

Guidelines is a Code of Personal Appearance (the "Code") which was last revised in 1990, along with other parts of the Guidelines.³

The Exchange is proposing to revise the Code. The revisions to the Code do not affect the existing structure of fines, penalties and disciplinary actions contained in the Guidelines. Furthermore, these revisions do not affect the rights of members, Floor clerical employees of members, and member organizations to appeal, pursuant to existing Exchange rules and procedures, any penalties that are imposed.

2. Statutory Basis

The Exchange believes the proposed rule change is consistent with the requirements of Section 6(b)(5)⁴ of the Act which requires that the rules of the exchange be designed to facilitate transactions in securities and remove impediments to and perfect the mechanism of a free and open market. The revisions to the Code comply with the Act by promoting the efficient, uninterrupted conduct of business on the Trading Floor.

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 were neither solicited nor received with respect to the proposed rule change.

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

The proposed rule change will become effective upon filing pursuant to Section 19(b)(3)(A)(i) of the Act,⁵ and Rule 19b-4(e)(1)⁶ thereunder, in that it is designated by the Exchange as constituting a "stated policy, practice, or interpretation" concerned with the administration of Exchange Rule 35. At any time within 60 days of the filing of such rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of

investors, or otherwise in furtherance of the purposes of the Act.

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, 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. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to the File No. SR-NYSE-98-24 and should be submitted by September 18, 1998.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁷

Margaret H. McFarland,

Deputy Secretary.

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SOCIAL SECURITY ADMINISTRATION

Privacy Act of 1974, as Amended; Computer Matching Program (SSA/ Department of Health and Human Services, Administration for Children and Families (ACF))—SSA Match Number 1074

AGENCY: Social Security Administration (SSA).

ACTION: Notice of Computer Matching Program.

SUMMARY: In accordance with the provisions of the Privacy Act, as amended, this notice announces a computer matching program that SSA plans to conduct with ACF.

DATES: SSA will file a report of the subject matching program with the Committee on Governmental Affairs of the Senate; the Committee on Government Reform and Oversight of the House of Representatives; and the

Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

ADDRESSES: Interested parties may comment on this notice by either telefax to (410) 966-2935 or by writing to the Associate Commissioner for Program Support, 4400 West High Rise Building, 6401 Security Boulevard, Baltimore, MD 21235. All comments received will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: The Associate Commissioner for Program Support at the above address.

SUPPLEMENTARY INFORMATION:

A. General

The Computer Matching and Privacy Protection Act of 1988 (Public Law (Pub. L.) 100-503), amended the Privacy Act (5 U.S.C. 552a) by establishing the conditions under which computer matching involving the Federal Government could be performed and adding certain protections for individuals applying for and receiving Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) further amended the Privacy Act regarding protections for such individuals.

The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State, or local government records. Among other things, it requires Federal agencies involved in computer matching programs to:

(1) Negotiate written agreements with the other agency or agencies participating in the matching programs;

(2) Obtain the approval of the match agreements by the Data Integrity Boards of the participating Federal Agencies;

(3) Furnish detailed reports about matching programs to Congress and OMB;

(4) Notify applicants and beneficiaries that their records are subject to matching; and

(5) Verify match findings before reducing, suspending, terminating, or denying an individual's benefits or payments.

B. SSA Computer Matches Subject to the Privacy Act

We have taken action to ensure that all of SSA's computer matching programs comply with the requirements of the Privacy Act, as amended.

³ Securities Exchange Act Rel. No. 28365 (August 23, 1990), 55 FR 35490 (August 30, 1990).

⁴ 15 U.S.C. 78f(b)(5).

⁵ 15 U.S.C. 78s(b)(3)(A)(i).

⁶ 17 CFR 240.19b-4(e)(1).

⁷ 17 CFR 200.30-3(a)(12).

Dated: August 21, 1998.

Kenneth S. Apfel,

Commissioner of Social Security.

Notice of Computer Matching Program, Social Security Administration (SSA) with the Department of Health and Human Services, Administration for Children and Families (ACF)

A. Participating Agencies

SSA and ACF.

B. Purpose of the Matching Program

The purpose of this matching program is to establish the conditions, safeguards, and procedures for the disclosure to SSA by ACF of wage, new hire, and unemployment compensation data. ACF will disclose the data through a computer matching operation for SSA's use in establishing or verifying eligibility and payment amounts of individuals under the supplemental security income (SSI) program provisions of title XVI of the Social Security Act. Eligibility requirements of the SSI program allow payments only to aged, blind, and disabled recipients with income and resources below levels established by law and regulations.

C. Authority for Conducting the Matching Program

This matching operation is carried out under the authority of sections 453(j)(4) and 1631(e)(1)(B) of the Social Security Act (42 U.S.C. 653(j)(4) and 1383(e)(1)(B)).

D. Categories of Records and Individuals Covered by the Match

SSA will compare the ACF records with individual identification data on SSI applicants and recipients extracted from SSA's Supplemental Security Income Record (SSA/OSR, 09-60-0103). The ACF records are wage, new hire, and unemployment compensation data records in the National Directory of New Hires data base which is part of the Federal Parent Locator and Federal Tax Refund/Administrative Offset System (DHHS/OCSE, 09-90-0074). SSA will use information from this match to help establish or verify eligibility and payment amounts under the SSI program.

E. Inclusive Dates of the Match

The agreement for this computer matching program shall become effective no sooner than 40 days after submission of notice of the program to Congress and to the Office of Management and Budget, or 30 days from the date SSA publishes notice of the program in the **Federal Register**, or upon the signature of the matching agreement for the program by

representatives of both parties to the agreement, whichever is latest. The agreement may be renewed at the end of 18 months, for a period of time not to exceed 12 months, if certain conditions are met.

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SOCIAL SECURITY ADMINISTRATION

Privacy Act of 1974; As Amended; Computer Matching Program (SSA/Internal Revenue Service (IRS))—SSA Match 1016

AGENCY: Social Security Administration (SSA).

ACTION: Notice of Computer Matching Program.

SUMMARY: In accordance with the provisions of the Privacy Act, as amended, this notice announces a computer matching program that SSA plans to conduct.

DATES: SSA will file a report of the subject matching program with the Committee on Governmental Affairs of the Senate, the Committee on Government Reform and Oversight of the House of Representatives and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

ADDRESSES: Interested parties may comment on this notice by either telefax to (410) 965-1722 or writing to the Associate Commissioner for Program Support, 4400 West High Rise Building, 6401 Security Boulevard, Baltimore, MD 21235. All comments received will be available for public inspection at this address.

FOR FURTHER INFORMATION CONTACT: The Associate Commissioner for Program Support at the above address.

SUPPLEMENTARY INFORMATION:

A. General

The Computer Matching and Privacy Protection Act of 1988 (Public Law (P.L.) 100-503), amended the Privacy Act (5 U.S.C. 552a) by establishing the conditions under which computer matching involving the Federal Government could be performed and adding certain protections for individuals applying for and receiving Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (P.L. 101-508) further amended the Privacy Act regarding protections for such individuals.

The Privacy Act, as amended, regulates the use of computer matching

by Federal agencies when records in a system of records are matched with other Federal, State, or local government records. Among other things, it requires Federal agencies involved in computer matching programs to:

(1) Negotiate written agreements with the other agency or agencies participating in the matching programs;

(2) Obtain the approval of the matching agreement by the Data Integrity Boards (DIB) of the participating Federal Agencies;

(3) Furnish detailed reports about matching programs to Congress and OMB;

(4) Notify applicants and beneficiaries that their records are subject to matching; and

(5) Verify match findings before reducing, suspending, terminating or denying an individual's benefits or payments.

B. SSA Computer Matches Subject to the Privacy Act

We have taken action to ensure that all of SSA's computer matching programs comply with the requirements of the Privacy Act, as amended.

Dated: August 21, 1998.

Kenneth S. Apfel,

Commissioner of Social Security.

Notice of Computer Matching Program, Social Security Administration (SSA) with the Internal Revenue Service (IRS)

A. Participating Agencies

SSA and IRS.

B. Purpose of the Matching Program

The purpose of this matching program is to establish conditions under which IRS agrees to the disclosure to SSA of certain tax return information relating to unearned income. SSA will use the match results to verify the eligibility for, and the correct amount of benefits payable to, individuals under the supplemental security income (SSI) program, which provides payments under title XVI of the Social Security Act (the Act) to aged, blind and disabled recipients with income below levels established by law and regulations, and federally-administered supplementary payments under section 1616 of the Act including payments under section 212 of Public Law 93-66, 87 Stat. 152.

C. Authority for Conducting the Matching Program

Section 1631(e)(1)(B) of the Act and section 6103(l)(7)(D)(iii) of the Internal Revenue Code.