

Subcommittee of the National Science and Technology Council request comments from the public regarding the draft 2010 National Nanotechnology Initiative (NNI) Strategic Plan. The draft plan is posted at <http://strategy.nano.gov>. Comments of approximately one page or less in length (4,000 characters) are requested. This request will be active from November 1, 2010 to November 30, 2010.

**DATES:** Comments are invited beginning November 1, 2010 and must be received by 11:59 p.m. EST on November 30, 2010.

**ADDRESSES:** Respondents are encouraged to register online at the NNI Strategy Portal at <http://strategy.nano.gov> to post their comments (4,000 characters or less) as a response to the request for public comment. Alternatively, comments of one page in length or less may be submitted via e-mail to: [nnistrategy@ostp.gov](mailto:nnistrategy@ostp.gov). Please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information.

*Overview:* The National Nanotechnology Initiative (NNI) Strategic Plan is the framework that underpins the nanotechnology work of the NNI member agencies. It aims to ensure that advances in nanotechnology research and development (R&D) and their applications to agency missions and the broader national interest continue unabated in this still-young field. Its purpose is to facilitate achievement of the NNI vision by laying out targeted guidance for agency leaders, program managers, and the research community regarding planning and implementation of nanotechnology R&D investments and activities.

The NNI is a U.S. Government R&D program of 25 agencies working together toward the common challenging vision of a future in which the ability to understand and control matter at the nanoscale leads to a revolution in technology and industry that benefits society. The combined, coordinated efforts of these agencies have accelerated discovery, development, and deployment of nanotechnology towards agency missions and the broader national interest. Established in 2001, the NNI involves nanotechnology-related activities by the 25 member agencies, 15 of which have budgets for nanotechnology R&D for Fiscal Year (FY) 2011.

The NNI is managed within the framework of the National Science and Technology Council (NSTC), the Cabinet-level council that coordinates

science and technology across the Federal government and interfaces with other sectors. The Nanoscale Science, Engineering, and Technology (NSET) Subcommittee of the NSTC coordinates planning, budgeting, program implementation, and review of the NNI. The NSET Subcommittee is composed of senior representatives from agencies participating in the NNI (<http://www.nano.gov>).

The NSET Subcommittee has solicited multiple streams of input to inform the development of a revised NNI Strategic Plan. Independent reviews of the NNI by the President's Council of Advisors on Science and Technology and the National Research Council of the National Academies have made specific recommendations for improving the NNI. Additional input has come from the NNI Strategic Planning Stakeholders Workshop in Arlington, Virginia, on July 13–14, 2010 (details available online: <http://www.nano.gov/html/meetings/NNISPWorkshop/index.html>) as well as in responses to a Request for Information published in the **Federal Register** on July 6, 2010 and comments posted online in response to challenge questions from July 13–August 15, 2010, at the NNI Strategy Portal (<http://strategy.nano.gov>).

The NNI Strategic Plan represents the consensus of the participating agencies as to the high-level goals and priorities of the NNI and specific objectives for at least the next three years. It describes the four overarching goals of the NNI, the major Program Component Areas established in 2004 to broadly track the categories of investments needed to ensure the success of the initiative, and the near-term objectives that will be the concrete steps taken toward collectively achieving the NNI vision and goals. Finally, the plan describes collaborative interagency activities, including three Nanotechnology Signature Initiatives that are a new model of specifically targeted and closely coordinated interagency, cross-sector collaboration designed to accelerate innovation in areas of national priority.

Your comments on this draft of the plan must be received by 11:59 p.m. EST on Sunday, November 30, 2010. Please reference page and line numbers as appropriate, and keep your responses to 4,000 characters or less. You may also e-mail your responses, no more than one page in length, to [nnistrategy@ostp.gov](mailto:nnistrategy@ostp.gov).

Responses to this notice are not offers and cannot be accepted by the Federal Government to form a binding contract or issue a grant. Information obtained as a result of this notice may be used by the Federal Government for program planning on a non-attribution basis. Do

not include any information that might be considered proprietary or confidential. Please be aware that your comments may be posted online.

**FOR FURTHER INFORMATION CONTACT:** Any questions about the content of this notice should be sent to [NNIStrategy@ostp.gov](mailto:NNIStrategy@ostp.gov). Questions and responses may also be sent by mail (please allow additional time for processing) to the address: Office of Science and Technology Policy, ATTN: NNI Strategic Plan Comments, Executive Office of the President, 725 17th Street, Room 5228, Washington, DC 20502. Phone: (202) 456-7116, Fax: (202) 456-6021.

**Ted Wackler,**

*Deputy Chief of Staff.*

[FR Doc. 2010-27358 Filed 10-29-10; 8:45 am]

**BILLING CODE 3170-W0-P**

## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

*Extension:*

Rule 301 and Forms ATS and ATS-R; SEC File No. 270-451; OMB Control No. 3235-0509.

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.

Regulation ATS provides a regulatory structure for alternative trading systems. Regulation ATS allows an alternative trading system to choose between registering as a broker-dealer and complying with Regulation ATS, or registering as a national securities exchange. Regulation ATS provides the regulatory framework for those alternative trading systems that choose to be regulated as broker-dealers. Rule 301 of Regulation ATS contains certain notice and reporting requirements, as well as additional obligations that apply only to alternative trading systems with significant volume. Rule 301 describes the conditions with which an alternative trading system must comply to be registered as a broker-dealer. The

Rule requires all alternative trading systems that wish to comply with Regulation ATS to file an initial operation report on Form ATS. The initial operation report requires information regarding operation of the system including the method of operation, access criteria and the types of securities traded. Alternative trading systems are also required to supply updates on Form ATS to the Commission, describing material changes to the system, and quarterly transaction reports on Form ATS-R. Alternative trading systems are also required to file cessation of operations reports on Form ATS.

An alternative trading system with significant volume is required to comply with requirements for fair access and systems capacity, integrity and security. Under Rule 301, such alternative trading system is also required to establish standards for granting access to trading on its system. In addition, upon a decision to deny or limit an investor's access to the system, an alternative trading system is required to provide notice to a user of the denial or limitation and its right to an appeal to the Commission. Regulation ATS requires alternative trading systems to preserve any records made in the process of complying with the systems' capacity, integrity and security requirements. In addition, such alternative trading systems are required to notify Commission staff of material systems outages and significant systems changes.

The Commission uses the information provided pursuant to the Rule to monitor the growth and development of alternative trading systems, and to monitor whether the systems promote fair and orderly securities markets and operate in a manner that is consistent with the federal securities laws. In particular, the information collected and reported to the Commission by alternative trading systems enables the Commission to evaluate the operation of alternative trading systems with regard to national market system goals, and monitor the competitive effects of these systems to ascertain whether the regulatory framework remains appropriate to the operation of such systems. Without the information provided on Forms ATS and ATS-R, the Commission would not have readily available information on a regular basis in a format that would allow it to determine whether such systems have adequate safeguards.

Respondents consist of alternative trading systems that choose to register as broker-dealers and comply with the requirements of Regulation ATS. The

Commission estimates that there are currently approximately 80 respondents.

An estimated 80 respondents will file an average total of 552 responses per year, which corresponds to an estimated aggregated annual response burden of 1,792.5 hours (comprised of 1,356 hours professional labor and 436.5 hours para-professional labor). At an average cost per burden hour of approximately \$316 for professional labor and \$59 for para-professional labor, with an additional 35% of labor costs added to account for overhead costs such as printing, copying, and postage, the resultant total related cost of compliance for these respondents is \$613,236.82 per year ((1,356 professional burden hours multiplied by \$316) plus (436.5 para-professional burden hours multiplied by \$59) equals \$454,249.50; plus 35% for overhead costs (\$158,987.32) equals \$613,236.82; figures may vary slightly due to arithmetic rounding).

An estimated 5 respondents will commence operations as an ATS each year, necessitating the filing of an initial operation report on Form ATS. The Commission estimates that the average compliance burden for each respondent would be 20 hours, comprising 13 hours of in-house professional work and 7 hours of clerical work. Thus, the total compliance burden per year is 100 hours (5 responses  $\times$  20 hours = 100 hours). The total cost of compliance for the annual burden is \$22,605 ( $\$316 \times 13$  hours per response +  $\$59 \times 7$  hours per response = \$4,521 per response;  $\$4,521 \times 5$  responses = \$22,605). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$1,582.35 per respondent ( $\$4,521$  times 35%). Thus, the Commission estimates the total annualized cost burden would be \$7,911.75 ( $\$1,582.35 \times 5$  respondents).

An estimated 80 respondents will file an estimated two periodic amendments to their initial operation report on Form ATS each year, an estimated total of 160 responses. The Commission estimates that the average compliance burden for each response would be 2 hours, comprising 1.5 hours of in-house professional work and 0.5 hours of clerical work. Thus, the total compliance burden per year is 320 hours (160 responses  $\times$  2 hours = 320 hours). The total cost of compliance for the annual burden is \$1,007 ( $\$316 \times 1.5$  hours per response +  $\$59 \times 0.5$  hours per response = \$503.50 per response;  $\$503.50 \times 160$  responses = \$80,560). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount

to \$176.23 per response (\$503.50 times 35%). Thus, the Commission estimates the annualized cost burden for each respondent would be \$352.46 ( $\$176.23 \times 2$  responses per respondent) and the total annualized cost burden for all respondents would be \$28,196.80 ( $\$176.23 \times 80$  respondents  $\times$  2 responses per respondent).

An estimated 80 respondents will file four quarterly reports on Form ATS-R each year for an estimated total of 320 responses. The Commission estimates that the average compliance burden for each response would be 4 hours, comprising 3 hours of in-house professional work and 1 hour of clerical work. Thus, the total compliance burden per year is 1,280 hours (320 responses  $\times$  4 hours = 1,280 hours). The total cost of compliance for the annual burden is \$322,240 ( $\$316 \times 3$  hours per response +  $\$59 \times 1$  hours per response = \$1,007 per response;  $\$1,007 \times 320$  responses = \$322,240). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$352.45 per response ( $\$1,007$  times 35%). Thus, the Commission estimates the annualized cost burden for each respondent would be \$1409.80 ( $\$352.45 \times 4$  responses per respondent) and the total annualized cost burden for all respondents would be \$112,784 ( $\$352.45 \times 80$  respondents  $\times$  4 responses per respondent).

An estimated three respondents will be required to file a cessation of operations report on Form ATS each year. The Commission estimates that the average compliance burden for each response would be 2 hours, comprising 1.5 hours of in-house professional work and 0.5 hours of clerical work. Thus, the total compliance burden per year is 6 hours (3 responses  $\times$  2 hours = 6 hours). The total cost of compliance for the annual burden is \$1,510.50 ( $\$316 \times 1.5$  hours per response +  $\$59 \times 0.5$  hours per response = \$503.50 per response;  $\$503.50 \times 3$  responses = \$1,510.50). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$176.23 per respondent ( $\$503.5 \times 35\%$ ). Thus, the Commission estimates the total annualized cost burden would be \$528.69 ( $\$176.23 \times 3$  respondents).

An estimated two respondents will meet certain volume thresholds requiring them to establish standards for granting access on its trading system. The Commission estimates that the average compliance burden for each response would be 5 hours of in-house professional work at \$316 per hour. Thus, the total compliance burden per year is 10 hours (2 responses  $\times$  5 hours

= 10 hours). The total cost of compliance for the annual burden is \$3,160 ( $\$316 \times 5$  hours per response  $\times$  2 responses = \$3,160). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$553 per response ( $\$1,580 \times 35\%$ ). Thus, the Commission estimates the total annualized cost burden would be \$1,106 ( $\$553 \times 2$  respondents).

An estimated two respondents will meet certain volume thresholds requiring them to provide notice to any user upon any decision to deny or limit that user's access to the system, and these notice obligations will be triggered an estimated 27  $\times$  per year for each respondent. The Commission estimates that the average compliance burden for each response would be 1 hour of in-house professional work at \$316 per hour. Thus, the total compliance burden per year is 54 hours (2 respondents  $\times$  27 responses each  $\times$  1 hour = 54 hours). The total cost of compliance for the annual burden is \$17,064 ( $\$316 \times 1$  hour per response  $\times$  54 responses = \$17,064). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$110.60 per response ( $\$316 \times 35\%$ ). Thus, the Commission estimates the annualized cost burden for each respondent would be \$2986.20 ( $\$110.60 \times 27$  responses per respondent) and the total annualized cost burden for all respondents would be \$5972.40 ( $\$110.60 \times 2$  respondents  $\times$  27 responses per respondent).

An estimated two respondents will meet certain volume thresholds requiring them to keep records relating to any steps taken to comply with systems capacity, integrity, and security requirements under Rule 301. The Commission estimates that the average compliance burden for each response would be 10 hours of in-house professional work at \$316 per hour. Thus, the total compliance burden per year is 20 hours (2 respondents  $\times$  10 hours = 20 hours). The total cost of compliance for the annual burden is \$6,320 ( $\$316 \times 20$  hours = \$6,320). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$1,106 per response ( $\$3,160 \times 35\%$ ). Thus, the Commission estimates the total annualized cost burden would be \$2,212 ( $\$1,106 \times 2$  respondents).

An estimated two respondents will meet certain volume thresholds requiring them to provide a notice to the Commission to report any systems outages, and these notice obligations will be triggered an estimated 5 times per year for each respondent. The

Commission estimates that the average compliance burden for each response would be .25 hours of in-house professional work at \$316 per hour. Thus, the total compliance burden per year is 2.5 hours (2 respondents  $\times$  5 responses each  $\times$  .25 hours = 2.5 hours). The total cost of compliance for the annual burden is \$790 ( $\$316 \times .25$  hours per response  $\times$  10 responses = \$790). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$27.65 per response ( $\$79 \times 35\%$ ). Thus, the Commission estimates the annualized cost burden for each respondent would be \$138.25 ( $\$27.65 \times 5$  responses per respondent) and the total annualized cost burden for all respondents would be \$276.50 ( $\$27.65 \times 2$  respondents  $\times$  5 responses per respondent).

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 shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed 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: Jeffrey Heslop, Acting Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: October 25, 2010.

**Florence E. Harmon,**  
Deputy Secretary.

[FR Doc. 2010-27468 Filed 10-29-10; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law-409, that the Securities and Exchange Commission will hold a closed meeting on Thursday, November 4, 2010 at 1:30 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries

will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Paredes, as duty officer, voted to consider the items listed for the closed meeting in a closed session, and determined that no earlier notice thereof was possible.

The subject matter of the closed meeting scheduled for Thursday, November 4, 2010 will be: Institution and settlement of injunctive actions; institution and settlement of administrative proceedings; and other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 551-5400.

Dated: October 28, 2010.

**Elizabeth M. Murphy,**  
Secretary.

[FR Doc. 2010-27640 Filed 10-28-10; 4:15 pm]

**BILLING CODE P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63179; File No. SR-ISE-2010-104]

### Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending Its Schedule of Fees

October 26, 2010.

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 October 19, 2010, International Securities Exchange, LLC ("ISE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this

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

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