

30%; and when a specialist is on parity with three or more controlled accounts, the specialist is counted as two crowd participants for purposes of allocating the contracts.⁸ In all of these situations, if a customer is on parity, the customer may not receive a lesser allotment than any other crowd participant, including the specialist.

The Phlx proposes to amend Advice F-24, AUTO-X Contra-Party Participation (the Wheel), to allow specialists an additional participation in Wheel trades where the Enhanced Specialist Participation pilot applies pursuant to Rule 1014. The proposed additional participation in Wheel trades would be in effect for the Enhanced Specialist Participation pilot period. For systems reasons, the additional participation would be in the form of a second sign-on for the Wheel,⁹ as opposed to the 60%/40% two crowd participant split discussed above. The second sign-on is contingent upon unanimous consent of the Wheel participants in that option, which is intended to implement the proposal where the ROTs on the Wheel agree that more participation for the specialist and hence, less for the ROTs, is fair and appropriate. The Exchange has determined that Wheel participants, as opposed to the whole trading crowd, should consent because those market makers who do not choose to sign-on to the Wheel are not affected by the additional Wheel participation. The purpose of the proposal is to extend the enhanced specialist split to the Wheel. In adopting the enhanced specialist split, the Exchange identified the need to attract new specialist units as well as to retain and encourage current specialist units to vigorously trade existing options and aggressively seek and apply for newly allocated options.

2. Basis

The Exchange believes the proposed rule change is consistent with Section 6(b) of the Act,¹⁰ in general, and furthers the objectives of Section 6(b)(5),¹¹ in particular, in that it is designed to promote just and equitable principles of trade of trade, to prevent fraudulent and manipulative acts and practices, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and to protect investors and the public interest. The Exchange believes that the proposal will serve to aid the Exchange in

attracting and retaining well-capitalized specialist units to the Exchange without unreasonably restraining competition or harming investors.

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 on the proposed rule change were neither solicited nor received.

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

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from August 11, 1998, the date on which it was filed, and the Exchange provided the Commission with written notice of its intent to file the proposed rule change at least five business days prior to the filing date,¹² it has become effective pursuant to Section 19(b)(3)(A) of the Act¹³ and Rule 19b-4(e)(6) thereunder.¹⁴ In approving this rule, the Commission notes that it has considered the rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

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, 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 Phlx. All submissions should refer to File No. SR-Phlx-98-34 and should be submitted by September 24, 1998.

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

Jonathan G. Katz,

Secretary.

[FR Doc. 98-23759 Filed 9-2-98; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-40374; File No. SR-Phlx-98-18]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Philadelphia Stock Exchange, Inc., Relating to Options Floor Procedure Advice F-24, Auto-X Contra Party Participation (the Wheel)

August 27, 1998.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on June 5, 1998, the Philadelphia Stock Exchange, Inc. ("Phlx" or "Exchange"), filed with the Securities and Exchange Commission ("Commission" or "SEC") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. 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 Phlx proposes to amend Options Floor Procedure Advice F-24 ("Advice F-24"), Auto-X Contra Party Participation (the Wheel), paragraph (d), to state that, in extraordinary circumstances, two Floor Officials may require all assigned Registered Options Traders ("ROTs") who signed onto the Wheel at any time during the last thirty business days to participate on the Wheel. Additionally, the Phlx is

⁸ "Parity" refers to time parity (i.e., orders entered simultaneously). See Phlx Rules 119, 1014(g)(i).

⁹ The Wheel has no built-in limitation as to the number of floor traders who may be signed on.

¹⁰ 15 U.S.C. 78f(b).

¹¹ 15 U.S.C. 78f(b)(5).

¹² The Exchange provided advance written notice of its intent to file proposed rule change SR-Phlx-98-31, which proposed change it subsequently withdrew and replaced with this proposed rule change. See note 3, *supra*. The Commission accepts the advance notice provided for SR-Phlx-98-31 as advance notice of this proposed rule change.

¹³ 15 U.S.C. 78s(b)(3)(A).

¹⁴ 17 CFR 240.19b-4(e)(6).

¹⁵ 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

proposing an amendment to Advice F-24, paragraph (c)(iii), to expressly require ROTs to sign off the Wheel when leaving the Wheel assignment area for more than a brief interval.² Because paragraph (c)(iii) is subject to a fine schedule, the Exchange also proposes to amend its minor rule violation enforcement and reporting plan.³ The text of the proposed rule change is set forth below. Proposed new language is in *italic*; proposed deletions are in brackets.

F-24 AUTO-X Contra-Party Participation (the Wheel)

(a)-(b) No change.

(c) Participation Requirements and Sign-on/off—Specialists on the Options Floor are required to participate on the Wheel in assigned issues in accordance with paragraph (e) of this Advice.

(i)-(ii) No change.

(iii) If an ROT *who is signed on the Wheel [is away from] leaves the Wheel assignment area for more than a brief interval, the ROT is responsible to sign off the Wheel. If an ROT fails to do so,* a Floor Official shall: (A) remove the ROT from any Wheel participation for the remainder of the trading day; and (B) issue a fine pursuant to the fine schedule below. If such ROT is assigned a Wheel trade while away from the Wheel assignment area for more than a brief interval, that ROT is responsible for all trades assigned to his/her ROT account unit the sign-off is processed.

FINE SCHEDULE (Implemented on a one year running calendar basis)

F-24(c)(iii)

1st Occurrence ...	Warning.
2nd Occurrence	\$100.00.
3rd Occurrence ..	\$250.00.
4th and There- after.	Sanction is discretionary with Business conduct Committee.

(d)-(e) No change.

² The Phlx defines "brief" to mean 5 minutes or less, or in matters of a dispute, the amount of time it takes to call in a Floor Official and inform him/her of the issue at hand. See Securities Exchange Act Release No. 38881 (July 28, 1997), 62 FR 41986 (Aug. 4, 1997) (order approving changes to Advice F-24).

³ The Phlx's minor rule violation enforcement and reporting plan ("minor rule plan"), codified in Phlx Rule 970, contains floor procedure advice with accompanying fine schedules. Rule 19d-1(c)(2) under the Act authorizes national securities exchanges to adopt minor rule violation plans for summary discipline and abbreviated reporting. Rule 19d-1(c)(1) under the Act requires prompt filing with the Commission on final disciplinary action. However, minor rule violations not exceeding \$2,500 are deemed not final, thereby permitting periodic, as opposed to immediate, reporting.

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 Exchange 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 Exchange 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 Wheel is an automated mechanism for assigning floor traders (*i.e.*, specialists and ROTs), on a rotating basis, as contra-side participants for AUTO-X orders. AUTO-X is the automatic execution feature of the Exchange's Automated Options Market ("AUTOM") system,⁴ which provides customers with automatic executions of eligible option orders at displayed markets.

The Exchange's Wheel provisions were approved by the Commission in 1994 as Advice F-24.⁵ The purpose of the Wheel is to increase the efficiency and liquidity of order execution through AUTO-X by including certain floor traders in the automated assignment of contra-parties to incoming AUTO-X orders.⁶ Thus, the Wheel is intended to make AUTO-X more efficient, as contra-side participation is assigned automatically, and no longer entered manually. The Wheel is also intended to include ROTs, as opposed to solely specialists, as a contra-side to AUTO-X orders. Although specialists are required to participate on the Wheel, currently, ROT participation is voluntary, absent extraordinary circumstances.

The Phlx is hereby proposing that an extraordinary circumstances, to promote liquidity, two Floor Officials may require all ROTs who signed onto the Wheel at any time during the last thirty business days to participate on the

Wheel. This proposed amendment to Advice F-24(d) removes the broader ability to require all ROTs to sign on its extraordinary circumstances by limiting the provision of ROTs who have previously signed on. Thus, ROTs who had not signed on to the Wheel in the past thirty days would not be subject to this provision. The purpose of this change is to establish a more equitable sign-on requirement, affecting only those ROTs who have previously participated on the Wheel.

Additionally, the Phlx is proposing an amendment to Advice F-24(c)(iii) to expressly require ROTs to sign off the Wheel when leaving the Wheel assignment area for more than a brief interval.⁷ The purpose of this aspect of the amendment is to clarify the obligations of an ROT to sign off the Wheel by incorporating affirmative language into Advice F-24(c)(iii). The proposal is designed to ensure that ROTs are aware of and meet the responsibilities pertaining to the sign-off requirements on the Wheel

2. Basis

The Exchange believes the proposed rule change is consistent with Section 6(b) of the Act,⁸ in general, and furthers the objectives of Section 6(b)(5),⁹ in particular, in that it is designed to promote just and equitable principles of trade, prevent fraudulent and manipulative acts and practices, facilitate transactions in securities, remove impediments to and perfect the mechanism of a free and open market and a national market system, as well as protect investors and the public interests, by promoting liquidity and equity in the marketplace and clarifying ROTs' responsibilities with respect to sign-off requirements and ensuring they meet their responsibilities.

B. Self-Regulatory Organizations'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.

⁴ AUTOM is an electronic order routing system for option orders. See Phlx Rule 1080.

⁵ Securities Exchange Act Release No. 35033 (Nov. 30, 1994), 59 FR 63152 (Dec. 7, 1994) (order approving Advice F-24).

⁶ The Exchange has clarified the operation of the Wheel. Telephone conversation between Linda S. Christie, Counsel, Phlx, and Lisa Henderson, Attorney, Division of Market Regulation, SEC (July 28, 1998).

⁷ The Exchange has clarified that ROTs who signed off to leave the wheel assignment area may return and sign back on to the Wheel the same day. Telephone conversation between Linda S. Christie, Counsel, Phlx, and Lisa Henderson, Attorney, Division of Market Regulation, SEC (July 23, 1998).

⁸ 15 U.S.C. 78f(b).

⁹ 15 U.S.C. 78f(b)(5).

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments on the proposed rule change were neither solicited nor received.

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 publishes its reasons for so finding or (ii) as to which the Exchange consents, the Commission will:

(A) By order approve such proposed 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, 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, 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 Phlx. All submissions should refer to File No. SR-Phlx-98-18 and should be submitted by September 24, 1998.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁰

Jonathan G. Katz,
Secretary.

[FR Doc. 98-23770 Filed 9-2-98; 8:45 am]

BILLING CODE 8010-01-M

SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities; Submissions for OMB Review

This notice lists information collection packages that have been sent to the Office of Management and Budget (OMB) for clearance, in compliance with PL. 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995.

1. Disability Determination and Transmittal—0960-0437. The information collected on form SSA-831 is used by the Social Security Administration (SSA) to document the State Disability Determination Services (SDDS) decision about whether an individual who applies for disability benefits is eligible for those benefits based on his or her alleged disability. SSA also uses this form for program management and evaluation. The respondents are SDDS employees who make disability determinations for SSA.

Number of Respondents: 3,578,210.

Frequency of Response: 1.

Average Burden Per Response: 15 minutes.

Estimated Annual Burden: 894,553.

2. Cessation or Continuance of Disability or Blindness Determination and Transmittal—Title XVI—0960-0443. The information collected on form SSA-832 is used by the SDDS to document for SSA whether an individual's disability benefits should be terminated or continued based on the recipient's impairment. SSA also uses this form for program management and evaluation. The respondents are SDDS employees adjudicating Title XVI disability claims.

Number of Respondents: 656,567.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 328,284.

3. Cessation or Continuance of Disability or Blindness Determination and Transmittal—Title II—0960-0442. The information collected on form SSA-833 is used by the SDDS to prepare for SSA determinations of whether individuals receiving Title II disability or blindness benefits continue to be unable to engage in substantial gainful work due to their impairments and are still eligible for benefit payments. SSA also uses this form for program management and evaluation. The respondents are SDDS employees.

Number of Respondents: 627,973.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 313,987.

Written comments and recommendations regarding the information collection(s) should be directed within 30 days to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses: (OMB) Office of Management and Budget, OIRA, Attn: Laura Oliven, New Executive Office Building, Room 10230, 725 17th St., NW, Washington, D.C. 20503 and (SSA) Social Security Administration, DCFAM, Attn: Frederick W. Brickenkamp 1-A-21 Operations Bldg. 6401 Security Blvd. Baltimore, MD 21235.

To receive a copy of any of the forms or clearance packages, call the SSA Reports Clearance Officer on (410) 965-4145 or write to him at the address listed above.

Dated: August 27, 1998.

Frederick W. Brickenkamp,
Reports Clearance Officer, Social Security Administration.

[FR Doc. 98-23679 Filed 9-2-98; 8:45 am]

BILLING CODE 4190-29-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

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

AGENCY: Office of the Secretary, DOT.

ACTION: Notice.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 3501, et seq.) this notice announces that the Department of Transportation has submitted an information collection request (ICR) to the Office of Management and Budget (OMB) for review and clearance under the Paperwork Reduction Act of 1995 (Pub. L. 104-113, 44 U.S.C. Chapter 35). The ICR abstracted below describes the nature of the information collection and its burden.

DATES: Comments on this notice must be received on or before October 5, 1998.

FOR FURTHER INFORMATION CONTACT: Copies of the DOT information collection requests submitted to OMB may be obtained from Ms. Judith Street, Federal Aviation Administration, Corporate Information Division, ABC-100, 800 Independence Ave., SW., (202) 267-9895, Washington, DC 20591.

SUPPLEMENTARY INFORMATION:

Federal Aviation Administration (FAA)

Title: Eastern Region Airports Division.

OMB Control Number: 2120-New.

¹⁰ 17 CFR 200.30-3(a)(12).