

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-67867; File No. SR-NASD-2005-100]

Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Notice of Withdrawal of Proposed Rule Change and Amendments Nos. 1, 2, 3 and 4 Thereto, To Require Members To Provide Customers in TRACE-Eligible Debt Securities With Additional, Transaction-Specific Disclosures and To Notify Customers of the Availability of a Disclosure Document

September 14, 2012.

On August 19, 2005, the National Association of Securities Dealers, Inc. ("NASD"), n/k/a Financial Industry Regulatory Authority, Inc. ("FINRA"), filed with the Securities and Exchange Commission ("SEC" or "Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Exchange Act" or "Act")¹ and Rule 19b-4 thereunder,² a proposed rule change that would have (1) adopted NASD Rule 2231, which would have required members, subject to specified exceptions, to provide customers in transactions in debt securities that are TRACE-eligible securities, as defined in former NASD Rule 6210(a),³ with additional, transaction-specific disclosures relating to applicable charges, credit ratings, the availability of last-sale transaction information, and certain interest, yield and call provisions; and (2) amended NASD Rule 2340 (customer account statements) to require members to notify certain customers of the availability of a disclosure document discussing debt securities authored by FINRA and deliver the document to customers upon request. NASD filed Amendment No. 1 to the proposed rule change on December 21, 2005, Amendment No. 2 to the proposed rule change on January 26, 2007, and Amendment No. 3 to the proposed rule change on July 16, 2007. FINRA filed Amendment No. 4 on August 21, 2007. The proposed rule change, as modified by Amendments 1, 2, 3 and 4, was published for comment in the **Federal Register** on October 19,

2007.⁴ The Commission received four comments on the proposal.⁵

On September 14, 2012, FINRA withdrew the proposed change (SR-NASD-2005-100).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶

Kevin O'Neill,

Deputy Secretary.

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DEPARTMENT OF STATE

[Public Notice 8036]

30-Day Notice of Proposed Information Collections: Two Directorate of Defense Trade Controls Information Collections: "Request To Change End-User, End-Use, and/or Destination of Hardware" and "Request for Advisory Opinion"

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

SUMMARY: The Department of State has submitted the information collections described below to the Office of Management and Budget (OMB) for approval. In accordance with the Paperwork Reduction Act of 1995 we are requesting comments on these collections from all interested individuals and organizations. The purpose of this Notice is to allow 30 days for public comment.

DATES: Submit comments to the Office of Management and Budget (OMB) up to October 22, 2012.

ADDRESSES: Direct comments to the Department of State Desk Officer in the Office of Information and Regulatory Affairs at the Office of Management and Budget (OMB). You may submit comments by the following methods:

• **Email:**

oir_submission@omb.eop.gov. You must include the DS form number, information collection title, and OMB control number in the subject line of your message.

• **Fax:** 202-395-5806. Attention: Desk Officer for Department of State.

⁴ See Securities Exchange Act Release No. 56661 (Oct. 15, 2007), 72 FR 59321 (Oct. 19, 2009).

⁵ All comments are posted on the Commission's Web site, <http://www.sec.gov/comments/sr-nasd-2005-100/nasd2005100.shtml> (last visited Sept. 14, 2012). FINRA filed a response to comments. See letter from Sharon Zackula, FINRA, to Florence E. Harmon, SEC, dated Sept. 5, 2008 available at <http://www.sec.gov/comments/sr-nasd-2005-100/nasd2005100-5.pdf>.

⁶ 17 CFR 200.30-3(a)(12).

FOR FURTHER INFORMATION CONTACT:

Direct requests for additional information regarding the collections listed in this notice, including requests for copies of the proposed collection instrument and supporting documents, to Nicholas Memos, 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 via phone at (202) 663-2829, or via email at memosni@state.gov.

SUPPLEMENTARY INFORMATION:

- **Title of Information Collection:** Request to Change End-User, End-Use, and/or Destination of Hardware.
 - **OMB Control Number:** 1405-0173.
 - **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-6004.
 - **Respondents:** Business and Nonprofit Organizations.
 - **Estimated Number of Respondents:** 2,700.
 - **Estimated Number of Responses:** 2,700.
 - **Average Hours per Response:** 1 hour.
 - **Total Estimated Burden:** 2,700 hours.
 - **Frequency:** On Occasion.
 - **Obligation to Respond:** Required to Obtain Benefits.
 - **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 and Nonprofit Organizations.
 - **Estimated Number of Respondents:** 250.
 - **Estimated Number of Responses:** 250.
 - **Average Hours per Response:** 1 hour.
 - **Total Estimated Burden:** 250 hours.
 - **Frequency:** On Occasion.
 - **Obligation to Respond:** Voluntary.
- We are soliciting public comments to permit the Department to:
- Evaluate whether the proposed collection of information is necessary for the proper functions of the Department.
 - 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.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ NASD Rule 6210 was superceded by FINRA Rule 6710 as of Dec. 15, 2008. See FINRA Regulatory Notice 08-57, SEC Approves New Consolidated FINRA Rules (October 2008) available at http://finra.complinet.com/net_file_store/new_rulebooks/ff/i/finra_08-57.pdf.