

Bloomberg, and Reuters), and historical data regarding the Index and the Indices are published at <http://www.indices.standardandpoors.com>.

The Commission also believes that the proposal to list and trade the Shares is reasonably designed to promote fair disclosure of information that may be necessary to price the Shares appropriately and to prevent trading when a reasonable degree of transparency cannot be assured. The Commission notes that the Exchange will obtain a representation on behalf of the Trusts that the per share values of the Up MacroShares and DownMacroShares will be calculated daily and made available to all market participants at the same time. Additionally, if it becomes aware that the per share value of either the Up MacroShares or DownMacroShares is not disseminated daily to all market participants at the same time, the Exchange will halt trading in the Shares until that information is available to all market participants.

Though the Exchange has stated that the Index Committee has "complete discretion" to determine how the Index and its related indices are calculated, an Exchange's obligations under Section 19(b) of the Act and Rule 19b-4 thereunder are independent of any discretion the Index Committee may have. Thus, the Exchange must monitor changes to the Shares, including any change to the calculation of the Index. The Exchange must assess whether any changes to the Shares would require it to submit a proposed rule change in accordance with Section 19(b)(1) of the Act<sup>14</sup> and Rule 19b-4 thereunder,<sup>15</sup> or take any other action as appropriate, including halting trading of the Shares.

The Exchange has represented that the Shares are equity securities subject to the Exchange's rules governing the trading of equity securities. In support of this proposal, the Exchange has made the following representations:

- (1) The Shares will conform to the initial and continued listing criteria under NYSE Arca Equities Rule 8.400.<sup>16</sup>
- (2) The Exchange's surveillance procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules and applicable federal securities laws.
- (3) Prior to the commencement of trading, the Exchange will inform its ETP Holders in an Information Bulletin of the special characteristics and risks associated with trading the Shares,

prospectus delivery requirements, and other information, as described in more detail in the Notice.<sup>17</sup>

This approval order is based on the Exchange's representations.

### III. Accelerated Approval

The Commission finds good cause, pursuant to Section 19(b)(2) of the Act,<sup>18</sup> for approving the proposal prior to the thirteenth day after the date of publication of the Notice in the **Federal Register**. The Commission has received no comments regarding the proposed rule change, and the Commission finds that the proposed rule change does not raise any novel regulatory issues. Additionally, the Commission believes that accelerating approval of this proposal should benefit the market by making available to investors, without undue delay, additional products in the market for Paired Trust Shares.

### IV. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>19</sup> that the proposed rule change (SR-NYSEArca-2008-92) be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>20</sup>

**Florence E. Harmon**,  
*Acting Secretary*.

[FR Doc. E8-23838 Filed 10-7-08; 8:45 am]

**BILLING CODE 8011-01-P**

## SMALL BUSINESS ADMINISTRATION

### Data Collection Available for Public Comments and Recommendations

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new and/or currently approved information collection.

**DATES:** Submit comments on or before December 8, 2008.

**ADDRESSES:** Send all comments regarding whether this information collection is necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collection, to Carol Fendler, Systems Accountant,

Office of Investment, Small Business Administration, 409 3rd Street, SW., 8th floor, Wash., DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Carol Fendler, Systems Accountant, Office of Investment, 202-205-7559 [carol.fendle@sba.gov](mailto:carol.fendle@sba.gov) Curtis B. Rich, Management Analyst, 202-205-7030 [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** These forms are used by SBA examiners as part of their examination of licensed email business investment companies (SBIC's). This information collection obtains representations from an SBIC's management regarding certain obligations, transactions and relationships of the SBIC and helps SBA to evaluate the SBIC's financial condition and compliance with applicable laws and regulations.

*Title:* "Disclosure Statement-Leveraged; Disclosure Statement-Non-leveraged Licensees".

*Description of Respondents:* Small Businesses Investment Companies.

*Form Numbers:* 856, 856A.

*Annual Responses:* 350.

*Annual Burden:* 162.

**ADDRESSES:** Send all comments regarding whether this information collection is necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collection, to George Solomon, Supervisor Business Development Officer, Office of Business Initiatives, Small Business Administration, 409 3rd Street, SW., 6th floor, Wash., DC 20416

**FOR FURTHER INFORMATION CONTACT:** George Solomon, Supervisor Business Development Officer, Office of Business Initiatives, 202-205-7436 [george.solomon@sba.gov](mailto:george.solomon@sba.gov) Curtis B. Rich, Management Analyst, 202-205-7030 [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** SBA's strategic plan is to examine the impact of counseling and information services on nascent, start-up and in-business clients. This survey measure effects on counseling and information transfer on the respondent's evaluation of the effectiveness, usefulness, and relevancy of the services provided and whether these services/actions led to the creation of jobs and an increase in business start-ups and gross revenue.

*Title:* "Entrepreneurial Development Impact Study".

*Description of Respondents:* SBA Clients.

*Form Number:* 2214.

*Annual Responses:* 7,378.

<sup>14</sup> 15 U.S.C. 78s(b)(1).

<sup>15</sup> 17 CFR 240.19b-4.

<sup>16</sup> See *supra* note 6.

<sup>17</sup> See *supra* note 4.

<sup>18</sup> 15 U.S.C. 78s(b)(2).

<sup>19</sup> 15 U.S.C. 78s(b)(2).

<sup>20</sup> 17 CFR 200.30-3(a)(12).

*Annual Burden:* 1,230.

**ADDRESSES:** Send all comments regarding whether this information collection is necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collection, to Cindy Pitts, Administrative Officer, Office of Disaster Assistance, Small Business Administration, 409 3rd Street, SW., 6th floor, Wash., DC 20416

**FOR FURTHER INFORMATION CONTACT:** Cindy Pitts, Administrative Officer, Office of Disaster Assistance, 202-205-7570 [cynthia.pitts@sba.gov](mailto:cynthia.pitts@sba.gov) Curtis B. Rich, Management Analyst, 202-205-7030 [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** Before disaster loan assistance can be provided, the Governor of the affected State must make a written request which identifies incident, time, place, and that criteria has been met for a disaster declaration to be made.

*Title:* "Governors Request for Disaster Declaration".

*Description of Respondents:* Presidential Declared Disaster.

*Form Number:* N/A.

*Annual Responses:* 40.

*Annual Burden:* 800.

**ADDRESSES:** Send all comments regarding whether these information collections are necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections, to David Loines, Area Director, Office of Government Contracting, Small Business Administration, 409 3rd Street, SW., 8th floor, Wash., DC 20416.

**FOR FURTHER INFORMATION CONTACT:** David Loines, Area Director, Office of Government Contracting, 202-205-7311 [david.loines@sba.gov](mailto:david.loines@sba.gov) Curtis B. Rich, Management Analyst, 202-205-7030 [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** Federal Agencies and Prime Contractors nominate their suppliers by use of these forms. The forms are forwarded to the appropriate Government Contracting Office for judging purpose to determine the Regional and National annual small business week winners.

*Title:* "Nomination for the Small Business Prime Contractor of the year, Nomination for the Small Business Subcontractor of the year.

*Description of Respondents:* Prime Contractor, Subcontractor.

*Form Number's:* 883, 1375.

*Annual Responses:* 161.

*Annual Burden:* 402.

SBA uses this information to ensure that participants do not engage in any improper or illegal activity in connection with obtaining a Federal contract.

**ADDRESSES:** Send all comments regarding whether these information collections are necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections, to Joseph Loddo, Director of Business Development, Office of Business Development, Small Business Administration, 409 3rd Street, SW., 8th floor, Wash., DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Joseph Loddo, Director of Business Development, Office of Business Development, 202-205-5852 [joseph.loddo@sba.gov](mailto:joseph.loddo@sba.gov) Curtis B. Rich, Management Analyst, 202-205-7030 [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** Federal Agencies and Prime Contractors nominate their suppliers by use of these forms. The forms are forwarded to the appropriate Government Contracting Office for judging purpose to determine the Regional and National annual small business week winners.

*Title:* "Representatives Used and Compensation paid for Services in connection with obtaining Federal Contracts.

*Description of Respondents:* 8(a) Program Participants.

*Form Number:* 1790.

*Annual Responses:* 18,084.

*Annual Burden:* 18,084.

A participant must submit a capability statement describing the current contract performance capabilities. SBA uses the information collected to access the Participant's financial condition and continued 8(a) eligibility.

*Title:* "8 (a) Annual Update".

*Description of Respondents:* 8(a) Program Participants.

*Form Number:* 1450.

*Annual Responses:* 7,258.

*Annual Burden:* 14,516.

**ADDRESSES:** Send all comments regarding whether this information collection is necessary for the proper performance of the function of the agency, whether the burden estimates is accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collections, to Edsel Brown, Assistant Administrator, Office of Technology, Small Business Administration, 409 3rd Street, SW., 8th floor, Wash., DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Edsel Brown, Assistant Administrator, Office of Technology, 202-205-7343 [edsel.brown@sba.gov](mailto:edsel.brown@sba.gov) Curtis B. Rich, Management Analyst, 202-205-7030 [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** This data will be used by SBA to maintain information about the SBIR and STTR awards issued through the two programs.

*Title:* "Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR) Tech-Net Databases.

*Description of Respondents:* All Firms or Individuals applying for a Phase 1 or Phase II award from the SBIR or STTR program.

*Form Number's:* N/A.

*Annual Responses:* 37,000.

*Annual Burden:* 20,000.

**Jacqueline White,**

*Chief, Administrative Information Branch.*

[FR Doc. E8-23776 Filed 10-7-08; 8:45 am]

BILLING CODE 8025-01-P

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## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Sussex County, DE

**AGENCIES:** Federal Highway Administration (FHWA) and the Delaware Department of Transportation (DelDOT).

**ACTION:** Update of notice of intent.

**SUMMARY:** The FHWA is updating a previous notice of intent (issued on Friday, June 3, 2005) to advise the public that an Environmental Impact Statement (EIS) will be prepared for a proposed highway improvement project along US 113 in south central Sussex County, Delaware.

**FOR FURTHER INFORMATION CONTACT:** Mr. Nick Blendy, Environmental Specialist, Federal Highway Administration, DelMar Division, J. Allen Frear Federal Building, 300 South New Street, Room 2101, Dover, DE 19904; Telephone: (302) 734-2966; e-mail: [nick.blendy@dot.gov](mailto:nick.blendy@dot.gov) or Mr. Monroe C. Hite, III, P.E., Project Manager, Delaware Department of Transportation, 800 Bay Road, P.O. Box 778, Dover, DE 19903; Telephone: (302) 760-2120; e-mail: [Monroe.Hite@state.de.us](mailto:Monroe.Hite@state.de.us) or contact the DelDOT Public Relations Office (800) 652-5600 (in DE only) or (302) 760-2080.

**SUPPLEMENTARY INFORMATION:** The Federal Highway Administration (FHWA), in cooperation with the