

above is indexed to account for changes in interest rates since 1989. The Board has concluded that distortion of the revenue limit from interest rate fluctuations has been addressed by today's increase in the revenue limit and by the recent clarification of the revenue limit, which stated that interest earned on most investment-grade debt securities is treated as eligible income.

VI. Section 32 of the Glass-Steagall Act

Also in conjunction with today's order, the Board intends to interpret section 32 of the Glass-Steagall Act generally to prohibit interlocks between a bank and any company that derives more than 25 percent of its total revenue from underwriting and dealing in bank-ineligible securities. Section 32 prohibits personnel interlocks between a member bank and any company "primarily engaged" in underwriting and dealing in securities.⁴² Since 1987, the Board has interpreted "engaged principally" under section 20 and "primarily engaged" under section 32 consistently.⁴³ The Board and the courts have noted that section 20 should be interpreted at least as strictly as section 32 because "the dangers resulting from affiliation are arguably greater than those resulting only from personnel interlocks."⁴⁴

The Board has not, however, measured compliance with section 32 and section 20 in the same manner, relying on a more qualitative analysis for purposes of section 32. This difference is largely attributable to the fact, as noted above, that the Board does not gather detailed revenue information from securities companies other than section 20 subsidiaries. Furthermore, while the Board must continuously monitor compliance with section 20, and is thus in need of a bright-line test, inquiries under section 32 are infrequent.

Thus, in 1958, the Board established a nine-part guideline for determining compliance with section 32 that included "the dollar volume of business of the kinds described in section 32 engaged in by the firm or organization" and "the percentage ratio of such dollar volume to the dollar volume of the firm's total business." However, the Board did not establish a revenue or

dollar volume limit. A subsequent staff letter noted that "the Board generally has determined that a securities firm, which [sic] receives 10 percent of its gross income from section 32 business, is 'primarily engaged' within the meaning of [section 32]," and the Board in its 1987 Order noted that the Board had developed a "general guideline" to that effect. The Board has never, however, imposed a specific limitation in order to enforce compliance with section 32, and has found firms deriving more than 10 percent of their revenue from underwriting and dealing not to be primarily engaged. Nor has the Board ever reviewed the appropriateness of its 10 percent guideline since its apparent adoption in the 1950s, despite significant developments in the securities markets since that time.

In light of those developments and the Board's action on the section 20 revenue limit, the Board will generally find a securities firm to be primarily engaged in underwriting and dealing for purposes of section 32 when more than 25 percent of its total revenue derives from underwriting and dealing in bank-ineligible securities.

By order of the Board of Governors of the Federal Reserve System, December 20, 1996.
William W. Wiles,
Secretary of the Board.

[FR Doc. 96-32944 Filed 12-27-96; 8:45 am]

BILLING CODE 6210-01-P

Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the

nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices" (12 U.S.C. 1843). Any request for a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than January 22, 1997.

A. Federal Reserve Bank of Cleveland (R. Chris Moore, Senior Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *FISB Bancshares, Inc.*, Fort Jennings, Ohio; to become a bank holding company by acquiring 100 percent of the voting shares of The Fort Jennings State Bank, Fort Jennings, Ohio.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Waterfield Bank Corp.*, Indianapolis, Indiana; to become a bank holding company by acquiring 100 percent of the voting shares of First National Bank of Mitchell, Mitchell, Indiana.

Board of Governors of the Federal Reserve System, December 23, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96-33089 Filed 12-27-96; 8:45 am]

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Formations of, Acquisitions by, and Mergers of Bank Holding Companies

The companies listed in this notice have applied to the Board for approval, pursuant to the Bank Holding Company Act of 1956 (12 U.S.C. 1841 *et seq.*) (BHC Act), Regulation Y (12 CFR Part 225), and all other applicable statutes and regulations to become a bank holding company and/or to acquire the

⁴² 12 U.S.C. 78.

⁴³ *Bankers Trust* order at 142. The Board relied on the Supreme Court's interpretation of section 32 in *Agnew* in determining that "engaged principally" denotes substantial activity as opposed to the largest activity. However, the *Agnew* Court did not translate its interpretation of "primarily engaged" into a limitation on revenue or any other test of business activity.

⁴⁴ *Citicorp* at 67.

assets or the ownership of, control of, or the power to vote shares of a bank or bank holding company and all of the banks and nonbanking companies owned by the bank holding company, including the companies listed below.

The applications listed below, as well as other related filings required by the Board, are available for immediate inspection at the Federal Reserve Bank indicated. Once the application has been accepted for processing, it will also be available for inspection at the offices of the Board of Governors. Interested persons may express their views in writing on the standards enumerated in the BHC Act (12 U.S.C. 1842(c)). If the proposal also involves the acquisition of a nonbanking company, the review also includes whether the acquisition of the nonbanking company complies with the standards in section 4 of the BHC Act, including whether the acquisition of the nonbanking company can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices" (12 U.S.C. 1843). Any request for a hearing must be accompanied by a statement of the reasons a written presentation would not suffice in lieu of a hearing, identifying specifically any questions of fact that are in dispute, summarizing the evidence that would be presented at a hearing, and indicating how the party commenting would be aggrieved by approval of the proposal. Unless otherwise noted, nonbanking activities will be conducted throughout the United States.

Unless otherwise noted, comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors not later than January 24, 1997.

A. Federal Reserve Bank of Chicago (James A. Bluemle, Vice President) 230 South LaSalle Street, Chicago, Illinois 60690:

1. *Amcore Financial, Inc.*, Rockford, Illinois; to acquire 100 percent of the voting shares of First National Bancorp, Inc., Monroe, Wisconsin, and thereby indirectly acquire First National Bank & Trust, Monroe, Wisconsin.

2. *Michigan Heritage Bancorp, Inc.*, Novi, Michigan; to become a bank holding company by acquiring 100 percent of the voting shares of Michigan Heritage Bank, Novi, Michigan (in organization).

3. *Vanderbilt Holding Company, Inc.*, Fairfax, Iowa; to become a bank holding

company by acquiring 100 percent of the voting shares of Fairfax State Savings Bank, Fairfax, Iowa.

4. *Vermilion Bancorp, Inc.*, Danville, Illinois; to become a bank holding company by acquiring 100 percent of the voting shares of American Savings Bank of Danville, Danville, Illinois.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *Union Planters Corporation*, Memphis, Tennessee; to acquire 100 percent of the voting shares of SBT Bancshares, Inc., Selmer, Tennessee, and thereby indirectly acquire Selmer Bank & Trust Company, Selmer, Tennessee.

C. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. *TRP Acquisition Corporation*, Burr Ridge, Illinois; to becoming a bank holding company by acquiring at least 19.9 percent of the voting shares of Trans Pacific Bancorp, San Francisco, California, and thereby indirectly acquire Trans Pacific National Bank, San Francisco, California.

Board of Governors of the Federal Reserve System, December 24, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96-33160 Filed 12-27-96; 8:45 am]

BILLING CODE 6210-01-F

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Notice of Meeting of the National Bioethics Advisory Commission

SUMMARY: Pursuant to Section 10(d) of the Federal Advisory Committee Act, as amended (5 U.S.C. Appendix 2), this notice is hereby given to announce open meetings of the National Bioethics Advisory Commission (NBAC). The purposes of the meetings are to address: (i) The protection of the rights and welfare of human research subjects and (ii) the management and use of genetic information.

DATES: January 9, 1997, 8:00 a.m.—4:30 p.m. and January 10, 1997, 8:30 a.m.—12:00 p.m.

PLACE: The Madison Hotel, 15th and M Sts, N.W., Washington, D.C. 20005.

SUPPLEMENTARY INFORMATION: The President established the National Bioethics Advisory Commission (NBAC) by Executive Order 12975, October 3, 1995. The purpose of the NBAC is to provide advice and make recommendations to the National

Science and Technology Council, and other appropriate entities on bioethical issues arising from research on human biology and behavior and the applications, including the clinical applications, of that research.

National Bioethics Advisory Commission Meeting, The Madison Hotel, Washington, D.C., Thursday, January 9, 1997

Tentative Agenda

Morning Session

- 8:00 a.m.—Call to order and Opening Remarks by Chair
- 8:15 a.m.—Discussion of the activities of the NBAC Human Subjects Subcommittee
- 10:15 a.m.—Break
- 10:30 a.m.—Discussion of the activities of the NBAC Genetics Subcommittee
- 12:30 p.m.—Lunch

Afternoon Session

- 1:45 p.m.—Continuation of morning discussions
- 3:00 p.m.—Break
- 3:15 p.m.—Discussion of future NBAC activities
- 4:00 p.m.—Public Comment
- 4:30 p.m.—Adjourn

National Bioethics Advisory Commission, The Madison Hotel, Washington, D.C. Friday, January 10, 1997

Tentative Agenda

- 8:00 a.m.—Meeting of the Genetics Subcommittee of the National Bioethics Advisory Commission
- 10:00 a.m.—Break
- 10:30 a.m.—Meeting of the Human Subjects Subcommittee of the National Bioethics Advisory Commission
- 12:30 p.m.—Adjourn

Public Participation

The two days of meetings are open to the public with attendance limited to space available. Members of the public who wish to make oral statements should contact NBAC at the address or telephone number listed below as soon as possible, prior to the meeting. Reasonable provisions will be made to include on the agenda presentations by persons requesting an opportunity to speak. Individuals who plan to attend the meeting and need special assistance, such as sign language interpretation or other special accommodations, should also contact NBAC at the address or telephone number listed below as soon as possible prior to the meeting. Persons who wish to file written statements with NBAC may do so at any time.