

RAILROAD RETIREMENT BOARD**Agency Forms Submitted for OMB Review**

Summary: In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

Summary of Proposal(s)

- (1) *Collection title:* Application for Hospital Insurance Benefits.
- (2) *Form(s) submitted:* AA-6, AA-7, AA-8.
- (3) *OMB Number:* 3220-0082.
- (4) *Expiration date of current OMB clearance:* 6/30/1997.
- (5) *Type of request:* Extension of a currently approved collection.
- (6) *Respondents:* Individuals or households.
- (7) *Estimated annual number of respondents:* 240.
- (8) *Total annual responses:* 240.
- (9) *Total annual reporting hours:* 32.
- (10) *Collection description:* The Railroad Retirement Board administers the Medicare program for persons covered by the railroad retirement system. The collection obtains information from non-retired employees and survivor applicants that is needed for enrollment in the plan.

Additional Information or Comments: Copies of the form and supporting documents can be obtained from Chuck Mierzwa, the agency clearance officer (312-751-3363). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 and the OMB reviewer, Laura Oliven (202-395-7316), Office of Management and Budget, Room 10230, New Executive Office Building, Washington, D.C. 20503.

Chuck Mierzwa,
Clearance Officer.

[FR Doc. 97-12459 Filed 5-12-97; 8:45 am]

BILLING CODE 7905-01-M

RAILROAD RETIREMENT BOARD**Sunshine Act Meeting; Notice of Public Meeting**

Notice is hereby given that the Railroad Retirement Board will hold a meeting on May 21, 1997, 9:00 a.m., at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois

60611. The agenda for this meeting follows:

- (1) Military Service Reimbursement.
- (2) Potential Option for Co-Location of Branch Offices.
- (3) Posting of a Training Class for GS-11 Claims Examiners (Disability).
- (4) Regulations—Part 211, Pay for Time Lost—Cost/Benefit Analysis.
- (5) Year 2000 Issues.
- (6) Labor Member Truth in Budgeting Status Report.

The entire meeting will be open to the public. The person to contact for more information is Beatrice Ezerski, Secretary to the Board, Phone No. 312-751-4920.

Dated: May 8, 1997.

Beatrice Ezerski,

Secretary to the Board.

[FR Doc. 97-12616 Filed 5-9-97; 11:20 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38568; File No. SR-DCC-97-02]

Self-Regulatory Organizations; Delta Clearing Corp.; Notice of Filing of Proposed Rule Change Relating to Multiple Brokers for Options Transactions

May 2, 1997.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, as amended ("Exchange Act"),¹ is hereby given that on March 11, 1997, Delta Clearing Corp. ("Delta") 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 primarily by Delta. 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 proposed rule change consists of changes to Delta's procedures for options trading ("Options Procedures") to authorize brokers approved by Delta which satisfy the conditions set forth in the Options Procedures to submit trade reports for options transactions on behalf of participants.

¹ 15 U.S.C. 78s(b)(1).

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

In its filing with the Commission, Delta included statements concerning the purposes 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. Delta has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.²

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

The proposed rule change will add a new Article XX, entitled "Authorized Brokers," to Delta's Options Procedures to permit Delta to accept from authorized brokers for clearance and settlement options transactions entered into by participants through the facilities of authorized brokers. When Delta was originally registered, it accepted options transactions from participants that were entered into directly between the two participants or from RMJ Options Trading Corp. ("RMJ") options transactions that were entered into through the facilities of RMJ. More recently, Delta replaced RMJ as the sole options broker it accepted trades from with Euro Broker Maxcor Inc.³ As a result of this proposal, Delta will be able to receive data on options transactions that are entered into through the facilities of and reported to Delta by any options broker that meets Delta's standards and that Delta has specifically authorized to perform such functions.

A "broker" is defined in the procedures as an entity registered under Section 15(b) or Section 15C of the Exchange Act that is engaged in the business of effecting transactions in securities for the account of others within the meaning of Section 3(a)(4) of the Exchange Act. An "authorized broker" is defined as a broker that has been authorized by Delta in accordance with these procedures to broker options transactions among participants.

Although the proposal will allow Delta to designate certain options brokers as authorized to submit trades,

² The Commission has modified the text of the summaries submitted by Delta.

³ Securities Exchange Act Release No. 37149 (April 29, 1996), 61 FR 20298. Under that proposed rule change, references to RMJ in Delta's rules were deemed to be references to the options broker currently performing the duties and responsibilities of RMJ under the Options Procedures.

such brokers would not be accorded the status of a "participant" under Delta's rules, and the Options Procedures make no provision for an authorized broker to maintain money or securities accounts at Delta. Section 2004 of the Options Procedures states, "[T]he role of the Authorized Broker under these Procedures shall be limited to the brokering of transactions among Participants in the clearing system and the submission of Authorized Broker Trade Reports in accordance with Section 401 of these Procedures." Accordingly, no provision has been made for margin requirements or liquidation of an authorized broker's accounts in the event of the broker's suspension. Nevertheless, the procedures will identify the minimum requirements a brokers' broker must meet and the procedures Delta must follow in the event it determines to deny access to an authorized broker or suspend an authorized broker's access to Delta's clearing system.

The conditions for designation as an authorized broker are set out in Section 2001 of the Options Procedures. The qualifications necessary for designation as an authorized broker will include the following: (1) The broker must be properly registered with the Commission under Section 15(b) or 15C of the Exchange Act and be a member in good standing of the National Association of Securities Dealers, Inc.; (2) the broker must indicate an interest in brokering transactions to be cleared through Delta's clearing system and have the operational capacity to do so; (3) the broker must review the requirements of Exchange Act Rule 17a-23 and execute a certificate confirming its compliance therewith; (4) the broker must be in compliance with all net capital requirements; (5) the broker must maintain the books and records required to be maintained under the Options Procedures; (6) the broker must employ personnel and utilize procedures which are sufficient to discharge its obligations in a timely and efficient manner; and (7) absent special circumstances, neither the broker nor any associated person shall be subject to a statutory disqualification.

Section 401 of the procedures will be amended to provide for submission of trade reports by authorized brokers in the case of brokered transactions or by participants in the case of nonbrokered transactions. Delta's current Options Procedures provide for submission of trade reports by participants or by RMJ in the case of brokered transactions. Under Delta's existing Options Procedures, RMJ is not required to report transactions by telephone to

Delta's clearing bank (except for transactions expiring on the trade date) while participants are required to report transactions by telephone. In addition, under Delta's existing Options Procedures, the time by which RMJ is required to report transactions expiring on the trade date is later than the time by which participants are required to report such trades. The Options Procedures, as proposed to be revised, provide for uniform reporting requirements including use of the current time frames for nonbrokered transactions for all participants and authorized brokers. References to RMJ are deleted in Section 401 of the Options Procedures and in all other sections of the procedures.

Article XX will provide that the following sections of the Options Procedures, which have been and continue to be applicable to participants, are also made applicable to authorized brokers:

(i) Section 206, which requires the delivery of financial reports and audits;

(ii) Section 208, setting forth the admission procedure for an applicant;

(iii) Section 209(a), requiring an authorized broker prior to admission as an authorized broker to execute an agreement agreeing to be bound by Delta's procedures;

(iv) Sections 209(b)(iv) and (v), pursuant to which an authorized broker agrees to permit inspection of its books and records (limited to the extent relating to transactions cleared through Delta's clearing system) and to indemnify Delta and its principals from default or misconduct by the authorized broker;

(v) Section 210(b), authorizing an authorized broker to withdraw voluntarily by delivering written notice to Delta and Delta's clearing bank;

(vi) Sections 301 and 303, requiring among other things that the authorized broker maintain an office during business hours at which a representative of the authorized broker would be available to take all action necessary for conducting business through the clearing system and maintain computer and communication equipment capable of supporting software provided by Delta enabling computer to computer communication of reports and other notices;

(vii) Article XII (Sections 1201, 1202, and 1208), providing for suspension of authorized brokers upon the terms set forth therein;

(viii) Article XV, applying the force majeure provisions to authorized brokers;

(ix) Article XVII, pursuant to which the authorized brokers agree to submit

to the jurisdiction of the courts of the State of New York or the United States courts for the Southern District of New York; and

(x) The definition of authorized representative.

The revised procedures also will provide in Section 2002 that every authorized broker shall keep records with respect to each transaction submitted by such authorized broker to be effected through Delta's clearing system showing the name of the participants to the transaction.

Delta believes that the foregoing changes are consistent with the terms of a letter dated May 29, 1996, from Robert C. Mendelson, Esq. to Gordon K. Fuller, Esq., Special Counsel, Office of Market Supervision, and the response letter dated June 28, 1996, from Sheila C. Slevin, Esq., Assistant Director of the Division of Market Regulation, to Mr. Mendelson. Footnote 3 to Mr. Mendelson's letter provides that each broker admitted as a broker in the clearing system must:

(i) be registered as a broker-dealer registered with the Commission pursuant to Section 15(b) of the Act or registered as a government securities broker or dealer pursuant to Section 15C of the Act, (ii) be a member of the National Association of Securities Dealers, Inc., (iii) have indicated an interest in brokering transactions to be cleared through Delta and have the operational capacity to do so, and (iv) have represented to Delta that it has examined its obligations under Rule 17a-23 and is either exempt from the requirements thereof or has complied with the requirements thereof.

Section 2001 as proposed to be adopted incorporates these criteria.

Brokers will be approved separately as authorized brokers for options transactions and repurchase agreement transactions cleared through Delta but may be approved to act as an authorized broker for both options and repurchase agreement transactions. Initially, Delta anticipates that there will be three entities which will apply for admission and be admitted as authorized brokers for the options clearing system.

Delta expects that the approval of authorized brokers for options transactions may increase the volume of options transactions cleared through Delta; however, Delta expects to clear no more than two hundred options contracts per day as a consequence of admitting additional authorized brokers. In light of the fact that the approval of authorized brokers may result in increased trading volume and the fact that Delta presently clears options and repurchase agreement transactions on two different hardware platforms, Delta has adopted interim internal operating

procedures providing for manual oversight of participant and system exposure limits.

Delta believes the proposed rule change is consistent with the requirements of the Exchange Act and the rules and regulations thereunder applicable to Delta and in particular with Section 17A(b)(3)(F) of the Exchange Act⁴ which requires that a clearing agency be organized and its rules be designed to promote the prompt and accurate clearance and settlement of securities transactions, to safeguard funds and securities in its possession and control, and to remove impediments to and perfect the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions. Delta believes that the introduction of multiple brokers will permit wider utilization of the clearing system by participants.

B. Self-Regulatory Organization's Statement on Burden on Competition

Delta does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purpose of the Exchange Act.

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

Comments were neither solicited nor received. Delta will notify the Commission of any written comments received by Delta.

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

Within thirty-five 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 ninety 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, 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 Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of Delta. All submissions should refer to File No. SR-DCC-97-02 and should be submitted by June 3, 1997.

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

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 97-12423 Filed 5-12-97; 8:45 am]

BILLING CODE 8010-01-M

SMALL BUSINESS ADMINISTRATION

Blue Ridge Investors Limited Partnership (License No. 04/74-0262); Notice of Filing of an Application for Approval of a Conflict of Interest Transaction

Notice is hereby given that Blue Ridge Investors Limited Partnership (Blue Ridge), P.O. Box 21962, Greensboro, North Carolina 27420 a Federal licensee under the Small Business Investment Act of 1958, as amended (the Act), has filed an application with the Small Business Administration (SBA) pursuant to Section 312 of the Act and covered by Section 107.730 of the SBA Rules and Regulations (the Regulations) governing the Small Business Investment Companies (13 CFR 107.730 (1996)) for approval of a conflict of interest transaction falling within the scope of the above Sections of the Act and the Regulations.

Subject to such approval, Blue Ridge proposes to provide funds to Geneva Associates, L.L.C., (Geneva), First Union Tower, 300 North Greene Street, Greensboro, North Carolina 27401, for the purchase of preferred stock in Varel Manufacturing Corporation (Varel) of Dallas, Texas. Blue Ridge had intended to co-invest with Geneva in Varel simultaneously, but could not pending the resolution of a foreign investment issue pertaining to Varel. The resolution

was in favor of Blue Ridge but subsequent to the closing date of Geneva's financing to Varel.

The proposed financing is brought within the purview of Section 107.730(a)(1) of the Regulations because certain principals of Geneva are principals in Blue Ridge. Geneva is considered to be an Associate of Blue Ridge as defined by Section 107.50 of the Regulations.

Notice is further given that any person may, not later than 10 days from the date of the publication of the Notice, submit written comments on the proposed transaction to the Associate Administrator for Investment, Small Business Administration, 409 Third Street, S.W., Suite 6300, Washington, D.C. 20416.

A copy of this Notice shall be published, in accordance with Section 107.730(g) of the Regulations, in a newspaper of general circulation in Dallas, Texas.

(Catalog of Federal Domestic Assistance Program No.59.11, Small Business Investment Companies)

Dated: May 7, 1997.

Don A. Christensen,

Associate Administrator for Investment.

[FR Doc. 97-12483 Filed 5-12-97; 8:45 am]

BILLING CODE 8025-01-P

SMALL BUSINESS ADMINISTRATION

Declaration of Disaster #2933; Commonwealth of Kentucky; (Amendment #6)

In accordance with a notice from the Federal Emergency Management Agency, dated May 1, 1997, the above-numbered Declaration is hereby amended to extend the deadline for filing applications for loans for physical damage until June 2, 1997.

All other information remains the same, i.e., the termination date for filing applications for loans for economic injury is December 4, 1997.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008.)

Date: May 6, 1997.

Herbert Mitchell,

Acting Associate Administrator for Disaster Assistance.

[FR Doc. 97-12482 Filed 5-12-97; 8:45 am]

BILLING CODE 8025-01-P

SMALL BUSINESS ADMINISTRATION

Declaration of Disaster #2949 State of Minnesota; (Amendment #3)

In accordance with a notice from the Federal Emergency Management

⁴ 15 U.S.C. 78q-1(b)(3)(F).