

### I. Self-Regulatory Organization's Statement of the Terms of the Substance of the Proposed Rule Change

The Exchange is filing this proposed rule change to delay the application of NASDAQ Rule 4611(d) for an additional 180 days. The text of the proposed rule change is available at <http://nasdaq.cchwallstreet.com/>, at the Exchange's principal office, and at the Commission's Public Reference Room.

### 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

##### 1. Purpose

On January 13, 2010, the Commission approved SR-NASDAQ-2008-104 which established new standards for sponsored access as set forth in NASDAQ Rule 4611(d), NASDAQ's Market Access Rule.<sup>4</sup> On March 17, 2010, NASDAQ proposed to delay implementation of the Market Access Rule, based upon conversations with industry participants.<sup>5</sup> NASDAQ believes that market participants need additional time to implement the Market Access Rule. Accordingly, NASDAQ is proposing to delay for an additional 180 days the implementation of new NASDAQ Rule 4611(d).

##### 2. Statutory Basis

Nasdaq believes that the proposed rule change is consistent with the provisions of Section 6 of the Act,<sup>6</sup> in general and with Section 6(b)(5) of the Act,<sup>7</sup> in particular, in that it is designed to promote just and equitable principles of trade and to protect investors and the public interest. The proposal is consistent with these obligations

<sup>4</sup> Securities Exchange Act Release No. 61345 (Jan. 13, 2010) ("NASDAQ Market Access Approval Order").

<sup>5</sup> Securities Exchange Act Release No. 61770 (Mar. 24, 2010) (SR-NASDAQ-2010-039).

<sup>6</sup> 15 U.S.C. 78f.

<sup>7</sup> 15 U.S.C. 78f(b)(5).

because market participants require additional time to comply with the new market access provisions.

#### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act, as amended.

#### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the proposed rule change: (i) Does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>8</sup> and Rule 19b-4(f)(6) thereunder.<sup>9</sup>

At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. 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

<sup>8</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>9</sup> 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has requested the Commission to waive this five-day pre-filing notice requirement. The Commission hereby grants this request.

- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NASDAQ-2010-086 on the subject line.

#### Paper Comments

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

All submissions should refer to File Number SR-NASDAQ-2010-086. This file number 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.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change 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 Web site viewing and printing 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 SR-NASDAQ-2010-086, and should be submitted on or before August 9, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>10</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. 2010-17494 Filed 7-16-10; 8:45 am]

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## SOCIAL SECURITY ADMINISTRATION

[Docket No. SSA-2010-0043]

### Occupational Information Development Advisory Panel Meeting

AGENCY: Social Security Administration (SSA).

<sup>10</sup> 17 CFR 200.30-3(a)(12).

**ACTION:** Notice of Upcoming Quarterly Panel Meeting.

**DATES:** September 1, 2010, 8:30 p.m.–5 p.m. (EST); September 2, 2010, 8:30 a.m.–11:30 a.m. (EST).

*Location:* Boston Park Plaza Hotel & Towers.

**ADDRESSES:** 50 Park Plaza at Arlington Street, Boston, MA 02116, (617) 426–2000.

*By Teleconference:* (866) 871–4318.

**SUPPLEMENTARY INFORMATION:**

*Type of meeting:* The meeting is open to the public.

*Purpose:* This discretionary Panel, established under the Federal Advisory Committee Act of 1972, as amended, shall report to the Commissioner of Social Security. The Panel will advise the Agency on the creation of an occupational information system tailored specifically for the Social Security Administration's (SSA) disability determination process and adjudicative needs. Advice and recommendations will relate to SSA's disability programs in the following areas: medical and vocational analysis of disability claims; occupational analysis, including definitions, ratings and capture of physical and mental/cognitive demands of work and other occupational information critical to SSA disability programs; data collection; use of occupational information in SSA's disability programs; and any other area(s) that would enable SSA to develop an occupational information system suited to its disability programs and improve the medical-vocational adjudication policies and processes.

*Agenda:* The Panel will meet on Wednesday, September 1, 2010, from 8:30 a.m. until 5 p.m. (EST) and Thursday, September 2, 2010, from 8:30 a.m. until 11:30 a.m. (EST).

The tentative agenda for this meeting includes: a presentation on the status of the SSA FY 2010 Occupational Information System Development (OID) project activities and the proposed integration with Panel milestones; subcommittee chair reports; individual and organizational public comment; presentations on several OID research projects currently underway; Panel discussion and deliberation; and, an administrative business meeting. SSA will post the final agenda on the Internet one week prior to the meeting at <http://www.socialsecurity.gov/oidap>.

The Panel will hear public comment during the Quarterly Meeting on Wednesday, September 1, from 1 p.m. to 2 p.m. (EST) and Thursday, September 2, from 10 a.m. to 10:30 a.m. (EST). Members of the public must reserve a

time slot—assigned on a first come, first served basis—in order to comment. In the event that scheduled public comment does not take the entire time allotted, the Panel may use any remaining time to deliberate or conduct other business.

Those interested in providing testimony in person at the meeting or via teleconference should contact the Panel staff by e-mail to [OIDAP@ssa.gov](mailto:OIDAP@ssa.gov). Individuals providing testimony are limited to a maximum five minutes; organizational representatives, a maximum of ten minutes. You may submit written testimony, no longer than five (5) pages, at any time in person or by mail, fax or e-mail to [OIDAP@ssa.gov](mailto:OIDAP@ssa.gov) for Panel consideration.

Seating is limited. Those needing special accommodation in order to attend or participate in the meeting (*e.g.*, sign language interpretation, assistive listening devices, or materials in alternative formats, such as large print or CD) should notify Debra Tidwell-Peters via e-mail to [debra.tidwell-peters@ssa.gov](mailto:debra.tidwell-peters@ssa.gov) or by telephone at 410–965–9617, no later than August 20, 2010. We will attempt to accommodate requests made but cannot guarantee availability of services. All meeting locations are barrier free.

For telephone access to the meeting on September 1 and 2, please dial toll-free to (866) 871–4318.

*Contact Information:* Records of all public Panel proceedings are maintained and available for inspection. Anyone requiring further information should contact the Panel staff at: Occupational Information Development Advisory Panel, Social Security Administration, 6401 Security Boulevard, 3–E–26 Operations, Baltimore, MD 21235–0001. Fax: 410–597–0825. E-mail to: [OIDAP@ssa.gov](mailto:OIDAP@ssa.gov). For additional information, please visit the Panel Web site at <http://www.ssa.gov/oidap>.

**Deborah A. Tidwell,**

*Designated Federal Officer, Occupational Information Development Advisory Panel.*

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**DEPARTMENT OF TRANSPORTATION**

**Research & Innovative Technology Administration**

[Docket ID Number RITA 2008–0002]

**Agency Information Collection; Activity Under OMB Review; Airline Service Quality Performance—Part 234**

**AGENCY:** Research & Innovative Technology Administration (RITA), Bureau of Transportation Statistics (BTS), DOT.

**ACTION:** Notice.

**SUMMARY:** In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstracted below is being forwarded to the Office of Management and Budget (OMB) for re-instatement of an expired collection. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on April 16, 2010 (75 FR 21716).

**DATES:** Written comments should be submitted by August 18, 2010.

**FOR FURTHER INFORMATION CONTACT:**

Bernie Stankus, Office of Airline Information, RTS–42, Room E36–303, RITA, BTS, 1200 New Jersey Avenue, SE., Washington, DC 20590–0001, Telephone Number (202) 366–4387, Fax Number (202) 366–3383 or e-mail [bernard.stankus@dot.gov](mailto:bernard.stankus@dot.gov).

Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725–17th Street, NW., Washington, DC 20503, Attention: RITA/BTS Desk Officer.

**SUPPLEMENTAL INFORMATION:**

**OMB Approval No. 2138–0041**

*Title:* Airline Service Quality Performance—Part 234.

*Form No.:* BTS Form 234.

*Type Of Review:* Re-instatement of an expired collection.

*Respondents:* Large certificated air carriers that account for at least 1 percent of domestic scheduled passenger revenues.

*Number of Respondents:* 18.

*Total Number of Annual Responses:* 216.

*Estimated Time per Response:* 20 hours.

*Total Annual Burden:* 4320 hours.