

supplemental benefit under the Federal Employees Retirement System (FERS), and certain annuitants receiving a discontinued service retirement benefit under the Civil Service Retirement System (CSRS). By law, these annuitants and survivors are limited in the amount they can earn and still retain benefits paid to them. In the case of the discontinued service annuitants, retirement benefits cease upon re-employment in Federal service. OPM will use the SSA data to determine continued eligibility for benefits being paid.

C. Authority for Conducting the Matching Program

Chapters 83 and 84 of title 5 of the United States Code and 26 U.S.C. 6103 (l)(11).

D. Categories of Records and Individuals Covered by the Match

SSA will disclose the necessary tax return information from the Earnings Recording and Self-Employment Income System, SSA / OEEAS (60-0059). OPM will provide SSA with an electronic finder file from the OPM system of records published as OPM/Central-1 (Civil Service Retirement and Insurance Records) on October 8, 1999 (64 FR 54930), as amended on May 3, 2000 (65 FR 25775). The systems of records involved have routine uses permitting the disclosures needed to conduct this match.

E. Privacy Safeguards and Security

The Privacy Act (5 U.S.C. 552a(o)(1)(G)), requires that each matching agreement specify procedures for ensuring the administrative, technical and physical security of the records matched and the results of such programs. All Federal agencies are subject to: the Federal Information Security Management Act of 2002 (FISMA), 44 U.S.C. 3541 *et seq.*; related Office of Management and Budget circulars and memorandum (*e.g.*, OMB Circular A-130 and OMB M-06-16); National Institute of Science and Technology (NIST) directives; and the Federal Acquisition Regulations (FAR)). These laws, circulars, memoranda directives and regulations include requirements for safeguarding Federal information systems and personally identifiable information used in Federal agency business processes, as well as related reporting requirements. OPM and SSA recognize that all laws, circulars, memoranda, directives and regulations relating to the subject of this agreement and published subsequent to the effective date of this agreement must also be implemented if mandated.

FISMA requirements apply to all Federal contractors and organizations or sources that possess or use Federal information, or that operate, use, or have access to Federal information systems on behalf of an agency. OPM will be responsible for oversight and compliance of their contractors and agents. Both OPM and SSA reserve the right to conduct onsite inspection to monitor compliance with FISMA regulations.

F. Inclusive Dates of the Match

The matching program shall become effective upon the signing of the agreement by both parties to the agreement and approval of the agreement by the Data Integrity Boards of the respective agencies, but no sooner than 40 days after notice of this matching program is sent to Congress and the Office of Management and Budget or 30 days after publication of this notice in the **Federal Register**, whichever is later. The matching program will continue for 18 months from the effective date and may be extended for an additional 12 months thereafter, if certain conditions are met.

U.S. Office of Personnel Management.

Linda M. Springer,

Director.

[FR Doc. E8-7752 Filed 4-10-08; 8:45 am]

BILLING CODE 6325-38-P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: U.S. Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

Extension: Rule 609 and Form SIP; OMB Control No. 3235-0043; SEC File No. 270-23.

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.

- Rule 609 (17 CFR 242.609) (formerly Rule 11Ab2-1) and Form SIP (17 CFR 249.1001) Registration of securities information processors: form of application and amendments.

On September 23, 1975, the Commission adopted Rule 11Ab2-1 and Form SIP under the Securities Exchange Act of 1934 ("Act") (15 U.S.C. 78a *et seq.*) to establish the procedures by which Securities Information Processor ("SIP") files and amends their SIP registration statements.¹ Under Regulation NMS Rule 11Ab2-1 was redesignated as Rule 609.² The information filed with the Commission pursuant to Rule 609 and Form SIP is designed to provide the Commission with the information necessary to make the required findings under the Act before granting the SIP's application for registration. In addition, the requirement that a SIP file an amendment to correct any inaccurate information is designed to assure that the Commission has current, accurate information with respect to the SIP. This information is also made available to members of the public.

Only exclusive SIPs are required to register with the Commission. An exclusive SIP is a SIP that engages on an exclusive basis on behalf of any national securities exchange or registered securities association, or any national securities exchange or registered securities association which engages on an exclusive basis on its own behalf, in collecting, processing, or preparing for distribution or publication, any information with respect to (i) transactions or quotations on or effective or made by means of any facility of such exchange or (ii) quotations distributed or published by means of any electronic quotation system operated by such association. The Federal securities laws require that before the Commission may approve the registration of an exclusive SIP, it must make certain mandatory findings. It takes a SIP applicant approximately 400 hours to prepare documents which include sufficient information to enable the Commission to make those findings. Currently, there are only two exclusive SIPs registered with the Commission; The Securities Information Automation Corporation ("SIAC") and The Nasdaq Stock Market, Inc. ("Nasdaq"). SIAC and Nasdaq are required to keep the information on file with the Commission current, which entails filing a form SIP annually to update information. Accordingly, the annual reporting and recordkeeping burden for Rule 609 and Form SIP is 400 hours. This annual reporting and

¹ See Securities Exchange Act Release No. 11673 (September 23, 1975), 40 FR 45422 (October 2, 1975).

² See Securities Exchange Act Release No. 51808 (June 9, 2005), 70 FR 37496 (June 29, 2005).

recordkeeping burden does not include the burden hours or cost of amending a Form SIP because the Commission has already overstated the compliance burdens by assuming that the Commission will receive one initial registration pursuant to Rule 609 on Form SIP a year.

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 will have practical utility; (b) the accuracy of the agency's estimate of the burden of the 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.

Comments should be directed to: R. Corey Booth, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: PRA_Mailbox@sec.gov. Comments must be submitted within 60 days of this notice.

April 3, 2008.

Florence E. Harmon,
Deputy Secretary.

[FR Doc. E8-7700 Filed 4-10-08; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57625; File No. SR-Amex-2008-28]

Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Rebates to Specialists for Options Transaction Fees Resulting From Linkage P/A Orders

April 4, 2008.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on March 20, 2008, the American Stock Exchange LLC ("Amex" 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 substantially prepared by the Exchange. The Exchange filed the proposed rule change pursuant to Section 19(b)(3)(A) of the Act,³ and Rule 19b-4(f)(2) thereunder,⁴ which renders the proposal effective upon filing with the Commission. 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

Amex proposes to rebate options transaction fees incurred by specialists in connection with a principal acting as agent order ("P/A Order")⁵ executed via the Intermarket Option Linkage ("Options Linkage" or "Linkage"). The text of the proposed rule change is available at Amex, the Commission's Public Reference Room, and <http://www.amex.com>.

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

Purpose

The Exchange proposes to rebate options transaction fees incurred by specialists as a result of the obligation to send customer orders through the Linkage to the away options exchange disseminating the national best bid or offer ("NBBO").⁶ A P/A Order is used

by specialists for this purpose. Currently, a specialist will be charged two separate transaction fees upon completion of a transaction involving a P/A Order. First, the away options exchange will charge the P/A Order a transaction fee upon execution of the order. This fee varies by the particular options exchange. Second, in order to transfer the trade resulting from the P/A Order at the away options exchange into the customer account, the Amex specialist is then required to execute a trade on the Exchange. At this point, the Exchange will charge the applicable options transaction fees set forth in the Amex Options Fee Schedule to the specialist. This proposal seeks to rebate these exchange transaction fees incurred by specialists as a result of the obligations imposed by the Options Linkage.

The current Amex Options Fee Schedule imposes a charge of \$0.20 per contract side on specialist trades in equity options and \$0.31 per contract side on specialist trades for index options. In connection with transferring the P/A Order execution into the customer account, the Amex specialist will incur a charge of \$0.20 or \$0.31 per contract side, depending on whether the option is an equity option or index option. Under this proposal, the Exchange will rebate the transaction charges incurred by the specialist to transfer the P/A Order execution into the customer account.⁷ In addition, on a monthly basis, the Exchange will calculate the amount of the transaction fees incurred by the specialist in connection with his or her obligation to send P/A Orders to away options exchanges. This amount will also be

to send P/A Orders does not include the rebate of OCC fees and clearing firm fees associated with P/A Orders. See e-mail from Jeff Burns, Vice President & Associate General Counsel, Amex, to Brian O'Neill, Attorney, and Molly Kim, Special Counsel, Division of Trading and Markets, Commission, on April 1, 2008 ("April 1 E-mail").

⁷ The proposal to rebate transaction fees incurred by specialists as a result of the obligations imposed by the Options Linkage would also include any specialist subject to the BD Auto-Ex Fee. This could occur if a specialist submitted an order electronically through order-entry lines, such as CMS and/or FIX, for automatic execution, for the purpose of transferring a trade resulting from the P/A Order at the away options exchange into the customer account. The Exchange would then charge to the specialist, the BD Auto-Ex Fee together with the other applicable options transaction fees set forth in the Options Fee Schedule. The proposal set forth in this proposal seeks to rebate these transaction fees incurred by a specialist. See e-mail from the Jeff Burns, Vice President & Associate General Counsel, Amex, to Brian O'Neill, Attorney, and Molly Kim, Special Counsel, Division of Trading and Markets, Commission, on April 3, 2008.

¹ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4(f)(2).

⁵ A P/A Order as defined in Amex Rule 940(b)(10)(i) means an order for the principal account of a specialist (or equivalent entity on another Participant exchange that is authorized to represent Public Customer Orders), reflecting the terms of a related unexecuted Public Customer Order for which the specialist is acting as agent. See Section 2(16)(a) of the Plan for the Purpose of Creating and Operating an Intermarket Option Linkage.

⁶ The proposed fee rebate of transaction fees incurred by specialists as a result of the obligation

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.