

regarding member location on a crowd-by-crowd basis, specific to the trading crowd in question. For example, the Options Committee may adopt a policy requiring floor brokers, for a specific series, to stand in the area where the AUTO-X⁴ screens for that series are located. Thus, under the proposed rule, the Options Committee may tailor a policy to specific market conditions and readdress the situation, periodically updating the policy where appropriate. The Exchange will give the members of the trading crowd and the options floor one day's notice of the Options Committee's decision prior to implementation of the policy in that particular trading crowd.⁵ The decision may be appealed to the Board of Governors pursuant to By-law Section 11-1.

The Exchange believes that such a rule is necessary because changes in technology and space reconfigurations will continue to affect how business is conducted and where members in the trading crowds are situated. The Exchange also believes that adopting policies concerning members' personnel and the area accessing a trading crowd would be covered under the proposed rule.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6 of the Act and, in particular, with Section 6(b)(5) of the Act⁶ in that it promotes just and equitable principles of trade, facilitates transactions in securities, and removes impediments to and perfects the mechanism of a free and open market and a national market system, and, in general, protects investors and the public interest by granting express authority to the Options Committee to adopt policies to regulate the location of members in the trading crowd to facilitate changes in

technology and space reconfigurations occurring on the Options floor.

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

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

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

No written comments were either solicited or received.

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

Because the foregoing rule change (1) does not significantly affect the protection of investors or the public interest; (2) does not impose any significant burden on competition; and (3) does not become operative for 30 days after the date of filing or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest, provided that the Exchange has given the Commission written notice of its intent to file the proposed rule change at least five business days prior to the filing date of the proposed rule change, or such shorter time as designated by the Commission, it has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6) thereunder. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposal is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549-0609. 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. 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 number SR-Phlx-99-25, and should be submitted by September 10, 1999.

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

Margaret H. McFarland,
Deputy Secretary.

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SOCIAL SECURITY ADMINISTRATION

Agency Information Collection Activities: Request for Emergency Review by the Office of Management and Budget

The Social Security Administration publishes a list of information collection packages that will require clearance by OMB in compliance with Public Law 104-13 effective October 1, 1995, The Paperwork Reduction Act of 1995. The information collection listed below has been submitted to OMB for emergency consideration. OMB approval has been requested by August 31, 1999.

0960-0601. Public Law 105-277 authorizes SSA to conduct a Medicare buy-in demonstration project to evaluate means to promote the Medicare buy-in programs targeted to elderly and disabled individuals under titles XVIII and XIX of the Social Security Act. A lack of awareness about the Medicare buy-in programs appears to be one of the major obstacles to enrollments. Other obstacles to enrollment include the confusion of potential eligibles as to how to apply for these programs and a preference for dealing with SSA field offices rather than with local Medicaid offices.

SSA began screening respondents voluntarily on March 1, 1999 for potential Medicare Part B buy-in eligibility using a screening guide developed for this purpose. The screening guide will collect information from SSA beneficiaries regarding income, resources, marital status, and living arrangements and also ask questions about their awareness of Medicare Part B buy-in programs. SSA will gather this information to identify and overcome obstacles to Medicare Part B buy-in enrollments and to determine potential eligibility for Medicare Part B benefits.

⁴ AUTO-X is a feature of AUTOM that automatically executes public customer market and marketable limit orders up to the number of contracts permitted by the Exchange for certain strike prices and expiration months in equity options and index options, unless the Options Committee determines otherwise. See Phlx Rule 1080.

⁵ The Exchange will provide notice in the form of a memorandum to the trading floor, as well as by posting of a memorandum on an electronic bulletin board. Telephone conversation between Nandita Yagnik, Attorney, Phlx, and Joseph Morra, Attorney, Division of Market Regulation ("Division"), SEC, August 6, 1999. The Exchange notes that a specific policy adopted pursuant to this proposed provision would be reasonably and fairly implied by an existing rule, i.e., new Commentary .17 and therefore, would not be deemed to be a proposed rule change pursuant to Securities Exchange Act Rule 19b-4(d).

⁶ 15 U.S.C. 78f(b).

⁷ 17 CFR 200.30-3(a)(12).

In addition, SSA will interview a small, random sample of individuals who did not respond to the buy-in outreach publicity in order to understand the impediments to the buy-in enrollment process. These interviews will attempt to ascertain if beneficiaries chose not to participate in the program and, if so, why.

Also, peer assistance screening will be conducted in States that volunteer to participate in this variant screening model. Using a variant screening model will allow SSA to test a buy-in outreach model in which non-governmental peers of the target group provide assistance. In this model, AARP will provide volunteers to, gather data from beneficiaries to determine potential

eligibility for buy-in programs and assist them through the screening and application processes. AARP will share results of its efforts with SSA for use in SSA's report on the demonstration program. This effort will provide a comparison to other SSA and Health Care Finance Administration (HCFA) buy-in outreach efforts and provide information for a cost comparison.

	SSA screener	SSA non-responders' survey	AARP's peer assistance screening & summary form
Number of Respondents	24,000	500	20,000
Number of Responses	1	1	1
Frequency of Response	1	1	1
Average Burden Per Response (minutes)	20	20	20
Estimated Annual Burden (hours)	8,000	167	6,667

To receive a copy of the screening guides or the clearance packages, call the SSA Reports Clearance Officer on 410) 965-4145 or write to him at the address listed below. Written comments and recommendations regarding the information collection(s) should be directed to the OMB Desk Officer and SSA Reports Clearance Officer at the following addresses:

Attn: Lori Schack, New Executive Office Building, Room 10230, 725 17th St., NW, Washington, DC 20503.
(SSA) Social Security Administration, DCFAM, Attn: Frederick W. Brickenkamp, 6401 Security Blvd., 1-A-21 Operations Bldg., Baltimore, MD 21235.

Dated: August 16, 1999.

Frederick W. Brickenkamp,

Reports Clearance Officer, Social Security Administration.

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OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[Docket No. WTO/DS-164]

WTO Dispute Settlement Proceeding Regarding Argentina—Measures Affecting Imports of Footwear

AGENCY: Office of the United States Trade Representative.

ACTION: Notice; request for comments.

SUMMARY: The Office of the United States Trade Representative ("USTR") is providing notice of a request by the United States for the establishment of a dispute settlement panel under the Marrakesh Agreement Establishing the World Trade Organization ("WTO") to examine Argentina's modification of its

safeguard measure affecting imports of footwear. In this dispute, the United States alleges that modification of the safeguard measure is inconsistent with Argentina's obligations under the WTO Agreement on Safeguards. USTR invites written comments from the public concerning the issues raised in this dispute.

DATES: Although USTR will accept any comments received during the course of the dispute settlement proceedings, comments should be submitted by September 30, 1999, to be assured of timely consideration by USTR in preparing its first written submission to the panel.

ADDRESSES: Comments may be submitted to Sandy McKinzy, Litigation Assistant, Office of Monitoring and Enforcement, Room 122, Attn: Argentina Footwear Imports, Dispute, Office of the United States Trade Representative, 600 17th Street, NW, Washington, DC 20508.

FOR FURTHER INFORMATION CONTACT:

Marjorie Florestal, Assistant General Counsel at (202) 395-3581 or Kellie Meiman, Director for Mercosur and the Southern Cone at (202) 395-5190.

SUPPLEMENTARY INFORMATION: Pursuant to section 127(b)(1) of the Uruguay Round Agreements Act (URAA) (19 U.S.C. 3537(b)(1)), USTR is providing notice that on May 20, 1999, the United States submitted a request for the establishment of a WTO dispute settlement panel to examine Argentina's modification of its safeguard measure on imports of footwear. The WTO Dispute Settlement Body established a panel for this purpose on July 26, 1999.

Major Issues Raised and Legal Basis of the Complaint

In November 1998, Argentina adopted Resolution 1506, followed by the issuance of Decision 837/98, dated December 4, 1998, which modified Resolution 987/97 and imposed a tariff-rate quota (TRQ) on footwear imports in addition to the high duty rates previously imposed. Moreover, Resolution 1506 postpones any liberalization of the original safeguard duty until February 25, 2000, and liberalizes the TRQ only once during the life of the measure. Argentina has not notified this measure to the Committee on Safeguards.

On March 1, 1999, the United States requested consultations with Argentina with a view to reaching a mutually satisfactory resolution of the matter. Consultations were held on March 24, 1999, in Geneva, but did not lead to a satisfactory resolution.

Based upon information received to date, the United States considers that Resolution 1506 and Decision 837/98 may be inconsistent with the obligations of Argentina under the WTO Agreement on Safeguards, in particular:

(1) Article 7.4, which mandates that safeguard measures over one year in duration be progressively liberalized at regular intervals; and

(2) Article 12, which directs Members immediately to notify the Committee on Safeguards of all safeguard actions and to provide adequate opportunity for prior consultations with Members having substantial export interest in the product concerned.

Public Comment: Requirements for Submissions

Interested persons are invited to submit written comments concerning