unpaid principal amount of all loans made to Services under the line of credit, plus interest thereon as set forth below. The date and amount of each loan made under the line of credit, and the date and amount of each payment of principal of the loans made thereunder, shall be recorded by the Bank on a schedule annexed to the Note. The Note will (i) be payable to the order of the Bank, (ii) be dated on or about the date of the Commission's order in this File ("Effective Date"), (iii) be stated to mature on December 31, 1981 and (iv) bear interest, payable quarterly and at maturity, on the unpaid principal amount thereof at a rate per annum equal to one hundred two percent (102%) of the prime commercial rate (15¼ percent per annum on January 25, 1980) of The Chase Manhattan Bank (N.A.) in effect from time to time for 90-day unsecured commercial loans to corporate commercial customers of the highest credit rating, with adjustments in the interest rate to be made effective automatically on the effective date of any change in said prime rate. Services will have the right to prepay the unpaid principal amount of the Note, in whole or in part, at any time without penalty or premium.

In connection with the proposed borrowings, Services will agree to pay the Bank a fee for the period from the Effective Date to and including December 31, 1981 or earlier termination of the line of credit computed at the rate of ½ of 1% per annum on the average daily unused portion of the available line of credit. There is no requirement that Services maintain compensating balances with the Bank in connection with the proposed borrowings under the line of credit. Based upon the prime commercial rate of The Chase Manhattan Bank (N.A.) in effect on January 25, 1980, the cost of money to Services in respect of the proposed borrowings as of that date would be 15.56% per annum.

As sole stockholder of the outstanding common stock of Services and as an inducement to the Bank to arrange for Services this $30,000,000 line of credit, Middle South will guarantee the payment by Services of the unpaid principal amount of, and interest on, the Note and the performance by Services of its obligations under its line of credit with the Bank.

The fees, commissions and expenses to be incurred in connection with the proposed transaction are estimated at $6,000, including legal fees of $4,000. It is stated that no state or federal regulatory authority, other than this Commission, has jurisdiction over the proposed transaction.

Notice is further given that any interested person may, not later than March 13, 1980, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the filing which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarants at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advise as to whether a hearing is ordered will receive any notices or orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5734 Filed 2-25-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 21441; 70-5961]

National Fuel Gas Co. et al.

Proposed Transactions Related to the Organization of a New Subsidiary Company To Engage in the Underground Storage of Gas for Nonaffiliated Utilities

February 15, 1980.

In the matter of National Fuel Gas Co, 30 Rockefeller Plaza, New York, New York 10020; National Fuel Gas Supply Corporation, 308 Seneca Street, Oil City, Pennsylvania 16301; National Gas Storage Corporation, 10 Lafayette Square, Buffalo, New York 14203.

Notice is hereby given that National Fuel Gas Company ("National"), a registered holding company, and two of its subsidiary companies, National Fuel Gas Supply Corporation ("Supply Corporation") and National Gas Storage Corporation ("Storage Corporation"), have filed an amended application-declaration with this Commission pursuant to the Public Utility Holding Cmpany Act of 1935 ("Act"), designating Sections 6(a), 7, 9(a), 10, 11, and 12 of the Act and Rules 43 and 45 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the amended application-declaration, which is summarized below, for a complete statement of the proposed transactions.

National, the holding company, performs financing and administrative functions on behalf of its subsidiaries but is not engaged in the transmission or distribution of natural gas. It has no material assets except for the securities of its subsidiaries. Supply Corporation, a Pennsylvania corporation, is engaged in the interstate production, purchase, storage, transportation, and sale of natural gas at wholesale. It owns and operates an integrated gas pipeline supply network extending from the southwestern part of Pennsylvania to the New York-Canadian border. Approximately 98% of the natural gas produced and purchased by Supply is sold to National Fuel Gas Distribution Corporation ("Distribution Corporation"), a wholly owned public-utility subsidiary of National. Supply Corporation also supplies natural gas at wholesale and renders gas storage service to certain nonaffiliated utilities. Storage Corporation was incorporated on June 9, 1976, under the Transportation Corporations Law of the State of New York. Storage Corporation has no assets or liabilities and no securities outstanding. It has been formed by National to engage in the storage of gas and related activities upon consumation of the transactions described below.

A notice was issued in this proceeding on February 14, 1977 (HCAR No. 19884); however, the filing was never completed and no order was issued. The companies have now filed an amendment to the application-declaration which restates entirely the original filing.

It is proposed that Storage Corporation will issue securities and acquire from Supply Corporation assets necessary to develop underground gas storage and related transportation facilities in Southwestern New York and adjoining northwestern Pennsylvania having an aggregate top gas storage capacity of approximately 23.5 billion cubic feet ("BCF"). Initial construction is being carried out by Supply Corporation in expectation of transferring partially completed facilities to Storage Corporation as of April 1, 1980. The total cost of development for Storage

Corporation's facilities is estimated to exceed $68,000,000 over the period of preliminary development and the two to three-year construction period. Storage Corporation will render gas storage service to non-affiliated utilities. These utilities will utilize Storage Corporation's service so that they may continue to deliver gas to high priority residential and commercial customers during the winter months when demand is high, from supplies stored over the summer months when gas is relatively more plentiful. Normally, gas is stored during the months of April through October, and withdrawn from storage for use during the months of November through March ("Storage Year").

It is stated that Supply Corporation has extensive experience in underground gas storage operations and owns rights in several areas which may be developed for gas storage purposes. Supply Corporation currently operates, independently or in conjunction with certain of its suppliers, 31 underground gas storage areas within the National Fuel Gas System. It is proposed that Storage Corporation will acquire from Supply Corporation (i) one of the existing developed storage areas and (ii) partially constructed facilities and leasehold interests at two undeveloped areas.

The developed area is known as the East Independence Pool and has an estimated top gas storage capacity capability of 3.3 BCF. This capacity is in excess of the system's internal needs for the foreseeable future and may therefore be transfered to Storage Corporation to serve non-affiliated utilities without adversely affecting existing customers of the System. The two partially constructed undeveloped areas are known as the West Independence and Beech Hill pools and have respective estimated top gas storage capacity capabilities of 8.2 and 12.0 BCF.

In order for Storage Corporation to complete development of the underground gas storage facilities and render storage service to customers, the applicants-declarants intend to capitalize Storage Corporation through the following transactions. The transactions would be consummated as of April 1, 1980, or as soon thereafter as possible ("Closing Date"), with the exception of transactions (A)(1) and (A)(2) below, which would be consummated in advance of the Closing Date.

A. Transactions Taking Place Before the Closing Date

(1) National proposes to issue and sell from time to time during the period from the date of the Commission's order authorizing this transaction through the Closing Date, its unsecured short-term notes to The Chase Manhattan Bank, N.A. ("Chase"), pursuant to a Letter Agreement between Chase and National, in an aggregate principal amount not to exceed $4.7 million at any one time outstanding. The notes will mature within twelve months from their date of issue, will bear interest payable quarterly at the prime commercial rate of Chase in effect from time to time, and will be prepayable, in whole or in part, at any time without penalty.

National has informally agreed with Chase to maintain average balances of 20% of the average loans outstanding; however, the average balances maintained for normal operating needs are sufficient to cover these amounts. Assuming an average balance of 20% were required, the effective cost of money, based on a 15.25% prime rate, would be 19.0625%. There will be no commitment fee nor any closing or related costs in connection with National's borrowings from Chase.

National proposes to use the proceeds of such short-term borrowings to acquire for cash from time to time, prior to the Closing Date, up to $4.7 million aggregate principal amount at any one time outstanding of short-term unsecured notes from Supply Corporation.

(2) In exchange for equal cash consideration, Supply Corporation will issue from time to time to National, during the period commencing with the authorization by the Commission of this transaction and ending with the Closing Date, up to $4.7 million aggregate principal amount of short-term unsecured notes. Each such note will be dated the date and bear the effective interest rate of related short-term notes of National issued to Chase, noted above. Each short-term note of Supply Corporation issued pursuant to this transaction will mature within twelve months of its date of issue with interest payable quarterly until the principal amount is paid in full. Supply Corporation will have the option to prepay any note issued prusuant to this transaction at any time, in whole or in part, without penalty or premium. Supply Corporation will use the proceeds of these notes for construction expenditures during 1980 for gas storage facilities which are proposed to be transferred to Storage Corporation. On the Closing Date, Storage Corporation will assume Supply Corporation's indebtedness to National represented by the aggregate amount of notes outstanding pursuant to this transaction, as partial consideration for the transfer by Supply Corporation to Storage Corporation of its interest in construction work in progress at the storage facilities, as described below under transaction (B)(1)(b).

B. Transactions Taking Place on or After the Closing Date

(1) *Supply Corporation.* (B)(1)(a) In exchange for 25 shares of Storage Corporation common stock, no par value, Supply Corporation will convey to Storage Corporation all of the right, title, and interest of Supply Corporation existing as of June 1, 1976, in facilities at East Independence and unimproved leasehold interests at West Independence and Beech Hill. The 25 shares of common stock of Storage Corporation will be entered on the books of Supply Corporation at the net book value of the facilities and leasehold interests transferred as determined by original cost less accumulated depreciation, amortization, and depletion, if any, to the date of transfer, as they appear on the books of Supply Corporation. Assuming that the transfers occur as of April 1, 1980, the facilities and leasehold interests at the respective storage areas are expected to have net book values approximating $2,965,000, $47,000, and $6,000, for an estimated total of $3,018,000.

(B)(1)(b) In exchange for the assumption by Storage Corporation of indebtedness to National represented by (i) Supply Corporation's $5 million 9.6% promissory note due December 31, 1980, (ii) Supply Corporation's $4.9 million prime interest rate promissory note due December 31, 1980, (iii) Supply Corporation's $17.5 million 8.7% promissory note due December 31, 1980, and (iv) up to $4.7 million aggregate principal amount of short term unsecured notes described in transaction (A)(2) above, together in each case with accrued interest payable at the time of assumption, Supply Corporation will convey to Storage Corporation all of Supply Corporation's right, title, and interest in construction work in progress representing improvements, materials, and preliminary development at the three storage areas. As of April 1, 1980, such improvements, materials, and preliminary development are expected to aggregate approximately $32,100,000.

(b)(1)(c) Supply Corporation will transfer to National as a dividend, all of the 25 shares of common stock of Storage Corporation which it will receive pursuant to transaction (B)(1)(a) above.

2. *Storage Corporation.* (B)(2)(a) As consideration for the assests to be acquired from Supply Corporation

indicated in transaction (B)(1)(a), Storage Corporation will issue 25 shares of its fully paid and non-assessable common stock, no par value, to Supply Corporation. The entire consideration received for such shares shall constitute stated capital of Storage Corporation and shall be valued at the net book value of the assests acquired as they appear on the books of Supply Corporation as determined by original cost less accumulated depreciation, amortization, and depletion, if any, to the date of transfer.

(B)(2)(b) As consideration for assests to be acquired from Supply Corporation indicated in transaction (B)(1)(b) above, Storage Corporation will assume the indebtedness of Supply Corporation to National represented by a $5.0 million 9.6% promissory note due December 31, 1980, a $4.9 million prime interest rate promissory note due December 31, 1980, a $17.5 million 8.7% promissory note due December 31, 1980, and up to $4.7 million aggregate principal amount of short-term unsecured notes described in transaction (A)(2) above, together in each case with accrued interest payable to the time of assumption of the indebtedness.

(B)(2)(c) As consideration for the cancellation by National of the $5.0 million 9.6% note, the $4.9 million prime interest rate note, and the $17.5 million 8.7% note assumed by Storage Corporation under transaction (B)(2)(b) above, Storage Corporation will issue to National the following: (i) 75 shares of its fully paid and non-assessable common stock, no par value. These shares will be entered on the books of Storage Corporation, representing $9.1 million of stated capital, and will be deemed to have been issued in return for cancellation of a $9.1 million portion of the Storage Corporation's indebtedness to National. (ii) 320,000 shares of its cumulative preferred stock, 9.6% Series ($25 par value). These shares will be entered on the books of National at $8.0 million and will be deemed to have been received in return for the cancellation of an $8.0 million portion of Storage Corporation's indebtedness to National. (iii) $10.3 million aggregate principal amount of its serial unsecured notes. These notes will bear interest at $8.7% which is equal to the effective cost of capital incurred by National in connection with the 1977 Debentures, rounded to the next highest ⅛ of 1%. The notes will have maturities corresponding to sinking fund payment dates for the 1977 Debentures and will have principal amounts equal to sinking fund requirements on the proportion of the proceeds of the 1977 Debentures which Storage Corporation receives. These notes will be deemed to have been received in return for the cancellation of a $10.3 million portion of Storage Corporation's indebtedness to National.

(B)(2)(d) In exchange for equal cas consideration, Storage Corporation will issue from time to time to National, during the period commencing with the Closing Date and ending December 31, 1980, up to $14 million aggregate principal amount of short-term unsecured notes. Each such note will be dated the date and bear the effective interest rate of related short-term notes of National issued to Chase, for which authorization is requested pursuant to transaction (B)(3)(d) below. Each short-term note of Storage Corporation issued pursuant to this transaction will mature within twelve months of its date of issue with interest payable quarterly until the principal amount is paid in full. Storage Corporation will have the option to prepay any note issued pursuant to this transaction at any time, in whole or in part, without penalty or premium. Storage Corporation will use the proceeds of these notes for its construction program. Repayment of these notes is expected to be made from the proceeds of a financing to be done as soon as may be practicable.

3. *National.* (B)(3)(a) In consideration of the assumption by Storage Corporation of up to $32.1 million aggregate indebtedness of Supply Corporation to National as indicated in transaction (B)(2)(b) above, National will released Supply Corporation from all liability under such indebtedness.

(B)(3)(b) National will acquire 25 shares of Storage Corporation common stock, no par value, as a dividend from Supply Corporation as described in transaction (1)(a) above. National will enter these shares on its books at the same value as appears on the books of Supply Corporation at the time of transfer.

(B)(3)(c) As described in transaction (B)(2)(c) above, as consideration for the cancellation by National of the $5.0 million 9.6% note, the $4.9 million prime interest rate note, and the $17.5 million 8.7% note assumed by Storage Corporation under transaction (B)(2)(b) above, National will acquire from Storage Corporation the following: (i) 75 shares of Storage Corporation common stock, no par value. These shares will be valued at $9.1 million on the books of National and will be deemed to have been received in return for the cancellation of a $9.1 million portion of Storage Corporation's indebtedness to National. (ii) 320,000 shares of Storage Corporation's cumulative preferred Stock, 9.6% Series ($25 par value), having an aggregate par value of $8.0 million. This preferred stock will be entered on the books of National at $8.0 million and will be deemed to have been received in return for the cancellation of an $8.0 million portion of Storage Corporation's indebtedness to National. (iii) $10.3 million aggregate principal amount of the serial unsecured notes of Storage Corporation. These notes will be entered on the books of National at $10.3 million and will be deemed to have been received in return for the cancellation of a $10.3 million portion of Storage Corporation's indebtedness to National.

(B)(3)(d) National will issue and sell from time to time during the period from the closing Date through December 31, 1980, its unsecured short-term notes to Chase in an aggregate principal amount not to exceed $14 million at any one time outstanding. These notes will be subject to the same terms and conditions as those applying to the notes which National proposes to issue and sell to Chase prior to the Closing Date, pursuant to transaction (A)(1) above.

(B)(3)(e) National will use the proceeds of the short-term borrowings to acquire for cash from time to time prior to December 31, 1980, up to $14 million aggregate principal amount at any one time outstanding of short-term notes from Storage Corporation, as described in transaction (B)(3)(d) above.

Applicants-declarants believe the proposed storage project is in the public interest, because, among other things, it will assist public utilities in their effort to minimize curtailments of gas deliveries to their high priority residential and commercial customers during periods of high demand. The project will also develop a valuable asset of the National Fuel Gas System and is expected to provide a stable source of income.

The fees and expenses to be incurred in connection with the proposed transactions are to be filed by amendment.

It is represented that the requisite authorization of the proposed transactions has been or will be obtained from the Federal Energy Regulatory Commission and that no other state or federal commission, other than this Commission, has jurisdiction over the proposed transactions.

The applicants-declarants have requested that, in order to alleviate excessive paper work, they be permitted to file Rule 24 certificates related to short-term borrowings as soon after each quarter as practicable and that the time for filing the certificate respecting transactions other than short-term

borrowings be extended to 60 days after consummation of such transactions to permit preparation of financial statements and schedules of total fees and expenses.

Notice is further given that any interested person may, not later than March 13, 1980 request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5844 Filed 2-25-80; 8:45 am]

BILLING CODE 8010-01-M

[File No. 1-4596]

Grow Group, Inc.; Application To Withdraw From Listing and Registration

February 20, 1980.

The above named issuer has filed an application with the Securities and Exchange Commission pursuant to Section 12(d) of the Securities Exchange Act of 1934 (the "Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the specified security from listing and registration on the American Stock Exchange, Inc. ("Amex").

The reasons alleged in the application for withdrawing this security from listing and registration include the following:

1. The common stock of Grow Group, Inc. (the "Company") has been listed for trading on the Amex since January 26, 1962 and on the New York Stock Exchange, Inc. ("NYSE") since March 21, 1977. Since such listing on the NYSE, the Company's common stock has been dually listed for trading on both the Amex and NYSE.

2. For the 12-month period ended November 30, 1979, an aggregate of 773,300 shares of the Company's common stock was traded on the NYSE, while an aggregate of 6,000 shares were traded on the Amex (with no shares being reported as being traded on the Amex in January, July, August and September, 1979).

3. As a result of this disparity, the Company determined that the direct and indirect costs and the possibility of market fragmentation do not justify maintaining listings of the shares on both the Amex and the NYSE.

This application relates solely to withdrawal of the common stock from listing and registration on the Amex and shall have no effect upon the continued listing of such stock on the NYSE. The Amex has posed no objection in this matter.

Any interested person may, on or before March 10, 1980, submit by letter to the Secretary of the Securities and Exchange Commission, Washington, D.C. 20549, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any, should be imposed by the Commission for the protection of investors. An order granting the application will be issued after the date mentioned above, on the basis of the application and any other information furnished to the Commission, unless it orders a hearing on the matter.

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

George A. Fitzsimmons,

Secretary.

[FR Doc. 80-5949 Filed 2-25-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16592; File No. SR-NSCC-77-5]

National Securities Clearing Corp., Proposed Rule Change by Self-Regulatory Organization

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 14 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on February 6, 1980, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission an amendment to a proposed rule change as follows: Statement of Terms of Substance of the Proposed Rule Change.

The National Securities Clearing Corporation and the Cincinati Stock Exchange, Inc. have entered into an interface agreement dated December 24, 1979.

On or before April 1, 1980, 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 above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before March 18, 1980.

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

George A. Fitzsimmons,

Secretary.

February 20, 1980.

[FR Doc. 80-5951 Filed 2-25-80; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-16591; File Nos. 4-196, 4-273, 4-274, 4-267]

Proposed Filing of Amendments to the NASD/BSE, NASD/CSE, NASD/MSE, and NASD/PSE Plans; Program for Allocating Regulatory Responsibilities

In Securities Exchange Act Release No. 15191 (September 26, 1978),[1] the

[1] 43 FR 46093 (October 5, 1978). Originally approved for 270 days, the Commission subsequently extended the period of provisional

Footnotes continued on next page

Commission approved on a provisional basis the plans for allocating regulatory responsibilities (the "allocation plans") filed pursuant to Rule 17d–2 (17 CFR 240.17d–2) by the National Association of Securities Dealers, Inc. ("NASD") in conjunction with the Boston Stock Exchange, Inc. ("BSE"), Cincinnati Stock Exchange, Inc. ("CSE"), Midwest Stock Exchange, Inc. ("MSE"), and the Pacific Stock Exchange, Inc. ("PSE") (with the NASD, the "parties").[2] The Commission conditioned its further consideration of these plans on, among other things, the filing of certain amendments to them.

The amendments to the allocation plans filed by the NASD in conjunction with each of the exchanges will apply to each member of the applicable exchange which is now or is in the future designated to be inspected for compliance with applicable financial responsibility rules (a "designated member") by the NASD pursuant to Rule 17d–1 (17 CFR 240.17d–1) under the Securities Exchange Act of 1934.

The amendment to the allocation plan filed by the NASD and the BSE provides that, should a dispute arise between the parties concerning their obligations under the plan, such dispute shall be settled by arbitration in accordance with the rules of the American Arbitration Association.

The amendment to the allocation plan filed by the NASD and the CSE provides the identical arbitration clause as that submitted by the NASD and the BSE as noted above.

The amendment to the allocation plan filed by the NASD and the MSE provides the following: (1) an explanation of certain terms used in the plan and a description of the regulatory responsibilities of the NASD under the plan; (2) the NASD shall be responsible for reviewing and taking action on customer complaints; (3) the NASD shall review the advertising of dual members in accordance with applicable NASD rules; (4) the NASD and MSE shall not be restricted in conducting special examinations of dual members; (5) should a dispute arise between the parties concerning their obligations under the plans, the parties shall submit to arbitration; and (6) the NASD will impose no charge for their responsibilities to the MSE under this plan for at least three years beginning September 16, 1977, without giving the MSE notice and opportunity to terminate the agreement.

The amendment to the allocaiton plan filed by the NASD and the MSE provides the following: (1) an explanation of certain terms used in the plans and a description of the regulatory responsibilities of the NASD under the plan; (2) the NASD shall be responsible for reviewing and taking action on customer complaints; (3) the NASD shall review the advertising of dual members in accordance with applicable NASD rules, provided that that portion of the PSE rules which requires that advertisements by PSE member firms refer to the PSE when reference is made to membership in any securities exchanges shall remain in effect as to dual members subject to the plan; (4) the NASD and PSE shall not be restricted in conducting special examinations of dual members; (5) should a dispute arise between the parties concerning their obligations under the plans, the parties shall submit to arbitration; and (6) the PSE agrees to pay the NASD a quarterly fee.

In order to assist the Commission in determining whether to approve these plans amended as described herein and to relieve the BSE, CSE, MSE, and PSE of the responsibilities which would be assigned to the NASD, interested persons are invited to submit written data, views and arguments concerning the submissions within thirty (30) days of the date of publication of this notice in the **Federal Register.** Persons wishing to comment should file six (6) copies thereof with the Secretary of the Commission, 500 North Capitol Street, Washington, D.C. 20549. Reference should be made to file Nos. 4–196, 4–273, 4–274, 4–267.

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

George A. Fitzsimmons,

Secretary.

February 20, 1980.

[FR Doc. 80–5950 Filed 2–25–80; 8:45 am]

BILLING CODE 8010–01–M

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approval until January 1, 1980, in Securities Exchange Act Release No. 15941 (June 21, 1979). Because certain amendments to the plans and supplementary material had not been completed, the Division of Market Regulation, pursuant to delegated authority, extended the period of provisional approval until April 5, 1980, in Securities Exchange Act Release No. 16462 (January 2, 1980).

[2] The Commission has published notice of the terms of these plans in Securities Exchange Act Release No. 14094 (October 25, 1977), 42 FR 57197 (1977).

[Release No. 34–16593; File No. S7–822]

Impact of the Antibribery Prohibitions in Section 30A of the Securities Exchange Act of 1934

AGENCY: Securities and Exchange Commission.

ACTION: Request for public comment.

SUMMARY: The Securities and Exchange Commission is requesting public comment from issuers and other interested persons regarding the impact and operation of Section 30A of the Securities Exchange Act of 1934. That provision, which was enacted as part of the Foreign Corrupt Practices Act, prohibits registered issuers from using any means or instrumentality of interstate commerce in furtherance of any corrupt offer, payment, gift, promise to pay or give, or authorization of any payment or gift to foreign officials and certain other persons. The Commission is seeking to understand and evaluate any questions or concerns which may have arisen since the enactment of Section 30A.

DATE: Comments should be received by the Commission before the close of business on June 30, 1980.

ADDRESSES: Comments must be submitted in triplicate to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. Comment letters should refer to File No. S7–822. Unless confidential treatment is granted (see note 28, *infra*), all comments received will be available for public inspection and copying in the Commission's Public Reference Room, 1100 L Street, N.W., Washington, D.C. 20549.

FOR FURTHER INFORMATION CONTACT: Nicholas Gimbel, Office of the General Counsel (202–272–2438), Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549.

SUPPLEMENTARY INFORMATION:

I. Origin and Structure of Section 30A of the Securities Exchange Act

Two years ago, after extensive study of the issues surrounding illegal or improper payments emanating from American corporations in connection with their overseas business,[1] Congress

[1] *See, e.g.,* S. Rep. No. 95–114, 95th Cong., 1st Sess. (1977); H.R. Rep. No. 95–640, 95th Cong., 1st Sess. (1977); H.R. Rep. No. 95–831, 95th Cong., 1st Sess. (1977); S. Rep. No. 94–1031, 94th Cong., 2d Sess. (1976); *Hearings on Political Contributions to Foreign Governments Before the Subcommittee on Multinational Corporations of the Senate Committee on Foreign Relations,* 94th Cong., 1st Sess., Pt. 12 (1975); *Hearings on the Activities of American Multinational Corporations Abroad Before the Subcommittee on International Economic Policy of the House Committee on International Relations,* 94th Cong., 1st Sess. (1975); *Prohibiting Bribes to Foreign Officials, Hearing Before the Committee on Banking, Housing and Urban Affairs,* U.S. Senate, 94th Cong. 2d Sess. (1976); *Foreign Payments Disclosure, Hearings Before the Subcommittee on Consumer Protection and Finance of the Committee on Interstate and Foreign Commerce,* House of Representatives, 94th Cong., 2d Sess. (1976); *Foreign Corrupt Practices and Domestic and Foreign Investment Disclosure,*

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enacted the Foreign Corrupt Practices Act of 1977.[2] The Senate Committee in which the legislation originated described the Act as a "strong antibribery law" and recommended its passage because of the need "to bring these corrupt practices to a halt and to restore public confidence in the integrity of the American business system."[3] The legislative history makes clear that Congress viewed corporate bribery of foreign officials as unwise from a business standpoint,[4] unethical, inimical to the principles of free and fair competition, and a threat to the conduct of the Nation's foreign policy.[5]

In contrast, the Commission's interest in improper corporate payments was premised on concerns grounded in the federal securities laws. From the Commission's perspective, the problem was analyzed principally as one of disclosure—whether questionable payments and related recordkeeping practices were appropriately disclosed to investors under existing law. The Commission's experience with these issues also served to focus attention on the broader question of whether improper payments were symptomatic of weaknesses in the corporate accountability mechanisms which undergird the disclosure requirements of the federal securities laws.[6]

The Foreign Corrupt Practices Act addressed both the issue of specific questionable foreign payments and the broader problem of strengthening corporate accountability mechansims. First, pursuant to the Commission's recommendations,[7] Section 102 of the Act amended Section 13(b) of the Securities Exchange Act of 1934 to require issuers subject to the registration and reporting provisions of that Act "to make and keep books, records and accounts which, in reasonable detail, accurately and fairly reflect the transactions and dispositions of the assets of the issuer."[8] Further, the Act requires such issuers to "devise and maintain a system of internal accounting controls sufficient to provide reasonable assurances" that certain specified objectives are attained.[9] The Commission has implemented these "accounting provisions" through rulemaking designed to prohibit individuals from falsifying corporate records or misleading accountants[10] and the filing of several enforcement actions.[11] In addition, the Commission is considering a proposal which, if adopted, would require annual management reports to shareholders concerning the issuer's systems of internal accounting controls.[12]

Second, Sections 103 and 104 of the Foreign Corrupt Practices Act—provisions which the Commission recognized as raising broad national issues committed to Congress' judgment[13]—created direct prohibitions against certain payments to the officials of foreign governments. Section 30A of the Securities Exchange Act of 1934,[14] enacted by Section 103 of the Foreign Corrupt Practices Act, applied these prohibitions to any issuer which has a class of securities registered pursuant to Section 12 of the Securities Exchange Act, or is required to file reports under Section 15(d), and to any officer, director, employee, or agent of such issuer, or any shareholder acting on behalf of such issuer. These persons are prohibited from using the mails, or any means or instrumentality of interstate commerce, corruptly in furtherance of an offer, payment, or promise to give anything of value to any foreign official, any foreign political party or official thereof or any candidate for foreign political office, or any other person, where the reporting company has reason to know that the payment will accrue to any foreign official, foreign political party or official thereof, or any candidate for foreign political office.[15] Such payments are unlawful if made for the purpose of influencing any act, decision, or failure to act of a foreign official, foreign political party or official thereof, or candidate for foreign political office, or inducing such an official or party to influence any act or decision of such foreign government or instrumentality. In addition, the statute is applicable only if the payment was made in order to assist a reporting company in obtaining, retaining, or directing business to any person.

The Foreign Corrupt Practices Act also amended Section 32 of the Securities Exchange Act to create special penalties applicable to violations of this prohibition. Violations of Section 30A are punishable by a fine of up to $10,000, imprisonment for up to five years, or both, in the case of an individual, and a fine up to $1 million in the case of a corporation.[16] Amended Section 32 also provides that a fine levied upon any officer, director, stockholder, employee, or agent of an issuer shall not be paid, directly or indirectly, by such issuer.

Similarly, Section 104 of the Act, which is not part of the federal securities laws, enacted parallel prohibitions applicable to any "domestic concern," other than an entity covered by Section 30A, or any officer, director, employee, or agent of such domestic concern, or any stockholder thereof acting of its behalf.[17] This provision contains the same prohibitions and penalties as are applicable to reporting companies and their officers, employees, and agents under the Securities Exchange Act.

Section 30A is subject to Commission enforcement and implementation in the same manner as are other provisions of the Securities Exchange Act; like other sections of the Act, the Department of Justice is responsible for any criminal prosecutions under Section 30A. The

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Footnotes continued from last page
Hearing Before the Committee on Banking, Housing and Urban Affairs, U.S. Senate, 95th Cong., 1st Sess. (Mar. 16, 1977); *Unlawful Corporate Payments Act of 1977, Hearings Before the Committee on Consumer Protection and Finance of the Committee on Interstate and Foreign Commerce*, House of Representatives, 95th Cong., 1st Sess. (1977).

[2] Pub. L. 95–213, 91 Stat. 1494.

[3] S. Rep. No. 95–114, *supra* note 1, at 4; *accord* 13 Weekly Compilation of Presidential Documents 1909 (Dec. 21, 1977).

[4] *See* S. Rep. No. 95–114, *supra* note 1, at 4–5; H.R. Rep. No. 95–640, *supra* note 1, at 4–5.

[5] *See* S. Rep. No. 95–114, *supra* note 1, at 4–5; H.R. Rep. No. 95–640, *supra* note 1, at 5.

[6] *See generally* Report of the Securities and Exchange Commission on Questionable and Illegal Corporate Payments and Practices Submitted to the Committee on Banking, Housing and Urban Affairs, United States Senate (May 12, 1976), *reprinted in* 642 CCH Fed. Sec. L. Rep., Pt. II (May 19, 1976).

[7] *Id.* at 66.

[8] Section 13(b)(2)(A) of the Securities Exchange Act of 1934, 15 U.S.C. 78m(b)(2)(A).

[9] *Id.*, Section 13(b)(2)(B), 15 U.S.C. 78m(b)(2)(B).

[10] *See* Securities Exchange Release No. 15570 (Feb. 15, 1979), 16 SEC Docket 1143, 44 FR 10964, adopting Securities Exchange Act Rules 13b2–1 and 13b2–2, 17 CFR 240.13b2–1 and 13b2–2.

[11] *SEC v. Wyoming coal*, Civil Action No. C79–312 (D. Wyo., filed Oct. 15, 1979); *SEC v. Marlene Industries Corp.*, 79 Civ. 1959 (S.D.N.Y., filed Apr. 16, 1979); *SEC v. International Systems & Controls Corp.*, Civil Action No. 79–1760 (D.D.C., filed July 9, 1979); *SEC v. Page Airways, Inc.*, Civil Action No. 78–0656 (D.D.C. filed Apr. 11, 1978); *SEC v. Aminex Resources Corp.*, Civil Action No. 78–0410 (D.D.C., filed Mar. 9, 1978).

[12] *See* Securities Exchange Act Release No. 15772 (Apr. 30, 1979), 17 SEC Docket 421 (May 15, 1979), 44 FR 26702.

[13] "The Commission believes that the question whether there should be a general statutory prohibition against the making of certain kinds of foreign payments presents a broad issue of national policy * * *. In this context the purposes of the federal securities laws, while important, are not the only or even the overriding consideration, and we believe that the issue should be considered separately from the federal securities laws."—Report of the Securities and Exchange Commission on Questionable and Illegal Corporate Payments and Practices, *supra* note 5, at 61–62.

[14] 15 U.S.C. 78dd–1. The text of this prohibition, and its companion penalty provisions, are set forth in the Appendix to this release.

[15] A foreign official is "any officer or employee of a foreign government or any department, agency or instrumentality thereof, or any person acting in an official capacity for or on behalf of such government or department, agency or instrumentality." The term does not, however, include employees "whose duties are essentially ministerial or clerical." Section 30A(b), 15 U.S.C. 78dd–1(b).

[16] Section 32(c) of the Securities Exchange Act of 1934, 15 U.S.C. 78ff(c).

[17] 15 U.S.C. 78dd–1.

prohibition in Section 104 of the Foreign Corrupt Practices Act is, on the other hand, enforced exclusively by the Department of Justice, which may bring either civil or criminal proceedings under that provision. Since the enactment of Section 30A, the Commission has filed one civil injunctive action to enjoin violations of the antibribery prohibitions.[18] The Department has brought civil [19] and criminal [20] actions alleging violations of Section 104.[21]

II. Nature of the Commission's Inquiry

During the two years that Sections 103 and 104 of the Foreign Corrupt Practices Act have been in effect, it has been publicly reported that U.S. corporations are experiencing difficulty in conducting their operations as a result of questions concerning the applicability of the new antibribery prohibitions.[22] In that connection, some commentators have raised concerns about the meaning and scope of certain of the operative provisions of the statute, such as the requirement that payments be made "corruptly"; the effect of the phrase "obtaining or retaining business"; the scope of the definition of "foreign officials"; and the exclusion of "facilitating" or grease payments reflected in that definition.[23]

The Commission has no empirical evidence concerning the actual impact of the Act upon affected persons, the extent to which any uncertainty concerning its applicability has influenced the willingness or ability of Commission registrants to engage in foreign commerce, or whether issuers have refrained from specific conduct—despite a good faith belief in its legality—because of unwillingness to risk violating the federal securities laws. Section 30A is, of course, supported by an extensive legislative record which sheds light on many of the issues which have been raised.[24] Nonetheless, press comments indicate that registrants may believe that there are genuine areas of uncertainty and may therefore be reluctant to engage in some legitimate forms of foreign trade. The Commission is seeking, through this release, to obtain information concerning these matters.

In response to questions similar to the ones described above concerning the applicability of the new antibribery prohibition, the Department of Justice has proposed a new "business review procedure" pursuant to which companies engaged in foreign commerce may obtain advance advice from the Department.[25] In addition, Assistant Attorney General Philip B. Heymann has announced certain priorities which will guide the Department in selecting cases for prosecution under the Act.[26] Although the Commission is not participating in the Department's business review procedure,[27] the Commission is, of course, interested in reviewing the Department's experience with that procedure. The Commission is not, however, seeking comments concerning the business review procedure or other issues which relate solely to the Department's discharge of its responsibilities under the Act.

III. Request for Comment

The Commission is soliciting comment concerning the impact of Section 30A and any impediments which it presents to legitimate foreign commerce. The Commission is also interested in determining what steps issuers have taken to comply with the new Act, whether there are recurring questions or concerns with respect to the interpretation of Section 30A, and what impact, if any, uncertainty concerning the Act may be having on competition in foreign markets. The Commission wishes to understand the questions which some persons have raised and to determine whether there are any steps which the Commission should take, consonant with the public interest and the concerns of registrants, to better administer the elements of the antibribery prohibition which fall within its jurisdiction.

It must be stressed that the Commission is not inviting views concerning whether the underlying objective of the Act—to prohibit payment of bribes to foreign officials in connection with obtaining or retaining business for U.S. issuers—ought to be reconsidered; that is a matter which, of course, is exclusively within Congress' discretion. Rather, the objectives of the Commission's inquiry are to determine whether there is substance to the concerns which have been voiced regarding the impact and construction of Section 30A. After analyzing the comments received in this proceeding, the Commission will consider whether there is further action which it should take to address these matters.

The Commission invites public comment on the issues set forth in this release and on the experience of the business community and its professional advisors in applying Section 30A of the Securities Exchange Act to concrete facts. In order to be of maximum utility to the Commission, comments should be as specific as possible and reflect actual experience under the Act. All comments should be received by June 30, 1980, and must be filed, in triplicate, with George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capital Street, Washington, D.C. 20549. Submissions should refer to file number S7–822 and, unless confidential treatment is authorized,[28] will be

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[18] *Securities and Exchange Commission* v. *Katy Industries*, Civil Action No. C78–3476 (N.D. Ill., filed Aug. 30, 1978).

[19] *See, e.g., United States* v. *Roy J. Carver, et ano.*, Civil Action No. 79–1768 (S.D. Fla., filed Apr. 9, 1979).

[20] *See, e.g., United Stated* v. *Kenny International Corp.*, Criminal No. 79–00372 (D.D.C., filed Aug. 2, 1979).

[21] In addition, the Department has, as noted below, instituted a business review procedure.

[22] *See generally*, Taubman, "Second Look at Bribery Law," New York Times, May 29, 1979, Section D at p. 1; Landauer, "Antibribery Law Uncertainties Persist," Wall Street Journal, May 30, 1979, at 12. *See also Foreign Corrupt Practices Act, Hearing before the Subcommittee on Oversight and Investigations of the Committee on Interstate and Foreign Commerce*, U.S. House of Representatives, 96th Cong., 1st Sess. (June 14, 1979).

[23] *See, e.g.*, Baruch, *The Foreign Corrupt Practices Act*, 57 Harv. Bus. Rev. 32 (1979); McCoy & Griffin, *Illegal Payments Abroad: Congress' Response*, Legal Times of Washington, Oct. 30, 1978, at 8–10; Sprow & Benedict, *The Foreign Corrupt Practices Act of 1977: Some Practical Problems and Suggested Procedures*, 1 Corporation L. Rev. 357 (1978); Estey & Marston, *Pitfalls (and Loopholes) in the Foreign Bribery Law*, Fortune, Oct. 9, 1978, at 182; Best, *The Foreign Corrupt Practices Act*, 11 Rev. of Securities Reg. 975 (1978); Jensen, *Antibribery Law Has Some Teeth*, New York Times, Dec. 25, 1977, Section 4 at p. 2.

[24] Some of the significant components of that record are cited in note 1, *supra*.

[25] *See* Heymann, "The Justice Department's Proposed Program to Provide Advice to Businesses in Connection with Foreign Payments," An Address Delivered at the Pierre Hotel, New York, New York (Nov. 8, 1979).

[26] *Id.*

[27] Although the Commission is sensitive to the need for law enforcement officials to consider the impact of newly enacted laws, such as Section 30A, on affected persons, the Commission is concerned that determinations as to the applicability of Section 30A to particular fact patterns would, in many cases, turn on judgments concerning motivation and intent. Since subjective questions of this nature do not easily lend themselves to guidance on the basis of a written description of the proposed transaction, the Commission stated, in Securities Exchange Act Release No. 14478 (Feb. 16, 1978), 14 SEC Docket 180, 183, 43 FR 7752, 7754, that it would not give advice concerning the applicability of the Foreign Corrupt Practices Act to particular transactions. That policy remains in force at the present time. The Commission invites comment, however, concerning its position in this regard.

[28] The Commission recognizes that comments may, in some cases, reflect confidential business information not appropriate for public dissemination. Those wishing to make application for confidential treatment of any part of their submission should state that fact prominently on the first page or cover sheet thereof. *See* Section 23(a)(3) of the Securities Exchange Act of 1934, 15 U.S.C. 78w(a)(3); Rule 24b–2, 17 CFR 240.24b–2. In addition, where issuers have information concerning specific experience in applying the Act to concrete fact situations, but are reluctant to identify themselves in a comment letter—even if confidential—the Commission will consider submissions made by counsel relating the experiences of clients but without identifying the client involved.

available for inspection and copying at the Commission's Public Reference Room, 1100 L Street, NW., Washington, D.C.

By the Commission.

George A. Fitzsimmons,

Secretary.

February 21, 1980.

Appendix

Foreign Corrupt Practices by Issuers

Sec. 30A. (a) It shall be unlawful for any issuer which has a class of securities registered pursuant to section 12 of this title or which is required to file reports under section 15(d) of this title, or for any officer, director, employee, or agent of such issuer or any stockholder thereof acting on behalf of such issuer, to make use of the mails or any means or instrumentality of interstate commerce corruptly in furtherance of an offer, payment, promise to pay, or authorization of the payment of any money, or offer, gift, promise to give, or authorization of the giving of anything of value to—

(1) Any foreign official for purposes of —

(A) Influencing any act or decision of such foreign official in his official capacity, including a decision to fail to perform his official functions; or

(B) Inducing such foreign official to use this influence with a foreign government of instrumentality thereof to affect or influence any act or decision of such government or instrumentality,

in order to assist such issuer in obtaining or retaining business for or with, or directing business to, any person;

(2) Any foreign political party or official thereof or any candidate for foreign political office for purposes of—

(A) Influencing any act or decision of such party, official, or candidate in its or his official capacity, including a decision to fail to perform its or his official functions; or

(B) Inducing such party, official, or candidate to use its or his influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality,

in order to assist such issuer in obtaining or retaining business for or with, or directing business to, any person; or

(3) Any person, while knowing or having reason to know that all or a portion of such money or thing of value will be offered, given, or promised, directly or indirectly, to any foreign official, to any foreign political party or official thereof, or to any candidate for foreign political office, for purposes of—

(A) Influencing any act or decision of such foreign official, political party, party official, or candidate in his or its official capacity, including a decision to fail to perform his or its official functions; or

(B) Inducing such foreign official, political party, party official, or candidate to use his or its influence with a foreign government or instrumentality thereof to affect or influence any act or decision of such government or instrumentality,

in order to assist such issuer in obtaining or retaining business for or with, or directing business to, any person.

(b) As used in this section, the term "foreign official" means any officer or employee of a foreign government or any department, agency, or instrumentality thereof, or any person acting in an official capacity for or on behalf of such government or department, agency, or instrumentality. Such term does not include any employee of a foreign government or any department, agency, or instrumentality thereof whose duties are essentially ministerial or clerical.

Penalties

Sec. 32. * * *

(c)(1) Any issuer which violates section 30A(a) of this title shall, upon conviction, be fined not more than $1,000,000.

(2) Any officer or director of an issuer, or any stockholder acting on behalf of such issuer, who willfully violates section 30A(a) of this title shall, upon conviction, be fined not more than $10,000, or imprisoned not more than five years, or both.

(3) Whenever an issuer is found to have violated section 30A(a) of this title, any employee or agent of such issuer who is a United States citizen, a national, or resident or is otherwise subject to the jurisdiction of the United States (other than an officer, director, or stockholder of such issuer), and who willfully carried out the act or practice constituting such violation shall, upon conviction, be fined not more than $10,000, or imprisoned not more than five years, or both.

(4) Whenever a fine is imposed under paragraph (2) or (3) of this subsection upon any officer, director, stockholder, employee, or agent of an issuer, such fine shall not be paid, directly or indirectly, by such issuer.

[FR Doc. 80-5952 Filed 2-25-80; 8:45 am]

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DEPARTMENT OF THE TREASURY

Office of the Secretary

[Supplement to Department Circular Public Debt Series—No. 8-80]

Treasury Notes of Series P-1982; Interest Rate

February 21, 1980.

The Secretary of the Treasury announced on February 20, 1980, that the interest rate on the notes designated Series P-1982, described in Department Circular—Public Debt Series—No. 8-80, dated February 14, 1980, will be 13⅞ percent. Interest on the notes will be payable at the rate of 13⅞ percent per annum.

Paul H. Taylor,

Fiscal Assistant Secretary.

Supplementary Statement

The announcement set forth above does not meet the Department's criteria for significant regulations and, accordingly, may be published without compliance with the Departmental procedures applicable to such regulations.

[FR Doc. 80-5947 Filed 2-25-80; 8:45 am]

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DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

DEPARTMENT OF THE TREASURY

[Notice 80-4]

Health Hazards Related to Alcoholic Consumption; Information Required To Furnish a Joint Agency Report to the President and the Congress as Required by Pub. L. 96-180

AGENCIES: Department of Health, Education, and Welfare and Department of the Treasury.

ACTION: Notice with invitation to comment.

SUMMARY: Congress has instructed the Department of Health, Education, and Welfare and the Department of the Treasury to prepare jointly a report for the President and the Congress by June 1, 1980. This report is in response to Public Law (Pub. L.) 96-180, the "Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment, and Rehabilitation Act Amendments of 1979." The report will address the following issues:

(1) The extent and nature of birth defects associated with alcohol consumption by pregnant women;

(2) The extent and nature of other health hazards associated with alcoholic beverages; and

(3) The actions which should be taken by the Federal government under the Federal Alcohol Administration Act and the Federal Food, Drug, and Cosmetic Act with respect to informing the general public of such health hazards.

DATE: Written comments must be received by March 27, 1980.

FOR FURTHER INFORMATION CONTACT: Michael Dressler, Special Operations Branch, Bureau of Alcohol, Tobacco and Firearms, [202] 566-7591.

SUPPLEMENTARY INFORMATION:

I. Public Participation

In order to prepare a comprehensive report for the President and the Congress, the Assistant Secretary for Health of the Department of Health, Education, and Welfare and the Assistant Secretary for Enforcement and Operations of the Department of the Treasury are requesting all interested parties to submit, in writing, brief comments summarizing views or opinions on health hazards related to alcohol consumption and actions that