

Director, Office of Information Technology, 450 Fifth Street, NW., Washington DC 20549 and the Clearance Officer for the Securities and Exchange Commission, Project Numbers 3235-0450, 3235-0448, and 3235-0451, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Dated: September 7, 1995.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 95-23474 Filed 9-20-95; 8:45 am]

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[Release No. 34-36238; File No. S7-29-95]

Contracting

AGENCY: Securities and Exchange Commission.

ACTION: Notice of intent to modify the prime dissemination contract to deregulate certain prices charged outside of the public reference rooms.

SUMMARY: The Securities and Exchange Commission (the "SEC" or the "Commission") is announcing that it has reached a preliminary agreement with its prime dissemination contractor,¹ Disclosure Information Services, Inc. ("Disclosure"), to modify the terms of its contract during Fiscal Year 1996. Pursuant to this agreement, the Commission intends to end its current practice of regulating the prices for microfiche and watch services that Disclosure sells to the public outside of the Commission's public reference rooms, effective January 1, 1996. The Commission is publishing this notice to solicit comments from interested persons.

DATES: Comments should be received on or before October 6, 1995.

ADDRESSES: Comments should be submitted in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Stop 6-9, Washington, D.C. 20549. All comment letters should refer to File No. S7-29-95. All comments received will be available for public inspection and copying in the Commission's Public Reference Room, 450 5th Street, NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: Fernando Alegria, Contracting Officer, at (202) 942-4000, Office of Administrative and Personnel Management, Securities and Exchange

Commission, 450 Fifth Street NW., Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION: Under the prime dissemination contract, Disclosure furnishes the Commission and users of the Commission's public reference rooms with various document-related services, including microfiche-based copying services, and offers SEC-regulated microfiche and watch services for SEC filings to its commercial customers outside of the public reference rooms.² Disclosure's costs for providing these services are paid for by public reference room revenues, revenues derived by Disclosure from its regulated outside sales, and SEC payments to Disclosure.

The Commission's purpose in regulating the price of Disclosure's microfiche services offered outside of the public reference rooms was to ensure the availability of this records system for SEC filings pending the maturation of electronic technologies, particularly the Electronic Data Gathering Analysis and Retrieval ("EDGAR") system. EDGAR data now is readily available at very low cost through a variety of service organizations and over the Internet, however. In addition, the National Archives and Records Administration ("NARA") recently concluded that the Commission can use magnetic tape instead of silver halide microfilm to satisfy NARA's archival requirements, and the Commission soon will begin to use magnetic tape for this purpose. These developments demonstrate that electronic records technologies now are widely accepted. Under these circumstances it no longer makes sense for the Commission to subsidize or regulate the relatively antiquated technology of maintaining records of SEC filings in microfiche form. Accordingly, the Commission intends to end its payments for Edgar-based microfiche and deregulate Disclosure's microfiche prices outside the public reference rooms, effective January 1, 1996.³

²The cost for Disclosure's microfiche services outside the public reference rooms are to be recovered by disclosure through charging clients "not-to-exceed" regulated prices set forth in the agreement. The regulated price is two-tiered. Under Tier 1, Disclosure call sell microfiche to its commercial clients outside the public reference rooms at cost, but not to exceed .90 cents per microfiche card if they are advance annual subscription purchasers of 50,000 or more microfiche cards per year, or if they are universities or not for profit libraries irrespective of volume. All of Disclosure's other commercial microfiche clients outside of the public reference rooms must pay the Tier 2 price, i.e. at cost, but not to exceed \$1.05 per microfiche card.

³The affected commercial subscribers will include re-sellers that compete with Disclosure in

Notwithstanding deregulation, the existing contracts of regulated-rate microfiche subscribers will be honored by Disclosure until the end of their terms. It also appears that Disclosure and other companies will remain in the market to furnish microfiche of SEC paper filings.⁴ Thus, it appears that the supply of such fiche will not come to an abrupt end, although prices should be higher than Disclosure's current regulated rates. In addition, fiche of SEC paper filings will remain available through services Disclosure will provide to the Commission's public reference rooms, including services to public reference room user organizations through whom such fiche might be ordered. Once the Commission's agreement with Disclosure is modified, the Commission no longer will be supporting the production of any Edgar-based fiche, however. Thus, the economics of producing such fiche might not remain attractive to Disclosure, leading to a possible end to this source of supply once all of its existing regulated-rate contracts have been serviced.

Dated: September 15, 1995.

For the Commission, by the Executive Director, pursuant to delegated authority.

Jonathan G. Katz,

Secretary.

[FR Doc. 95-23376 Filed 9-20-95; 8:45 am]

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[Release No. 34-36226; File No. S7-24-89]

Joint Industry Plan; Solicitation of Comments and Order Approving Amendment No. 4 to Reporting Plan for Nasdaq/National Market Securities Traded on an Exchange on an Unlisted or Listed Basis, Submitted by the National Association of Securities Dealers, Inc., and the Boston, Chicago and Philadelphia Stock Exchanges

September 13, 1995.

On September 12, 1995, the National Association of Securities Dealers, Inc., and the Boston, Chicago, and Philadelphia Stock Exchanges (collectively, "Participants")¹ submitted

the aftermarket, and many university and not for profit libraries. Of course, all of Disclosure's sales inside the Commission's public reference rooms will continue to be at prices set by the Commission.

⁴After the next round of filer phase-ins on EDGAR, these mostly will consist of insider trading reports and regulated entity registration forms. The Commission is considering incorporating into EDGAR some or all of the few remaining form types that are filed on paper.

¹The signatories to the Plan, i.e., the National Association of Securities Dealers, Inc. ("NASD"), and the Chicago Stock Exchange, Inc. ("Chx")

¹The Commission's prime dissemination contractor furnishes various services to the Commission, the Commission's public reference rooms, and the outside commercial market, as discussed below, in connection with disseminating SEC filings to the public