

with regard to these development activities.

Rule 6970 propose to apply the Order Audit System requirements on January 31, 2000 to all Orders. Accordingly, non-electronic Orders, whether recorded at a market maker trading desk or at another location would be fully subject to all of the recording and reporting requirements of the Proposed Rules on such date. NASDR solicits comment on this issue and on the implementation schedule generally, based on system changes or other factors that would apply to members that do not presently maintain systems for electronic receipt and routing, and on any associated cost estimates.

NASDR believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act<sup>8</sup> in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest by creating an Order Audit System that would provide a substantially enhanced body of information regarding orders and transactions that would improve the NASDR's ability to conduct surveillance and investigations of member firms for violations of Association rules. In addition, the implementation of the Order Audit System would directly fulfill one of the undertakings contained in the SEC Order relating to the effectuation of the Association's regulatory responsibilities. Pursuant to the SEC Order, the Association agreed to undertake to design and implement by August 8, 1998 (or as specified by further Order of the Commission) an audit trail sufficient to enable the Association to reconstruct markets promptly, conduct efficient surveillance and enforce its rules.

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

NASD Regulation does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended.

#### *C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

In the process of developing the proposed rule change, NASDR consulted generally with industry

representatives and received a number of comment letters in connection with this consultation. Such comment letters are available from NASDR upon request.

### **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 self-regulatory organization 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 persons 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 the principal office of the NASD. All submissions should refer to file number SR-NASD-97-56 and should be submitted by September 26, 1997.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 97-23602 Filed 9-4-97; 8:45 am]

BILLING CODE 8010-01-M

## **DEPARTMENT OF TRANSPORTATION**

### **Office of the Secretary**

#### **Applications of Custom Air Transport, Inc., for Certificate Authority**

**AGENCY:** Department of Transportation.  
**ACTION:** Notice of order to show cause (Order 97-8-29) Dockets OST-97-2255 and OST-97-2256.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Custom Air Transport, Inc., fit, willing, and able, and awarding it certificates of public convenience and necessity to engage in interstate and foreign charter air transportation of persons, property, and mail.

**DATES:** Persons wishing to file objections should do so no later than September 15, 1997.

**ADDRESSES:** Objections and answers to objections should be filed in Dockets OST-97-2255 and OST-97-2256 and addressed to Department of Transportation Dockets, U.S. Department of Transportation, 400 Seventh Street, S.W., Rm. PL-401, Washington, D.C. 20590, and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Ms. Carol A. Woods, Air Carrier Fitness Division (X-56, Room 6401), U.S. Department of Transportation, 400 Seventh Street, S.W., Washington, DC 20590, (202) 366-2340.

Dated: August 29, 1997.

**Charles A. Hunnicutt,**

*Assistant Secretary for Aviation and International Affairs.*

[FR Doc. 97-23511 Filed 9-4-97; 8:45 am]

BILLING CODE 4910-62-P

## **DEPARTMENT OF TRANSPORTATION**

#### **Privacy Act of 1974; Notice To Amend System of Records To Include New Routine Uses**

**AGENCY:** Department of Transportation.  
**ACTION:** Notice to amend system of records to include new routine uses.

**SUMMARY:** In accordance with the Privacy Act (5 U.S.C. 552a(e)(11)), the Department of Transportation is issuing notice of our intent to amend the system of records entitled DOT/ALL 11, Integrated Personnel and Payroll System (IPPS) to include new routine uses. We invite public comment on this publication.

**EFFECTIVE DATE:** October 6, 1997.

<sup>8</sup> 15 U.S.C. § 78o-3.

<sup>9</sup> 17 CFR 200.30-3(a)(12).

**ADDRESSES:** Interested individuals may comment on this publication by writing to U.S. Department of Transportation, Office of the Chief Information Officer (S-80), Attn: Privacy Act Officer, 400 7th Street, SW., Washington, DC 20590.

**FOR FURTHER INFORMATION CONTACT:**

Crystal M. Bush, Privacy Act Coordinator, Office of the Chief Information Officer (S-80), U.S. Department of Transportation, 400 7th Street, SW., Washington, DC 20590. Telephone: (202) 366-9713, Fax: (202) 366-7066, Internet Address: crystal.bush@ost.dot.gov.

**SUPPLEMENTARY INFORMATION:**

**I. Discussion of Proposed Additions to Routine Use**

Pursuant to section 453A(b)(1)(c) of Pub. L. 104-193, the Personal Responsibility and Work Opportunity Reconciliation Act of 1996, the Department of Transportation will disclose data from its Integrated Personnel and Payroll System (IPPS) to the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services for use in its Federal Parent Locator System (FPLS) and Federal Tax Offset System, DHHS/OCSE No. 09-90-0074. Information on this system was last published at 61 FR 38754, July 25, 1996.

FPLS is a computerized network through which States may request location information from Federal and State agencies to find non-custodial parents and/or their employers for purposes of establishing paternity and securing support. Effective October 1, 1997, the FPLS will be enlarged to include the National Directory of New Hires, a database containing information on employees commencing employment, quarterly wage data on private and public sector employees, and information on unemployment compensation benefits. Effective October 1, 1998, the FPLS will be expanded to include a Federal Case Registry. The Federal Case Registry will contain abstracts on all participants involved in child support enforcement cases. When the Federal Case Registry is instituted, its files will be matched on an ongoing basis against the files in the National Directory of New Hires to determine if an employee is a participant in a child support case anywhere in the country. If the FPLS identifies a person as being a participant in a State child support case, that State will be notified of the participant's current employer. State requests to the FPLS for location information will also

continue to be processed after October 1, 1998.

The data to be disclosed by DOT to the FPLS include: employee name, employee date of birth, employee social security number, employee address, employee date of hire, employee state of hire, employer name, employer address, employer ID number.

In addition, names and social security numbers submitted by DOT to the FPLS will be disclosed by the Office of Child Support Enforcement to the Social Security Administration for verification to ensure that the social security number provided is correct.

The data disclosed by DOT to the FPLS will also be disclosed by the Office of Child Support Enforcement to the Secretary of the Treasury for use in verifying claims for the advance payment of the earned income tax credit or to verify a claim of employment on a tax return.

**II. Compatibility of Proposed Routine Uses**

We are proposing these routine uses in accordance with the Privacy Act (5 U.S.C. 552a(b)(3)). The Privacy Act permits the disclosure of information about individuals without their consent for a routine use where the information will be used for a purpose which is compatible with the purpose for which the information was originally collected. The Office of Management and Budget has indicated that a "compatible" use is a use which is necessary and proper. See OMB Guidelines, 51 FR 18982, 18985, May 23, 1986. Since the proposed uses of the data are required by Pub. L. 104-193, they are clearly necessary and proper uses, and therefore "compatible" uses which meet Privacy Act requirements.

**III. Effect of the Proposed Changes on Individuals**

We will disclose information under the proposed routine uses only as required by Pub. L. 104-193 and as permitted by the Privacy Act.

Accordingly, the DOT ALL/11 Integrated Personnel and Payroll system notice originally published at 59 FR 46078, Sept. 6, 1994, and most recently amended at 61 FR 42301, Aug. 14, 1996, is further amended as set forth below.

**DOT/ALL 11**

**SYSTEM NAME:**

Integrated Personnel and Payroll System (IPPS).

**SECURITY CLASSIFICATION:**

Unclassified sensitive.

**SYSTEM LOCATION:**

U.S. Department of Transportation (DOT), Office of the Secretary (OST), 400 7th Street, SW., Washington, DC 20590. Working copies of certain records are held by OST, all DOT Operating Administrations, Office of the Inspector General (OIG), and the National Transportation Safety Board (NTSB). (DOT provides personnel and payroll services to NTSB on a reimbursable basis, although NTSB is not a DOT entity. This is done for economy and convenience since both organizations' missions are transportation oriented and located in the same geographic areas.)

**CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:**

Prospective, present, and former employees in the Office of the Secretary of Transportation (OST), Bureau of Transportation Statistics (BTS), Federal Aviation Administration (FAA), Federal Highway Administration (FHWA), Federal Railroad Administration (FRA), Federal Transit Administration (FTA), Maritime Administration (MARAD), National Highway Traffic Safety Administration (NHTSA), Office of the Inspector General (OIG), Research and Special Programs Administration (RSPA), St. Lawrence Seaway Development Corporation (SLSDC), Transportation Administrative Service Center (TASC), National Transportation Safety Board (NTSB), and civilian employees of the United States Coast Guard (USCG).

**CATEGORIES OF RECORDS IN THE SYSTEM:**

This system contains those records required to insure that an employee receives his or her pay and personnel benefits as required by law. It includes, as appropriate: Service Record, Employee Record, Position Identification Strip, Claim for 10-Point Veteran Preference, Request for Referral Eligibles, Request and Justification for Selective Factors and Quality Ranking Factors, Certification of Insured Employee's Retired Status (Federal Employees' Group Life Insurance (FEGLI)), Notification of Personnel Action, Notice of Short-Term Employment, Request for Insurance (FEGLI), Designation of Beneficiary (FEGLI), Notice of Conversion Privilege, Agency Certification of Insurance Status (FEGLI), Request for Approval of Non-Competitive Action, Appointment Affidavits, Declaration of Appointee, Agency Request to Pass Over a Preference Eligible or Object to an Eligible, Official Personnel Folder, Official Personnel Folder Tab Insert, Incentive Awards Program Annual

Report, Application for Leave, Monthly Report of Federal Civilian Employment, Payroll Report of Federal Civilian Employment, Semi-annual Report of Federal Participation in Enrollee Programs, Request for Official Personnel Folder (Separated Employee), Statement of Prior Federal Civilian and Military Service, Personal Qualifications Statement, Continuation Sheet for Standard Form 171 "Personal Qualifications Statement", amendment to Personal Qualifications Statement, Job Qualifications Statement, Statement of Physical Ability for Light Duty Work, Request, Authorization, Agreement and Certification for Training, United States (U.S.) Government Payroll Savings Plan-Consolidated Quarterly Report, Financial Disclosure Report, Information Sheet-Financial Disclosure Report, Payroll for Personal Services, Pay Receipt for Cash Payment—Not Transferable, Payroll Change Slip, Payroll for Personal Service—Payroll Certification and Summary—Memorandum, Record of Leave Data, Designation of Beneficiary—Unpaid Compensation of Deceased Civilian Employee, U.S. Savings Bond Issue File Action Request, Subscriber List for Issuance of United States Savings Bonds, Request for Payroll Deductions for Labor Organization Dues, Revocation of Voluntary Authorization for Allotment of Compensation for Payment of Labor Organization dues, Request by Employee for Payment of Salaries or Wages by Credit to Account at a Financial Organization, Designation of Beneficiary—Unpaid Compensation of Deceased Civilian Employee, U.S. Savings Bond Issue File Action Request, Subscriber List for Issuance of United States Savings Bonds, Request for Payroll Deductions for Labor Organization Dues, Revocation of Voluntary Authorization for Allotment of Compensation for Payment of Labor Organization Dues, Request by Employee for Payment of Salaries or Wages by Credit to Account at a Financial Organization, Authorization for Purchase and Request for Change: U.S. Series EE Savings Bond, Request by Employee for Allotment of Pay for Credit to Savings Accounts with a Financial Organization, Application for Death Benefits—Civil Service Retirement System, Application for Retirement—Civil Service Retirement System, Superior Officer's Statement in Connection with Disability Retirement, Physician's Statement for Employee Disability Retirement Purposes, Transmittal of Medical and Related Documents for Employee Disability Retirement, Request for Medical

Records (To Hospital or Institution) in Connection with Disability Retirement, Application for Refund of Retirement Deductions, Application to Make Deposit or Redeposit, Application to Make Voluntary Contribution, Request for Recovery of Debt Due the United States (Civil Service Retirement System), Register of Separations and Transfers—Civil Service Retirement System, Register of Adjustments—Civil Service Retirement System, Annual Summary Retirement Fund Transactions, Designation of Beneficiary—Civil Service Retirement System, Health Benefits Registration Form-Federal Employees Health Benefits Program, Notice of Change in Health Benefits Enrollment, Transmittal and Summary Report to Carrier—Federal Employees Health Benefits Program, Report of Withholding and Contributions for Health Benefits, Group Life Insurance, and Civil Service Retirement, Report of Withholdings and Contributions, Employee Service Statement, Election of Coverage and Benefits, Designation of Beneficiary, Position Description, Inquiry for United States Government Use Only, Application for Retirement—Foreign Service Retire System, Designation of Beneficiary, Application for Refund of Retirement Contributions (Foreign Service Retirement System), Election to Receive Extra Service Credit Towards Retirement (or Revocation Thereof), Application for Service Credit, Employee Suggestion Form, Meritorious Service Increase Certificate, Foreign Service Emergency Locator Information, Leave Record, Leave Summary, Individual Pay Card, Time and Attendance Report, Time and Attendance Report (For Use Abroad).

**AUTHORITY FOR MAINTENANCE OF THE SYSTEM:**  
49 U.S.C 322.

**PURPOSE(S):**

This system integrates personnel and payroll functions.

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

1. Records are maintained for control and accountability of: Pay and allowances; permanent and temporary pay changes; pay adjustments; travel advances and allowances; leave balances for employees; earnings and deductions by pay periods, and pay and earning statements for employees; management information as required on an ad hoc basis; payroll checks and bond history; union dues; withholdings to financial institutions, charitable organizations and professional

associations; summary of earnings and deductions; claims for reimbursement sent to the General Accounting Office (GAO); federal, state, and local taxes withholdings; and list of FICA employees for management reporting.

2. To the Office of Child Support Enforcement, Administration for Children and Families, Department of Health and Human Services Federal Parent Locator System (FPLS) and Federal Tax Offset System for use in locating individuals and identifying their income sources to establish paternity, establish and modify orders of support and for enforcement action.

3. To the Office of Child Support Enforcement for release to the Social Security Administration for verifying social security numbers in connection with the operation of the FPLS by the Office of Child Support Enforcement.

4. To Office of Child Support Enforcement for release to the Department of Treasury for purposes of administering the Earned Income Tax Credit Program (Section 32, Internal Revenue Code of 1986) and verifying a claim with respect to employment in a tax return.

**DISCLOSURE TO CONSUMER REPORTING AGENCIES:**

*Disclosures pursuant to 5 U.S.C. 552a(b)(12):* Disclosures may be made from this system to "consumer reporting agencies" as defined in the Fair Credit Reporting Act (15 U.S.C. 1681a(f)) or the Federal Claims Collection Act of 1982 (31 U.S.C. 3701(a)(3)).

**POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:**

**STORAGE:**

Storage is on magnetic disks, magnetic tape, microforms, and paper forms in file folders.

**RETRIEVABILITY:**

Retrieval from the system is by social security number, employee number, organization code, or home address; these can be accessed only by individuals authorized such access.

**SAFEGUARDS:**

Computers provide privacy and access limitations by requiring a user name and password match. Access to decentralized segments are similarly controlled. Only those personnel with a need to have access to the system are given user names and passwords. Data are manually and/or electronically stored in locked rooms with limited access.

**RETENTION AND DISPOSAL:**

The IPPS records are retained and disposed in compliance with the General Records Schedules, National Archives and Records Administration, Washington, DC 20408. The following schedules apply: General Records Schedule 1, Civilian Personnel Records, Pages 1 thru 22, Items 1 through 39; and General Records Schedule 2, Payrolling and Pay Administration Records, Pages 1 thru 6, Items 1 thru 28.

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

For personnel-related issues, contact Chief, Strategic Planning/Systems Division (M-10) and, for payroll-related issues, contact Chief, Financial Management Staff (B-35) at the following address: U.S. Department of Transportation, Office of the Secretary, 400 Seventh Street SW., Washington, DC 20590.

**NOTIFICATION PROCEDURE:**

Individuals wishing to know if their records appear in this system of records may inquire in person or in writing to the system manager.

**RECORD ACCESS PROCEDURES:**

Same as "System Manager."

**CONTESTING RECORD PROCEDURES:**

Same as "System Manager." Correspondence contesting records must include the full name and social security number of the individual concerned and documentation justifying the claims.

**RECORD SOURCE CATEGORIES:**

Data are collected from the individual employees, time and attendance clerks, supervisors, official personnel records, personal financial statements, correspondence with the debtor, records relating to hearings on the debt, and from the Departmental Accounting and Financial Information system of records.

**EXEMPTIONS CLAIMED FOR THIS SYSTEM:**

None.

Dated: August 29, 1997.

**Crystal M. Bush,**

*Acting Manager, Information Resource Management Division, Office of the Chief Information Officer, Department of Transportation.*

[FR Doc. 97-23651 Filed 9-4-97; 8:45 am]

BILLING CODE 4210-62-P

**DEPARTMENT OF TRANSPORTATION****Federal Aviation Administration****Executive Committee of the Aviation Rulemaking Advisory Committee; Meeting**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of meeting.

**SUMMARY:** The FAA is issuing this notice to advise the public of a meeting of the Executive Committee of the Federal Aviation Administration Aviation Rulemaking Advisory Committee.

**DATES:** The meeting will be held on September 22, 1997, at 10:30 a.m. Arrange for oral presentations by September 8, 1997.

**ADDRESSES:** The meeting will be held at the Federal Aviation Administration, 800 Independence Avenue, SW., MOC Room, Room 1014, Washington, DC.

**FOR FURTHER INFORMATION CONTACT:** Miss Jean Casciano, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591, telephone (202) 267-9683; fax (202) 267-5075; e-mail Jean.Casciano@faa.dot.gov.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. II), notice is hereby given of a meeting of the Executive Committee to be held on September 22, 1997, at the Federal Aviation Administration, 800 Independence Avenue, SW., MOC Room, Room 1014, Washington, DC. The agenda will include:

- The final report of the National Parks Overflights Working Group
- A possible vote on the Digital Information Working Group's use of electronic signatures notice of proposed rulemaking and advisory circular

Attendance is open to the interested public but will be limited to the space available. The public must make arrangements by September 8, 1997, to present oral statements at the meeting. The public may present written statements to the executive committee at any time by providing 25 copies to the Executive Director, or by bringing the copies to him at the meeting.

Sign and oral interpretation can be made available at the meeting, as well as an assistive listening device, if requested 10 calendar days before the meeting. Arrangements may be made by contacting the person listed under the heading **FOR FURTHER INFORMATION CONTACT**.

Issued in Washington, DC, on August 29, 1997.

**Joseph A. Hawkins,**

*Executive Director, Aviation Rulemaking Advisory Committee.*

[FR Doc. 97-23636 Filed 9-4-97; 8:45 am]

BILLING CODE 4910-13-M

**DEPARTMENT OF TRANSPORTATION****National Highway Traffic Safety Administration**

[Docket No. 97-028; Notice 2]

**Hella K.G., Hueck & Co.; Grant of Application for Decision of Inconsequential Noncompliance**

This notice grants the application by Hella K.G., Hueck & Company (Hella) to be exempt from the notification and remedy requirements of 49 U.S.C. 30118(d) and 30120(h) for noncompliance with 49 CFR 571.108, Federal Motor Vehicle Safety Standard (FMVSS) No. 108, "Lamps, Reflective Devices and Associated equipment." The basis of the application is that the noncompliance is inconsequential to motor vehicle safety.

Notice of receipt of the application was published in the **Federal Register** on April 18, 1997, requesting comments on Hella's application, with a 30-day comment period (62 FR 19168). No comments were received on the Notice.

Paragraph S.7.5(g) of FMVSS No. 108 requires that the lens of each replaceable bulb headlamp shall bear permanent marking in front of each replaceable light source with which it is equipped that states the HB Type, if the light source is designed to conform to specified subparagraphs.

Hella's description of the inconsequential noncompliance follows:

VAN HOOL buses of Belgium designed a new bus (T9) which is intended to be exported to the U.S.A. HELLA K.G. in Germany designed and manufactured the US-type headlamps but inadvertently exchanged the required bulb designation on the headlamp's lens so that an "HB 3" marking appears in front of the HB 4 reflector area—and vice versa. The total manufacturing of these headlamps has been done in 1996 in advance of a two years need for the intended export of the buses. Today, only a few buses for expositions for vehicle shows has been exported to the U.S.A. About [a] hundred headlamps are still on stock at HELLA, VAN HOOL or HELLA's representative in Belgium.

Hella supports its application for inconsequential noncompliance with the following:

Federal Motor Vehicle Safety Standard No. 108 (FMVSS 108) requires in Section S.7.5(g) that the relevant light source designation has to be marked on the lens in front of the