

**DEPARTMENT OF JUSTICE****Parole Commission****Record of Vote of Meeting Closure  
(Pub. L. 94-409) (5 U.S.C. 552b)**

I, Cranston J. Mitchell of the United States Parole Commission, was present at a meeting of said Commission, which started at approximately 11:30 a.m., on Thursday, August 14, 2008, at the U.S. Parole Commission, 5550 Friendship Boulevard, 4th Floor, Chevy Chase, Maryland 20815. The purpose of the meeting was to decide one petition for reconsideration pursuant to 28 CFR 2.27. Four Commissioners were present, constituting a quorum when the vote to close the meeting was submitted.

Public announcement further describing the subject matter of the meeting and certifications of General Counsel that this meeting may be closed by vote of the Commissioners present were submitted to the Commissioners prior to the conduct of any other business. Upon motion duly made, seconded, and carried, the following Commissioners voted that the meeting be closed: Edward F. Reilly, Jr., Cranston J. Mitchell, Isaac Fulwood, Jr. and Patricia K. Cushwa.

*In witness whereof*, I make this official record of the vote taken to close this meeting and authorize this record to be made available to the public.

Dated: August 18, 2008.

**Cranston J. Mitchell,**

*Vice Chairman, U.S. Parole Commission.*

[FR Doc. E8-19847 Filed 8-27-08; 8:45 am]

**BILLING CODE 4410-01-M**

**DEPARTMENT OF LABOR****Mine Safety and Health Administration****Notice of Affirmative Decisions on  
Petitions for Modification Granted in  
Whole or in Part**

**AGENCY:** Mine Safety and Health Administration (MSHA), Labor.

**ACTION:** Notice of Affirmative Decisions on Petitions for Modification Granted in Whole or in Part.

**SUMMARY:** The Mine Safety and Health Administration (MSHA) enforces mine operator compliance with mandatory safety and health standards that protect miners and improve safety and health conditions in U.S. Mines. This **Federal Register** Notice (FR Notice) notifies the public that it has investigated and issued a final decision on certain mine operator petitions to modify a safety standard.

**ADDRESSES:** Copies of the final decisions are posted on MSHA's Web site at <http://www.msha.gov/indexes/petition.htm>. The public may inspect the petitions and final decisions during normal business hours in MSHA's Office of Standards, Regulations, and Variances, 1100 Wilson Boulevard, Room 2349, Arlington, Virginia 22209. All visitors must first stop at the receptionist desk on the 21st Floor to sign-in.

**FOR FURTHER INFORMATION CONTACT:** Lawrence D. Reynolds, Acting Deputy Director, Office of Standards, Regulations, and Variances at 202-693-9449 (Voice), [reynolds.lawrence@dol.gov](mailto:reynolds.lawrence@dol.gov) (E-mail), or 202-693-9441 (Telefax), or Barbara Barron at 202-693-9447 (Voice), [barron.barbara@dol.gov](mailto:barron.barbara@dol.gov) (E-mail), or 202-693-9441 (Telefax). [These are not toll-free numbers.]

**SUPPLEMENTARY INFORMATION:****I. Introduction**

Under section 101 of the Federal Mine Safety and Health Act of 1977, a mine operator may petition and the Secretary of Labor (Secretary) may modify the application of a mandatory safety standard to that mine if the Secretary determines that: (1) an alternative method exists that will guarantee no less protection for the miners affected than that provided by the standard; or (2) that the application of the standard will result in a diminution of safety to the affected miners.

MSHA bases the final decision on the petitioner's statements, any comments and information submitted by interested persons, and a field investigation of the conditions at the mine. In some instances, MSHA may approve a petition for modification on the condition that the mine operator complies with other requirements noted in the decision.

**II. Granted Petitions for Modification**

On the basis of the findings of MSHA's investigation, and as designee of the Secretary, MSHA has granted or partially granted the following petitions for modification:

- *Docket Number:* M-2007-066-C.

*FR Notice:* 72 FR 70351 (December 11, 2007).

*Petitioner:* Knight Hawk Coal, LLC, 501 Barwick Road, Elkville, Illinois 62932.

*Mine:* Royal Falcon Mine, MSHA I.D. No. 11-03162, located in Jackson County, Illinois.

*Regulation Affected:* 30 CFR 75.503 (Permissible electric face equipment) and 30 CFR 18.35 (Portable (trailing) cables and cords).

- *Docket Number:* M-2007-071-C.  
*FR Notice:* 73 FR 4638 (January 25, 2008).

*Petitioner:* Independence Coal Company, HC 78, Box 1800, Madison, West Virginia 25130.

*Mine:* Allegiance Mine, MSHA I.D. No. 46-08735, located in Boone County, West Virginia.

*Regulation Affected:* 30 CFR 75.1002 (Installation of electric equipment and conductors; permissibility).

**Lawrence D. Reynolds,**

*Acting Deputy Director, Office of Standards, Regulations, and Variances.*

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**SECURITIES AND EXCHANGE  
COMMISSION**

[Release No. 34-58415; File No. PCAOB-2008-03]

**Public Company Accounting Oversight Board; Order Approving Proposed Ethics and Independence Rule 3526, Communication With Audit Committees Concerning Independence, Amendment to Interim Independence Standards, and Amendment to Rule 3523, Tax Services for Persons in Financial Reporting Oversight Roles**

August 22, 2008.

**I. Introduction**

On April 24, 2008, the Public Company Accounting Oversight Board (the "Board" or the "PCAOB") filed with the Securities and Exchange Commission (the "SEC" or "Commission") proposed rule changes (PCAOB-2008-03) pursuant to Section 107(b) of the Sarbanes-Oxley Act of 2002 (the "Act"), relating to the Board's Ethics and Independence Rules. Notice of the proposed rule changes was published in the **Federal Register** on July 14, 2008.<sup>1</sup> The Commission received three comment letters relating to the proposed rule changes. For the reasons discussed below, the Commission is granting approval of the proposed rule changes.

**II. Description of Proposed Rule Changes**

Section 103(a) of the Act directs the PCAOB to establish auditing and related attestation standards, quality control standards, and ethics standards to be used by registered public accounting firms in the preparation and issuance of

<sup>1</sup> See SEC Release No. 34-58121 (Jul. 9, 2008); 73 FR 40418 (Jul. 14, 2008).