

allowing for legitimate telemarketing activities.

The Commission believes that the amendments to Rule 9.20, prohibiting a member of person associated with a member from making outbound telephone calls to the residence of any person for the purpose of soliciting the purchase of securities or related services at any time other than between 8 a.m. and 9 p.m. local time at the called person's location, without prior consent of the person, is appropriate. The Commission notes that, by restricting the times during which a member of a person associated with a member may call a residence, the proposal furthers the interest of the public and provides for the protection of investors by preventing members and member organizations from engaging in unacceptable practices, such as persistently calling members of the public at unreasonable hours of the day and night.

The Commission also believes that the amendments to Rule 9.20, requiring a member of person associated with a member to promptly disclose to the called person in a clear and conspicuous manner the caller's identify and firm, telephone number or address at which the caller may be contacted, and that the purpose of the call is to solicit the purchase of securities or related services, are appropriate. By requiring the caller to identify himself or herself and the purpose of the call, the Rule assists in the prevention of fraudulent and manipulative acts and practices by providing investors with information necessary to make an informed decision about purchasing securities. Moreover, by requiring the associated person to identify the firm for which the caller is being contacted, the Rule encourages responsible use of the telephone to market securities.

The Commission also believes that Rule 9.20, creating exemptions from the time-of-day and disclosure requirements for telephone calls by associated persons, or other associated persons acting at the direction of such persons, to certain categories of "existing customers" is appropriate. The Commission believes it is appropriate to create an exemption for calls to customers with whom there are existing relationships in order to accommodate personal and timely contact with a broker who can be presumed to know when it is convenient for a customer to respond to telephone calls. Moreover, such an exemption also may be necessary to accommodate trading with customer in multiple time zones across the United States. The Commission,

however, believes that the exemption from the time-of-day and disclosure requirements should be limited to calls to persons with whom the broker has a least a minimally active relationship. In this regard, the Commission believes that Rule 9.20 achieves an appropriate balance between providing protection for the public and the members' interest in competing for customers.

The Commission also believes that the amendment to Rule 9.20, requiring that a member or a person associated with a member obtain from a customer, and maintain for three years, express written authorization when submitting for payment a check, draft, or other form of negotiable paper drawn on a customer's checking, savings, share or similar account, is appropriate. The Commission notes that requiring a member or person associated with a member to obtain express written authorization from a customer in the above-mentioned circumstances assists in the prevention of fraudulent and manipulative acts in that it reduces the opportunity for a member or person associated with a member to misappropriate customers' funds. Moreover, the Commission believes that by requiring a member or person associated with a member to retain the authorization for three years, Rule 9.20 protects investors and the public interest in that it provides interested parties with the ability to acquire information necessary to ensure that valid authorization was obtained for the transfer of a customer's funds for the purchase of a security.

The Commission also believes that the amendment to Rule 9.23 requiring the retention of telemarketing scripts for three years is appropriate. By requiring the retention of telemarketing scripts for three years, Rule 9.23 assists in the prevention of fraudulent and manipulative acts and practices and provides for the protection of the public in that interested parties will have the ability to acquire copies of the scripts used to solicit the purchase of securities to ensure that members and associated persons are not engaged in unacceptable telemarketing practices.

Finally, the Commission believes that the proposed rule achieves a reasonable balance between the Commission's interest in preventing members from engaging in deceptive and abusive telemarketing acts and the members' interest in conducting legitimate telemarketing practices.

The Commission finds good cause for approving the proposed rule change, including Amendment Nos. 1 and 2, prior to the thirtieth day after the date of publication of notice thereof in the

**Federal Register.** The proposal is identical to the NASD and MSRB rules, which were published for comment and, subsequently, approved by the Commission. The approval of the PCX's rules provides a consistent standard across the industry. In that regard, the Commission believes that granting accelerated approval to the proposed rule change is appropriate and consistent with Section 6 of the Act.<sup>17</sup>

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>18</sup> that the proposed rule change (SR-PCX-97-36), including Amendment Nos. 1 and 2, is approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>19</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 97-29748 Filed 11-10-97; 8:45 am]

BILLING CODE 8010-01-M

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## SMALL BUSINESS ADMINISTRATION

### Data Collection Available for Public Comments and Recommendations

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new, and/or currently approved information collection.

**DATES:** Comments should be submitted on or before January 12, 1998.

**FOR FURTHER INFORMATION CONTACT:** Curtis B. Rich, Management Analyst, Small Business Administration, 409 3rd Street, S.W., Suite 5000, Washington, D.C. 20416. Phone Number: 202-205-6629.

#### SUPPLEMENTARY INFORMATION:

*Title:* "Small Disadvantaged Business Certification Application".

*Type of Request:* New Collection.

*Form No:* N/A.

*Description of Respondents:* Small Businesses seeking certification as a Small Disadvantaged Business.

*Annual Responses:* 100,000.

*Annual Burden:* 5,000.

*Comments:* Send all comments regarding this information collection to Patricia A. Lefevre, Office of Minority Enterprise Development, Small Business Administration, 409 3rd Street, S.W., Suite 8000, Washington, D.C. 20416. Phone No: 202-205-6416. Send

<sup>17</sup> 15 U.S.C. 78f.

<sup>18</sup> 15 U.S.C. 78s(b)(2).

<sup>19</sup> 17 CFR 200.30-3(a)(12).

comments regarding whether this information collection is necessary for the proper performance of the function of the agency, accuracy of burden estimate, in addition to ways to minimize this estimate, and ways to enhance the quality.

Dated: October 31, 1997.

**Jacqueline White,**

*Chief, Administrative Information Branch.*  
[FR Doc. 97-29755 Filed 11-10-97; 8:45 am]  
BILLING CODE 8025-01-P

**SMALL BUSINESS ADMINISTRATION**

**Reporting and Recordkeeping Requirements Under OMB Review**

**ACTION:** Notice of reporting requirements submitted for review.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

**DATES:** Comments should be submitted on or before December 12, 1997. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

**COPIES:** Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer. Submit comments to the Agency Clearance Officer and the OMB Reviewer.

**FOR FURTHER INFORMATION CONTACT:**

*Agency Clearance Officer:* Jacqueline White, Small Business Administration, 409 3rd Street, S.W., 5th Floor, Washington, D.C. 20416; Telephone: (202) 205-6629.

*OMB Reviewer:* Victoria Wassmer, Office of Information and Regulatory Affairs Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

*Title:* "Mentor Information Forms".

*Form No's:* SBA Forms 2031, 2031A, B, C, D, E, F, G, H.

*Frequency:* On Occasion.

*Description of Respondents:* Entrepreneurial Women and Women Business Owners.

*Annual Responses:* 10,000.

*Annual Burden:* 2,000.

Dated: October 27, 1997.

**Jacqueline White,**

*Chief, Administrative Information Branch.*  
[FR Doc. 97-29756 Filed 11-10-97; 8:45 am]  
BILLING CODE 8025-01-P

**SMALL BUSINESS ADMINISTRATION**

**[Declaration of Disaster #2984]**

**Commonwealth of the Northern Mariana Islands**

The Islands of Saipan and Tinian in the Commonwealth of the Northern Mariana Islands constitute a disaster area as a result of damages caused by Super Typhoon Joan which occurred October 18, 1997. Applications for loans for physical damages as a result of this disaster may be filed until the close of business on December 29, 1997 and for economic injury until the close of business on July 29, 1998 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 4 Office, P.O. Box 13795, Sacramento, CA 95853-4795.

The interest rates are:

|   | Percent |
|---|---------|
| For Physical Damage   |         |
| Homeowners With Credit Available Elsewhere .....  | 7.625   |
| Homeowners Without Credit Available Elsewhere .....                                     | 3.812   |
| Businesses With Credit Available Elsewhere .....  | 8.000   |
| Businesses and Non-Profit Organizations Without Credit Available Elsewhere .....        | 4.000   |
| Others (Including Non-Profit Organizations) With Credit Available Elsewhere .....       | 7.125   |
| For Economic Injury   |         |
| Businesses and Small Agricultural Cooperatives Without Credit Available Elsewhere ..... | 4.000   |

The number assigned to this disaster for physical damage is 298406 and for economic injury the number is 963300.

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

Dated: October 29, 1997.

**Aida Alvarez,**

*Administrator.*  
[FR Doc. 97-29757 Filed 11-10-97; 8:45 am]  
BILLING CODE 8025-01-P

**STATE JUSTICE INSTITUTE**

**Sunshine Act Meeting**

**DATE AND TIME:** Monday, November 17, 1997; 9:00 a.m.-5:00 p.m.

**PLACE:** State Justice Institute, 1650 King Street, Suite 600, Alexandria, VA 22314.

**MATTERS TO BE CONSIDERED:** FY 1997 grant requests, internal Institute business matters.

**PORTIONS OPEN TO THE PUBLIC:** All matters other than those noted as closed below.

**PORTIONS CLOSED TO THE PUBLIC:** Internal personnel matters and Board of Directors' committee meetings.

**CONTACT PERSON FOR MORE INFORMATION:** David I. Tevelin, Executive Director, State Justice Institute, 1650 King Street, Suite 600, Alexandria, VA 22314, (703) 684-6100.

**David I. Tevelin,**

*Executive Director.*  
[FR Doc. 97-29840 Filed 11-7-97; 12:24 pm]  
BILLING CODE 6820-SC-M

**DEPARTMENT OF TRANSPORTATION**

**Aviation Proceedings, Agreements Filed During the Week of October 31, 1997**

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. 412 and 414. Answers may be filed within 21 days of date of filing.

*Docket Number:* OST-97-3053.

*Date Filed:* October 28, 1997.

*Parties:* Members of the International Air Transport Association.

*Subject:*  
PTC1 Telex Mail Vote 894  
Chile-Brazil fares  
r1-070j, r2-072vv, r3-078m  
Intended effective date: November 15, 1997.

*Docket Number:* OST-97-3054.

*Date Filed:* October 28, 1997.

*Parties:* Members of the International Air Transport Association.

*Subject:*  
PTC2 Telex Mail Vote 896  
TC2 Fares from Algeria  
Intended effective date: November 15, 1997.

*Docket Number:* OST-97-3055.

*Date Filed:* October 28, 1997.

*Parties:* Members of the International Air Transport Association.

*Subject:*  
PTC12 SATL-EUR 0023 dated October 24, 1997  
South Atlantic-Europe Expedited Resos r1-6  
r-1-002r, r-3-076w, r-5-078LL