

one guarantee to the other, effective the next day. The Commission finds that this is a reasonable approach and strikes an appropriate balance between the needs of specialists to change their guarantee in a moving market, and the needs of member organizations to know which guarantee applies. Amendment No. 3 also amends the text of Rules 229.05 and 229.10(a)(i), respectively, to clarify that where the specialist has voluntarily agreed to automatically execute market and marketable limit orders greater than 599 shares and the order size is greater than the size of the PACE Quote, the order shall manually receive an execution at the PACE Quote up to the size of the PACE Quote, with the balance of the order receiving a professional execution (the First Guarantee), provided that the specialist may guarantee an automatic execution at the PACE Quote up to the entire size of the specialist's automatic execution guarantee (the Second Guarantee). The Commission finds this language strengthens the proposals by clarifying that unless the specialist specifically elects to provide the Second Guarantee, the First Guarantee will be in effect. The Commission also notes that no comments were received on the original Phlx proposal, which was subject to the full 21-day comment period. Therefore, the Commission believes that it is consistent with Section 6(b)(5) of the Act to approve Amendment No. 3 to the proposed rule change on an accelerated basis.

Interested persons are invited to submit written data, views and arguments concerning Amendment No. 3 to the proposed rule change. 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 Section, 450 Fifth Street, N.W., Washington, D.C. 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-97-11 and should be submitted by August 28, 1997.

For the foregoing reasons, the Commission finds that the Phlx's

proposal, as amended, is consistent with the requirements of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,³⁸ that the amended proposed rule change (SR-Phlx-97-11) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.³⁹

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-20838 Filed 8-6-97; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF STATE

[Public Notice No. 2577]

Shipping Coordinating Committee; Subcommittee for the Prevention of Marine Pollution; Notice of Meeting

The Subcommittee for the Prevention of Marine Pollution (SPMP), a subcommittee of the Shipping Coordinating Committee, will conduct an open meeting on Tuesday, September 9, 1997, at 9:30 a.m. in Room 2415, U.S. Coast Guard Headquarters, 2100 Second Street, SW, Washington, DC.

The purpose of this meeting will be to review the agenda items to be considered at the fortieth session of the Marine Environment Protection Committee (MEPC 40) and the agenda items of the Conference on the Prevention of air pollution from ships (the Conference) of the International Maritime Organization (IMO). MEPC 40 and the Conference will be held in conjunction with each other from September 15-26, 1997. Proposed U.S. positions on the agenda items for MEPC 40 and the Conference will be discussed.

The major items for discussion for MEPC 40 will begin at 9:30 a.m. and include the following:

- a. Bulk liquids and gases;
- b. Flag State implementation;
- c. Identification and protection of Special Areas and Particularly Sensitive Sea Areas;
- d. Adoption of amendments to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78), Annex I (regulation 10 to make the North West European waters a special area under Annex I and regulation 25A on intact stability of double hull tankers);
- e. Harmful aquatic organisms in ballast water;

³⁸ 15 U.S.C. 78s(b)(2).

³⁹ 17 CFR 200.30-3(a)(12).

f. Harmful effects of the use of anti-fouling paints for ships;

g. Implementation of the Oil Pollution Preparedness Response and Cooperation (OPRC) Convention and resolutions; and

h. Irradiated Nuclear Fuel Code related matters.

The major items for discussion for the Conference will begin at 11:00 a.m. and include the following:

a. Consideration and adoption of the Protocol of 1997 to amend MARPOL 73/78 by adding a new Annex VI on controlling air pollution from ships; and

b. Consideration of adopting resolutions banning the use of perfluorocarbons on ships and other related matters.

Members of the public may attend these meetings up to the seating capacity of the room. For further information or documentation pertaining to the SPMP meeting, contact Lieutenant Commander Ray Perry, U.S. Coast Guard Headquarters (G-MSO-4), 2100 Second Street, SW, Washington, DC 20593-0001; Telephone (202) 267-2714.

Dated: July 28, 1997.

Russell A. La Mantia,

Chairman, Shipping Coordinating Committee.

[FR Doc. 97-20832 Filed 8-6-97; 8:45 am]

BILLING CODE 4710-07-M

DEPARTMENT OF STATE

[Public Notice 2676]

Director General of the Foreign Service and Director of Personnel; State Department Performance Review Board Members (At Large Board)

In accordance with section 4314(c)(4) of the Civil Service Reform Act of 1978 (Pub. L. 95-454), the Executive Resources Board of the Department of State has appointed the following individuals to the State Department Performance Review Board (At Large Board) register.

Robert B. Dickson, Executive Director, Bureau of Administration, Department of State

Linda Jacobson, Assistant Legal Adviser for Diplomatic Law and Litigation, Office of the Legal Adviser, Department of State

Katherine Lee, Special Assistant to the Associate Director for Management, United States Information Agency

James P. Timbie, Senior Advisor, Office of the Under Secretary for Arms Control and International Security Affairs, Department of State

Ruth A. Whiteside, Deputy Director, Foreign Service Institute, Department of State

Dated: July 17, 1997.

Jennifer C. Ward,

Acting Director General of the Foreign Service and Director of Personnel.

[FR Doc. 97-20778 Filed 8-6-97; 8:45 am]

BILLING CODE 4710-15-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Application To Use the Revenue From a Passenger Facility Charge (PFC) at Modesto City-County Harry Sham Field Airport, Modesto, California

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of Intent to Rule on Application.

SUMMARY: The Federal Aviation Administration (FAA) proposes to rule and invites public comment on the application to use revenue from a PFC at Modesto City-County Harry Sham Field Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508) and 14 CFR Part 158).

DATES: Comments must be received on or before September 8, 1997.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Airports Division, P.O. 92007, Worldway Postal Center, Los Angeles, CA 90009 or San Francisco Airports District Office, 831 Mitten Road, Room 210, Burlington, CA. 94010-1303. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Howard Cook, Airport Manager of the Modesto City-County Airport at the following address: 617 Airport Way, Modesto, California 95354. Air carriers and foreign air carriers may submit copies of written comments previously provided to the city of Modesto under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Marlys Vandervelde, Airports Program Specialist, Airports District Office, 831 Mitten Road, Room 210, Burlingame, CA. 94010-1303, Telephone: (415) 876-2806. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to use the revenue from a PFC at Modesto City-County Harry Sham Field Airport under the provisions of the Aviation Safety

and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990 (Public Law 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR Part 158)). On May 21, 1997, the FAA determined that the application to use the revenue from a PFC submitted by the city of Modesto was not substantially complete with the requirements of section 158.25 of Part 158. The following items were required to complete the application: Block 7 of FAA Form 5500-1 needed to be filled in, project objective of Attachment B needed additional information and the application was submitted prior to the end of the 30 day comment period from the date of written notice to the carriers. On June 17, 1997, the city of Modesto supplemented their application providing the necessary information. On July 17, 1997, the FAA determined that the application is substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than October 17, 1997.

The following is a brief overview of the use application number 97-04-U-00-MOD:

Level of proposed PFC: \$3.00.

Actual charge effective date: August 1, 1994.

Proposed charge expiration date: August 1, 2000.

Total estimated PFC revenue to be used on these use projects: \$44,400.

Brief description of the use projects: Relocate Runway 10R/28L Edge Lights and Runway 10L/28R Payment Overlay.

Class or classes of air carriers which the public agency has requested not be required to collect PFCs: Air Taxi Operators.

These projects were previously approved as impose only projects contained within an overall PFC package which was approved on May 23, 1994. Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Division located at: 15000 Aviation Blvd., Lawndale, CA 90261. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the city of Modesto, CA.

Issued in Hawthorne, California, on July 21, 1997.

Ellsworth L. Chan,

Acting Manager, Airports Division, Western-Pacific Region.

[FR Doc. 97-20866 Filed 8-6-97; 8:45 am]

BILLING CODE 4910-13-M

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent to Rule on Application To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at Outagamie County Airport, Appleton, Wisconsin

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Outagamie County Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before September 8, 1997.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address.

Minneapolis Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, Minnesota 55450.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Debra Giuffre, Airport Manager of the Outagamie County Airport at the following address: W6390 Challenger Drive, Suite 201, Appleton, WI 54915.

Air carriers and foreign air carriers may submit copies of written comments previously provided to the County of Outagamie under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Sandra E. DePottay, Program Manager, Minneapolis Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis, MN 55450, 612-713-4363. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at Outagamie County Airport under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990) (Pub. L. 101-508) and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On July 31, 1997 the FAA determined that the application to impose and use the revenue from a PFC submitted by County of Outagamie was substantially