

appropriate method listed in 10 CFR 73.4, submit to the NRC's Division of Facilities and Security, Mail Stop T-6E46, one completed, legible standard fingerprint card (Form FD-258, ORIMDNRCOOOZ) or, where practicable, other fingerprint records for each individual seeking access to Safeguards Information, to the Director of the Division of Facilities and Security, marked for the attention of the Division's Criminal History Check Section. Copies of these forms may be obtained by writing the Office of Information Services, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, by calling (301) 415-5877, or by e-mail to forms@nrc.gov. Practicable alternative formats are set forth in 10 CFR 73.4. The Licensee shall establish procedures to ensure that the quality of the fingerprints taken results in minimizing the rejection rate of fingerprint cards due to illegible or incomplete cards.

The NRC will review submitted fingerprint cards for completeness. Any Form FD-258 fingerprint record containing omissions or evident errors will be returned to the Licensee for corrections. The fee for processing fingerprint checks includes one re-submission if the initial submission is returned by the FBI because the fingerprint impressions cannot be classified. The one free re-submission must have the FBI Transaction Control Number reflected on the re-submission. If additional submissions are necessary, they will be treated as initial submittals and will require a second payment of the processing fee.

Fees for processing fingerprint checks are due upon application. Licensees shall submit payment with the application for processing fingerprints by corporate check, certified check, cashier's check, money order, or electronic payment, made payable to "U.S. NRC." [For guidance on making electronic payments, contact the Facilities Security Branch, Division of Facilities and Security, at (301) 415-7739]. Combined payment for multiple applications is acceptable. The application fee (currently \$27) is the sum of the user fee charged by the FBI for each fingerprint card or other fingerprint record submitted by the NRC on behalf of a Licensee, and an NRC processing fee, which covers administrative costs associated with NRC handling of Licensee fingerprint submissions. The Commission will directly notify Licensees who are subject to this regulation of any fee changes.

The Commission will forward to the submitting Licensee all data received

from the FBI as a result of the Licensee's application(s) for criminal history checks, including the FBI fingerprint record.

Right to Correct and Complete Information

Prior to any final adverse determination, the Licensee shall make available to the individual the contents of any criminal records obtained from the FBI for the purpose of assuring correct and complete information. Written confirmation by the individual of receipt of this notification must be maintained by the Licensee for a period of one (1) year from the date of the notification.

If, after reviewing the record, an individual believes that it is incorrect or incomplete in any respect and wishes to change, correct, or update the alleged deficiency, or to explain any matter in the record, the individual may initiate challenge procedures. These procedures include either direct application by the individual challenging the record to the agency (i.e., law enforcement agency) that contributed the questioned information, or direct challenge as to the accuracy or completeness of any entry on the criminal history record to the Assistant Director, Federal Bureau of Investigation Identification Division, Washington, DC 20537-9700 (as set forth in 28 CFR 16.30 through 16.34). In the latter case, the FBI forwards the challenge to the agency that submitted the data and requests that agency to verify or correct the challenged entry. Upon receipt of an official communication directly from the agency that contributed the original information, the FBI Identification Division makes any changes necessary in accordance with the information supplied by that agency. The Licensee must provide at least ten (10) days for an individual to initiate an action challenging the results of an FBI criminal history records check after the record is made available for his/her review. The Licensee may make a final SGI access determination based upon the criminal history record only upon receipt of the FBI's ultimate confirmation or correction of the record. Upon a final adverse determination on access to SGI, the Licensee shall provide the individual its documented basis for denial. Access to SGI shall not be granted to an individual during the review process.

Protection of Information

1. Each Licensee who obtains a criminal history record on an individual pursuant to this Order shall establish and maintain a system of files and

procedures for protecting the record and the personal information from unauthorized disclosure.

2. The Licensee may not disclose the record or personal information collected and maintained to persons other than the subject individual, his/her representative, or to those who have a need to access the information in performing assigned duties in the process of determining access to Safeguards Information. No individual authorized to have access to the information may re-disseminate the information to any other individual who does not have a need-to-know.

3. The personal information obtained on an individual from a criminal history record check may be transferred to another Licensee if the gaining Licensee receives the individual's written request to re-disseminate the information contained in his/her file, and the gaining Licensee verifies information such as the individual's name, date of birth, social security number, sex, and other applicable physical characteristics for identification purposes.

4. The Licensee shall make criminal history records, obtained under this section, available for examination by an authorized representative of the NRC to determine compliance with the regulations and laws.

5. The Licensee shall retain all fingerprint and criminal history records received from the FBI, or a copy if the individual's file has been transferred, for three (3) years after termination of employment or determination of access to SGI. After the required three (3) year period, these documents shall be destroyed by a method that will prevent reconstruction of the information in whole or in part.

[FR Doc. 06-7283 Filed 8-30-06; 8:45 am]

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OFFICE OF PERSONNEL MANAGEMENT

Excepted Service

AGENCY: Office of Personnel Management (OPM).

ACTION: Notice.

SUMMARY: This gives notice of OPM decisions granting authority to make appointments under Schedules A, B, and C in the excepted service as required by 5 CFR 6.6 and 213.103.

FOR FURTHER INFORMATION CONTACT: David Guilford, Center for Leadership and Executive Resources Policy, Division for Strategic Human Resources Policy, 202-606-1391.

SUPPLEMENTARY INFORMATION: Appearing in the listing below are the individual authorities established under Schedules A, B, and C between July 1, 2006, and July 31, 2006. Future notices will be published on the fourth Tuesday of each month, or as soon as possible thereafter. A consolidated listing of all authorities as of June 30 is published each year.

Schedule A

213.3206 Department of Defense

(k) Business Transformation Agency.
(1) Fifty temporary or time-limited (not to exceed four years) positions, at grades GS-11-15. The authority will be used to appoint persons in the following series: Management and Program Analysis, GS-343; Logistics Management, GS-346; Financial Management and Programs, GS-501; Accounting, GS-510; Computer Engineering, GS-854; Business and Industry, GS-1101; Operations Research, GS-1515; Computer Science, GS-1550; General Supply, GS-2001; Supply Program Management, GS-2003; Inventory Management, GS-2010; and Information Technology, GS-2210. Effective July 14, 2006.

Schedule B

No Schedule B appointments were approved for July 2006.

Schedule C

The following Schedule C appointments were approved during July 2006:

Section 213.3303 Executive Office of the President

Office of Management and Budget

BOGS60159 Special Assistant to the Director, Office of Management and Budget. Effective July 05, 2006.

BOGS60158 Special Assistant to the Director, Office of Management and Budget. Effective July 21, 2006.

BOGS60160 Special Assistant and Portfolio Manager to the Administrator, E-Government and Information Technology. Effective July 24, 2006.

BOGS60026 Confidential Assistant to the Associate Director for General Government Programs. Effective July 31, 2006.

Office of National Drug Control Policy

QQGS60092 Special Assistant to the Deputy Director, Office of Demand Reduction to the Special Assistant to the Director. Effective July 7, 2006.

QQGS60093 Special Assistant to the Associate Director for Legislative Affairs. Effective July 20, 2006.

QQGS60094 Policy Analyst to the Associate Deputy Director, State and Local Affairs. Effective July 21, 2006.

QQGS60095 Confidential Assistant to the Associate Director Office of Legislative Affairs. Effective July 27, 2006.

Section 213.3304 Department of State

DSGS61097 Foreign Affairs Officer (Ceremonials) to the Chief of Protocol. Effective July 17, 2006.

DSGS61101 Deputy Assistant Secretary (Principal) to the Assistant Secretary. Effective July 17, 2006.

DSGS61102 Special Assistant to the Senior Advisor to the Secretary and White House Liaison. Effective July 17, 2006.

DSGS61103 Staff Assistant to the Under Secretary for Arms Control and Security Affairs. Effective July 17, 2006.

DSGS61105 Senior Advisor to the Ambassador-At-Large (War Crimes). Effective July 20, 2006.

DSGS61099 Special Assistant to the Chief of Staff. Effective July 21, 2006.

DSGS61106 Staff Assistant to the Assistant Secretary for Economic and Business Affairs. Effective July 21, 2006.
DSGS61055 Protocol Officer (Visits) to the Chief of Protocol. Effective July 24, 2006.

Section 213.3305 Department of the Treasury

DYGS00429 Executive Assistant to the Secretary. Effective July 6, 2006.

DYGS00474 Scheduler to the Chief of Staff. Effective July 6, 2006.

DYGS60277 Speechwriter to the Assistant Secretary (Public Affairs). Effective July 6, 2006.

DYGS00402 Deputy Chief of Staff to the Chief of Staff. Effective July 7, 2006.

DYGS00473 Director of Protocol to the Assistant Secretary (Management) and Chief Financial Officer. Effective July 14, 2006.

DYGS00407 Senior Advisor to the Assistant Secretary for Financial Markets. Effective July 17, 2006.

Section 213.3306 Office of the Secretary of Defense

DDGS1694 Defense Fellow to the Special Assistant to the Secretary of Defense for White House Liaison. Effective July 7, 2006.

DDGS16955 Special Assistant to the Deputy Under Secretary of Defense (Budget and Appropriations Affairs). Effective July 7, 2006.

DDGS16958 Confidential Assistant to the Principal Deputy Assistant Secretary of Defense for Public Affairs. Effective July 7, 2006.

DDGS16961 Research Assistant to the Assistant Secretary of Defense for Public Affairs. Effective July 7, 2006.

DDGS16963 Protocol Specialist to the Special Assistant to the Secretary of

Defense for Protocol. Effective July 7, 2006.

DDGS16957 Executive Assistant to the Special Assistant to the Assistant Secretary of Defense. Effective July 7, 2006.

DDGS16939 Director of Communications to the Principal Deputy Assistant Secretary of Defense (Legal Affairs). Effective July 17, 2006.

DDGS16968 Special Assistant to the Deputy Under Secretary of Defense for Business Transformation. Effective July 28, 2006.

DDGS16972 Staff Assistant to the Assistant Secretary of Defense (Special Operations/Low Intensity Conflict). Effective July 28, 2006.

DDGS16973 Special Advisor to the Special Assistant to the Secretary and Deputy Secretary of Defense. Effective July 28, 2006.

Section 213.3307 Department of the Army

DWGS60020 Personal and Confidential Assistant to the Principal Deputy Assistant Secretary of the Army (Acquisition, Logistics and Technology) and Director for Iraq Reconstruction and Program Management. Effective July 5, 2006.

Section 213.3308 Department of the Navy

DNGS60074 Confidential Staff Assistant to the Deputy Assistant Secretary of the Navy (Financial Management and Comptroller). Effective July 21, 2006.

Section 213.3309 Department of the Air Force

DFGS60019 Special Assistant to the Assistant Secretary (Installations, Environment and Logistics). Effective July 05, 2006.

DFGS60019 Special Assistant to the Assistant Secretary (Installations, Environment and Logistics). Effective July 21, 2006.

Section 213.3310 Department of Justice

DJGS00043 Confidential Assistant to the Assistant Attorney General (Legislative Affairs). Effective July 19, 2006.

DJGS00114 Special Assistant to the Attorney General. Effective July 20, 2006.

DJGS00046 Research Assistant to the Director. Effective July 21, 2006.

DJGS00121 Senior Counsel to the Assistant Attorney General. Effective July 21, 2006.

DJGS00252 Director of Advance to the Attorney General. Effective July 21, 2006.

DJGS00120 Deputy Chief of Staff to the Assistant Attorney General. Effective July 25, 2006.

Section 213.3311 Department of Homeland Security

DMGS00540 Policy Analyst to the Assistant Secretary for International Affairs. Effective July 02, 2006.

DMGS00538 Scheduler and Protocol Coordinator to the Director of Scheduling and Advance. Effective July 17, 2006.

DMGS00544 Advance Representative to the Director of Scheduling and Advance. Effective July 17, 2006.

DMGS00547 Coordinator for State Affairs to the Chief of Staff. Effective July 19, 2006.

DMGS00539 Assistant Director of Legislative Affairs for Mass Transit and Immigration to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective July 20, 2006.

DMGS00543 Advance Representative to the Director of Scheduling and Advance. Effective July 20, 2006.

DMGS00545 Special Assistant to the Executive Director, Homeland Security Advisory Committees. Effective July 21, 2006.

DMGS00548 Special Assistant for Faith-Based and Community Initiatives to the Director of Faith-Based and Community Initiatives. Effective July 21, 2006.

DMGS00549 Special Assistant to the Assistant Secretary for Infrastructure Protection. Effective July 21, 2006.

DMGS00550 Confidential Assistant to the Deputy Secretary of the Department of Homeland Security. Effective July 21, 2006.

DMGS00551 Confidential Assistant to the Chief of Staff. Effective July 21, 2006.

DMGS00552 Confidential Assistant to the General Counsel. Effective July 24, 2006.

DMGS00554 Special Assistant to the Chief of Staff. Effective July 24, 2006.

Section 213.3312 Department of the Interior

DIGS01073 Associate Director for Programs to the Director, Take Pride In America. Effective July 21, 2006.

Section 213.3313 Department of Agriculture

DAGS00852 Special Assistant to the Under Secretary for Rural Development. Effective July 21, 2006.

DAGS00856 Confidential Assistant to the Chief, Natural Research Conservation Service. Effective July 24, 2006.

DAGS00858 Staff Assistant to the Administrator, Farm Service Agency. Effective July 28, 2006.

Section 213.3314 Department of Commerce

DCGS00398 Special Assistant to the Deputy Assistant Secretary for Domestic Operations. Effective July 17, 2006.

DCGS60312 Senior Advisor to the Deputy Assistant Secretary for Domestic Operations. Effective July 21, 2006.

Section 213.3315 Department of Labor

DLGS60199 Special Assistant to the Assistant Secretary for Public Affairs. Effective July 5, 2006.

DLGS60160 Speechwriter to the Assistant Secretary for Public Affairs. Effective July 7, 2006.

DLGS60116 Special Assistant to the Chief Financial Officer. Effective July 21, 2006.

DLGS60153 Special Assistant to the Deputy Under Secretary for International Affairs. Effective July 21, 2006.

DLGS60176 Special Assistant to the Associate Deputy Secretary for Communications. Effective July 21, 2006.

DLGS60195 Senior Advisor to the Assistant Secretary for Employment Standards. Effective July 21, 2006.

Section 213.3316 Department of Health and Human Services

DHGS60018 Deputy Director for Advance to the Director of Scheduling. Effective July 07, 2006.

DHGS60036 Confidential Assistant to the Director of Intergovernmental Affairs. Effective July 19, 2006.

DHGS60016 Confidential Assistant to the Director, Center for Faith Based and Community Initiatives. Effective July 24, 2006.

DHGS60015 Deputy Director, Center for Faith-Based and Community Initiatives to the Director, Center for Faith-Based and Community Initiatives. Effective July 28, 2006.

DHGS60037 Director, Trafficking Program to the Director, Office of Refugee Resettlement. Effective July 28, 2006.

DHGS60336 Confidential Assistant to the Deputy Assistant Secretary for Legislation (Human Services). Effective July 28, 2006.

Section 213.3317 Department of Education

DBGS00546 Special Assistant to the Director, Scheduling and Advance Staff. Effective July 6, 2006.

DBGS00547 Special Assistant to the Assistant Secretary for Civil Rights. Effective July 6, 2006.

DBGS00550 Confidential Assistant to the Director, White House Liaison. Effective July 6, 2006.

DBGS00551 Confidential Assistant to the Senior Policy Advisor to the Deputy Secretary. Effective July 6, 2006.

DBGS00552 Confidential Assistant to the Assistant Deputy Secretary for Safe and Drug-Free Schools. Effective July 6, 2006.

DBGS00549 Special Assistant to the Assistant Secretary for Special Education and Rehabilitative Services. Effective July 7, 2006.

DBGS00553 Deputy Secretary's Regional Representative, Region 9 to the Assistant Secretary, Office of Communications and Outreach. Effective July 19, 2006.

DBGS00554 Confidential Assistant to the Deputy Chief of Staff for Policy and Programs. Effective July 21, 2006.

DBGS00555 Confidential Assistant to the Assistant Secretary for Management. Effective July 24, 2006.

DBGS00556 Confidential Assistant to the Chief of Staff to the Deputy Secretary. Effective July 25, 2006.

Section 213.3323 Overseas Private Investment Corporation

PQGS06002 Confidential Assistant to the President and CEO. Effective July 17, 2006.

Section 213.3331 Department of Energy

DEGS00528 Special Assistant to the Senior Advisor. Effective July 7, 2006.

DEGS00529 Special Assistant to the Senior Advisor. Effective July 7, 2006.

DEGS00531 Senior Advisor to the Principal Deputy Assistant Secretary. Effective July 21, 2006.

DEGS00532 Special Assistant to the Assistant Secretary for Congressional and Intergovernmental Affairs. Effective July 21, 2006.

DEGS00530 Policy Advisor to the Principal Deputy Assistant Secretary. Effective July 25, 2006.

DEGS00533 Senior Policy Advisor to the Assistant Secretary for Environment, Safety and Health. Effective July 27, 2006.

Section 213.3332 Small Business Administration

SBGS60153 Deputy Associate Administrator for Intergovernmental Affairs to the Associate Administrator for Field Operations. Effective July 7, 2006.

SBGS00601 Associate Administrator for Field Operations to the Administrator. Effective July 28, 2006.

Section 213.3339 United States International Trade Commission

TCGS60030 Confidential Assistant to a Commissioner. Effective July 24, 2006.

Section 213.3343 Farm Credit Administration

FLOT60013 Executive Assistant to a Member, Farm Credit Administration Board. Effective July 18, 2006.

Section 213.3344 Occupational Safety and Health Review Commission

SHGS00004 Confidential Assistant to a Commission Member. Effective July 19, 2006.

Section 213.3351 Federal Mine Safety and Health Review Commission

FRGS60017 Confidential Assistant to the Chairman. Effective July 7, 2006.

Section 213.3360 Consumer Product Safety Commission

PSGS60064 Special Assistant (Legal) to a Commissioner. Effective July 25, 2006.

Section 213.3373 Trade and Development Agency

TDGS60002 Congressional Liaison to the Director. Effective July 5, 2006.

Section 213.3384 Department of Housing and Urban Development

DUGS60330 Special Policy Advisor to the Assistant Secretary for Community Planning and Development. Effective July 13, 2006.

DUGS60293 Staff Assistant to the President, Government National Mortgage Association. Effective July 17, 2006.

DUGS60502 Special Policy Advisor to the Assistant Secretary for Public and Indian Housing. Effective July 17, 2006.

DUGS60213 Staff Assistant to the Assistant Secretary for Policy Development and Research. Effective July 20, 2006.

Section 213.3394 Department of Transportation

DTGS60372 Deputy Assistant Secretary for Governmental Affairs to the Assistant Secretary for Governmental Affairs. Effective July 17, 2006.

Section 213.3371 Office of Government Ethics

GGGS02900 Confidential Assistant to the Director. Effective July 21, 2006.

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

Office of Personnel Management.

Dan G. Blair,

Deputy Director.

[FR Doc. E6–14490 Filed 8–30–06; 8:45 am]

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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 15a–5; SEC File No. 270–527; OMB Control No. 3235–0587.

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 (the “Commission”) is soliciting comments on the collections of information summarized below. The Commission plans to submit these existing collections of information to the Office of Management and Budget (“OMB”) for extension and approval.

Section 15(a) of the Investment Company Act of 1940 (15 U.S.C. 80a–15(a)) (the “Investment Company Act” or “Act”) prohibits any person from serving as an investment adviser (or a subadviser) to a fund except under a written contract that the fund’s shareholders have approved. The Commission has granted exemptive relief, by order, to a number of registered open-end management investment companies (“funds”) whose investment advisers do not directly manage a portfolio of securities, but instead supervise one or more subadvisers, which are themselves responsible for the day-to-day management of the funds’ portfolios (“manager of managers funds”).¹ Sponsors have analogized subadvisers in a manager of managers arrangement to portfolio managers employed by a fund adviser who may be hired and fired without the consent of shareholders.

Proposed Rule 15a–5 (17 CFR 270.15a–5) and amendments to Form N–1A (17 CFR 239.15A, 17 CFR 274.11A) together would codify the orders we have issued for manager of managers funds, including many of their

conditions, allowing any fund that satisfies the conditions to enter into or materially amend a subadvisory contract without shareholder approval. To provide for the protection of fund shareholders, a fund that relied on the proposed rule would have to satisfy a number of conditions, some of which would result in information collection requirements.

For example, any fund that relied on the proposed rule would have to include certain provisions in all its advisory and subadvisory contracts. Specifically, all the fund’s subadvisory contracts for which shareholder approval is not sought would have to provide the principal adviser with the authority to terminate the subadvisory contract at any time, on no more than 60 days written notice, without payment of penalty.² In addition, the advisory contract between each principal adviser and the fund would have to require that the principal adviser supervise the activities of its subadvisers. These provisions are intended to ensure that only manager of managers funds (in which subadvisers resemble and perform the duties of a portfolio manager in a typical fund) are eligible for relief under the proposed rule and to allow the principal adviser to carry out its principal duties to the fund, the selection and monitoring of subadvisers, in an efficient manner.

During the first year after adoption of the rule, Commission staff estimates that each fund relying on the rule would incur an initial one-time burden to modify its existing contract with the principal adviser to require the principal adviser to supervise the activities of its subadvisers. Staff estimates this burden would be 5 hours per fund (4 hours by in-house counsel, 0.5 hours by fund directors, 0.5 hours by support staff).³ Commission staff estimates that 149 funds would have to modify their advisory contracts with their principal advisers to comply with the proposed rule, which would result in an estimated total of 745 burden hours and 149 responses.⁴

² Most subadvisory contracts already contain terms that allow the principal adviser to terminate the contract at any time. We therefore estimate there would be no burden hours or costs imposed on funds by this requirement.

³ These estimates are based on discussions with fund representatives.

⁴ These 149 funds include 125 funds that currently rely on exemptive orders, 14 funds that have filed an application for an exemptive order and, as explained *infra* note 5, 10 additional funds that we estimate would choose to rely on the proposed rule during the first year.

¹ In this notice, we use the term “subadviser” to mean a party that contracts with a fund’s principal adviser to provide investment advisory services to the fund, and the term “principal adviser” to mean a party that contracts directly with a fund to provide investment advisory services to the fund.