increments under certain circumstances.[6] Like these other exchanges, the CHX believes that it is important to provide its members with flexibility to effect transactions on the Exchange at a smaller increment than is set forth in its existing interpretations and policies. (*i.e.*, 1/16 for most securities) for the purpose of matching a displayed bid or offer in another market at such smaller increment (*i.e.*, 1/32, 1/64 or smaller) for the purpose of preventing ITS trade-throughs. For example, if the best bid on the Exchange is 8 and a bid of 8 3/32 is displayed through ITS in another market center, the Exchange specialist or floor broker may execute a market or marketable limit order at 8 1/32 in order to match the other market's bid. Limit orders entered on the Exchange, however, will continue to be priced at the current minimum trading increments (*i.e.*, usually 1/16), and orders priced in smaller increments will not be accepted. In addition, specialists will not be permitted to quote in these finer increments.

The proposed amendment will allow CHX traders to match prices disseminated by market makers that may better the CHX quote by an increment finer than the current minimum increment (usually 1/16). Further, the proposal will enable the Exchange to match prices disseminated by another exchange in the event that another exchange were to reduce its minimum trading increment. Thus, the proposed amendment will assist Exchange members in fulfilling their obligation to obtain the best price for their customers.

While the new interpretation would give members the extra flexibility that they need, the Exchange believes that a member would violate the spirit and intent of this new interpretation and would, most likely, be considered to have engaged in manipulative activity, in the event that the member enters an order in another market in a smaller variation for the express purpose of enabling such member to execute trades on the Exchange at such small increment. For example, if floor broker sent to a third market maker a 100 share limit order to buy that is priced 1/32 or 1/64 better than the current quote solely to enable the floor broker to cross a large block of stock on the Exchange at such better price without a specialist intervention, the Exchange would probably consider the floor broker to have engaged in manipulative activity.[7]

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b)(5) of the Act[8] in that it is designed to promote just and equitable principles of trade, to remove impediments to and to perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

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

CHX does not believe that the proposed rule change will impose any inappropriate burden on competition.

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

Within 35 days of the 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.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposal 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. 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. Copies of such filing will also be available for inspection and copying at the principal office of the CHX.

All submissions should refer to File No. SR–CHX–98–25 and should be submitted by November 13, 1998.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[9]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–28199 Filed 10–22–98; 8:45 am]

BILLING CODE 8010–01–M

[6] *See* Exchange Act Release Nos. 40199 (July 14, 1998), 63 FR 39336 (July 22, 1998) (approving PCX rule permitting members to trade in increments smaller than 1/8, in order to match bids and offers displayed in other markets for the purpose of preventing ITS trade-throughs); 40189 (July 10, 1998), 63 FR 38439 (July 16, 1998) (approving Amex rule permitting members to trade in increments smaller than 1/8, in order to match bids and offers displayed in other markets for the purpose of preventing ITS trade-throughs).

[7] The Exchange believes this is consistent with a recent SEC enforcement action brought against two brothers who used the SEC's Limit Order Display Rule to manipulative the quote to their advantage. *See In re Ian Fishman and Lawrence Fishman,* Admin. Proc. File No. 3–9629 (June 24, 1998). In that case, the Commission stated that the brothers used a limit order ''to move the public bid or offer quote, in order to permit [Fishman] to buy or sell a security at a price that otherwise would not have been available in the market,'' and found that such activity violated Exchange Act Rule 10b–5.

[8] 15 U.S.C. 78f(b)(5).

[9] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–40556; File No. SR–NASD–98–64]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change by National Association of Securities Dealers, Inc., Relating to Extending the Arbitrator List Selection Method to Disputes Involving Members and Associated Persons

October 14, 1998.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'')[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on August 25, 1998, the National Association of Securities Dealers, Inc. (''NASD'' or ''Association''), through its wholly-owned subsidiary, NASD Regulation, Inc. (''NASD Regulation''), filed with the Securities and Exchange Commission (''Commission''), and amended on September 30, 1998 and October 2, 1998,[3] the proposed rule change as

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] Amendment Nos. 1 and 2 made technical changes to the original rule filing which are incorporated into this notice and order granting accelerated approval. *See* letters from John M. Ramsay, Vice President and General Counsel, NASD Regulation (''Ramsay'') to Katherine A. England, Assistant Director, Division of Market Regulation (''England''), dated September 29, 1998

Continued

described in Items I and II below, which Items have been prepared by NASD Regulation. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons. For the reasons discussed below, the Commission is granting accelerated approval of the proposed rule change.

I. Self Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

NASD Regulation is proposing to amend Rules 10202, 10203, and 10308 of the NASD to extend the previously proposed arbitrator list selection method to intra-industry disputes.[4] Below is the text of the proposed rule change. Proposed new language is italicized; proposed deletions are in brackets.

* * * * *

10202. Composition of Panels

(a) In disputes subject to arbitration that arise out of the employment or termination of employment of an associated person, and that relate exclusively to disputes involving employment contracts, promissory notes or receipt of commissions, the panel of arbitrators shall be appointed as provided by paragraph (b)(1) or (2) or Rule 10203, whichever is applicable. In all other disputes arising out of the employment or termination of employment of an associated person, the panel of arbitrators shall be appointed as provided by Rule 10302 or Rule 10308, whichever is applicable.

(b)*(1) Composition of Arbitration Panel.*

(A) Claims of $50,000 or Less

If the amount of a claim is $50,000 or less, the Director shall appoint an arbitration panel composed of one non-public arbitrator, unless the parties agree to the appointment of a public arbitrator.

(i) If the amount of a claim is $25,000 or less and an arbitrator appointed to the case requests that a panel of three arbitrators be appointed, the Director shall appoint an arbitrator panel composed of three non-public arbitrators, unless the parties agree to a different panel composition.

(ii) If the amount of a claim is greater than $25,000 and not more than $50,000 and a party in its initial filing or an arbitrator appointed to the case requests that a panel of three arbitrators be appointed, the Director shall appoint an arbitration panel composed of three non-public arbitrators, unless the parties agree to a different panel composition.

(B) Claims of More Than $50,000

If the amount of a claim is more than $50,000, the Director shall appoint an arbitration panel composed of three non-public arbitrators, unless the parties agree to a different panel composition.

(2) Except as otherwise provided in paragraph (a), in all arbitration matters between or among members and/or persons associated with members and where the amount in controversy exceeds $50,000, exclusive of attendant costs and interest, a panel shall consist of three arbitrators, all of whom shall be [from the securities industry] *non-public arbitrators.*

(c) In proceedings relating to injunctions under Rule 10335, the provisions of Rule 10335 shall supersede the provisions of this Rule.

(d) Except as otherwise provided in this Rule or Rule 10203, the provisions of Rule 10308 shall apply to intra-industry disputes.

10203. Simplified Industry Arbitration

(a) Any dispute, claim, or controversy arising between or among members or associated persons submitted to arbitration under this Code involving a dollar amount not exceeding $25,000, exclusive of attendant costs and interest, shall be resolved by an arbitration panel constituted pursuant to the provisions of subparagraph (1) hereof solely upon the pleadings and documentary evidence filed by the parties, unless one of the parties to the proceeding files with the Office of the Director of Arbitration within ten (10) business days following the filing of the last pleading a request for a hearing of the matter.

(1) In any proceeding pursuant to this Rule, an arbitration panel shall consist of [no fewer than one (1) but no more than three (3) arbitrators, all of whom shall be from the securities industry] *a single non-public arbitrator.*

(2) (Unchanged)

(b) Unchanged)

* * * * *

10308. Selection of Arbitrators [in Customer Disputes]

This rule specifies how parties may select or reject arbitrators, and who can be a public arbitrator [in arbitration proceedings involving a customer].

(Remainder unchanged)

* * * * *

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

In its filing with the Commission, NASD Regulation 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 by the places specified in Item IV below. NASD Regulation 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

The proposed rule change is designed to conform the arbitrator selection process for intra-industry disputes to the recently proposed list selection method for disputes involving public customers.[5]

Background

In its report published in January 1996 (''Task Force Report''), the Arbitration Policy Task Force (''Task Force'')[6] made recommendations to improve the securities arbitration process administered by the NASD. Recommendation No. 8 provided: ''Arbitrator selection, quality, training, and performance should be improved by various means, including adoption of a list selection method, earlier appointment of arbitrators, enhancement of arbitrator training, and increased compensation.'' A footnote in the Task Force Report stated, ''We also recommend that a form of list selection be used in employee-firm and member-member arbitration.''[7]

(''Amendment No. 1''); and Ramsay to England, dated October 2, 1998 (''Amendment No. 2'').

[4] The arbitrator list selection rule proposal for customer disputes is contained in SR–NASD–98–48, which was published by the Commission for comment in Securities Exchange Act Release No. 40261 (July 24, 1998), 63 FR 40761 (July 30, 1998), and is being approved simultaneously with this rule filing.

[5] *See supra* note 4. This proposed rule change relates only to process, rather than substance. NASD Regulation stated that it may, at a later date, consider amendments to the panel composition rules for industry disputes in general and for statutory employment discrimination disputes in particular.

[6] The NASD formed the Arbitration Policy Task Force in September 1994 for the purposes of studying the securities arbitration process administered by the NASD and of making suggestions for reform. The Task Force delivered its Report (''Task Force Report'') to the NASD Board in January 1996.

[7] Task Force Report at 96 n.134.

Principles Underlying the Previously Filed Customer List Selection Rule Proposal

NASD Regulation considered the Task Force's recommendations at length, and consulted with the National Arbitration and Mediation Committee (''NAMC'') and others about the efficacy of the proposals. All persons consulted favored the selection of arbitrators by the parties using a form of list selection. In addition, most were in favor of developing a system featuring the capability, when appropriate and as technologically feasible, to generate the arbitrator lists from a computer system programmed to incorporate relevant selection factors, such as geographic proximity of an arbitrator to the proposed site of the hearing, subject matter knowledge, and classification of an arbitrator as a public arbitrator or a non-public arbitrator, rather than developing a system in which the lists of arbitrators to be forwarded to parties for ranking would be generated solely on the basis of the staff's judgment.

Following the principle that parties in arbitration should be given more input into the selection of arbitrators, NASD Regulation developed a rule for customer arbitrations providing that, in a one-arbitrator case, the parties to the arbitration will be provided a list of public arbitrators, and, in a three-arbitrator panel case, the parties will be provided a list of public arbitrators and a list of non-public arbitrators. The parties will use the lists to express numerical preferences for the arbitrators listed and those rankings will determine the outcome of the arbitrator selection process, unless an arbitrator declines to serve because the arbitrator is unavailable, recuses him or herself, or is disqualified because of a conflict of interest.

Extension of List Selection Method to Intra-Industry Disputes

NASD Regulation believes that the proposed methodology for selecting arbitrators in customer arbitration will also benefit employees and members in their use of the arbitration forum for intra-industry disputes. The same considerations of giving parties more choice in choosing their panelists and allowing for computerized rotation of arbitrators will also apply in the intra-industry context. The proposed rule change is also expected to eliminate the increased costs that would result from continuing the current method of staff selection of arbitrators only for intra-industry arbitrations after the new system for customer arbitration is effective. NASD Regulation expects that the proposed rule will be viewed as a significant improvement over the current method of selecting arbitrators in intra-industry disputes, in that it provides employees and members with the same choice in picking their arbitration panels that are being extended to customers and members in the area of customer disputes.

NASD Regulation's computerized Neutral List Selection System (''NLSS''), now in the final stages of development, is designed to produce lists of arbitrators using the factors identified above. The NLSS will not need to be amended to accommodate the requested change, because it already has the capability of generating lists of public or non-public arbitrators. Moreover, the pool of arbitrators from which panelists are chosen is the same for both customer and intra-industry disputes. For those intra-industry disputes that require use of an all-industry (non-public) panel, only the non-public arbitrator list will be generated. For disputes that currently require a public arbitrator or a majority of public arbitrators, as provided in the second sentence of Rule 10202(a), the provisions of Rule 10308 will apply in the same way as they would apply to customer disputes.

The arbitrator database contains information relating to the background of the arbitrators, so subject matter knowledge can be considered if the parties would like an arbitrator with specialized experience, such as employment compensation, employment discrimination, or specific securities products. The extension of list selection to intra-industry arbitration will not have any effect on the quality of arbitrators chosen for a particular case, and gives the parties more of a voice in choosing their panelists than they currently have. It also will allow for computerized rotation of arbitrators used in both customer and intra-industry arbitrations.

Desciption of Amendments

The proposed rule change amends Rules 10202, 10203, and 10308. References in Rules 10202 and 10203 to arbitrators ''from the securities industry'' have been amended to comport with the terminology used in Rule 10308, ''non-public arbitrators.'' The method of arbitrator selection is not currently specified in Rules 10202 and 10203. A new paragraph has been added to Rule 10202, however, to make it explicit that the arbitrator selection method of Rule 10308 will apply to intra-industry disputes.

Rule 10202(a) continues to provide that, in disputes subject to arbitration that arise out of the employment or termination of employment of an associated person, and that relate exclusively to disputes involving employment contracts, promissory notes or receipt of commissions, a panel of non-public arbitrators will be appointed as provided by paragraph (b)(1) or (2) Rule 10203, whichever is applicable. In all other disputes arising out of the employment or termination of employment of an associated person, the panel of arbitrators will be appointed as provided by Rule 10302 or Rule 10308, whichever is applicable. Accordingly, other claims, including those involving allegations of defamation or employment discrimination,[8] would be heard by a public panel as provided in Rules 10302 (for small claims) or 10308 (for all other claims).

The amendment to Rule 10202(b)(1) parallels the provisions of proposed amendments to Rule 10308(b)(1) made in Amendment No. 3 to SR–NASD–98–48, the companion list selection rule proposal for customer arbitration, except that the panels will consist of either one or three non-public arbitrators unless the parties agree otherwise. Rule 10202(b)(1)(A) provides that, for claims of $50,000 or less, the Director will appoint a single non-public arbitrator, unless the parties agree to the appointment of a public arbitrator. Paragraph (b)(1)(A) also clarifies that certain cases that are for a claim of $50,000 or less may be arbitrated by a three-person panel rather than by one arbitrator in certain circumstances. Under paragraph (b)(1)(A)(i), for a claim of $25,000 or less, a single arbitrator already appointed to the case may request that the Director appoint two additional arbitractors. Under paragraph (b)(1)(A)(ii), for a claim of more than $25,000 and not more than $50,000, any party (in its initial filing) or an appointed arbitrator may request that the Director appoint a three-arbitrator panel. Also, the phrase, ''a party,'' is used to clarify that either a claimant or a respondent may request a three-arbitrator panel under this subparagraph. Under paragraph (b)(1)(B), for claims of more than $50,000, the Director will appoint three non-public arbitrators, unless the parties agree to a different panel composition.

[8] Pursuant to recent amendments to Rule 10201, claims of employment discrimination in violation of a statute are not required by NASD rules to be arbitrated after January 1, 1999; however, parties may agree to arbitrate such claims. *See* SR–NASD–97–77, approved by the Commission in Securities Exchange Act Release No. 40109 (June 22, 1998), 63 FR 35299 (June 29, 1998).

Rule 10202(b)(2) provides that, except as otherwise provided in paragraph (a), in all arbitration matters between or among members and/or persons associated with members, and where the amount in controversy exceeds $50,000, exclusive of attendant costs and interest, a panel shall consist of three arbitrators, all of whom shall be non-public.

New paragraph (c) was added to Rule 10202 to avoid any confusion over the interaction between this rule and the injunction rule, Rule 10335.[9] Paragraph (c) provides that, in proceedings relating to injunctions under Rule 10335, the provisions of Rule 10335 supersede the provisions of Rule 10202. Rule 10335 contains a corresponding provision, stating that, except as otherwise provided in Rule 10335, the remaining provisions of the Code apply to proceedings instituted under that Rule.

New paragraph (d) clarifies the relationship between the arbitrator selection rules for industry and customer disputes. This provision was added to alert parties to the fact that the proposed list selection method will also be used for intra-industry disputes, excluding cases arising under Rule 10202(a), because the proposed list selection rule was initially intended to apply only to customer disputes until further changes were made to the industry arbitration rules.

Rule 10203 has been changed to provide that a single non-public arbitrator will be appointed in simplified industry arbitrations brought under that rule. Under the old rule, a panel of one to three arbitrators was appointed.

In Rule 10308, references to customers in the title and introductory language have been deleted to avoid confusion when those rules are used in intra-industry arbitration. NASD Regulation does not believe that other amendments are needed to Rule 10308 to indicate differences that might apply in intra-industry arbitration, because Rule 10204 already provides as follows:

> Except as otherwise provided in Rule 10200 Series, the Rules and procedures applicable to arbitrations concerning industry and clearing controversies shall be those set forth hereinafter under the Rule 10300 Series.

Therefore, specific provisions of the Rule 10200 Series will supersede any contrary provisions of Rule 10308. Any doubts as to whether a provision should be superseded would continue to be resolved in favor of using the Rule 10300 Series provision. For example, Rule 10308(c)(5) provides that if the parties are unable to agree on a chairman, the Director will appoint one of the public arbitrators as the chairperson. In an intra-industry dispute, if all arbitrators on the panel are non-public, this provision would be superseded and the Director would appoint one of the non-public arbitrators to be the chairperson. If, on the other hand, the intra-industry dispute were one in which there are two public arbitrators and one non-public arbitrator on the panel, Rule 10308(c)(5) would apply as written, and one of the public arbitrators would be chosen to serve as the chairperson. Because the current practice is for the customer arbitration rules to apply by default where they are not specifically superseded by the intra-industry rules, NASD Regulation does not believe that confusion will occur.

2. Statutory Basis

NASD Regulation believes that the proposed rule change is consistent with the provisions of Section 15A(b)(6) of the Act,[10] which requires, among other things, that the Association's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest. NASD Regulation believes that the proposed rule change will promote the public interest by simplifying the arbitration process and reducing administrative time and expense by conforming the intra-industry arbitrator list selection process to the customer process.

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

NASD Regulation 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. 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, NW, Washington, DC 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–98–64 and should be submitted by November 13, 1998.

IV. Discussion

The Commission finds that the proposed rule change is consistent with the requirements of Section 15A(b) of the Act and the rules and regulations thereunder applicable to a national securities association in general and, in particular, the requirements of Section 15A(b)(6) of the Act,[11] which requires, among other things, that the Association's rules be designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and, in general, to protect investors and the public interest.[12] The Commission believes that it is reasonable to extend the arbitrator list selection method to disputes involving members and association persons, as well as customer disputes, because the proposed rule change will promote a neutral resolution of disputes by allowing members and associated persons greater input in the selection of the arbitrators to hear their cases. The Commission also believes that is reasonable to conform the simplified industry arbitration rule to the simplified arbitration rule used by investors by changing the number of arbitrators appointed in these cases to one as opposed to a panel of one to three. The Commission believes the proposed rule change will simplify the arbitration process and, by substantially conforming the intra-industry arbitrator list selection process to the customer

[9] NASD Regulation has filed a proposed rule change to Rule 10335 in SR–NASD–98–49. *See* Securities Exchange Act Release No. 40441 (September 15, 1998), 63 FR 50611 (September 22, 1998).

[10] 15 U.S.C. 78*o*–3(b)(6).

[11] 15 U.S.C. 78*o*–3(b)(6).

[12] In approving this rule, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

process, reduce administrative time and expense.[13]

Pursuant to Section 19(b)(2) of the Act,[14] 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 the **Federal Register** in that accelerated approval will benefit parties in intra-industry arbitration by extending to them the same arbitrator list selection method proposed to be implemented for customer arbitration.

It is therefore ordered, pursuant to Section 19(b)(2)[15] of the Act, that the proposed rule change (SR–NASD–98–64) be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[16]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–28465 Filed 10–22–98; 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 November 23, 1998. 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, S.W., 5th Floor, Washington, D.C. 20416; and OMB Reviewer, Victoria Wassmer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

FOR FURTHER INFORMATION CONTACT: Jacqueline White, Agency Clearance Officer, (202) 205–6629.

SUPPLEMENTARY INFORMATION:

Title: Candidate for Appointment to Advisory Councils.

Form No: 898.

Frequency: On Occasion.

Description of Respondents: Candidates for Advisory Councils.

Annual Responses: 700.

Annual Burden: 93.

Dated: October 15, 1998.

Jacqueline White,

Chief, Administrative Information Branch.

[FR Doc. 98–28421 Filed 10–22–98; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

[Declaration of Disaster #3140, #3141]

State of California (and a Contiguous County in Arizona)

Riverside County and the contiguous counties of Imperial, Orange, San Bernardino, and San Diego in the State of California, and La Paz County in the State of Arizona constitute a disaster area as a result of a fire which occurred on August 31, 1998. Applications for loans for physical damage from this disaster may be filed until the close of business on December 14, 1998 and for economic injury until the close of business on July 15, 1999 at the address listed below or other locally announced locations: U.S. Small Business Administration, Disaster Area 4 Office, P.O. Box 13795, Sacramento, CA 95853–4795.

The interest rates are:

	Percent
For Physical Damage:	
Homeowners with credit available elsewhere	6.875
Homeowners without credit available elsewhere	3.437
Businesses with credit available elsewhere	8.000
Businesses and non-profit organizations without credit available elsewhere	4.000
Others (including non-profit organizations) with credit available elsewhere	7.125
For Economic Injury:	
Businesses and small agricultural cooperatives without credit available elsewhere	4.000

The numbers assigned to this disaster for physical damages are 314005 for California and 314105 for Arizona. For economic injury the numbers are 9A3700 for California and 9A3800 for Arizona.

(Catalog of Federal Domestic Assistance Program Nos. 59002 and 59008)

Dated: October 15, 1998.

Aida Alvarez,

Administrator.

[FR Doc. 98–28418 Filed 10–22–98; 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 Wyoming, dated September 25, 1998, the United States Small Business Administration hereby revokes the license of Capital Corporation of Wyoming, Inc., a Wyoming corporation, to function as a small business investment company under the Small Business Investment Company License No. 08/08–0048 issued to Capital Corporation of Wyoming, Inc. on September 27, 1979 and said license is hereby declared null and void as of October 16, 1998.

United States Small Business Administration.

Dated: October 16, 1998.

Don A. Christensen,

Associate Administrator for Investment.

[FR Doc. 98–28419 Filed 10–22–98; 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 Massachusetts, dated August 26, 1998, the United States Small Business Administration hereby revokes the license of Southern Berkshire Investment Corporation, a Massachusetts corporation, to function as a small business investment company

[13] Simultaneously with the approval of this proposed rule change, the Commission has approved the arbitrator list selection rule proposal for customer disputes contained in SR–NASD–98–48. The Discussion Section of the order approving that rule change is incorporated into this approval order. *See* Securities Exchange Act Release No. 40555.

[14] 15 U.S.C. 78s(b)(2).

[15] 15 U.S.C. 78s(b)(2).

[15] 17 CFR 200.30–3(a))(12).