

following priority overlays (in order): (1) Public customer; (2) Preferred Market-Maker entitlement; (3) Market Turner; and (4) DPM entitlement. If an order was received by the Hybrid system while this allocation structure was in place, public customer orders would trade first, the Preferred Market-Maker would trade second, the Market Turner would trade third, the DPM (DPM Complex) would trade fourth, if the Preferred Market-Maker was not present at the best price, and any remaining balance would trade using pro-rata.

The Exchange believes that adding this flexibility to its matching rules will allow for greater customization, resulting in enhanced service to its customers and users.

## 2. Statutory Basis

The Exchange believes the proposed rule change is consistent with section 6(b) of the Act<sup>3</sup> in general, and furthers the objectives of section 6(b)(5) of the Act<sup>4</sup> in particular, because: (i) The filing allows the Exchange to further customize the Hybrid matching algorithm in connection with customer preference without increasing the participation entitlement percentages applicable to option trading, which serves to remove impediments to and perfect the mechanism of a free and open market; and (ii) the filing proposes continued use of a purely objective method for allocating option trades which promotes just and equitable principles of trade.

### B. Self-Regulatory Organization's Statement on Burden on Competition

CBOE does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act.

### 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 CBOE 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, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

### Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-CBOE-2008-08 on the subject line.

### Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-CBOE-2008-08. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). 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 Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-CBOE-2008-08 and should

be submitted on or before March 13, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>5</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E8-3198 Filed 2-20-08; 8:45 am]

BILLING CODE 8011-01-P

## DEPARTMENT OF STATE

[Public Notice: 6104]

### Presidential Determination Concerning Waiver of Section 1083 of the National Defense Authorization Act for Fiscal Year 2008 With Respect to Iraq

**SUMMARY:** On January 28, 2008, the President issued Presidential Determination 2008-9. Presidential Determination 2008-9 waives the application of all provisions of section 1083 of the National Defense Authorization Act for Fiscal Year 2008 (NDAA) with respect to Iraq. Section 1083 amends the Foreign Sovereign Immunities Act, which establishes a framework for lawsuits against foreign countries and their agencies and instrumentalities under U.S. law. Pursuant to section 1083(d)(1) the President may waive any provision of this section with respect to Iraq, insofar as that provision may, in the President's determination, affect Iraq or any agency or instrumentality thereof, if the President determines that the waiver is in the national security interest of the United States; the waiver will promote the reconstruction of, the consolidation of democracy in, and the relations of the United States with, Iraq; and Iraq continues to be a reliable ally of the United States and partner in combating acts of international terrorism. Pursuant to section 1083(d)(3), a waiver by the President under section 1083(d)(1) shall cease to be effective 30 days after it is made unless the President has notified Congress in writing of the basis for the waiver as determined by the President under section 1083(d)(1). Presidential Determination 2008-9 directs the Department of State to notify Congress of the President's determination and waiver and the accompanying memorandum of justification. On February 4, 2008, the Department of State transmitted to Congress Presidential Determination 2008-9 and the accompanying memorandum of justification.

**SUPPLEMENTARY INFORMATION:** The text of Presidential Determination 2008-09 and

<sup>3</sup> 15 U.S.C. 78f(b).

<sup>4</sup> 15 U.S.C. 78f(b)(5).

<sup>5</sup> 17 CFR 200.30-3(a)(12).

accompanying Memorandum of Justification, as transmitted to Congress on February 4, 2008, can be found at 73 FR 6571 (February 5, 2008).

Dated: February 14, 2008.

**Richard Schmierer,**

*Acting Deputy Assistant Secretary,  
Department of State.*

[FR Doc. E8-3248 Filed 2-20-08; 8:45 am]

**BILLING CODE 4710-31-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

[Summary Notice No. PE-2007-0106]

#### Petition for Exemption; Summary of Petition Received

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of petition for exemption received.

**SUMMARY:** This notice contains a summary of a petition seeking relief from specified requirements of 14 CFR. The purpose of this notice is to improve the public's awareness of, and participation in, this aspect of FAA's regulatory activities. Neither publication of this notice nor the inclusion or omission of information in the summary is intended to affect the legal status of the petition or its final disposition.

**DATES:** Comments on this petition must identify the petition docket number involved and must be received on or before March 13, 2008.

**ADDRESSES:** You may send comments identified by Docket Number FAA-2008-0104 using any of the following methods:

- *Government-wide rulemaking Web site:* Go to <http://www.regulations.gov> and follow the instructions for sending your comments electronically.
- *Mail:* Send comments to the Docket Management Facility; U.S. Department of Transportation, 1200 New Jersey Avenue, SE., West Building Ground Floor, Room W12-140, Washington, DC 20590.
- *Fax:* Fax comments to the Docket Management Facility at 202-493-2251.
- *Hand Delivery:* Bring comments to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

*Privacy:* We will post all comments we receive, without change, to <http://www.regulations.gov>, including any personal information you provide. Using the search function of our docket

web site, anyone can find and read the comments received into any of our dockets, including the name of the individual sending the comment (or signing the comment for an association, business, labor union, etc.). You may review DOT's complete Privacy Act Statement in the **Federal Register** published on April 11, 2000 (65 FR 19477-78).

*Docket:* To read background documents or comments received, go to <http://www.regulations.gov> at any time or to the Docket Management Facility in Room W12-140 of the West Building Ground Floor at 1200 New Jersey Avenue, SE., Washington, DC, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Susan Boylon (425-227-1152), Transport Standards Staff, Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98057-3356, or Frances Shaver (202) 267-9681, Office of Rulemaking, Federal Aviation Administration, 800 Independence Avenue, SW., Washington, DC 20591.

This notice is published pursuant to 14 CFR 11.85.

Issued in Washington, DC, on February 14, 2008.

**Pamela Hamilton-Powell,**

*Director, Office of Rulemaking.*

#### Petition for Exemption

*Docket No.:* FAA-2007-0106.

*Petitioner:* Cessna Aircraft Company.

*Section of 14 CFR Affected:* 23.855(c)(2).

*Description of Relief Sought:* Petitioner requests relief from the requirements of 14 CFR part 23, § 23.855(c)(2) for a smoke or fire detector in the baggage compartment of the Cessna Model 525B aircraft. If granted, the petitioner would be allowed to obtain a type certificate for the Cessna 525B without a fire or smoke detector in the forward or aft baggage compartments.

[FR Doc. E8-3208 Filed 2-20-08; 8:45 am]

**BILLING CODE 4910-13-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Assessment: Milwaukee County, WI

**AGENCY:** Federal Highway Administration (FHWA), DOT.

**ACTION:** Notice of intent to prepare an Environmental Assessment.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an

Environmental Assessment will be prepared for a proposed interchange project in Milwaukee County, Wisconsin by the Wisconsin Department of Transportation (WisDOT).

**FOR FURTHER INFORMATION CONTACT:** David Scott, FHWA, Suite 8000 525 Junction Road, Madison, WI 53717; Telephone: (608) 829-7522.

**SUPPLEMENTARY INFORMATION:** The Federal Highway Administration (FHWA), in cooperation with the Wisconsin Department of Transportation (WisDOT), will prepare an Environmental Assessment on a proposal to improve the Zoo Interchange (I-94 and I-894/US 45 interchange) and adjacent interchanges in Milwaukee County, WI; a distance of approximately 7 miles. This freeway interchange has emerging pavement and structural needs, safety issues and design deficiencies. The proposed project may require full reconstruction and redesign of the Zoo Interchange as well as interchanges within the project limits of US 45 and Center Street on the north, I-94 at 116th on the west, I-94 and 76th Street on the east and I-894/US 45 at Union Pacific Railroad south of Greenfield Avenue on the south. The Environmental Assessment will evaluate the Zoo Interchange, I-94 and US 45 freeway mainline for the entire corridor as well as the service interchanges in Milwaukee County. Those service interchanges include US 45 and North Avenue, US 45 and Swan Boulevard/Watertown Plank Road, US 45 and Wisconsin Avenue/Bluemound Road, US 45/I-894 and Greenfield Avenue, I-94 and STH 100/108th Street, and I-94 and 84th Street interchanges.

The proposed Zoo Interchange project is intended to make necessary safety improvements and to accommodate existing and projected future traffic volumes through the interchange.

Public involvement will be solicited throughout this process including involvement from minority and low-income populations in the project study area to ensure that the construction of the corridor does not create disproportionately high and adverse environmental and health impacts to these communities. Public workshops and a series of public information meetings will be held during the project study. Public notice will be given as to the time and place of all workshops and public information meetings. In addition, a public hearing will be held after the Environmental Assessment has been prepared. A Zoo Interchange project study email address and a public website will be maintained throughout