

oversight mechanisms in place to ensure fair and orderly markets and the protection of investors with respect to UTP in any security.

Prior Commission Determination Under 5 U.S.C. 601: A Final Regulatory Flexibility Analysis was prepared in accordance with 5 U.S.C. 604 in conjunction with the adoption of Release No. 34–35637, which was approved by the Commission on April 21, 1995. Comments to the proposing release and Initial Regulatory Flexibility Analysis were considered at that time.

Office of General Counsel

Title: Rules of Practice.

Citation: 17 CFR Parts 200 and 201.

Authority: 5 U.S.C. 551, 554, 556, and 557.

Description: The Commission comprehensively revisited its Rules of Practice (“Rules”), the procedural rules that govern Commission administrative proceedings. The proceedings include enforcement proceedings initiated by the Commission and review of disciplinary proceedings brought by self-regulatory organizations. They also cover administrative temporary cease-and-desist and disgorgement orders. The Rules implemented revised procedures for the conduct of hearings, including simplified service of orders instituting proceeding, expanded use of prehearing conferences, codification of policies on the availability of certain investigation files to respondents in enforcement and disciplinary proceedings, issuance of subpoenas returnable prior to hearing and the consideration by administrative law judges of dispositive motions prior to hearing.

Prior Commission Determination Under 5 U.S.C. 601: A Final Regulatory Flexibility Analysis was prepared in accordance with 5 U.S.C. 604 in conjunction with the adoption of Release No. 34–35833, which was approved by the Commission on June 9, 1995. The Commission received no comments on the Initial Regulatory Flexibility Analysis.

Office of the Chief Accountant

Title: Amendments to Rule 102(e): Appearance and practice before the Commission.

Citation: 17 CFR 201.102.

Authority: 15 U.S.C. 78a *et seq.*

Description: These amendments to the Commission’s Rules of Practice clarify the Commission’s standard for determining when accountants engage in “improper professional conduct” such that the Commission can censure, suspend or bar accountants who appear and practice before it.

Prior Commission Determination Under 5 U.S.C. 601: A Final Regulatory Flexibility Analysis was prepared in accordance with 5 U.S.C. 604 in conjunction with the adoption of Release No. 34–40567, which was approved by the Commission on October 19, 1998. Comments to the proposing release and Initial Regulatory Flexibility analysis were considered at that time.

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Title: Rule 10A–1: Notice to the Commission pursuant to Section 10A of the Exchange Act.

Citation: 17 CFR 240.10A–1.

Authority: 15 U.S.C. 78a *et seq.*

Description: These rules are designed to implement the reporting requirements in Section 10A of the Securities Exchange Act of 1934.

Prior Commission Determination Under 5 U.S.C. 601: A Final Regulatory Flexibility Analysis was prepared in accordance with 5 U.S.C. 604 in conjunction with the adoption of Release No. 34–38387, which was approved by the Commission on March 12, 1997. Comments to the proposing release and Initial Regulatory Flexibility analysis were considered at that time.

The Commission invites public comment on both the list and on the rules to be reviewed.

By the Commission.

Dated: January 14, 2009.

Elizabeth M. Murphy,
Secretary.

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DEPARTMENT OF THE INTERIOR

National Indian Gaming Commission

25 CFR Parts 502, 514, 531, 533, 535, 537, 539, 556, 558, 571, and 573

Amendments to Various National Indian Gaming Commission Regulations

AGENCY: National Indian Gaming Commission, Interior.

ACTION: Notice of extension of comment period.

SUMMARY: The National Indian Gaming Commission (“NIGC”) announces the extension of the comment period on the proposed rule concerning various amendments to the National Indian Gaming Commission regulations. The proposed rule was published in the **Federal Register** on December 22, 2008 (73 FR 78242). The NIGC is extending the comment period to March 9, 2009.

DATES: Submit comments on the proposed various amendments to the National Indian Gaming Commission regulations on or before March 9, 2009.

ADDRESSES: Comments can be faxed, mailed, or e-mailed. Mail comments to “Comments on Administrative Regulations,” National Indian Gaming Commission, 1441 L St., NW., Washington, DC 20005, Attn: Rebecca Chapman, Office of General Counsel. Comments may be faxed to 202–632–7066 (not a toll-free number). Comments may be sent electronically to adminregs@nigc.gov. Comments may also be submitted through the Federal eRulemaking portal at www.regulations.gov.

FOR FURTHER INFORMATION CONTACT: Rebecca Chapman, Staff Attorney, Office of General Counsel, at (202) 632–7003; fax (202) 632–7066 (not toll-free numbers).

SUPPLEMENTARY INFORMATION: Congress established the National Indian Gaming Commission under the Indian Gaming Regulatory Act of 1988 (25 U.S.C. 2701–21) (“IGRA”) to regulate gaming on Indian lands. The NIGC issued a proposed rule updating various NIGC regulations and streamlining procedures. The NIGC then published it in the **Federal Register** on December 22, 2008 (73 FR 78242). The proposed rule provided for public comments to be submitted by February 5, 2009. The NIGC is extending the comment period to March 9, 2009. Comments should be submitted on or before that date.

Dated: January 14, 2009.

Philip N. Hogen,

Chairman, National Indian Gaming Commission.

Norman H. DesRosiers,

Vice Chairman, National Indian Gaming Commission.

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DEPARTMENT OF LABOR

Occupational Safety and Health Administration

29 CFR Part 1926

[Docket No. OSHA–2007–0066]

RIN 1218–AC01

Cranes and Derricks in Construction

AGENCY: Occupational Safety and Health Administration (OSHA), Labor.

ACTION: Proposed rule; notice of hearing.

SUMMARY: OSHA is convening an informal public hearing to receive