

and Retrieval ("EDGAR") system. Regulation S-T is only assigned one burden hour for administrative convenience because it does not directly impose any information collection requirements.

*Written comments are invited on:* (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Booth, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312; or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: April 28, 2008.

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E8-9824 Filed 5-2-08; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

Extension:

Rule 236; OMB Control No. 3235-0095; SEC File No. 270-118.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Rule 236 (17 CFR 230.236) under the Securities Act of 1933 ("Securities Act") (15 U.S.C. 77a *et seq.*) requires issuers choosing to rely on an exemption from

Securities Act registration for the issuance of fractional shares, scrip certificates or order forms, in connection with a stock dividend, stock split, reverse stock split, conversion, merger or similar transaction, to furnish specified information to the Commission in writing at least 10 days prior to the offering. The information is needed to provide public notice that an issuer is relying on the exemption. Public companies are the likely respondents. Approximately 10 respondents file the information required by Rule 236 at an estimated 1.5 hours per response for a total of 15 annual burden hours.

*Written comments are invited on:* (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Booth, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312; or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: April 28, 2008.

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E8-9825 Filed 5-2-08; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57735; File No. SR-BSE-2008-16]

### Self-Regulatory Organizations; Boston Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To List and Trade Options on Index Multiple ETFs and Index Inverse ETFs

April 29, 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 April 25, 2008, the Boston Stock Exchange, Inc. ("BSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been substantially prepared by the Exchange. The Exchange filed the proposed rule change as a "non-controversial" proposed rule change pursuant to section 19(b)(3)(A) of the Act<sup>3</sup> and Rule 19b-4(f)(6) thereunder,<sup>4</sup> which renders the proposal effective upon filing with the Commission. 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 Exchange proposes to amend the Rules of the Boston Options Exchange ("BOX") to permit the initial and continued listing and trading on BOX of options on Index Multiple Exchange Traded Fund Shares ("Index Multiple ETFs") and Index Inverse Exchange Traded Fund Shares ("Index Inverse ETFs"). The text of the proposed rule change is available at the principal office of the Exchange, the Commission's Public Reference Room, and <http://www.bostonstock.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 Exchange 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. BSE 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 the proposed rule change is to amend Sections 3 and 4 of Chapter IV of the BOX Rules to enable the listing and trading on BOX of options on Index Multiple ETFs and Index Inverse ETFs. An Index Multiple

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

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

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

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

ETF seeks to provide investment results, before fees and expenses, that correspond to a specified multiple of the percentage performance on a given day of a particular foreign or domestic stock index. An Index Inverse ETF seeks to provide investment results, before fees and expenses, that correspond to the inverse (opposite) of the percentage performance on a given day of a particular foreign or domestic stock index by a specified multiple. Index Multiple ETFs and Index Inverse ETFs differ from traditional ETFs in that they do not merely correspond to the performance of a given index, but rather attempt to match a multiple or inverse of such underlying index performance. The ProShares Ultra Funds, which currently trade on the American Stock Exchange ("Amex"), are examples of Index Multiple ETFs. The ProShares Short Funds and Ultra Short Funds, which are also currently listed for trading on Amex, are examples of Index Inverse ETFs.<sup>5</sup>

To achieve investment results that provide either a positive multiple or inverse of the benchmark index, Index Multiple ETFs or Index Inverse ETFs may hold a combination of financial instruments, including, among other things: Stock index futures contracts; options on futures; options on securities and indexes; equity caps, collars, and floors; swap agreements; forward contracts; repurchase agreements; and reverse repurchase agreements (collectively, "Financial Instruments"). The underlying portfolio of an Index Multiple ETF generally will hold at least 85% of its assets in the component securities of the underlying relevant benchmark index. The remainder is devoted to Financial Instruments that are intended to create the additional exposure to the underlying index necessary to pursue its investment objective. Typically, 100% of the value of the portfolio underlying the Index Inverse ETF will be devoted to Financial Instruments and money market

instruments, including U.S. government securities and repurchase agreements (the "Money Market Instruments").

Currently, Section 3(i) of Chapter IV of the BOX Rules provides securities deemed appropriate for options trading shall include shares or other securities ("Fund Shares")<sup>6</sup> that represent interests in registered investment companies (or series thereof) organized as open-end management investment companies, unit investment trusts or similar entities. These are principally traded on a national securities exchange or through the facilities of a national securities association and are defined as an "NMS stock" under Rule 600 of Regulation NMS, and that hold portfolios of securities comprising or otherwise based on or representing investments in broad-based indexes or portfolios of securities (or that hold securities in one or more other registered investment companies that themselves hold such portfolios of securities) ("Funds").

The Exchange proposes to amend section 3 of Chapter IV of the BOX Rules to expand the type of options that can be listed and traded to include options based on Index Multiple ETFs and Index Inverse ETFs that may hold or invest in any combination of securities, Financial Instruments, and/or Money Market Instruments. Index Multiple ETFs and Index Inverse ETFs on which Exchange-listed options are based must continue to otherwise satisfy the listing standards of section 3(i) of Chapter IV of the BOX Rules. The Exchange also proposes to make non-substantive, clarifying changes to section 3(i) of Chapter IV of the BOX Rules by conforming the construction of this rule to those of Amex and the International Securities Exchange ("ISE"). The Exchange notes that these changes are not significant, and do not substantively alter the listing standards found in section 3 of Chapter IV of the BOX Rules. Accordingly, in addition to certain repositioning of existing rule text, the Exchange also proposes to remove the reference to a "national securities association" in section 3(i) of Chapter IV.

As set forth in proposed amended section 3(i) of Chapter IV of the BOX Rules, an Index Multiple ETF or Index Inverse ETF on which an Exchange-listed option is based must be traded on a national securities exchange and must

be an "NMS stock" as defined under Rule 600 of Regulation NMS. In addition, such Index Multiple ETF and Index Inverse ETF must meet either: (1) The criteria and guidelines set forth in paragraphs (a) and (b) of section 3, Chapter IV of the BOX Rules; or (2) be available for creation or redemption each business day from or through the issuing trust, investment company, or other entity in cash or in kind at a price related to net asset value. The investment company shall provide that shares may be created even though some or all of the securities and/or cash (in lieu of Financial Instruments) needed to be deposited have not been received by the investment company, provided that the person obligated to deposit the investment assets has undertaken to deliver the shares and/or cash as soon as possible and such undertaking has been secured by the delivery and maintenance of collateral consisting of cash or cash equivalents satisfactory to the issuer of the fund shares, all as described in the fund shares' prospectus.

Additionally, the Fund Shares must also meet all of the following conditions: (1) Any non-U.S. component securities of the index or portfolio of securities on which the Fund Shares are based that are not subject to comprehensive surveillance agreements do not in aggregate represent more than 50% of the weight of the index or portfolio; (2) component securities of an index or portfolio of securities on which the Fund Shares are based for which the primary market is in any one country that is not subject to a comprehensive surveillance agreement do not represent 20% or more of the weight of the index; and (3) component securities of an index or portfolio of securities on which the Fund Shares are based for which the primary market is in any two countries that are not subject to comprehensive surveillance agreements do not represent 33% or more of the weight of the index.<sup>7</sup>

The Exchange also proposes to amend section 4(h) of Chapter IV of the BOX Rules to indicate that the index or portfolio may consist of, among other things, securities, Financial Instruments and/or Money Market Instruments. In proposing to make the Exchange's Rules conform to those of the Amex and ISE, the Exchange also seeks to delete reference to "national securities association" set forth in section 4(h) of Chapter IV of the BOX Rules.

Under the applicable continued listing criteria for section 4(h) of

<sup>5</sup> The Ultra Funds are expected to gain, on a percentage basis, approximately twice (200%) as much as the underlying benchmark index and should lose approximately twice (200%) as much as the underlying benchmark index when such prices decline. The Short Funds are expected to achieve investment results, before fees and expenses, that correspond to the inverse or opposite (–100%) of the daily performance of an underlying benchmark index. Lastly, the UltraShort Funds are expected to achieve investment results, before fees and expenses, that correspond to twice the inverse or opposite (–200%) of the daily performance of the underlying benchmark index. See Securities Exchange Act Release No. 52553 (October 3, 2005), 70 FR 59100 (October 11, 2005) (SR-Amex-2004-62). See also Securities Exchange Act Release No. 54040 (June 23, 2006), 71 FR 37629 (June 30, 2006) (SR-Amex-2006-41).

<sup>6</sup> The Exchange also proposes to make technical conforming changes to its current Sections 3, 4, and 6 of Chapter IV and Section 3 of Chapter V of the BOX Rules to those of ISE and Amex. As a result, and in the context of this filing, the Exchange refers to Fund Shares as Exchange-Traded Fund Shares hereafter.

<sup>7</sup> See existing Section 3(i) of Chapter IV of the BOX Rules, items (i) to (iii).

Chapter IV of the BOX Rules, options on Fund Shares may be subject to the suspension of opening transactions as follows:

- Following the initial 12-month period beginning with the commencement of trading of the Fund Shares, there are fewer than 50 record and/or beneficial holders of the Fund Shares for 30 or more consecutive trading days;
- The value of the index or portfolio of securities and/or Financial Instruments and Money Market Instrument, on which the Fund Shares are based is no longer calculated or available; or

- Such other event occurs or condition exists that in the opinion of the Exchange makes further dealing on the Exchange inadvisable.

Additionally, an Index Multiple ETF or Index Inverse ETF shall not be deemed to meet requirements for continued approval, and the Exchange shall not open for trading any additional series of option contracts of the class covering such ETF, if: (1) The underlying ETF is halted from trading on its primary market; (2) the underlying ETF is delisted in accordance with the terms of Section 4(h) of Chapter IV; or (3) the value of the index or portfolio on which the underlying ETF is based is no longer calculated or available.

The expansion of the types of investments that may be held by Index Multiple ETFs or Index Inverse ETFs under Section 3(i) of Chapter IV of the BOX Rules would not have any effect on the rules pertaining to position and exercise limits<sup>8</sup> or margin.<sup>9</sup>

The Exchange believes that this proposal is necessary to enable the Exchange to list and trade options on the shares of the Ultra Fund, Short Fund, and UltraShort Fund of the ProShares Trust.<sup>10</sup> The Exchange believes the ability to trade options on Index Multiple ETFs and Index Inverse ETFs will provide investors with greater risk management tools.

The Exchange represents that its existing surveillance procedures applicable to trading in options are adequate to properly monitor the trading in Index Multiple ETF options and Index Inverse ETF options.

## 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act,<sup>11</sup> in general, and

further the objectives of section 6(b)(5) of the Act,<sup>12</sup> in particular, in that it is designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts, and to remove impediments to and perfect the mechanism of a free and open market and a national market system, because the ability to trade options on Index Multiple ETFs and Index Inverse ETFs will provide investors with greater risk management tools and, in general, will allow for the protection of investors and the public interest.

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

The Exchange does not believe that the proposed rule change would 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 neither solicited nor received written comments on the proposed rule change.

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

Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days after the date of filing (or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest), the proposed rule change has become effective pursuant to section 19(b)(3)(A) of the Act<sup>13</sup> and subparagraph (f)(6) of Rule 19b-4 thereunder.<sup>14</sup>

The Exchange has requested that the Commission waive the 30-day operative delay and designate the proposed rule change as operative upon filing. The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest. The proposed rule change is substantially similar to those of other options exchanges that have been previously approved by the Commission<sup>15</sup> and does not appear to

present any novel regulatory issues. Therefore, the Commission designates the proposal operative upon filing.<sup>16</sup>

At any time within 60 days of the filing of the 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 the 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-BSE-2008-16 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-BSE-2008-16. 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

CBOE-2007-119; and 56650 (October 12, 2007), 72 FR 59123 (October 18, 2007) (SR-Amex-2007-35).

<sup>16</sup> For purposes only of waiving the operative delay of this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>8</sup> See Sections 7 and 9 of Chapter III of the BOX Rules.

<sup>9</sup> See Section 3 of Chapter XIII of the BOX Rules.

<sup>10</sup> See *supra* note 5.

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

<sup>12</sup> 15 U.S.C. 78f(b)(5).

<sup>13</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>14</sup> 17 CFR 240.19b-4(f)(6). The Exchange has satisfied the five-day pre-filing requirement of Rule 19b-4(f)(6)(iii).

<sup>15</sup> See Securities Exchange Act Release Nos. 56871 (November 30, 2007), 72 FR 68924 (December 6, 2007) (SR-ISE-2007-87); 56715 (Oct. 29, 2007), 72 FR 62287 (November 2, 2007) (SR-

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-BSE-2008-16 and should be submitted on or before May 27, 2008.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>17</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E8-9782 Filed 5-2-08; 8:45 am]

**BILLING CODE 8010-01-P**

## **SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #11221 and #11222]**

### **Missouri Disaster #MO-00026**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of Missouri dated 04/22/2008.

*Incident:* Severe Storm, Tornadoes, High Winds, Hail and Flooding.

*Incident Period:* 03/30/2008 through 04/02/2008.

**EFFECTIVE DATE:** 04/22/2008.

*Physical Loan Application Deadline Date:* 06/23/2008.

*Economic Injury (EIDL) Loan Application Deadline Date:* 01/22/2009.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* Dallas.  
*Contiguous Counties:*

Missouri: Camden, Greene, Hickory, Laclede, Polk, Webster.

*The Interest Rates are:*

	Percent
Homeowners with Credit Available Elsewhere .....	5.500
Homeowners without Credit Available Elsewhere .....	2.750
Businesses with Credit Available Elsewhere .....	8.000
Businesses & Small Agricultural Cooperatives without Credit Available Elsewhere .....	4.000
Other (Including Non-Profit Organizations) with Credit Available Elsewhere .....	5.250
Businesses and Non-Profit Organizations without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 11221 B and for economic injury is 11222 O.

The States which received an EIDL Declaration # is Missouri.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: April 22, 2008.

**Steven C. Preston,**  
*Administrator.*

[FR Doc. E8-9627 Filed 5-2-08; 8:45 am]

**BILLING CODE 8025-01-M**

## **DEPARTMENT OF STATE**

**[Public Notice: 6183]**

### **U.S. National Commission for UNESCO Notice of Meeting**

The Annual Meeting of the U.S. National Commission for the United Nations Educational, Scientific, and Cultural Organization (UNESCO) will take place on Monday, May 19, 2008 and Tuesday, May 20, 2008, at the Marriott Georgetown University Conference Hotel, Washington, DC (3800 Reservoir Road, NW.). On Monday, May 19 from 9 a.m. to 12 p.m. and from 2 p.m. to 4:30 p.m. and on Tuesday, May 20 from 9:15 a.m. to 11:45 a.m., the Commission will hold a series of informational plenary sessions and subject-specific committee and thematic breakout sessions, which will be open to the public. Additionally, on Tuesday, May 20, 2008, the Commission will meet from 1 p.m. until 2:30 p.m. to discuss final recommendations, which also will be open to the public. Members of the public who wish to attend any of these meetings should contact the U.S. National Commission for UNESCO no later than Thursday, May 15th for further information about admission, as seating is limited. Those

who wish to make oral comments during the public comment section held during the concluding session Tuesday afternoon should request to be scheduled by Thursday, May 15th. Each individual will be limited to five minutes, with the total oral comment period not exceeding forty-five minutes. Written comments should be submitted by Tuesday, May 13th to allow time for distribution to the Commission members prior to the meeting. The National Commission may be contacted via e-mail at [DCUNESCO@state.gov](mailto:DCUNESCO@state.gov), or via phone at (202) 663-0026. Its Web site can be accessed at: <http://www.state.gov/p/io/unesco/>.

Dated: April 28, 2008.

**Susanna Connaughton,**

*Executive Director, U.S. National Commission for UNESCO, Department of State.*

[FR Doc. E8-9836 Filed 5-2-08; 8:45 am]

**BILLING CODE 4710-19-P**

## **TENNESSEE VALLEY AUTHORITY**

### **Environmental Impact Statement—Northeastern Tributary Reservoirs Land Management Plan, Tennessee and Virginia**

**AGENCY:** Tennessee Valley Authority.

**ACTION:** Notice of Intent.

**SUMMARY:** The Tennessee Valley Authority (TVA) will prepare an environmental impact statement (EIS) addressing the impacts of various alternatives for managing project lands on seven TVA tributary reservoirs in northeastern Tennessee and southwest Virginia. Public comment is invited concerning both the scope of the EIS and environmental issues that should be addressed as a part of this EIS.

**DATES:** Comments on the scope of the EIS and the environmental issues that should be addressed in the EIS should be received on or before June 5, 2008.

**ADDRESSES:** Written comments should be sent to Heather L. McGee, Tennessee Valley Authority, Post Office Box 1010, SB1H-M, Muscle Shoals, Alabama 35662-1010. Comments also may be submitted on the TVA Web site at <http://www.tva.com/environment/reports/ntres>, by phone at (866) 601-4612, or by fax at (256) 386-2559.

**FOR FURTHER INFORMATION CONTACT:** D. Chris Cooper, Tennessee Valley Authority, 106 Tri-Cities Business Park Drive, Gray, Tennessee 37813. Telephone: (423) 585-2138. E-mail may be sent to [Northeastern\\_Tributary\\_Reservoirs@tva.gov](mailto:Northeastern_Tributary_Reservoirs@tva.gov).

**SUPPLEMENTARY INFORMATION:**

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