

NASD will continue to monitor the usefulness of the rule to arbitration parties.

#### (2) Statutory Basis

The NASD believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6)<sup>5</sup> of the Act in that extending the effectiveness of the procedures in the Code for large and complex cases will serve the public interest by enhancing the satisfaction and perceived fairness of such proceedings by the parties to such proceedings as demonstrated by the positive comments of the parties noted by the NASD.

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

The NASD does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

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

Written comments were neither solicited nor received.

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

The NASD has requested that the Commission find good cause pursuant to Section 19(b)(2) for approving the proposed rule change prior to the 30th day after publication in the Federal Register. The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to the NASD and, in particular, the requirements of Section 15A(b)(6). The Commission finds good cause for approving the proposed rule change prior to the 30th day after the date of publication of notice of filing thereof in that accelerated approval will benefit users of the arbitration process in that providing a temporary extension of the Procedures will permit arbitration participants to continue to use the Procedures. In addition, except with respect to the administrative conference required under the Rule, the application of the Rule to any case submitted to arbitration is voluntary. Thus, accelerating the approval of the proposed rule change to maintain the continuity of the process will not have any adverse impact on the investing public.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file 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. Copies of such filing will also be available for inspection and copying at the principal office of the NASD. All submissions should refer to File No. SR-NASD-96-24 and should be submitted by August 29, 1996.

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act, that the proposed rule change SR-NASD-96-24 be, and thereby is, approved through August 1, 1997.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority, 17 CFR 200.30-3(a)(12).

Jonathan G. Katz,

Secretary.

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#### SOCIAL SECURITY ADMINISTRATION

##### **Rescission of Social Security Ruling SSR 82-50 Title II: Definition of Living in the Same Household**

**AGENCY:** Social Security Administration.

**ACTION:** Rescission of Social Security Ruling SSR 82-50.

**SUMMARY:** The Commissioner of Social Security gives notice of the rescission of SSR 82-50.

**EFFECTIVE DATE:** September 9, 1996.

**FOR FURTHER INFORMATION CONTACT:** Joanne K. Castello, Division of Regulations and Rulings, Social Security Administration, 6401 Security Boulevard, Baltimore, MD 21235, (410) 965-1711.

**SUPPLEMENTARY INFORMATION:** Social Security Rulings make available to the public precedential decisions relating to the Federal old-age, survivors, disability, supplemental security income, and black lung benefits

programs. Social Security Rulings may be based on case decisions made at all administrative levels of adjudication, Federal court decisions, Commissioner's decisions, opinions of the Office of the General Counsel, and other policy interpretations of the law and regulations.

SSR 82-50, issued in 1982, was published in the 1981-1985 Cumulative Edition of the Rulings on page 64. SSR 82-50 interpreted the definition of living in the same household to allow for extended separations due to confinement of either spouse in a nursing home, hospital, or other medical institution. The husband and wife were considered living in the same household as long as evidence indicated they were initially separated, and continue to be separated, solely for medical reasons and would otherwise have resided together.

The Social Security Administration published elsewhere in today's Federal Register final regulations which incorporate the living in the same household policy interpretation found in SSR 82-50. Since the policy in SSR 82-50 has been incorporated into these regulations, the Ruling is rescinded as of the date the final regulations take effect.

(Catalog of Federal Domestic Assistance, Programs 96.001 Social Security—Disability Insurance; 96.002 Social Security—Retirement Insurance; 96.004 Social Security—Survivors Insurance.)

Dated: July 25, 1996.

Shirley S. Chater,

Commissioner of Social Security.

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#### DEPARTMENT OF TRANSPORTATION

##### **Office of the Secretary; Reports, Forms and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review**

**AGENCY:** Department of Transportation (DOT).

**ACTION:** Notice and Request for Comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35, as amended) this notice announces the Department of Transportation's (DOT) intention to request an emergency 90-day reinstatement, without change, of a previously approved information collection for which approval has expired. Comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the

<sup>5</sup> 15 U.S.C. § 79o-3.

Department, including whether the information will have practical utility; (b) the accuracy of the Department's estimate of the burden of the proposed information collection; (c) ways to enhance the quality, utility and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

All responses to this notice will be summarized and included in the request for OMB approval. All comments will also become a matter of public record.

**DATES:** Comments on this notice must be received on or before October 7, 1996.

**ADDRESSES:** Comments should be sent to the Special Authorities Division (X-57), Office of Aviation Analysis, Office of the Secretary, U.S. Department of Transportation, 400 7th Street, S.W., Washington, DC 20590-0002. This information collection is available for inspection at the Special Authorities Division (X-57), Office of Aviation Analysis, DOT, at the address above. Copies of 14 CFR Part 380 can be obtained from Mr. Scott Keller at the address and telephone number shown below.

**FOR FURTHER INFORMATION CONTACT:** Mr. Scott Keller or Mr. Charles McGuire, Office of the Secretary, Office of Aviation Analysis, X-57, Department of Transportation, at the address above. Telephone: (202) 366-1031/4534.

#### SUPPLEMENTARY INFORMATION

Office of the Secretary, Office of Aviation Analysis

*Title:* Public Charters.

*OMB Control Number:* 2106-0005.

*Type of Request:* Emergency processing for reinstatement for 90 days, without change, a previously approved information collection for which approval has expired.

*Affected Entities:* Public charter operators.

*Abstract:* In 14 CFR 380 (adopted 1979) of its Special Regulations the Department established the terms and conditions governing the furnishing of public charters in air transportation by direct air carriers and public charter operators. Public charter operators arrange transportation for groups of persons on aircraft chartered from direct air carriers. This arrangement is less expensive for the travelers than individually buying a ticket. Further, the charter operator books hotel rooms, tours, etc., at destination for the convenience of the traveler. Part 380 exempts charter operators from certain

provisions of the U.S. Code in order that they may provide this service.

A primary goal of Part 380 is to seek protection for the consumer. Accordingly, the rule stipulates that the charter operator must file evidence (a prospectus) with the Department for each charter program certifying that it has entered into a binding contract with a direct carrier to provide air transportation and that it has also entered into agreements with Department-approved financial institutions for the protection of the charter participants' funds. The prospectus must be approved by the Department prior to the operator's advertising, selling or operating the charter. The forms (OST Forms 4532, 4533, 4534 and 4535) that comprise the operator's filing is the information collection at issue here.

In September 1992, the Department issued a notice of proposed rulemaking (NPRM) [57 FR 42864, 9-16-92] to propose, among other revisions, that charter operators need no longer file prospectuses. The NPRM was in response to comments that prospectus filings were burdensome and unnecessary. However, the majority of respondents to the NPRM have urged the Department to retain the existing prospectus filing requirements. They desire the more complete consumer protection provided by the current rule. Without a complete prospectus it would be extremely difficult to assure that financial security and other consumer protection requirements are in place for each public charter operation.

The collection involved here requests general information about the charter operator and direct air carrier that will provide a public charter and requires each to certify that it has contracted with the other to provide the transportation. The routing, charter price and tour itinerary of the proposed charter are also identified. The collection also requires the charter operator, direct air carrier and financial institution(s) involved to certify that proper financial instruments are in place or other arrangements have been made to protect the charter participants' funds and that all parties will abide by the Department's public charter regulations.

*Average Annual Burden per Respondents:* 4.25 hours.

*Estimated Total Burden on Respondents:* 31,343 hours.

Issued in Washington, DC, on August 5, 1996.

Phillip A. Leach,  
*Clearance Officer, United States Department of Transportation.*

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#### Office of the Secretary; Reports, Forms and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review

**AGENCY:** Department of Transportation (DOT).

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The Federal Register Notice with a 60-day comment period soliciting comments on the following collection of information was published on May 22, 1996 [FR 61, page 25734].

**DATES:** Comments must be submitted on or before September 5, 1996.

**FOR FURTHER INFORMATION CONTACT:** Joseph Freeman, (202) 366-6057, and refer to the OMB Control Number.

#### SUPPLEMENTARY INFORMATION

Maritime Administration

*Title:* Trustee's Supplemental Certification.

*Type of Request:* Extension of a currently approved information collection.

*OMB Control Number:* 2133-0015.

*Affected Entities:* Banks and trust companies.

*Abstract:* Provide for approval of banks and trust companies to act as Trustees under certain ship financing trusts and provide a procedure for assuring the validity and preferred status of mortgages on U.S. flag vessels and certain mortgages requiring Secretarial approval. The approved bank or trust company is required to furnish its supplemental certification every five years in order to remain on the Roster of Approved Trustees. The processing fee for this application is \$215.00 per filing.

*Need and Use of the Information:* Information collection provides information that will be used by the Maritime Administration to determine whether the bank or trust company continues to meet the statutory requirements to serve as Trustees.