

procedures described above are not circumvented.

The Commission believes that the prohibition on such arrangements is important to prevent members or member organizations and a third party from having their orders executed against each other, without exposing these orders to other trading interest. The SEC expects the Exchange to develop a surveillance procedure to identify patterns in which a firm places an order on the book and then shortly thereafter submits a contra side order executing against the prior related order. The SEC expects PHLX surveillance to address the SEC's concern that firms may potentially game the internalization aspect of Book Match by mismarking orders.

The Commission finds good cause for approving Amendments No. 4 and 5 prior to the thirtieth day after the date of publication of notice of filing thereof in the **Federal Register**. Amendment No. 4 should clarify the scope of the application of the exposure requirement, and the proposed language relating to the internalization of orders delivered via AUTOM and responds to the comment letter. Moreover, Amendment No. 5 is similar to proposed rule changes that were previously approved by the Commission.<sup>38</sup> Thus, Amendment No. 5 concerns issues that previously have been the subject of a full comment period pursuant to Section 19(b) of the Act,<sup>39</sup> and thus raises no novel issues.<sup>40</sup> The SEC notes that Book Match will be deployed, on an issue-by-issue basis, no later than October 1, 2003. Accordingly, the Commission believes that there is good cause, consistent with Section 19(b) of the Act,<sup>41</sup> to approve Amendments No. 4 and 5 to the proposal on an accelerated basis.

#### IV. Solicitation of Comments

Interested persons are invited to submit written date, views and arguments concerning Amendments No. 4 and 5, including whether Amendments No. 4 and 5 are consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth

<sup>38</sup> See Securities Exchange Release Nos. 44462 (June 21, 2001), 66 FR 34495 (June 28, 2001) (order approving the Chicago Board Options Exchange's ("CBOE") proposal relating to automatic execution of certain orders on the CBOE's electronic limit order book); and 42652 (April 7, 2000), 65 FR 20235 (April 14, 2000) (order approving the American Stock Exchange's ("AMEX") proposal relating to Auto-Match).

<sup>39</sup> 15 U.S.C. 78s(b).

<sup>40</sup> See *supra* note 10.

<sup>41</sup> 15 U.S.C. 78s(b).

Street, NW, Washington, DC 20549-0609. Copies of the submission, all subsequent amendments, all written statements with respect to Amendments No. 4 and 5 that are filed with the Commission, and all written communications relating to Amendments No. 4 and 5 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 Room. Copies of such filing will also be available for inspection and copying at the principal office of the PHLX. All submissions should refer to File No. SR-PHLX-2002-86 and should be submitted by October 8, 2003.

#### V. Conclusion

*It Is Therefore Ordered*, pursuant to Section 19(b)(2) of the Act,<sup>42</sup> that the proposed rule change (SR-PHLX-2002-86), as amended by Amendments No. 4 and 5 be, and hereby is, approved, and that Amendments No. 4 and 5 to the proposed rule change be, and hereby are, approved on an accelerated basis.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>43</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-23739 Filed 9-16-03; 8:45 am]

**BILLING CODE 8010-01-P**

#### SMALL BUSINESS ADMINISTRATION

[License No. 02/72-0609]

##### **Wasserstein SBIC Ventures II, LP; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest**

Notice is hereby given that Wasserstein SBIC Ventures II, LP, 1301 Avenue of the Americas, 44th Floor, New York, New York 10019, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under section 312 of the Act and section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") rules and regulations (13 CFR 107.730 (2001)). Wasserstein SBIC Ventures II, LP proposes to provide equity financing to Nephros, Inc., 2960 Broadway, New York, New York 10032. The financing is contemplated for

<sup>42</sup> 15 U.S.C. 78s(b)(2).

<sup>43</sup> 17 CFR 200.30-3(a)(12).

general corporate purposes including product development and marketing.

The financing is brought within the purview of section 107.730(a)(1) of the Regulations because WPPN, LP, an Associate of Wasserstein SBIC Ventures II, LP, currently owns greater than 10 percent of Nephros, Inc. and therefore Nephros, Inc. is considered an Associate of Wasserstein SBIC Ventures II, LP, as defined in section 107.50 of the regulations.

Notice is hereby given that any interested person may submit written comments on the transaction to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416.

Dated: September 11, 2003.

**Jeffrey D. Pierson,**

*Associate Administrator for Investment.*

[FR Doc. 03-23633 Filed 9-16-03; 8:45 am]

**BILLING CODE 8025-01-P**

#### SOCIAL SECURITY ADMINISTRATION

##### **Privacy Act of 1974, as Amended; Computer Matching Program; (SSA/ Centers for Medicare and Medicaid Services (CMS) Match Number 1076)**

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice of renewal of an existing computer matching program which is scheduled to expire on September 24, 2003.

**SUMMARY:** In accordance with the provisions of the Privacy Act, as amended, this notice announces the renewal of an existing computer matching program that SSA is currently conducting with CMS.

**DATES:** SSA will file a report of the subject matching program with the Committee on Governmental Affairs of the Senate, the Committee on Government Reform of the House of Representatives and Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The renewal of the matching program will be effective as indicated below.

**ADDRESSES:** Interested parties may comment on this notice by either telefax to (410) 965-8582 or writing to the Associate Commissioner for Income Security Programs, 245 Altmeyer Building, 6401 Security Boulevard, Baltimore, MD 21235-6401. All comments received will be available for public inspection at this address.

**FOR FURTHER INFORMATION CONTACT:** The Associate Commissioner for Income Security Programs as shown above.

**SUPPLEMENTARY INFORMATION:**

**A. General**

The Computer Matching and Privacy Protection Act of 1988 (Public Law (Pub. L.) 100-503) amended the Privacy Act (5 U.S.C. 552a) by establishing the conditions under which computer matching involving the Federal Government could be performed and adding certain protections for individuals applying for and receiving Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508) further amended the Privacy Act regarding protections for such individuals.

The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State, or local government records. It requires Federal agencies involved in computer matching programs to:

- (1) Negotiate written agreements with the other agency or agencies participating in the matching programs;
- (2) Obtain the Data Integrity Boards' approval of the match agreements;
- (3) Publish notice of the computer matching program in the **Federal Register**;
- (4) Furnish detailed reports about matching programs to Congress and OMB;
- (5) Notify applicants and beneficiaries that their records are subject to matching; and
- (6) Verify match findings before reducing, suspending, terminating, or denying an individual's benefits or payments.

**B. SSA Computer Matches Subject to the Privacy Act**

We have taken action to ensure that all of SSA's computer matching programs comply with the requirements of the Privacy Act, as amended.

Dated: September 10, 2003.

**Martin H. Gerry,**

*Deputy Commissioner for Disability and Income Security Programs.*

**Notice of Computer Matching Program, Social Security Administration (SSA) With the Centers for Medicare and Medicaid Services (CMS)**

*A. Participating Agencies*

SSA and CMS.

*B. Purpose of the Matching Program*

The purpose of this matching program is to identify Supplemental Security

Income (SSI) recipients and Special Veterans' Benefits (SVB) beneficiaries who have been admitted to certain public institutions. The program will thereby facilitate benefit reductions required under certain provisions of title XVI of the Social Security Act (Act) for individuals in such institutions and benefit terminations required under certain provisions of title VIII of the Act for individuals no longer residing outside the United States.

*C. Authority for Conducting the Matching Program*

Sections 1611(e)(1)(A) and (B), 1631(f), 801 and 806(a) and (b) of the Social Security Act (42 U.S.C. 1382(e)(1)(A) and (B), 1383(f), 1001 and 1006(a) and (b)); 20 CFR 416.211. Routine Use Number 19, effective 1/6/95, allows disclosure to Federal, State or local agencies for administering cash or noncash income maintenance or health maintenance programs.

*D. Categories of Records and Individuals Covered by the Matching Program*

On the basis of certain identifying information regarding SSI and SVB applicants, recipients and beneficiaries as provided by SSA to CMS, CMS will provide SSA with electronic files containing skilled nursing facility admission and billing data from its Long-Term Care Minimum Data Set, LTC/MDS 09-70-1516, system of records. SSA will then match the CMS data with SSI and SVB payment information maintained in the Supplemental Security Income Record, SSA/OEEAS 60-0103, system of records.

*E. Inclusive Dates of the Matching Program*

The matching program shall become effective no sooner than 40 days after notice for the program is sent to Congress and OMB, or 30 days after publication of this notice in the **Federal Register**, whichever date is later. The matching program will continue for 18 months from the effective date and may be extended for an additional 12 months thereafter, if certain conditions are met. [FR Doc. 03-23630 Filed 9-16-03; 8:45 am]

**BILLING CODE 4191-02-P**

**DEPARTMENT OF VETERANS AFFAIRS**

[OMB Control No. 2900-NEW-ALS]

**Agency Information Collection Activities Under OMB Review**

**AGENCY:** Veterans Health Administration, Department of Veterans Affairs.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (PRA) of 1995 (44 U.S.C. 3501-21), this notice announces that the Veterans Health Administration (VHA), Department of Veterans Affairs, has submitted the collection of information abstracted below to the Office of Management and Budget (OMB) for review and comment. The PRA submission describes the nature of the information collection and its expected cost and burden and includes the actual data collection instrument.

**DATES:** Comments must be submitted on or before October 17, 2003.

**FOR FURTHER INFORMATION OR A COPY OF THE SUBMISSION CONTACT:** Denise McLamb, Records Management Service (005E3), Department of Veterans Affairs, 810 Vermont Avenue, NW., Washington, DC 20420, (202) 273-8030, FAX (202) 273-5981 or e-mail: [denise.mclamb@mail.va.gov](mailto:denise.mclamb@mail.va.gov). Please refer to 2900-New-ALS."

Send comments and recommendations concerning any aspect of the information collection to VA's OMB Desk Officer, OMB Human Resources and Housing Branch, New Executive Office Building, Room 10235, Washington, DC 20503 (202) 395-7316. Please refer to "2900-New-ALS."

**SUPPLEMENTARY INFORMATION:**

*Titles:*

a. National Registry of Veterans with Amyotrophic Lateral Sclerosis (ALS), ALS Initial Baseline Screening Form, VA Form 10-21047.

b. VA Research Consent Form, VA Form 10-1086.

c. National Registry of Veterans with Amyotrophic Lateral Sclerosis (ALS), ALS Registry Phone Interviews, VA Form 10-21047a.

*Type of Review:* New collection.

*Abstract:* Amyotrophic Lateral Sclerosis (ALS) is a disease of high priority to the Department of Veterans Affairs because of ongoing concerns about the health of veterans who served in the Gulf War. The creation of the registry will have significance both for VA and for the larger U.S. society in understanding the natural history of ALS. It will provide VA with crucial