to the listing guidelines under Section 106 of the Guide, which provide, among other things, that: (1) the issuer shall have tangible net worth of at last US\$150 million and otherwise substantially exceed size and earnings requirements in Section 101(A) of the Guide; (2) the term of the warrants shall be for a period ranging from one to five years from the date of issuance; and (3) the minimum public distribution of such issues shall be one million warrants, together with a minimum of 400 public holders, and an aggregate market value of at least US\$4 million.

DAX Index warrants will be direct obligations of their issuer subject to cash-settlement during their term. Index warrants will either be exercisable throughout their life (i.e., Americanstyle) or exercisable only during a specified period immediately prior to the expiration date (i.e., Europeanstyle). Upon exercise, the holder of a warrant structured as a "put" will receive payment in U.S. dollars to the extent that the DAX Index has declined below a cash settlement value specified at the time of issuance. Conversely. upon exercise, holders of an Index warrant structured as a "call" will receive payment in U.S. dollars to the extent that the DAX Index has increased above a cash settlement value specified at the time of issuance. Index warrants that are "out-of-the-money" at the time of expiration will expire worthless.

The Amex has adopted suitability standards applicable to recommendations to purchasers of Index warrants and transactions in customer accounts. Amex Rule 411, Commentary .02 applies the options suitability standard in Amex Rule 923 to recommendations regarding Index warrants; and the Amex requires that Index warrants be sold only to accounts approved for the trading of options. Amex Rule 421, Commentary .02 requires a Senior Registered Options Principal or a Registered Options Principal to approve and initial a discretionary order in Index warrants on the day the order is entered. In addition, the Amex, prior to the commencement of trading of Index warrants, will distribute a circular to its membership calling attention to specific risks associated with warrants on the DAX Index.7

In its order approving listing standards for foreign currency and index warrants, the Commission noted that, with respect to foreign index warrants, there should be an adequate mechanism for sharing surveillance information with respect to an index's component securities. In this regard, the Amex represents that it has entered into discussions with representatives of the FSE and has reached preliminary agreement with respect to establishing an appropriate means to accomplish such information sharing.

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act, in general, and furthers the objections of Section 6(b)(5) in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

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

The Amex does not believe that the proposed rule change will impose any inappropriate burden on competition.

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

No written comments were solicited or received with respect to the proposed rule change.

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

Within 35 days of the date of publication of this notice in the **Federal Register** 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 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.

# **IV. Solicitation of Comments**

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the Amex. All submissions should refer to File No. SR-Amex-94-55 and should be submitted by February 16, 1995.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.  $^9$ 

# Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 95–1980 Filed 1–25–95; 8:45 am] BILLING CODE 8010–01–M

#### DEPARTMENT OF TRANSPORTATION

# Federal Aviation Administration

[AC No. 00-1.1]

# Proposed Advisory Circular on Government Aircraft Operations

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Request for comments on proposed advisory circular.

**SUMMARY:** Proposed Advisory Circular (AC) 00-1.1, Government Aircraft Operations, provides guidance on whether particular government aircraft operations are public aircraft operations of civil aircraft operations under the new statutory definition of "public aircraft." This AC contains the FAA's intended application of key terms in the new statutory definition. For operations that have lost public aircraft status under the new law, this AC provides information on bringing those operations into compliance with FAA safety regulations for civil aircraft. It also provides information on applying for an exemption.

**DATES:** Comments must be received on or before February 27, 1995.

ADDRESSES: Written comments are invited on all aspects of the proposed AC. Commenters must identify file number AC 00–1.1, Government Aircraft Operations. Send all comments on the proposed AC to the following location: Federal Aviation Administration, Flight

<sup>&</sup>lt;sup>7</sup> The Commission notes that the Amex will be required to submit a draft of the circular to the Commission staff for approval prior to distribution to members.

<sup>&</sup>lt;sup>8</sup> See Securities Exchange Act Release No. 26152 (October 3, 1988), 53 FR 39832 (October 12, 1988).

<sup>9 17</sup> CFR 200.30-3(a)(12) (1994).