

determined pursuant to U.S.C. 552b(e) and 10 CFR Sec. 9.107(a) of the Commission's rules that "Affirmation of Yankee Atomic Electric Company (Yankee Nuclear Power Station), Docket No. 50-029-DCOM" be held on October 9, and on less than one week's notice to the public.

The NRC Commission Meeting Schedule can be found on the Internet at:

<http://www.nrc.gov/SECY/smj/schedule.htm>

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 or dkw@nrc.gov.

Dated: October 11, 1996.

William M. Hill, Jr.,
SECY Tracking Officer, Office of the Secretary.

[FR Doc. 96-26678 Filed 10-11-96; 2:46 pm]

BILLING CODE 7590-01-M

PEACE CORPS

Information Collection Requests Under OMB Review

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

SUMMARY: Pursuant to the Paperwork Reduction Act of 1981 (44 USC, Chapter 35), the Peace Corps has submitted to the Office of Management and Budget a request to approve the use of Fellows Program Alumni Questionnaire to be used by Peace Corps Fellows Program. A copy of the information collection may be obtained from Frances Bond, Peace Corps Fellows Program, 1990 K Street, NW, Washington DC 20526. Dr. Bond may be contacted at (202) 606-9496. Peace Corps invites comments on whether the proposed collection of information is necessary for proper performance of the functions of the Peace Corps Fellows Program, 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 this form should be addressed to Victoria Becker Wassmer, Desk Officer, Office of Management and Budget, NEOB, Washington, DC 20503.

Information Collection Abstract

Title: Fellows Program Alumni Questionnaire.

Need for and use of the Information:

This form is completed voluntarily by individuals who have completed graduate study as part of the Peace Corps Fellows Program. The information provided by the respondents is necessary for evaluating the quality of individual programs, for determining whether graduates of education programs have remained in teaching, and for seeking future funding. Programmatic information will be disseminated to individual programs and portions of the data collected will be incorporated into grant proposals.

Respondents: Peace Corps Fellows Program Alumni only.

Respondents obligation to reply: Voluntary.

Burden on the Public:

- Annual reporting burden: 750 hrs
- Annual record keeping burden: 0 hrs
- Estimated average burden per response: 45 min
- Frequency of response: one time
- Estimated number of likely respondents: 1,000
- Estimated cost to respondents: \$9.13

This notice is issued in Washington, DC on October 10, 1996.

Bessy Kong,

Acting Associate Director for Management.

[FR Doc. 96-26426 Filed 10-15-96; 8:45 am]

BILLING CODE 6051-01-M

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of October 14, 1996.

A closed meeting will be held on Wednesday, October 16, 1996, at 10:00 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries

will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Hunt, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the closed meeting scheduled for Wednesday, October 16, 1996, at 10:00 a.m., will be:

Institution and settlement of injunctive actions.

Institution and settlement of administrative proceedings of an enforcement nature.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 942-7070.

Dated: October 11, 1996.

Jonathan G. Katz,
Secretary.

[FR Doc. 96-26590 Filed 10-11-96; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-37797; File No. SR-NASD-96-32]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change by National Association of Securities Dealers, Inc. Relating to Availability of Disciplinary Complaints and Disciplinary Decisions Upon Request

October 9, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on October 2, 1996, NASD Regulation, Inc. ("NASDR") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by NASDR.¹ The

¹ The NASD initially submitted the filing on August 6, 1996. On September 19, 1996, the NASD filed Amendment No. 1 with the Commission. See letter from Alden S. Adkins, Vice President and General Counsel, NASD, Inc., to Katherine A. England, Assistant Director, Division of Market Regulation, SEC (September 19, 1996). On October 2, 1996, NASDR filed Amendment No. 2 with the Commission. See letter from Suzanne E. Rothwell, Associate General Counsel, NASD Regulation, Inc.,

Commission is publishing this notice to solicit comments on the proposed rule change from interested persons. For the reasons discussed below, the Commission is granting accelerated approval of the proposed rule change.

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

NASDR is proposing to amend the Interpretation on the Release of Disciplinary Information, IM-8310-2 of the Procedural Rules of the National Association of Securities Dealers, Inc. ("NASD" or "Association"), to permit the Association to provide a copy of any disciplinary complaint or disciplinary decision upon request and to require that such copy be accompanied by a disclosure statement in certain circumstances. Below is the text of the proposed rule change. Proposed new language is italicized; proposed deletions are in brackets.

IM-8310-2. Release of Disciplinary Information

(a) The Association shall, in response to a written inquiry or telephonic inquiry via a toll-free telephone listing, release certain information as contained in its files regarding the employment and disciplinary history of members and their associated persons, including information regarding past and present employment history with Association members; all final disciplinary actions taken by federal or state or foreign securities agencies or self-regulatory organizations that relate to securities or commodities transactions; all pending disciplinary actions that have been taken by federal or state securities agencies or self-regulatory organizations that relate to securities and commodities transactions and [have been] *are required to be reported on Form BD or U-4 and all foreign government or self-regulatory organization disciplinary actions that are securities or commodities related and are required to be reported on Form BD or U-4; and all criminal indictments, informations or convictions that are required to be reported on Form BD or Form U-4.* The Association will also release information concerning civil judgments and arbitration decisions in securities and commodities disputes involving public customers.

(b) *The Association shall, in response to a request, release to the requesting party a copy of any identified disciplinary complaint or disciplinary*

decision issued by the Association or any subsidiary or Committee thereof; provided, however, that each copy of:

(1) a disciplinary complaint shall be accompanied by a statement that the issuance of a disciplinary complaint represents the initiation of a formal proceeding by the Association in which findings as to the allegations in the complaint have not been made and does not represent a decision as to any of the allegations contained in the complaint;

(2) a disciplinary decision that is released prior to the expiration of the time period provided under the Code of Procedure for appeal or call for review within the Association or while such an appeal or call for review is pending, shall be accompanied by a statement that the findings and sanctions imposed in the decision may be increased, decreased, modified, or reversed by the Association;

(3) a final decision of the Association that is released prior to the time period provided under the Securities Exchange Act of 1934 for appeal to the Commission or while such an appeal is pending, shall be accompanied by a statement that the findings and sanctions of the Association are subject to review and modification by the Commission; and

(4) a final decision of the Association that is released after the decision is appealed to the Commission shall be accompanied by a statement as to whether the effectiveness of the sanctions has been stayed pending the outcome of proceedings before the Commission.

Current paragraphs (b) through (k) are redesignated (c) through (l).

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

In its filing with the Commission, NASDR 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 III below. NASDR 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

(a) In 1988, the NASD established a Public Disclosure Program ("Program") that, among other things, makes certain types of federal and state disciplinary information on NASD members and

associated persons available to the public through the Central Registration Depository ("CRD") maintained by the NASD.² This Program provides investors, customers and the press with access to a number of categories of information on an NASD member or any of the member's associated persons, which are provided to inquiring persons in synopsis form. Subsequent to the establishment of the Program, the Securities Enforcement Remedies and Penny Stock Reform Act of 1990³ mandated that the NASD implement a toll-free telephone number to provide employment history and disciplinary information about members and associated persons to inquiring persons. The NASD complied with this mandate in April 1992 and, since that time, has made periodic improvements to the Program to expand the scope of information available upon request. One of these improvements included the release of information through the Program of information on pending NASD disciplinary proceedings, which includes providing a synopsis of NASD disciplinary complaints⁴ and disciplinary decisions on appeal to the National Business Conduct Committee ("NBCC").

Those individuals, including the press, who are aware of the availability of information through CRD may obtain a description in synopsis form of any disciplinary complaint or disciplinary decision issued by the Association with respect to any member or associated person of a member by requesting the synopsis from CRD through the NASD's toll-free telephone number or by making a written inquiry. Such persons sometimes, as part of their inquiry, request a complete copy of the disciplinary complaint or decision from the Association. Under the Interpretation on the Release of Disciplinary Information ("Rule"), IM-8130-2,⁵ NASD Regulation provides notification to the membership and the press of significant disciplinary decisions when time for appeal and call for review has expired, but the Rule does not specifically authorize the Association to provide copies of any disciplinary complaint or disciplinary

² See Notice to members 93-37 (June 1993).

³ Public Law 101-429, 104 Stat. 931 (1990).

⁴ This rule change addresses only "disciplinary complaints," not "customer complaints."

⁵ The Interpretation was previously cited as "Resolution of the Board of Governors—Notice to Membership and Press of Suspensions, Expulsions, Revocations, and Monetary Sanctions and Release of Certain Information Regarding Disciplinary History of Members and Their Associated Persons" and appeared after paragraph 2301 of the NASD Manual, following Article V, Section 1 of the Rules of Fair Practice.

decision, in its entirety, upon request. As a matter of practice, the staff has not provided copies of disciplinary complaints in response to requests. In contrast, the Association has, however, maintained a policy since 1994 of providing complete copies of disciplinary decisions upon request, pursuant to an interpretation of paragraph (a) of the Rule, which permits the Association to release information upon request regarding “* * * all pending disciplinary actions * * *.” Such decisions that are issued by a District Business Conduct Committee or the Market Surveillance Committee prior to the expiration of the time during which the decision can be appealed or called for review within the Association are accompanied by a statement that the findings and sanctions could be increased, decreased, or modified by the Association if the matter is appealed to the NBCC or called for review.

NASDR is proposing to amend the Rule to adopt new paragraph (b) to clarify that the Association shall provide, on request, copies of any NASD disciplinary complaint and disciplinary decision. In making a request for a disciplinary complaint, the proposed rule change requires that the requesting party “identify” the disciplinary complaint or decision that is being requested. This language is intended to prevent requests for “all complaints” or “all decisions” of the Association.⁶ The language requiring that the party “identify” the complaint or decision request will be satisfied where the requesting party identifies a particular broker/dealer or a particular associated person that is a respondent in an NASD disciplinary action (although the date of any action may not be known) or identifies the issue or rule that is the subject of a complaint (where the identity of the member is not known). Although a request may identify a time period when the requested complaint or decision was issued, it would be permissible for the requesting party to obtain a copy of all complaints and decisions related to an identified broker/dealer or associated person without reference to a time period.

In addition, the proposed rule change would require that copies of disciplinary complaints and decisions be accompanied by certain disclosures, in certain circumstances, that are set

forth in subparagraphs (b)(1)–(4) in order to advise the recipient of the status of the disciplinary action. In particular, NASDR is concerned that recipients of a copy of a disciplinary complaint understand that the issuance of a complaint does not represent a decision as to any of the allegations contained in the complaint. The proposed rule change, therefore, would require that any copy of a disciplinary complaint be accompanied by a statement that the issuance of a complaint represents the initiation of a formal proceeding by the Association in which findings as to the allegations in the complaint have not been made and that this issuance does not represent a decision as to any of the allegations contained in the complaint. Moreover, disciplinary decisions are issued at the initial hearing level and at a number of appellate review levels of the organization. It is important, therefore, that a recipient of a disciplinary decision be advised when a decision is not considered final by the Association because the time for the respondent to appeal the matter or the time for a reviewing body of the Association to call the matter for review has not expired, or the review of a matter is pending. The proposed rule change provides, therefore, that any copy of a disciplinary decision issued pursuant to the Code of Procedure prior to the expiration of the time for appeal or call for review within the Association (i.e., by, as applicable, the NBCC, Board of Directors of NASD Regulation, or Board of Governors of the Association) or released while such an appeal or review is pending, would be required to be accompanied by a statement that the findings and sanctions imposed in the decision may be increased, decreased, modified, or reversed by the Association if the matter is appealed or called for review. This language is consistent with the disclosures that currently are being provided with respect to decisions issued by a District Business Conduct Committee or Market Surveillance Committee prior to the expiration of the time for appeal or call for review, or while an appeal is pending.

Similarly, any copy of a final decision of the Association released prior to the expiration of the time period for the filing of an appeal to the SEC or while such an appeal is pending would be required to be accompanied by a statement that the findings and sanctions of the Association are subject to review by the Commission if the decision is appealed. Finally, any copy of a final decision of the Association released after the decision is appealed to

the Commission would be required to be accompanied by a statement that the effectiveness of the decision has or has not been stayed pending the outcome of proceedings before the Commission. This language is drawn from current paragraph (g) of the Rule.

NASDR is also proposing to amend paragraph (a) of the Rule. Currently, the provision appears to prevent information from being provided through the Program if it has not been reported on Form BD or U-4, even though Form BD or U-4 would require the reporting of such information. This was not the intent of the current rule language. NASDR is, therefore, proposing to amend the provision to clarify that information provided through the Program is that information that is required to be reported on Form BD or U-4, regardless of whether the information is actually provided to the NASD on these forms.

(b) NASDR believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) ⁷ of the Act in that the proposed rule change to permit the Association to provide copies of NASD disciplinary complaints and disciplinary decisions to persons upon request will protect investors and the public interest by providing more complete information to such persons than currently can be obtained from the synopsis of disciplinary complaints and decisions that is provided by the Program.

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

NASDR 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

Written comments were neither solicited nor received.

III. 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

⁶ The NASD believes that omnibus requests by commercial organizations for copies of all complaints and decisions for a particular year, for example, would impose a considerable burden on NASDR, impeding the organization's ability to respond to the individual requests of the investing public.

⁷ 15 U.S.C. 78o-3.

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 the file number in the caption above and should be submitted by [insert date 21 days from the date of publication].

IV. Commission's Findings and Order Granting Accelerated Approval of Proposed Rule Change

NASDR has requested that the Commission find good cause pursuant to Section 19(b)(2) of the Act, for approving the proposed rule change prior to the 30th day after publication in the Federal Register. The Commission has reviewed the NASDR's proposed rule change and believes, for reasons set forth below, that the proposal is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the NASD. Specifically, the Commission believes the proposal is consistent with Section 15A(b)(6) of the Act, which provides in pertinent part that the rules of the association be designed to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities and not to permit unfair discrimination among customers, issuers, brokers or dealers.

The Commission finds good cause, pursuant to Section 19(b)(2) of the Act, for approving the proposed rule change prior to the 30th day after publication in the Federal Register.⁸ Paragraph (a) of IM-8310-2 permits the Association to release information on "all pending disciplinary actions that have been taken by federal or state securities agencies or self-regulatory organizations that relate to securities and commodities transactions * * *" in response to a request. NASDR believes that this provision permits the Association, upon request, to release copies of its disciplinary complaints and decisions, as well as, providing, on request, a synopsis of such complaints and decisions based on the information in the CRD. The proposed rule change would codify this interpretation of Paragraph (a) of the Rule. The Commission believes that the proposed

rule change would benefit the investing public by providing more complete disclosure of information related to disciplinary complaints and disciplinary decisions. Supplying this additional information would benefit the subject of the complaint as well; instead of disseminating a synopsis, lacking detail, a full account of the circumstances would be made available.

Based on the foregoing, the Commission deems it appropriate to approve the proposed rule change on an accelerated basis, pursuant to Section 19 of the Act and the rules and regulations thereunder.⁹

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,¹⁰ that the proposed rule change SR-NASD-96-32 be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30-3(a)(12).

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96-26396 Filed 10-15-96; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Data Collection Available for Public Comments and Recommendations

ACTION: Notice and request for comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new, and/or currently approved information collection.

DATES: Comments should be submitted on or before December 16, 1996.

FOR FURTHER INFORMATION CONTACT: Curtis B. Rich, Management Analyst, Small Business Administration, 409 3rd Street, S.W., Suite 5000, Washington, D.C. 20416. Phone Number: 202-205-6629.

SUPPLEMENTAL INFORMATION:

Title: "Reporting and Recordkeeping Requirements on Small Business Lending Companies".

Type of Request: Extension of Currently Approved Collections.

Form No.: N/A.

Description of Respondents: Small Business Lending Companies.

Annual Responses: 16.

Annual Burden: 960.

SUPPLEMENTAL INFORMATION:

Title: "Business Loan Reconsideration Request".

⁹ 15 U.S.C. 78o-3.

¹⁰ 15 U.S.C. 78s(b)(2).

Type of Request: Extension of Currently Approved Collections.

Form No.: N/A.

Description of Respondents:

Individuals seeking a reconsideration of a declined business loan.

Annual Responses: 1,800.

Annual Burden: 3,600.

SUPPLEMENTAL INFORMATION:

Title: "Reporting and Recordkeeping Requirements for Lenders".

Type of Request: Extension of Currently Approved Collections.

Form No.: N/A.

Description of Respondents: Small Business Lenders.

Annual Responses: 2,410.

Annual Burden: 2,410.

COMMENTS: Send all comments regarding these information collections to Michael J. Dowd, Director, Office of Loan Programs, Small Business Administration, 409 3rd Street, S.W., Suite 8300, Washington, D.C. 20416. Phone No.: 202-205-6660.

Send comments regarding whether these information collections are necessary for the proper performance of the function of the agency, accuracy of burden estimate, in addition to ways to minimize this estimate, and ways to enhance the quality.

SUPPLEMENTAL INFORMATION:

Title: "Amendments to License Application".

Type of Request: Extension of Currently Approved Collections.

Form No.: SBA Form 415C.

Description of Respondents: Small Business Investment Companies.

Annual Responses: 1,256.

Annual Burden: 314.

COMMENTS: Send all comments regarding this information collection to Thomas Bresnan, Chief Administration Officer, Office of Borrower and Lender Servicing, Small Business Administration, 409 3rd Street, S.W., Suite 8300, Washington, D.C. 20416. Phone No. 202-205-6514.

Send comments regarding whether this information collection is necessary for the proper performance of the function of the agency, accuracy of burden estimate, in addition to ways to minimize this estimate, and ways to enhance the quality.

SUPPLEMENTAL INFORMATION:

Title: "Disaster Home/Business Loan Inquiry Record".

Type of Request: Extension of Currently Approved Collections.

Form No.: SBA Form 700.

Description of Respondents:

Applicants for SBA Disaster Assistance as a result of Administratively declared disasters.

⁸ See, *supra*, note 1.