

For the Commission, by the Division of Investment Management, under delegated authority.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 98-27910 Filed 10-16-98; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meetings

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of October 19, 1998.

An open meeting will be held on Wednesday, October 21, 1998, at 10:00 a.m. A closed meeting will be held on Thursday, October 22, 1998, at 11:00 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(4), (8), (9)(A) and (10) and 17 CFR 200.402(a)(4), (8), (9)(i) and (10), permit consideration of the scheduled matters at the closed meeting.

Commissioner Johnson, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the open meeting scheduled for Wednesday, October 21, 1998, at 10:00 a.m., will be: The Commission will consider whether to adopt rules 3b-12, 3b-13, 3b-14, 3b-15, 11a1-6, 15a-1, 15b9-2, 15c3-4, 17a-12, 36a1-1, and 36a1-2 under the Securities Exchange Act of 1934 ("Exchange Act") and amendments to Rule 30-3 and Exchange Act rules 8c-1, 15b1-1, 15c2-1, 15c2-5, 15c3-1, 15c3-3, 17a-3, 17a-4, 17a-5, 17a-11, and Form X-17A-5 (FOCUS report). The rules and rule amendments tailor capital, margin, and other broker-dealer regulatory requirements to a class of registered dealers, called OTC derivatives dealers, that are active in over-the-counter derivatives markets. Registration as an OTC derivatives dealer is an alternative to registration as a fully regulated broker-dealer, and is available to entities that engage in dealer activities in eligible OTC derivative instruments and that meet certain financial responsibility and

other requirements. For further information, please contact Catherine McGuire, Chief Counsel, Division of Market Regulation at (202) 942-1161, or Michael Macchiaroli, Associate Director, Division of Market Regulation at (202) 942-0132.

The subject matter of the closed meeting scheduled for Thursday, October 22, 1998, at 11:00 a.m., will be: Institution and settlement of injunctive actions.

Institution and settlement of administrative proceedings of an enforcement nature.

Opinion.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 942-7070.

Dated: October 14, 1998.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 98-28056 Filed 10-15-98; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-40543; File No. SR-NASD-98-70]

### Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the National Association of Securities Dealers, Inc. To Establish a Logon Identification Fee for Nasdaq's Mutual Fund Quotation System

October 9, 1998.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> notice is hereby given that on September 18, 1998 the National Association of Securities Dealers, Inc. ("NASD") through its wholly-owned subsidiary, the Nasdaq Stock Market, Inc. ("Nasdaq"), filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by Nasdaq. On October 1, 1998, the NASD submitted Amendment No. 1 to the proposed rule change.<sup>2</sup> The Commission is publishing this notice to

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> See, letter from Robert E. Aber, Senior Vice President and General Counsel, Nasdaq, to Katherine A. England, Assistant Director, Commission (Oct. 1, 1998). In Amendment No. 1, Nasdaq clarified its position that the proposed logon identification fee is designed to cover only the cost of administering and maintaining the Internet security system.

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 NASD and Nasdaq are proposing to amend NASD Rule 7090 to add a logon identification fee for subscribers to Nasdaq's Mutual Fund Quotation System ("MFQS" or "Service") that use the MFQS to transmit to Nasdaq fund-pricing and other required information. Below is the text of the proposed rule change. Additions are italicized.

\* \* \* \* \*

7090. Mutual Fund Quotation Service

(a) Funds included in the Mutual Fund Quotation Service ("MFQS") shall be assessed an annual fee of \$275 per fund authorized for the News Media Lists and \$200 per fund authorized for the Supplemental List. Funds authorized during the course of an annual billing period shall receive a proration of these fees but no credit or refund shall accrue to funds terminated during an annual billing period. In addition, there shall be a one-time application processing fee of \$250 for each new fund authorized.

(b) Funds included in the MFQS and pricing agents designated by such funds ("Subscriber"), shall be assessed a monthly fee of \$75 for each logon identification obtained by the Subscriber. A Subscriber may use a logon identification to transmit to Nasdaq pricing and other information that the Subscriber agrees to provide to Nasdaq.

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

In its filing with the Commission, the NASD included statements concerning the purpose 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. Nasdaq has prepared summaries, set forth in Section A, B, and C below, of the most significant aspects of such statements.

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

##### 1. Purpose

The NASD and Nasdaq are proposing to amend NASD Rule 7090 to establish a \$75 monthly logon identification fee