

summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.³

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

FICC is proposing to add a provision to the rules of GSD to make explicit the close out netting that would be applied to obligations between FICC and its members in the event that FICC becomes insolvent or defaults in its obligations to its members.⁴

FICC has been approached by some of its dealer members that have requested that FICC add a provision to the rules of GSD to make explicit the close out netting of obligations between FICC and its members in the event that FICC becomes insolvent or defaults in its obligations to its members. Such members have stated that the proposed rule change will provide clarity in their application of balance sheet netting to their positions with FICC under U.S. GAAP in accordance with the criteria specified in the Financial Accounting Standards Board's Interpretation No. 39, *Offsetting of Amounts Related to Certain Contracts* (FIN 39). The members have stated further that the proposed rule change would allow them to comply with Basel Accord Standards relating to netting. Specifically, firms are able to calculate their capital requirements on the basis of their net credit exposure where they have legally enforceable netting arrangements with their counterparties, which includes a close out netting provision in the event of the default of a counterparty (in this case, the division of FICC acting as a CCP).

FICC believes the proposed rule change is consistent with the requirements of Section 17A of the Act⁵ and the rules and regulations thereunder applicable to FICC because the proposed rule change would provide FICC members with clarity in the calculation of their capital requirements with respect to their net credit exposure where members have legally enforceable netting arrangements with their counterparties. Moreover, other clearing agencies have similar provisions in their rules for the same purpose.⁶

³ The Commission has modified the text of the summaries prepared by FICC.

⁴ The specific language of the proposed provision can be found at http://www.dtcc.com/downloads/legal/rule_filings/2010/ficc/2010-04.pdf.

⁵ 15 U.S.C. 78q-1.

⁶ The Commission has previously approved a similar provision for another clearing agency for the same purpose of providing such clearing agency's members with the needed clarity. Securities

(B) Self-Regulatory Organization's Statement on Burden on Competition

FICC does not believe that the proposed rule change would impose any burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

Written comments relating to the proposed rule change have not been solicited or received. FICC will notify the Commission of any written comments received by FICC.

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

Within 45 days of the date of publication of this notice in the **Federal Register** or within such longer period up to 90 days (i) as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will: (A) by order approve or disapprove the proposed rule change or (B) institute proceedings to determine whether the proposed rule change should be disapproved.

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. Please include File Number SR-FICC-2010-04 on the subject line.

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-FICC-2010-04. 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/>

Exchange Act Release No. 34-56069 (July 13, 2007), 72 FR 39869 (July 20, 2007).

[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 Web site viewing and printing in the Commission's Public Reference Section, 100 F Street, NE., Washington, DC 20549-1090, on official business days between the hours of 10 am and 3 p.m. Copies of such filings will also be available for inspection and copying at the principal office of FICC and on FICC's Web site at http://www.dtcc.com/downloads/legal/rule_filings/2010/ficc/2010-04.pdf. 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-FICC-2010-04 and should be submitted on or before September 21, 2010.

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

Florence E. Harmon,

Deputy Secretary.

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DEPARTMENT OF TRANSPORTATION

National Highway Traffic Safety Administration

Reports, Forms, and Recordkeeping Requirements Agency Information Collection Activity Under OMB Review

AGENCY: National Highway Traffic Safety Administration (NHTSA), U.S. Department of Transportation (DOT).

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and the expected burden. The **Federal Register** Notice with a 60-day comment

⁷ 17 CFR 200.30-3(a)(12).

period was published on May 6, 2010 (75 FR 25033–25034).

DATES: Comments must be submitted on or before September 30, 2010.

ADDRESSES: Send comments, within 30 days, to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street, NW., Washington, DC 20503, Attention NHTSA Desk Officer.

FOR FURTHER INFORMATION CONTACT: Maria Vegega, PhD Chief, Behavioral Research Division, Office of Behavioral Safety Research (NTI–131), National Highway Traffic Safety Administration, 1200 New Jersey Avenue, SE., W44–302, Washington, DC 20590. Dr. Vegega's phone number is 202–366–2668 and her e-mail address is *Maria.Vegega@dot.gov*.

SUPPLEMENTARY INFORMATION:

Title: Focus Group Review of Advanced Alcohol Detection Technology.

Type of Request: New information collection requirement.

Abstract: In 2008, 11,773 people were killed in alcohol-impaired-driving crashes. Drivers are considered to be alcohol-impaired when their blood alcohol concentration (BAC) is .08 grams per deciliter (g/dL) or higher. These alcohol-impaired-driving fatalities accounted for 32 percent of the total motor vehicle traffic fatalities in the United States.

In a continuing effort to reduce the adverse consequences of alcohol-impaired driving, NHTSA in conjunction with the Automotive Coalition for Traffic Safety (ACTS) is undertaking research and development to explore the feasibility of, and public policy challenges associated with, use of in-vehicle alcohol detection technology. The agency believes that use of vehicle-based, alcohol detection technologies could help to significantly reduce the number of alcohol-impaired driving crashes, deaths and injuries by preventing drivers from driving while their blood alcohol concentration (BAC) is at or above the legal limit. In 2008, ACTS and NHTSA entered into a 5–Year Cooperative Agreement to “*explore the feasibility, the potential benefits of, and the public policy challenges associated with a more widespread use of unobtrusive technology to prevent drunk driving*”. The goal of this research effort, the Driver Alcohol Detection System for Safety (DADSS) project, is to develop and test prototypes that may be considered for vehicle integration thereafter.

As technology development progresses and decisions are being made about how to integrate such technology into vehicles, NHTSA needs a better

understanding of public preferences with respect to in-vehicle alcohol detection devices. Optimization of technology and public acceptance of it once deployed will depend on the extent to which public attitudes are taken into account during the development process. Recognizing the need to obtain input from drivers early in the development process, NHTSA proposes to conduct a total of 24 focus groups in two stages. The first set of focus groups (12 focus groups) will obtain information from licensed drivers on public perceptions and attitudes concerning in-vehicle alcohol detection technology designed to prevent alcohol-impaired driving. Information from this phase of the project will be used by NHTSA and the DADSS research team to provide input to decision making regarding vehicle integration with respect to the technology under investigation. A second set of focus groups (12 focus groups) will gauge driver reaction to technology prototypes, obtain input on alternative prototype features, and obtain guidance on strategies for introduction of the technology into the vehicle fleet. The information will also be used to identify potential barriers to acceptance of the technologies.

Affected Public: Drivers age 21 years and older will be recruited in four locations to participate in focus groups. They will be provided with a stipend to reimburse them for expenses and compensate them for their time in participating in the discussions. Participation by all respondents would be voluntary and anonymous. All focus groups will be conducted by a trained moderator.

Estimated Total Annual Burden: 288 hours (24 focus groups with eight participants in each, averaging 1.5 hours).

Comments are invited on the following:

(i) 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;

(ii) The accuracy of the agency's estimate of the burden of the proposed information collection;

(iii) Ways to enhance the quality, utility, and clarity of the information to be collected; and

(iv) Ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

A comment to OMB is most effective if OMB receives it within 30 days of publication.

Authority: 44 U.S.C. 3506(c)(2)(A).

Jeff Michael,

Associate Administrator, Research and Program Development.

[FR Doc. 2010–21757 Filed 8–30–10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35379]

RailAmerica, Inc., Palm Beach Holding, Inc., RailAmerica Transportation Corp., Central Railroad Company of Indianapolis, Chicago Ft. Wayne and Eastern Railroad Division, Fortress Investment Group, LLC, and RR Acquisition Holding, LLC—Control Exemption—Delphos Terminal Company, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice.

SUMMARY: The Board grants an exemption, under 49 U.S.C. 10502, from the prior approval requirements of 49 U.S.C. 11323–25, for RailAmerica, Inc. (RailAmerica); Palm Beach Holding, Inc. (Palm Beach); RailAmerica Transportation Corp. (RTC); Central Railroad Company of Indianapolis (CERA); Chicago Ft. Wayne and Eastern Railroad Division (CFE); Fortress Investment Group, LLC (Fortress), on behalf of certain private equity funds managed by Fortress and its affiliates; and RR Acquisition Holding, LLC (RR Acquisition), to acquire control of Delphos Terminal Company, Inc. (DTC), subject to labor protective conditions. Pursuant to an agreement that CERA, a Class III rail carrier, intends to enter into with Bunge North America (East), LLC (Bunge), the parent company of DTC, CERA will acquire from Bunge all of the issued and outstanding shares of stock of DTC and will thus acquire direct control of DTC. Fortress, RR Acquisition, RailAmerica, Palm Beach, and RTC will indirectly control DTC, because Fortress's noncarrier affiliate, RR Acquisition, controls noncarrier RailAmerica; RailAmerica directly controls noncarrier Palm Beach; Palm Beach directly controls noncarrier RTC; and RTC directly controls CERA. RailAmerica is a holding company that directly or indirectly controls 1 Class II and 29 Class III railroads. Fortress is a noncarrier that indirectly controls 1 Class II rail carrier.¹

¹ The Board exempted the transfer of indirect control of that Class II carrier, Florida East Coast Railway, LLC (FEC), from Fortress to RailAmerica, with Fortress retaining indirect control of