

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-59943; File No. SR-ISE-2009-28]

### Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to the Extension of a Pilot Program for Directed Orders

May 20, 2009.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Exchange Act” or “Act”),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on May 13, 2009, the International Securities Exchange, LLC (“ISE” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I, II, and III below, which items have been prepared by the ISE. The proposed rule change has been filed by the ISE as effecting a change in an existing order-entry or trading system pursuant to Section 19(b)(3)(A) of the Act,<sup>3</sup> and Rule 19b-4(f)(5) thereunder,<sup>4</sup> which renders the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The ISE is proposing to extend the pilot period for the system change that identifies to a Directed Market Maker (“DMM”) the identity of the firm entering a Directed Order until November 30, 2009.

#### 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 self-regulatory organization 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 self-regulatory organization 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 5, 2006, the ISE initiated a system change to identify to a DMM the identity of the firm entering a Directed Order. The ISE filed this system change on a pilot basis under Section 19(b)(3)(A) of the Exchange Act of 1934 (the “Exchange Act”) and Rule 19-4(f)(5) thereunder<sup>5</sup> so that it would be effective while the Commission considered a separate proposed rule change filed under Section 19(b)(2) of the Exchange Act to amend the ISE’s rules to reflect the system change on a permanent basis (the “Permanent Rule Change”).<sup>6</sup> The current pilot expires on May 29, 2009,<sup>7</sup> but the Commission has not yet taken action with respect to the Permanent Rule Change. Accordingly, the Exchange proposes to extend the pilot for an additional six months, until November 30, 2009, so that the system change will remain in effect while the Commission continues to evaluate the Permanent Rule Change.<sup>8</sup>

##### 2. Statutory Basis

The basis under the Exchange Act is found in Section 6(b)(5), in that the proposed rule change is designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest. Extension of the pilot program will allow the Exchange to continue operating under the pilot while the Commission considers the Permanent Rule Change.

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

The proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Exchange Act.

<sup>5</sup> Exchange Act Release No. 53104 (Jan. 11, 2006), 71 FR 2142 (Jan. 19, 2006) (Notice of Filing and Immediate Effectiveness of SR-ISE-2006-02).

<sup>6</sup> Exchange Act Release No. 53103 (Jan. 11, 2006), 71 FR 3144 (Jan. 19, 2006) (Notice of Filing of SR-ISE-2006-01).

<sup>7</sup> Exchange Act Release No. 59276 (January 22, 2009), 74 FR 5007 (January 28, 2009) (Notice of Filing and Immediate Effectiveness of SR-ISE-2009-02).

<sup>8</sup> The ISE anticipated that extension of the pilot might be necessary and included this in the filing for the initial pilot. See *supra* note 5, at footnote 5.

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

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any written comments from members or other interested parties.

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

The proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Exchange Act<sup>9</sup> and Rule 19b-4(f)(5)<sup>10</sup> thereunder. At any time within 60 days of the filing of such 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 Exchange 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 Exchange 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
- Send an E-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-ISE-2009-28 in the subject line.

##### Paper Comments

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

All submissions should refer to File Number SR-ISE-2009-28. 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 Commissions 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

<sup>9</sup> 5 U.S.C. 78s(b)(3)(A).

<sup>10</sup> 7 CFR 240.19b-4(f)(5).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 7 CFR 240.19b-4.

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

<sup>4</sup> 17 CFR 240.19b-4(f)(5).

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 inspection and copying in the Commission's Public Reference Room. Copies of such filing also will be available for inspection and copying at the principal office of the ISE. 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-ISE-2009-28 and should be submitted by June 17, 2009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>11</sup>

**Florence E. Harmon,**  
*Deputy Secretary.*

[FR Doc. E9-12216 Filed 5-26-09; 8:45 am]

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## DEPARTMENT OF STATE

[Public Notice 6625]

### Title: Shipping Coordinating Committee Meeting

The Shipping Coordinating Committee (SHC) will conduct an open meeting at 9:30 a.m. on Friday, June 26th, 2008, in Room 4202 of the United States Coast Guard Headquarters Building, 2100 2nd Street, SW., Washington, DC 20593. The purpose of the meeting is to prepare for the 59th Session of the International Maritime Organization (IMO) Marine Environment Protection Committee (MEPC 59) to be held at the IMO's London headquarters from July 13-17, 2009. The primary matters to be discussed at MEPC 59 include:

- Harmful aquatic organisms in ballast water;
- Recycling of ships;
- Prevention of air pollution from ships;
- Consideration and adoption of amendments to mandatory instruments;
- Interpretations of, and amendments to, MARPOL and related instruments;
- Implementation of the International Convention on Oil Pollution Preparedness, Response and Cooperation (OPRC) and the OPRC-Hazardous and Noxious Substances Protocol and relevant conference resolutions;

- Identification and protection of Special Areas and Particularly Sensitive Sea Areas;
- Inadequacy of reception facilities;
- Reports of sub-committees;
- Work of other bodies;
- Status of conventions;
- Harmful anti-fouling systems for ships;
- Promotion of implementation and enforcement of MARPOL and related Instruments;
- Technical Cooperation Sub-program for the Protection of the Marine Environment;
- Role of the human element;
- Formal safety assessment;
- Development of a guidance document for minimizing the risk of ship strikes with Cetaceans;
- Noise from commercial shipping and its adverse impacts on marine life;
- Work program of the Committee and subsidiary bodies;
- Application of the Committees' Guidelines; and
- Election of MEPC Chairman and Vice-Chairman for 2010.

Members of the public may attend the June 26th meeting of the SHC up to the seating capacity of the room. Due to security considerations, two valid, government-issued photo identification documents must be presented to gain entrance to the building. The Coast Guard Headquarters building is accessible by taxi and privately owned conveyance. Please note that parking in the vicinity of the building is extremely limited and that public transportation is not generally available. To facilitate attendance to this meeting of the SHC, those who plan to attend should contact the meeting coordinator, Lieutenant Commander Brian Moore—not later than 9:30 a.m. on Tuesday, June 23, 2009—by e-mail at [brian.e.moore@uscg.mil](mailto:brian.e.moore@uscg.mil); by phone at (202) 372-1434; or by writing to Commandant (CG-5224), U.S. Coast Guard Headquarters, 2100 Second Street, SW., Room 1601, Washington, DC 20593-0001.

Printed copies of documents associated with MEPC 59 will not be provided at this meeting. To request documents in electronic format (via e-mail or CD-ROM), please write to the address provided below, or request documents via the following Internet link: <http://www.uscg.mil/hq/cg5/cg522/cg5224/imomepc.asp>. Additional information regarding this and other SHC public meetings and associated IMO meetings may be found at [www.uscg.mil/imo](http://www.uscg.mil/imo).

Dated: May 18, 2009.

**Mark Skolnicki,**

*Executive Secretary, Shipping Coordinating Committee, Department of State.*

[FR Doc. E9-12302 Filed 5-26-09; 8:45 am]

BILLING CODE 4710-09-P

## DEPARTMENT OF STATE

[Public Notice 6626]

### Shipping Coordinating Committee Meeting

*Title:* Shipping Coordinating Committee Meeting.

The Shipping Coordinating Committee (SHC) will conduct an open meeting at 9:30 a.m. on Wednesday, July 8, 2009, in Room 6103 of the United States Coast Guard Headquarters Building, 2100 Second Street, SW., Washington, DC 20593. The purpose of the meeting is to prepare for the fifty-fifth Session of the International Maritime Organization (IMO) Sub-committee on Safety of Navigation (NAV 55) to be held at the IMO's London headquarters, from July 27 to July 31, 2009. The primary matters to be considered at NAV 55 include:

- Routing of ships, ship reporting and related matters;
- Development of guidelines for integrated bridge systems (IBS), including performance standards for bridge alert management;
- Guidelines for consideration of requests for safety zones larger than 500 meters around artificial islands, installations and structures in the EEZ;
- Amendments to the Performance standards for Voyage Data Recorders (VDR) and Simplified VDR (S-VDR);
- Development of procedures for updating shipborne navigation and communications equipment;
- International Telecommunication Union (ITU) matters, including Radiocommunication ITU-R Study Group 8;
- Code of conduct during demonstrations/campaigns against ships on high seas;
- Measures to minimize incorrect data transmissions by automatic identification system (AIS) equipment;
- Development of an e-navigation strategy implementation plan;
- Guidelines on the layout and ergonomic design of safety centers on passenger ships;
- Review of vague expressions in the International Convention for the Safety of Life at Sea (SOLAS) regulation V/22;

<sup>11</sup> 7 CFR 200.30-3(a)(12).