

Comments are particularly invited on: whether this information is necessary for the proper performance of functions of the Office of Personnel Management, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

Approximately 200 forms are completed annually. The form takes approximately 60 minutes to respond, including a medical examination. The annual estimated burden is 200 hours. Burden may vary depending on the time required for a medical examination.

For copies of this proposal, contact Mary Beth Smith-Toomey on (202) 606-8358, or E-mail to mbtoomey@opm.gov

DATES: Comments on this proposal should be received on or before October 4, 1999.

ADDRESSES: Send or deliver comments to—Ronald W. Melton, Chief, Operations Support Division, Retirement and Insurance Service, U.S. Office of Personnel Management, 1900 E Street, NW, Room 3349, Washington, DC 20415.

FOR INFORMATION REGARDING ADMINISTRATIVE COORDINATION—CONTACT: Phyllis R. Pinkney, Management Analyst Budget & Administrative Services Division (202) 606-0623.

Office of Personnel Management.

Janice R. Lachance,

Director.

[FR Doc. 99-19983 Filed 8-4-99; 8:45 am]

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POSTAL SERVICE

Privacy Act of 1974; Computer Matching Program

AGENCY: Postal Service.

ACTION: Notice of computer matching program.

SUMMARY: Subsection (e)(12) of the Privacy Act of 1974, as amended (5 U.S.C. 552a), requires agencies to publish advance notice of any proposed or revised computer matching program for comment. The United States Postal Service (USPS) is issuing notice of its intent to conduct a computer matching program with the state of Texas Department of Human Services (TDHS). The matching program will identify Postal Service employees receiving

benefits to which they are not entitled under the Temporary Assistance to Needy Families (TANF), the Food Stamp program, and Medicaid program administered by the state of Texas.

DATES: Comments must be received no later than September 7, 1999. Unless comments are received that result in a contrary determination, the matching program covered by this notice will begin as stated in the paragraph "Dates of the Matching Program" in the "Supplementary Information" section of this notice.

ADDRESSES: Comments may be mailed to the FOIA/PA Officer, United States Postal Service, 475 L'Enfant Plaza SW, Room 8141, Washington, DC 20260-5202, or delivered to Room 8141 at the above address between 8 a.m. and 4:30 p.m., Monday through Friday. Comments received may also be inspected during the above hours in Room 8141.

FOR FURTHER INFORMATION CONTACT: Alberta McKay, (202) 268-4048.

SUPPLEMENTARY INFORMATION: Pursuant to subsection (o) of the Privacy Act of 1974, as amended (5 U.S.C. 552a), the USPS and TDHS will enter into an agreement to conduct a computer matching program, as described below, in accordance with paragraph 4d of Appendix I to OMB Circular No. A-130, "Federal Agency Responsibilities for Maintaining Records About Individuals," dated February 8, 1996 (61 FR 6427).

a. *Participating Agencies:* USPS (recipient agency) and TDHS.

b. *Purpose of the Matching Program:* To identify Postal Service employees who are receiving benefits to which they are not entitled under public assistance programs (TANF, Food Stamp, and Medicaid) administered by the state of Texas; to recoup monies for improperly received benefits; to adjust or terminate benefits as appropriate; and to take appropriate action against those persons fraudulently receiving benefits.

c. *Legal Authorities Authorizing Operation of the Match:* 39 U.S.C. 404 (Postal Reorganization Act).

d. *Categories of Individuals Matched and Identification of Records Used:* Postal Service employee data records within Privacy Act system USPS 050.020 identified as Finance Records-Payroll System (57 FR 57515) and state of Texas' file of recipients of benefits under TANF, Food Stamp, and Medicaid programs administered by the TDHS.

e. *Dates of the Matching Program:* This matching program is expected to begin in September 1999 and to continue in effect for 18 months unless

terminated earlier by either party. Matching activity under this program will begin no sooner than 40 days after the last of the following to occur: (1) Publication of this notice; (2) transmittal of this matching agreement to Congress; or (3) report of the matching program to OMB and to Congress.

Stanley F. Mires,

Chief Counsel, Legislative.

[FR Doc. 99-20187 Filed 8-4-99; 8:45 am]

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RAILROAD RETIREMENT BOARD

Proposed Data Collection Available for Public Comment and Recommendations

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

Evidence of Marital Relationship, Living with Requirements; OMB 3220-0021.

To support an application for a spouse or widow(er)'s annuity under Sections 2(c) or 2(d) of the Railroad Retirement Act, an applicant must submit proof of a valid marriage to a railroad employee. In some cases, the existence of a marital relationship is not formalized by a civil or religious ceremony. In other cases, questions may arise about the legal termination of a prior marriage of an employee, spouse, or widow(er). In these instances, the RRB must secure additional information to resolve questionable marital relationships. The circumstances requiring an applicant to submit documentary evidence of marriage are prescribed in 20 CFR 219.30.

In the absence of documentary evidence to support the existence of a valid marriage between a spouse or widow(er) annuity applicant and a railroad employee, the RRB needs to obtain information to determine if a valid marriage existed. The RRB utilizes Forms G-124, Statement of Marital Relationship; G-124a, Statement Regarding Marriage; G-237, Statement Regarding Marital Status; G-238, Statement of Residence; and G-238a, Statement Regarding Divorce or Annulment to secure the needed information. One response is requested of each respondent. Completion is required to obtain benefits. The RRB proposes minor non-burden impacting cosmetic, editorial and formatting changes to all of the forms in the collection.

Estimate of Annual Respondent Burden

The estimated annual respondent burden is as follows:

Form Nos.	Annual re-sponses	Time (min)	Burden (hrs)
G-124 (In person)	125	15	31
G-124 (By mail)	75	20	25
G-124a	300	10	50
G-237 (In person)	75	15	19
G-237 (By mail)	75	20	25
G-238 (In person)	150	3	8
G-238 (By mail)	150	5	13
G-238a	150	10	25
Total	1,100		196

FOR FURTHER INFORMATION CONTACT: 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. 99-20097 Filed 8-4-99; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-41668; File No. 4-208]

Intermarket Trading System; Order Approving Fourteenth Amendment to the Restated ITS Plan Linking the Pacific Exchange's Application of the OptiMark System to the Intermarket Trading System

July 29, 1999.

I. Introduction and Summary

Pursuant to Section 11A of the Securities Exchange Act of 1934 ("Exchange Act" or "Act")¹ and Rule aaAa3-2 thereunder,² on March 29, 1999, the Intermarket Trading System ("ITS") submitted to the Securities and Exchange Commission ("Commission") an amendment ("Fourteenth Amendment") to the Restated ITS Plan ("Plan")³ ITS is a communications and order routing network linking eight national securities exchanges and the electronic over-the-counter market operated by the NASD. ITS was designed to facilitate intermarket trading in exchange-listed equity securities based on current quotation information emanating from the linked markets. The purpose of the Fourteenth Amendment is to link the PCX Application of the OptiMark system ("PCX Application") to ITS.

On April 12, 1999, the proposed plan amendment was published for comment and made summarily effective on a temporary basis.⁴ No comments were received on the proposal. For the reasons discussed below, the Commission is approving the proposal on a permanent basis.

II. Background to the Amendment

On January 26, 1999, the Commission granted the ITS participants a temporary exemption from the ITS Plan provision requiring a Plan amendment to reflect the PCX Application's interface with ITS.⁵ The Commission granted this

¹ 15 U.S.C. 78k-1.

² 17 CFR 240.11Aa3-2.

³ The ITS Plan is a National Market System plan approved by the Commission pursuant to Section 11A of the Act and Rule 11Aa3-2 thereunder. See Exchange Act Release No. 19456 (January 27, 1983), 48 FR 4938 (February 3, 1999).

Participants to the Plan include the American Stock Exchange LLC, the Boston Stock Exchange, Inc., the Chicago Board Options Exchange, Inc., the Chicago Stock Exchange, Inc., the Cincinnati Stock Exchange, Inc., the National Association of Securities Dealers, Inc. ("NASD"), the New York Stock Exchange, Inc., the Pacific Exchange, Inc. ("PCX"), and the Philadelphia Stock Exchange, Inc.

⁴ See Exchange Act Release No. 41246 (April 2, 1999), 64 FR 17700 (April 12, 1999).

⁵ The Commission has authority under Exchange Act Rule 11Aa3-2(f) to exempt participants in a

exemption to the participants, in part, because the PCX Application was scheduled to begin operating on January 29, and there was insufficient time to obtain authorization from each of the authorizing bodies of the participants before the date.⁶ The PCX Application began operating pursuant to the temporary exemption on January 29, 1999. The exemption expired on April 2, 1999, but was extended until publication of the notice.⁷ The Commission made the proposed amendment summarily effective on a temporary basis not to extend beyond August 10, 1999.⁸

III. Description

The purpose of the Fourteenth Amendment is to link the PCX Application to ITS.⁹ The PCX Application is a facility of the PCX that receives orders generated by the OptiMark System—an electronic matching system that, on a periodic "call" basis, processes certain qualifying expressions of trading interest (called "profiles"). Profiles may include those created from the published quotations disseminated by the other participants in ITS at the commencement of the

national market system plan from the requirements of that plan. Exchange Act Rule 11Aa3-2(f) provides:

The Commission may exempt from the provisions of this section, either unconditionally or on specified terms and conditions, any self-regulatory organization, member thereof, or specified security, if the Commission determines that such exemption is consistent with the public interest, the protection of investors, the maintenance of fair and orderly markets and the removal of impediments to, and perfection of the mechanisms of, a national market system.

The Division of Market Regulation has delegated authority to grant an exemption in this instance pursuant to 17 CFR 200.30-3(a)(29). See Letter from Richard R. Lindsey, Director, Division of Market Regulation, Commission, to Allan A. Bretzer, Committee Chairman, ITS Operating Committee ("ITSOC"), dated January 27, 1999.

⁶ In general, to amend the ITS Plan, the ITS participants vote on a particular amendment and, assuming unanimous approval, each participant goes back to its respective authorizing body, such as its Board of Directors or executive Committee. Following ratification by each of the participants' authorizing bodies, the ITSOC submits a proposed amendment to the Commission, which publishes it for comment. An amendment to the ITS Plan is generally not effective until approved by the Commission. On January 21, 1999, the ITSOC unanimously voted to recommend to the participants' authorizing bodies an amendment to the Plan that would allow the PCX Application to link with ITS.

⁷ See Letter from Belinda Blaine, Associate Director, Division of Market Regulation, Commission, to Allan A. Bretzer, Chairman, ITSOC, dated April 1, 1999.

⁸ Pursuant to Exchange Act Rule 11Aa3-2(c)(4), the Commission may summarily put into effect on a temporary basis a Plan amendment.

⁹ The Fourteenth Amendment is identical to the amendment approved by the ITSOC on January 21, 1999.