the following

addresses to be received by February 4, 1999:

Secretary, United States Section, 1250
23rd Street NW, Suite 100,
Washington, DC 20440, Fax
202.736.9015, Email
Commission@washington.ijc.org
Secretary, Canadian Section, 100
Metcalfe Street, 18th Floor, Ottawa,
Ontario K1P 5M1, Fax 613.993.5583,
Email Commission@ottawa.ijc.org

The International Joint Commission

The International Joint Commission was created under the Boundary Waters Treaty of 1909 to help prevent and resolve disputes over the use of waters along the United States-Canada boundary. Its responsibilities include approving certain projects that would alter water levels on the other side of the boundary and providing independent advice on matters of mutual concern on request from the Governments of the Canada and United States. For more information, please consult the Commission's Web site at www.ijc.org, or contact Frank Bevacqua at 202.736.9024.

Dated: December 23, 1998.

Gerald E. Galloway,

Secretary, United States Section.

[FR Doc. 99–170 Filed 1–5–99; 8:45 am]

BILLING CODE 4710–14–P

DEPARTMENT OF STATE

[Public Notice #2951]

Advisory Committee on International Communications and Information Policy; Notice of Meeting; U.S. Telecommunications and Information Policy Regarding APEC and the OECD

The Department of State announces meetings to prepare U.S. communications and information policy for upcoming sessions of the Asia-Pacific Economic Cooperation (APEC) forum and the Organization for Economic Cooperation and Development (OECD).

First, a meeting to prepare for TEL 19, the 19th meeting of APEC's Telecommunications Working Group, will be held on Wednesday, January 20, 1999, in room 1205 from 2:30–4:00 p.m. Then a second meeting will be held Thursday, January 21, 1999, in room 1205 from 2:30–4:00 p.m., to prepare for the spring meetings of the OECD's Committee for Information, Computer and Communications Policy (ICCP).

Members of the General Public may attend these meetings and join the discussions, subject to the instructions of the Chair. Admittance of public