

Commission believes clearing agencies must establish an appropriate level of clearing fund contributions based on, among other things, its assessment of the risks to which it is subject. Under the proposed rule change, Philadep's participants fund formulas generally do not take into consideration to a participant's level of depositor activity. Instead, the formulas are based on the type of depository services used by the participant. As such, the Commission has concerns about whether the size of the participants fund will be sufficient. For these reasons, the Commission is temporarily approving the portion of the proposed rule change relating to the participants fund formulas through December 31, 1996. During the period of temporary approval, Philadep and the Commission will continue to monitor and to analyze the adequacy of Philadep's participants fund formulas.

Philadep has requested that the Commission find good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing. The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing because the proposed rule change will allow Philadep participants to continue to utilize the interface between Philadep and DTC. Accelerated approval of the proposal also will allow Philadep to continue to apply its participants fund formulas through December 31, 1996.

#### 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, 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 Philadep. All submissions should refer to the file number SR-

Philadep-96-14 and should be submitted by September 27, 1996.

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR-Philadep-96-14) be, and hereby is, permanently approved for those sections of the proposed rule change relating to the inter-depository delivery procedures and temporarily approved through December 31, 1996, for those sections of the proposed rule change relating to Philadep's participants fund formulas.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>10</sup>  
Margaret H. McFarland,  
*Deputy Secretary*.  
[FR Doc. 96-22721 Filed 9-5-96; 8:45 am]  
BILLING CODE 8010-01-M

[Release No. 34-37623; File Nos. SR-SCCP-96-07]

#### **Self-Regulatory Organization; Stock Clearing Corporation of Philadelphia; Notice of Filing and Order Granting Accelerated Approval on a Temporary Basis of a Proposed Rule Change Seeking Permanent Approval of the Participants Fund Formulas**

August 29, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> notice is hereby given that on August 20, 1996, the Stock Clearing Corporation of Philadelphia ("SCCP") filed with the Securities and Exchange Commission ("Commission") the proposed rule change (File No. SR-SCCP-96-07) as described in Items I and II below, which items have been prepared primarily by SCCP. The Commission is publishing this notice and order to solicit comments from interested persons and to grant accelerated approval of the proposed rule change through December 31, 1996.

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

The proposed rule change seeks permanent approval of SCCP's participants fund formulas. The Commission previously granted partial temporary approval to a proposed rule change establishing SCCP's participants fund formulas as part of the conversion of SCCP's money settlement system from a next-day funds settlement

("NDFS") to a same-day funds settlement ("SDFS") system.<sup>2</sup>

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

In its filing with the Commission, SCCP included statements concerning the purpose of and basis for the proposed rule change and discussed any comments that it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. SCCP has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.<sup>3</sup>

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

On February 22, 1996, SCCP converted its processing environment from an NDFS system to an SDFS system. In an effort to reduce risk in an SDFS settlement environment, SCCP and the Philadelphia Depository Trust Company ("Philadep") implemented a new system and new controls with enhanced processing capabilities. The Commission approved SCCP's SDFS system on a permanent basis for all aspects of the filling except the participants fund formulas.<sup>4</sup>

SCCP Rule 4, governing SCCP's participants fund, and the procedures regarding the participants fund formulas were amended to provide for an all cash participants fund. The all cash requirement applies to both the required deposit and any additional or voluntary deposits made by participants.

Participants that choose to make voluntary deposits in most situations are able to increase their level of activity at SCCP and receive interest rebates from SCCP for deposits in excess of \$50,000.

Pursuant to Rule 4 and SCCP's procedures, SCCP calculates participants' required cash deposits pursuant to the following formulas:

(a) Inactive Account: \$5,000.<sup>5</sup>

<sup>2</sup> Securities Exchange Act Release No. 36875 (February 22, 1996), 61 FR 7846 [File No. SR-SCCP-95-06] (order granting partial temporary approval and partial permanent approval of a proposed rule change to convert the settlement system to a same-day funds settlement system).

<sup>3</sup> The Commission has modified the text of the summaries submitted by SCCP.

<sup>4</sup> *Supra* note 2.

<sup>5</sup> Securities Exchange Release No. 37554 (August 9, 1996), 61 FR 42929 [File No. SR-SCCP-96-03] (order granting temporary approval of a proposed

<sup>10</sup> 17 CFR 200.30-3(a)(12) (1996).

<sup>1</sup> 15 U.S.C. 78s(b)(1) (1988).

(b) Full Service ("CNS") Account—The contribution of a CNS Participant is based upon the larger of: (1) the participant's monthly average of trading activity during the preceding three months, \$1,000 for every twenty-five trading units of one hundred shares; or (2) the participant's aggregate dollar amount of all long trades at their execution price for the prior three months multiplied by two percent. The required contributions are rounded upward to \$5,000 increments, and the average is a rolling average.

(c) Regional Interface Operations ("RIO") Account—The contribution of a RIO Participant is based on the participant's monthly average of trading activity during the preceding three months, \$1,000 for every twenty-five trading units of one hundred shares (with a \$10,000 minimum and a \$75,000 maximum contribution). The required contributions are rounded upward to \$5,000 increments. RIO is defined as a participant account whereby the participant elects to settle with a clearing corporation other than SCCP.

(d) Layoff Account—The contribution of a Layoff Participant is set at a uniform rate of \$25,000. A Layoff Participant is defined as a participant account whereby the participant elects to settle with a clearing corporation other than SCCP for trades not executed on the Philadelphia Stock Exchange.

(e) Specialist Margin Account—The contributions of a Specialist Margin Participant is set at a uniform rate of \$35,000.

(f) Non-Specialist Margin Account—The contribution of a Non-Specialist Margin Participant is set at a uniform rate of \$35,000.

SCCP recalculates each participants' participants fund deposit requirement at the end of each month based on the previous three months prior to the most recent month. SCCP notifies its participants of any required deposit increases and the amount of such additional deposit within ten business days of the end of the month.

Participants whose deposit requirements decreased are notified at least quarterly although they may inquire and withdraw excess deposits monthly. Participants may leave excess cash deposits in the participants fund.

During the pendency of the temporary approval period, SCCP has more fully considered the adequacy of the participants fund formulas and the risk profile of SCCP and its participants in an SDFS environment. SCCP has provided material to the Commission to demonstrate the effectiveness of the risk management controls of the SDFS system in monitoring and reducing risk. The temporary approval period for the participants fund formulas expires on August 31, 1996. Therefore, SCCP requests that the Commission permanently approve SCCP's SDFS program in its entirety.

SCCP believes the proposed rule change is consistent with Section 17A of the Act and the rules and regulations thereunder because the rule proposal assures the safeguarding of securities and funds in its custody or control or for which SCCP is responsible.

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

SCCP does not believe that the proposed rule change will impose any inappropriate 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 relating to the proposed rule change have been received. SCCP will notify the Commission of any written comments received by SCCP.

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

Section 17A(b)(3)(F) of the Act<sup>6</sup> requires that the rules of a clearing agency be designed to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency or for which it is responsible. At this time, the Commission believes that SCCP's proposed rule change relating to the participants fund formulas is consistent with SCCP's obligations under Section 17A(b)(3)(F) to assure the safeguarding of securities and funds in its custody or control because SCCP's participants fund formulas, in conjunction with SCCP's other sources of liquidity (*i.e.*, lines of credit), provide certain protections for SCCP and its participants from financial loss associated with member defaults and insolvencies.

However, the Commission continues to have concerns about the adequacy of SCCP's participants fund formulas in providing a sufficient source of cash liquidity and the formulas' conformity with the standards set forth by the Division of Market Regulation ("Division").<sup>7</sup> The Commission believes that clearing agencies operating SDFS systems must have sufficient liquidity from a combination of cash and lines of credit to ensure that settlement occurs at the end of the business day even if a participant fails to settle with the clearing agency or if the clearing agency experiences a systems problem. The Commission further believes that a

clearing agency must have immediate access to an amount of cash which will enable the clearing agency to fund settlement for most participant failures or systems problems without having to immediately draw on its lines of credit (*i.e.*, a clearing agency's lines of credit should be its secondary source of liquidity and not its primary source). The Commission is concerned with the level of cash provided by SCCP's formulas and whether that level of cash liquidity is sufficient given the demand for liquidity under an SDFS environment and SCCP's use of the participants fund to finance specialist purchases.<sup>8</sup> For these reasons, the Commission is approving the proposed rule change through December 31, 1996. During the period of temporary approval, the Commission and SCCP will continue to monitor and to analyze the adequacy of SCCP's participants fund formulas.

SCCP has requested that the Commission find good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing. The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice of filing because the proposed rule change will allow SCCP to continue to apply its participants fund formulas when the current temporary approval expires on August 31, 1996.

#### **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, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such

<sup>6</sup> 15 U.S.C. 78q-1(b)(3)(F) (1988).

<sup>7</sup> Securities Exchange Act Release No. 16900 (June 17, 1980), 45 FR 41920 (order publishing standards to be used by the Division in reviewing the grant of full registration of clearing agencies).

<sup>8</sup> For a complete description of SCCP's financing program, refer to Securities Exchange Act Release No. 20221 (September 23, 1983), 48 FR 45167 (order approving full registration of SCCP, *et al.*).

rule change to establish a separate participant category for inactive accounts through December 31, 1996).

filing will also be available for inspection and copying at the principal office of SCCP. All submissions should refer to the file number SR-SCCP-96-07 and should be submitted by September 27, 1996.

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR-SCCP-96-07) be, and hereby is, temporarily approved through December 31, 1996.

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

Margaret H. McFarland,

*Deputy Secretary.*

[FR Doc. 96-22723 Filed 9-5-96; 8:45 am]

BILLING CODE 8010-01-M

## DEPARTMENT OF STATE

[Public Notice No. 2436]

### Fine Arts Committee; Notice of Meeting

The Fine Arts Committee of the Department of State will meet on Friday, October 4, 1996 at 11:00 a.m. at the Blair House. 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 April 1996 and the announcement of gifts and loans of furnishings as well as financial contributions from January 1, 1996-September 1, 1996. Public access to the Blair House is strictly controlled. Members of the public wishing to take part in the meeting should telephone the Fine Arts Office by Friday, September 27, 1996, 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: August 24, 1996.

Gail F. Serfaty,

*Vice Chairman, Fine Arts Committee.*

[FR Doc. 96-22821 Filed 9-5-96; 8:45 am]

BILLING CODE 4710-38-M

[Public Notice No. 2435]

### Shipping Coordinating Committee Subcommittee on Safety of Life at Sea Working Group on Dangerous Goods, Solid Cargoes and Containers; Notice of Meeting

The Working Group on Dangerous Goods, Solid Cargoes and Containers

(DSC) of the Subcommittee on Safety of Life at Sea (SOLAS) will conduct an open meeting at 9:30 a.m. on September 17, 1996, in Room 6332, at the Department of Transportation, Nassif Building, 400 Seventh Street, S.W., Washington, DC 20590-0001. The purpose of the meeting is to discuss the outcome of the First Session of the DSC Subcommittee of the International Maritime Organization (IMO) which was held February 5-9, 1996, at the IMO Headquarters in London. In addition, initial plans and preparations for the Second Session (DSC2) and other topics of interest, will be addressed.

The agenda items of particular interest are:

a. Harmonization of the International Maritime Dangerous Goods (IMDG) Code with the UN Recommendations on the Transport of Dangerous Goods.

b. Amendment 28-96 of the IMDG Code.

c. Implementation of the IMDG Code.

d. Development of new glossary and illustrations of packagings for Annex I to the IMDG Code.

e. Amendments to the Emergency Procedures for Ships Carrying Dangerous Goods (EMS) and the Medical First Aid Guide for Use in Accidents Involving Dangerous Goods (MFAG).

f. Implementation of Annex III of the Marine Pollution Convention (MARPOL 73/78), as amended, and amendments to the IMDG Code to cover marine pollution aspects.

g. Reports on incidents involving dangerous goods or marine pollutants in packaged form on board ships or in port areas.

h. Evaluation of properties of solid bulk cargoes.

i. Amendments to the Code of Safe Practice for Solid for Solid Bulk Cargoes (BC Code).

j. Loading and unloading of bulk cargoes.

k. Development of measures complementary to the Irradiated Nuclear Fuel (INF) Code.

l. Stowage and securing of cargoes on offshore supply vessels.

m. Entry into enclosed spaces.

n. Amendments to SOLAS chapters VI and VII.

o. Guidelines for the development of shipboard emergency plans for marine pollutants.

p. Water level alarms in cargo holds.

q. Cargo securing manual.

r. Revision of the Recommendations on the Safe Use of Pesticides in Ships.

s. Offshore tank containers.

t. Ships' stores of a hazardous nature.

u. Review of open-top containership provisional requirements.

v. Risk analysis of on-deck stowage of dangerous goods and marine pollutants and recommendations for the revision of relevant IMDG Code stowage provisions.

w. Revision of the format of the IMDG Code.

x. Review of reporting requirements in IMO instruments.

y. Relations with other organizations.

Members of the public may attend this meeting up to the seating capacity of the room. Interested persons may seek information by writing: Mr. E.P. Pfersich, U.S. Coast Guard (G-MSO-3), 2100 Second Street, S.W., Washington, DC 20593-0001 or by calling (202) 267-1577.

Dated: August 23, 1996.

Russell A. LaMantia,

*Chairman Shipping Coordinating Committee.*

[FR Doc. 96-22822 Filed 9-5-96; 8:45 am]

BILLING CODE 4710-07-M

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### RTCA, Inc., Special Committee 182; Minimum Operational Performance Standards (MOPS) for an Avionics Computer Resource (ACR)

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463, 5 U.S.C., Appendix 2), notice is hereby given for Special Committee 182 meeting to be held October 16-18, 1996, starting at 9:00, a.m. The meeting will be held at RTCA, Inc., 1140 Connecticut Avenue, N.W., Suite 1020, Washington, DC, 20036.

The agenda will include: (1) Chairman's Introductory Remarks; (2) Review and Approval of Meeting Agenda; (3) Review and Approval of Minutes from the Previous Meeting; (4) Reports from Related Industry meetings; (5) Review of MOPS Draft Version 0.3; (6) Discussion Paper, Level of Specification Detail in the ACR MOPS; (7) New Material for Draft Version 0.4 (Failure Modes and Hazard Analysis, Platform Scheduler Service, Classes of ACR Service); (8) Working Group Sessions (ACR Properties, ACR Services, ACR Capacity/Performance); (9) Working Group Reports; (10) Other Business; (11) Date and Place of Next Meeting.

Attendance is open to the interested public but limited to space availability. With the approval of the chairman, members of the public may present oral statements at the meeting. Persons wishing to present statements or obtain information should contact the RTCA Secretariat, 1140 Connecticut Avenue, N.W., Suite 1020, Washington, DC,

<sup>9</sup> 17 CFR 200.30-3(a)(12) (1996).