

not a toll-free number)/e-mail:
king.darrin@dol.gov.

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for the Occupational Safety and Health Administration (OSHA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202-395-7316/Fax: 202-395-6974 (these are not toll-free numbers), E-mail: OIRA_submission@omb.eop.gov within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- Evaluate 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;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Agency: Occupational Safety and Health Administration.

Type of Review: Extension without change of a previously approved collection.

Title of Collection: Design of Cave-in Protection Systems.

OMB Control Number: 1218-0137.

Agency Form Number: None.

Affected Public: Private sector—business or other for-profit.

Estimated Number of Respondents: 10,000.

Estimated Total Annual Burden Hours: 20,022.

Estimated Total Annual Costs Burden: \$815,400.

Description: Design of cave-in protection systems are needed by employers in the construction industry and OSHA compliance officers to ensure that cave-in protection systems are designed, installed, and used in a manner to protect employees adequately. See 29 CFR 1926.552. For additional information, see related

notice published at 73 FR 8374 on February 13, 2008.

Agency: Occupational Safety and Health Administration.

Type of Review: Extension without change of a previously approved collection.

Title of Collection: Subpart R Steel Erection (29 CFR 1926.750 through 1926.761).

OMB Control Number: 1218-0241.

Agency Form Number: None.

Affected Public: Private sector—business or other for-profit.

Estimated Number of Respondents: 20,787.

Estimated Total Annual Burden Hours: 30,339.

Estimated Total Annual Costs Burden: \$0.

Description: 29 CFR Subpart R requires that employees exposed to fall hazards receive specified training in the recognition and control of fall hazards and that employees are notified that building materials, components, steel structures, and fall protection equipment are safe for specific uses. For additional information, see related notice published at 73 FR 8712 on February 14, 2008.

Darrin A. King,

Acting Departmental Clearance Office.

[FR Doc. E8-11126 Filed 5-16-08; 8:45 am]

BILLING CODE 4510-26-P

LEGAL SERVICES CORPORATION

Sunshine Act Meeting of the Board of Directors

TIME AND DATE: The Board of Directors of the Legal Services Corporation will meet on May 27, 2008 via conference call. The meeting will begin at 2 p.m. (EST), and continue until conclusion of the Board's agenda.

LOCATION: 3333 K Street, NW., Washington, DC 20007, 3rd Floor Conference Center.

STATUS OF MEETING: Open. Directors will participate by telephone conference in such a manner as to enable interested members of the public to hear and identify all persons participating in the meeting. Members of the public wishing to observe the meeting may do so by joining participating staff at the location indicated above. Members of the public wishing to listen to the meeting by telephone should call toll-free 1-877-319-7301 and enter 9368278 on the key pad when prompted. To enhance the quality of your listening experience as well as that of others and to eliminate background noises that interfere with

the audio recording of the proceeding, please mute your telephone during the meeting.

MATTERS TO BE CONSIDERED:

1. Approval of the agenda.
2. Consider and act on Board of Directors' response to the Inspector General's Semiannual Report to Congress for the period of October 1, 2007 through March 31, 2008.
3. Consider and act on adoption of a resolution on the selection of a new 403(b) plan administrator for LSC.
4. Public comment.
5. Consider and act on other business.

CONTACT PERSON FOR INFORMATION:

Patricia Batie, Manager of Board Operations, at (202) 295-1500.

SPECIAL NEEDS: Upon request, meeting notices will be made available in alternate formats to accommodate visual and hearing impairments. Individuals who have a disability and need an accommodation to attend the meeting may notify Patricia Batie at (202) 295-1500.

Dated: May 19, 2008.

Victor M. Fortunato,

Vice President & General Counsel.

[FR Doc. 08-1275 Filed 5-15-08; 1:00 pm]

BILLING CODE 7050-01-P

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts; Arts Advisory Panel

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Arts Advisory Panel to the National Council on the Arts will be held by teleconference from the Nancy Hanks Center, 1100 Pennsylvania Avenue, NW., Washington, DC 20506 as follows (ending time is approximate):

Arts Education (application review): June 9, 2008. This meeting, from 12 p.m. to 5:30 p.m. DST, will be closed.

The closed portions of meetings are for the purpose of Panel review, discussion, evaluation, and recommendations on financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including information given in confidence to the agency. In accordance with the determination of the Chairman of February 28, 2008, these sessions will be closed to the public pursuant to subsection (c)(6) of section 552b of Title 5, United States Code.

Further information with reference to these meetings can be obtained from Ms.

Kathy Plowitz-Worden, Office of Guidelines & Panel Operations, National Endowment for the Arts, Washington, DC 20506, or call 202/682-5691.

Dated: May 14, 2008.

Kathy Plowitz-Worden,

*Panel Coordinator, Panel Operations,
National Endowment for the Arts.*

[FR Doc. E8-11146 Filed 5-16-08; 8:45 am]

BILLING CODE 7537-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57812; File No. SR-ISE-2008-28]

Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing of Amendment No. 1 to the Proposed Rule Change and Order Granting Accelerated Approval of Proposed Rule Change, As Modified by Amendment No. 1 Thereto, Relating to the Exposure of Public Customer Orders

May 12, 2008.

I. Introduction

On March 18, 2008, the International Securities Exchange, LLC (the "Exchange" or the "ISE") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 19b-4 thereunder,² a proposal to expose public customer orders that are not executable on the Exchange before sending an order through the intermarket linkage system (a "Linkage Order") on behalf of the public customer. The proposed rule change was published for comment in the **Federal Register** on March 31, 2008.³ The Commission received one comment letter regarding the proposal.⁴ ISE filed Amendment No. 1 to the proposed rule change on May 7, 2008.⁵

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 57551 (March 25, 2008), 73 FR 16917.

⁴ See letter from Lisa J. Fall, General Counsel, Boston Options Exchange ("BOX"), to Nancy M. Morris, Secretary, Commission, dated May 2, 2007 ("BOX Comment").

⁵ In Partial Amendment No. 1, the Exchange: (1) Amended the rule text to add subsection (e) to Supplementary Material .02 to Rule 803 to state that a "pattern or practice of submitting unrelated orders that cause an exposure period to conclude early will be deemed conduct inconsistent with just and equitable principles of trade and a violation of Rule 400 and other Exchange Rules"; and (2) confirmed that the obligation of primary market makers under existing Rule 803(c)(2)(ii) to address public customer orders that are not automatically executed because there is a better price on another exchange includes the handling of the balance of an order that initially receives a partial execution on the Exchange.

The Commission is publishing this notice to solicit comments on the proposed rule change, as modified by Amendment No. 1, from interested persons and is simultaneously approving the proposed rule change, as modified by Amendment No. 1, on an accelerated basis.

II. Description of the Proposal

As described in the proposal, the ISE will not automatically execute a customer's options order when the ISE's best bid or offer ("BBO") is inferior to the national best bid or offer ("NBBO").⁶ Under ISE Rule 803(c)(2)(ii), the primary market maker ("PMM") is obligated to address public customer orders that are not automatically executed because there is a better price on another exchange.⁷ Rule 803(c) specifies that the PMM can either execute the order or send a Linkage Order to any other exchange displaying the best price in an attempt to get the better price for the public customer.⁸ Under the current procedure, if the PMM does not execute the public customer order, it sends a Linkage Order(s) to a competing exchange(s) even though there may be other ISE market makers who would be willing to execute the public customer order at the better price.⁹

Under the proposal, before the PMM sends a Linkage Order on behalf of a public customer, the public customer order will be exposed at the NBBO price for a period established by the Exchange not to exceed one second.¹⁰ During the exposure period, Exchange market makers may enter responses up to the size of the order being exposed in the regular trading increment applicable to the option. If at the end of the exposure period, the order is executable at the then-current NBBO and ISE is not quoting at the then-current NBBO, the order will be executed against responses that equal or better the then-current NBBO.¹¹ The exposure period will be

⁶ See ISE Rule 714.

⁷ The Exchange noted in Amendment No. 1 that this obligation of the PMM to address these public customer orders includes the handling of the balance of an order that initially receives a partial execution on ISE.

⁸ ISE Rules, Chapter 19 (Intermarket Linkage Rules).

⁹ When a PMM sends a Linkage Order to another exchange, it is charged the other exchange's execution fee.

¹⁰ The Exchange will issue a Circular to inform members of the time period. The Exchange clarified in Amendment No. 1 that this exposure process will apply to the balance of an order that received a partial execution on ISE. See *supra* note 7.

¹¹ Executions will be allocated pro-rata based on size (*i.e.*, the percentage of the total number of contracts available at the same price that is

terminated if the exposed order becomes executable on the ISE at the prevailing NBBO or if the Exchange receives an unrelated order that could trade against the exposed order at the prevailing NBBO price.¹² If, after an order is exposed, the order cannot be executed in full on the Exchange at the then-current NBBO or better, and it is marketable against the then-current NBBO, the PMM will send a Linkage Order on the customer's behalf for the balance of the order as provided in Rule 803(c)(2)(ii). If the balance of the order is not marketable against the then-current NBBO, it will be placed on the ISE book.

Immediate-or-cancel orders are cancelled if they cannot be executed on the ISE upon entry. Therefore, such orders are not handled by the PMM under Rule 803(c)(2)(ii) and will not be exposed under this proposal.

The Commission received one comment letter regarding the proposed rule change.¹³ The commenter believes that ISE's proposal is not consistent with Rule 602 of Regulation NMS ("Quote Rule"),¹⁴ which "requires a responsible broker-dealer to execute an order at its quote when that order is presented."¹⁵ Specifically, the commenter believes that, if a PMM or CMM is at the ISE best bid or offer on the opposite side of the market at the time the public customer order is received, that public customer order has been "presented" to the PMM or CMM under the Quote Rule.¹⁶ As a result, the commenter concludes that the proposal is inconsistent with the Quote Rule because it would permit public customer orders to be executed after the exposure period at a price or size inferior to the price or size on ISE at order presentment.¹⁷ The commenter also requests clarification of the handling of the balance of a public customer order, a portion of which is automatically executed on ISE at the NBBO. In that scenario, the commenter was unclear whether the balance of the order would be routed as Linkage Orders or handled under the proposed exposure period. In this regard, ISE

represented by the size of a market maker's response).

¹² The order will be executed against orders and quotes on the book and responses received during the exposure period in price priority. At the same price, customer orders will be executed first in time priority and then all other interest (orders, quotes and responses) will be allocated pro-rata based on size.

¹³ See BOX Comment, *supra* note 4.

¹⁴ 17 CFR 242.602.

¹⁵ See BOX Comment, *supra* note 4, at 2.

¹⁶ See generally BOX Comment, *supra* note 4, at 2 to 6.

¹⁷ *Id* at 6.