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Writer-Editor.

[FR Doc. E8-23831 Filed 10-7-08; 8:45 am]

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978 (Pub. L. 95-541)

**AGENCY:** National Science Foundation.

**ACTION:** Notice of Permit Applications Received Under the Antarctic Conservation Act of 1978, Pub. L. 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permit applications received to conduct activities regulated under the Antarctic Conservation Act of 1978. NSF has published regulations under the Antarctic Conservation Act at Title 45 Part 670 of the Code of Federal Regulations. This is the required notice of permit applications received.

**DATES:** Interested parties are invited to submit written data, comments, or views with respect to this permit application by November 7, 2008. This application may be inspected by interested parties at the Permit Office, address below.

**ADDRESSES:** Comments should be addressed to Permit Office, Room 755, Office of Polar Programs, National Science Foundation, 4201 Wilson Boulevard, Arlington, Virginia 22230.

**FOR FURTHER INFORMATION CONTACT:** Nadene G. Kennedy at the above address or (703) 292-7405.

**SUPPLEMENTARY INFORMATION:** The National Science Foundation, as directed by the Antarctic Conservation Act of 1978 (Pub. L. 95-541), as amended by the Antarctic Science, Tourism and Conservation Act of 1996, has developed regulations for the establishment of a permit system for various activities in Antarctica and designation of certain animals and certain geographic areas requiring special protection. The regulations establish such a permit system to designate Antarctic Specially Protected Areas.

The applications received are as follows:

#### Permit Application No. 2009-020

1. *Applicant:* Mary Miller, Exploratorium, 3601 Lyon Street, San Francisco, CA 94123.

### Activity for Which Permit Is Requested

Enter Antarctic Specially Protected Areas (ASPAs). The applicant is a participant in the USAP Artists and Writer's Program and plans to visit penguin rookeries (ASPA 124—Cape Crozier and ASPA 121—Cape Royds) and the historic huts (ASPA 157—Backdoor Bay, Cape Royds and ASPA 158 Hut Point, Ross Island) in order to take photographs and video for "Ice Stories: Dispatches from Polar Scientists" an education and public outreach project.

### Location

McMurdo Sound region, Antarctica.

### Dates

December 1, 2008 to January 7, 2009.

**Nadene G. Kennedy,**

*Permit Officer, Office of Polar Programs.*

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## NATIONAL SCIENCE FOUNDATION

### Notice of Permits Issued Under the Antarctic Conservation Act of 1978

**AGENCY:** National Science Foundation.

**ACTION:** Notice of permits issued under the Antarctic Conservation Act of 1978, Public Law 95-541.

**SUMMARY:** The National Science Foundation (NSF) is required to publish notice of permits issued under the Antarctic Conservation Act of 1978. This is the required notice.

#### FOR FURTHER INFORMATION CONTACT:

Nadene G. Kennedy, Permit Office, Office of Polar Programs, Rm. 755, National Science Foundation, 4201 Wilson Boulevard, Arlington, VA 22230.

**SUPPLEMENTARY INFORMATION:** On August 22, 2008, the National Science Foundation published a notice in the **Federal Register** of permit applications received. Permits were issued on September 26, 2008 to:

Lisa K. Blatt, Permit No. 2009-010.

Hubertus Staudigel, Permit No. 2009-016.

Cheryl E. Leonard, Permit No. 2009-017.

Mahlon C. Kennicutt, II, Permit No. 2009-018.

**Nadene G. Kennedy,**

*Permit Officer.*

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## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

*Upon Written Request, Copies Available From:* Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

#### Extension:

Form 20-F, OMB Control No. 3235-0288, SEC File No. 270-156.

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 collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for extension and approval.

Form 20-F (17 CFR 249.220f) is used by foreign private issuers to either register a class of securities under the Securities Exchange Act of 1934 pursuant to Section 12(b) or 12(g) (15 U.S.C. 78l(b) or 78l(g)) (Exchange Act) or to satisfy their annual report obligation pursuant to Section 13 or 15(d) of the Exchange Act (15 U.S.C. 78m and 78o(d)). The information collected is intended to enable investors in foreign private issuers to make informed investment decisions. Form 20-F takes approximately 2,611 hours per response to prepare and is filed by 942 foreign private issuers annually. We estimate that 25% of the 2,611 hours per response (652.75 hours) is prepared by the issuer for an annual reporting burden of 614,891 hours (652.75 hours per response x 942 responses). The remaining 75% of the burden hours is prepared by outside counsel.

Written comments are invited on: (a) 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; (b) the accuracy of the agency's estimate of the burden imposed by 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 Lewis W. Walker, Acting 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: October 1, 2008.

**Florence E. Harmon,**

*Acting Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Securities Exchange Act of 1934 Release No. 58724/October 2, 2008]

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

Pursuant to Section 12(k)(2) of the Securities Exchange Act of 1934 ("Exchange Act"),<sup>1</sup> on September 18, 2008, the Securities and Exchange Commission ("Commission") issued an Emergency Order,<sup>2</sup> as amended on September 21, 2008 (the "Order"),<sup>3</sup> requiring institutional investment managers to report short sales of certain publicly traded securities. That Order took effect on September 22, 2008, and required the filing of a Form SH on September 29, 2008. The Order is currently set to terminate on October 2, 2008.

Pursuant to its authority under Section 12(k)(2)(C) of the Exchange Act, the Commission is extending the Order. Section 12(k)(2)(C) authorizes the Commission to extend an emergency order issued pursuant to Section 12(k)(2)(A) of the Exchange Act for a total effective period of up to 30 calendar days, if the Commission finds that the emergency still exists and determines that an extension is necessary in the public interest and for the protection of investors to maintain fair and orderly securities markets. As a result of the extension, Forms SH shall be required to be filed on October 6, 2008, and October 14, 2008.<sup>4</sup> The Commission is also making technical amendments to Form SH and its accompanying Instructions.

The Commission continues to be concerned about the potential for

sudden and excessive fluctuations of securities prices and disruption in the functioning of the securities markets that could threaten fair and orderly markets. The Commission also continues to believe that some persons may take advantage of issuers that have become temporarily weakened by current market conditions to engage in inappropriate short selling in the securities of such issuers. Therefore, the Commission has concluded that it remains necessary to require certain institutional investment managers to report information concerning short sales of securities. Accordingly, the Commission has determined that extending the Order is necessary in the public interest and for the protection of investors to maintain fair and orderly securities markets.

The Commission believes that the nonpublic submission of Form SH may help prevent artificial volatility in securities as well as further downward swings that are caused by short selling, while at the same time, providing the Commission with useful information to combat market manipulation that threatens investors and capital markets. Also, the Commission has considered further the reasons to maintain the information as nonpublic in the current market environment, and is concerned that publicly available Form SH data could give rise to additional, imitative short selling that was not intended by the Commission's Order. Accordingly, the Commission has determined that Forms SH filed under the Order including those that were due on September 29, 2008, will remain nonpublic to the extent permitted by law without the filer needing to submit a confidential treatment request.

Therefore, it is ordered, pursuant to Section 12(k)(2)(C) of the Exchange Act, that the Order is extended such that it will terminate at 11:59 p.m. EDT on Friday, October 17, 2008.

By the Commission.

**Florence E. Harmon,**

*Acting Secretary.*

**Form SH—Information Required of Institutional Investment Managers Pursuant to Emergency Order, Securities Exchange Act of 1934 Release No. 58591a, September 21, 2008, and Emergency Order, Securities Exchange Act of 1934 Release No. 58724, October 2, 2008**

#### General Instructions

1. *Rule as to Use of Form SH.* Institutional investment managers ("Managers") must use Form SH for reports to the Commission required by the Commission's Emergency Order, Securities Exchange Act of 1934 Release No. 58591A, September 21, 2008, and Emergency Order, Securities Exchange

Act Release No. 58724, dated October 2, 2008 (together, the "Form SH Emergency Orders"). The Form SH Emergency Orders provide that every Manager that exercises investment discretion with respect to accounts holding section 13(f) securities, as defined in rule 13f-1(c) under the Securities Exchange Act of 1934 [15 U.S.C. 78m(f)] ("Exchange Act"), who has filed or was required to file a Form 13F for the calendar quarter ended June 30, 2008, must file a non-public report on Form SH with the Commission to report certain information about short sales and short positions. The non-public Form SH filing must be made on the Monday (or, if Monday is a federal holiday, the first business day thereafter) of each calendar week immediately following a Form SH reporting period (i.e., the preceding Sunday-Saturday calendar week) in which the Manager has entered into any new short positions with respect to any section 13(f) securities except for any short position(s) for options ("SH Short Positions"). The non-public Form SH will report SH Short Positions for the Sunday-Saturday calendar week that precedes the date on which the Form SH is due to be filed.

#### 2. Rules to Prevent Duplicative Reporting.

If two or more Managers, each of which is required by the Form SH Emergency Orders to file a report on Form SH for the reporting period, exercise investment discretion with respect to the same securities, only one such Manager must include information in its reports on Form SH.

A Manager having information that is required by the Form SH Emergency Orders to be reported on Form SH, and such information is reported by another Manager (or Managers), such Manager must identify the Manager(s) reporting on its behalf in the manner described in Special Instruction 6.

3. *Filing of Form SH.* A Form SH report that is filed by a Manager with the Commission shall be non-public upon filing. A Manager must label its Form SH as non-public by adding the phrase NON-PUBLIC (in bold and capital letters) at the top and bottom of each page of the entire form, i.e., each page(s) of the Form SH Cover Page (the "Cover Page"), the Form SH Summary Page (the "Summary Page"), and the Form SH Information Table (the "Information Table").

A Manager must file a Form SH report with the Commission on or before 5:30 p.m. Eastern Daylight Time on the Monday (or, if Monday is a federal holiday, the first business day thereafter) of each week immediately following the preceding seven calendar day period in which the Manager has entered into any new SH Short Position(s). The Form SH must be filed electronically using the Commission's EDGAR system.

#### 4. Official List of Section 13(f) Securities.

The official list of section 13(f) securities published by the Commission (the "13F List") lists the securities the holdings of which a Manager is to report on Form 13F. See rule 13f-1(c) [17 CFR 240.13f-1(c)]. Form SH filers may rely on the current 13F List in determining whether they need to report on Form SH information about any particular equity security, excluding short positions for options that are on the 13F List. The 13F List

<sup>1</sup> 15 U.S.C. 78j(k)(2).

<sup>2</sup> See Exchange Act Release No. 58591 (September 18, 2008).

<sup>3</sup> See Exchange Act Release No. 58591A (September 21, 2008).

<sup>4</sup> These reports must be filed electronically using the Commission's EDGAR system.