

a daily basis instead of a twenty-day rolling average basis and may collect deficiencies at such times and in such manner as specified by NSCC from time to time, including immediate collection of same-day funds.

Nothing in the foregoing rule change will limit NSCC's discretion with respect to placing settling members on Class A surveillance or requiring settling members to furnish adequate assurance of financial responsibility or operational capability as set forth in NSCC's rules and procedures.

II. Discussion

Section 17A(b)(3)(F) of the Act¹⁷ requires that the rules of a clearing agency be designed to assure the safeguarding of securities and funds which are in the custody or control of the clearing agency and generally to protect investors and the public interest. The Commission believes the proposed rule change is consistent with NSCC's obligations under the Act because it will allow NSCC to take particular action to protect itself, its members, and investors in situations where settling members pose an increased risk because of their involvement in OTC market making.

Under the proposal, NSCC will have the authority with respect to settling members who participate in OTC market making activities or clear for correspondents that engage in such activity (1) to place such members on Class A surveillance, (2) to require such members to post additional collateral with NSCC, and (3) to calculate an alternative clearing fund requirement for such members when additional risk factors are present. Collectively, the higher level of surveillance, the additional level of collateralization, and the alternative clearing fund requirements should help to ameliorate NSCC's exposure which in turn should assist NSCC in fulfilling its obligations under the Act to safeguard securities and funds for which it has control of, is responsible for and, generally, to protect investors and the public interest.

The Commission is temporarily approving the proposed rule change through May 31, 1997, so that NSCC can gain additional experience in the surveillance of OTC market makers and the risks posed by clearing such activity. NSCC also will be able to gain experience with the additional collateralization requirements and alternative clearing formula requirements for settling members subject to Class A surveillance prior to permanent imposition of these requirements. Temporary approval also

will afford both the Commission and NSCC an opportunity to observe whether the additional collateralization and alternative clearing fund requirements adequately protect NSCC, its members, and investors from the expected risks of participating in and clearing OTC market maker activity and whether adjustments to the procedures are necessary. Prior to filing a proposed rule change seeking permanent approval of the procedures set forth in this temporary approval order, NSCC shall present to the Commission a more detailed report of its findings regarding the adequacy of the controls and discussing any changes to be made to the procedures. During the temporary approval period, NSCC will from time to time apprise the Commission on the operation of the additional collateralization requirements to enable the Commission to monitor the implementation of such requirements.

III. Conclusion

On the basis of the foregoing, the Commission finds that the proposal is consistent with the requirements of the Act and in particular with the requirements of Section 17A of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR-NSCC-95-17) be, and hereby is, approved on a temporary basis through May 31, 1997.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.¹⁸

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96-12471 Filed 5-16-96; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-37203; File No. SR-OCC-95-20]

Self-Regulatory Organizations; The Options Clearing Corporation; Notice of Filing of an Amendment to a Proposed Rule Change Relating to the Issuance, Clearance, and Settlement of Buy-Write Options Unitary Derivatives

May 10, 1996.

On December 27, 1995, The Options Clearing Corporation ("OCC") filed with the Securities and Exchange Commission ("Commission") a proposed rule change (File No. SR-OCC-95-20) pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act") relating to the issuance,

clearance, and settlement of Buy-Write Options Unitary Derivatives ("BOUND").¹ On February 5, 1996, OCC filed Amendment No. 1 to the proposed rule change.² Notice of the proposed rule change, as amended, was published in the Federal Register on March 20, 1996.³ On March 20, 1996, OCC filed Amendment No. 2.⁴ Amendment No. 2 is described in Items I, II, and III below, which items have been prepared primarily by OCC. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The purpose of Amendment No. 2 to the proposed rule change is to add a provision to Article XXIV, Section 6 of OCC's By-Laws to specify that the closing price for the underlying security of a BOUND is conclusively presumed to be accurate and shall be final for purposes of determining settlement rights and obligations with respect to that BOUND.

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

In its filing with the Commission, OCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments that it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. OCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.⁵

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

The purpose of Amendment No. 2 to the proposed rule change is to add a provision to Article XXIV, Section 6 of OCC's By-Laws to specify that the

¹ 15 U.S.C. 78s(b)(1) (1988).

² Letter from James C. Yong, First Vice President and General Counsel, OCC, to Jerry W. Carpenter, Assistant Director, Division of Market Regulation ("Division"), Commission (February 5, 1996).

³ Securities Exchange Act Release No. 36960 (March 13, 1996), 61 FR 11458.

⁴ Letter from James C. Yong, First Vice President and General Counsel, OCC, to Jerry W. Carpenter, Assistant Director, Division, Commission (March 19, 1996).

⁵ The Commission has modified the text of the summaries submitted by OCC.

¹⁷ 15 U.S.C. § 78q-1(b)(3)(F) (1988).

¹⁸ 17 CFR 200.30-3(a)(12) (1995).

closing price⁶ for the underlying security of a BOUND is conclusively presumed to be accurate and shall be final for purposes of determining settlement rights and obligations with respect to that BOUND. The amendment also proposes to add an interpretation to Section 6 to provide that, except in extraordinary circumstances, OCC will not adjust an officially reported closing price for exercise settlement purposes even if the closing price is subsequently found to have been erroneous.

OCC believes the proposed rule change, as amended, is consistent with the requirements of Section 17A of the Act and the rules and regulations thereunder because the proposal should facilitate the prompt and accurate clearance and settlement of BOUNDS.

(B) Self-Regulatory Organization's Statement on Burden on Competition

OCC does not believe that the proposed rule change as amended will impact or impose a burden on competition.

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

Written comments were not solicited with respect to the proposed rule change as amended and none have been received.

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

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 OCC 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 Room, 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 OCC. All submissions should refer to the file number SR-OCC-95-20 and should be submitted by June 7, 1996.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.⁷

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 96-12470 Filed 5-16-96; 8:45 am]

BILLING CODE 80-01-M

SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Proposed Collection Request

Normally on Fridays, the Social Security Administration publishes a list of information collection packages that will require submission to the Office of Management and Budget (OMB) for clearance in compliance with P.L. 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995. Since the last list was published in the Federal Register on May 8, 1996, the information collections listed below have been proposed or will require extension of the current OMB approvals: (Call the SSA Reports Clearance Officer on (410) 965-4123 for a copy of the form(s) or package(s), or write to her at the address listed below the information collections.)

1. Report(s) of Student Beneficiary at End of School Year—0960-0089. The information collected on form SSA-1388 is used by the Social Security Administration to verify a student's full-time attendance at an approved educational institution. The affected public consists of claimants or beneficiaries who are students and are requested to provide this information.

Number of Respondents: 200,000.
Frequency of Response: 1.
Average Burden Per Response: 10 minutes.

Estimated Annual Burden: 33,333 hours.

2. Work History Report—0960-0552. The information collected on form SSA-3369 is used to document a claimant's work history and used, in conjunction with other evidence, to determine eligibility for disability benefits. The respondents are claimant's for disability benefits.

Number of Respondents: 2,000,000.

Frequency of Response: 1.

Average Burden Per Response: 30 minutes.

Estimated Annual Burden: 1,000,000 hours.

Written comments and recommendations regarding these information collections should be sent within 60 days from the date of this publication, directly to the SSA Reports Clearance Officer at the following address: Social Security Administration, DCFAM, Attn: Charlotte S. Whitenight, 6401 Security Blvd., 1-A-21 Operations Bldg., Baltimore, MD 21235.

In addition to your comments on the accuracy of the agency's burden estimate, we are soliciting comments on the need for the information; its practical utility; ways to enhance its quality, utility and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology.

Dated: May 9, 1996.
Charlotte Whitenight,
Reports Clearance Officer, Social Security Administration.

[FR Doc. 96-12215 Filed 5-16-96; 8:45 am]

BILLING CODE 4190-29-P

DEPARTMENT OF STATE

[Public Notice 2389]

Office of Overseas Schools; Information Collection Under Review

Office of Management and Budget (OMB) approval is being sought for the information collection listed below. This proposed information collection was previously published in the Federal Register and allowed 60 days for public comment.

The purpose of this notice is to allow an additional 30 days for public comments from the date listed at the top of this page in the Federal Register. This process is conducted in accordance with 5 Code of Federal Regulation, Part 1320.10.

1. Summary

The Office of Overseas Schools of the Department of State (A/OS) is

⁶The term "closing price" is defined under proposed Article XXIV, Section 1(C)(2) of the proposed rule change.

⁷ 17 CFR 200.30-3(a)(12) (1995).