

*Total Annual Responses:* An average of approximately 1,600.  
*Average Time per Response:* 45 minutes per interview.

*Estimated Total Burden Hours:* The total annual burden hours is estimated to be 1,200 hours.

*Total Burden Cost:* Varies per year, per following table.

Year	Group of regions	Annual burden (hrs)	Average cost per hour	Annual burden cost
2008 .....	Generation 1 .....	600	\$36	\$21,600
2009 .....	Generation 1 .....	600	36	64,800
	Generation 2 .....	600	36	.....
	Generation 3 .....	600	36	.....
2010 .....	Generation 2 .....	600	36	43,200
	Generation 3 .....	600	36	.....
Total .....	.....	3,600	.....	129,600

The cost to regional representatives to participate in the unstructured interviews, based on an annual average salary of \$75,000 per representative, is approximately \$129,600.

Comments submitted in response to this comment request will be summarized and/or included in the request for Office of Management and Budget approval of the information collection request; they will also become a matter of public record.

Dated: March 26, 2008.

**Thomas M. Dowd,**

*Administrator, Office of Policy Development and Research, Employment and Training Administration.*

[FR Doc. E8-6549 Filed 3-28-08; 8:45 am]

**BILLING CODE 4510-FN-P**

**NUCLEAR REGULATORY COMMISSION**

**Agency Information Collection Activities: Proposed Collection; Comment Request**

**AGENCY:** U.S. Nuclear Regulatory Commission (NRC).

**ACTION:** Notice of pending NRC action to submit an information collection request to the Office of Management and Budget (OMB) and solicitation of public comment.

**SUMMARY:** The NRC is preparing a submittal to OMB for review of continued approval of information collections under the provisions of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35).

Information pertaining to the requirement to be submitted:

1. *The title of the information collection:* NRC Form 354, "Data Report on Spouse."

2. *Current OMB approval number:* 3150-0026.

3. *How often the collection is required:* On occasion.

4. *Who is required or asked to report:* NRC contractors, licensees, applicants and others (e.g. intervenor's) who marry or cohabitate after completing the Personnel Security Forms, or after having been granted an NRC access authorization or employment clearance.

5. *The number of annual respondents:* 60.

6. *The number of hours needed annually to complete the requirement or request:* 12 hours (0.2 hours per response).

7. *Abstract:* NRC Form 354 must be completed by NRC contractors, licensees, and applicants who marry or cohabitate after completing the Personnel Security Forms, or after having been granted an NRC access authorization or employment clearance. Form 354 identifies the respondent, the marriage, and data on the spouse and spouse's parents. This information permits the NRC to make initial security determinations and to assure there is no increased risk to the common defense and security.

Submit, by May 30, 2008, comments that address the following questions:

1. Is the proposed collection of information necessary for the NRC to properly perform its functions? Does the information have practical utility?

2. Is the burden estimate accurate?

3. Is there a way to enhance the quality, utility, and clarity of the information to be collected?

4. How can the burden of the information collection be minimized, including the use of automated collection techniques or other forms of information technology?

A copy of the draft supporting statement may be viewed free of charge at the NRC Public Document Room, One White Flint North, 11555 Rockville Pike, Room O-1 F21, Rockville, MD 20852. OMB clearance requests are

available at the NRC worldwide Web site: <http://www.nrc.gov/public-involve/doc-comment/omb/index.html>. The document will be available on the NRC home page site for 60 days after the signature date of this notice.

Comments and questions about the information collection requirements may be directed to the NRC Clearance Officer, Margaret A. Janney (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by telephone at 301-415-7245, or by e-mail to [INFOCOLLECTS@NRC.GOV](mailto:INFOCOLLECTS@NRC.GOV).

Dated at Rockville, Maryland, this 25th day of March 2008.

For the Nuclear Regulatory Commission.

**Gregory Trussell,**

*Acting NRC Clearance Officer, Office of Information Services.*

[FR Doc. E8-6518 Filed 3-28-08; 8:45 am]

**BILLING CODE 7590-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-57550; File No. SR-ISE-2008-30]

**Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Regarding Responses to Special Orders**

March 24, 2008.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on March 19, 2008, the International Securities Exchange, LLC ("ISE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in

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

<sup>2</sup> 17 CFR 240.19b-4.

Items I and II below, which Items have been substantially prepared by ISE. The Exchange filed the proposal as a “non-controversial” proposed rule change pursuant to section 19(b)(3)(A)(iii) of the Act<sup>3</sup> and Rule 19b-4(f)(6) thereunder,<sup>4</sup> which renders it effective upon filing with the Commission.<sup>5</sup> The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The ISE proposes to amend its rules regarding responses to special orders. The text of the proposed rule change is available at ISE, the Commission’s Public Reference Room, and <http://www.iseoptions.com>.

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

In its filing with the Commission, the ISE 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. The ISE has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

#### **A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

##### **1. Purpose**

The purpose of this proposed rule change is to amend the Exchange’s rules regarding responses to special orders. Currently, when members enter orders into the options trading system’s Block Mechanism, Facilitation Mechanism, and Solicited Order Mechanism, the orders are exposed to all market participants for three seconds. However, the Exchange’s rules restrict on whose behalf a member may respond. In the case of the Block, Facilitation and Solicited Order Mechanisms, members may not enter responses on behalf of options market makers on other exchanges.

Many of ISE’s members operate as market makers on other exchanges that do not have this same type of

restrictions in their rules. Accordingly, the Exchange proposes to eliminate the restriction on the entry of orders for the account of market makers of another options exchange. The Exchange does not believe that this proposed rule change will have a material effect on the current participation in trades entered into the mechanisms. Further, this proposed rule change will bring ISE’s rules into conformance with those of the other exchanges who, as noted above, do not have this restriction in their rules.

##### **2. Statutory Basis**

The Exchange believes the proposed rule change is consistent with the Act and the rules and regulations under the Act applicable to a national securities exchange and, in particular, the requirements of section 6(b) of the Act.<sup>6</sup> Specifically, the Exchange believes the proposed rule change is consistent with section 6(b)(5) of the Act<sup>7</sup> requirements that the rules of a national securities exchange be designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts and, in general, to protect investors and the public interest. In particular, the proposed rule change will strengthen the Exchange’s competitive position while allowing a greater number of market participants to respond to special orders on the Exchange.

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

The proposed rule change does not impose any burden on competition that is 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**

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

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

Because the foregoing proposed rule change does not (1) significantly affect the protection of investors or the public interest; (2) impose any significant burden on competition; and (3) become operative for thirty days from the date on which it was filed, or such shorter time as the Commission may designate

if consistent with the protection of investors and the public interest, it has become effective pursuant to section 19(b)(3)(A) of the Act<sup>8</sup> and Rule 19b-4(f)(6)<sup>9</sup> thereunder.<sup>10</sup>

A proposed rule change filed under Commission Rule 19b-4(f)(6)<sup>11</sup> normally does not become operative prior to thirty days after the date of filing. The Exchange requests that the Commission waive the 30-day operative delay, as specified in Rule 19b-4(f)(6)(iii), and designate the proposed rule change to become operative immediately. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because such waiver will enable a greater number of market participants to respond to special orders on the Exchange. For these reasons, the Commission designates the proposed rule change as effective upon filing.<sup>12</sup>

At any time within 60 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. 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-ISE-2008-30 on the subject line.

#### **Paper Comments**

- Send paper comments in triplicate to Nancy M. Morris, Secretary,

<sup>8</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>9</sup> 17 CFR 240.19b-4(f)(6).

<sup>10</sup> Pursuant to Rule 19b-4(f)(6)(iii), the Exchange gave the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date on which the Exchange filed the proposed rule change. See 17 CFR 240.19b-4(f)(6)(iii).

<sup>11</sup> 17 CFR 240.19b-4(f)(6).

<sup>12</sup> For the purposes only of waiving the operative date of this proposal, the Commission has considered the proposed rule’s impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

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

<sup>4</sup> 17 CFR 240.19b-4(f)(6).

<sup>5</sup> The Exchange has asked the Commission to waive the 30-day operative delay required by Rule 19b-4(f)(6)(iii), 17 CFR 240.19b-4(f)(iii). See discussion *infra* Section III.

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(5).

Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-ISE-2008-30. 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 the filing also will be available for inspection and copying at the principal office of the ISE. 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-ISE-2008-30 and should be submitted on or before April 21, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>13</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E8-6476 Filed 3-28-08; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57553; File No. SR-ISE-2007-76]

### Self-Regulatory Organizations; International Securities Exchange, LLC; Order Approving a Proposed Rule Change, as Modified by Amendment Nos. 1 and 2 Thereto, Relating to Voluntary Professionals

March 25, 2008.

#### I. Introduction

On August 24, 2007, the International Securities Exchange, LLC ("ISE" or

"Exchange") filed with the Securities and Exchange Commission ("Commission") a proposed rule change pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder<sup>2</sup> to allow Public Customers to elect to become "Voluntary Professionals," and thereby to have their orders treated like Non-Customer Orders with respect to the Exchange's priority rules and transaction fees.<sup>3</sup> On January 25, 2008, ISE filed Amendment No. 1 to the proposed rule change. The proposed rule change, as modified by Amendment No. 1, was published for comment in the **Federal Register** on February 7, 2008.<sup>4</sup> The Commission received one comment letter on the proposal.<sup>5</sup> On March 24, 2008, ISE filed Amendment No. 2 to the proposed rule change.<sup>6</sup> This order approves the proposed rule change, as modified by Amendment Nos. 1 and 2.

#### II. Description of the Proposal

Currently, ISE grants certain advantages to Public Customer Orders<sup>7</sup> over Non-Customer Orders. In particular, Public Customer Orders receive priority over Non-Customer Orders and market maker quotes at the same price. In addition, subject to certain exceptions,<sup>8</sup> Public Customer Orders do not incur transaction fees, but may incur cancellation fees.<sup>9</sup> Non-

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

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> A "Public Customer" is defined in ISE's rules as "a person that is not a broker or dealer in securities." ISE Rule 100(a)(38). A "Non-Customer" is defined as "a person or entity that is a broker or dealer in securities," and a "Non-Customer Order" is "an order for the account of a Non-Customer." ISE Rules 100(a)(27) and (28).

<sup>4</sup> See Securities Exchange Act Release No. 57255 (February 1, 2008), 73 FR 7348.

<sup>5</sup> See letter from Rachel J. Rich, St. Paul, MN, to Nancy M. Morris, Secretary, Commission, dated February 7, 2008 ("Rich Letter").

<sup>6</sup> In Amendment No. 2, ISE stated that it would issue a circular informing members of the process to properly mark the orders of Voluntary Professionals. The Commission considers Amendment No. 2 a technical amendment not subject to notice and comment.

<sup>7</sup> A "Public Customer Order" is defined as "an order for the account of a Public Customer." ISE Rule 100(a)(39). For the definition of "Public Customer," see *supra* note 3.

<sup>8</sup> For example, Public Customer Orders currently incur fees for certain transactions in "Premium Products" (defined in the ISE Schedule of Fees) and Complex Orders that take liquidity on the Exchange's complex order book. In addition, transaction fees are charged for Public Customer Orders entered in response to special order broadcasts, such as Facilitation orders, Solicitation orders, Block orders, and orders entered in the Exchange's Price Improvement Mechanism. See ISE Schedule of Fees.

<sup>9</sup> The Exchange imposes a cancellation fee, currently \$1.75 per cancellation, on a clearing EAM that cancelled at least 500 Public Customer orders

Customer Orders incur transaction fees, but are not subject to cancellation fees.

ISE proposes to add a new term, "Voluntary Professional," to the list of definitions in Exchange Rule 100. A Voluntary Professional would be defined as "any Public Customer that elects, in writing, to be treated in the same manner as a broker or dealer in securities for purposes of Rules 713, 716, 722, and 723 as well as the Exchange's schedule of fees."<sup>10</sup> ISE proposes further to amend its definition of Non-Customer to include Voluntary Professionals.<sup>11</sup> Thus, the orders of Voluntary Professionals would be Non-Customer Orders. Public Customers would be required to instruct Electronic Access Members ("EAMs") in writing to designate their orders as Non-Customer Orders.

As a result of ISE's proposal, the orders of Voluntary Professionals would be treated in ISE's allocation process on equal terms with the orders of broker-dealers, and the orders of other Public Customers would have priority over the orders of Voluntary Professionals. The orders of Voluntary Professionals, when executed, also would incur the same transaction fees that are charged to broker-dealers.

In explaining the purpose of the proposal, the Exchange states that its members have indicated that certain of their non-broker-dealer customers, who employ sophisticated trading strategies that involve cancelling a large percentage of their orders before the orders are executed, would prefer to have their orders categorized as Non-Customer Orders. By electing to become Voluntary Professionals, such customers would not be subject to the Exchange's cancellation fees.<sup>12</sup>

ISE further states that the Voluntary Professional designation otherwise would not affect non-broker-dealer individuals and entities with respect to all other ISE rules. For example, ISE

in a month for itself or for an introducing broker, for each order cancellation in excess of the total number of orders executed for itself or for such introducing broker that month. The cancellation fee does not apply to the cancellation of Public Customer Orders that improve ISE's disseminated quote at the time the orders were entered.

<sup>10</sup> ISE Rules 713 (Priority of Quotes and Orders), 716 (Block Trades), 722 (Complex Orders), and 723 (Price Improvement Mechanism for Crossing Transactions) contain provisions concerning priority in the allocation of orders. The Commission notes that the orders of Voluntary Professionals would still be treated as Public Customer Orders with respect to the rules governing Customer Participation Orders as set forth in ISE Rule 715 (Types of Orders).

<sup>11</sup> ISE Rule 100(a)(21) would be amended to state: "The term 'Non-Customer' means a person or entity that is a broker or dealer in securities and Voluntary Professionals."

<sup>12</sup> See *supra* note 9 and accompanying text.

<sup>13</sup> 17 CFR 200.30-3(a)(12).