

Peace Corps Web site and will be submitted electronically to Peace Corps Response.

*Title:* Peace Corps Response Application Form.

*OMB Control Number:* 0420—pending.

*Type of Review:* New.

*Affected Public:* Returned Peace Corps Volunteer and general public.

*Respondents' Obligation To Reply:* Voluntary.

*Burden to the Public:*

(a) Estimated number of respondents: 2,500.

(b) Frequency of response: one time.

(c) Estimated average burden per response: 60 minutes.

(d) Estimated total reporting burden: 2,500 hours.

(e) Estimated annual cost to respondents: \$0.00.

*General Description of Collection:* The Peace Corps Response Application is necessary to recruit qualified Volunteers to serve in the Peace Corps' Peace Corps Response program. This information collection will be used by Peace Corps Response staff to perform initial screening for potential candidates for specific Peace Corps Response assignments. Applicants are recruited from the Returned Peace Corps Volunteer community as well as from the general public.

*Request for Comment:* Peace Corps invites comments on whether the proposed collection of information is necessary for proper performance of the functions of the Peace Corps Response, including whether the information will have practical use; the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the information to be collected; and, ways to minimize the burden of the collection of information on those who are to respond, including through the use of automated collection techniques, when appropriate, and other forms of information technology.

This notice issued in Washington, DC, on May 10, 2011.

**Earl W. Yates,**

*Associate Director, Management.*

[FR Doc. 2011-11879 Filed 5-13-11; 8:45 am]

**BILLING CODE 6051-01-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 94-409, that

the Securities and Exchange Commission will hold an Open Meeting on May 18, 2011 at 10 a.m., in the Auditorium, Room L-002.

The subject matter of the Open Meeting will be:

The Commission will consider whether to propose new rules and amendments to existing rules to implement provisions of Subtitle C of Title IX of the Dodd-Frank Wall Street Reform and Consumer Protection Act that would apply to credit rating agencies registered with the Commission as nationally recognized statistical rating organizations, providers of third-party due diligence services for asset-backed securities, and issuers and underwriters of asset-backed securities.

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: May 11, 2011.

**Elizabeth M. Murphy,**

*Secretary.*

[FR Doc. 2011-12018 Filed 5-12-11; 11:15 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Securities Act of 1933, Release No. 9206/May 11, 2011; Securities Exchange Act of 1934, Release No. 64462/May 11, 2011; Order Directing Funding for the Governmental Accounting Standards Board

President Obama signed into law the Dodd-Frank Wall Street Reform and Consumer Protection Act ("Dodd-Frank Act") on July 21, 2010.<sup>1</sup> The Dodd-Frank Act, among other things, added Section 19(g) to the Securities Act of 1933 ("Securities Act") to create a mechanism for funding the Governmental Accounting Standards Board ("GASB").<sup>2</sup>

Section 19(g) of the Securities Act provides that the Commission may, subject to the limitations imposed by Section 15B of the Securities Exchange Act of 1934 ("Exchange Act"),<sup>3</sup> require a national securities association registered under the Exchange Act to establish a reasonable annual accounting support fee to adequately fund the annual budget of the GASB, and to establish rules and procedures, in consultation

with the principal organizations representing State governors, legislators, local elected officials, and State and local finance officers, to provide for the equitable allocation, assessment, and collection of the accounting support fee from the members of the association, and the remittance of all such accounting support fees to the Financial Accounting Foundation.<sup>4</sup>

For purposes of this order and as provided in Securities Act Section 19(g), the annual budget of the GASB is the annual budget reviewed and approved according to the internal procedures of the Financial Accounting Foundation.<sup>5</sup> Any fees or funds collected shall be used to support the efforts of the GASB to establish standards of financial accounting and reporting recognized as generally accepted accounting principles applicable to State and local governments of the United States.<sup>6</sup> The annual accounting support fees collected for a fiscal year shall not exceed the recoverable annual budgeted expenses of the GASB (which may include operating expenses, capital, and accrued items).<sup>7</sup>

Accounting support fees collected and other receipts of the GASB shall not be considered public monies of the United States.<sup>8</sup> Nothing in this order shall be construed to provide the Commission or any national securities association direct or indirect oversight of the budget or technical agenda of the GASB, or affect the setting of generally accepted accounting principles by the GASB.<sup>9</sup> In addition, nothing in this order shall be construed to impair or limit the authority of a State or local government to establish accounting and financial reporting standards.<sup>10</sup>

To provide for an independent and more reliable funding mechanism for the GASB, the Commission has determined that the Financial Industry Regulatory Authority, Inc. ("FINRA") shall establish such a reasonable accounting support fee and related rules and procedures to provide funding for the GASB. Accordingly,

*It is ordered,* pursuant to Section 19(g) of the Securities Act, that FINRA establish (a) a reasonable annual accounting support fee to adequately fund the annual budget of the GASB; and (b) rules and procedures, in consultation with the principal organizations representing State

<sup>4</sup> See 15 U.S.C. 77s(g)(1).

<sup>5</sup> See 15 U.S.C. 77s(g)(2).

<sup>6</sup> See 15 U.S.C. 77s(g)(3).

<sup>7</sup> See 15 U.S.C. 77s(g)(4).

<sup>8</sup> See 15 U.S.C. 77s(g)(5)(A).

<sup>9</sup> See 15 U.S.C. 77s(g)(5)(B).

<sup>10</sup> See 15 U.S.C. 77s(g)(5)(C).

<sup>1</sup> See Dodd-Frank Wall Street Reform and Consumer Protection Act, Public Law 111-203, 124 Stat. 1376 (2010).

<sup>2</sup> See Section 978 of the Dodd-Frank Act.

<sup>3</sup> See 15 U.S.C. 78o-4.

governors, legislators, local elected officials, and State and local finance officers, to provide for the equitable allocation, assessment, and collection of the accounting support fee from its members, and the remittance of all such accounting support fees to the Financial Accounting Foundation.

By the Commission.

**Elizabeth M. Murphy,**  
Secretary.

[FR Doc. 2011-11931 Filed 5-13-11; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-64439; File No. SR-BX-2011-023]

### Self-Regulatory Organizations; NASDAQ OMX BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Modify Fees for Non Co-Location Services

May 9, 2011.

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 28, 2011, NASDAQ OMX BX, Inc. (“BX” 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 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 modify fees for non co-location services. While changes to the Fee Schedule pursuant to this proposal are effective upon filing, the Exchange has designated these changes to be operative on May 1, 2011. The text of the proposed rule change is available at <http://nasdaqomxbx.cchwallstreet.com/>, at the Exchange’s principal office, and at the Commission’s Public Reference Room.

#### 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. The Exchange 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 Exchange is amending Rule 7051 entitled “Direct Connectivity to Nasdaq” to establish pricing for customers who are not co-located in the Exchange’s data center, but require shared cabinet space and power for optional routers, switches, or modems to support their direct circuit connections. The Exchange proposes to assess customers who are not co-located in the Exchange’s data center monthly fees for space based on a height unit of approximately two inches high, commonly call a “U” space and a maximum power of 125 Watts per U space.

Currently, non co-located customers are assessed fees for direct circuit connection to the Exchange, as well as installation of an optional on-site cable router.<sup>3</sup> However, there is no charge to non co-located customers for the space and utility cost to maintain the optional router. As more and more non co-located customers seek to utilize the optional router, the Exchange must utilize more space and utilities to accommodate the influx. It has become a necessity for the Exchange to offset the space and utility cost to maintain the optional router in the same manner as has been established for co-located customers. Additionally, the optional router may include other networks devices (e.g., switches or modems) to operate the customer’s business. While co-located customers are assessed the same per U fee, the co-located customers are assessed in increments of a 4U Block at \$600 per month. The Exchange seeks to establish and make transparent the fees imposed for space and utility costs to non co-located customers.

##### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,<sup>4</sup> in general, and with Section 6(b)(4) of

the Act,<sup>5</sup> in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among members and issuers and other persons using any facility or system which the Exchange operates or controls. The Exchange believes the proposed fees are reasonable and equitable for the reasons below.

The Exchange operates in a highly competitive market in which exchanges offer non co-location services as a means to facilitate the trading activities of those customers who believe that the non co-location services enhance the efficiency of their trading. Accordingly, fees charged for non co-location services are constrained by the fees charged to co-located customers, as well as fees charged by other exchanges, taking into consideration the different costs associated with the two service types. It should be noted, however, that the costs associated with a co-located customer are primarily fixed costs that include the costs of renting or owning data center space and retaining a staff of technical personnel. Accordingly, the Exchange establishes a range of non co-location fees with the goal of covering these same fixed costs and covering less significant marginal costs, such as the cost of electricity.

The Exchange proposes the same fee for non co-located customers and co-located customers because the space and utility cost are comparable. If a particular exchange charges excessive fees for non co-location services that are comparable to co-location services, affected members will opt to terminate their non co-location arrangements with that exchange, and pursue range of alternative trading strategies not dependent upon the Exchange’s non co-location service. Accordingly, the exchange charging excessive fees would stand to lose not only non co-location revenues and any other revenues associated with the non co-located customer’s operations. Moreover, all of the Exchange’s fees for space and utility costs services are equitably allocated and non-discriminatory in that all non co-location customers are offered the same space and utility service as the co-located customers, and, there is no differentiation among customers with regard to the fees charged for such costs.

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

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended.

<sup>3</sup> See BX Rule 7051, Direct Connectivity to BX, Release No. 62969 (September 22, 2010), 75 FR 59777 (September 28, 2010) (SR-BX-2010-064).

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

<sup>5</sup> 15 U.S.C. 78f(b)(4).

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

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