

receives a Directed Order. A DOMM will receive up to 40% of the remaining balance of an order, or the DOMM's share in the order of ranking, whichever is greater, provided that any Customer orders ranked ahead of the DOMM are satisfied first. However, if the DOMM is not at the NBBO, the order will be allocated as if it were not a Directed Order.

The Exchange is proposing new Rule 6.62(z) to define Directed Orders, and also new Rule 6.1A(a)(20) to define Directed Order Market Maker and 6.1A(a)(21) to define Order Flow Provider.

Lastly, the Exchange is proposing to modify Rule 6.82(d)(2)—Guaranteed Participation, to clarify that LMMs are entitled to a trade allocation in accordance with Rule 6.76A, and that LMMs are not entitled to any guaranteed allocation on Directed Orders that trade with a Directed Order Market Maker. If the DOMM is not quoting at the NBBO, but the LMM's quote is at the NBBO, the LMM will be entitled to a trade allocation in accordance with Rule 6.76A. The LLM will be entitled to the same allocation as currently applicable under Rule 6.76A.

The trade allocation described in Rule 6.76A is structured so that no order will be subject to a guaranteed allocation greater than 40% of its size after satisfying any Customer orders ranked ahead of any guaranteed recipient. Additionally, it would be considered a violation of just and equitable principals of trade and a misuse of non-public information for a Directed Order Market Maker to become aware of an impending Directed Order so as to improve the quote to momentarily match the NBBO, and then worsen the price of the quote following execution of the Directed Order.

## 2. Statutory Basis

The Exchange believes the proposed rule change is consistent with Section 6(b) of the Act<sup>4</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act, in that it is designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest, as it will provide greater incentive for Directed Order Market Makers to quote at the NBBO, and thereby provide a more competitive market structure for investors in general.

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

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

The Exchange does not believe that the proposed rule change will 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

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

Because the foregoing proposed rule change: (i) Does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 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>5</sup> and Rule 19b-4(f)(6) thereunder.<sup>6</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 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-NYSEArca-2009-73 on the subject line.

<sup>5</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>6</sup> 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has complied with this requirement.

## Paper Comments

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

All submissions should refer to File Number SR-NYSEArca-2009-73. 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 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-2009-73 and should be submitted on or before September 8, 2009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>7</sup>

**Elizabeth M. Murphy,**  
Secretary.

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## DEPARTMENT OF STATE

[Public Notice: 6727]

### 30-Day Notice of Proposed Information Collection: Request for Reconsideration of Proviso(s); OMB Control Number 1405-0172

**ACTION:** Notice of request for public comment and submission to OMB of proposed collection of information.

<sup>7</sup> 17 CFR 200.30-3(a)(12).

**SUMMARY:** The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995.

*Title of Information Collection:* Request for Reconsideration of Proviso(s) Determination.

*OMB Control Number:* 1405-0172.

*Type of Request:* Extension of currently approved collection.

*Originating Office:* Bureau of Political Military Affairs, Directorate of Defense Trade Controls, PM/DDTC.

*Form Number:* None.

*Respondents:* Business organizations.

*Estimated Number of Respondents:* 120 (total).

*Estimated Number of Responses:* 350 (per year).

*Average Hours per Response:* 1 hour.

*Total Estimated Burden:* 350 hours (per year).

*Frequency:* On occasion.

*Obligation To Respond:* Mandatory.

**DATES:** Submit comments to the Office of Management and Budget (OMB) for up to 30 days from August 17, 2009.

The Office of Management and Budget (OMB), who may be reached at 202-395-4718. You may submit comments by any of the following methods:

*E-mail:* [Kastrich@omb.eop.gov](mailto:Kastrich@omb.eop.gov). You must include the DS form number, information collection title, and OMB control number in the subject line of your message.

*Mail (paper, disk, or CD-ROM submissions):* Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503.

*Fax:* 202-395-5806.

**FOR FURTHER INFORMATION CONTACT:** You may obtain copies of the proposed information collection and supporting documents from Mary F. Sweeney, PM/DDTC, SA-1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political Military Affairs, U.S. Department of State, Washington, DC 20522-0112, who may be reached on (202) 663-2865 or at [sweeneymf@state.gov](mailto:sweeneymf@state.gov).

**SUPPLEMENTARY INFORMATION:** We are soliciting public comments to permit the Department to: Evaluate whether the proposed collection of information is necessary to properly perform our functions. Evaluate the accuracy of our estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used. Enhance the quality, utility, and clarity of the information to be collected. Minimize the reporting burden on those who are to respond, including the use

of automated collection techniques or other forms of technology.

*Abstract of proposed collection:* To request a change in the proviso(s) placed on an export license, the applicant submits a letter requesting reconsideration of a particular proviso(s).

*Methodology:* This information collection is an exchange of letters and may be sent to the Directorate of Defense Controls via mail.

Dated: August 10, 2009.

**Robert S. Kovac,**

*Acting Deputy Assistant Secretary for Defense Trade, Bureau of Political-Military Affairs, Department of State.*

[FR Doc. E9-19724 Filed 8-14-09; 8:45 am]

**BILLING CODE 4710-25-P**

## DEPARTMENT OF STATE

[Public Notice: 6725]

### 30-Day Notice of Proposed Information Collection: Form DS-6001, Request for Advisory Opinion; OMB Control Number 1405-0174

**ACTION:** Notice of request for public comment and submission to OMB of proposed collection of information.

**SUMMARY:** The Department of State has submitted the following information collection request to the Office of Management and Budget (OMB) for approval in accordance with the Paperwork Reduction Act of 1995.

*Title of Information Collection:* Request for Advisory Opinion.

*OMB Control Number:* 1405-0174.

*Type of Request:* Extension of currently approved collection.

*Originating Office:* Bureau of Political Military Affairs, Directorate of Defense Trade Controls, PM/DDTC.

*Form Number:* DS-6001.

*Respondents:* Business organizations.

*Estimated Number of Respondents:* 170 (total).

*Estimated Number of Responses:* 250 (per year).

*Average Hours per Response:* 1 hour.

*Total Estimated Burden:* 250 hours (per year).

*Frequency:* On occasion.

*Obligation To Respond:* Mandatory.

**DATES:** Submit comments to the Office of Management and Budget (OMB) for up to 30 days from August 17, 2009.

**ADDRESSES:** Direct comments and questions to Katherine Astrich, the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB), who may be reached at 202-395-4718. You may submit

comments by any of the following methods:

*E-mail:* [Kastrich@omb.eop.gov](mailto:Kastrich@omb.eop.gov). You must include the DS form number, information collection title, and OMB control number in the subject line of your message.

*Mail (paper, disk, or CD-ROM submissions):* Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503.

*Fax:* 202-395-5806

**FOR FURTHER INFORMATION CONTACT:** You may obtain copies of the proposed information collection and supporting documents from Mary F. Sweeney, PM/DDTC, SA-1, 12th Floor, Directorate of Defense Trade Controls, Bureau of Political Military Affairs, U.S. Department of State, Washington, DC 20522-0112, who may be reached on (202) 663-2865 or at [sweeneymf@state.gov](mailto:sweeneymf@state.gov).

**SUPPLEMENTARY INFORMATION:** We are soliciting public comments to permit the Department to:

Evaluate whether the proposed collection of information is necessary to properly perform our functions.

Evaluate the accuracy of our estimate of the burden of the proposed collection, including the validity of the methodology and assumptions used.

Enhance the quality, utility, and clarity of the information to be collected.

Minimize the reporting burden on those who are to respond, including the use of Automated collection techniques or other forms of technology.

*Abstract of proposed collection:* Form DS-6001 is used when an exporter desires an opinion as to whether the Directorate of Defense Trade Controls would likely grant a license or other approval for a particular export transaction involving defense articles or defense services. Also, the DS-6001 may be used to satisfy the prior approval requirements of 22 CFR 126.8 for a proposal to sell or manufacture abroad significant military equipment to foreign persons.

*Methodology:* This information collection may be sent to the Directorate of Defense Controls via mail.

August 10, 2009.

**Robert S. Kovac,**

*Acting Deputy Assistant Secretary for Defense Trade, Bureau of Political-Military Affairs, Department of State.*

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