

Tuesday, March 31

- 10:00 a.m.—Briefing on Fire Protection (PUBLIC MEETING), (Contact: Tad Marsh, 301-415-2873).
- 3:00 p.m.—Briefing by Organization of Agreement States and Status of IMPEP Program (PUBLIC MEETING), (Contact: Richard Bangart, 301-415-3340).

Thursday, April 2

- 1:30 p.m.—Meeting with Advisory Committee on Reactor Safeguards, (ACRS) (PUBLIC MEETING), (Contact: John Larkins, 301-415-7360).
- 3:00 p.m.—Briefing on Improvements to the Senior Management Meeting, Process (PUBLIC MEETING), (Contact: Bill Borchard, 301-415-1257).

Friday, April 3

- 10:30 a.m.—Affirmation Session (PUBLIC MEETING)
- \* The schedule for commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: Bill Hill (301) 415-1661.

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The NRC Commission Meeting  
Schedule can be found on the Internet at:  
<http://www.nrc.gov/SECY/smj/schedule.htm>

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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to it, please contact the Office of the Secretary, Attn: Operations Branch, Washington, D.C. 20555 (301-415-1661). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [wmh@nrc.gov](mailto:wmh@nrc.gov) or [dkw@nrc.gov](mailto:dkw@nrc.gov).

\* \* \* \* \*

**William M. Hill, Jr.,**

*SECY Tracking Officer, Office of the Secretary.*

[FR Doc. 98-6292 Filed 3-6-98; 2:15 pm]

BILLING CODE 7540-01-M

## OFFICE OF PERSONNEL MANAGEMENT

### The National Partnership Council; Notice of Meeting

**AGENCY:** Office of Personnel Management.

**TIME AND DATE:** 9:45 a.m., March 20, 1998.

**PLACE:** Sheraton Premiere Hotel at Tyson's Corner, 8661 Leesburg Pike, Vienna, Virginia 22182.

**STATUS:** This meeting will be open to the public. Seating will be available on a first-come, first-served basis. Individuals with special access needs wishing to attend should contact OPM at the number shown below to obtain appropriate accommodations.

**MATTERS TO BE CONSIDERED:** The National Partnership Council (NPC) will receive reports on partnership activities, including middle managers' involvement.

**CONTACT PERSON FOR MORE INFORMATION:** Rose M. Gwin, Director, Center for Partnership and Labor-Management Relations, Office of Personnel Management, Theodore Roosevelt Building, 1900 E Street, NW., Room 7H28, Washington, DC 20415-0001, (202) 606-2930.

**SUPPLEMENTARY INFORMATION:** We invite interested persons and organizations to submit written comments. Mail or deliver your comments to Rose M. Gwin at the address shown above.

Office of Personnel Management.

**Janice R. Lachance,**

*Director.*

[FR Doc. 98-6004 Filed 3-9-98; 8:45 am]

BILLING CODE 6325-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-39707; File No. SR-PCX-97-48]

### Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Pacific Exchange, Inc. Relating to Market Maker Participation in the Pacific Exchange's Automatic Execution System for Options ("Auto-Ex")

March 3, 1998.

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 December 18, 1997,<sup>3</sup> the Pacific Exchange, Inc. ("PCX" or "Exchange") filed with the Securities and Exchange Commission ("Commission" or "SEC") the proposed

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

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

<sup>3</sup> On February 27, 1998, the Pacific Exchange, Inc. submitted an amendment clarifying certain procedures and terms referred to in the proposed rule change. See letter from Michael D. Pierson, Senior Attorney, Regulatory Policy, Pacific Exchange, Inc., to Mignon McLemore, Attorney, Office of Market Supervision, Division of Market Regulation, SEC, dated February 26, 1998 ("Amendment No. 1").

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 Exchange is proposing to amend its rules relating to Market Maker participation in the Exchange's automatic execution system for options ("Auto-Ex"). The text of proposed rule change is available for review at the Exchange's principal offices and in the Commission's Public Reference Room.

### 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 Exchange 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 Exchange 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

On September 15, 1993, the Commission approved an Exchange proposal to codify its Market Maker eligibility standards for participation in the Auto-Ex feature of the Pacific Options Exchange Trading System ("POETS").<sup>4</sup> Under that rule change, Market Makers are only eligible for Auto-Ex at one trading post that is within that market Maker's primary appointment zone.<sup>5</sup> The rule further provides that participants who sign onto the system are required to remain on the system for the duration of the trading day, but that exemptions from this requirement may be granted by two Floor Officials under certain

<sup>4</sup> See Securities Exchange Act Release No. 32908 (September 15, 1993), 58 FR 49076 (September 21, 1993) (order approving File No. SR-PSE-91-38). Previously, the Commission had approved some of these provisions when it approved the implementation of the POETS pilot program. See Securities Exchange Act Release No. 27633 (January 18, 1990) (order approving SR-PSE-89-26) ("POETS Approval Order"). See also, Securities Exchange Act Release No. 27423 (November 6, 1989), 54 FR 47434 (November 14, 1989) ("POETS" notice).

<sup>5</sup> Market Maker primary appointment zone requirements are set forth in PCX Rule 6.35.

circumstances. Moreover, a Market Maker who logs onto the system during an Expiration Week is required to remain on the system for the entire week. Finally, if there is inadequate Auto-Ex participation in one or more issues, two Floor Officials may require Market Makers who are members of the trading crowd to log onto Auto-Ex, while present in the crowd, absent reasonable justification or excuse for non-participation. For purposes of that provision, a Market Maker is considered to be a "member of a trading crowd" if that Market Maker (a) holds an appointment at the trading post where the subject issue is located or (b) regularly effects transactions in person for his or her Market Maker account at that trading post.

The Exchange is now proposing to modify and expand these rules as follows:

First, the Exchange is proposing to add to Rule 6.87, a provision on joint accounts, stating that participants in a joint account may log onto Auto-Ex in a trading crowd outside of their primary appointment zones, but only if they are substituting for another participant in the same joint account, where trading of Auto-Ex as such station would have been appropriate for the substituted party, and they have obtained the approval of two Floor Officials.

Second, the Exchange is proposing to clarify this rule by stating that Market Makers who have not been assigned a primary appointment zone may not participate on the Auto-Ex system, and further, that all Auto-Ex transactions will count toward a Market Maker's in person and primary appointment zone requirements.

Third, the Exchange is proposing to modify this rule by specifying that, unless exempted by two Floor Officials, Market Makers may log onto Auto-Ex only in person and may continue on the system only so long as they are present in that trading crowd. Moreover, absent an exemption from the foregoing limitation, Market Makers may not remain on Auto-Ex, and must log off Auto-Ex, where they have left the trading crowd, unless the departure is for a brief interval. The rule states that under normal circumstances, a brief interval is deemed to be 15 minutes.

A Market Maker who fails to comply with the log-off requirement will be subject to the following fines under the Exchange's Minor Rule Plan:<sup>6</sup> if the number of failures is between one and two during a twelve-month period, the fine is \$100 per violation; for between three and five failures in a twelve-

month period, the fine is \$250 per violation; and for six or more failures in a twelve-month period, the fine is \$500 per violation.<sup>7</sup> The Exchange is also proposing to add violations of the log-off requirement to the Exchange's Summary Sanction Procedure<sup>8</sup> under which two Floor Officials may summarily fine a Member for a designated rule violation if certain procedures are followed.

Fourth, the Exchange is eliminating the provision that states that a Market Maker who logs onto Auto-Ex during Expiration Week is required to remain on the system for the duration of that Expiration Week. When the Auto-Ex rule was first adopted, there was some concern that there might be inadequate Market Maker participation on Auto-Ex during Expiration Week. However, the Exchange now believes, based on several years' experience, that there is no lack of Market Maker participation on the Options Floor that justifies a need for the Expiration Week requirement.

Fifth, the Exchange is proposing to make the Auto-Ex participation mandatory in two limited situations. Under subsection (d)(4), a Market Maker who has logged onto Auto-Ex at any time during a trading day must participate on the Auto-Ex system in that option issue whenever present in that trading crowd during that trading day. Under subsection (d)(5), Market Makers may not log off the Auto-Ex wheel during the first ten minutes of a "fast market" that has been declared pursuant to Rule 6.28 in an issue traded "on that wheel",<sup>9</sup> in the absence of an exemption from two Floor Officials.

Sixth, the Exchange is proposing to add a provision to Rule 6.87 specifically prohibiting Market Makers from "directed trading" of option contracts resulting from recent executions over Auto-Ex.<sup>10</sup> The rule states that Market Makers who receive an execution through Auto-Ex may not re-direct the

<sup>7</sup> Cf. CBOE Rule 8.16(a)(iii) (similar fine schedule).

<sup>8</sup> See PCX Rule 10.14.

<sup>9</sup> The term "on that wheel" denotes the function of the Auto-Ex system that allows Market Makers to be assigned option contracts on a rotating basis, except that the first trade of the day is assigned to a Market Maker at random. Thus, for example, if five Market Makers log on to the Auto-Ex system at the beginning of the trading day, then the first customer order entered that day will be assigned to one of the five Market Makers at random. Thereafter, on that trading day, incoming orders will be assigned to the five Market Makers in order, on a rotating basis. See *supra* note 3 at p. 1.

<sup>10</sup> "Directed trading" is a violation of Rule 6.73 ("Manner of Bidding and Offering"), which provides in part: "All bids and offers shall be general ones and shall not be specified for acceptance by particular members."

option contracts from that trade to another Market Maker without first giving the other Members in the trading crowd an opportunity to participate.

Finally, the Exchange is proposing to codify a provision on price adjustments in the rule that was previously included in the Exchange's filing to implement POETS and approved by the Commission in 1990.<sup>11</sup> It states that due to instantaneous execution, an incorrect quote appearing on the screen may result in an Auto-Ex trade at an incorrect price, and that an Auto-Ex trade executed at an erroneous quote should be treated as a trade reported at an erroneous price. It also states that the price of the Auto-Ex trade should be adjusted to reflect accurately the market quote at the time of execution, and that this will result in public customers and Market Makers receiving correct fills at prevailing market quotes through Auto-Ex. It further states that the determination as to whether an Auto-Ex trade was executed at an erroneous price is to be made by two Floor Officials, and that in making their determination, the Floor Officials should consider such factors as: (1) The length of time the allegedly incorrect quote was displayed; (2) whether any non-Auto-Ex trades were effected at the same price as the Auto-Ex transaction; and (3) whether any members of the trading crowd were aware of orders actively being represented in the trading crowd that appear to have been "printed through" by the Auto-Ex trade.

The Exchange believes the proposed rule change is consistent with Section 6(b)<sup>12</sup> of the Act, in general, and furthers the objectives of Section 6(b)(5),<sup>13</sup> in particular, in that it is designed to facilitate transactions in securities, to promote just and equitable principles of trade and to protect investors and the public interest.

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

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

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

Written comments on the proposed rule change were neither solicited nor received.

<sup>11</sup> See *supra* note 4, POETS Approval Order and POETS Notice at Exhibit No. 4.

<sup>12</sup> 15 U.S.C. 78f(b).

<sup>13</sup> 15 U.S.C. 78f(b)(5).

<sup>6</sup> See generally, PCX Rule 10.13.

### 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 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, including whether the proposed rule change is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 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, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of the PCX. All submissions should refer to File No. SR-PCX-97-48 and should be submitted by March TCRA1, 1998.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>14</sup>

**Jonathan G. Katz,**  
*Secretary.*

[FR Doc. 98-6018 Filed 3-9-98; 8:45 am]

BILLING CODE 8010-01-M

### DEPARTMENT OF STATE

[Public Notice 2757]

#### Advisory Committee for Study of Eastern Europe and the Independent States of the Former Soviet Union; Notice of Meeting

The Department of State announces that the Advisory Committee for Study of Eastern Europe and the Independent States of the Former Soviet Union (Title VIII) will convene on April 29, 1998, beginning at 10:00 a.m. in Room 1105, U.S. Department of State, 2201 C Street, NW, Washington, DC.

The Advisory Committee will recommend grant recipients for the FY 1998 competition of the Program for Study of Eastern Europe and the Independent States of the Former Soviet Union in connection with the "Research and Training for Eastern Europe and the Independent States of the Former Soviet Union Act of 1983, as amended." The agenda will include opening statements by the Chairman and members of the Committee and, within the Committee, discussion, approval, and recommendation that the Department of State negotiate grant agreements with certain "national organizations with an interest and expertise in conducting research and training concerning the countries of Eastern Europe and the independent states of the former Soviet Union," based on the guidelines contained in the call for applications published in the **Federal Register** on November 24, 1997. Following committee deliberation, interested members of the public may make oral statements concerning the Title VIII program in general.

This meeting will be open to the public; however, attendance will be limited to the seating available. Entry into the Department of State building is controlled and must be arranged in advance of the meeting. Those planning to attend should notify Michelle Staton, INR/RES, U.S. Department of State, (202) 736-4155, by April 27, 1998, providing their date of birth, Social Security number, and any requirements for special needs. All attendees must use the 2201 C Street, NW, entrance to the building. Visitors who arrive without prior notification and without a photo ID will not be admitted.

Dated: February 24, 1998.

**Kenneth E. Roberts,**

*Executive Director, Advisory Committee for Study of Eastern Europe and the Independent States of the Former Soviet Union.*

[FR Doc. 98-6070 Filed 3-9-98; 8:45 am]

BILLING CODE 4710-32-M

### DEPARTMENT OF STATE

[Public Notice No. 2748]

#### Fine Arts Committee; Notice of Meeting

The Fine Arts Committee of the Department of State will meet on Saturday, April 4, 1998 at 10:30 a.m. in the John Quincy Adams State Drawing Room. The meeting will last until approximately 12:00 p.m. and is open to the public.

The agenda for the committee meeting will include a summary of the work of the Fine Arts Office since its last meeting in October 1997 and the announcement of gifts and loans of furnishings as well as financial contributions for calendar year 1997. Public access to the Department of State is strictly controlled. Members of the public wishing to take part in the meeting should telephone the Fine Arts Office by Monday, March 30, 1998, telephone (202) 647-1990 to make arrangements to enter the building. The public may take part in the discussion as long as time permits and at the discretion of the chairman.

Dated: February 9, 1998.

**Gail F. Serfaty,**

*Vice Chairman, Fine Arts Committee.*

[FR Doc. 98-6065 Filed 3-9-98; 8:45 am]

BILLING CODE 4710-38-M

### DEPARTMENT OF STATE

[Public Notice No. 2749]

#### Shipping Coordinating Committee Subcommittee for the Prevention of Marine Pollution, Notice of Meeting Rescheduling

The Subcommittee for the Prevention of Marine Pollution (SPMP), a subcommittee of the Shipping Coordinating Committee, is canceling its meeting scheduled for Tuesday, March 24, 1998, at 9:30 am and is rescheduling for Tuesday, March 17, 1998 at 9:30 am in Room 2415, U.S. Coast Guard Headquarters, 2100 Second Street, SW, Washington, DC. Please disregard the previous announcement that appeared in 63 FR 7191, February 12, 1998.

The purpose of this meeting will be to review the agenda items to be considered at the forty first session of the Marine Environment Protection Committee (MEPC 41) of the International Maritime Organization (IMO). MEPC 41 will be held from March 30-April 3, 1998. Proposed U.S. positions on the agenda items for MEPC 41 will be discussed.

<sup>14</sup> 17 CFR 200.30-3(a)(12).