

**SUMMARY:** Under the Paperwork Reduction Act of 1995 (Pub. L. 104-13, May 22, 1995), the U.S. Office of Personnel Management (OPM) has submitted to the Office of Management and Budget a request for extension of three previously-approved information collection forms for which approval will soon expire. The Establishment Information Form, the Wage Data Collection Form, and the Wage Data Collection Continuation Form are wage survey forms developed by OPM for use by the Department of Defense (DOD) to establish prevailing wage rates for Federal Wage System employees.

DOD contacts approximately 21,200 businesses annually to determine the level of wages paid by private enterprise establishments for representative jobs common to both private industry and the Federal Government. Each survey collection requires 1-4 hours of respondent burden, resulting in a total yearly burden of approximately 75,800 hours.

For copies of this proposal, contact Margaret A. Miller on (202) 606-2699, fax (202) 418-3251, or e-mail [mamiller@opm.gov](mailto:mamiller@opm.gov). Please include a mailing address with your request.

**DATES:** Submit comments on or before September 19, 2008.

**ADDRESSES:** Send or deliver comments to:

- Charles D. Grimes III, Deputy Associate Director for Performance and Pay Systems, Strategic Human Resources Policy Division, U.S. Office of Personnel Management, Room 7H31, 1900 E Street, NW., Washington, DC 20415-8200; e-mail [pay-performance-policy@opm.gov](mailto:pay-performance-policy@opm.gov); or FAX: (202) 606-4264.

- Brenda Aguilar, OPM Desk Officer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, NW., Room 10235, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Madeline Gonzalez, (202) 606-2838; fax (202) 606-4264; or e-mail [pay-performance-policy@opm.gov](mailto:pay-performance-policy@opm.gov).

**SUPPLEMENTARY INFORMATION:** OPM published notice of its intention to request an extension of the information collection wage survey forms in the *Federal Register* on May 2, 2008 (73 FR 24322). OPM received no comments.

U.S. Office of Personnel Management.

**Howard Weizmann,**  
Deputy Director.

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**BILLING CODE 6325-39-P**

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

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

Rule 15b6-1 and Form BDW, OMB Control No. 3235-0018, SEC File No. 270-17.

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") has submitted to the Office of Management and Budget a request to revise the collection of information discussed below. The Code of Federal Regulations citation to this collection of information is the following rule: 17 CFR 240.15b6-1.

Broker-dealers use Form BDW (17 CFR 249.501a) to withdraw from registration with the Commission, the self-regulatory organizations, and the states. It is estimated that approximately 737 broker-dealers withdraw from registration annually and, therefore, file a Form BDW via the internet with Web CRD, a computer system operated by the Financial Industry Regulatory Authority, Inc. that maintains information regarding registered broker-dealers and their registered personnel. However, the Commission estimates that approximately 127 of these 737 withdrawing broker-dealers would employ third-party filers to file Form BDW. The broker-dealers that employ third-parties would not incur an hour burden and, therefore, do not incur a reporting burden. As discussed below, however, these broker-dealers would incur a cost burden with respect to Form BDW. Therefore, the 610 broker-dealers that withdraw from registration by filing Form BDW themselves, would incur an aggregate annual reporting burden of 152.5 hours (610 × 0.25 hours).

Broker-dealers that employ third-parties to file Form BDW would not incur a reporting burden, but would incur a cost burden in filing Form BDW. The Commission estimates that 127 broker-dealers would employ third-parties to file Form BDW. These broker-dealers would be billed by third-party filers at an estimated average compensation rate of \$44.00 per hour. Therefore, the total annual cost burden to broker-dealers that employ third-party filers to file Form BDW would be approximately \$1,397 (i.e., 127 × 0.25 hours × \$44 per hour) or \$11 per withdrawing broker-dealer.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number. Rule 15b6-1 does not have a retention of records requirement.

Comments should be directed to (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an e-mail to: [Alexander\\_T.\\_Hunt@omb.eop.gov](mailto:Alexander_T._Hunt@omb.eop.gov); and (ii) Lewis W. Walker, Acting CIO/Chief Information Officer, Securities and Exchange Commission, c/o Shirley Martinson, 6432 General Green Way, Alexandria, VA 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted within 30 days of this notice.

Dated: August 13, 2008,

**Florence E. Harmon,**

*Acting Secretary.*

[FR Doc. E8-19230 Filed 8-19-08; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

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

Extension: Rule 15c2-5, OMB Control No. 3235-0198, SEC File No. 270-195.

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") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below. The Code of Federal Regulations citation to this collection of information is the following: 17 CFR 240.15c2-5.

Rule 15c2-5 prohibits a broker-dealer from arranging or extending certain loans to persons in connection with the offer or sale of securities unless, before any element of the transaction is entered into, the broker-dealer: (1) Delivers to the person a written statement containing the exact nature and extent of the person's obligations under the loan arrangement; the risks and disadvantages of the loan arrangement; and all commissions, discounts, and other remuneration received and to be

received in connection with the transaction by the broker-dealer or certain related persons (unless the person receives certain materials from the lender or broker-dealer which contain the required information); and (2) obtains from the person information on the person's financial situation and needs, reasonably determines that the transaction is suitable for the person, and retains on file and makes available to the person on request a written statement setting forth the broker-dealer's basis for determining that the transaction was suitable. The collection of information required by the rule is necessary to execute the Commission's mandate under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) ("Exchange Act") to prevent fraudulent, manipulative, and deceptive acts and practices by broker-dealers.

The Commission estimates that there are approximately 50 respondents that require an aggregate total of 600 hours to comply with the Rule. Each of these approximately 50 registered broker-dealers makes an estimated 6 annual responses, for an aggregate total of 300 responses per year. Each response takes approximately 2 hours to complete. Thus, the total compliance burden per year is 600 burden hours. The approximate cost per hour is \$40.00 for clerical labor, resulting in a total compliance cost of \$24,000 (600 hours @ \$40.00 per hour).

Although Rule 15c2-5 does not specify a retention period or record keeping requirement under the Rule, nevertheless broker-dealers are required to preserve the records for a period no less than six years pursuant to Rule 17a-4(c). The information required under Rule 15c2-5 is necessary for broker-dealers to engage in the lending activities prescribed in the Rule. Rule 15c2-5 does not assure confidentiality for the information retained under the Rule.<sup>1</sup> Please note that an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Written comments regarding the above information should be directed to the following persons: (i) Desk Officer

<sup>1</sup> The records required by Rule 15c2-5 would be available only to the examination of the Commission staff, state securities authorities and the SROs. Subject to the provisions of the Freedom of Information Act, 5 U.S.C. 522, and the Commission's rules thereunder (17 CFR 200.80(b)(4)(iii)), the Commission does not generally publish or make available information contained in any reports, summaries, analyses, letters, or memoranda arising out of, in anticipation of, or in connection with an examination or inspection of the books and records of any person or any other investigation.

for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an e-mail to *Alexander.T.Hunt@omb.eop.gov*; and (ii) Lewis W. Walker, Acting Director/Chief Information Officer, Securities and Exchange Commission, c/o Shirley Martinson, 6432 General Green Way, Alexandria, VA 22312 or send an e-mail to: *PRA\_Mailbox@sec.gov*. Comments must be submitted to OMB within 30 days of this notice.

Dated: August 13, 2008.

**Florence E. Harmon,**

*Acting Secretary.*

[FR Doc. E8-19231 Filed 8-19-08; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-58358; File No. SR-CTA/CQ-2008-02]

### Consolidated Tape Association; Notice of Filing of the Twelfth Substantive Amendment to the Second Restatement of the Consolidated Tape Association Plan and Eighth Substantive Amendment to the Consolidated Quotation Plan

August 13, 2008.

Pursuant to Section 11A of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 608 thereunder,<sup>2</sup> notice is hereby given that on June 19, 2008, the Consolidated Tape Association ("CTA") Plan and Consolidated Quotation ("CQ") Plan participants ("Participants")<sup>3</sup> filed with the Securities and Exchange Commission ("Commission") a proposal to amend the CTA and CQ Plans (collectively, the "Plans").<sup>4</sup> The

<sup>1</sup> 15 U.S.C. 78k-1.

<sup>2</sup> 17 CFR 242.608.

<sup>3</sup> Each Participant executed the proposed amendment. The Participants are the American Stock Exchange LLC; Boston Stock Exchange, Inc.; Chicago Board Options Exchange, Incorporated; Chicago Stock Exchange, Inc.; Financial Industry Regulatory Authority, Inc.; International Securities Exchange, LLC; The NASDAQ Stock Market LLC ("NASDAQ"); National Stock Exchange, Inc.; New York Stock Exchange LLC; NYSE Arca, Inc.; and Philadelphia Stock Exchange, Inc.

<sup>4</sup> See Securities Exchange Act Release Nos. 10787 (May 10, 1974), 39 FR 17799 (order approving CTA Plan); 15009 (July 28, 1978), 43 FR 34851 (August 7, 1978) (order temporarily approving CQ Plan); and 16518 (January 22, 1980), 45 FR 6521 (order permanently approving CQ Plan). The most recent restatement of both Plans was in 1995. The CTA Plan, pursuant to which markets collect and disseminate last sale price information for non-NASDAQ listed securities, is a "transaction

reporting plan" under Rule 601 under the Act, 17 CFR 242.601, and a "national market system plan" under Rule 608 under the Act, 17 CFR 242.608. The CQ Plan, pursuant to which markets collect and disseminate bid/ask quotation information for listed securities, is also a "national market system plan" under Rule 608 under the Act, 17 CFR 242.608.

proposals represent the twelfth substantive amendment made to the Second Restatement of the CTA Plan ("Twelfth Amendment to the CTA Plan") and the eighth substantive amendment to the Restated CQ Plan ("Eighth Amendment to the CQ Plan"), and reflect changes unanimously adopted by the participants. The Twelfth Amendment to the CTA Plan and the Eighth Amendment to the CQ Plan ("Amendments") would amend the Plans to: (1) Permit ministerial amendments to the Plans to be submitted to the Commission under the signature of the Chairman of CTA and the CQ Plan Operating Committee, rather than by means of each Participant's execution of a Plan amendment, as Section IV(b) of the CTA Plan and IV(c) of the CQ Plan currently require for most amendments to the Plans; (2) to accommodate recent changes to the names and addresses of certain Participants; and (3) to change the Plans' references to Commission rules to reflect the re-designation of rules by Regulation NMS.<sup>5</sup> The Commission is publishing this notice to solicit comments from interested persons on the proposed Amendments.

#### I. Rule 608(a)

##### *A. Description and Purpose of the Amendment*

Currently, both Plans require each Participant to execute most amendments to the Plans before the amendments can be filed with the Commission. The Participants believe that this can result in delays and unwarranted administrative functioning in the context of certain amendments that are of a purely ministerial nature. For that reason, the Participants propose to amend the Plans to permit the submission of Plan amendments to the Commission under the signature of the Chairman of CTA and the CQ Plan Operating Committee, in lieu of requiring each Participants' signature indicating that it has executed the Amendment as required by Section IV(b) of the CTA Plan and Section IV(c) of CQ Plan.

The categories of ministerial Plan amendments that the Participants may submit under the signature of the Chairman include amendments to the

reporting plan" under Rule 601 under the Act, 17 CFR 242.601, and a "national market system plan" under Rule 608 under the Act, 17 CFR 242.608. The CQ Plan, pursuant to which markets collect and disseminate bid/ask quotation information for listed securities, is also a "national market system plan" under Rule 608 under the Act, 17 CFR 242.608.

<sup>5</sup> See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496 (June 29, 2005).