

table. Those registering are advised that, depending on the number of people wishing to speak, a speaking time limit may have to be set on the length of individual remarks. However, written comments of any length may be submitted for the record.

The Nuclear Waste Technical Review Board was created by Congress in the Nuclear Waste Policy Amendments Act of 1987 to evaluate the technical and scientific validity of activities undertaken by the DOE in its program to manage the disposal of the nation's spent nuclear fuel and defense high-level waste. In that same legislation, Congress directed the DOE to characterize a site at Yucca Mountain, Nevada, for its suitability as a potential location for a permanent repository for the disposal of that waste.

Transcripts of the meeting will be available on computer disk or on a library-loan basis in paper format from Davonya Barnes, Board staff, beginning December 15, 1995. For further information, contact Frank Randall, External Affairs, 1100 Wilson Boulevard, suite 910, Arlington, Virginia 22209; (Tel) 703-235-4473; (Fax) 703-235-4495.

Dated: September 1, 1995.

William Barnard,

Executive Director, Nuclear Waste Technical Review Board.

[FR Doc. 95-22298 Filed 9-7-95; 8:45 am]

BILLING CODE 6820-AM-M

OFFICE OF PERSONNEL MANAGEMENT

Federal Employees Health Benefits Program Medically Underserved Areas for 1996

AGENCY: Office of Personnel Management.

ACTION: Notice of Medically Underserved Areas for 1996.

SUMMARY: The Office of Personnel Management has completed its annual determination of the States that qualify as Medically Underserved Areas under the Federal Employees Health Benefits (FEHB) Program for calendar year 1996. This determination is necessary to comply with a provision of FEHB law that mandates special consideration for enrollees of certain FEHB plans who receive covered health services in States with critical shortages of primary care physicians. Accordingly, for calendar year 1996, OPM has determined that the following States are Medically Underserved Areas under the FEHB program: Alabama, Arkansas, Idaho, Louisiana, Mississippi, New Mexico,

North Dakota, South Carolina, South Dakota, West Virginia, and Wyoming. Arkansas and Idaho are new for 1996; Georgia has been removed from the list.

EFFECTIVE DATE: January 1, 1996.

FOR FURTHER INFORMATION CONTACT: Karen Leibach, 202-606-0004.

SUPPLEMENTARY INFORMATION: FEHB law [5 U.S.C. 8902(m)(2)] mandates special consideration for enrollees of certain FEHB plans who receive covered health services in States with critical shortages of primary care physicians. Such States are designated as Medically Underserved Areas for purposes of the FEHB Program, and the law requires payment to all qualified providers in these States.

FEHB regulations (5 CFR 890.701) require OPM to make an annual determination of the States that qualify as Medically Underserved Areas for the next calendar year by comparing the latest Department of Health and Human Services State-by-State population counts on primary medical care manpower shortage areas with U.S. Census figures on State resident population.

Office of Personnel Management.

James B. King,

Director.

[FR Doc. 95-22315 Filed 9-7-95; 8:45 am]

BILLING CODE 6325-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-36175; File No. SR-Amex-95-32]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change and Amendment No. 1 to the Proposed Rule Change by the American Stock Exchange, Inc., Relating to the Listing and Trading of Options on the Amex HMO Index

August 31, 1995.

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 31, 1995, the American Stock Exchange, Inc. ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange filed with the Commission Amendment No. 1 on

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

August 24, 1995.³ The Commission is publishing this notice, as amended, 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 Exchange proposes to list for trading options on the Amex HMO Index ("HMO Index" or "Index"). In addition, the Amex proposes to amend Rule 901C, Commentary .01 to reflect that 90% of the Index's numerical index value will be accounted for by stocks that meet the current criteria and guidelines set forth in Rule 915. The text of the proposed rule change is available at the Office of the Secretary, the Exchange, and at the Commission.

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. The text of these statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Section (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

The purpose of the proposed rule change is to permit the Exchange to list and trade cash-settled, European-style⁴ stock index options on the HMO Index, an industry-specific index created by the Exchange.

Index Design

The HMO Index⁵ consists of ten highly capitalized health care maintenance organization stocks and American Depository Receipts ("ADRs") traded on the Amex, the New York Stock Exchange ("NYSE"), or through the National Association of Securities Dealers Automated Quotations system

³ In Amendment No. 1, the Amex proposes to amend Amex Rule 904C to provide that position and exercise limits for options on the HMO Index shall be 5,500 contracts of the put class and the call class on the same side of the market. See Letter from Claire McGrath, Special Counsel, Derivative Securities, Amex, to Michael Walinskas, Branch Chief, Office of Market Supervision ("OMS"), Division of Market Regulation ("Market Regulation"), Commission, dated August 24, 1995.

⁴ European-style options can only be exercised during a specified period before the options expire.

⁵ The HMO Index is a new stock index established in 1995 by the Amex based on health maintenance organization stocks (or ADRs thereon).

and are reported national market system securities ("NASDAQ/NMS").⁶ The components comprising the Index ranged in capitalization from \$6.9 billion to \$1.4 billion as of July 25, 1995. The total capitalization as of that date was \$28 billion; the mean capitalization was \$2.8 billion; and the median capitalization was \$1.9 billion. The largest component accounted for 24.70% of the total weight of the Index, and the five largest components accounted for 72.56% of the total weight of the Index. On that same date, the smallest component accounted for 5.02% of the total weight of the Index.

Index Calculation

The Index will be calculated by Amex or its designee on a real-time basis using last-sale prices and will be disseminated every 15 seconds by the Amex to vendors over the Consolidated Tape Association's Network B. If a component share is not currently being traded on its primary market, the most recent price at which the share traded on such market will be used in the Index calculation.

The Index is calculated on "capitalization-weighted" basis, using the U.S. primary market prices for component securities, and current shares outstanding. For ADRs, the ADR price and total worldwide shares outstanding on an ADR-equivalent basis will be used. The value of the Index equals the current market value (based on U.S. primary market prices) of each of the Components in the Index divided by the current Index divisor. The Index divisor was initially calculated to yield a bench-mark value of 200.00 at the close of trading on May 31, 1995.

Maintenance

The Index will be maintained by Amex, and pursuant to Exchange Rule 901C(b) may at any time or from time to time substitute stocks, or adjust the number of stocks included in the Index, based on changing conditions in the HMO Industry. In the event the Exchange determines to change the number of Index component stocks to less than nine or greater than thirteen, the Exchange will submit a rule filing pursuant to Section 19(b) of the Act.

Additionally, the Exchange will ensure that at least 90% of the stocks in the Index, by weight, individually satisfy the Exchange's listing and maintenance criteria applicable to

listing standardized options thereon. Currently, the Exchange represents that all of the Index's components are options eligible⁷ and the subject of standardized options trading.

Expiration and Settlement

HMO Index options will have European-style exercise and will be A.M.-settled index options. Standard option trading hours (9:30 a.m. to 4:10 p.m. New York time) will apply. The proposed options on the HMO Index will expire on the Saturday following the third Friday of the expiration month. Thus, the last day for trading in an expiring series will be the second business day (ordinarily a Thursday) preceding the expiration date.

The Index value for purposes of settling a specific HMO Index option will be calculated based upon the primary exchange regular way opening sale prices for the component stocks. In the case of securities traded through the NASDAQ system, the first reported sale price will be used. As trading begins in each of the Index's component securities, its opening sale price is captured for use in the calculation. Once all the component stocks have opened, the value of the Index is determined and that value is used as the settlement value for the option. If any of the component stocks does not open for trading in its primary market on the last trading day before expiration, then the prior day's last sale price is used in the calculation.

Eligibility Standards for Index Components

Amex Rule 901C specifies criteria for inclusion of stocks in an index on which options will be traded on the Exchange. In choosing among HMO stocks that meet the minimum criteria set forth in Rule 901C, the Exchange will focus on stocks that (1) have a minimum market value (in U.S. dollars) of at least \$75 million,⁸ (2) have an average monthly trading volume in the U.S. markets over the previous six

month period of not less than 1 million shares (or ADRs), and (3) are traded on either the NYSE, Amex (subject to limitations of Rule 901C) or NASDAQ. Although the stocks currently selected for inclusion in the HMO Index meet or surpass the above additional criteria, the Exchange intends these additional criteria to be guidelines only and reserves the right to include stocks in the Index that may not meet these guidelines. All Index component securities currently have market capitalizations in excess of \$1 billion, with the largest being \$6.9 billion. Average monthly trading volume over the previous six months for the individual component stocks ranged from 3.5 million to 43.3 million shares. The five most heavily weighted components account for approximately 73% of the total Index weight, with the largest representing 24.7%.

Exchange Rules Applicable to Stock Index Options

Amex Rules 900C through 980C will apply to option contracts based on the HMO Index. These rules cover issues such as surveillance, exercise prices, and position limits. The Index is deemed to be a Stock Index Option under Amex Rule 900C(a) and a Stock Index Industry Group under Rule 900C(b)(1). Under Rule 903C, the Exchange intends to list up to three near calendar months and two additional calendar months in the three month intervals in the January cycle. The Exchange proposes to codify in Amex Rule 904C that for HMO Index options, the position limit will be 5,500 contracts on the same side of the market.⁹

The Exchange believes that the proposed rule change is consistent with Section 6 of the Act, in general, and furthers the objectives of Section 6(b)(5) of the Act,¹⁰ in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of change, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to perfect the mechanism of a free and open market and a national market system.

(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.

⁹ The Amex, selecting the 5,500 contracts position limit for the HMO Index, will not utilize the three tier mechanism set forth in Rule 904C for other narrow-based index options. See Amendment No. 1, *supra* note 3.

¹⁰ 15 U.S.C. 78f(b)(5).

⁶ The components of the Index are: United Healthcare Corp.; U.S. Healthcare Inc.; Humana Inc.; Wellpoint Health Networks, Pacificare Health Systems-B; Foundation Health Corp.; Value Health Inc.; Oxford Health Plans; Health Systems Intl. Inc.-A; and Healthsource Inc.

⁷ The Amex's options listing standards, which are uniform among the options exchanges, provide that a security underlying an option must, among other things, meet the following requirements: (1) there must be a minimum of 7,000,000 shares of the underlying security which are owned by persons other than those required to report their security holdings under Section 16(a) of the Act; (2) there must be a minimum of 2,000 stockholders; (3) trading volume in the U.S. must have been at least 2.4 million over the preceding twelve months; and (4) the U.S. market price must have been at least \$7.50 for a majority of the business days during the preceding three calendar months. See Amex Rule 915, Commentary 01.

⁸ In the case of ADRs this represents market value as measured by total world-wide shares outstanding.

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

No written comments 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 publishes its reasons for so finding or (ii) as to which the self regulatory organization 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. 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 at the Commission's Public Reference Section, 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 Amex. All submissions should refer to SR-Amex-95-32 and should be submitted by September 29, 1995.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹¹

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 95-22240 Filed 9-7-95; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-36172; File No. SR-NSCC-95-12]

Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing of Proposed Rule Change Limiting the Use of Letters of Credit to Collateralize Clearing Fund Contributions

August 31, 1995.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on August 21, 1995, the National Securities Clearing Corporation ("NSCC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change (File No. SR-NSCC-95-12) as described below. The Commission is publishing this notice to solicit comments from interested persons.

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

The proposed rule change increases the minimum cash clearing fund contribution for those members that use letters of credit as clearing fund collateral and sets a limit on the amount of a member's required clearing fund contribution that may be collateralized with letters of credit.²

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

In its filing with the Commission, NSCC 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. NSCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.³

¹ 15 U.S.C. 78s(b)(1) (1988).

² The proposed rule change was originally filed on October 27, 1989, and was approved temporarily through December 31, 1990. Securities Exchange Act Release No. 27664 (January 31, 1990), 55 FR 4297 [File No. SR-NSCC-89-16]. Subsequently, the Commission granted a number of extensions to the temporary approval to allow the Commission and NSCC sufficient time to review and assess the use of letters of credit as clearing fund collateral. Most recently, the Commission extended temporary approval through September 30, 1995. Securities Exchange Act Release No. 34745 (September 29, 1994), 59 FR 50949 [File No. SR-NSCC-94-18].

³ The Commission has modified the text of the summaries prepared by NSCC.

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

NSCC is seeking permanent approval of a proposed rule change that modifies the amount of a member's required clearing fund deposit that may be collateralized by letters of credit. Specifically, the proposed rule change increases the minimum cash contribution for any member that uses letters of credit from \$50,000 to the greater of \$50,000 or 10% of that member's required clearing fund deposit up to a maximum of \$1,000,000. In addition, the rule change provides that only 70% of a member's required clearing fund deposit may be collateralized with letters of credit. The rule change also adds headings to the clearing fund formula section of NSCC's rules for purposes of clarity and includes other nonsubstantive drafting changes. The effect of the proposed rule change is to increase the liquidity of the clearing fund and to limit NSCC's exposure to unusual risks resulting from the reliance on letters of credit.

The current status of NSCC's clearing fund⁴ as a result of the change in the required clearing fund deposit is that approximately 31.46% of the clearing fund is in cash, approximately 29.32% of the clearing fund is in securities, and approximately 39.22% of the clearing fund is in letters of credit.⁵

When NSCC first filed this change the impetus was to improve NSCC's liquidity resources by requiring additional deposits of cash and cash equivalents. Since that time, NSCC has obtained additional liquidity resources through a line of credit with a major New York clearinghouse bank. NSCC currently has a three hundred million dollar line of credit that can be used for liquidity purposes, and the letters of credit in the NSCC clearing fund are available as collateral for this line of credit. Accordingly, NSCC believes that

⁴ These statistics are current as of July 31, 1995. Conversation between Anthony H. Davidson, Esq., NSCC, and Margaret R. Blake, Attorney, Division of Market Regulation, Commission (August 23, 1995).

⁵ In October of 1989 when the Commission initially granted temporary approval of NSCC's proposal, letters of credit accounted for 76% of the total dollar value of required clearing fund deposits. By May 28, 1993, letters of credit accounted for less than 30%. During the period from June 1, 1992, to May 28, 1993, letters of credit accounted for an average of 30.49% of the total dollar value of required clearing fund deposits, and for no month during that period did the portion of letters of credit used for required clearing fund deposits rise above 34%. Letter from Karen L. Saperstein, Vice President/Director of Legal & Associate General Counsel, NSCC, to Jerry W. Carpenter, Branch Chief, Division of Market Regulation, Commission (June 10, 1993).

¹¹ 17 CFR 200.30-3(a)(12).