

editorial change to the scale cart system maintains the intent of the TSR. The proposed changes do no affect the potential for or radiological or chemical consequences from previously evaluated accidents.

5. The proposed amendment will not result in the possibility of a new or different kind of accident.

The proposed changes would not create new operating conditions or new plant configuration that could lead to a new or different type of accident.

6. The proposed amendment will not result in a significant reduction in any margin of safety.

The proposed change to the applicability statement for the sprinkler system is consistent with the accident analysis. The other change is an editorial change. These changes do not decrease the margins of safety and in fact may increase the margin by eliminating potential misunderstandings about TSR requirements.

7. The proposed amendment will not result in an overall decrease in the effectiveness of the plant's safety, safeguards or security programs.

Implementation of the proposed changes do not change the safety, safeguards, or security programs. Therefore, the effectiveness of the safety, safeguards, and security programs is not decreased.

Effective date: June 18, 1997.

Certificate of Compliance No. GDP-1: Amendment will revise Technical Safety Requirements for the fire protection system and the cylinder scale cart movement prevention system.

Local Public Document Room location: Paducah Public Library, 555 Washington Street, Paducah, Kentucky 42003.

Dated at Rockville, MD., this 9th day of May 1997.

For the Nuclear Regulatory Commission.

Carl J. Paperiello,

Director, Office of Nuclear Material Safety and Safeguards.

[FR Doc. 97-13025 Filed 5-16-97; 8:45 am]

BILLING CODE 7590-01-P

PEACE CORPS

Information Collection Requests Under OMB Review

AGENCY: Peace Corps.

ACTION: Notice of public use form review request to the Office of Management and Budget.

SUMMARY: The Associate Director for Management invites comments on information collection requests as

required pursuant to the Paperwork Reduction Act (44 U.S.C. chapter 35). This notice announces that the Peace Corps has submitted to the Office of Management and Budget a request for emergency approval of the Peace Corps Television Program Concept Survey. A copy of the information collection may be obtained from Stephen Maroon, Office of Communications, Marketing Department, United States PEACE CORPS, 1990 K Street, NW, Washington, DC 20526. Mr. Maroon may be contacted by telephone at (202) 606-4469. Peace Corps invites comments on whether the proposed collection of information is necessary for proper performance of the functions of the Peace Corps, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; ways to enhance the quality, utility and clarity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology. Comments on these forms should be addressed to Victoria Becker Wassmer, Desk Officer, Office of Management and Budget, NEOB, Washington, DC 20503.

Information Collection Abstract

Title: Peace Corps Television Program Concept Survey.

Need for and Use of This Information: Peace Corps needs this information in order to develop informational television programs. The information is used to determine what programming and media format is required by local television stations.

Respondents: Television station managers/executives.

Respondents Obligation to Reply: Voluntary.

Burden on the Public:

- | | |
|--------------------------------------------------|-----------|
| a. Annual reporting burden: | 125 hrs. |
| b. Annual recordkeeping burden: | 0 hrs. |
| c. Estimated average burden per response: | 5 min. |
| d. Frequency of response | One time. |
| e. Estimated number of likely respondents: | 1500. |
| f. Estimated cost to respondents | \$1.32. |

This notice is issued in Washington, DC on May 15, 1997.

Stanley D. Suyat,

Associate Director for Management.

[FR Doc. 97-13072 Filed 5-16-97; 8:45 am]

BILLING CODE 6051-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38619; File No. SR-CBOE-97-19]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Chicago Board Options Exchange, Incorporated Relating to a Minor Rule Violation Plan Amendment With Respect to Position Limit Fines

May 13, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on May 8, 1997, the Chicago Board Options Exchange, Incorporated ("CBOE" 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 CBOE.² 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 text of the proposed rule change is available at the Office of the Secretary, CBOE, 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 CBOE 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 CBOE has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

¹ 15 U.S.C. § 78s(b)(1)(1988).

² The proposed rule change was originally filed on March 28, 1997. The CBOE submitted Amendment No. 1 to the proposed rule change to revise the review period for multiple position limit violations under CBOE Rule 17.50(g)(1)(b) to a rolling twelve month review period, instead of a calendar year review period. The CBOE has requested that the rolling year review period not become effective until three months after SR-CBOE-97-19 is approved so that CBOE members who may be affected by the change will have a notice period prior to the revision. Letter from Margaret G. Abrams, Senior Attorney, CBOE, to Katherine England, Esq., Assistant Director, Division of Market Regulation—Office of Market Supervision, dated May 8, 1997.

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

CBOE proposes to revise the position limit summary fine schedule applied to CBOE members and the period of review for multiple position limit violations in subsection (g)(1)(b) of Exchange Rule 17.50, its minor rule violation plan (and for other accounts not qualifying as non-member customer accounts under subsection (g)(1)(a)). CBOE also proposes to amend Interpretation and Policy .01 to Rule 17.50 to conform to the proposed amendments to the fine schedule. The revisions result from an Exchange review of existing position limit sanction levels at other exchanges to ensure comparative equality of sanction levels between option exchanges and to ensure that sanction levels appropriately fit the violative behavior.³

CBOE proposes to change its review period for multiple member position limit violations under CBOE Rule 17.50(g)(1)(b) to a rolling 12 month period, rather than a calendar year period, to more effectively deter repeat violators.

CBOE also proposes to revise its fining method for member position limit summary fines so that the first three position limit violations within any twelve month period be redefined in Rule 17.50(g)(1)(b) to include either a single trade date occurrence or a two consecutive trade date occurrence. For the first three violations only, CBOE will treat a member with two consecutive trade dates of position limit overage in the same manner as a member with a single trade date overage. CBOE believes that such treatment is appropriate for initial violations, in that a member with a two consecutive trade date overage may unintentionally violate the position limit on the first trade date and, upon becoming aware of the overage, begin to take action to reduce the position. Market conditions and the size of the overage may then prevent the member from reducing the overage until the end of the second trade date.

CBOE notes that a member will not be extended comparable treatment between a single trade date occurrence and two

consecutive trade date occurrences after the first three violations. For the fourth and succeeding violations in any twelve month period, CBOE will treat a two consecutive trade date occurrence as two separate violations. CBOE believes that the issuance of letters of caution and/or a staff interview during the initial three violations should educate a member to avoid future violations. Therefore, the treatment of two consecutive trade date occurrences as one violation is not warranted for the fourth and succeeding violations.

The first three member violations will continue to result in non-disciplinary letters of caution from Exchange staff in lieu of a fine, so long as the overage does not exceed 5% of the applicable limit. CBOE proposes that Exchange staff, in its discretion, for the third violation, may meet with the member during a non-disciplinary staff interview, in lieu of issuing a letter of caution. The staff interview, which is conducted in person and at length, may be a useful tool to prevent future position limit violations.

CBOE does not propose to change the \$1.00 per contract position limit summary fine currently in effect for the fourth through sixth member violations, and also for the first through third violations when the overage exceeds 5% of the applicable limit. However, CBOE proposes to establish fine levels of \$2.50 per contract for the seventh through ninth position limit violations, and \$5.00 per contract for the tenth and succeeding violations. Under the existing fine schedule, a fine of \$5.00 per contract is imposed for the seventh and succeeding violations. By creating another fining tier between the \$1.00 and \$5.00 per contract levels, the Exchange will utilize a more graduated calculation of position limit summary fines.

CBOE believes that all of the above changes in the fining method for member violations will continue to deter multiple violations and will improve the minor rule violation plan process, while resulting in position limit summary fines that are in proportion to other fines imposed by the Business Conduct Committee for comparable rule violations.⁴ The

proposed rule change is consistent with and furthers the objectives of Section 6(b)(5) of the Act in that it is designed to refine and enhance the Exchange's minor rule violation plan as applied to position limit violations, thereby removing impediments to a free and open market and protecting investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Completion

The CBOE does not believe that the proposed rule change will impose any 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 solicited or received with respect to the proposed rule change.

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

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) As the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the CBOE consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested person are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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

disproportionately large position limit summary fine due to a fixed calculation that does not account for market conditions.

³ A subgroup was formed by the Exchange's Business Conduct Committee ("BCC") to review position limit sanctions. The subgroup included the BCC chairman, vice chairman, another BCC member, a member firm representative, and five other Exchange committee chairmen. The subgroup met during September through November 1996. The subgroup's recommendations were approved by the full BCC in November 1996, and by the Exchange's Board of Directors in December 1996.

⁴ In combination with CBOE's proposal in File No. SR-CBOE-96-57 to amend Rule 17.50 so that a member may make a settlement offer if the summary fine is over \$2,500 per day (and not more than \$5,000 per day), or if the member had 5 or more consecutive trade date summary fines aggregation to over \$10,000 (and not more than \$5,000 per day), the changes proposed herein are designed to bring position limit summary fines to a level in line with fines for other rule violations. Together, the proposals should remedy the situation where a member currently may pay a

the principal office of CBOE. All submissions should refer to File No. CBOE-97-19 and should be submitted by June 9, 1997.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁵

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-12965 Filed 5-16-97; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38622; File No. SR-NSCC-97-04]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing and Order Extending Temporary Approval on an Accelerated Basis of a Proposed Rule Change that Establishes Additional Procedures for Class A Surveillance of Certain Settling Members and Permits the Collection of Clearing Fund and Other Collateral Deposits From These Settling Members

May 13, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on March 27, 1997, the National Securities Clearing Corporation ("NSCC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change (File No. SR-NSCC-97-04) as described in Items I and II below, which items have been prepared primarily by NSCC. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons and to extend on an accelerated basis temporary approval of the proposed rule change through May 31, 1998.

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

The proposed rule change seeks to extend the temporary approval of additional procedures which govern the placement of NSCC members on Class A surveillance and the clearing fund deposit and other collateral requirements for such members.²

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

In its filing with the Commission, NSCC 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. NSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.³

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

NSCC seeks to extend the temporary approval of a rule change governing the application of Class A surveillance procedures⁴ and the additional collateralization requirements to settling members that engage in certain over-the-counter ("OTC") market making activities.⁵ To decrease the risks associated with OTC market makers, NSCC has added Addendum O to its rules and procedures. Addendum O permits NSCC to place settling members on Class A surveillance if they clear for or are themselves OTC market makers and (1) they do not have sufficient capital or access to capital to support either potential increases in market making activity in dominated issues or (2) any additional risk factors are present.⁶

³ The Commission has modified the text of the summaries submitted by NSCC.

⁴ Class A surveillance permits NSCC, among other things, to increase a settling member's clearing fund requirement by an amount equal to (i) up to 5% of the settling member's CNS long fail positions plus (ii) up to 5% of the settling member's short fail positions plus (iii) 2.5% or at NSCC's discretion up to 5% of the settling member's average non-CNS and non-mutual fund service credits. NSCC Rules and Procedures, Addendum B, IV (C).

⁵ NSCC's Board of Directors has determined that under certain circumstances settling members which clear securities transactions for OTC market makers or which themselves engage in OTC market making, can have their financial viability materially impacted by such business (e.g., if a market maker takes net positions that are a disproportionately large percentage of one side of the market (i.e., dominates the issue)). Furthermore, if these market makers have insufficient capital or insufficient access to capital and engage in market domination with regard to a particular issue either directly by participating in OTC market making or indirectly by clearing transactions for OTC market makers, NSCC believes that the risk of default by the settling member increases. In turn, this could potentially increase NSCC's exposure because NSCC is obligated to complete defaulting settling members' unsettled trades once NSCC's trade guarantee attaches.

⁶ These risk factors include, without limitation:

(1) concentrated short selling in dominated issues;

To further reduce its potential exposure to OTC market making activities, NSCC also has adopted an interim collateralization policy which permits NSCC in its discretion to require settling members placed on Class A surveillance that clear for or are themselves OTC market makers to deposit special collateral in amounts based upon the settling member's OTC activities relative to its amount of excess net capital.⁷ The special collateralization requirements are interim measures for settling members on Class A surveillance to be in effect until NSCC has gained enough experience in surveillance of OTC market maker trading activities to impose permanent special collateralization requirements.

Because NSCC believes that its settling members on Class A surveillance present a higher than normal risk of default and insolvency, NSCC now bases such settling members' clearing fund deposits on the close-out risk presented by their unsettled positions in NSCC's systems. Under the temporary rule change, NSCC has the discretion to compute the Continuous Net Settlement ("CNS") component of the clearing fund requirements for any settling member on Class A surveillance according to an alternative formula based upon such close-out risk.⁸

The Commission approved the proposed rule change on a temporary basis so that NSCC could gain additional experience in the surveillance of OTC market makers and the risks posed by clearing such activity. The Commission also noted in its May approval order that NSCC would be able to gain experience with the additional collateralization requirements and alternative clearing fund formula for settling members subject to Class A surveillance. NSCC believes that additional experience with respect to these matters is desirable before seeking permanent approval of these requirements.

NSCC believes that the proposed rule change is consistent with the

(2) undue concentration of securities held in inventory by market maker(s) for dominated issues;

(3) dominated issues also being IPOs less than six months past initial issuance particularly when the current value of the issue is significantly different from its initial sales price or there is undue concentration of inventory in the managing underwriter(s); and

(4) clearing positions of market makers in dominated issues away from their primary clearing brokers.

⁷ For a complete description of the special collateralization requirements, refer to the May approval order, *supra* note 2.

⁸ For a complete description of the alternative CNS clearing fund formula, refer to the May approval order, *supra* note 2.

⁵ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² Securities Exchange Act Release No. 37202 (May 10, 1996), 61 FR 24993 [File No. SR-NSCC-95-17] (temporary approval of proposed rule change) ("May approval order").