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A final plan will be published after all comments have been received from interested parties and reviewed by the Postal Service.

**Stanley F. Mires,**

*Chief Counsel, Legislative.*

[FR Doc. 00-10812 Filed 4-28-00; 8:45 am]

**BILLING CODE 7710-12-P**

## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

Upon Written Request, Copies Available  
From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549

#### Extension:

Form T-6, SEC File No. 270-344, OMB Control No. 3235-0391  
Form 11-K, SEC File No. 270-101, OMB Control No. 3235-0082  
Form 144, SEC File No. 270-112, OMB Control No. 3235-0101  
Regulation S-B, SEC File No. 270-370, OMB Control No. 3235-0417

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) the Securities and Exchange Commission ("Commission") is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget for extension and approval.

Form T-6 is a statement of eligibility and qualification for a foreign corporate trustee under the Trust Indenture Act of 1939. Form T-6 provides the basis for determining if a trustee is qualified. All information is provided to the public upon request. Form T-6 takes approximately 17 burden hours to be prepared and is filed by 15 respondents. It is estimated that 25% of the 255 total burden hours (64 hours) would be prepared by the filer.

Form 11-K is the annual report designed for use by employee stock purchase, savings and similar plans to facilitate their compliance with the reporting requirement. Form 11-K is necessary to provide employees with information, including financial information, with respect to the investment vehicle or plan itself. Form 11-K provides the employees in turn with the necessary information to assess the performance of the investment vehicle in which their money is invested. Form 11-K is filed on

occasion and the information required is mandatory. All information is provided to the public upon request. Form 11-K takes approximately 30 burden hours to prepare and is filed by 774 respondents for a total of 23,220 annual burden hours.

Form 144 is used to report the sale of securities during any three month period that exceeds 500 shares or other units or has an aggregate sales price in excess of \$10,000. The information requested is mandatory. Form 144 operates in conjunction with Rule 144. If the information collection was not required, the objectives of the rule could be frustrated. All information is provided to the public upon request. Form 144 takes approximately 2 burden hours to prepare and is filed by 18,096 respondents for a total of 36,192 annual burden hours.

Regulation S-B provides an integrated disclosure system for small business issuers that file registration statements under the Securities Act of 1933 and reports under the Securities Exchange Act of 1934. The information requested is mandatory. The information collected is intended to ensure the adequacy of information is available to investors in the registration of securities. All information is provided to the public upon request. Regulation S-B takes approximately one burden hour to review and is filed by one respondent for a total of one annual burden hour. The one hour associated with Regulation S-B is strictly an administrative reporting burden.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549.

Dated: April 19, 2000.

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 00-10728 Filed 4-28-00; 8:45 am]

**BILLING CODE 8010-01-M**

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

Upon Written Request; Copies Available  
From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549

#### Extension:

Form T-1, SEC File No. 270-121, OMB Control No. 3235-0110  
Form T-2, SEC File No. 270-122, OMB Control No. 3235-0111  
Form T-3, SEC File No. 270-123, OMB Control No. 3235-0105  
Form T-4, SEC File No. 270-124, OMB Control No. 3235-0107  
Rule 14f-1, SEC File No. 270-127, OMB Control No. 3235-0108  
Rule 12d1-3, SEC File No. 270-116, OMB Control No. 3235-0109

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.) the Securities and Exchange Commission (Commission) has submitted to the Office of Management and Budget requests for extension on the previously approved collections of information discussed below.

Form T-1 is a statement of eligibility and qualification for corporate trustee under the Trust Indenture Act. Form T-1 is filed on occasion. The information required by form T-1 is mandatory. All information is provided to the public upon request. Form T-1 takes 15 burden hours to prepare and is filed by 180 respondents for a total of 2,700 burden hours.

Form T-2 is a statement of eligibility under the Trust Indenture Act of an individual designated to act as trustee. The information required by Form T-2 is mandatory. All information is provided to the public upon request. Form T-2 takes 9 burden hours to prepare and is filed by 36 respondents for a total of 324 burden hours.

Form T-3 is used as an application for qualification of indentures pursuant to the Trust Indenture Act, but only when securities to be issued thereunder are not required to be registered under the Securities Act of 1933. The information required by Form T-3 is mandatory. All information is provided to the public upon request. T-3 takes 43 burden hours to prepare and is filed by 55 respondents for a total of 2,365 burden hours.

Form T-4 is used to apply for an exemption from certain provisions of the Trust Indenture Act. The information required by Form T-4 is mandatory. All information is provided to the public upon request. Form T-4 takes 5 burden hours to prepare and is filed by 3 respondents for a total of 15 burden hours.

Rule 14f-1 requires issuers to disclose a change in a majority of issuer directors. The information filed under Rule 14f-1 must be filed with the Commission. All information submitted is provided to the public upon request. It takes 18 burden hours to prepare the necessary information and is filed by 44 respondents for a total of 792 burden hours.

Rule 12d1-3 requires a certification that a security has been approved by an exchange for listing and registration pursuant to Section 12(d) of the Securities Exchange Act to be filed with the Commission. The information required under Rule 12d1-3 must be filed with the Commission. All information filed with the Commission is available to the public upon request. It takes one-half hour to prepare the necessary information and is filed by 688 respondents for a total of 344 burden hours.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Written comments regarding the above information should be directed to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, D.C. 20503; and (ii) Michael E. Bartell, Associate Executive Director, Office of Information Technology, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. Comments must be submitted to OMB within 30 days of this notice.

Dated: April 18, 2000.

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 00-10727 Filed 4-28-00; 8:45 am]

**BILLING CODE 8010-01-M**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-42713; Form Type 34-36 MR; File No. 79-9]

### Notice of Application and Order Temporarily Granting Application for a Conditional Exemption by the National Association of Securities Dealers, Inc. Relating to the Acquisition and Operation of a Software Development Company by the Nasdaq Stock Market, Inc

April 24, 2000

Pursuant to Rule 0-12<sup>1</sup> under the Securities Exchange Act of 1934 ("Exchange Act"), notice is hereby given that on March 3, 2000, the National Association of Securities Dealers, Inc. ("NASD") and the Nasdaq Stock Market, Inc. ("Nasdaq") filed with the Securities and Exchange Commission ("Commission") an application for a conditional exemption under Section 36(a)(1) of the Exchange Act<sup>2</sup> relating to Nasdaq's acquisition and operation of a software development company. In addition, the NASD requested that, if the Commission determined to solicit comment on the application for a permanent exemption, the Commission grant a temporary conditional exemption for a period of one year.

The Commission is publishing this notice to solicit comments from interested persons on the NASD's application for a permanent exemption. For the reasons discussed below, the Commission also is issuing an order at this time approving the NASD's request for a temporary conditional exemption for a period of one year from the date of this release. The Commission will make a final determination concerning the request for a permanent exemption after reviewing the comments submitted in response to this notice and prior to the expiration of the temporary exemption.

The text of the NASD's application is set forth in section 1 below,<sup>3</sup> followed by the Commission's solicitation of comments on the NASD's request for a permanent exemption in section II and the Commission's order granting the NASD's request for a temporary exemption in section III.

#### I. NASD's Application for Exemption

On behalf of the NASD and Nasdaq, pursuant to Section 36 of the Securities Exchange Act of 1934 and Rule 0-12

thereunder, we are writing to apply for an exemption from Section 19(b) of the Exchange Act, to (1) permit Nasdaq to acquire and operate a software development company, Financial Systemware, Inc. ("FSI"), to market certain financial services software, "OTC Tools" and related software ("Software"), and to expand the products and services offered by FSI to include service bureau and back-office functions for NASD broker-dealers, without filing proposed rule changes pursuant to Rule 19b-4 under the Exchange Act of before making or implementing any modifications to the Software, or with respect to each new software product or service offered by FSI (provided those new software products and services are offered in a manner that is not inconsistent with the presentation contained in this letter), and (2) permit FSI to determine prices for such software products and services based on competitive market factors without filing proposed rule changes pursuant to Rule 19b-4 under the Exchange Act.

#### A. Background

The NASD is a national securities association registered under Section 15A of the Exchange Act. As a national securities association, the NASD is a self-regulatory organization ("SRO") as defined by Section 3(a)(26) of the Exchange Act. Though its subsidiaries, NASD Regulation, Inc., the American Stock Exchange, Inc. and Nasdaq, the NASD develops rules and regulations, conducts regulatory review of its members' business activities, and designs and operates marketplace facilities and services.

The NASD also has three other subsidiaries: (1) Nasdaq International, Ltd., which provides services to domestic and foreign companies, (2) Securities Dealers Insurance Co., Inc., which provides reinsurance services in connection with a fidelity bond program for NASD members, and (3) Securities Dealers Risk Purchasing Group, which provides professional liability insurance to NASD members.

The NASD sets the overall strategic direction and policy agenda of the whole organization, oversees the effectiveness of its subsidiaries and ensures that the organization's statutory and self-regulatory obligations are fulfilled.

Subject to receiving the exemptive relief requested herein, Nasdaq plans to acquire the assets of FSI, whose primary line of business is the development and distribution of a financial services software product called "OTC Tools." OTC Tools is designed for and marketed

<sup>1</sup> 17 CFR 240.0-12.

<sup>2</sup> 15 U.S.C. 78mm(a)(1).

<sup>3</sup> The NASD filed its application on March 3, 2000. Subsequently, Nasdaq completed its acquisition of the assets of the software development company.