Section 213.3306 Department of Defense

DDGS17120 Special Assistant to the Assistant Secretary of Defense (Health Affairs). Effective December 07, 2007.

DDGS17124 Special Events Coordinator to the Assistant Secretary of Defense Public Affairs. Effective December 14, 2007.

DDGS17121 Staff Assistant to the Deputy Assistant Secretary of Defense (Middle East). Effective December 18, 2007.

DDGS17127 Special Assistant to the Deputy General Counsel Legal Counsel. Effective December 19, 2007.

Section 213.3307 Department of the Army

DWGS60086 Special Assistant to the General Counsel. Effective December 4, 2007.

Section 213.3310 Department of Justice

DJGS00069 Confidential Assistant to the Director, Office of Public Affairs. Effective December 7, 2007.

DJGS00252 Director of Advance to the Attorney General. Effective December 11, 2007.

DJGS00196 Special Assistant to the Chief of Staff. Effective December 20, 2007.

Section 213.3311 Department of Homeland Security

DMGS00729 Special Assistant to the Chief Privacy Officer. Effective December 07, 2007.

DMGS00735 Director of Special Projects and Protocol to the Assistant Secretary for Public Affairs. Effective December 27, 2007.

DMGS00736 Director of Strategic Communications to the Assistant Secretary for Public Affairs. Effective December 27, 2007.

Section 213.3313 Department of Agriculture

DAGS00928 Director of External Affairs to the Administrator, Farm Service Agency. Effective December 7, 2007.

DAGS00926 Deputy Chief of Staff to the Chief of Staff. Effective December 14, 2007.

DAGS00927 Staff Assistant to the Assistant Secretary for Congressional Relations. Effective December 27, 2007.

Section 213.3314 Department of Commerce

DCGS00603 Special Assistant to the Under Secretary for International Trade. Effective December 21, 2007.

DCGS00154 Senior Advisor to the Under Secretary of Commerce for Industry and Security. Effective December 27, 2007.

DCGS00172 Policy Advisor to the Assistant Secretary for Export Administration. Effective December 27, 2007.

DCGS00338 Press Secretary to the Director of Public Affairs. Effective December 27, 2007.

DCGS00359 Confidential Assistant to the Chief of Staff. Effective December 27, 2007.

DCGS00492 Confidential Assistant to the Director of Advance. Effective December 27, 2007.

DCGS00561 Legislative Affairs Specialist to the Deputy Under Secretary and Deputy Director of U.S. Patent and Trademark Office. Effective December 27, 2007.

DCGS60596 Confidential Assistant to the Director of Public Affairs. Effective December 27, 2007.

Section 213.3315 Department of Labor

DLGS60263 Special Assistant to the Deputy Assistant Secretary for Labor-Management Programs. Effective December 11, 2007.

Section 213.3317 Department of Education

DBGS00658 Deputy Assistant Secretary for External Affairs to the Assistant Secretary, Office of Communications and Outreach. Effective December 4, 2007.

DBGS00531 Press Secretary to the Assistant Secretary, Office of Communications and Outreach. Effective December 19, 2007.

DBGS00644 Chief of Staff for the Office of Communications and Outreach to the Assistant Secretary, Office of Communications and Outreach. Effective December 21, 2007.

DBGS00505 Deputy Secretary's Regional Representative, Region 6 to the Director, Regional Services. Effective December 27, 2007.

Section 213.3318 Environmental Protection Agency

EPGS07031 Deputy Press Secretary to the Associate Administrator for Public Affairs. Effective December 4, 2007.

Section 213.3331 Department of Energy

DEGS00626 Special Advisor to the White House Liaison. Effective December 11, 2007.

Section 213.3379 Commodity Futures Trading Commission

CTOT00058 Special Assistant to the Commissioner. Effective December 17, 2007.

Section 213.3391 Office of Personnel Management

PMGS00065 Attorney—Advisor to the General Counsel. Effective December 7, 2007.

Section 213.3393 Pension Benefit Guaranty Corporation

BGGS01213 Director, Communications and Public Affairs Department to the Deputy Executive Director, Office of Policy and External Affairs. Effective December 27, 2007.

Section 213.3394 Department of Transportation

DTGS60301 Associate Director for Governmental Affairs to the Deputy Assistant Secretary for Governmental Affairs. Effective December 4, 2007.

Authority: 5 U.S.C. 3301 and 3302; E.O. 10577, 3 CFR 1954–1958 Comp., p. 218.

U.S. Office of Personnel Management.

Howard C. Weizmann,

Deputy Director.

[FR Doc. E8–1268 Filed 1–24–08; 8:45 am]

BILLING CODE 6325–39–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–57171; File No. 4–534]

Joint Industry Plan; American Stock Exchange LLC, Chicago Board Options Exchange, Incorporated, International Securities Exchange, LLC, New York Stock Exchange LLC, and NYSE Arca, Inc.; Notice of Filing of Amendment No. 1 to the Proposed National Market System Plan for the Selection and Reservation of Securities Symbols

January 18, 2008.

I. Introduction

On March 23, 2007, pursuant to Rule 608 of Regulation NMS under the Act [1] (''Rule 608''), American Stock Exchange LLC (''Amex''), New York Stock Exchange LLC (''NYSE''), and NYSE Arca, Inc. (''NYSE Arca'') filed with the Commission a proposed plan for the purpose of the selection and reservation of securities symbols (''Three-Characters Plan''). On March 23, 2007, The Nasdaq Stock Market, Inc. (''Nasdaq''), National Association of Securities Dealers, Inc. (''NASD'') (n/k/a Financial Industry Regulatory Authority, Inc. (''FINRA'')),[2]

[1] 17 CFR 242.608.

[2] On July 26, 2007, the Commission approved a proposed rule change filed by NASD to amend NASD's Certificate of Incorporation to reflect its name change to Financial Industry Regulatory Authority Inc., or FINRA, in connection with the consolidation of the member firm regulatory

Continued

National Stock Exchange, Inc. (''NSX''), and Philadelphia Stock Exchange, Inc. (''Phlx'') also filed with the Commission a proposed plan for the purpose of the selection and reservation of securities symbols (''Five-Characters Plan''). On April 23, 2007, the Chicago Stock Exchange, Inc. (''CHX''), Nasdaq, NASD, NSX, and Phlx filed a supplement to the Five-Characters Plan.[3] The proposed plans were published for comment in the **Federal Register** on July 17, 2007.[4]

On August 1, 2007, Amex, Chicago Board Options Exchange, Incorporated (''CBOE''), International Securities Exchange, LLC (''ISE''), NYSE, and NYSE Arca filed Amendment No. 1 to the proposed Three-Characters Plan (''Amendment No. 1''). The Commission requests comment on Amendment No. 1 from interested persons.

II. Description of Amendment No. 1

Amendment No. 1 makes the following modifications to the proposed Three-Characters Plan: (1) Adds two new parties to the proposed plan; (2) amends the symbol portability provision of the proposed plan with respect to three-character symbols; (3) clarifies that the Three-Characters Plan covers reservations of one-, two-, and three-character symbols for options under the OPRA Plan; and (4) minor, non-substantive, technical changes, including re-naming the plan administrator.

A. New Parties to the Plan

The Three-Characters Plan was originally submitted by Amex, NYSE, and NYSE Arca. The Three-Characters Plan would grant the plan participants the following symbol reservation rights: (1) NYSE and Amex each would receive the right to reserve 200 symbols without any time or other limitations or restrictions as ''perpetual reservations'' and 1,500 symbols for a limited time of 24 months as ''limited-time reservations'' (2) all other parties would receive the right to reserve 40 perpetual reservations, and (3) NYSE Arca would receive the right to reserve 500 limited-time reservations.[5] Amendment No. 1 adds CBOE and ISE as signatories to, and participants in, the proposed Three-Characters Plan. In addition, Amendment No. 1 modified the proposed limited-time reservation provision of the plan to grant CBOE the right to reserve 500 limited-time reservations and ISE the right to reserve 200 limited-time reservations.[6]

The Commission requests commenters' views on the amended provisions to the proposed Three-Characters Plan that add CBOE and ISE as parties to the plan and that would grant them the limited-time reservation rights described above. The Commission also requests commenters' views on the number of symbols a self-regulatory organization (''SRO'') should be permitted to reserve as perpetual reservations or limited-time reservations. In particular, the Commission requests commenters' view on any basis on which it would be appropriate for certain SROs to receive more reservations than other SROs. For example, should there be a distinction in the number of limited-time reservations that non-primary listing markets receive? If so, what factors should be taken into account in allotting the number of limited-time reservations? Finally, the Commission requests commenters' views on how these amended provisions would affect new listing markets.

B. Symbol Portability

The proposed Three-Characters Plan originally provided that, if an SRO lists a security that transferred from another SRO, the SRO from which the issuer delisted its security would have the right to the symbol for that security, unless it consents to the transfer of the symbol to the other SRO. If the SRO to which the issuer transferred its listing believes there is a compelling business reason why it should have the rights to the symbol (if it is a two- or three-character symbol, but not a one-character symbol), such SRO could submit to the Processor the determination of which SRO shall have the rights in that symbol.[7] The Processor could only grant the rights in the symbol to the new SRO if the Processor determines that such SRO's business reasons for obtaining such rights substantially outweigh the business needs of the other SRO to that symbol. The Processor's decision would be final and not subject to appeal.

Amendment No. 1 modifies this proposed portability provision with respect to three-character symbols. Specifically, an SRO to which a security that uses a three-character symbol transfers its listing would have the rights to that three-character symbol,[8] unless, in the new SRO's discretion, it consents to allowing the former SRO to retain the symbol. The participants to the Three-Character Plan noted that Amendment No. 1 would comport the Three-Characters Plan with a Nasdaq rule recently approved by the Commission, which permits an issuer that has traded under a three-character symbol to continue to use that three-character symbol if the issuer moves its listing to Nasdaq.[9]

The Commission requests comment on the change in Amendment No. 1 regarding the portability of a three-character symbol to a new listing market when an issuer transfers its listing. When an issuer moves its listing to a new listing market, should either the former listing market or the new listing market retain the right to use the issuer's symbol? How would awarding the rights to the symbol to the former listing market affect competition? How would awarding such rights to the new listing market affect competition? Finally, the Commission requests comment on whether one- and two-character symbols should be subject to the same portability process as three-character symbols.

C. Covered Symbols

The proposed Three-Characters Plan originally stated that the plan was intended to be the exclusive means of allocating and using symbols of one-, two-, or three-characters, and none of such one-, two-, or three-character symbols were to be allocated or used for securities other than those reflected on ''Network A'' or ''Network B'' as those terms are defined in the Consolidated Tape Association Plan (''CTA Plan'').[10] The original Three-Characters Plan also stated that its Symbol Reservation System would cover the allocation of all

functions of NASD and NYSE Regulation, Inc. *See* Securities Exchange Act Release No. 56146 (July 26, 2007), 72 FR 42190 (August 1, 2007).

[3] In the Supplement, CHX joined as a party proposing the Five-Characters Plan. In addition, the Supplement contained a revised version of the Five-Characters Plan. The parties to the Five-Characters Plan revised the plan as follows: (i) Changed the definition of securities for which an SRO must maintain facilities for the quoting and trade reporting of such securities in order to be party to the plan and corresponding changes throughout the plan and (ii) deleted the statement that new parties to the plan would pay an equal share of all development costs.

[4] *See* Securities Exchange Act Release No. 56037 (July 10, 2007), 72 FR 39096 (''Joint Industry Plan Notice'').

[5] *See* Joint Industry Plan Notice *supra* note 4, at 39099–100 for additional details regarding perpetual reservations and limited-time reservations.

[6] *See* amended Section IV(b)(1)(B) of the Three-Characters Plan.

[7] The Three-Characters Plan would not permit disputes over one-character symbols to be submitted to the Processor.

[8] The new SRO would be required to use the three-character symbol to identify the security transferred to its market.

[9] *See* Amendment No. 1, Cover Letter at 2. *See also* Securities Exchange Act Release No. 56028 (July 9, 2007), 72 FR 38639 (July 13, 2007) (SR–NASDAQ–2007–031) (approving a rule change to allow a company that transfers its listing to Nasdaq to retain its three-character symbol).

[10] *See* Section I(b) of the original Three-Characters Plan.

symbols used to common stocks, other securities or other information disseminated to the public through the facilities operated by, or pursuant to, among other plans, the Options Price Reporting Authority (''OPRA''). Amendment No. 1 amends Section I(b) of the proposed Three-Characters Plan to state that the proposed plan is intended to be the exclusive means of allocating and using symbols of one-, two-, or three-characters for, among other securities, options under OPRA. In addition, Amendment No. 1 revises Section I(b) of the Three-Characters Plan to state that, in the case of ''listed equity securities'' (as Rule 600(b)(34) of Regulation NMS defines that term) no one-, two-, or three-character symbols would be allocated or used other than for ''Network A'' or ''Network B'' ''Eligible Securities.''

The Commission requests comment on the amended provision regarding the proposed Three-Characters Plan's scope. In particular, the Commission requests comment on whether it is appropriate that the proposed scope of the Three-Characters Plan include options. Should the Commission approve a plan solely covering equity security symbols or should both equity and option security symbols be covered? Are there other matters with respect to the scope of the plans that commenters believe the Commission should consider? In particular, should only root symbols be covered or should suffixes be included as well?

D. Name of the Plan Administrator

Amendment No. 1 also made a number of minor, non-substantive technical changes, including modifying the name for the plan administrator. The proposed Three-Characters Plan originally referred to the plan administrator as the ''International Symbols Reservation Authority (''ISRA'').'' Amendment No. 1 renamed the authority the ''Intermarket Symbols Reservation Authority (''ISRA'').'' The Commission requests comment on the name of the plan administrator.

III. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed Amendment No. 1 is consistent with the Act. The Commission invites comments on whether the foregoing assures fair competition among all parties, including new listing markets. 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 4–534 on the subject line.

Paper Comments

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

All submissions should refer to File Number 4–534. The file numbers 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/nms.shtml*). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed plans that are filed with the Commission, and all written communications relating to the proposed plans 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, 100 F Street, NE., Washington, DC 20549, 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 4–534 and should be submitted on or before February 15, 2008.

By the Commission.

Nancy M. Morris,

Secretary.

[FR Doc. E8–1255 Filed 1–24–08; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 28125; 812–13213]

Morgan Stanley Investment Management Inc., et al., Notice of Application

January 18, 2008.

AGENCY: Securities and Exchange Commission (''Commission'').

ACTION: Notice of application for an order under sections 6(c) and 17(b) of the Investment Company Act of 1940 (the ''Act'') for an exemption from section 17(a) of the Act.

APPLICANTS: Morgan Stanley Investment Management Inc. (''MSIM''), Morgan Stanley Investment Advisors Inc. (''MSIA''), Morgan Stanley AIP GP LP (''MSAIP''), Van Kampen Asset Management (''VKAM''),[1] Active Assets California Tax-Free Trust, Active Assets Government Securities Trust, Active Assets Institutional Government Securities Trust, Active Assets Institutional Money Trust, Active Assets Money Trust, Active Assets Tax-Free Trust, Morgan Stanley California Tax-Free Daily Income Trust, Morgan Stanley New York Municipal Money Market Trust, Morgan Stanley Tax-Free Daily Income Trust, Morgan Stanley Liquid Asset Fund Inc., Morgan Stanley U.S. Government Money Market Trust (each a ''Money Market Fund''),[2] Morgan Stanley Select Dimensions Investment Series, Morgan Stanley Variable Investment Series, Morgan

[1] MSIM, MSIA, MSAIP, VKAM are collectively referred to as the Current Advisers. Applicants also seek relief for any other existing or future registered investment adviser which acts as investment adviser or subadviser to a Fund (defined below) and which controls, is controlled by or is under common control (as defined in section 2(a)(9) of the Act) with MS (as defined below) (individually a ''Future Adviser'' and collectively the ''Future Advisers''). The Current Advisers and the Future Advisers are referred to individually as an ''Adviser'' and collectively as the ''Advisers.'' Any Adviser that currently intends to rely on the requested order is named as an applicant in the application. Any other Adviser that relies on the order in the future will comply with the terms and conditions of the application.

[2] Morgan Stanley Institutional Liquidity Funds also offers six series that operate as money market funds subject to rule 2a–7 under the 1940 Act: Government Portfolio, Government Securities Portfolio, Money Market Portfolio, Prime Portfolio, Tax-Exempt Portfolio, Treasury Portfolio and Treasury Securities Portfolio. Van Kampen Equity Trust II offers two money market funds: Van Kampen Reserve Fund and Van Kampen Tax-Free Money Fund. Morgan Stanley Select Dimensions Investment Series offers one money market fund: Money Market Portfolio. Morgan Stanley Variable Investment Series offers one money market fund: Money Market Portfolio. Van Kampen Life Investment Trust offers one money market fund: Money Market Portfolio.