

after the date mentioned above, unless the Commission determines to order a hearing on the matter.

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

Jonathan G. Katz,

Secretary.

[FR Doc. 97-20508 Filed 8-4-97; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Notice of Application To Withdraw From Listing and Registration on the American Stock Exchange Issuer Delisting; Notice of Application To Withdraw From Listing and Registration; (Patriot American Hospitality, Inc. and Patriot American Hospitality Operating Company, Common Stock, \$.01 Par Value) File No. 1-13898

July 30, 1997.

Patriot American Hospitality, Inc. and Patriot American Hospitality Operating Company ("Company") have filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdrawn the above specified security ("Security") from listing and registration on the America Stock Exchange, Inc. ("Amex" or "Exchange").

The reasons cited in the application for withdrawing the Security from listing and registration include the following:

On July 1, 1997, the Company merged with and into California Jockey Club ("Cal Jockey"). Cal Jockey, the surviving company, changed its name to Patriot American Hospitality, Inc. Prior to the merger, the common stock of Bay Meadows Operating Company ("Bay Meadows") were paired and traded as a single unit on the Amex.

As a condition of the Merger, the Company agreed to list the paired shares on the New York Stock Exchange ("NYSE"). The post-merger paired shares began trading on the NYSE on July 2, 1997. In determining to withdraw the security from listing, the Company considered the added costs of being listed on both the Amex and the NYSE and the added difficulty of complying with the reporting and other requirements of the two exchanges.

The Company complied with Rule 18 of the Amex by filing with the Amex a certified copy of preambles and resolutions adopted by the respective

Boards of Directors prior to the merger, which authorized the withdrawal of the pre-merger paired shares from listing on the Amex and by setting forth in detail to the Amex the reasons for such proposed withdrawal, and the facts in support thereof. By letter dated July 1, 1997, the Amex informed the Company that the Exchange does not intend to object to the Company's filing of an application to withdraw its Security from listing and registration.

Any interested person may, on or before August 20, 1997, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, facts bearing upon whether the application has been made in accordance with the rules of the exchange and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

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

Jonathan G. Katz,

Secretary.

[FR Doc. 97-20507 Filed 8-4-97; 8:45 am]

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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 August 4, 1997.

A closed meeting will be held on Thursday, August 7, 1997, 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 Wallman, 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 Thursday, August 7, 1997, 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: July 31, 1997.

Jonathan G. Katz,

Secretary.

[FR Doc. 97-20613 Filed 7-31-97; 4:16 pm]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38884; File No. SR-PCX-97-29]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change and Amendment No. 1 Thereto by the Pacific Exchange, Incorporated Relating to the Listing and Trading of Options on the Morgan Stanley Emerging Growth Index

July 29, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on July 8, 1997, the Pacific Exchange, Inc. ("PCX" or "Exchange") filed with the Securities and Exchange Commission ("Commission" or "SEC") the proposed rule change³ as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. 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 PCX is proposing to list for trading index options on the Morgan Stanley Emerging Growth Index ("Index"), a market capitalization-

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ On July 23, 1997, PCX submitted an amendment to the proposed rule change ("Amendment No. 1") that addressed, among other issues, maintenance standards and the Exchange's limitation of liability. See Letter from Michael D. Pierson, Senior Attorney, Regulatory Policy, PCX to James T. McHale, Special Counsel, Division of Market Regulation, SEC, dated July 29, 1997.

weighted broad-based index developed by Morgan Stanley & Co. Incorporated ("Morgan Stanley") comprised of 50 domestic emerging growth securities representing 26 different industry groups.

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 PCX 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 PCX 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

1. Purpose

The PCX is proposing to list and trade cash-settled, European-style stock index options on the Index. The Index is comprised of 50 representative stocks⁴ traded on the New York Stock Exchange, Incorporated ("NYSE"), the American Stock Exchange, Incorporated ("Amex") and through the facilities of the National Association of Securities Dealers, Incorporated ("NASD") automated quotation system and are

reported national market system securities.⁵

The Index was designed by Morgan Stanley to reflect the emerging growth equity market. The component securities were selected for their market capitalization, price per share, long-term debt as a percentage of total capital, mean estimated long-term (three year) earnings per share growth rate, net sales and return on average total equity. Specifically, stocks were selected based on whether they are "emerging" stocks (in general, having current sales figures of between \$25 million and \$2 billion annually) and "growth" stocks (in general, having a high mean I/B/E/S anticipated earnings growth rate).⁶ A primary consideration in determining "growth" is whether a stock's expected growth rate is significantly higher than that of other stocks. In addition, currently all of the issues are traded in the United States and there are no foreign issues or American Depositary Receipts ("ADRs") included in the Index.⁷

The Exchange represents that the Index currently is representative of the domestic emerging growth stock market as a whole, and therefore, is deemed to be a broad-based index. The Index is comprised of companies in 26 different industry groups, which range from apparel (.76%) to auto parts (.63%) to restaurants (1.79%).⁸ Although

technology issues comprise 61% of the market capitalization of the index, these companies are included in nine different industries ranging from computer software to semiconductors to computer services.

The Index is weighted by the market capitalization of the component stocks. As of June 18, 1997 the market capitalization of the Index was \$112.7 billion. The average market capitalization of these stocks was \$2.3 billion on the same date. The individual market capitalization of these stocks ranged from \$629 million (Bio Technology General Corp.) to \$5.9 billion (BMC Software, Inc.) on that date. The largest stock accounted for 5.20% of the index, while the smallest accounted for 0.56%. The top five stocks in the Index by weight accounted for 24.05% of the Index. The average daily trading volume in the component securities for the period from December 18, 1996 through June 18, 1997, ranged from a low of 94,688 shares to a high of 6,291,777 shares, with an average daily trading volume for all components of the Index of approximately 926,131 shares per day.

The Index will be maintained by PCX in conjunction with Morgan Stanley. Index maintenance includes monitoring Index criteria and completing the adjustments for company additions and deletions, share changes, stock splits, stock dividends and stock price adjustments due to events such as company restructurings or spin-offs, as well as a semi-annual rebalancing and quarterly review.⁹ In order to ensure that the Index continues to represent the overall character of the emerging growth equity market, any changes made to the Index, including those made at the time of semi-annual rebalancing and quarterly review, will be in compliance with the following initial inclusion and maintenance criteria: (a) The number of component stocks in the Index will be no less than 42 and no greater than 58; (b) the top weighted component stock will not account for more than 25% of the weight of the Index; (c) the top five weighted component stocks will not

information that is available by subscription in the securities industry.

⁹ Routine corporate actions, such as stock splits and stock dividends that require simple changes in the common shares outstanding and the stock prices of the companies in the Index will be handled by PCX through a contract with Bridge Data. Non-routine corporate actions and other material changes such as share issuances that change the market value of the Index and require an Index divisor adjustment are performed by Morgan Stanley. In addition, Morgan Stanley will select all of the stocks that are added to the Index at the time of semi-annual rebalancing and quarterly review.

⁴ The 50 stocks comprising the Index are: BMC Software Inc. (BMCS), Parametric Technology Corp. (PMTC), Diamond Offshore Drilling, Inc. (DO), Ascend Communications Inc. (ASND), Cabletron Systems (CS), Altera Corp. (ALTR), Ciena Corp. (CIEN), Linear Technology Inc. (LLTC), Paychex Inc. (PAYX), Compuware Corp. (CPWR), XILINX Inc. (XLNX), Maxim Integrated Products (MXIM), Health Management Assoc. (HMA), McAfee Associates Inc. (MCAF), Sterling Commerce Inc. (SE), Iomega Corp. (IOM), Robert Half Intl. Inc. (RHI), AT&T Corp. (ATML), Bed Bath & Beyond Inc. (BBBY), American Power Conversion (APCC), Planet Hollywood Intl. Inc. (PHIL), Synopsys Inc. (SNPS), Reading and Bates Corp. (RB), Viking Office Prods. Inc. (VKN), Micron Electronics Inc. (MUEI), Cambridge Technology Partners (CAPT), Blyth Industries Inc. (BTH), Jabil Circuit Inc. (JBIL), Novellus Systems Inc. (NVLS), Dollar Tree Stores Inc. (DLTR), Jones Medical Inds. Inc. (JMED), Pairgain Technologies Inc. (PAIR), Rexall Sundown Inc. (RXSD), CDW Computer Centers Inc. (CDWC), Titanium Metals Corp. (TIMT), Remedy Corp. (RMDY), Aspect Telecommunications (ASPT), Delta & Pine Land Co. (DLP), Telco Communications Grp. Inc. (TCGX), APAC Teleservices Inc. (APAC), Learning Tree Intl. Inc. (LTRE), Visio Corp. (VSIO), Catalina Marketing Corp. (POS), Nautica Enterprises Inc. (NAUT), Boston Technology Inc. (BSN), ETEC Systems Inc. (ETEC), Mentor Corp. (MNTR), Gentex Corp. (GNTX), Veritas Software Co. (VRTS), and Bio Technology General Corp. (BTGS).

⁵ Attached as Exhibit B to the proposed rule change is a chart analyzing the components of the Index including the market upon which each is traded.

⁶ The term I/B/E/S refers to the Institutional Broker's Estimate System, a source of analysts' earnings expectation data that is obtained from over 7,000 analysts working for approximately 750 research organizations.

⁷ In the future, should the Index include non-U.S. registered securities, such securities will not in the aggregate comprise more than 10% of the Index weight and will not represent more than 3 Index components. Prior to exceeding these limits, PCX will notify the Commission to determine if a new filing under Rule 19b-4 is required.

⁸ The industry groupings and their Index weight are as follows: apparel (0.76%); auto parts (0.63%); biotechnology (0.56%); catalog/specialty distribution (2.55%); computer communications (5.66%); computer local area networks (4.52%); computer software (20.45%); contract drilling (6.29%); discount stores (1.14%); diversified commercial services (8.37%); electronic data processing peripherals (2.55%); electronic data processing services (4.06%); electrical products (1.82%); electronic data processing (1.53%); electronic production equipment (3.18%); farming/seeds/milling (0.86%); hospital/nursing management (2.88%); medical specialties (0.64%); other metals/minerals (0.91%); other pharmaceuticals (2.15%); other specialty stores (1.89%); other telephone/communications (0.84%); packaged goods/cosmetics (1.35%); restaurants (1.79%); semiconductors (16.99%); and telecommunications equipment (5.63%). The industry groupings are based upon the classifications used by FactSet Research Systems, Inc., an electronic market data provider of

account for more than 50% of the weight of the Index; (d) no component stock will have a market capitalization of below \$75 million; (e) no component issue will have an average trading volume of less than 20,000 shares per day; (f) no component issue will have an average trading value of less than \$100,000 per day; (g) no component will have a price per share of less than \$3; (h) at least 80% of the issues comprising the index will meet the initial listing requirements for options trading pursuant to PCX Rule 3.6; and (i) the minimum market capitalization for all of the issues included in the index, collectively, will be \$60 billion.

In the event that the Index does not comply with any of these criteria at the time of semi-annual rebalancing and quarterly review, the Exchange first either will make adjustments to the composition of the Index to place it in compliance with such criteria or alternatively will notify Commission staff to determine the appropriate regulatory response, which could include, but is not limited to, the removal of securities from the Index, prohibiting opening transactions, or discontinuing the listing of new series of Index options.

The value of the Index is determined by multiplying the price of each stock by the number of shares outstanding, adding those sums and dividing by a divisor which resulted in an Index value of 300.00 on its base date of February 7, 1997. The Index value will be calculated by Bridge Data Corporation and will be disseminated at 15-second intervals during regular PCX trading hours to market information vendors via the Consolidated Tape Authority. Notice of component changes will be disseminated to vendors and Member Firms via facsimile and over the Options News Network.

The Exchange proposes to base trading in options on the Index on the full value of the Index as expressed in U.S. dollars. The Exchange also may provide for the listing of long-term index option series ("LEAPS") and for flexible exchange ("FLEX") options on the Index. The Exchange will list expiration months for Index options and Index LEAPS in accordance with PCX Rule 7.8. Strike prices will be set to bracket the Index in 5 point increments. The minimum tick size for series trading below \$3 will be $\frac{1}{16}$ and the minimum tick size for all other series will be $\frac{1}{8}$.¹⁰

The Exchange is proposing to establish position limits for Index options equal to 37,500 contracts on the same side of the market, with no more

than 22,500 contracts in the series with the nearest expiration date. These limits are roughly equivalent, in dollar terms, to the limits applicable to options on other indices.¹¹ Furthermore, the hedge exemption rule applicable to broad-based index options, Commentary .02 to PCX Rule 7.6, will apply to Index options. With regard to FLEX Index options, the Exchange is proposing to establish position limits of 200,000 contracts on the same side of the market pursuant to PCX Rule 8.107(a). The PCX also represents that it has the necessary systems capacity to support new series that would result from the introduction of the Index options.

The proposed options on the Index will expire on the Saturday following the third Friday of the expiration month and trading in the expiring contract month on the PCX will normally cease at 1:15 p.m. (Pacific Time) on the business day preceding the last day of trading in the component securities of the Index (ordinarily the Thursday before expiration Saturday, unless there is an intervening holiday). The exercise settlement value of Index options at expiration will be determined from opening prices established at the open of the regular Friday trading sessions at the appropriate exchange or market system. If a stock does not trade during this interval or if it fails to open for trading, the last available price of the stock will be used in the calculation of the Index.¹² When the last trading day is moved in accordance with Exchange holidays (such as when the PCX is closed on the Friday before expiration), the last trading day for expiring options will be Wednesday and the exercise settlement value of Index options at expiration will be determined at the

¹¹ For example, on June 18, 1997, a position of 37,500 would have a dollar value of \$1.17 billion (37,500 times the Index value of 311.68 times the Index multiplier of 100). For a comparison of position limits on similar indices, see Securities Exchange Act Release No. 32554 (June 29, 1993) 58 FR 36492 (July 7, 1993) (order approving increase in position and exercise limits on the Wilshire Small Cap Index to 37,500 contracts on the same side of the market with no more than 22,500 of such contracts in the series with the nearest expiration date) and Securities Exchange Act Release No. 36504 (November 22, 1995) 60 FR 61275 (November 29, 1995) (order approving increase in position and exercise limits on the PSE Technology Index to 37,500 contracts on the same side of the market with no more than 22,500 of such contracts in the series with the nearest expiration date).

¹² If a stock does not trade during the opening of the regular Friday trading session at the appropriate exchange or market system, or if it fails to open for trading, then pursuant to PCX Rule 7.8(e), the last reported sale price of stock will be used in the calculation of the Index, unless the exercise settlement amount is fixed in accordance with the Rules and By-Laws of The Option Clearing Corporation.

open of the regular Thursday trading sessions.

The Exchange will apply its existing index option surveillance procedures to Index options. In addition, as a member of the Intermarket Surveillance Group ("ISG"), the Exchange has entered into a surveillance sharing agreement with the NYSE, the Amex and the NASD which will enable the Exchange to obtain information concerning the trading of the component stocks of the Index.¹³

Finally, the Exchange proposes to eliminate PCX Rule 7.13 regarding limitation of liability and replace it with a more general rule addressing the same issue.¹⁴

2. Basis

The Exchange believes that the proposal is consistent with Section 6(b) of the Act, in general, and Section 6(b)(5) of the Act, 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 PCX 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 on the proposed rule change were solicited or received with respect to the proposed rule change.

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

¹³ The ISG was formed on July 14, 1983, among other things, to coordinate more effectively surveillance and investigative information sharing arrangements in the stock and options markets. The primary markets for the underlying securities in the Index are all members of the ISG. See ISG Agreement, July 14, 1983. The participation of exchanges within the ISG and their sharing of surveillance information is governed by the ISG Agreement. The most recent amendment to the ISG Agreement, which incorporates the original agreement and all amendments made thereafter, was signed by the ISG members on January 29, 1990. See Second Amendment to ISG Agreement, January 29, 1990. There are currently 23 members of the ISG.

¹⁴ Exhibit A of Amendment No. 1 to the proposed rule change contains the proposed replacement language for PCX Rule 7.13.

¹⁰ See PCX Rule 6.72.

publishes its reasons for so finding or (ii) as to which the PCX 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. 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, NW., Washington, DC 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-97-29 and should be submitted by August 26, 1997.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁵

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-20510 Filed 8-4-97; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Reports, Forms and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review

AGENCY: Office of the Secretary, DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and approval. The ICR describes

the nature of the information collection and its expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on May 15, 1997 [62 FR, 26845].

DATES: Comments must be submitted on or before September 4, 1997.

FOR FURTHER INFORMATION CONTACT: Barbara Davis, U.S. Coast Guard, Office of Information Management, telephone (202) 267-2326.

SUPPLEMENTARY INFORMATION:

United States Coast Guard (USCG)

Title: Recordkeeping of Refuse Discharges From Ships.

OMB No. 2115-0613.

Type of Request: Reinstatement, without change, of a previously approved collection for which approval has expired.

Affected Public: Masters or persons-in-charge of U.S. ships, and fixed or floating platforms.

Abstract: The collection of Information requires certain U.S. ships and fixed or floating platforms to maintain and record into a refuse record book, the discharge and disposal operations of their generated waste.

Need: 33 CFR 151.55 gives the Coast Guard the authority to prescribe regulations to require certain U.S. ships, fixed or floating platforms, to maintain onboard, documentation of the disposal of their generated waste.

Annual Estimated Burden Hours: 526,624.

Addressee: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725-17th Street, NW., Washington, DC 20503, Attention USCG Desk Officer. Comments are invited on: The need for the proposed collection of information for the proper performance of the functions of the agency, including whether the information will have practical utility; 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 the use of appropriate automated, electronic, mechanical, or other technological collection techniques.

Issued in Washington, DC, on July 30, 1997.

Vanester M. Williams,

Clearance Officer, United States Department of Transportation.

[FR Doc. 97-20520 Filed 8-4-97; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Summary Notice No. PE-97-41]

Petitions For Exemption; Summary of Petitions Received; Dispositions of Petitions Issued

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of petitions for exemption received and of dispositions of prior petitions.

SUMMARY: Pursuant to FAA's rulemaking provisions governing the application, processing, and disposition of petitions for exemption (14 CFR Part 11), this notice contains a summary of certain petitions seeking relief from specified requirements of the Federal Aviation Regulations (14 CFR Chapter I), dispositions of certain petitions previously received, and corrections. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of any petition or its final disposition.

DATES: Comments on petitions received must identify the petition docket number involved and must be received on or before August 25, 1997.

ADDRESSES: Send comments on any petition in triplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attn: Rule Docket (AGC-200), Petition Docket No. _____, 800 Independence Avenue, SW., Washington, DC 20591.

Comments may also be sent electronically to the following internet address: 9-NPRM-CMNTSfaa.dot.gov.

The petition, any comments received, and a copy of any final disposition are filed in the assigned regulatory docket and are available for examination in the Rules Docket (AGC-200), Room 915G, FAA Headquarters Building (FOB 10A), 800 Independence Avenue, SW., Washington, DC 20591; telephone (202) 267-3132.

FOR FURTHER INFORMATION CONTACT: Heather Thorson (202) 267-7470 or Angela Anderson (202) 267-9681 Office

¹⁵ 17 CFR 200.30-3(a)(12).