

For the Nuclear Regulatory Commission.

Arnold E. Levin,

*Acting Designated Senior Official for
Information Resources Management.*

[FR Doc. 97-7777 Filed 3-26-97; 8:45 am]

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Westinghouse Electric Corporation; Issuance of Director's Decision Under 10 CFR 2.206

Notice is hereby given that the Director, Office of Enforcement, has issued a Director's Decision concerning a Petition dated May 30, 1996, filed by Mr. Shannon Doyle against Westinghouse Electric Corporation (Westinghouse) pursuant to § 2.206 of Title 10 of the Code of Federal Regulations (10 CFR 2.206). The petition requested that the NRC institute a show cause proceeding pursuant to 10 CFR 2.202 and/or impose a civil penalty upon Westinghouse. The petition was based on Westinghouse's failure to correct the record and, through its counsel, provision of material false statements to a Department of Labor (DOL) Administrative Law Judge in a case arising under the Energy Reorganization Act, 89-ERA-022.

The Director, Office of Enforcement, has determined that the Petition should be denied for the reasons stated in the "Director's Decision Under 10 CFR 2.206" (i.e., DD-97-07). In sum, the Petition raises matters which fall within the jurisdiction and authority of the DOL, rather than the NRC. Accordingly, this matter is being referred to the DOL. In reaching this decision, the Director considered the available documents, including the Petitioner's submittals dated May 30 and October 8, 1996, and Westinghouse's submittal dated November 8, 1996. The decision and the documents cited in the decision are available for public inspection and copying in the Commission's Public Document Room, the Gelman Building, 2120 L Street NW, Washington, DC.

A copy of this decision has been filed with the Secretary of the Commission for the Commission's review in accordance with 10 CFR 2.206(c). As provided therein, this decision will become final action of the Commission 25 days after issuance unless the Commission, on its own motion, institutes a review of the Decision within that time.

Dated at Rockville, Maryland, this 20th day of March 1997.

For the Nuclear Regulatory Commission.

James Lieberman,

Director, Office of Enforcement.

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OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: Office of Personnel Management.

ACTION: Notice.

SUMMARY: This gives notice of positions placed or revoked under Schedules A and B, and placed under Schedule C in the excepted service, as required by Civil Service Rule VI, Exceptions from the Competitive Service.

FOR FURTHER INFORMATION CONTACT: Patricia H. Paige, Staffing Reinvention Office, Employment Service (202) 606-0830.

SUPPLEMENTARY INFORMATION: The Office of Personnel Management published its last monthly notice updating appointing authorities established or revoked under the Excepted Service provisions of 5 CFR 213 on March 5, 1997 (62 FR 10096). Individual authorities established or revoked under Schedules A and B and established under Schedule C between February 1, 1997, and February 28, 1997, appear in the listing below. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30 will also be published.

Schedule A

No Schedule A authorities were established or revoked during February 1997.

Schedule B

No Schedule B authorities were established or revoked during February 1997.

Schedule C

The following Schedule C authorities were established during February 1997:

Department of Agriculture

Special Assistant to the Director, Empowerment Zone/Enterprise Community. Effective February 14, 1997.

Department of the Army (DOD)

Special Assistant (Civilian Aide Program) to the Executive Staff Assistant, Office of the Secretary of the Army. Effective February 28, 1997.

Department of Defense

Staff Specialist to the Deputy Under Secretary of Defense (International and Commercial program). Effective February 5, 1997.

Confidential Assistant to the Secretary of Defense. Effective February 24, 1997.

Staff Specialist for Cuban Affairs to the Deputy Assistant Secretary of Defense (Inter-American Affairs). Effective February 24, 1997.

Private Secretary to the Deputy Secretary of Defense. Effective February 24, 1997.

Chauffeur to the Secretary of Defense. Effective February 28, 1997.

Personal and Confidential Assistant to the Secretary of Defense. Effective February 28, 1997.

Special Assistant to the Assistant Secretary for Health Affairs. Effective February 28, 1997.

Department of Education

Confidential Assistant to the Deputy Chief of Staff, Office of the Secretary. Effective February 10, 1997.

Confidential Assistant to the Chief of Staff. Effective February 21, 1997.

Confidential Assistant to the Assistant Secretary, Office of Elementary and Secondary Education. Effective February 25, 1997.

Special Assistant to the Senior Advisor to the Secretary, Director of America Reads. Effective February 25, 1997.

Department of Health and Human Services

Special Projects Coordinator to the Director of Scheduling. Effective February 24, 1997.

Department of Justice

Special Assistant to the Solicitor General. Effective February 11, 1997.

Counsel to the Assistant Attorney General, Civil Rights Division. Effective February 20, 1997.

Deputy Director to the Director, Violence Against Women Office. Effective February 27, 1997.

Department of Labor

Special Assistant to the Deputy Assistant Secretary for Policy. Effective February 11, 1997.

Special Assistant to the Deputy Assistant Secretary, Office of Federal Contract Compliance Programs. Effective February 26, 1997.

Department of State

Special Assistant to the Assistant Secretary, Bureau of Consular Affairs. Effective February 12, 1997.

Department of the Treasury

Senior Advisor to the Assistant Secretary for Enforcement. Effective February 4, 1997.

Special Assistant to the Chief of Staff. Effective February 10, 1997.

Legislative Analyst to the Director, Office of Legislative Affairs. Effective February 21, 1997.

Public Affairs Specialist to the Senior Advisor and Director, Office of Public Affairs. Effective February 25, 1997.

Special Assistant to the Assistant Secretary (Legislative Affairs and Public Liaison). Effective February 26, 1997.

Equal Employment Opportunity Commission

Media Contact Specialist (Bilingual) to the Director, Office of Communications and Legislative Affairs. Effective February 3, 1997.

General Services Administration

Senior Advisor to the Commissioner, Public Buildings Service. Effective February 28, 1997.

National Aeronautics and Space Administration

Special Assistant to the Administrator, National Aeronautics and Space Administration. Effective February 27, 1997.

National Credit Union Administration

Communications and Administrative Assistant to the Board Member. Effective February 18, 1997.

Office of Personnel Management

Deputy Director of Communications to the Director of Communications. Effective February 25, 1997.

U.S. Arms Control and Disarmament Agency

Special Assistant to the Director, U.S. Arms Control Disarmament Agency. Effective February 11, 1997.

United States Trade and Development Agency

Congressional Liaison Officer to the Director of the U.S. Trade and Development Agency. Effective February 28, 1997.

Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954-1958 Comp., P. 218. Office of Personnel Management.

James B. King,

Director.

[FR Doc. 97-7780 Filed 3-26-97; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38427; File No. SR-CTA/CQ-97-1]

Consolidated Tape Association; Notice of Filing of First Substantive Amendment to the Second Restatement of the Consolidated Tape Association Plan

March 21, 1997.

Pursuant to Rule 11Aa3-2 of the Securities Exchange Act of 1934, as amended ("Act"), notice is hereby given that on March 14, 1997, the Consolidated Tape Association ("CTA") Plan Participants filed with the Securities and Exchange Commission ("Commission" or "SEC") amendments to the Restated CTA Plan. The Commission is publishing this notice to solicit comments from interested persons on the amendments.

I. General Overview of the Amendment*First Substantive Amendment to the Second Restatement of the CTA Plan*

The Participants to the CTA Plan propose to amend the Second Restatement of the CTA Plan.¹ The amendment would modify the CTA Plan's procedures for resuming the dissemination of last sale prices following a regulatory halt. More specifically, the amendment would reduce from 15 minutes to ten minutes the period that must elapse before the Processor can resume the dissemination of market data after the primary market for the halted security notifies the Processor that the information that triggered the halt has been adequately disclosed. The text of the proposed amendment is available from the CTA and at the Commission.

II. Description and Purpose of the Amendments*A. Rule 11Aa3-2*

Section XI(a) of the Second Restatement of the CTA Plan recognizes the right of the primary market for a security to halt or suspend trading in the security if it feels that the non-disclosure of information relating to the security or other regulatory problems warrants that action. After the primary market notifies the Processor that the information that triggered the halt has been adequately disclosed, the Processor is required to disseminate indications of interest for the security that any Participant may provide.

¹The Commission approved the Second Restatement of the CTA Plan on May 9, 1996. See Securities Exchange Act Release No. 37191, 61 FR 24842.

If the primary market provides an indication of interest within 15 minutes of the time that it notifies the Processor about the adequate information disclosure, the Processor may resume its dissemination of last sale information relating to the security at the end of that 15-minute period.

If the primary market does not provide an indication of interest within 15 minutes of its notice to the Processor of the adequate information disclosure, then within five minutes of the end of that period, the primary market must cause the Processor to include on the consolidated tape an administrative message. The message must signify the continuation of the halt or announce the existence of a market condition that relates to the trading of the security in the primary market. In the latter case (i.e., the announcement), the halt terminates five minutes after the announcement, at which time the Processor is to resume disseminating last sale information relating to the security.

The proposed amendment will reduce the 15-minute period to ten minutes. This amendment will enable trading in the security to resume ten minutes after the security's primary market notifies the Processor that the requisite information has been adequately disclosed. In the context of a halt that involves the announcement of an existing market condition, the amendment will also expedite the time by which the primary market must make the announcement, thereby expediting the resumption of the Processor's dissemination of last sale information relating to the security.

The post-disclosure waiting period is primarily intended to allow an adequate opportunity for an appropriate level of dispersion of the information that triggered the trading halt. The Participants believe that significant increases in the speed of communications allow for rapid dissemination of information and rapid response to that disseminated information.

Moreover, the Participants believe the increases in the speed of communications have shifted the balance between timeliness and the price discovery. That is, ten minutes, rather than 15 minutes, has become an appropriate period to arrive at a price that reflects an appropriate equilibrium of buying and selling interest. The proposed amendment will allow a stock to open or re-open in a more expeditious manner, while still providing sufficient time for the appropriate pricing of orders. As a result, the Participants believe the