

of the Exchange Act¹³ requires that the rules of a national securities association be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling and processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system and in general to protect investors and the public interest. The Commission believes that the NASD Regulation's proposal to expand the Association's authority to release information on significant disciplinary complaints and significant final and non-final disciplinary decisions is consistent with the Association's obligations to protect investors and the public interest.

The Commission believes investor confidence in NASD members will be enhanced because more information will be available to the public under the proposed Interpretation. Moreover, the Commission believes that providing the public with more complete information on the disciplinary history of NASD members will aid investors in making informed decisions with respect to choosing a broker.

IV. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Exchange Act that the proposed rule change and Amendment No. 1 (SR-NASD-97-11) be and hereby is approved. The Interpretation IM-8310-2 should become effective 30 days after the date a Notice to Members is issued announcing adoption of the proposed rule change and containing the list of Designated Rules. The Notice to Members shall be issued within 45 days of publication of this approval order in the **Federal Register**.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁴

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-10882 Filed 4-25-97; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38530; File No. SR-PSE-97-01]

Self-Regulatory Organizations; Pacific Stock Exchange Incorporated; Order Granting Approval to Proposed Rule Change, and Notice of Filing and Order Granting Accelerated Approval to Amendment No. 1, Relating to the Exchange's Limitation of Liability in Connection With Indexes on Which Options Are Listed or Traded on the Exchange

April 21, 1997.

On January 13, 1997, the Pacific Stock Exchange Incorporated ("PSE" or "Exchange") submitted to the Securities and Exchange Commission ("SEC" or "Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to clarify the scope of the Exchange's rule concerning the limitation of liability of the Exchange, its affiliates, index licensors, and administrators in connection with indexes on which options are listed or traded on the Exchange.

The proposed rule change was published for comment in the **Federal Register** on February 13, 1997.³ No comments were received concerning the proposal. On February 18, 1997, the PSE submitted Amendment No. 1. This order approves the proposal as amended.⁴

PSE Rule 7.13 currently provides that the Exchange shall have no liability for damages, claims, losses, or expenses caused by any errors, omissions or delays in calculating or disseminating the index value. The proposed rule change deletes this rule and replaces it with one that defines the scope of the Exchange's limited liability more clearly.⁵ In addition, the proposal

extends the limited liability provisions to any affiliates of the Exchange as well as any "Index Licensor" or "Administrator."⁶ However, in order to conform its limitation of liability provisions to those of other self-regulatory organizations ("SROs"), the PSE represented that it will not rely on this rule to limit its liability for intentional misconduct or for any violation of the federal securities laws.⁷

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b).⁸ Specifically, the Commission believes the proposal is consistent with the Section 6(b)(5)⁹ requirements that the rules of an exchange be designed to promote just and equitable principles of trade, to facilitate transactions in securities, to prevent fraudulent and manipulative acts, and, in general, to protect investors and the public interest.¹⁰

The Commission finds that the proposed limitation of liability language will provide the PSE with protection that is substantively similar to protection already afforded other self-regulatory organizations.¹¹

Administrator, including, but not limited to, flood, extraordinary weather conditions, earthquake or other act of God, fire, war, insurrection, riot, labor dispute, accident, action of government, communications or power failure, or equipment or software malfunction. In addition, the proposed rule change states that these parties disclaim all applicable warranties with respect to any basket or stocks or index traded on the Exchange.

The proposal defines "Index and basket information" as (a) information relating to the inclusion and relative representation of stocks in any index from which a basket is derived, such as an index's values, a basket's component stocks, the weighted summation of the bids or offers of a basket's component stocks, and basket and component stock last sale and quotation information and (b) other information relating to a basket or its index.

⁶ The proposal defines an "Index Licensor" or "Administrator" as any person who: (a) licenses to the Exchange the right to use (i) an index that is the basis for determining the inclusion and relative representation of a basket's component stocks or (ii) any trademark or service mark associated with such an index; (b) collects, calculates, compiles, reports and/or maintains such an index, or index and basket information relating to such an index; (c) provides facilities for the dissemination of index and basket information; and/or (d) is responsible for any of the activities described above.

⁷ Amendment No. 1, *supra* note 4.

⁸ 15 U.S.C. 78f(b).

⁹ 15 U.S.C. 78f(b)(5).

¹⁰ In approving this rule, the Commission notes that it has considered the proposal's impact on efficiency, competition, and capital formation, consistent with Section 3 of the Act. 15 U.S.C. 78c(f).

¹¹ See American Stock Exchange Rules 902C and 1003; Chicago Board Options Exchange Rule 24.14;

¹³ 15 U.S.C. § 78o-3.

¹⁴ 17 CFR 200.30-3(a)(12) (1989).

Additionally, because the PSE represents that the proposed rule change cannot be used to limit its liability for intentional misconduct or for any violations of the federal securities laws, the Commission believes the proposal will protect investors and the public interest, while also serving to facilitate transactions in securities. For example, by defining the scope of potential liability more clearly, entities will not be discouraged from creating new products or calculating and disseminating settlement values.¹² Therefore, derivative products, which provide hedging or other economic functions, should remain available to investors.

The Commission finds good cause for approving Amendment No. 1 prior to the thirtieth day after the date of publication of notice of filing thereof. Amendment No. 1 simply clarifies that the Exchange will interpret its limitation of liability provisions in a manner that is consistent with other SROs' interpretations of their limited liability rules. Furthermore, this interpretation has been published in the **Federal Register** on several occasions for the full comment period, and no comments have ever been received. For these reasons, the Commission finds that accelerating approval of Amendment No. 1 is consistent with Section 6 and Section 19(b)(2) of the Act.¹³

Interested persons are invited to submit written data, views, and arguments concerning Amendment No. 1. 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 changes 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 at the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for

inspection and copying at the principal office of the Pacific Stock Exchange. All submissions should refer to File No. SR-PSE-97-01 and should be submitted by May 19, 1997.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,¹⁴ that the proposed rule change (SR-PSE-97-01), as amended, is approved.

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

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-10881 Filed 4-25-97; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

[License No. 07/07-0087]

United Financial Resources Corp; Notice of Surrender of License

Notice is hereby given that United Financial Resources Corporation 7401 F. St. Omaha, Nebraska 68127 has surrendered its license to operate as a small business investment company under the Small Business Investment Act of 1958, as amended (the Act). United Financial Resource Corp. was licensed by the Small Business Administration on July 7, 1983.

Under the authority vested by the Act and pursuant to the Regulations promulgated thereunder, the surrender was accepted on this date, and accordingly, all rights, privileges, and franchises derived therefrom have been terminated.

(Catalog of Federal Domestic Assistance Program No. 59.11, Small Business Investment Companies)

Dated: April 16, 1997.

Donald A. Christensen,

Associate Administrator for Investment.

[FR Doc. 97-10837 Filed 4-25-97; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF STATE

[Public Notice 2534]

United States International Telecommunications Advisory Committee Standardization Sector (ITAC-T) National Study Group; Meeting Notice

The Department of State announces that the United States International Telecommunications Advisory Committee (ITAC), Telecommunications Standardization Sector (ITAC-T)

National Study Group will meet on 28 April 1997 from 10:30 AM. to 12:30 PM, in Room 2533A at the Department of State, 2201 C Street, N.W., Washington, DC 20520.

The U.S. National Group, ITAC-T, will meet to discuss preparations for the April 29, 1997 Geneva meeting concerning Internet domain names. The Geneva meeting will include an information session and Meeting of Signatories and potential signatories of the generic top level domain Memorandum of Understanding (GTLD-MOU). The short lead time for this meeting results from the short notice received from ITU.

Members of the General Public may attend this meeting and join in the discussions, subject to the instructions of the Chairman, Earl S. Barbely.

Note: If you wish to attend please send a fax to 202-647-7407 not later than 24 hours before the scheduled meeting. On this fax, please include subject meeting, your name, social security number, and date of birth. One of the following valid photo ID's will be required for admittance. U.S. driver's license with your picture on it, U.S. passport, U.S. Government ID (company ID's are no longer accepted by Diplomatic Security). Enter from the "C" Street Main Lobby.

Dated: April 22, 1997.

Earl S. Barbely,

Chairman, U.S. ITAC for Telecommunication Standardization.

[FR Doc. 97-10919 Filed 4-23-97; 3:03 pm]

BILLING CODE 4710-45-M

DEPARTMENT OF STATE

[Public Notice 2535]

United States International Telecommunications Advisory Committee Radiocommunication Sector Study Group 8—Mobile Services; Meeting Notice

The Department of State announces that the United States International Telecommunications Advisory Committee (ITAC), Radiocommunication Sector Study Group 8—Mobile Services will meet on 15 May 1997 at 2:00 to 4:00 p.m., in Room 2533A at the Department of State, 2201 C Street, NW., Washington, DC 20520.

Study Group 8 studies and develops recommendations concerning technical and operating characteristics of mobile, radiodetermination, amateur and related satellite services.

This meeting will prepare for the June 9-12 international meeting of Study Group 8.

Members of the General Public may attend these meetings and join in the

New York Stock Exchange Rule 702(b); and Philadelphia Stock Exchange Rule 1057.

¹² See Securities Exchange Act Release No. 34125 (May 27, 1994), 59 FR 29307 (approving File No. SR-Amex-93-41); Securities Exchange Act Release No. 38041 (Dec. 11, 1995), 61 FR 66721 (approving File No. SR-Phlx-96-11).

¹³ 15 U.S.C. 78f and 78s(b)(2).

¹⁴ 15 U.S.C. 78s(b)(2).

¹⁵ 17 CFR 200.30-3(a)(12).