

**SYSTEM MANAGERS AND ADDRESSES:**

Records filed before August 16, 1999—Records Officer, SEC Operations Center, 6432 General Green Way, Alexandria, VA 22312-2413.

Records filed on or after August 16, 1999—NASD, 1390 Piccard Drive, Rockville, MD 20850.

**NOTIFICATION PROCEDURE:**

Requests to determine whether this system of records contains a record pertaining to the requesting individual should be sent to the Privacy Act Officer, SEC Operations Center, 6432 General Green Way, Alexandria, VA 22312-2413.

**RECORDS ACCESS PROCEDURES:**

Persons wishing to access or contest these records should write the Privacy Act Officer, SEC Operations Center, 6432 General Green Way, Alexandria, VA 22312-2413.

**CONTESTING RECORD PROCEDURES:**

See Records Access Procedures, above.

**RECORD SOURCE CATEGORIES:**

Applications for registration or exemption and related forms filed with the SEC under the Securities Exchange Act of 1934.

**EXEMPTIONS CLAIMED FOR THE SYSTEM:**

None.

Dated: December 2, 1999.

By the Commission.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 99-31778 Filed 12-8-99; 8:45 am]

**BILLING CODE 8010-01-U**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-42192; File No. SR-DTC-99-23]

**Self-Regulatory Organizations; Depository Trust Company; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Tax Services**

December 1, 1999.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> notice is hereby given that on October 8, 1999, the Depository Trust Company ("DTC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by DTC. The

Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

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

The proposed rule change revises the fee structure and clarifies the features of DTC's TaxInfo<sup>SM</sup> service.

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

In its filing with the Commission, DTC 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 at the places specified in Item IV below. DTC has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of these statements.<sup>2</sup>

*(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

DTC TaxInfo<sup>SM</sup> (formerly TAXI) was developed to provide information on withholding tax relief opportunities for DTC-eligible securities for various foreign countries of investment from the point of view of four countries of the investor: U.S., Canada, U.K., and Japan.<sup>3</sup> TaxInfo is currently available on DTC's Participant Terminal System ("PTS") and currently contains information on ten countries of investment from a U.S. investor's perspective. TaxInfo was originally made available to participants in March of 1997 in support of DTC's foreign withholding tax relief service available via the Elective Dividend Service or EDS (which has been renamed TaxRelief<sup>SM</sup> function on PTS with withholding tax information relative to France and the United Kingdom.<sup>4</sup> Additional country documents have been added and updated in 1999, and more will be added over time. The information contained in TaxInfo on PTS is provided to participants so that they

may be able to make informed elections on TaxInfo.<sup>SM</sup><sup>6</sup>

TaxInfo advises participants of the opportunities, risks, and legal conditions for using TaxRelief and provides information on filing tax reclaims. Additional, TaxInfo provides information on tax withholding rates for various investor types (e.g., individuals, mutual funds, pension plans, and charities) as well as information on tax treaties, tax relief processing procedures, and documentation requirements. TaxInfo also provides tax relief information for cross-border portfolio investments and simplifies and expedites tax-withholding research for DTC-eligible securities.

DTC proposes to offer DTC TaxInfo to DTC Participants over DTC's closed website.<sup>7</sup> TaxInfo via the Internet may be used in conjunction with TaxRelief or by itself as a withholding tax information resource. According to DTC, Internet delivery opens up the availability of TaxInfo to a much wider audience for participants because its contents may be accessed via any computer with Internet access rather than requiring a specialized PTS terminal. For example, this increased audience may include participants' internal tax advisory staff and other non-operational areas. Members of DTC's foreign taxes legal working group, who often need to advise their operations staff on DTC related tax matters, have expressed to DTC a need to have a way to access TaxInfo which is more accessible than PTS.

TaxInfo provided via PTS will only relate to countries where DTC has in place a DTC TaxRelief mechanism. The charge for this service will continue to be \$.09 per inquiry.

TaxInfo provided via the Internet will include the same information provided on PTS as well as information on other countries and security types that are not supported by TaxRelief. Additionally, TaxInfo via the Internet will have increased functionality, including the

<sup>6</sup> The following disclaimer relates to DTC TaxInfo<sup>SM</sup>: DTC does not represent or warrant the accuracy, adequacy, timeliness, completeness, or fitness for any particular purpose for the information contained in DTC TaxInfo, which is based in part on information obtained from third parties and not independently verified by DTC and which is provided as is. The information contained in DTC TaxInfo is not intended to be a substitute for obtaining tax advice from an appropriate professional advisor. In providing this service, DTC shall not be liable for (1) any loss resulting directly or indirectly from mistakes, errors, omissions, interruptions, delays, or defects in such service, unless caused directly by gross negligence or willful misconduct on the part of DTC, and (2) any special, consequential, exemplary, incidental, or punitive damages.

<sup>7</sup> DTC's website is located at <http://www.dtc.org>.

<sup>2</sup> The Commission has modified the text of the summaries prepared by DTC.

<sup>3</sup> In September 1999, DTC introduced TaxVantage—a new family of tax products. The TaxVantage family includes the following products: TaxReclaim, TaxInfo, and TaxRelief. For a complete description of TaxVantage, refer to DTC's website at <http://www.dtc.org>.

<sup>4</sup> TaxRelief<sup>SM</sup> allows DTC participants to electronically certify shares of record date positions at DTC that are eligible for tax relief opportunities.

<sup>5</sup> Securities Exchange Act Release No. 32171 (April 19, 1993), 58 FR 22003.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

ability to hyperlink to related websites (containing for example, the text of tax treaties), internal hyperlinks, a search capability, and better means of navigation within each document, which PTS is not able to accommodate. The proposed fee for TaxInfo via the Internet is \$2,400 annually per subscribing participant (with automatic annual renewals).

DTC believes that the proposed rule change is consistent with the requirements of Section 17A of the Act<sup>8</sup> and the rules and regulations thereunder applicable to DTC because it provides for the equitable allocation of dues, fees, and other charges among DTC's participants.

*(B) Self-Regulatory Organization's Statement on Burden on Competition*

DTC does not believe that the proposed rule change will have any impact or impose any burden, on competition.

*(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others*

Written comments relating to the proposed rule change have not yet been solicited or received. DTC will notify the Commission of any written comments received by DTC.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii)<sup>9</sup> of the Act and Rule 19b-4(f)(2)<sup>10</sup> promulgated thereunder because the proposal establishes or changes a due, fee, or other charge imposed by DTC. At any time within sixty days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

**IV. 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 20549-0609. 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 Section, 450 Fifth Street, NW, Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of DTC. All submissions should refer to File No. SR-DTC-99-23 and should be submitted by December 30, 1999.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 99-31962 Filed 12-8-99 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 January 10, 2000. 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, SW, 5th Floor, Washington, DC 20416; and OMB Reviewer, Office of

Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:**  
Jacqueline White, Agency Clearance Officer, (202) 205-7044.

**SUPPLEMENTARY INFORMATION:**  
*Title:* Borrower's Progress Certification.

*Form No:* 1366.

*Frequency:* On Occasion.

*Description of Respondents:*  
Recipients of Disaster Loans.

*Annual Responses:* 30,020.

*Annual Burden:* 15,010.

**Jacqueline White,**

Chief, Administrative Information Branch.

[FR Doc. 99-31886 Filed 12-8-99; 8:45 am]

**BILLING CODE 8025-01-U**

**SMALL BUSINESS ADMINISTRATION**

**[License No. 05/75-0244]**

**Access Technology Investors, L.P.; Notice of Issuance of a Small Business Investment Company License**

On December 15, 1998, an application was filed by Access Technology Investors, L.P. at 300 Rodd Street, Suite 201, Midland, Michigan 48640-0648 with the Small Business Administration (SBA) pursuant to section 107.300 of the Regulations governing small business investment companies (13 CFR 107.300 (1997)) for a license to operate as a small business investment company.

Notice is hereby given that, pursuant to section 301(c) of the Small Business Investment Act of 1958, as amended, after having considered the application and all other pertinent information, SBA issued License No. 05/75-0244 on September 29, 1999 to Access Technology Investors, L.P. to operate as a small business investment company.

(Catalog of Federal Domestic Assistance Program No. 59.11, Small Business Investment Companies)

Dated: November 30, 1999.

**Don A. Christensen,**

Associate Administrator for Investment.

[FR Doc. 99-31897 Filed 12-8-99; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[License No. 02/02-0595]**

**ACI Capital America Fund, L.P.; Notice of Issuance of a Small Business Investment Company License**

On June 24, 1999, an application was filed by ACI Capital America Fund, L.P. at 707 Westchester Avenue, 4th Floor,

<sup>8</sup> 15 U.S.C. 78q-1.

<sup>9</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>10</sup> 17 CFR 240.19b-4(f)(2).

<sup>11</sup> 17 CFR 200.30-3(a)(12).