

Rate System and other matters pertinent to establishing prevailing rates under subchapter IV, chapter 53, 5 U.S.C., as amended, and from time to time advise the Office of Personnel Management.

These scheduled meetings will start in open session with both labor and management representatives attending. During the meetings either the labor members or the management members may caucus separately with the Chair to devise strategy and formulate positions. Premature disclosure of the matters discussed in these caucuses would unacceptably impair the ability of the Committee to reach a consensus on the matters being considered and would disrupt substantially the disposition of its business. Therefore, these caucuses will be closed to the public because of a determination made by the Director of the Office of Personnel Management under the provisions of section 10(d) of the Federal Advisory Committee Act (Pub. L. 92-463) and 5 U.S.C. 552b(c)(9)(B). These caucuses may, depending on the issues involved, constitute a substantial portion of a meeting.

Annually, the Chair compiles a report of pay issues discussed and concluded recommendations. These reports are available to the public, upon written request to the Committee's Secretary.

The public is invited to submit material in writing to the Chair on Federal Wage System pay matters felt to be deserving of the Committee's attention. Additional information on this meeting may be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 5559, 1900 E Street, NW., Washington, DC 20415 (202) 606-1500.

Dated: August 5, 1998.

Phyllis G. Heuerman,

Acting Chair, Federal Prevailing Rate Advisory Committee.

[FR Doc. 98-21456 Filed 8-10-98; 8:45 am]

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OFFICE OF PERSONNEL MANAGEMENT

Federal Prevailing Rate Advisory Committee Cancellation of Open Committee Meeting

According to the provisions of section 10 of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that the meeting of the Federal Prevailing Rate Advisory Committee scheduled for Thursday, August 13, 1998 has been canceled.

Information on other meetings can be obtained by contacting the Committee's Secretary, Office of Personnel Management, Federal Prevailing Rate Advisory Committee, Room 5559, 1900 E Street, NW., Washington, DC 20415, (202) 606-1500.

Dated: August 4, 1998

Phyllis G. Heuerman.

Acting Chair, Federal Prevailing Rate Advisory Committee.

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RAILROAD RETIREMENT BOARD

Proposed Collection; Comment Request

Summary: In accordance with the requirement of Section 3506 (c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

Comments are invited on: (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

Title and Purpose of information collection: Supplemental Information on Accident and Insurance; OMB 3220-0036 Under Section 12(o) of the Railroad Unemployment Insurance Act

(RUIA), the Railroad Retirement Board is entitled to reimbursement of the sickness benefits paid to a railroad employee if the employee receives a sum or damages for the same infirmity for which the benefits are paid. Section 2(f) of the RUIA requires employers to reimburse the RRB for days in which salary, wages, pay for time lost or other remuneration is later determined to be payable. Reimbursements under section 2(f) generally result from the award of pay for time lost or the payment of guaranteed wages. The RUIA prescribes that the amount of benefits paid be deducted and held by the employer in a special fund for reimbursement to the RRB.

The RRB currently utilizes Form (s) SI-1c, *Supplemental Information on Accident and Insurance*, SI-5 (Report of payments to Employee Claiming Sickness Benefits Under the RUIA), ID-3s (*Request for Lien Information*), ID-3u (*Request for Section 2(f) Information*), ID-30k (*Form Letter Asking Claimant for Additional Information on Injury or Illness*), ID-30k-1 (*Request for Supplemental Information on Injury or Illness-3rd Party*), and ID-3-Q (*Insurance Inquiry*) to obtain the necessary information from claimants and railroad employers.

Minor formatting and editorial changes which include the addition of language required by the Paperwork Reduction Act of 1995 are proposed to Forms SI-1c and Form SI-5. Forms ID-3s and ID-3U are being revised to insert completion instructions and the Paperwork Reduction Act notice to the reverse side of the form. The RRB proposes the creation of a new form, Form ID-3s-1, *Request for Lien Information*, which is similar to Form ID-3s but has been designed for use by an attorney and/or insurer responsible for paying personal-injury damages to the railroad employee for third party liability cases. Enhancements are also being proposed to Forms ID-30k and ID-30k-1 which will, upon OMB approval, allow for the obsolescence of Form ID-3-0Q. Completion is required to obtain benefits. One response is requested of each respondent.

Estimate of Annual Respondent burden

The estimated annual respondent burden for this collection is as follows:

Form Nos.	Annual responses	Time (min)	Burden (hrs)
SI-1c	3,200	5	267
SI-5	2,500	5	208
ID-3s	18,500	3	925
ID-3s.1	500	3	25

Form Nos.	Annual responses	Time (min)	Burden (hrs)
ID-3u	1,500	3	75
ID-30k	2,500	5	208
ID-30k.1	2,000	5	167
Total	30,700	1,875

Additional Information or Comments:
To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363. Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 N. Rush Street, Chicago, Illinois 60611-2092. Written comments should be received within 60 days of this notice.

Chuck Mierzwa,

Clearance Officer.

[FR Doc. 98-21396 Filed 8-10-98; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-40306]

Alternative Dispute Resolution Policy Statement

AGENCY: Securities and Exchange Commission.

ACTION: Final statement of policy.

SUMMARY: Consistent with the Administrative Dispute Resolution Act of 1996, the recommendations of the National Performance Review, and Executive Order 12988, the Securities and Exchange Commission has adopted this Final Statement of Policy on the use of alternative dispute resolution (ADR) techniques to resolve appropriate disputes in a fair, timely, and cost efficient manner.

EFFECTIVE DATE: August 11, 1998.

FOR FURTHER INFORMATION CONTACT: D. Leah Meltzer, Senior ADR Specialist, Office of General Counsel, Securities and Exchange Commission, 450 Fifth Street, NW, Mail Stop 6-6, Washington, DC 20549, telephone (202) 942-0048; e-mail meltzerd@sec.gov.

SUPPLEMENTARY INFORMATION:

Background

On January 29, 1993, in response to the Administrative Dispute Resolution Act of 1990, the Commission published a notice in the **Federal Register** inviting interested persons to submit comments on the utility of application of ADR

procedures in Commission programs and activities to assist the Commission in its effort to develop appropriate policies. All nine comments received related to the Commission's enforcement program and were considered in developing the Commission's final Statement of Policy.

Statement of Policy on Alternative Dispute Resolution

ADR is the resolution of disputes through informal, voluntary, consensual techniques such as mediation, early neutral evaluation, minitrials, the practice of ombuds, arbitration and other methods. The Commission is committed to the use of ADR as a management tool to resolve disputes at an early stage, in an expeditious, cost effective, and mutually acceptable manner. The Commission adopts this policy to express its full support for the appropriate use of ADR. This policy is intended to apply to the resolution of disputes in contract administration, disputes in litigation (except as noted below), and internal disputes, such as those between employees and management. It is not intended to apply to inspections and law enforcement investigations. In addition, a number of factors make litigation challenging enforcement of the federal securities laws generally unsuitable for ADR techniques (*i.e.*, the need to ensure that the law enforcement function is not compromised, the need to ensure uniform treatment, and the need for judicial resolution or precedent). This policy is also not intended to apply to situations where the Commission seeks a temporary retraining order.

Core Principles Governing the Commission's Use of ADR

Any use of ADR by the Commission will be governed by certain core principles. Foremost, any Commission ADR program must further the agency's mission of administering the federal securities laws and protecting investors. While the Commission will consider ADR in any dispute in which a negotiated solution is a potentially acceptable outcome, the Commission believes that not every dispute is suitable for settlement through ADR. Further, while ADR processes are an

important option in the Commission's ability to resolve disputes, we believe the processes are supplementary to, not a displacement of, traditional adjudicative methods of resolving disputes. Therefore, the Commission will engage in ADR only after determining that ADR is appropriate in a particular instance. Moreover, the Commission recognizes that its ADR policies and programs must be flexible enough to respond to the diversity of disputes that the Commission handles, the evolving court-based ADR programs, and on-going statutory changes and programmatic concerns. To that end, the Commission believes that its ADR policy should be dynamic and continually developing.

Affirmative Steps To Promote the Use of ADR

In furtherance of its commitment to ADR, the Commission has taken and will continue to take several affirmative steps to promote the use of ADR. The Administrative Dispute Resolution Act requires that each agency appoint an agency Dispute Resolution Specialist. The Commission has appointed the General Counsel as the agency Dispute Resolution Specialist. The senior ADR specialist serves as the Deputy Dispute Resolution Specialist. The Dispute Resolution Specialist is authorized to develop dispute resolution policy and procedures; consult with the staff on individual disputes regarding the appropriate use of ADR; develop conflict management and prevention programs; monitor implementation and evaluate dispute resolution program execution and results; determine appropriate ADR-related training within the Commission to educate employees and disputants about ADR and conflict management options and processes; provide for access to neutral third parties; and assure that incentives are developed which reward the appropriate use of ADR.

Training

The Commission has begun and will continue to provide ADR training to managers, supervisors and other individuals identified as benefiting from the training, so that they will understand the appropriate use of ADR,