

actions is to contact the local post office to verify the location of the meter holder as shown in meter records kept at that post office. In another example, the Postal Service might need to disclose to a meter manufacturer that a holder's license has been revoked so that the meter can be retrieved by the manufacturer. New routine use No. 2 makes express that the Postal Service may make such necessary disclosures to an authorized meter manufacturer, its affiliates, dealers, subsidiaries, or franchises.

Minor changes are also made to the system description. Clarifying language is added to routine use No. 1. The language does not alter its scope of authority but merely conforms to applicable regulations by stating which information a requester must provide before the Postal Service will disclose information. The system location is amended to include the site of a new centralized system for processing license applications. In addition, the descriptions of the categories of records in the system, the record source categories, and the notification procedures are strengthened. Finally, the system manager's name is changed to reflect recent changes in organizational units.

The system changes are not expected to have any effect on individual privacy rights. Most information kept within the system pertains to businesses rather than individuals. To the extent information is kept about individuals, the changes do not in any manner alter the nature or broaden the types of information already kept in the system. New routine use No. 2 supports a long-standing practice and need to disclose information to postage meter manufacturers for administering postage meter activities. Information about a meter user will be disclosed only as necessary and only to the manufacturer or its affiliates, dealers, subsidiaries, or franchises supplying the meter to that user. The integrity of information kept will be enhanced by the central tracking system. That system will monitor meter inspections by manufacturers to provide maintenance of more accurate records. Finally, the privacy protections extended to these records are not diminished in any manner. Paper records continue to be kept in secured areas of post offices, with access restricted to those individuals who have an official need. Automated records are protected by security packages and password access.

In addition to the protections imposed by the Privacy Act, the Postal Reorganization Act imposes restrictions on the disclosure of information of the

type kept within system USPS 140.020. The Act does not permit the Postal Service to disclose lists of postal customers or other persons. It also does not require the Postal Service to disclose information that could cause competitive harm. The Postal Service has traditionally considered the mailing habits of a particular customer exempt from disclosure under the Postal Reorganization Act.

Pursuant to 5 U.S.C. 552a(e)(11), interested persons are invited to submit written data, views, or arguments on this proposal. A report of the new routine use has been sent to Congress and to the Office of Management and Budget for their evaluation.

The most recent description of USPS 140.020 appears at 54 FR 43701, dated October 26, 1989. It is proposed that the description be amended as follows:

#### USPS 140.020

##### SYSTEM NAME:

Postage—Postage Meter Records, 140.020.

##### SYSTEM LOCATIONS:

[CHANGE TO READ] Post offices and the National Customer Support Center, Memphis, TN.

\* \* \* \* \*

##### CATEGORIES OF RECORDS IN THE SYSTEM:

[CHANGE TO READ] Customer name and address, change of address information, corporate business customer information (CBCIS) number, business tax identification number, business profile information, estimated annual metered postage and annual percentage of metered mail by type, post office where mail is entered, license number, date of issuance, license application, and transaction documents.

\* \* \* \* \*

##### ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSES OF SUCH USES:

[CHANGE TO READ] General routine use statements a, b, c, d, e, f, g, h, j, and m listed in the prefatory statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses follow:

1. The name and address of a meter user, and the name of any person applying for a permit on behalf of the user, may be disclosed to any member of the public provided that the requester at the time of request supplies the applicable meter serial number and the name or ZIP Code of the licensing post office as they
2. Records or information from this system may be disclosed to an authorized postage meter manufacturer

or its affiliates, dealers, subsidiaries, or franchises for administering the postage meter program. Release will be limited to relevant information about that manufacturer's customers only.

\* \* \* \* \*

##### SYSTEM MANAGER(S) AND ADDRESS:

[CHANGE TO READ] CHIEF MARKETING OFFICER, SENIOR VICE PRESIDENT, UNITED STATES POSTAL SERVICE, 475 L'ENFANT PLZ. SW., WASHINGTON, DC 20260-2400.

##### NOTIFICATION PROCEDURE:

[CHANGE TO READ] Individuals wanting to know whether information about them is maintained in this system of records must address inquiries in writing to the postmaster of their licensing post office. When making this request, an individual must supply the license number and his or her name as it appears on the meter license.

\* \* \* \* \*

##### RECORD SOURCE CATEGORIES:

[CHANGE TO READ] License applicants, licensees, postal officials administering meter licenses; and authorized manufacturers of postage meters.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 97-12267 Filed 5-9-97; 8:45 am]

BILLING CODE 1170-12-P

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

#### Extension

- Rule 6a-1 and Form 1, SEC File No. 270-18; OMB Control No. 3235-0017.
- Rule 6a-2 and Form 1-A; SEC File No. 270-13; OMB Control No. 3235-0022.
- Rule 15Ba2-1 and Form MSD; SEC File No. 270-88; OMB Control No. 3235-0083.
- Rule 17Ac2-2 and Form TA-2; SEC File No. 270-298; OMB Control No. 3235-0337.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget requests for approval of extension on previously approved collections of information:

Rule 6a-1 and Form 1 states that the Commission may not grant registration to an exchange as a national securities

exchange unless it finds, among other things, that the exchange is organized so that it has the capacity to carry out the purposes and to comply with the Securities Exchange Act of 1934 ("Exchange Act"). Form 1 is necessary because it requires the information needed by the Commission to determine whether granting registration to an exchange would be appropriate.

Because Form 1 is filed on a one-time basis by an exchange, it is estimated that approximately 1 respondent incurs an average of 45 burden hours annually to comply with the rule.

Rule 6a-2 requires that registered and exempted national securities exchanges file Form 1-A on an annual basis. Form 1-A is necessary because it informs the Commission of any changes to Form 1 during the exchange's preceding fiscal year.

Form 1-A is required to be filed annually by a registered or exempted exchange to update information required to be filed on Form 1 which has changed during the exchange's preceding fiscal year. Such information is elicited, pursuant to the requirements of Rule 6a-1 under the Exchange Act, on Form 1. It is estimated that approximately 9 respondents incur a total of 270 burden hours annually to comply with the rule.

Rule 15Ba2-1 provides that an application for registration by a bank municipal securities dealer must be filed on Form MSD. The information required to be disclosed on Form MSD is necessary for the Commission to determine whether or not registration as a municipal securities dealer should be granted.

It is estimated that approximately 40 respondents will utilize this application procedure annually, with a total burden of 60 hours, based upon past submissions.

Rule 17Ac2-2 requires transfer agents, who are not exempt, to file an annual report of their business activities on Form TA-2 with the Commission, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, or the Federal Deposit Insurance Corporation.

It is estimated that approximately 1,000 respondents are exempt from providing certain information contained in the annual report. An additional 400 non-exempt respondents will file an annual report. The total annual burden is 1,000 hours for exempt respondents and 2,000 hours for non-exempt respondents, based upon past submissions.

General comments regarding the estimated burden hours should be directed to the Desk Officer for the

Securities and Exchange Commission at the address below. Any comments concerning the accuracy of the estimated average burden hours for compliance with Commission rules and forms should be directed to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549 and Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, D.C. 20503.

Dated: May 6, 1997.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 97-12353 Filed 5-9-97; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38573; File No. SR-Amex-97-10]

### Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the American Stock Exchange, Inc. Relating to Amendments to Rule 170.01 Pertaining to Specialists Establishing a Position

May 5, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on February 24, 1997, the American Stock Exchange, Inc. ("Amex" or "Exchange") 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 the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The Amex, pursuant to Rule 19b-4 of the Act, proposes to amend Commentary .01 to Exchange Rule 170 to permit a specialist to provide liquidity to orders on the book in stabilizing transactions without the necessity of first obtaining Floor Official approval.

#### 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 Amex 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 Amex 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

Rule 170 ("Rule"), the primary rule governing a specialist's functions, restricts a specialist's transactions in his or her specialty stock to those that are reasonably necessary to the maintenance of a fair and orderly market. Specifically, paragraph (d) of the Rule provides that a specialist is affirmatively required to engage in a course of dealings for his own account to minimize order disparities and contribute to continuity and depth in the market, and is precluded from trading for his own account unless such dealing is necessary for the maintenance of a fair and orderly market. The price trend of a security should thus be determined by incoming orders rather than the specialist's proprietary dealings.

Commentary .01 to the Rule sets forth specific requirements which are applicable when a specialist is establishing or increasing a position, and provides that a specialist should effect such transactions in a reasonable and orderly manner in relation to the condition of the general market, the market in the particular stock and the adequacy of his position to meet the immediate and reasonably anticipated needs of the market. In particular, paragraph (b) of the Rule provides that a specialist must obtain Floor Official approval prior to effecting the purchase of all or substantially all the stock offered on the book at a price equal to the last sale, when such offer represents all or substantially all the stock offered in the market. Paragraph (c) provides that he similarly must obtain Floor Official approval prior to supplying all or substantially all the stock bid for on the book at a price equal to the last sale. In addition, paragraph (a) prohibits a specialist from purchasing stock at a price above the last sale in the same

<sup>1</sup> 15 U.S.C. 78s(b)(1)

<sup>2</sup> 17 CFR 240.19b-4.