

## NATIONAL PRISON RAPE ELIMINATION COMMISSION

### Public Hearing; Public Announcement

Pursuant to the Prison Rape Elimination Act of 2003 (Pub. L. 108–79) [42 U.S.C. Section 15601, *et seq.*]

*Agency Holding Meeting:* National Prison Rape Elimination Commission.

*Date and Time:* 9 a.m. on Thursday, August 3, 2006.

*Place:* Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, Michigan.

*Status:* Open—Public Hearing.

*Matters Considered:* Federal, State, and local experience with investigating, disciplining, and prosecuting prison sexual assaults.

*For Further Information Contact:*

Richard B. Hoffman, Executive Director, National Prison Rape Elimination Commission, (202) 514–7922.

Dated: July 11, 2006.

**Richard B. Hoffman,**

*Executive Director, National Prison Rape Elimination Commission.*

[FR Doc. 06–6391 Filed 7–20–06; 8:45 am]

**BILLING CODE 4410–18–M**

## 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 20549–0004.

#### *Extension:*

Rule 27e–1 and Form N–27E–1; SEC File No. 270–486; OMB Control No. 3235–0545.

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 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 27(e) of the Investment Company Act of 1940 (“Act”) (15 U.S.C. 80a–27(e)) provides that a registered investment company issuing a periodic payment plan certificate, or any depositor or underwriter for such company, must notify in writing “each certificate holder who has missed three payments or more, within thirty days following the expiration of fifteen months after the issuance of the

certificate, or, if any such holder has missed one payment or more after such period of fifteen months but prior to the expiration of eighteen months after the issuance of the certificate, at any time prior to the expiration of such eighteen month period, of his right to surrender his certificate \* \* \* and inform the certificate holder of (A) the value of the holder’s account \* \* \*, and (B) the amount to which he is entitled \* \* \*.”

Section 27(e) authorizes the Commission to “make rules specifying the method, form, and contents of the notice required by this subsection.” Rule 27e–1 (17 CFR 270.27e–1) under the Act, entitled “Requirements for Notice to Be Mailed to Certain Purchasers of Periodic Payment Plan Certificates Sold Subject to Section 27(d) of the Act,” provides instructions for the delivery of the notice required by section 27(e).

Rule 27e–1(f) prescribes Form N–27E–1 (17 CFR 274.127e–1), which sets forth the language the issuing registered investment company or its depositor or underwriter must use “to inform certificate holders of their right to surrender their certificates pursuant to Section 27(d).” The instructions to the form require that a notice containing the language on the form be sent to certificate holders on the sender’s letterhead. The issuer is not required to file with the Commission a copy of the Form N–27E–1 notice.

The Form N–27E–1 notice to certificate holders who have missed certain payments is intended to encourage certificate holders, in light of the potential for further missed payments, to weigh the anticipated costs and benefits associated with continuing to hold their certificates. The disclosure assists certificate holders in making careful and fully informed decisions about whether to continue investing in periodic payment plan certificates.

The frequency with which each of these issuers or their representatives must file the Form N–27E–1 notice varies with the number of periodic payment plans sold and the number of certificate holders who miss payments. The staff spoke with representatives of a number of firms in the industry that currently have periodic payment plan accounts. Based upon these conversations, the staff estimates that 3 respondents send out an aggregate of approximately 5054 notices per year through completely automated processes. The staff further estimates that all the issuers that send Form N–27E–1 notices use outside contractors to print and distribute the notice, and incur no hourly burden. The estimate of annual burden hours is made solely for

the purposes of the Paperwork Reduction Act, and is not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms.

Complying with the collection of information requirements of rule 27e–1 is mandatory for issuers of periodic payment plans or their depositors or underwriters in the event holders of plan certificates miss certain payments within eighteen months after issuance. The information provided pursuant to rule 27e–1 will be provided to third parties and, therefore, will not be kept confidential. The Commission is seeking OMB approval, because an agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

Written comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the Commission, including whether the information has practical utility; (b) the accuracy of the Commission’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.

Please direct your written comments 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](mailto:PRA_Mailbox@sec.gov).

Dated: June 27, 2006.

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. E6–11567 Filed 7–20–06; 8:45 am]

**BILLING CODE 8010–01–P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meetings; Notice

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meetings during the week of July 24, 2006:

An open meeting will be held on Wednesday, July 26, 2006 at 10 a.m. in the Auditorium, Room LL–002, and a Closed

Meeting will be held on Thursday, July 27, 2006 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(5), (6), (7), (9)(B), (10) and 17 CFR 200.402(a)(5), (6), (7), (9)(ii), and (10) permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Nazareth, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the Open Meeting scheduled for Wednesday, July 26, 2006 will be:

The Commission will consider whether to adopt amendments to the disclosure requirements for executive and director compensation, related party transactions, director independence and other corporate governance matters, and security ownership of officers and directors. The Commission will also consider whether to adopt final rules requiring that disclosure under the amended items generally be provided in plain English.

The subject matter of the closed meeting scheduled for Thursday, July 27, 2006 will be: Formal orders of investigation; Institution and settlement of injunctive actions; Institution and settlement of administrative proceedings of an enforcement nature; Collection matters; Resolution of litigation claims; Litigation matters; and An adjudicatory matter.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact: The Office of the Secretary at (202) 551-5400.

Dated: July 18, 2006.

**Nancy M. Morris,**  
Secretary.

[FR Doc. 06-6408 Filed 7-19-06; 10:55 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54153; File No. SR-CBOE-2006-63]

### Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Its Marketing Fee Program

July 14, 2006.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on June 30, 2006, the Chicago Board Options Exchange, Incorporated ("CBOE" 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 prepared by the Exchange. The CBOE has designated this proposal as one establishing or changing a due, fee, or other charge imposed by the CBOE under Section 19(b)(3)(A)(ii) of the Act<sup>3</sup> and Rule 19b-4(f)(2) thereunder,<sup>4</sup> 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

The CBOE proposes to amend its marketing fee program. Below is the text of the proposed rule change. Proposed new language is in *italics*; deleted language is in [brackets].

#### Chicago Board Options Exchange, Inc. Fees Schedule

June [2]30, 2006

1. No Change.
2. MARKETING FEE (6)(16)—\$.65
- 3.-4. No Change.

#### Footnotes:

(1)-(5) No Change.

(6) The Marketing Fee will be assessed only on transactions of Market-Makers, RMMs, e-DPMs, DPMs, and LMMs resulting from orders for less than 1,000 contracts (i) from payment accepting firms, or (ii) that have designated a "Preferred Market-Maker" under CBOE Rule 8.13 at the rate of \$.65 per contract on all classes of equity options, options on HOLDRs, options on

SPDRs, options on DIA, options on NDX, and options on RUT. The fee will not apply to: Market-Maker-to-Market-Maker transactions including transactions resulting from orders from non-member market-makers; transactions resulting from inbound P/A orders or a transaction resulting from the execution of an order against the DPM's account if an order directly related to that order is represented and executed through the Linkage Plan using the DPM's account; transactions resulting from accommodation liquidations (cabinet trades); and transactions resulting from dividend strategies, merger strategies, and short stock interest strategies as defined in footnote 13 of this Fees Schedule. This fee shall not apply to index options and options on ETFs (other than options on SPDRs, options on DIA, options on NDX, and options on RUT). A Preferred Market-Maker will only be given access to the marketing fee funds generated from a Preferred order if the Preferred Market-Maker has an appointment in the class in which the Preferred order is received and executed.

*DPM/LMM Rebate/Carryover Process.* If less than 80% of the marketing fee funds *collected in a given month* are paid out by the DPM/LMM [or Preferred Market-Maker in a given month], then the Exchange would refund such surplus at the end of the month on a pro rata basis based upon contributions made by the Market-Makers, RMMs, e-DPMs, DPMs and LMMs *in that month*. However, if 80% or more of the [accumulated] funds *collected in a given month* are paid out by the DPM/LMM [or Preferred Market-Maker], there will not be a rebate for that month and the *excess* funds will [carry over and will] be included in [the] *an Excess [p]Pool* of funds to be used by the DPM/LMM [or Preferred Market-Maker the following] *in subsequent months. The total balance of the Excess Pool of funds cannot exceed \$25,000, and if in any month the balance were to exceed \$25,000, the funds in excess of \$25,000 would be refunded*[At the end of each quarter, the Exchange would then refund any surplus, if any,] on a pro rata basis based upon contributions made by the Market-Makers, RMMs, DPMs, e-DPMs and LMMs *in that month*.

*Preferred Market-Maker Rebate/Carryover Process.* If less than 80% of the marketing fee funds are paid out by the Preferred Market-Maker in a given month, then the Exchange would refund such surplus at the end of the month on a pro rata basis based upon contributions made by the Market-Makers, RMMs, e-DPMs, DPMs and LMMs *in that month. However, if 80%*

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>4</sup> 17 CFR 240.19b-4(f)(2).