approved for 120 days, through January 18, 2001.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[11]

Margaret H. McFarland,

Deputy Secretay.

[FR Doc. 00–25023 Filed 9–28–00; 8:45 am]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: [to be published]

STATUS: Closed meeting.

PLACE: 450 Fifth Street NW., Washington, DC.

DATE PREVIOUSLY ANNOUNCED: September 20, 2000.

CHANGE IN THE MEETING: Cancellation of meeting.

The closed meeting scheduled for Wednesday, September 27, 2000 at 11:00 a.m. has been cancelled.

Dated: September 26, 2000.

Jonathan G. Katz,

Secretary.

[FR Doc. 00–25095 Filed 9–26–00; 4:11 pm]

BILLING CODE 8010–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–43330; File No. SR–NASD–00–39]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change and Amendment Nos. 1 and 2 by the National Association of Securities Dealers, Inc. Relating to an Amendment to Schedule A of the NASD By-Laws for the Timely Filing of Reports, and Amendments to IM–9216, Minor Rule Violation Plan

September 22, 2000.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on June 20, 2000, the National Association of Securities Dealers, Inc. (''NASD'' or ''Association''), through its wholly owned subsidiary, NASD Regulation, Inc. (''NASD Regulation''), filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by NASD Regulation. NASD Regulation amended the proposal on September 5, 2000.[3] On September 21, 2000, NASD Regulation again amended the proposal.[4] The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

NASD Regulation proposes to amend Schedule A of the NASD By-Laws for the Timely Filing of Reports, and to amend IM–9216, Minor Rule Violation Plan of the Association, to permit the Association to set late fees to encourage the timely filing of reports and to expand the Association's Minor Rule Violation Plan pursuant to SEC Rule 19d–1.[5] Below is the text of the proposed rule change. Proposed new language is in italics.

* * * * *

Schedule A to the NASD By-Laws

Assessments and fees pursuant to the provisions of Article VI of the By-Laws of the NASD shall be determined on the following basis:

* * * * *

Section 2—Fees

(a) through (k) No Change.

(l)(1) Unless a specific temporary extension of time has been granted, there shall be imposed upon each member required to file reports, as designated by this paragraph, a fee of $100 for each day that such report is not timely filed. The fee will be assessed for a period not to exceed 10 business days. Requests for such extension of time must be submitted to the Association at least three business days prior to the due date; and

(2) Any report filed pursuant to this Rule containing material inaccuracies or filed incompletely shall be deemed not to have been filed until a corrected copy of the report has been resubmitted.

(3) List of Designated Reports:

(A) SEC Rule 17a–5—Monthly and quarterly FOCUS reports and annual audit reports.

* * * * *

IM–9216. Violations Appropriate for Disposition Under Plan Pursuant to SEC Rule 19d–1(c)(2)

- Rule 2210(b) and (c) and Rule 2220(b) and (c)—Failure to have advertisement and sales literature approved by a principal prior to use; failure to maintain separate files of advertisements and sales literature containing required information; and failure to file advertisements with the Association within the required time limits.
- Rule 3360—Failure to timely file reports of short positions on Form NS–1.
- Rule 3110—Failure to keep and preserve books, accounts, records, memoranda, and correspondence in conformance with applicable laws, rules, regulations and statements of policy promulgated thereunder, and with the Rules of the Association.
- Rule 8211, Rule 8212, and Rule 8213—Failure to submit trading data as requested.
- *Article IV of the NASD By-Laws—Failure to timely submit amendments to Form BD.*
- *Article V of the NASD By-Laws—Failure to timely submit amendments to Form U–4.*
- *Rule 1120—Failure to comply with continuing education requirements.*
- *Rule 3010(b)—Failure to timely file reports pursuant to the Taping Rule.*
- *Rule 3070—Failure to timely file reports.*
- *Rule 4619(d)—Failure to timely file notifications pursuant to SEC Regulation M.*
- *Rules 4632, 4642, 4652, 6240, 6420, 6550, 6620, And 6720—Transaction reporting in equity, convertible debt, and high yield securities.*
- *Rules 6130 and 6170—Transaction reporting to the Automated Confirmation Transaction Service (''ACT'').*
- *Rule 6953—Synchronization of member business clocks.*
- *Rules 6954 and 6955—Failure to submit data in accordance with the Order Audit Trail System (''OATS'').*
- *Rule 11870—Failure to abide by Customer Account Transfer Contracts.*
- *SEC Exchange Act Rule 11Ac1–4—Failure to properly display limit orders.*
- *SEC Exchange Act Rule 11Ac1–1(c)(5)—Failure to properly update published quotations in certain Electronic Communication Networks (''ECN's'').*
- *SEC Exchange Act Rule 17a–5—Failure to timely file FOCUS reports.*
- *SEC Exchange Act Rule 17a–11—Failure to timely file net capital reports.*
- *MSRB Rule A–14—Failure to pay annual fee.*
- *MSRB Rule G–12—Failure to abide by uniform practice rules.*
- *MSRB Rule G–14—Failure to submit reports.*
- *MSRB Rule G–36—Failure to timely submit reports.*
- *MSRB Rule G–37—Failure to timely submit reports for political contributions.*
- *MSRB Rule G–38—Failure to timely submit reports detailing consultant activities.*

* * * * *

[11] 17 CFR 200.30–3(a)(29).

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* September 1, 2000 letter from Alden S. Adkins, Senior Vice President and General Counsel, NASD Regulation to Joseph P. Morra, Special Counsel, Division of Market Regulation, SEC (''Amendment No. 1''). In Amendment No. 1, NASD Regulation made technical, non-substantive changes to the original proposal. In addition, NASD Regulation provided clarifying language to assist in describing the requirements under Rule 1120.

[4] *See* September 19, 2000 letter from Gregory J. Dean, Jr., Assistant General Counsel, NASD Regulation to Joseph P. Morra, Special Counsel, Division of Market Regulation, SEC (''Amendment No. 2''). In Amendment No. 2, NASD Regulation corrected the reference to SEC Rule 19d–1(c)(2) in the title to IM–9216.

[5] 17 CFR 240.19d–1.