

as the Commission may designate, if consistent with the protection of investors and the public interest, it has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>12</sup> and Rule 19b-4(f)(6)(iii) thereunder.<sup>13</sup>

At any time within 60 days of the filing of the 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 Act.

Normally, a proposed rule change filed under 19b-4(f)(6) may not become operative prior to 30 days after the date of filing. However, Rule 19b-4(f)(6)(iii)<sup>14</sup> permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. Nasdaq has requested that the Commission waive the 30-day operative delay. In its filing, Nasdaq requested the waiver in order to provide immediate clarity to its rules and to eliminate any disparity between its rules and those of other exchanges with similar exemptions that have been previously approved by the Commission.

The Commission believes that waiver of the 30-day operative period is consistent with the protection of investors and the public interest. The proposed rule change will clarify an ambiguity in Nasdaq's rules, which should benefit investors, Nasdaq members, and regulators. In addition, the Commission notes that, as Nasdaq has pointed out, the changes proposed in this filing would conform certain of Nasdaq's corporate governance standards to those of other exchanges.<sup>15</sup> Accordingly, the Commission designates the proposal to be operative upon filing with the Commission.<sup>16</sup>

#### 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 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-NASDAQ-2010-036 on the subject line.

##### *Paper Comments*

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

All submissions should refer to File Number SR-NASDAQ-2010-036. 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 Commission's 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 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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549-1090 on official business days between the hours of 10 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. 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-NASDAQ-2010-036 and should be submitted on or before April 19, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>17</sup>

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

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<sup>17</sup> 17 CFR 200.30-3(a)(12).

## DEPARTMENT OF STATE

### Bureau of Diplomatic Security, Office of Foreign Missions

[Public Notice: 6932]

#### Notice of Request for Public Comments; 60-Day Notice of Proposed Information Collection: Forms DS-4138, Request for Escort Screening Courtesies; DS-4139, Photograph and Signature Card; & DS-4140, Application for OFM Web Site Account; Foreign Diplomatic Services Applications, OMB Collection Number 1405-0105

**ACTION:** Notice of request for public comments.

**SUMMARY:** The Department of State is seeking Office of Management and Budget (OMB) approval for the information collection described below. The purpose of this notice is to allow 60 days for public comment in the **Federal Register** preceding submission to OMB. We are conducting this process in accordance with the Paperwork Reduction Act of 1995.

- *Title of Information Collection:* Request for Escort Screening Courtesies.
- *OMB Control Number:* 1405-0105.
- *Type of Request:* Revision of Currently Approved Collection.
- *Originating Office:* Diplomatic Security/Office of Foreign Missions (DS/OFM).
- *Form Numbers:* DS-4138.
- *Respondents:* Foreign government representatives assigned to the United States.
- *Estimated Number of Respondents:* 350 missions.
- *Estimated Number of Responses:* 3,000 responses.
- *Average Hours per Response:* 10 minutes.
- *Total Estimated Burden:* 500 hours divided among the missions.
- *Frequency:* On occasion.
- *Obligation to Respond:* Required to obtain or retain a benefit.
- *Title of Information Collection:* Photograph and Signature Card.
- *OMB Control Number:* 1405-0105.
- *Type of Request:* Revision of Currently Approved Collection.
- *Originating Office:* Diplomatic Security/Office of Foreign Missions (DS/OFM).
- *Form Number:* DS-4139.
- *Respondents:* Foreign government representatives assigned to the United States.
- *Estimated Number of Respondents:* 350 missions.
- *Estimated Number of Responses:* 18,000 forms per year.

<sup>12</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>13</sup> 17 CFR 240.19b-4(f)(6)(iii). In addition, Rule 19b-4(f)(6)(iii) requires that a self-regulatory organization submit to the Commission written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Commission notes that Nasdaq satisfied the five-day pre-filing notice requirement.

<sup>14</sup> 17 CFR 240.19b-4(f)(6)(iii).

<sup>15</sup> See *supra*, note 9.

<sup>16</sup> For the purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

- *Average Hours per Response*: 10 minutes.
- *Total Estimated Burden*: 3,000 hours divided among the missions.
- *Frequency*: On occasion.
- *Obligation to Respond*: Required to obtain or retain a benefit.
- *Title of Information Collection*: Application for OFM Web site Account.
- *OMB Control Number*: 1405–0105.
- *Type of Request*: Revision of Currently Approved Collection.
- *Originating Office*: Diplomatic Security/Office of Foreign Missions (DS/OFM).
- *Form Numbers*: DS–4140.
- *Respondents*: Foreign government representatives assigned to the United States.
- *Estimated Number of Respondents*: 350 missions.
- *Estimated Number of Responses*: 456 responses.
- *Average Hours per Response*: 10 minutes.
- *Total Estimated Burden*: 76 hours divided among the missions.
- *Frequency*: On occasion.
- *Obligation to Respond*: Required to obtain or retain a benefit.

**DATES:** The Department will accept comments from the public up to 60 days from date of publication in the **Federal Register**.

**ADDRESSES:** You may submit comments by either of the following methods:

- *E-mail*: [OFMInfo@state.gov](mailto:OFMInfo@state.gov).
- *Mail*: U.S. Department of State, Diplomatic Security, Office of Foreign Missions, 2201 C Street, NW., Room 2238, Washington, DC 20520.

You must include the DS form number, information collection title, and OMB control number in any correspondence.

**FOR FURTHER INFORMATION CONTACT:**

Direct requests for additional information regarding the collection listed in this notice, including requests for copies of the proposed information collection and supporting documents, to Attn: Jacqueline Robinson, Diplomatic Security, Office of Foreign Missions, 2201 C Street, NW., Room 2238, Washington, DC 20520 who may be reached on (202) 647–3416 or [OFMInfo@state.gov](mailto:OFMInfo@state.gov).

**SUPPLEMENTARY INFORMATION:**

We are soliciting public comments to permit the Department to:

- Evaluate whether the proposed information collection is necessary for the proper performance of our functions.
- Evaluate the accuracy of our estimate of the burden of the proposed

collection, including the validity of the methodology and assumptions used.

- Enhance the quality, utility, and clarity of the information to be collected.
- Minimize the reporting burden on those who are to respond, including the use of automated collection techniques or other forms of technology.

*Abstract of proposed collection:* The Foreign Diplomatic Service Applications are all associated with OMB Collection number 1405–0105. Form DS–4138 (Request for Escort Screening Courtesies) is the means by which the U.S. Department of State (DOS) will adjudicate requests for assignment of a DOS representative to escort eligible senior officials of foreign governments through the airport security screening process. The request will be used to review for entitlement to the courtesy, the specific airport to be advised, and the assignment of a DOS escort. Form DS–4139 (Photograph and Signature Card) is the means by which the Department obtains a photograph and/or signature for use in the productions of an identification card, a sales tax exemption card, or DOS driver license when applications are submitted electronically (thru e-Gov) for foreign mission personnel and their dependents. Also, form DS–4140 (Application for OFM Web site Account) is the means by which the Department provides accredited foreign mission administrative staff authorized access to the Office of Foreign Missions' electronic data submission (e-Gov) system. OFM's e-Gov system is accessed to submit automated service requests to the Office of Foreign Missions and the Office of Protocol of the U.S. State Department to obtain "benefits" designated under the Foreign Missions Act, 22 U.S.C. 4301 *et seq.*, and must be obtained through the U.S. Department of State. The applications provide the Department with the necessary information to administer its programs effectively and efficiently.

*Methodology:* These applications/information collections are submitted by all foreign missions to the Office of Foreign Missions via the following methods: mail, personal delivery, and/or electronically.

Dated: February 3, 2010.

Steve Maloney,  
Managing Director Bureau of Diplomatic Security, Office of Foreign Missions, U.S. Department of State.

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## DEPARTMENT OF STATE

### [Public Notice 6935]

#### Waiver of Restriction on Assistance to the Central Government of Tajikistan

Pursuant to section 7086(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Division F, Pub. L. 111–117) ("the Act"), and Department of State Delegation of Authority Number 245–1, I hereby determine that it is important to the national interest of the United States to waive the requirements of section 7086(c)(1) of the Act with respect to the Government of Tajikistan, and I hereby waive such restriction.

This determination shall be reported to the Congress, and published in the **Federal Register**.

Dated: March 22, 2010.

Jacob J. Lew,

Deputy Secretary of State for Management and Resources.

[FR Doc. 2010–6911 Filed 3–26–10; 8:45 am]

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## DEPARTMENT OF STATE

### [Public Notice 6933]

#### Waiver of Restriction on Assistance to the Central Government of Turkmenistan

Pursuant to section 7086(c)(2) of the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (Division F, Pub. L. 111–117) ("the Act"), and Department of State Delegation of Authority Number 245–1, I hereby determine that it is important to the national interest of the United States to waive the requirements of section 7086(c)(1) of the Act with respect to the Government of Turkmenistan, and I hereby waive such restriction.

This determination shall be reported to the Congress, and published in the **Federal Register**.

Dated: March 22, 2010.

Jacob J. Lew,

Deputy Secretary of State for Resource and Management.

[FR Doc. 2010–6909 Filed 3–26–10; 8:45 am]

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