

result in increased efficiency and price competition in those markets.

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

The Phlx does not believe that the proposed rule change would 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 Phlx has requested that the proposed rule change, as amended, be given accelerated effectiveness pursuant to Section 19(b)(2) of the Act.

### **IV. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change**

After careful consideration, 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, and, in particular, with the requirements of Section 6(b)(5).<sup>18</sup>

A Trust Share is an interest in a Trust holding a portfolio of securities linked to an index. Each Trust is intended to provide investors with an instrument that closely tracks the underlying securities index or portfolio, trades like a share of common stock, and pays holders a periodic cash payment proportionate to the dividends paid on the underlying portfolio of securities.<sup>19</sup> The definition of Trust Share is therefore substantively identical to the definition of PDRs or IPRs as those definitions appear in the previously approved rules of the Amex and CBOE, respectively.<sup>20</sup> The Phlx rule change proposal itself is also substantively identical to proposals filed by CBOE, BSE, CHX, and PCX, and approved by the Commission.<sup>21</sup> Therefore, this

<sup>18</sup> 15 U.S.C. 78f(b)(5).

<sup>19</sup> In approving this rule, the Commission has considered the proposed rule change's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>20</sup> See Securities Exchange Act Release No. 31591 (December 11, 1992), 57 FR 60253 (December 18, 1992) (approving Amex Rules 1000 *et seq.* regarding listing standards for PDRs); Securities Exchange Act Release No. 39581 (January 26, 1998), 63 FR 5579 (February 3, 1998) (approving CBOE rules regarding listing standards for IPRs).

<sup>21</sup> See Securities Exchange Act Release No. 39581 (January 26, 1998), 63 FR 5579 (February 3, 1998) (approving CBOE rules regarding listing and trading standards for IPRs); Securities Exchange Act

proposal raises no new regulatory issues.

Moreover, the Commission believes that Amendment Nos. 1 and 2 are reasonable. Specifically, the new rule language regarding hours of trading, and the undertaking by Phlx to report transactions in Trust Shares to the Phlx consolidated tape, brings the proposal into conformity with the Amex's listing standards for PDRs, which the Commission previously approved.<sup>22</sup> In addition, the Commission believes that it is reasonable for the Phlx to amend its PACE rule to provide automatic price improvement for trades in Nasdaq-100 Index Tracking Stock in increments of  $\frac{1}{64}$  (instead of  $\frac{1}{16}$ ) where the Pace Quote<sup>23</sup> is  $\frac{1}{16}$  (instead of  $\frac{3}{16}$  to  $\frac{1}{8}$ ) or greater. These changes are appropriate because Nasdaq-100 Index Tracking Stock currently trades in increments of  $\frac{1}{64}$  instead of  $\frac{1}{16}$ .

The Commission emphasizes that this Order only approves the trading of Nasdaq-100 Index Tracking Stock under the listing standards approved herein. If the Phlx wishes to list and trade additional series of Trust Shares, it may be required to file a proposed rule change with the Commission under Section 19(b)(1) of the Act.<sup>24</sup>

The Commission finds good cause for approving the proposed rule change, as amended, prior to the thirtieth day after the date of publication of notice thereof in the **Federal Register** pursuant to Section 19(b)(2) of the Act<sup>25</sup> in order to expand investor choice and encourage competition among exchanges for order flow related to essential identical securities products.

### **V. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities

Release No. 39660 (February 12, 1998), 63 FR 9026 (February 23, 1998) (approving BSE rules regarding listing and trading standards for PDRs); Securities Exchange Act Release No. 39076 (September 15, 1997), 62 FR 49270 (September 19, 1997) (approving CSE rules regarding listing and trading standards for PDRs); and Securities Exchange Act Release No. 39461 (December 17, 1997), 62 FR 67674 (December 29, 1997) (approving PCX rules relating to listing and trading standards for PDRs).

<sup>22</sup> See *supra* note 20.

<sup>23</sup> Phlx Rule 229 defines the PACE Quote as the best bid/ask quote among the American, Boston, Cincinnati, Chicago, New York, Pacific or Philadelphia Stock Exchanges, or the Intermarket Trading System/Computer Assisted Execution System ("ITS/CAES") quote, as appropriate.

<sup>24</sup> 15 U.S.C. 78s(b)(2).

<sup>25</sup> *Id.*

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 Phlx. All submissions should refer to File No. SR-Phlx-00-54 and should be submitted by January 12, 2001.

### **VI. Conclusion**

*It Is Therefore Ordered*, pursuant to Section 19(b)(2) of the Act<sup>26</sup> that SR-Phlx-00-54 is hereby approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>27</sup>

**Margaret H. McFarland,**  
Deputy Secretary.

[FR Doc. 00-32653 Filed 12-21-00; 8:45 am]

BILLING CODE 8010-010-M

## **SMALL BUSINESS ADMINISTRATION**

### **Global Environment Strategic Technology Partners, L.P. (Applicant No. 99000410); Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest**

Notice is hereby given that Global Environment Strategic Technology Partners, L.P., 1225 Eye Street, NW., Suite 900 Washington DC 20005, an applicant for a Federal License under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under section 312 of the Act and section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") rules and regulations (13 CFR 107.730 (2000)). Global Environment Strategic Technology Partners, L.P., proposes to provide equity financing to Athena Technologies, Inc., 9950 Wakeman Drive Manassas Virginia 20110. The financing is contemplated for research and development.

<sup>26</sup> *Id.*

<sup>27</sup> 17 CFR 200.30-3(a)(12).

The financing is brought within the purview of Sec. 107.730(a)(1) of the Regulations because Global Environment Capital Co., LLC, an Associate of Global Environment Strategic Technology Partners, L.P., currently owns greater than 10 percent of Athena Technologies, Inc. and therefore Athena Technologies, Inc. is considered an Associate of Global Environment Strategic Technology Partners, L.P., as defined in § 107.50 of the regulations.

Notice is hereby given that any interested person may submit written comments on the transaction to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416.

Dated: December 12, 2000.

**Don A. Christensen,**

*Associate Administrator for Investment.*

[FR Doc. 00-32626 Filed 12-21-00; 8:45 am]

BILLING CODE 8025-01-P

## SMALL BUSINESS ADMINISTRATION

### (Declaration of Disaster #3309) State of Oklahoma; (Amendment #2)

In accordance with information received from the Federal Emergency Management Agency dated December 8, 2000, the above-mentioned Declaration is hereby amended to include Oklahoma County in the State of Oklahoma as a disaster area due to damages caused by severe storms and flooding beginning on October 21, 2000 and continuing through October 29, 2000.

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 previously designated location: Kingfisher, Lincoln, Logan, and Pottawatomie Counties in Oklahoma.

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 physical damage is January 26, 2001, and for economic injury the termination date is August 27, 2001.

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

Dated: December 14, 2000.

**Herbert L. Mitchell,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 00-32625 Filed 12-21-00; 8:45 am]

BILLING CODE 8025-01-U

## DEPARTMENT OF STATE

### [Public Notice 3517]

#### Office of Visa Services; Sixty-Day Notice of Proposed Information Collection (OMB 1405-0096); Nonimmigrant Fiance(e) Visa Application, DS-2052 (formerly OF-156K)

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. This process is conducted in accordance with the Paperwork Reduction Act of 1995.

The following summarizes the information collection proposal submitted to OMB:

*Type of Request:* Extension of currently approved collection.

*Originating Office:* Bureau of Consular Affairs, Office of Visa Services (CA/VO).

*Title of Information Collection:* Nonimmigrant Fiance(e) Visa Application.

*Frequency:* Once.

*Form Number:* DS-2052 (formerly OF-156K).

*Respondents:* All nonimmigrant fiance(e) visa applicants.

*Estimated Number of Respondents:* 18,500.

*Average Hours Per Response:* 2 hours.

*Total Estimated Burden:* 37,000 hours.

Public comments are being solicited to permit the agency to:

- Evaluate whether the proposed information collection is necessary for the proper performance of the functions of the agency.

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including through the use of automated collection techniques or other forms of technology.

**FOR ADDITIONAL INFORMATION:** Public comments, or requests for additional information, regarding the collection listed in this notice should be directed to Eric Cohan, 2401 E ST NW, RM L-703, Tel: 202-663-1164, U.S. Department of State, Washington, DC 20520.

Dated: December 8, 2000.

**George Lannon,**

*Deputy Assistant Secretary of State for Visa Services, Bureau of Consular Affairs, Department of State.*

[FR Doc. 00-32744 Filed 12-21-00; 8:45 am]

BILLING CODE 4710-06-U

## DEPARTMENT OF STATE

### [Public Notice 3518]

#### Office of Visa Services; Sixty-Day Notice of Proposed Information Collection (OMB 1405-0101); Nonimmigrant Treaty Trader/Investor Application, DS-2051 (formerly OF-156E)

**AGENCY:** Department of State.

**ACTION:** Notice.

**SUMMARY:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. This process is conducted in accordance with the Paperwork Reduction Act of 1995.

#### The following summarizes the information collection proposal submitted to OMB:

*Type of Request:* Extension of currently approved collection.

*Originating Office:* Bureau of Consular Affairs, Office of Visa Services (CA/VO).

*Title of Information Collection:* Nonimmigrant Treaty Trader/Investor Application.

*Frequency:* Once.

*Form Number:* DS-2051 (formerly OF-156E).

*Respondents:* All nonimmigrant treaty trader/investor visa applicants.

*Estimated Number of Respondents:* 17,000.

*Average Hours Per Response:* 2 hours.

*Total Estimated Burden:* 34,000 hours.

Public comments are being solicited to permit the agency to:

- Evaluate whether the proposed information collection is necessary for the proper performance of the functions of the agency.

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.

- Minimize the reporting burden on those who are to respond, including