

comply with a collection of information subject to the PRA that does not display a valid OMB control number.

Please direct your written comments to Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, C/O Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549; or send an email to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: January 29, 2014.

**Kevin M. O'Neill,**  
Deputy Secretary.

[FR Doc. 2014-02250 Filed 2-3-14; 8:45 am]

**BILLING CODE 8011-01-P**

## 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:*

Rule 203-3, Form ADV-H, OMB Control No. 3235-0538, SEC File No. 270-481.

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 (the "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 ("OMB") for extension and approval.

The title for the collection of information is "Form ADV-H under the Investment Advisers Act of 1940." Rule 203-3 (17 CFR 275.203-3) under the Investment Advisers Act of 1940 (15 U.S.C. 80b) requires that registered advisers requesting either a temporary or continuing hardship exemption submit the request on Form ADV-H. Rule 204-4 (17 CFR 275.204-4) under the Investment Advisers Act of 1940 requires that exempt reporting advisers requesting a temporary hardship exemption submit the request on Form ADV-H. The purpose of this collection of information is to permit advisers to obtain a hardship exemption to not complete an electronic filing. The temporary hardship exemption that is available to registered advisers under rule 203-3 and exempt reporting advisers under rule 204-4 permits these advisers to make late filings due to unforeseen computer or software problems. The continuing hardship exemption available to registered

advisers under rule 203-3 permits advisers to submit all required electronic filings on hard copy for data entry by the operator of the IARD.

The Commission has estimated that compliance with the requirement to complete Form ADV-H imposes a total burden of approximately one hour for an adviser. Based on our experience with hardship filings, we estimate that we will receive 11 Form ADV-H filings annually from registered investment advisers and three Form ADV-H filings annually from exempt reporting advisers. Based on the 60 minute per respondent estimate, the Commission estimates a total annual burden of 14 hours for this collection of information.

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 of 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 Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, C/O Remi Pavlik-Simon, 100 F Street NE., Washington, DC 20549; or send an email to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: January 29, 2014.

**Kevin M. O'Neill,**  
Deputy Secretary.

[FR Doc. 2014-02247 Filed 2-3-14; 8:45 am]

**BILLING CODE 8011-01-P**

## 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:*

Rule 203A-5, OMB Control No. 3235-0688, SEC File No. 270-631.

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 (the "Commission") is soliciting comments on the collections of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget ("OMB") for extension and approval.

The title for the collection of information is Rule 203A-5. Rule 203A-5 (17 CFR 275.203A-5) established a one-time requirement for investment advisers registered with the Commission as of January 1, 2012 to file a mandatory amendment to their Form ADV by March 30, 2012, and, if they no longer met Commission-registration eligibility requirements, to withdraw from registration by filing Form ADV-W by June 28, 2012. The deadlines for information collected pursuant to the rule were March 30, 2012 (for Form ADV amendments) and June 28, 2012 (for withdrawals). The Commission is no longer collecting any information pursuant to the rule.

Accordingly, the staff estimates that, each year, no advisers will have to file a Form ADV amendment or Form ADV-W pursuant to rule 203A-5, and that the total burden for the information collection is zero hours at a cost of \$0. Although Commission staff estimates that there is no burden associated with rule 203A-5, the staff is requesting an hour burden of one hour for administrative purposes. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

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 of 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 Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, C/O Remi Pavlik-Simon, 100 F Street, NE., Washington, DC 20549; or send an email to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: January 29, 2014.

Kevin M. O'Neill,

Deputy Secretary.

[FR Doc. 2014-02246 Filed 2-3-14; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-71436; File No. SR-CBOE-2014-009]

### Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change Relating to the Exchange Bulletin

January 29, 2014.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on January 23, 2014, Chicago Board Options Exchange, Incorporated ("Exchange" or "CBOE") 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 Exchange. The Exchange has designated the proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A) of the Act<sup>3</sup> and Rule 19b-4(f)(6) thereunder.<sup>4</sup> 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 Exchange proposes to eliminate the requirement to publish certain information in the Exchange Bulletin. The text of the proposed rule change is available on the Exchange's Web site (<http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx>), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

#### 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 Exchange 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 Exchange 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

The Exchange currently publishes a weekly bulletin ("Exchange Bulletin") as a means of providing certain administrative and regulatory information to Trading Permit Holders ("TPHs"). The Exchange Bulletin is currently delivered by email or by hard copy free of charge to all effective TPHs on a weekly basis. Certain information included in the Exchange Bulletin is required to be published by Exchange rules (i.e., CBOE Rules 3.9, 3.11, 3.89 (sic), 16.3, and 17.9). The Exchange seeks to amend its rules to eliminate the requirement to publish this information in the Exchange Bulletin.

First, the Exchange proposes to amend Rule 3.9 (Application Procedures and Approval or Disapproval). Rule 3.9(e) currently provides that following receipt of an application to change Clearing Trading Permit Holders or an application to become a TPH,<sup>5</sup> the name of the applicant and the application request must be published in the Exchange Bulletin. The Exchange proposes to eliminate this requirement and subparagraph (e) of Rule 3.9 in its entirety. The Exchange notes that prior to its demutualization, Rule 3.9 provided that, in addition to being published in the Exchange Bulletin, this information had to be posted on the Exchange Bulletin Board for a prescribed period of time ("posting period") so that members were aware of pending applications and could submit comments during this period to the Membership Department regarding an applicant's fitness for membership. The Exchange has since eliminated the requirement to post notice on its Bulletin Board and the posting period<sup>6</sup> and consequently the Exchange no longer accepts such comments from TPHs. The Exchange notes that decisions regarding these applications are based upon objective criteria set forth in Exchange rules. Accordingly,

<sup>5</sup> The Exchange is not required to publish receipt of an application submitted by a TPH that has been a TPH within 9 months prior to the date of receipt of the application.

<sup>6</sup> See Securities Exchange Act Release No. 62158 (May 24, 2010), 75 FR 30082 (May 28, 2010) (SR-CBOE-2008-088).

the dissemination of this information is no longer necessary or relevant. Additionally, it is time-consuming for Exchange staff to prepare this information for publication on an ongoing basis and this process has become a strain on current resources. As such, the Exchange proposes to amend its rules to account for a shift in the availability of resources and the relevance of this information.

The Exchange next seeks to eliminate Rule 3.11 (Notice of Effectiveness of Trading Permit Holder and Trading Function Statuses) in its entirety. Rule 3.11 requires the Exchange to publish notice of effectiveness of a TPH status or approval of a trading function<sup>7</sup> in the Exchange Bulletin. The Exchange proposes to eliminate this requirement because the Exchange does not believe it is necessary to provide such information on an ongoing basis and the process of providing this information in the form of a bulletin is a strain on current resources. The Exchange notes that it will make a list of all effective TPHs available upon request.

Next, the Exchange proposes to amend Rule 8.89 (Transfer of DPM Appointments). Rule 8.89(d) provides that the Exchange shall publish in the Exchange Bulletin notice of a proposed transfer of a DPM appointment. The Exchange seeks to eliminate the requirement to publish notice of a proposed transfer of a DPM appointment in the Exchange Bulletin and provide instead that such notice be published on the CBOE Web site. The Exchange notes that it currently posts all proposed DPM appointment transfers on the CBOE Web site. The Exchange wishes to amend Rule 8.89(d) to reflect this practice. Additionally, as the Exchange already publishes such notice on at the CBOE Web site, publication of proposed DPM appointment transfers in the Exchange Bulletin is unnecessary and redundant.

The Exchange also seeks to amend Rule 16.3 (Reinstatement). Rule 16.3(a) currently provides that a TPH, person associated with a TPH or other person suspended or limited or prohibited with respect to access to services offered by the Exchange under the provisions of CBOE Chapter 16 (Summary Suspension), may apply for reinstatement within certain prescribed time periods. Rule 16.3(a) also requires that notice of any such application for reinstatement must be published in the Exchange Bulletin. The Exchange notes that it is a rare occurrence for a TPH,

<sup>7</sup> The Exchange notes that historically, it has only published general categories of trading functions (e.g., Market-Maker or Floor Broker).

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

<sup>2</sup> 17 CFR 240.19b-4.

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

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