

("DEA"), but who are not themselves Exchange members, who engage in proprietary trading of equities and options, including, but not limited to, persons who execute such trades or make trading decisions with respect to such trades, to pay an increased \$1,000.00 registration fee and thereafter an increased annual fee of \$1,000.00. The proposed increases would apply to those persons who are not Exchange members registered in a trading capacity on the floor of the Exchange. The proposed increases in the registration and annual fee are to be effective as of March 1, 2000.

The text of the proposed change to the Phlx fee schedule is available at the Phlx and at the Commission.

## II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Exchange included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

#### 1. Purpose

The proposed rule change amends the Phlx's fee schedule to increase the annual fee to \$1,000.00 for registered proprietary traders, *i.e.*, persons who are currently associated with member organizations for which the Exchange is the DEA, but who are not themselves Exchange members, who engage in proprietary trading of equities and options from off-the-floor of the Exchange by filing a Form U-4 and a fingerprint card as well as provide proof of successful completion of the Uniform Registered Representative Examination, Series 7. At this time, the Exchange charges such traders an initial registration fee of \$200.00 and an annual fee of \$200.00. The initial registration fee applies to persons currently trading from off-the-floor and to persons who register to trade from off-the-floor in the future. The payment of the increased initial registration fee of \$1,000.00 will be prerequisite to engaging in trading from off-the-floor of the Exchange.

All such persons who are registered with the Exchange as of April 1st, of each year will be assessed an annual fee of \$1,000.00. The fees are proposed to be increased from \$200.00 in recognition of the increased costs of administration that the Exchange has been and will be incurring. The Exchange has experienced increased administration costs incurred in conducting background checks on the individuals to whom the fees apply; processing of forms; fingerprint charges; requests for disciplinary history of all current and future off-floor traders to the Central Registration Depository; as well as conducting on-site examinations of the home and branch offices of the various member firms with which off-floor traders associate. During the course of 1999, the Exchange experienced an increase in the number of member organizations utilizing off-floor traders who would be subject to the increased annual charge. Additionally, the Exchange undertook increased administrative and regulatory responsibilities associated with such member organizations and their off-floor traders, including scheduling more frequent compliance inspections.

#### 2. Statutory Basis.

The Exchange believes that the proposed rule change is consistent with Section 6 of the Act in general, and in particular, with Section 6(b)(4), in that it provides for the equitable allocation of reasonable dues, fees and other charges among its members and other persons using its facilities.

### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

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

No written comments were either solicited or received.

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

The proposed rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>5</sup> and subparagraph (f)(2) of Rule 19b-4 thereunder,<sup>6</sup> because it involves a due, fee, or other charge. At any time within 60 days of the filing of the proposed rule

<sup>5</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>6</sup> 17 CFR 240.19b-4(f)(2).

change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.<sup>7</sup>

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposal is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609. 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 Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to file number SR-Phlx 00-09, and should be submitted by April 5, 2000.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>8</sup>

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 00-6315 Filed 3-14-00; 8:45 am]

BILLING CODE 8010-01-M

## SMALL BUSINESS ADMINISTRATION

### [Declaration of Disaster #3246 (Amendment #1)]

#### Commonwealth of Kentucky

In accordance with a notice received from the Federal Emergency Management Agency dated March 2, 2000, the above-numbered Declaration is hereby amended to establish the incident period for this disaster as beginning on February 18, 2000 and continuing through March 2, 2000.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is

<sup>7</sup> In reviewing this proposal, the Commission has considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>8</sup> 17 CFR 200.30-3(a)(12).

April 28, 2000 and for economic injury the deadline is November 28, 2000.

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

Dated: March 7, 2000.

**Bernard Kulik,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 00-6351 Filed 3-14-00; 8:45 am]

**BILLING CODE 8025-01-P**

	Percent
OTHERS (INCLUDING NON-PROFIT ORGANIZATIONS) WITH CREDIT AVAILABLE ELSEWHERE	6.750
For Economic Injury: BUSINESSES AND SMALL AGRICULTURAL CO-OPERATIVES WITHOUT CREDIT AVAILABLE ELSEWHERE .....	4.000

The number assigned to this disaster for physical damage is 324606. For economic injury the numbers are 9G8300 for Kentucky and 9G8400 for Ohio.

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

Dated: March 2, 2000.

**Herbert L. Mitchell,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 00-6352 Filed 3-14-00; 8:45 am]

**BILLING CODE 8025-01-P**

Ohio; and Fayette and Greene Counties in Pennsylvania.

The interest rates are:

	Percent
For Physical Damage: HOMEOWNERS WITH CREDIT AVAILABLE ELSEWHERE .....	7.625
HOMEOWNERS WITHOUT CREDIT AVAILABLE ELSEWHERE .....	3.812
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	6.750
For Economic Injury: BUSINESSES AND SMALL AGRICULTURAL CO-OPERATIVES WITHOUT CREDIT AVAILABLE ELSEWHERE .....	4.000

The number assigned to this disaster for physical damage is 324506. For economic injury the numbers are 9G8000 for West Virginia, 9G8100 for Ohio, and 9G8200 for Pennsylvania.

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

Dated: March 2, 2000.

**Herbert L. Mitchell,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 00-6350 Filed 3-14-00; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Declaration of Disaster #3246]**

**Commonwealth of Kentucky**

As a result of the President's major disaster declaration on February 28, 2000, I find that Bath, Boyd, Carter, Fleming, Greenup, Lewis, Mason, Nicholas, Robertson, and Rowan Counties in the Commonwealth of Kentucky constitute a disaster area due to damages caused by severe storms and flooding beginning on February 18, 2000 and continuing. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on April 28, 2000 and for economic injury until the close of business on November 28, 2000 at the address listed below or other locally announced locations:

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

In addition, applications for economic injury loans from small businesses located in the following contiguous counties may be filed until the specified date at the above location: Bourbon, Bracken, Elliott, Harrison, Lawrence, Menifee, Montgomery, and Morgan Counties in Kentucky and Adams, Brown, Lawrence, and Scioto Counties in Ohio.

Any counties contiguous to the above-named primary counties and not listed herein have been covered under a separate declaration for the same occurrence.

The interest rates are:

	Percent
For Physical Damage: HOMEOWNERS WITH CREDIT AVAILABLE ELSEWHERE .....	7.625
HOMEOWNERS WITHOUT CREDIT AVAILABLE ELSEWHERE .....	3.812
BUSINESSES WITH CREDIT AVAILABLE ELSEWHERE .....	8.000
BUSINESSES AND NON-PROFIT ORGANIZATIONS WITHOUT CREDIT AVAILABLE ELSEWHERE .....	4.000

**SMALL BUSINESS ADMINISTRATION**

**[Declaration of Disaster #3245]**

**State of West Virginia**

As a result of the President's major disaster declaration on February 28, 2000, and an amendment thereto on the same date, I find that the following counties in the State of West Virginia constitute a disaster area due to damages caused by flooding, severe storms, and landslides beginning on February 18, 2000 and continuing: Barbour, Braxton, Cabell, Calhoun, Doddridge, Gilmer, Harrison, Jackson, Kanawha, Lewis, Lincoln, Marion, Mason, Monongalia, Putnam, Ritchie, Roane, Tyler, Upshur, Wetzell, and Wirt. Applications for loans for physical damage as a result of this disaster may be filed until the close of business on April 28, 2000, and for loans for economic injury until the close of business on November 28, 2000 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 1 Office 360 Rainbow Blvd., South, 3rd Floor, Niagara Falls, NY 14303.

In addition, applications for economic injury loans from small businesses located in the following contiguous counties may be filed until the specified date at the above location: Boone, Clay, Fayette, Logan, Marshall, Mingo, Nicholas, Pleasants, Preston, Raleigh, Randolph, Taylor, Tucker, Wayne, Webster, and Wood Counties in West Virginia; Gallia, Lawrence, Meigs, Monroe, and Washington Counties in

**DEPARTMENT OF STATE**

**[Public Notice 3255]**

**Bureau of Economic and Business Affairs; Finding of No Significant Impact: Dakota Gasification Company at Bismarck, North Dakota**

**AGENCY:** Department of State.

**ACTION:** Notice of a finding of no significant impact with regard to an application to construct, operate and maintain a pipeline to transport carbon dioxide across the U.S.-Canada border.

**SUMMARY:** The Department of State has conducted an environmental assessment of the proposed construction by Dakota Gasification Company of a pipeline for the transport of carbon dioxide crossing the international boundary near Crosby, North Dakota. In the course of the Department of State's review of the Environmental Assessment, the