

of short sales in a declining market above bid prices, Nasdaq believes the Rule does not diminish the important pricing efficiency and liquidity benefits that legitimate short selling activity provides.

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

The NASD believes that the proposed rule change will not 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*

Comments were neither solicited nor received.

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

The NASD requests that its proposal to extend the effectiveness of the Rule and the amendment to the definition of a "legal" short sale until April 15, 1998, be approved on an accelerated basis prior to January 15, 1998.

**IV. Commission's Findings and Order Granting Accelerated Approval of the Proposed Rule Change**

The Commission finds that the NASD's proposed rule change seeking to extend the pilot of the Rule and the amendment to the definition of "legal" short sale through April 15, 1998, is consistent with the Act and the rules and regulations promulgated thereunder. Specifically, the Commission finds that the proposed rule change is consistent with Section 15A(b)(6) of the Act which requires that the NASD rules be designed, among other things, to facilitate securities transactions and to protect investors and the public interest. The Commission believes that the proposed rule change is consistent with the Act because extension of the pilot and the amendment to the definition of a "legal" short sale for a short period of time will allow the Commission and the NASD to consider the potential problems associated with short selling, the changing expectations of Nasdaq market participants and the potential for competitive disparity between the exchange markets and the over-the-counter market. This extension also will afford the NASD time to submit to the Commission revised PMM standards and will allow the Commission to review on a contemporaneous basis these two integrally related rules (*i.e.*, the short sale and PMM rules). Once the

NASD develops reasonable PMM standards, the Commission will be in a better position to evaluate the need for a short sale rule as well as the appropriateness of an exemption for PMMs.

The Commission also finds good cause for approving the proposed rule change prior to the 30th day after the date of publication of notice of filing thereof. The Commission believes that it is appropriate to approve on an accelerated basis the extension of the pilot program of the Rule and the amendment to the definition of "legal" short sale through April 15, 1998, because it will ensure the continuous operation of the Rule and the amendment to the definition of "legal" short sale, while the NASD addresses the Commission's questions and concerns, provides Commission staff with additional information about the practical effects and the operation of the revised PMM standards, and explores other options to PMM standards, such as a customer facilitation exemption for market makers.

**V. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. People 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. Copies of the filing will also be available for inspection and copying at the NASD's principal offices. All submissions should refer to File No. SR-NASD-97-94 and should be submitted by February 11, 1998.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change, SR-NASD-97-94 be, and hereby is approved through April 15, 1998.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>20</sup>

<sup>20</sup> 17 CFR 200.30-3(a)(12)(1997).

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 98-1422 Filed 1-21-98; 8:45 am]

BILLING CODE 8010-01-M

**SMALL BUSINESS ADMINISTRATION**

**Region VIII Advisory Council Meeting; Public Meeting**

The U.S. Small Business Administration Regional VIII Advisory Council located in the geographical area of Salt Lake City, Utah, will hold a public meeting at 9:00 a.m. on Wednesday, February 18, 1998, at the Salt Lake Area Chamber of Commerce, Media Room, at 175 East 400 South, Suite 600, Salt Lake City, to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Stan Nakano, District Director, U.S. Small Business, 125 South State Street, Salt Lake City, Utah 84138, (801) 524-5804.

**Eugene Carlson,**

*Associate Administrator, Office of Communication & Public Liaison.*

[FR Doc. 98-1410 Filed 1-21-98; 8:45 am]

BILLING CODE 8025-01-M

**DEPARTMENT OF TRANSPORTATION**

**Office of the Secretary**

**Reports, Forms and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review**

**AGENCY:** Office of the Secretary, DOT.

**ACTION:** Notice and request for comments.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection (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 October 30, 1997 [62 FR 58858].

**DATES:** Comments must be submitted on or before February 23, 1998.

**FOR FURTHER INFORMATION CONTACT:** Judith Street, ABC-100; Federal Aviation Administration; 800 Independence Avenue, S.W.;

Washington, DC 20591; Telephone number (202) 267-9895.

**SUPPLEMENTARY INFORMATION:**

**Federal Aviation Administration (FAA)**

*Title:* Special Federal Aviation Regulation No. 71.

*OMB Control Number:* 2120-0620.

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

*Affected Public:* Individuals, business or other for-profit organizations.

*Abstract:* As required by the Paperwork Reduction Act of 1995 (44 U.S.C. 3507(d)), the FAA submitted these requirements to OMB. As a result, an emergency clearance of the information collection requirement (No. 2120-0620) has been approved through February 28, 1998.

SFAR 71, which became effective on October 26, 1994, applies to air tour operators in the state of Hawaii. Under the SFAR, both Part 91 and Part 135 operators are required to provide a passenger safety briefing on water ditching procedures, use of required flotation equipment, and emergency egress from the aircraft in event of a water landing.

*Annual Estimated Burden Hours:* 6,977 hours.

*Addressee:* Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention FAA Desk Officer.

*Comments are Invited on:* Whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Departments estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and 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.

Issued in Washington, DC on January 15, 1998.

**Phillip A. Leach,**

*Clearance Officer, United States Department of Transportation.*

[FR Doc. 98-1421 Filed 1-21-98; 8:45 am]

BILLING CODE 4910-62-M

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Index of Administrator's Decisions and Orders in Civil Penalty Actions; Publication**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of publication.

**SUMMARY:** This notice constitutes the required quarterly publication of an index of the Administrator's decisions and orders in civil penalty cases. This publication ensures that the agency is in compliance with statutory indexing requirements.

**FOR FURTHER INFORMATION CONTACT:** James S. Dillman, Assistant Chief Counsel for Litigation (AGC-400), Federal Aviation Administration, 400 7th Street, SW., Suite PL 200-A, Washington, DC 20590; telephone (202) 366-4118.

**SUPPLEMENTARY INFORMATION:** The Administrative Procedure Act requires Federal agencies to maintain and make available for public inspection and copying current indexes containing identifying information regarding materials required to be made available or published. 5 U.S.C. 552(a)(2). In a notice issued on July 11, 1990, and published in the **Federal Register** (55 FR 29148; July 17, 1990), the FAA announced the public availability of several indexes and summaries that provide identifying information about the decisions and orders issued by the Administrator under the FAA's civil penalty assessment authority and the rules of practice governing hearings and appeals of civil penalty actions. 14 CFR Part 13, Subpart G.

The FAA maintains an index of the Administrator's decisions and orders in civil penalty actions organized by order number and containing identifying information about each decision or order. The FAA also maintains a cumulative subject-matter index and digests organized by order number.

The indexes are published on a quarterly basis (i.e., January, April, July, and October). This publication represents the quarter ending on December 31, 1997.

The FAA first published these indexes and digests for all decisions and orders issued by the Administrator through September 30, 1990. 55 FR 45984; October 31, 1990. The FAA announced in that notice that only the subject-matter index would be published cumulatively and that the order number index would be non-cumulative. The FAA announced in a

later notice that the order number indexes published in January would reflect all of the civil penalty decisions for the previous year. 58 FR 5044; 1/19/93.

The previous quarterly publications of the indexes of the Administrator's decisions and orders in civil penalty cases have appeared in the **Federal Register** as follows:

Dates of quarter	Federal Register publication
11/1/89-9/30/90 ....	55 FR 45984; 10/31/90.
10/1/90-12/31/90 ..	56 FR 44886; 2/6/91.
1/1/91-3/31/91 .....	56 FR 20250; 5/2/91.
4/1/91-6/30/91 .....	56 FR 31984; 7/12/91.
7/1/91-9/30/91 .....	56 FR 51735; 10/15/91.
10/1/91-12/31/91 ..	57 FR 2299; 1/21/92.
1/1/92-3/31/92 .....	57 FR 12359; 4/9/92.
4/1/92-6/30/92 .....	57 FR 32825; 7/23/92.
7/1/92-9/30/92 .....	57 FR 48255; 10/22/92.
10/1/92-12/31/92 ..	58 FR 5044; 1/19/93.
1/1/93-3/31/93 .....	58 FR 21199; 4/19/93.
4/1/93-6/30/93 .....	58 FR 42120; 8/6/93.
7/1/93-9/30/93 .....	58 FR 58218; 10/29/93.
10/1/93-12/31/93 ..	59 FR 5466; 2/4/94.
1/1/94-3/31/94 .....	59 FR 12359; 4/29/94.
4/1/94-6/30/94 .....	59 FR 39618; 8/3/94.
7/1/94-12/31/94 ....	60 FR 4454; 1/23/95.
1/1/95-3/31/95 .....	60 FR 19318; 4/17/95.
4/1/95-6/30/95 .....	60 FR 36854; 7/18/95.
7/1/95-9/30/95 .....	60 FR 53228; 10/12/95.
10/1/95-12/31/95 ..	61 FR 1972; 1/24/96.
1/1/96-3/31/96 .....	61 FR 16955; 4/18/96.
4/1/96-6/30/96 .....	61 FR 37526; 7/18/96.
7/1/96-9/30/96 .....	61 FR 54833; 10/22/96.
10/1/96-12/31/96 ..	62 FR 2434; 1/16/97.
1/1/97-3/31/97 .....	62 FR 24533; 5/2/97.
4/1/97-6/30/97 .....	62 FR 38339; 7/17/97.
7/1/97-9/30/97 .....	62 FR 53856; 10/16/97.

The civil penalty decisions and orders, and the indexes and digests are available in FAA offices. In addition, the Administrator's civil penalty decisions have been published by commercial publishers (Hawkins Publishing Company and Clark Boardman Callahan) and are available on computer on-line services (Westlaw, LEXIS, Compuserve and FedWorld). (The addresses of FAA offices where the civil penalty decisions may be reviewed and information regarding these commercial publications and computer databases is provided at the end of this notice.)

**Civil Penalty Actions—Orders Issued By the Administrator**

*Order Number Index*

(This index includes all decisions and orders issued by the Administrator from January 1, 1997 to December 31, 1997.)

97-1—Midtown Neon Sign Corp.  
1/8/97—CP94EA0057  
97-2—Sanford Air  
1/8/97—CP95NE0301  
97-3—[Airport Operator]  
1/8/97—CP94\*\*0032