

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-41886; File No. SR-NYSE-99-36]

### Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the New York Stock Exchange, Inc. To Eliminate the Series 7B Qualification Examination and Adopt a New Interpretation to Rule 345 ("Employees—Registration, Approval, Records")

September 20, 1999.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on August 31, 1999, the New York Stock Exchange, Inc. ("NYSE" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items 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 NYSE proposes to amend the interpretation of its Rule 345.15 ("Employees—Registration, Approval, Records")<sup>3</sup> by eliminating the Series 7B Qualification Examination and establishing the Series 7A Examination as the appropriate qualification examination for Exchange Floor clerks who wish to conduct a limited public business with professional customers. The proposed amendment would establish the Trading Assistant Examination ("Series 25") as a prerequisite for the Series 7A Examination. The text of the proposed rule change is available at the NYSE, and at the Commission.

#### 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 NYSE 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. The NYSE has

prepared summaries, set forth in Sections 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

Currently, Floor clerks who want to conduct a limited public business with professional customers (e.g., banks, insurance companies, and other persons included in the definition of "professional customer" found in the written interpretation to Exchange Rule 345.15) must first pass the Series 7B Examination or the General Securities Representative ("Series 7") Examination. Floor members who want to conduct a securities business with professional customers must first pass the Series 7A Examination or the Series 7 Examination.

The Series 7A and Series 7B qualification examinations were implemented in 1993<sup>4</sup> and 1994<sup>5</sup> respectively to serve as alternative qualification exams to the Series 7 Examination because the level of knowledge required to conduct a professional public business limited to transactions in listed securities on the Exchange Floor is narrower than that needed to conduct a general public business with retail customers.

The Series 7A and Series 7B Examinations are identical except for an additional 25 questions on the Series 7B which address Exchange Floor rules and policies. The additional 25 questions were added to ensure that Floor clerks have a basic understanding of Exchange trading rules and the underlying principles of the auction market. However, the recently implemented NYSE Trading Assistant Examination ("Series 25")<sup>6</sup> now serves this purpose, and serves it more effectively because of its broader topic coverage and greater length.

Given that Floor clerks are currently required to take and pass the Series 25, candidates are tested twice on certain topics. Therefore, it is proposed that the Series 7B Examination be eliminated. In addition, it is proposed that the written interpretation to Rule 345.15 be amended to establish the Series 7A Examination as the appropriate qualification examination for both Floor members and Floor clerks who wish to

conduct a limited public business with professional customers.

Further, it is proposed that the interpretation be amended to establish the Series 25 Examination as a prerequisite for Floor clerks seeking to take the Series 7A Examination. The Series 15 Examination remains a prerequisite to the Series 7A Examination for Floor members.

###### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the requirements of Section 6(c)(3)(B) of the Act.<sup>7</sup> Under that Section, it is the Exchange's responsibility to prescribe standards of training, experience and competence for persons associated with Exchange members and member organizations.

In addition, under Section 6(c)(3)(B) of the Act,<sup>8</sup> the Exchange may bar a natural person from becoming a member or person associated with a member, if such natural person does not meet such standards of training, experience and competence as are prescribed by the rules of the Exchange.

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

The Exchange does not believe that the proposed rule change will impose 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

The Exchange has neither solicited nor received written comments on the proposed rule change.

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

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

A. By order approve the proposed rule change, or

B. Institute proceedings to determine whether the proposed rule change should be disapproved.

<sup>4</sup> See Securities Exchange Act Release No. 32698 (July 29, 1993), 58 FR 41539 (August 4, 1993).

<sup>5</sup> See Securities Exchange Act Release No. 34334 (July 8, 1994), 59 FR 35964 (July 14, 1994).

<sup>6</sup> See Securities Exchange Act Release No. 40943 (January 13, 1999), 64 FR 3330 (January 21, 1999).

<sup>7</sup> 15 U.S.C. 78f(c)(3)(B).

<sup>8</sup> *Id.*

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

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> The interpretation to Rule 345.15 is contained in the NYSE *Interpretation Handbook*.

#### IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed rule change 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 at the Commission's Public Reference Room, located at the above address. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-NYSE-99-36 and should be submitted by October 20, 1999.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 99-25282 Filed 9-28-99; 8:45 am]

BILLING CODE 8010-01-M

#### SMALL BUSINESS ADMINISTRATION

##### Reporting and Recordkeeping Requirements Under OMB Review

**AGENCY:** Small Business Administration.  
**ACTION:** Notice of reporting requirements submitted for OMB review.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

**DATES:** Submit comments on or before October 29, 1999. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

**COPIES:** Request for clearance (OMB 83-1), supporting statement, and other

documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

**ADDRESSES:** Address all comments concerning this notice to: Agency Clearance Officer, Jacqueline White, Small Business Administration, 409 3rd Street, SW, 5th Floor, Washington, DC 20416; and OMB Reviewer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline White, Agency Clearance Officer, (202) 205-7044.

##### SUPPLEMENTARY INFORMATION:

*Title:* Certificate of Competency.

*Form No:* 1531.

*Frequency:* On Occasion.

*Description of Respondents:* Prime Government Contractor's.

*Annual Responses:* 300.

*Annual Burden:* 2,400.

Dated: September 22, 1999.

**Jacqueline White,**

*Chief, Administrative Information Branch.*

[FR Doc. 99-25347 Filed 9-28-99; 8:45 am]

BILLING CODE 8025-01-P

#### SMALL BUSINESS ADMINISTRATION

##### Revocation of License of Small Business Investment Company

Pursuant to the authority granted to the United States Small Business Administration by the Final Order of the United States District Court for the District of Connecticut, entered August 27, 1999, the United States Small Business Administration hereby revokes the license of All State Venture Capital Corporation, a Connecticut corporation, to function as a small business investment company under the Small Business Investment Company License No. 01/02-0215 issued to All State Venture Capital Corporation on November 2, 1962 and said license is hereby declared null and void as of September 20, 1999.

Dated: September 20, 1999.

Small Business Administration.

**Don A. Christensen,**

*Associate Administrator for Investment.*

[FR Doc. 99-25245 Filed 9-28-99; 8:45 am]

BILLING CODE 8025-01-P

#### SOCIAL SECURITY ADMINISTRATION

##### Privacy Act of 1974 as Amended; Computer Matching Program (SSA/ Department of Veterans Affairs, Compensation and Pension Service) Match 1008

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice of computer matching program.

**SUMMARY:** In accordance with the provisions of the Privacy Act, as amended, this notice announces a computer matching program that SSA plans to conduct.

**DATES:** SSA will file a report of the subject matching program with the Committee on Governmental Affairs of the Senate, the Committee on Government Operations of the House of Representatives and the Office of Information and Regulatory Affairs, Office of Management and Budget (OMB). The matching program will be effective as indicated below.

**ADDRESSES:** Interested parties may comment on this notice by either telefax to (410) 966-5138, or writing to the Associate Commissioner for Program Support, 4400 West High Rise, 6401 Security Boulevard, Baltimore, MD 21235.

All comments received will be available for public inspection at this address.

**FOR FURTHER INFORMATION CONTACT:** The Associate Commissioner for Program Support as shown above.

##### SUPPLEMENTARY INFORMATION:

###### A. General

The Computer Matching and Privacy Protection Act of 1988 (Pub. L. 100-503), amended the Privacy Act (5 U.S.C. 552a) by describing the manner in which computer matching involving records of Federal agencies could be performed and adding certain protections for individuals applying for and receiving Federal benefits. Section 7201 of the Omnibus Budget Reconciliation Act of 1990 (Pub. L. 101-508), further amended the Privacy Act regarding protections for such individuals. The Privacy Act, as amended, regulates the use of computer matching by Federal agencies when records in a system of records are matched with other Federal, State or local government records. It requires Federal agencies involved in computer matching programs to:

(1) Negotiate written agreements with the other agency or agencies participating in the matching programs;

<sup>9</sup> 17 CFR 200.30-3(a)(12).