

### III. 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 e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSEArca-2008-35 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-NYSEArca-2008-35. 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 office 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-NYSEArca-2008-35 and should be submitted on or before May 5, 2008.

### IV. Commission's Findings and Order Granting Accelerated Approval of the Proposed Rule Change

After careful consideration, the Commission finds that the proposed

rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange<sup>6</sup> and, in particular, the requirements of Section 6 of the Act.<sup>7</sup> Specifically, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>8</sup> which requires, among other things, that the rules of a national securities exchange be designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

The Commission believes that the proposed rule change will provide for consistent criteria for the rebalancing of indexes based on different methodologies. The Commission further believes that the proposal should facilitate the listing and trading of Equity Index-Linked Securities based on indexes with different rebalancing requirements, thus benefiting investors by providing them with a wider selection of derivative products. The Commission notes that the proposed rule change would also conform index requirements for Equity Index-Linked Securities to the requirements<sup>9</sup> applicable to equity-based Investment Company Units.

The Commission finds good cause for approving the proposed rule change prior to the 30th day after the date of publication of the notice of filing thereof in the **Federal Register**. The Commission notes that the proposed rule change is similar to a proposal related to index rebalancing of Equity Index-Linked Securities<sup>10</sup> that was recently approved by the Commission and does not believe that this proposal raises any novel regulatory issues. Therefore, the Commission finds good cause, consistent with Section 19(b)(2) of the Act,<sup>11</sup> to approve the proposed rule change on an accelerated basis.

<sup>6</sup> In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>7</sup> 15 U.S.C. 78f.

<sup>8</sup> 15 U.S.C. 78f(b)(5).

<sup>9</sup> See NYSE Arca Equities Rule 5.2(j)(3).

<sup>10</sup> See Securities Exchange Act Release No. 56838 (November 26, 2007), 72 FR 67774 (November 30, 2007) (SR-NYSEArca-2007-118).

<sup>11</sup> 15 U.S.C. 78s(b)(2).

### V. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>12</sup> that the proposed rule change, as modified (SR-NYSEArca-2008-35), be, and it hereby is, approved on an accelerated basis.

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

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E8-7827 Filed 4-11-08; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice 6188]

### Notice Convening an Accountability Review Board To Examine the Circumstances of the Death of Mr. John M. Granville and Mr. Abdelrahman Abees in Khartoum, Sudan in January 2008

Pursuant to Section 301 of the Omnibus Diplomatic Security and Antiterrorism Act of 1986, as amended (22 U.S.C. 4831 *et seq.*), the Secretary of State has determined that a recent attack on an official vehicle in Khartoum, Sudan involved loss of life that was at or related to a U.S. mission abroad. Therefore, the Secretary has convened an Accountability Review Board to examine the facts and the circumstances of the attacks and to report to me such findings and recommendations as it deems appropriate, in keeping with the attached mandate.

The Secretary has appointed Michael W. Marine, a retired U.S. ambassador, as Chair of the Board. He will be assisted by M. Bart Flaherty, Wayne S. Rychak, Lewis R. Atherton, Michael Pastirik and by Executive Secretary to the Board, Hugo Carl Gettinger. They bring to their deliberations distinguished backgrounds in government service and/or in the private sector.

The Board will submit its conclusions and recommendations to Secretary Rice within 60 days of its first meeting, unless the Chair determines a need for additional time. Appropriate action will be taken and reports submitted to Congress on any recommendations made by the Board.

Anyone with information relevant to the Board's examination of these incidents should contact the Board promptly at (202) 647-5204 or send a fax to the Board at (202) 647-3282.

This notice shall be published in the **Federal Register**.

<sup>12</sup> *Id.*

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

Dated: April 7, 2008.

**Patrick F. Kennedy,**

*Under Secretary for Management,  
Department of State.*

[FR Doc. E8-7887 Filed 4-11-08; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice 6186]

### **Determination and Waiver of Section 617(a) of the Department of State, Foreign Operations, Related Programs Appropriations Act (2008) (Division J, Pub. L. 110-161), Relating to Assistance for the Independent States of the Former Soviet Union**

Pursuant to the authority vested in me as Deputy Secretary of State, including by Section 617(a) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008) (Division J, Public Law 110-161) (SFOAA), Executive Order 13118 of March 31, 1999, and State Department Delegation of Authority No. 245 of April 23, 2001, I hereby determine that it is in the national security interest of the United States to make available funds appropriated under the heading "Assistance for the Independent States of the Former Soviet Union" in Title II of the SFOAA, without regard to the restriction in that section.

This determination shall be reported to the Congress promptly and published in the **Federal Register**.

Dated: February 19, 2008.

**John D. Negroponte,**

*Deputy Secretary of State, Department of State.*

[FR Doc. E8-7960 Filed 4-11-08; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket No. DOT-OST-2007-0108]

### **National Task Force To Develop Model Contingency Plans To Deal With Lengthy Airline On-Board Ground Delays**

**AGENCY:** Office of the Secretary (OST), Department of Transportation (DOT).

**ACTION:** Notice of meeting of advisory committee.

**SUMMARY:** This notice announces a meeting of the National Task Force to Develop Model Contingency Plans to Deal with Lengthy Airline On-Board Ground Delays.

**DATES:** The Task Force meeting is scheduled for April 29, 2008, from 8:30 a.m. to 5 p.m., Eastern Time.

**ADDRESSES:** The Task Force meeting will be held at the U.S. Department of Transportation (U.S. DOT), 1200 New Jersey Avenue, SE., Washington, DC, in the Oklahoma City Conference Room on the lobby level of the West Building.

**FOR FURTHER INFORMATION OR TO CONTACT THE DEPARTMENT CONCERNING THE TASK FORCE:** Livaughn Chapman, Jr., or Kathleen Blank-Riether, Office of the General Counsel, U.S. Department of Transportation, 1200 New Jersey Ave., SE., W-96-429, Washington, DC 20590-0001; Phone: (202) 366-9342; Fax: (202) 366-7152; E-mail:

*Livaughn.Chapman@dot.gov*, or *Kathleen.Blankriether@dot.gov*.

**SUPPLEMENTARY INFORMATION:** In accordance with the Federal Advisory Committee Act (FACA), 5 U.S.C. App.2, and the General Services Administration regulations covering management of Federal advisory committees, 41 CFR Part 102-3, this notice announces a meeting of the National Task Force to Develop Model Contingency Plans to Deal with Lengthy Airline On-Board Ground Delays. The Meeting will be held on April 29, 2008, between 8:30 a.m. and 5 p.m. at the U.S. Department of Transportation (U.S. DOT), 1200 New Jersey Avenue, SE., Washington, DC, in the Oklahoma City Conference Room on the lobby level of the West Building.

DOT's Office of Inspector General recommended, in its audit report, entitled "Actions Needed to Minimize Long, On-Board Flight Delays," issued on September 25, 2007, that the Secretary of Transportation establish a national task force of airlines, airports, and the Federal Aviation Administration (FAA) to coordinate and develop contingency plans to deal with lengthy delays, such as working with carriers and airports to share facilities and make gates available in an emergency. To effectuate this recommendation, on January 3, 2008, the Department, consistent with the requirements of the FACA, established the National Task Force to Develop Model Contingency Plans to Deal with Lengthy Airline On-Board Ground Delays. The first meeting of the Task Force took place on February 26, 2008.

The agenda topics for the April 29, 2008, meeting will include the following: (1) A presentation by FAA's Air Traffic Control on its perspective on air traffic holds and ground delays and uncertainties in the system; (2) a presentation on the regional airline perspective of tarmac delays; (3) one or

more presentations on recent tarmac delay events and efforts to avoid them; (4) a briefing by the Passenger Needs Working Group, the working group that studied the common needs of significantly delayed passengers on aircraft and passengers who returned to the terminal after disembarking from such aircraft; (5) a briefing by the Delays Causes Working Group, the working group that examined the possible causes of lengthy tarmac delays; and (6) a discussion of whether additional working groups should be established to achieve the objectives of the Task Force and if so, what the purpose of these working groups should be.

Attendance is open to the public, and time will be provided for comments by members of the public. Since access to the U.S. DOT headquarters building is controlled for security purposes, any member of the general public who plans to attend this meeting must notify the Department contact noted above ten (10) calendar days prior to the meeting. Attendance will be necessarily limited by the size of the meeting room.

Members of the public may present written comments at any time and, at the discretion of the Chairman and time permitting, oral comments at the meeting. Any oral comments permitted must be limited to agenda items and will be limited to five (5) minutes per person. Members of the public who wish to present oral comments must notify the Department contact noted above via email that they wish to attend and present oral comments at least ten (10) calendar days prior to the meeting. For this April 29, 2008, meeting, no more than one hour will be set aside for oral comments. Although written material may be filed in the docket at any time, comments regarding upcoming meeting topics should be sent to the Task Force docket (10) calendar days prior to the meeting. Members of the public may also contact the Department contact noted above to be placed on the Task Force mailing list.

Persons with a disability requiring special accommodations, such as an interpreter for the hearing impaired, should contact the Department contact noted above at least seven (7) calendar days prior to the meeting.

Notice of this meeting is provided in accordance with the FACA and the General Service Administration regulations covering management of Federal advisory committees.