

to implement the new emergency notification siren system in a timely manner. The Director also informed the Petitioner that the siren issues in this petition would be combined with the Petitioner's earlier petition on the new siren system, dated September 28, 2007. The earlier petition was noticed in the **Federal Register** on February 25, 2008 (73 FR 10068). The Director informed the Petitioner that his issues on groundwater contamination were considered by the NRC in response to an earlier petition by the Petitioner. A Final Director's Decision was issued on August 14, 2008, and noticed in the **Federal Register** on August 21, 2008 (73 FR 49495). The NRC found that the licensee was in compliance with the pertinent NRC regulatory requirements on the release of radioactive isotopes and that public health and safety have not been, nor are likely to be, adversely affected.

As provided by Section 2.206, appropriate action will be taken on this petition within a reasonable time.

A copy of the petition and the transcript of the conference call with the PRB can be located at Agencywide Documents Access and Management Systems Accession Nos. ML080950265 and ML082330375, respectively, and are available for inspection at the Commission's Public Document Room, located at One White Flint North, 11555 Rockville Pike (first floor), Rockville, Maryland.

Dated at Rockville, Maryland, this 15th day of September 2008.

For the Nuclear Regulatory Commission.

**Eric J. Leeds,**

*Director, Office of Nuclear Reactor Regulation.*

[FR Doc. E8-22356 Filed 9-23-08; 8:45 am]

BILLING CODE 7590-01-P

## OFFICE OF MANAGEMENT AND BUDGET

### Draft 2008 Report to Congress on the Benefits and Costs of Federal Regulations

**AGENCY:** Office of Management and Budget, Executive Office of the President.

**ACTION:** Notice of availability and request for comments.

**SUMMARY:** The Office of Management and Budget (OMB) requests comments on its Draft 2008 Report to Congress on the Benefits and Costs of Federal Regulation. The full Draft Report is available at [http://www.whitehouse.gov/omb/inforeg/regpol-reports\\_congress.html](http://www.whitehouse.gov/omb/inforeg/regpol-reports_congress.html), and is divided

into four chapters. Chapter I examines the benefits and costs of major Federal regulations issued in fiscal year 2007 and summarizes the benefits and costs of major regulations issued between September 1997 and 2007. It also discusses regulatory impacts on State, local, and tribal governments, small business, wages, and economic growth. Chapter II examines trends in regulation since OMB began to compile benefit and cost estimates records in 1981. Chapter III provides an update on implementation of the Information Quality Act, and Chapter IV summarizes agency compliance with the Unfunded Mandates Reform Act.

**DATES:** To ensure consideration of comments as OMB prepares this Draft Report for submission to Congress, comments must be in writing and received by 45 days after publication.

**ADDRESSES:** Submit comments by one of the following methods:

- <http://www.regulations.gov>: Direct comments to Docket ID OMB-2008-0014

- *E-mail:*

[OIRA\\_BC\\_RPT@omb.eop.gov](mailto:OIRA_BC_RPT@omb.eop.gov)

- *Fax:* (202) 395-7285

- *Mail:* Office of Information and Regulatory Affairs, Office of Management and Budget, Attn: Darcel D. Gayle, NEOB, Room 10202, 725 17th Street, NW., Washington, DC 20503. We are still experiencing delays in the regular mail, including first class and express mail. To ensure that your comments are received, we recommend that comments on this draft report be electronically submitted.

All comments submitted in response to this notice will be made available to the public, including by posting them on OMB's Web site. For this reason, please do not include in your comments information of a confidential nature, such as sensitive personal information or proprietary information. The <http://www.regulations.gov> Web site is an "anonymous access" system, which means OMB will not know your identity or contact information unless you provide it in the body of your comment. If you send an e-mail comment directly to OMB, your e-mail address will be automatically captured and included as part of the comment that is placed in the public docket and made available on the Internet.

**FOR FURTHER INFORMATION CONTACT:** Darcel D. Gayle, Office of Information and Regulatory Affairs, Office of Management and Budget, NEOB, Room 10202, 725 17th Street, NW., Washington, DC 20503. Telephone: (202) 395-3084.

**SUPPLEMENTARY INFORMATION:** Congress directed the Office of Management and Budget (OMB) to prepare an annual Report to Congress on the Costs and Benefits of Federal Regulations. Specifically, Section 624 of the FY 2001 Treasury and General Government Appropriations Act, also known as the "Regulatory Right-to-Know Act" (the Act), requires OMB to submit a report on the costs and benefits of Federal regulations together with recommendation for reform. The Act states that the report should contain estimates of the costs and benefits of regulations in the aggregate, by agency and agency program, and by major rule, as well as an analysis of impacts of Federal regulation on State, local, and tribal governments, small businesses, wages, and economic growth. The Act also states that the report should go through notice and comment and peer review.

**Susan E. Dudley,**

*Administrator, Office of Information and Regulatory Affairs.*

[FR Doc. E8-22324 Filed 9-23-08; 8:45 am]

BILLING CODE 3110-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 58592]

### Emergency Order Pursuant to Section 12(K)(2) of the Securities Exchange Act of 1934 Taking Temporary Action To Respond to Market Developments

September 18, 2008.

The Commission is aware of the continued potential of sudden and excessive fluctuations of securities prices and disruption in the functioning of the securities markets that could threaten fair and orderly markets. In our recent publication of an emergency order under Section 12(k) of the Exchange Act (the "Act"),<sup>1</sup> for example, we were concerned about the possible unnecessary or artificial price movements based on unfounded rumors regarding the stability of financial institutions and other issuers exacerbated by "naked" short selling. Our concerns, however, are no longer limited to just the financial institutions that were the subject of the July Emergency Order. Recent market conditions have made us concerned that short selling in the securities of a wider range of financial institutions may be

<sup>1</sup> See Exchange Act Release No. 58166 (July 15, 2008). See also Exchange Act Release No. 58190 (July 18, 2008) ("Amended July Emergency Order"). See also Exchange Act Release No. 58572 (September 17, 2008).

causing sudden and excessive fluctuations of the prices of such securities in such a manner so as to threaten fair and orderly markets.

Given the importance of confidence in our financial markets as a whole, we have become concerned about recent sudden declines in the prices of a wide range of securities. Such price declines can give rise to questions about the underlying financial condition of an issuer, which in turn can create a crisis of confidence, without a fundamental underlying basis. This crisis of confidence can impair the liquidity and ultimate viability of an issuer, with potentially broad market consequences. Our concerns are no longer limited to the financial institutions that were the subject of the July Emergency Order.

As a result of these recent developments, the Commission has concluded that there continues to exist the potential of sudden and excessive fluctuations of securities prices generally and disruption in the functioning of the securities markets that could threaten fair and orderly markets. Based on this conclusion, the Commission is exercising its powers under Section 12(k)(2) of the Act.<sup>2</sup> Pursuant to Section 12(k)(2), in appropriate circumstances the Commission may issue summarily an order to alter, supplement, suspend, or impose requirements or restrictions with respect to matters or actions subject to regulation by the Commission if the Commission determines such an order is necessary in the public interest and for the protection of investors to maintain or restore fair and orderly securities markets.

In these unusual and extraordinary circumstances, we have concluded that, to prevent substantial disruption in the securities markets, temporarily prohibiting any person from effecting a short sale in the publicly traded securities of certain financial firms, which entities are identified in Appendix A ("Included Financial Firms"), is in the public interest and for the protection of investors to maintain or restore fair and orderly securities markets.

This emergency action should prevent short selling from being used to drive down the share prices of issuers even where there is no fundamental basis for a price decline other than general market conditions.

*It is ordered* that, pursuant to our Section 12(k)(2) powers, all persons are

prohibited from short selling<sup>3</sup> any publicly traded securities of any Included Financial Firm.

Similar to the Amended July Emergency Order, we are providing a limited exception for certain bona fide market makers. We believe this narrow exception is necessary because such market makers may need to facilitate customer orders in a fast moving market without possible delays associated with complying with the requirements of this Order.

*It is therefore ordered* that, pursuant to our Section 12(k)(2) powers, the following entities are excepted from the requirements of the Order: Registered market makers, block positioners, or other market makers obligated to quote in the over-the-counter market, in each case that are selling short a publicly traded security of an Included Financial Firm as part of bona fide market making in such security.

In addition, we are providing an exception to allow short sales that occur as a result of automatic exercise or assignment of an equity option held prior to effectiveness of this Order due to expiration of the option.

*It is therefore ordered* that, pursuant to our Section 12(k)(2) powers, the requirements of this Order shall not apply to any person that effects a short sale in any publicly traded security of any Included Financial Firm as a result of automatic exercise or assignment of an equity option held prior to effectiveness of this Order due to expiration of the option.

Finally, to facilitate the expiration of options on September 20th, options market makers are excepted from the requirements of this Order until 11:59 p.m. on September 19th when selling short as part of bona fide market making and hedging activities related directly to bona fide market making in derivatives on the publicly traded securities of any Included Financial Firm.

*It is therefore ordered* that, pursuant to our Section 12(k)(2) powers, the requirements of this Order shall not apply, until 11:59 p.m. on September 19, 2008, to any person that is a market maker that effects a short sale as part of a bona fide market making and hedging activity related directly to bona fide market making in derivatives on the publicly traded securities of any Included Financial Firm.

This Order shall be effective immediately and shall terminate at 11:59 p.m. EDT on October 2, 2008,

unless further extended by the Commission.

By the Commission.

**J. Lynn Taylor,**

*Assistant Secretary.*

## Appendix A

This list, prepared on a best efforts basis, includes banks, insurance companies, and securities firms identified by SICs 6000, 6011, 6020–22, 6025, 6030, 6035–36, 6111, 6140, 6144, 6200, 6210–11, 6231, 6282, 6305, 6310–11, 6320–21, 6324, 6330–31, 6350–51, 6360–61, 6712, and 6719.

AAME ATLANTIC AMERICAN CORP  
AANB ABIGAIL ADAMS NATL BANCORP  
INC  
ABBC ABINGTON BANCORP INC PA  
ABCB AMERIS BANCORP  
ABCW ANCHOR BANCORP WISCONSIN  
INC  
ABK AMBAC FINANCIAL GROUP INC  
ABNJ AMERICAN BANCORP OF NJ INC  
ABVA ALLIANCE BANKSHARES CORP  
ACAP AMERICAN PHYSICIANS CAPITAL  
INC  
ACBA AMERICAN COMMUNITY  
BNCSHRS INC  
ACE ACE LTD  
ACFC ATLANTIC COAST FED CORP  
ACGL ARCH CAPITAL GROUP LTD NEW  
ADVNA ADVANTA CORP  
ADVNB ADVANTA CORP  
AEG AEGON N V  
AEL AMERICAN EQUITY INVT LIFE  
HLDG C  
AET AETNA INC NEW  
AF ASTORIA FINANCIAL CORP  
AFFM AFFIRMATIVE INSURANCE HLDGS  
INC  
AFG AMERICAN FINANCIAL GROUP INC  
NEW  
AFL A F L A C INC  
AGII ARGO GROUP INTL HLDGS LTD  
AGO ASSURED GUARANTY LTD  
AGP AMERIGROUP CORP  
AGX ARGAN INC  
AHD ATLAS PIPELINE HOLDINGS L P  
AHL ASPEN INSURANCE HOLDINGS LTD  
AIB ALLIED IRISH BANKS PLC  
AIG AMERICAN INTERNATIONAL  
GROUP INC  
AINV APOLLO INVESTMENT CORP  
AIZ ASSURANT INC  
ALL ALLSTATE CORP  
ALLB ALLIANCE BANCORP INC PA  
ALNC ALLIANCE FINANCIAL CORP NY  
AMCP AMCOMP INC NEW  
AMFI AMCORE FINANCIAL INC  
AMG AFFILIATED MANAGERS GROUP  
INC  
AMIC AMERICAN INDEPENDENCE CORP  
AMNB AMERICAN NATIONAL  
BANKSHARES INC  
AMP AMERIPRISE FINANCIAL INC  
AMPH AMERICAN PHYSICIANS SVC  
GROUP  
AMRB AMERICAN RIVER BANKSHARES  
AMSF AMERISAFE INC  
AMTD T D AMERITRADE HOLDING CORP  
ANAT AMERICAN NATIONAL INS CO  
ANNB ANNAPOLIS BANCORP INC  
AOC AON CORP  
APAB APPALACHIAN BANCSHARES INC  
AROW ARROW FINANCIAL CORP

<sup>2</sup> This finding of an "emergency" is solely for purposes of Section 12(k)(2) of the Exchange Act and is not intended to have any other effect or meaning or to confer any right or impose any obligation other than set forth in this Order.

<sup>3</sup> The definition of "short sale" shall be the same definition used in Rule 200(a) of Regulation SHO and the requirements for marking orders "long" or "short" shall be the same as provided in Regulation SHO.

ASBI AMERIANA BANCORP	BX BLACKSTONE GROUP L P	CPBK COMMUNITY CAPITAL CORP
ASFI ASTA FUNDING INC	BXS BANCORPSOUTH INC	CPF CENTRAL PACIFIC FINANCIAL CORP
ASFN ATLANTIC SOUTHERN FINL GROUP INC	BYFC BROADWAY FINANCIAL CORP DEL	CPHL CASTLEPOINT HOLDINGS LTD
ASRV AMERISERV FINANCIAL INC	C CITIGROUP INC	CRBC CITIZENS REPUBLIC BANCORP INC
ATBC ATLANTIC BANCGROUP INC	CAC CAMDEN NATIONAL CORP	CRFN CRESCENT FINANCIAL CORP
ATLO AMES NATL CORP	CACB CASCADE BANCORP	CRMH C R M HOLDINGS LTD
AUBN AUBURN NATIONAL BANCORP	CADE CADENCE FINANCIAL CORP	CRRB CARROLLTON BANCORP
AWBC AMERICAN WEST BANCORPORATION	CAFI CAMCO FINANCIAL CORP	CRVL CORVEL CORP
AWH ALLIED WORLD ASSUR CO HLDGS LTD	CAPB CAPITALSOUTH BANCORP	CSBC CITIZENS SOUTH BANKING CORP DEL
AXA A X A UAP	CAPE CAPE FEAR BANK CORP	CSBK CLIFTON SAVINGS BANCORP INC
AXG ATLAS ACQUISITION HOLDINGS CORP	CART CAROLINA TRUST BANK	CSFL CENTERSTATE BANKS OF FLORIDA INC
AXS AXIS CAPITAL HOLDINGS LTD	CARV CARVER BANCORP INC	CSHB COMMUNITY SHORES BANK CORP
BAC BANK OF AMERICA CORP	CASB CASCADE FINANCIAL CORP	CSNT CRESCENT BANKING CO
BANF BANCFIRST CORP	CASH META FINANCIAL GROUP INC	CTBC CONNECTICUT BANK & TRUST CO
BANR BANNER CORP	CATY CATHAY GENERAL BANCORP	CTBI COMMUNITY TRUST BANCORP INC
BARI BANCORP RHODE ISLAND INC	CB CHUBB CORP	CTBK CITYBANK LYNNWOOD WASHINGTON
BAYN BAY NATIONAL CORP	CBAN COLONY BANCORP INC	CTZN CITIZENS FIRST BANCORP INC
BBNK BRIDGE CAPITAL HOLDINGS	CBBO COLUMBIA BANCORP ORE	CVBF C V B FINANCIAL CORP
BBT B B & T CORP	CBC CAPITOL BANCORP LTD	CVBK CENTRAL VIRGINIA BANKSHARES INC
BBX BANKATLANTIC BANCORP INC	CBIN COMMUNITY BANK SHRS INDIANA INC	CVCY CENTRAL VALLEY COMM BANCORP
BCA CORPBANCA	CBKN CAPITAL BANK CORP NEW	CVH COVENTRY HEALTH CARE INC
BCAR BANK OF THE CAROLINAS CORP	CBNK CHICOPEE BANCORP INC	CVLL COMMUNITY VALLEY BANCORP
BCBP B C B BANCORP INC	CBON COMMUNITY BANCORP	CVLY CODORUS VALLEY BANCORP INC
BCP BROOKE CAPITAL CORP	CBU COMMUNITY BANK SYSTEM INC	CWBC COMMUNITY WEST BANCSHARES
BCS BARCLAYS PLC	CCBD COMMUNITY CENTRAL BANK CORP	CWBS COMMONWEALTH BANKSHARES INC
BCSB B C S B BANCORP INC	CCBG CAPITAL CITY BANK GROUP	CWLZ COWLITZ BANCORPORATION
BDGE BRIDGE BANCORP INC	CCBP COMM BANCORP INC	CZFC CITIZENS FIRST CORP
BEN FRANKLIN RESOURCES INC	CCFH C C F HOLDING COMPANY	CZWI CITIZENS CMNTY BANCORP INC MD
BERK BERKSHIRE BANCORP INC DEL	CCNE C N B FINANCIAL CORP PA	DB DEUTSCHE BANK AG
BFF B F C FINANCIAL CORP	CCOW CAPITAL CORP OF THE WEST	DCOM DIME COMMUNITY BANCSHARES
BFIN BANKFINACIAL CORP	CEBK CENTRAL BANCORP INC	DEAR DEARBORN BANCORP INC
BFNB BEACH FIRST NATL BANCSHARES INC	CFBK CENTRAL FEDERAL CORP	DFG DELPHI FINANCIAL GROUP INC
BHB BAR HARBOR BANKSHARES	CFFC COMMUNITY FINANCIAL CORP	DGICA DONEGAL GROUP INC
BHBC BEVERLY HILLS BANCORP INC	CFFI C & F FINANCIAL CORP	DGICB DONEGAL GROUP INC
BHLB BERKSHIRE HILLS BANCORP INC	CFFN CAPITOL FEDERAL FINANCIAL	DHIL DIAMOND HILL INVESTMENT GRP INC
BK BANK OF NEW YORK MELLON CORP	CFNL CARDINAL FINANCIAL CORP	DLLR DOLLAR FINANCIAL CORP
BKKB BRITTON & KOONTZ CAPITAL CORP	CFR CULLEN FROST BANKERS INC	DR DARWIN PROFESSIONAL UNDERWRITERS
BKMU BANK MUTUAL CORP NEW	CHCO CITY HOLDING CO	DSL DOWNEY FINANCIAL CORP
BKOR OAK RIDGE FINANCIAL SERVICES INC	CHEV CHEVIOT FINANCIAL CORP	DUF DUFF & PHELPS CORP NEW
BKSC BANK SOUTH CAROLINA CORP	CHFC CHEMICAL FINANCIAL CORP	EBSB MERIDIAN INTERSTATE BANCORP INC
BKUNA BANKUNITED FINANCIAL CORP	CI C I G N A CORP	EBTX ENCORE BANCSSHRES INC
BLX BANCO LATINOAMERICANO DE EXP SA	CIA CITIZENS INC	ECBE E C B BANCORP INC
BMRC BANK OF MARIN BANCORP	CINF CINCINNATI FINANCIAL CORP	EGBN EAGLE BANCORP INC
BMTC BRYN MAWR BANK CORP	CITZ C F S BANCORP INC	EIHI EASTERN INSURANCE HOLDINGS INC
BNCL BENEFICIAL MUTUAL BANCORP INC	CIZN CITIZENS HOLDING CO	EII ENERGY INFRASTRUCTURE ACQUI CORP
BNCN B N C BANCORP	CJBK CENTRAL JERSEY BANCORP	EMCI E M C INSURANCE GROUP INC
BNS BANK OF NOVA SCOTIA	CLBH CAROLINA BANK HOLDINGS INC	EMITF ELBIT IMAGING LTD
BNV BEVERLY NATIONAL CORP	CLFC CENTER FINANCIAL CORP	ENH ENDURANCE SPECIALTY HOLDINGS LTD
BOCH BANK OF COMMERCE HOLDINGS	CLMS CALAMOS ASSET MANAGEMENT INC	ESBF E S B FINANCIAL CORP
BOFI B OF I HOLDING INC	CMA COMERICA INC	ESBK ELMIRA SAVINGS BANK FSB NY
BOFL BANK OF FLORIDA CORP NAPLES	CME C M E GROUP INC	ESGR ENSTAR GROUP LTD
BOH BANK OF HAWAII CORP	CMFB COMMERCEFIRST BANCORP INC	ETFC E TRADE FINANCIAL CORP
BOKF B O K FINANCIAL CORP	CMGI C M G I INC	EV EATON VANCE CORP
BOMK BANK MCKENNEY VA	CMSB C M S BANCORP INC	EVBN EVANS BANCORP INC
BOVA BANK OF VIRGINIA	CNA C N A FINANCIAL CORP	EVBS EASTERN VIRGINIA BANKSHARES INC
BPFH BOSTON PRIVATE FINL HLDS INC	CNAF COMMERCIAL NATIONAL FINL CORP	EVR EVERCORE PARTNERS INC
BPSG BROADPOINT SECURITIES GROUP INC	CNB COLONIAL BANCGROUP INC	EWBC EAST WEST BANCORP INC
BRK BERKSHIRE HATHAWAY INC DEL	CNBC CENTER BANCORP INC	FABK FIRST ADVANTAGE BANCORP
BRK BERKSHIRE HATHAWAY INC DEL	CNBKA CENTURY BANCORP INC	FAC FIRST ACCEPTANCE CORP
BRKL BROOKLINE BANCORP INC	CNC CENTENE CORP DEL	FAF FIRST AMERICAN CORP CALIF
BSRR SIERRA BANCORP	CNLA COMMUNITY NATL BANK LAKEWAY AREA	FBC FLAGSTAR BANCORP INC
BTFG BANCTRUST FINANCIAL GROUP INC	CNO CONSECO INC	FBCM F B R CAPITAL MARKETS CORP
BUSE FIRST BUSEY CORP	CNS COHEN & STEERS INC	
BWINA BALDWIN & LYONS INC	COBH PENNSYLVANIA COMMERCE BANCORP IN	
BWINB BALDWIN & LYONS INC	COBZ COBIZ FINANCIAL INC	
	COLB COLUMBIA BANKING SYSTEM INC	
	COOP COOPERATIVE BANCSHARES INC	
	CORS CORUS BANKSHARES INC	
	COWN COWEN GROUP INC	
	CPBC COMMUNITY PARTNERS BANCORP	

FBIZ FIRST BUSINESS FINL SVCS INC	FRGB FIRST REGIONAL BANCORP	HUM HUMANA INC
FBMI FIRSTBANK CORP	FRME FIRST MERCHANTS CORP	HWBK HAWTHORN BANCSHARES INC
FBMS FIRST BANCSHARES INC MS	FSBI FIDELITY BANCORP INC	HWFG HARRINGTON WEST FINANCIAL
FBNC FIRST BANCORP NC	FSBK FIRST SOUTH BANCORP INC	GRP IN
FBP FIRST BANCORP P R	FSGI FIRST SECURITY GROUP INC	IAAC INTERNATIONAL ASSETS HLDG
FBSI FIRST BANCSHARES INC MO	FSNM FIRST STATE BANCORPORATION	CORP
FBSS FAUQUIER BANCSHARES INC	FTBK FRONTIER FINANCIAL CORP	IBCA INTERVEST BANCSHARES CORP
FBTC FIRST BANCTRUST	FULT FULTON FINANCIAL CORP PA	IBCP INDEPENDENT BANK CORP MICH
FCAL FIRST CALIFORNIA FINL GROUP	FUNC FIRST UNITED CORP	IBKR IBERIABANK CORP
INC	FWV FIRST WEST VIRGINIA BANCORP	IBKR INTERACTIVE BROKERS GROUP
FCAP FIRST CAPITAL INC	INC	INC
FCBC FIRST COMMUNITY BANCSHARES	FXCB FOX CHASE BANCORP INC	IBNK INTEGRA BANK CORP
INC	GABC GERMAN AMERICAN BANCORP	IBOC INTERNATIONAL BANCSHARES
FCCO FIRST COMMUNITY CORP SC	INC	CORP
FCCY 1ST CONSTITUTION BANCORP	GAN GAINSCO INC	ICE INTERCONTINENTAL EXCHANGE
FCFL FIRST COMMUNITY BANK CORP	GBCI GLACIER BANCORP INC NEW	INC
AMER	GBH GREEN BUILDERS INC	ICH INVESTORS CAPITAL HOLDINGS
FCNCA FIRST CITIZENS BANCSHARES	GBL GAMCO INVESTORS INC	LTD
INC NC	GBNK GUARANTY BANCORP	IFC IRWIN FINANCIAL CORP
FCVA FIRST CAPITAL BANCORP INC VA	GBTS GATEWAY FINANCIAL HLDGS INC	IFSB INDEPENDENCE FEDERAL SAVINGS
FCZA FIRST CITIZENS BANC CORP	GCA GLOBAL CASH ACCESS HOLDINGS	BK
FDEF FIRST DEFIANCE FINANCIAL CORP	INC	IHC INDEPENDENCE HOLDING CO NEW
FDT FEDERAL TRUST CORP	GFED GUARANTY FEDERAL	IMP IMPERIAL CAPITAL BANCORP INC
FED FIRSTFED FINANCIAL CORP	BANCSHARES INC	INCB INDIANA COMMUNITY BANCORP
FFBC FIRST FINANCIAL BANCORP OHIO	GFIG G F I GROUP INC	INDB INDEPENDENT BANK CORP MA
FFBH FIRST FEDERAL BANCSHARES	GLBZ GREAT FLORIDA BANK	ING I N G GROUP N V
ARK INC	GGAL GRUPO FINANCIERO GALICIA S A	IPCC INFINITY PROPERTY & CASUALTY
FFCH FIRST FINANCIAL HOLDINGS INC	GHL GREENHILL & CO INC	COR
FFCO FEDFIRST FINANCIAL CORP	GIW WILBER CORP	IPCR I P C HOLDINGS LTD
FFDF F F D FINANCIAL CORP	GLBZ GLEN BURNIE BANCORP	IRE IRELAND BANK
FFFD NORTH CENTRAL BANCSHARES	GLRE GREENLIGHT CAPITAL RE LTD	ITC I T C HOLDINGS CORP
INC	GNW GENWORTH FINANCIAL INC	ITG INVESTMENT TECHNOLOGY GP INC
FFG F B L FINANCIAL GROUP INC	GOV GOUVERNEUR BANCORP INC	NEW
FFH FAIRFAX FINL HOLDINGS LTD	GRAN BANK GRANITE CORP	ITIC INVESTORS TITLE CO
FFHS FIRST FRANKLIN CORP	GRNB GREEN BANKSHARES INC	JAXB JACKSONVILLE BANCORP INC FL
FFIC FLUSHING FINANCIAL CORP	GROW U S GLOBAL INVESTORS INC	JEF JEFFERIES GROUP INC NEW
FFIN FIRST FINANCIAL BANKSHARES	GS GOLDMAN SACHS GROUP INC	JFBC JEFFERSONVILLE BANCORP
INC	GSBC GREAT SOUTHERN BANCORP INC	JFBI JEFFERSON BANCSHARES INC TENN
FFKT FARMERS CAPITAL BANK CORP	GSLA G S FINANCIAL CORP	JLI JESUP & LAMONT INC
FFKY FIRST FINANCIAL SERVICE CORP	GTS TRIPLE S MANAGEMENT CORP	JMP J M P GROUP INC
FFNM FIRST FED NORTHN MI BANCORP	HABC HABERSHAM BANCORP INC	JNS JANUS CAP GROUP INC
INC	HAFB HANMI FINANCIAL CORP	JPM JPMORGAN CHASE & CO
FFNW FIRST FINANCIAL NORTHWEST	HALL HALLMARK FINANCIAL SERVICES	JXSB JACKSONVILLE BANCORP INC
INC	INC	KCLI KANSAS CITY LIFE INS CO
FFSX FIRST FEDERAL BANKSHARES INC	HARL HARLEYSVILLE SAVINGS FINAN	KENT KENT FINANCIAL SERVICES INC
DEL	CORP	KEY KEYCORP NEW
PHN FIRST HORIZON NATIONAL CORP	HAXS HEALTHAXIS INC	KFED K FED BANCORP
FIFG 1ST INDEPENDENCE FNL GROUP	HBAN HUNTINGTON BANCSHARES INC	KFFB KENTUCKY FIRST FEDERAL
INC	HBHC HANCOCK HOLDING CO	BANCORP
FIG FORTRESS INVESTMENT GROUP L L	HBNK HAMPDEN BANCORP INC	KFS KINGSWAY FINANCIAL SERVICES
C	HBOS HERITAGE FINANCIAL GROUP	INC
FII FEDERATED INVESTORS INC PA	HCBK HUDSON CITY BANCORP INC	KRNY KEARNY FINANCIAL CORP
FISI FINANCIAL INSTITUTIONS INC	HCC H C C INSURANCE HOLDINGS INC	L LOEWS CORP
FKFS FIRST KEYSTONE FINANCIAL INC	HEOP HERITAGE OAKS BANCORP	LAB LABRANCHE & CO INC
FLIC FIRST LONG ISLAND CORP	HFBC HOPFED BANCORP INC	LABC LOUISIANA BANCORP INC
FMAR FIRST MARINER BANCORP	HFFC H F FINANCIAL CORP	LARK LANDMARK BANCORP INC
FMBI FIRST MIDWEST BANCORP DE	HFWA HERITAGE FINANCIAL CORP WA	LAZ LAZARD LTD
FMER FIRSTMERIT CORP	HGIC HARLEYSVILLE GROUP INC	LBBB LIBERTY BELL BK CHERRY HILL NJ
FMFC FIRST M & F CORP	HIFS HINGHAM INSTITUTION FOR SVGS	LBCP LIBERTY BANCORP INC MO
FNB F N B CORP PA	MA	LEGC LEGACY BANCORP INC
FNBK F N B UNITED CORP	HMN HORACE MANN EDUCATORS CORP	LEH LEHMAN BROTHERS HOLDINGS INC
FNFG FIRST NIAGARA FINL GROUP INC	NEW	LFC CHINA LIFE INSURANCE CO LTD
NEW	HMNF H M N FINANCIAL INC	LION FIDELITY SOUTHERN CORP NEW
FNLC FIRST BANCORP INC ME	HMPR HAMPTON ROADS BANKSHARES	LKFN LAKELAND FINANCIAL CORP
FNM FEDERAL NATIONAL MORTGAGE	INC	LNC LINCOLN NATIONAL CORP IN
ASSN	HNBC HARLEYSVILLE NATIONAL CORP	LNCB LINCOLN BANCORP IND
FNSC FIRST NATIONAL BANCSHARES	PA	LPSB LAPORTE BANCORP INC
INC SC	HNT HEALTH NET INC	LSBI L S B FINANCIAL CORP
FPBI F P B BANCORP INC	HOMB HOME BANCSHARES INC	LSBK LAKE SHORE BANCORP INC
FPBN 1ST PACIFIC BANCORP CA	HOME HOME FEDERAL BANCORP INC	LSBX L S B CORP
FPFC FIRST PLACE FINANCIAL CORP NM	MD	LTS LADENBURG THALMANN FIN SVCS
FPIC F P I C INSURANCE GROUP INC	HRZB HORIZON FINANCIAL CORP WASH	INC
FPBT FIRST PACTRUST BANCORP INC	HS HEALTHSPRING INC	LUK LEUCADIA NATIONAL CORP
FRBK REPUBLIC FIRST BANCORP INC	HTBK HERITAGE COMMERCE CORP	LYG LLOYDS TSB GROUP PLC
FRE FEDERAL HOME LOAN MORTGAGE	HTH HILLTOP HOLDINGS INC	MAIN MAIN STREET CAPITAL CORP
CORP	HTLF HEARTLAND FINANCIAL USA INC	MASB MASSBANK CORP

MBFI M B FINANCIAL INC NEW	NMR NOMURA HOLDINGS INC	PLFE PRESIDENTIAL LIFE CORP
MBHI MIDWEST BANC HOLDINGS INC	NMX NYMEX HOLDINGS INC	PMACA P M A CAPITAL CORP
MBI M B I A INC	NOVB NORTH VALLEY BANCORP	PMBC PACIFIC MERCANTILE BANCORP
MBP MID PENN BANCORP INC	NPBC NATIONAL PENN BANCSHARES	PMI P M I GROUP INC
MBR MERCANTILE BANCORP INC	INC	PNBC PRINCETON NATIONAL BANCORP
MBRG MIDDLEBURG FINANCIAL CORP	NRIM NORTHRIM BANCORP INC	INC
MBTF M B T FINANCIAL CORP	NSEC NATIONAL SECURITY GROUP INC	PNBK PATRIOT NATIONAL BANCORP
MBVA MILLENNIUM BANKSHARES	NSFC NORTHERN STATES FINANCIAL	INC
CORP	CORP	PNC P N C FINANCIAL SERVICES GRP
MBVT MERCHANTS BANCSHARES INC	NSH NUSTAR G P HOLDINGS LLC	INC
MBWM MERCANTILE BANK CORP	NTQ N T R ACQUISITION CO	PNFP PINNACLE FINANCIAL PARTNERS
MCBF MONARCH COMMUNITY	NTRS NORTHERN TRUST CORP	INC
BANCORP INC	NVSL NAUGATUCK VLY FINANCIAL	PNSN PENSON WORLDWIDE INC
MCBI METROCORP BANCSHARES INC	CORP	PNX PHOENIX COS INC
MCGC M C G CAPITAL CORP	NWFL NORWOOD FINANCIAL CORP	PPBI PACIFIC PREMIER BANCORP INC
MCY MERCURY GENERAL CORP NEW	NWLIA NATIONAL WESTERN LIFE INS	PRA PROASSURANCE CORP
MER MERRILL LYNCH & CO INC	CO	PRE PARTNERRE LTD
MERR MERRIMAN CURHAN FORD	NWSB NORTHWEST BANCORP INC PA	PRK PARK NATIONAL CORP
GROUP INC	NXTY NEXITY FINANCIAL CORP	PROS PROCENTURY CORP
MF M F GLOBAL LTD	NYB NEW YORK COMMUNITY BANCORP	PROV PROVIDENT FINANCIAL
MFC MANULIFE FINANCIAL CORP	INC	HOLDINGS INC
MFLR MAYFLOWER BANCORP INC	NYM N Y M A G I C INC	PRSP PROSPERITY BANCSHARES INC
MFNC MACKINAC FINANCIAL CORP	NYX N Y S E EURONEXT	PRU PRUDENTIAL FINANCIAL INC
MFSF MUTUALFIRST FINL INC	OCFC OCEANFIRST FINANCIAL CORP	PRWT PREMIERWEST BANCORP
MGYR MAGYAR BANCORP INC	OFG ORIENTAL FINANCIAL GROUP INC	PSBC PACIFIC STATE BANCORP
MHLA MAIDEN HOLDINGS LTD	OKSB SOUTHWEST BANCORP INC OKLA	PSBH PSB HOLDINGS INC
MI MARSHALL & ILSLEY CORP NEW	OLBK OLD LINE BANCSHARES	PSEC PROSPECT CAPITAL CORP
MIG MEADOWBROOK INSURANCE	OLCB OHIO LEGACY CORP	PTA PENN TREATY AMERICAN CORP
GROUP INC	ONB OLD NATIONAL BANCORP	PTP PLATINUM UNDERWRITERS HLDGS
MIGP MERCER INSURANCE GROUP INC	ONFC ONEIDA FINANCIAL CORP	LTD
MKL MARKEL CORP	OPHC OPTIMUMBANK HOLDINGS INC	PUK PRUDENTIAL PLC
MKTX MARKETAXESS HLDGS INC	OPOF OLD POINT FINL CORP	PULB PULASKI FINANCIAL CORP
MNRK MONARCH FINANCIAL	OPY OPPENHEIMER HOLDINGS INC	PVFC P V F CAPITAL CORP
HOLDINGS INC	ORH ODYSSEY RE HOLDINGS CORP	PVSA PARKVALE FINANCIAL CORP
MOFG MIDWESTONE FINANCIAL GRP	ORI OLD REPUBLIC INTERNATIONAL	PVTB PRIVATEBANCORP INC
INC NEW	CORP	PWOD PENNS WOODS BANCORP INC
MOH MOLINA HEALTHCARE INC	ORIT ORITANI FINANCIAL CORP	PZN PZENA INVESTMENT
MORN MORNINGSTAR INC	OSBC OLD SECOND BANCORP INC	MANAGEMENT INC
MRH MONTPELIER RES HOLDINGS LTD	OSBK OSAGE BANCSHARES INC	QCRH Q C R HOLDINGS INC
MROE MONROE BANCORP	OSHC OCEAN SHORE HOLDING CO	QNTA QUANTA CAPITAL HOLDINGS
MS MORGAN STANLEY DEAN WITTER &	OVBC OHIO VALLEY BANC CORP	LTD
CO	OXPS OPTIONSPRESS HOLDINGS INC	RAMR R A M HOLDINGS LTD
MSBF M S B FINANCIAL CORP	OZM OCH ZIFF CAPITAL MANGMNT GRP	RBCAA REPUBLIC BANCORP INC KY
MSFG MAINSOURCE FINANCIAL GROUP	LLC	RBNF RURBAN FINANCIAL CORP
INC	OZRK BANK OF THE OZARKS INC	RBPAA ROYAL BANCSHARES PA INC
MSL MIDSOUTH BANCORP INC	PABK P A B BANKSHARES INC	RBS ROYAL BANK SCOTLAND GROUP
MTG M G I C INVESTMENT CORP WIS	PACW PACWEST BANCORP DE	PLC
MTU MITSUBISHI UFJ FINANCIAL GP	PBCI PAMRAPO BANCORP INC	RCBK RIVER CITY BANK
INC	PBCT PEOPLES UNITED FINANCIAL INC	RCKB ROCKVILLE FINANCIAL INC
MXGL MAX CAPITAL GROUP LTD	PBHC PATHFINDER BANCORP INC	RDN RADIAN GROUP INC
NAHC NATIONAL ATLANTIC HOLDINGS	PBIB PORTER BANCORP INC	RE EVEREST RE GROUP LTD
CORP	PBIP PRUDENTIAL BANCORP INC PA	RF REGIONS FINANCIAL CORP NEW
NAL NEWALLIANCE BANCSHARES INC	PBKS PROVIDENT BANCSHARES CORP	RGA REINSURANCE GROUP OF AMERICA
NARA NARA BANCORP INC	PBNY PROVIDENT NEW YORK BANCORP	INC
NATL NATIONAL INTERSTATE CORP	PCBC PACIFIC CAPITAL BANCORP NEW	RIVR RIVER VALLEY BANCORP
NAV NAVIGATORS GROUP INC	PCBI PEOPLES COMMUNITY BANCORP	RJF RAYMOND JAMES FINANCIAL INC
NBBC NEWBRIDGE BANCORP	INC	RKH REGIONAL BANK HOLDRS TRUST
NBN NORTHEAST BANCORP	PCBK PACIFIC CONTINENTAL CORP	RLI R L I CORP
NBTB N B T BANCORP INC	PCBS PROVIDENT COMMUNITY	RNR RENAISSANCE HOLDINGS LTD
NBTF N B & T FINANCIAL GROUP INC	BANCSHRS INC	RNST RENASANT CORP
NCBC NEW CENTURY BANCORP INC NC	PEBK PEOPLES BANCORP NC INC	RODM RODMAN & RENSHAW CAP GRP
NCC NATIONAL CITY CORP	PEBO PEOPLES BANCORP INC	INC NEW
NDAQ NASDAQ O M X GROUP INC	PFBC PREFERRED BANK LOS ANGELES	ROMA ROMA FINANCIAL CORP
NEBS NEW ENGLAND BANCSHARES INC	PFBI PREMIER FINANCIAL BANCORP INC	ROME ROME BANCORP INC
NECB NORTHEAST COMMUNITY	PFBB PEOPLES FINANCIAL CORP	RPFG RAINIER PACIFIC FINL GROUP INC
BANCORP INC	PFED PARK BANCORP INC	RVSB RIVERVIEW BANCORP INC
NEWT NEWTEK BUSINESS SVCS INC	PFG PRINCIPAL FINANCIAL GROUP INC	RY ROYAL BANK CANADA MONTREAL
NFBK NORTHFIELD BANCORP INC	PFS PROVIDENT FINANCIAL SVCS INC	QUE
NFS NATIONWIDE FINANCIAL SERVICES	PGR PROGRESSIVE CORP OH	SAF SAFECO CORP
IN	PHLY PHILADELPHIA CONSOLIDATED	SAFT SAFETY INSURANCE GROUP INC
NFSB NEWPORT BANCORP INC	HLG CO	SAL SALISBURY BANCORP INC
NHTB NEW HAMPSHIRE THRIFT	PICO P I C O HOLDINGS INC	SAMB SUN AMERICAN BANCORP
BNCSHRS INC	PJC PIPER JAFFRAY COMPANIES	SASR SANDY SPRING BANCORP INC
NICK NICHOLAS FINANCIAL INC	PKBK PARKE BANCORP INC	SAVB SAVANNAH BANCORP INC
NITE KNIGHT CAPITAL GROUP INC	PL PROTECTIVE LIFE CORP	SBBX SUSSEX BANCORP
NKSH NATIONAL BANKSHARES INC	PLCC PAULSON CAPITAL CORP	SBCF SEACOAST BANKING CORP FLA

SBIB STERLING BANCSHARES INC	TCB T C F FINANCIAL CORP	WAIN WAINWRIGHT BANK & TRUST CO
SBKC SECURITY BANK CORP	TCBI TEXAS CAPITAL BANCSHARES INC	BOSTN
SBNY SIGNATURE BANK NEW YORK N Y	TCBK TRICO BANCSHARES	WAL WESTERN ALLIANCE
SBP SANTANDER BANCORP	TCH 21ST CENTURY HOLDING CO	BANCORPORATION
SBSI SOUTHSIDE BANCSHARES INC	TDBK TIDELANDS BANCSHARES INC	WASH WASHINGTON TRUST BANCORP
SCA SECURITY CAPITAL ASSURANCE	TFIN TEAM FINANCIAL INC	INC
LTD	TFSL TFS FINANCIAL CORP	WAUW WAUWATOSA HOLDINGS INC
SCB COMMUNITY BANCSHARES INC S C	TGIC TRIAD GUARANTY INC	WAYN WAYNE SAVINGS BANCSHARES
SCBT S C B T FINANCIAL CORP	THFF FIRST FINANCIAL CORP IN	INC NEW
SCHW SCHWAB CHARLES CORP NEW	THG HANOVER INSURANCE GROUP INC	WB WACHOVIA CORP 2ND NEW
SCMF SOUTHERN COMMUNITY FINCL	THRD T F FINANCIAL CORP	WBCO WASHINGTON BANKING
CORP	TIBB T I B FINANCIAL CORP	COMPANY
SEAB SEABRIGHT INSURANCE	TIL TRANS INDIA ACQUISITION CORP	WBNK WACCAMAW BANCSHARES INC
HOLDINGS INC	TMCV TEMECULA VALLEY BANCORP	WBS WEBSTER FINL CORP WATERBURY
SF STIFEL FINANCIAL CORP	INC	CONN
SFG STANCORP FINANCIAL GROUP INC	TMK TORCHMARK CORP	WCBO WEST COAST BANCORP ORE NEW
SFNC SIMMONS 1ST NATIONAL CORP	TMP TOMPKINS FINANCIAL CORP	WCG WELLCARE HEALTH PLANS INC
SFST SOUTHERN FIRST BANCSHARES	TNCC TENNESSEE COMMERCE	WDR WADDELL & REED FINANCIAL INC
INC	BANCORP INC	WFBC WILLOW FINANCIAL BANCORP
SGB SOUTHWEST GEORGIA FINANCIAL	TOFC TOWER FINANCIAL CORP	INC
CORP	TONE TIERONE CORP	WFC WELLS FARGO & CO NEW
SHG SHINHAN FINANCIAL GROUP CO	TOWN TOWNEBANK	WFD WESTFIELD FINANCIAL INC
LTD	TRH TRANSATLANTIC HOLDINGS INC	WFL WASHINGTON FEDERAL INC
SIEB SIEBERT FINANCIAL CORP	TROW T ROWE PRICE GROUP INC	WGNB W G N B CORP
SIFI SI FINANCIAL GROUP INC	TRST TRUSTCO BANK CORP NY	WHG WESTWOOD HOLDINGS GROUP
SIGI SELECTIVE INSURANCE GROUP INC	TRUE CENTRUE FINANCIAL CORP NEW	INC
SIVB S V B FINANCIAL GROUP	TRV TRAVELERS COMPANIES INC	WHI W HOLDING CO INC
SLF SUN LIFE FINANCIAL INC	TSBK TIMBERLAND BANCORP INC	WIBC WILSHIRE BANCORP INC
SLM S L M CORP	TSFG SOUTH FINL GROUP INC	WL WILMINGTON TRUST CORP
SMB C SOUTHERN MISSOURI BANCORP	TSH TECHE HOLDING CO	WLP WELLPOINT INC
INC	TWGP TOWER GROUP INC	WM WASHINGTON MUTUAL INC
SMCG MILLENNIUM INDIA ACQUISIT CO	TWPG THOMAS WEISEL PARTNERS	WPL STEWART W P & CO LTD
INC	GROUP INC	WRB BERKLEY W R CORP
SMHG SANDERS MORRIS HARRIS	UAM UNIVERSAL AMERICAN CORP	WSB W S B HOLDINGS INC
GROUP INC	UB UNIONBANCAL CORP	WSBC WESBANCO INC
SMMF SUMMIT FINANCIAL GROUP INC	UBCP UNITED BANCORP INC	WSFG W S B FINANCIAL GROUP
SMTB SMITHTOWN BANCORP INC	UBFO UNITED SECURITY BANCSHARES	WSFS WSFS FINANCIAL CORP
SNBC SUN BANCORP INC	UBNK UNITED FINANCIAL BANCORP	WTBA WEST BANCORPORATION INC
SNV SYNOVUS FINANCIAL CORP	INC MD	WTFC WINTRUST FINANCIAL
SOCB SOUTHCOAST FINANCIAL CORP	UBOH UNITED BANCSHARES INC	CORPORATION
SOMH SOMERSET HILLS BANCORP	UBS U B S AG	WTM WHITE MOUNTAINS INS GROUP
SONA SOUTHERN NATIONAL BANCORP	UBSH UNION BANCSHARES CORP	INC
VA INC	UBSI UNITED BANCSHARES INC	WTNY WHITNEY HOLDING CORP
SOV SOVEREIGN BANCORP INC	UCBA UNITED COMMUNITY BANCORP	WVFC WVS FINANCIAL CORP
SRCE 1ST SOURCE CORP	UCBH U C B H HOLDINGS INC	XL X L CAPITAL LTD
SSBI SUMMIT STATE BANK	UCBI UNITED COMMUNITY BANKS INC	Y ALLEGHANY CORP DE
SSBX SILVER STATE BANCORP	GA	YAVY YADKIN VALLEY FINANCIAL
SSFN STEWARDSHIP FINANCIAL CORP	UCFC UNITED COMMUNITY FINL CORP	CORP
STBA S & T BANCORP INC	OHIO	ZION ZIONS BANCORP
STBC STATE BANCORP INC NY	UFCS UNITED FIRE & CAS CO	ZNT ZENITH NATIONAL INSURANCE
STBK STERLING BANKS INC	UMBF U M B FINANCIAL CORP	CORP
STEL STELLARONE CORP	UMPQ UMPQUA HOLDINGS CORP	
STFC STATE AUTO FINANCIAL CORP	UNAM UNICO AMERICAN CORP	
STI SUNTRUST BANKS INC	UNB UNION BANCSHARES INC	
STL STERLING BANCORP	UNH UNITEDHEALTH GROUP INC	
STSA STERLING FINANCIAL CORP	UNIB UNIVERSITY BANCORP INC	
WASH	UNM UNUM GROUP	
STT STATE STREET CORP	UNTY UNITY BANCORP INC	
STU STUDENT LOAN CORP	USB U S BANCORP DEL	
SUAI SPECIALTY UNDERWRITERS ALL	USBI UNITED SECURITY BANCSHARES	
INC	INC	
SUBK SUFFOLK BANCORP	UTR UNITRIN INC	
SUF B SUFFOLK FIRST BANK VA	UVSP UNIVEST CORP OF	
SUPR SUPERIOR BANCORP	PENNSYLVANIA	
SUR C N A SURETY CORP	UWBK UNITED WESTERN BANCORP INC	
SUSQ SUSQUEHANNA BANCSHARES	VBFC VILLAGE BANK AND TRUST FINL	
INC PA	CORP	
SVBI SEVERN BANCORP INC MD	VCBI VIRGINIA COMMERCE BANCORP	
SWS S W S GROUP INC	VIST V I S T FINACIAL CORP	
SYBT S Y BANCORP INC	VLY VALLEY NATIONAL BANCORP	
TAMB TAMALPAIS BANCORP	VNBC VINEYARD NATIONAL BANCORP	
TAQ TRANSFORMA ACQUISITION	VPFG VIEWPOINT FINANCIAL GROUP	
GROUP INC	VR VALIDUS HOLDINGS LTD	
TAYC TAYLOR CAPITAL GROUP INC	VSBN V S B BANCORP INC NY	
TBBK BANCORP INC	VFYC VALLEY FINANCIAL CORP VA	
TBHS BANK HOLDINGS THE	WABC WESTAMERICA	
	BANCORPORATION	

[FR Doc. E8-22369 Filed 9-23-08; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-58588]

### Emergency Order Pursuant to Section 12(k)(2) of the Securities Exchange Act of 1934 Taking Temporary Action To Respond to Market Developments

September 18, 2008.

The Commission is aware of the continued potential of sudden and excessive fluctuations of securities prices and disruption in the functioning of the securities markets that could threaten fair and orderly markets. Given the importance of confidence in our financial markets as a whole, we have