

Contrary to Part 9900 Section B.3 guidance, it is not necessary for an emergency to be declared by a government entity. Licensees are encouraged to contact NRC early in their evaluation process, particularly if time is of the essence, even though complete information as specified in Part 9900 may not be available.

The decision to exercise enforcement discretion does not change the fact that the licensee will be in noncompliance nor does it imply that enforcement discretion is being exercised for any noncompliance that may have led to the noncompliance at issue. To the extent noncompliance was involved, the NRC staff will normally take enforcement action for the root causes that led to the noncompliance for which enforcement discretion was granted. Enforcement action will also be considered in those cases in which incorrect or incomplete information was provided to the NRC staff by a licensee in its justification. The NRC recognizes that a licensee will need to exercise judgement in making a determination under this discretion provision. Consistent with the NRC's position involving 10 CFR 50.54(x), enforcement action for a violation of a license condition, including a TS, will not be taken unless a licensee's action was clearly unreasonable considering all the relevant circumstances. Enforcement action could include assessment of civil penalties and the issuance of orders.

Dated at Rockville, Maryland, this 26th day of July, 1999.

For the Nuclear Regulatory Commission.

Annette L. Vietti-Cook,

Secretary of the Commission.

[FR Doc. 99-19574 Filed 7-29-99; 8:45 am]

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POSTAL SERVICE

Privacy Act of 1974, System of Records

AGENCY: Postal Service.

ACTION: Notice of new system of records.

SUMMARY: This document publishes notice of a new Privacy Act system of records, USPS 050.070, Finance Records-Funds Transaction/Transfer Reports. The new system contains personal information about the purchaser and/or recipient of money orders, wire transfer, and/or stored value cards purchased in any combination totaling \$3,000 or more during the same visit or multiple visits in 1 business day to the post office.

DATES: Any interested party may submit written comments on the proposed new system of records. This proposal will become effective without further notice on September 8, 1999, unless comments received on or before that date result in a contrary determination.

ADDRESSES: Written comments on this proposal should be mailed or delivered

to Administration and FOIA, United States Postal Service, 475 L'Enfant Plaza SW, Washington, DC 20260-5202.

Copies of all written comments will be available at the above address for public inspection and photocopying between 8 a.m. and 4:45 p.m., Monday through Friday.

FOR FURTHER INFORMATION CONTACT:

Rubenia Carter (202) 268-4872.

SUPPLEMENTARY INFORMATION: The Postal Service will collect and maintain information about some of its customers to meet one of the requirements of the Bank Secrecy Act. That law is designed to detect and deter money laundering. The intent of the law is to require banks and money services businesses to obtain, maintain, and/or report to the Department of Treasury certain identifying information about individuals who purchase financial instruments at a certain dollar threshold. The Postal Service is named as an entity that must comply with that law (31 U.S.C. 5325 and 5330). The Postal Service will maintain information collected from the purchaser when the dollar amount of cash purchases totals \$3,000 or more for money orders, wire transfers, and/or stored value cards. Multiple purchases during 1 business day totaling \$3,000 or more must be treated as one purchase, and information about the purchaser must be obtained if a Postal Service employee knows or has reason to believe that multiple purchases are being made. The Postal Service is establishing this grouping of records as a system of records subject to the Privacy Act.

Maintenance of these records is not expected to have a significant impact on individual privacy rights. Information will be kept in a secured environment, with automated data processing physical and administrative security and technical software applied to information on computer media. Computer and hard copy records are maintained in a secured computer complex, with physical, administrative, and software controls. Access to areas within the complex where these records are maintained is restricted with card keys. Access within the area is further restricted to authorized personnel with an official need.

Pursuant to 5 U.S.C. 552a(e)(11), interested persons are invited to submit written data, views, or arguments on this proposal. A report of the following proposed system has been sent to Congress and to the Office of Management and Budget for their evaluation.

USPS 050.070

SYSTEM NAME:

Finance Records-Funds Transaction/Transfer Reports.

SYSTEM LOCATION:

Finance, Headquarters and St. Louis Accounting Service Center, St. Louis, Missouri.

CATEGORIES OF INDIVIDUALS COVERED BY THE SYSTEM:

Postal Service customers who purchase money orders, wire transfers, and/or stored value cards purchased in any combination totaling \$3,000 or more during the same visit or multiple visits in 1 business day to the post office. Recipients of wire transfers and the beneficiary of funds from money orders totaling \$10,000 or more during the same visit or multiple visits in 1 business day to the post office.

CATEGORIES OF RECORDS IN THE SYSTEM:

Name, address, social security number, date of birth, photo ID, type and amount of transactions, driver's license number (or other type of ID if driver's license is not available, such as Alien Registration Number, Passport Number, Military ID, Tax Identification Number), country code, date of issue, transaction number, place of issue, beginning and ending money order serial numbers, and wire transfer number or other transaction number.

AUTHORITY FOR MAINTENANCE OF THE SYSTEM:

31 U.S.C. 5325 and 5330.

PURPOSE(S):

The information will be used to obtain and maintain identifying information on Postal Service customers who purchase money orders, wire transfers, and/or stored value cards totaling \$3,000 or more.

ROUTINE USES OF RECORDS MAINTAINED IN THE SYSTEM, INCLUDING CATEGORIES OF USERS AND THE PURPOSE OF SUCH USES:

General routine use statements a, b, c, d, e, f, g, h, and j listed in the prefatory statement at the beginning of the Postal Service's published system notices apply to this system. Other routine uses follow:

1. Information may be disclosed to the U.S. Department of Treasury, the U.S. Justice Department, and federal law enforcement agencies pursuant to the provisions of the Federal Bank Secrecy Act, as codified in section 5313 of Title 31 of the U.S. Code.

2. Information from this system may be disclosed to a foreign entity under agreement with the Postal Service to distribute money orders and transfer funds.

3. Information from this system may be disclosed to the purchaser or payee of a money order or money transfer in order to respond to an inquiry concerning the transaction.

POLICIES AND PRACTICES FOR STORING, RETRIEVING, ACCESSING, RETAINING, AND DISPOSING OF RECORDS IN THE SYSTEM:

STORAGE:

Paper and computer storage media.

RETRIEVABILITY:

By name and other unique identifier.

SAFEGUARDS:

Hard copy records and computers containing information within this system of records are maintained in a building with controlled access. To gain access to the building and access to controlled areas within the building, individuals must have authorized badges and/or card keys. Computer systems are protected within an installed security software package, the use of computer LOG-ON IDs, and operating system controls.

RETENTION AND DISPOSAL:

PS Form 8105-A will be destroyed either by shredding, burning, or other acceptable method of destruction 5 years from the end of accounting period in which they were created. Related automated information will be retained for the same period and purged from the system quarterly after the date of creation.

SYSTEM MANAGER(S) AND ADDRESS:

Chief Financial Officer, Finance,
United States Postal Service, 475
L'Enfant Plaza SW, Washington DC
20260-5000.

NOTIFICATION PROCEDURE:

Individuals wanting to know whether information about them is maintained in this system of records must address inquiries in writing to the system manager. Inquiries must contain the name, address, and social security number or other identifying number (driver's license, Alien Registration Number, Passport Number, etc.) of purchaser; and the recipient's name and address of wire transfer transaction.

RECORD ACCESS PROCEDURES:

Requests for access must be made in accordance with the Notification Procedure above and the Privacy Act regulations regarding access to records and verification of identity under 39 CFR 266.6.

CONTESTING RECORD PROCEDURES:

See Notification Procedure and Record Access Procedures above.

RECORD SOURCE CATEGORIES:

Information is obtained from purchaser and, for wire transfer transaction information, is obtained from purchaser and recipient.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 99-19466 Filed 7-29-99; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-41641; File No. SR-CBOE-99-31]

Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change and Amendment No. 1 Thereto by the Chicago Board Options Exchange, Incorporated Relating to the Administration of DBOE Rule 8.95(f)

July 22, 1999.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on June 23, 1999, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") a proposed rule change. The Exchange submitted Amendment No. 1 to its proposed rule change on July 1, 1999.³ The proposed rule change, as amended, is described in Items I, II, and III below, which Items have been prepared by the Exchange. 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 Exchange proposes to adopt an Interpretation and Policy pertaining to the administration of DBOE Rule 8.95(f).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ In Amendment No. 1, the Exchange made two technical corrections to its proposed rule language to conform the text of the rule language to its current rule and clarified that the Allocation Committee or Special Product Assignment Committee, as applicable, administers CBOE Rule 8.95(f). See Letter from Arthur B. Reinstein, Assistant General Counsel, CBOE, to Terri Evans, Attorney, Division of Market Regulation, Commission, dated June 30, 1999 ("Amendment No. 1").

The text of the proposed rule change is as follows. New text is italicized.

Allocation of Securities and Location of Trading Crowds and DPMs

Rule 8.95 No Change.

* * * *Interpretations and Policies:*

.01-.02 No change.

.03 *trading crowd may indicate that it no longer wishes to trade an option class opened for trading prior to May 1, 1987, for purposes of paragraph (f) of Rule 8.95 by means of a voting procedure as described in this Interpretation and Policy. Members of a trading crowd eligible to participate in the vote shall include those market-makers and floor brokers who have transacted at least 80% of their market-maker contracts (in the case of market-makers) or orders (in the case of floor brokers) in each of the three immediately preceding calendar months in option classes traded in the trading crowd, and who continue to be present in the trading crowd in the capacity of a market maker or floor broker at the time of the vote. Eligible market-makers and floor brokers shall each have one vote, and shall vote together as a single class. A trading crowd shall be deemed to have indicated that it no longer wishes to trade a designated option class if a majority of the trading crowd participates in the vote and if a majority of the total votes cast are in favor of the proposition. Any member of a trading crowd eligible to vote on whether the crowd wishes to trade an option class may request that such a vote be held by submitting a written request to that effect to the Secretary of the Exchange. The Exchange shall post a notice at the trading station of the time and date of any vote to be taken for purposes of Rule 8.95(f) at least 24 hours prior to the time of the vote. The Allocation Committee or Special Product Assignment Committee, as applicable shall determine all other administrative procedures pertaining to the vote.*

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

In its filing with the Commission, CBOE 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. The CBOE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.