

Education and Advocacy,  
Washington, DC 20549.

**Extension:**

Rule 17a-4(b)(11), SEC File No. 270-449, OMB Control No. 3235-0506, Rule 17a-3(a)(16).

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. Sec. 3501 *et seq.*), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension of the existing collection of information provided for in the following rule: Rule 17a-4(b)(11) (17 CFR Sec. 240.17a-4(b)(11)) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*).

Rule 17a-4(b)(11) (17 CFR Sec. 240.17a-4(b)(11)) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) describes the record preservation requirements for those records required to be kept pursuant to Rule 17a-3(a)(16), including how such records should be kept and for how long, to be used in monitoring compliance with the Commission's financial responsibility program and antifraud and antimanipulative rules as well as other rules and regulations of the Commission and the self-regulatory organizations.

It is estimated that respondents will incur a total burden of 2835 hours per year (105 respondents multiplied by 27 burden hours to comply with Rule 17a-3(a)(16). It is estimated that approximately 105 active broker-dealer respondents registered with the Commission will incur a total burden of 315 hours per year to comply with Rule 17a-4(b)(11), (105 respondents multiplied by 3 burden hours per respondent equals 315 total burden hours).

The Commission estimates that an employee of a broker-dealer charged to ensure compliance with Rule 17a-3(a)(16) receives annual compensation of \$238,000. This compensation is the equivalent of \$119 per hour (\$238,000 divided by 2,000 payroll hours per year). Thus, the average cost estimated for each respondent would be \$3,213: Rule 17a-3(a)(16) Recordkeeping requirements 27 hours at \$119/hr = \$3,213.

The Commission estimates that an employee of a broker-dealer charged to ensure compliance with Rule 17a-4(b)(11) receives annual compensation of \$238,000. This compensation is the equivalent of \$119 per hour (\$238,000 divided by 2,000 pay roll hours per year). Thus, the average cost estimated for each respondent would be \$357.00: Rule 17a-4(b)(11) Record preservation requirements 3 hours at \$119/hr = \$357.

Accordingly, the annual aggregated hour burden for each broker-dealer required to comply with Rules 17a-3(a)(16) and 17a-4(b)(11) would be \$3,570: (\$3213 + \$357 = \$3570).

Under Rule 17a-4(a)(11) broker-dealers are required to retain records for a period of not less than three years. Compliance with the rule is mandatory. The required records are available only to the examination staff of the Commission and the self-regulatory organization of which the broker-dealer is a member.

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 control number. The public may view the information discussed in this notice at <http://www.reginfo.gov>.

Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an e-mail to: [Shagufta\\_Ahmed@omb.eop.gov](mailto:Shagufta_Ahmed@omb.eop.gov); and (ii) Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 6432 General Green Way, Alexandria, VA 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted to OMB within 30 days of this notice.

Dated: January 10, 2010.

**Elizabeth M. Murphy,**  
*Secretary.*

[FR Doc. 2011-674 Filed 1-12-11; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63659; File No. SR-DTC-2010-17]

### Self-Regulatory Organizations; the Depository Trust Company; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Fee Revisions

January 6, 2011.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> notice is hereby given that on December 28, 2010, The Depository Trust Company ("DTC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II, which Items have been prepared

primarily by DTC. DTC filed the proposed rule change pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>2</sup> and Rule 19b-4(f)(2)<sup>3</sup> thereunder so that the proposal was 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 purpose of this filing is to revise the fees for certain services provided by DTC.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, DTC 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. DTC 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

The purpose of the proposed rule change is to revise the fees for certain services provided by DTC. DTC will increase fees associated with Custody and Asset Servicing, Deposits, Underwriting and Dividend, Book-Entry Delivery, and MMI services in order to realign fees with costs incurred in providing these services and to scale the fees to reflect processing complexity, with the objective of fee simplification and transparency.

DTC will also introduce fees for new capabilities in Asset Services, including a fee to recover costs associated with excluding Treasury Shares of a company from dividend processing.

In addition, DTC will implement or increase certain disincentive fees to discourage behavior that keeps the industry from achieving peak efficiency, including fee increases in Asset Services reject and exception processing relating to Underwriting and Withdrawal activities.

DTC states that the proposed fee revisions are consistent with DTC's overall pricing philosophy of aligning service fees with underlying costs,

<sup>2</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>3</sup> 17 CFR 240.19b-4(f)(2).

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

discouraging manual and exception processing, and encouraging immobilization and dematerialization of securities. Information on specific fee changes is included as Exhibit 5 to DTC's proposed rule filing, which can be viewed at DTC's Web site ([http://www.dtcc.com/legal/rule\\_filings/dtc/2010.php](http://www.dtcc.com/legal/rule_filings/dtc/2010.php)). The effective date for these fee adjustments is January 3, 2011.

DTC states that this rule filing is consistent with the requirements of Section 17A of the Act<sup>4</sup> and the rules and regulations thereunder because it clarifies and updates DTC's fee schedule. As such, it provides for the equitable allocation of fees among its Participants.

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

DTC does not believe that the proposed rule change will have any impact or impose any burden on competition.

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

DTC has not solicited or received written comments relating to the proposed rule change. DTC will notify the Commission of any comments it receives.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>5</sup> and Rule 19b-4(f)(2)<sup>6</sup> because the proposed rule change establishes or changes a due, fee, or other charge applicable only to a member. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend 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.

### **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 No. SR-DTC-2010-17 on the subject line.

#### *Paper Comments*

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

All submissions should refer to File No. SR-DTC-2010-17. 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, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filings also will be available for inspection and copying at DTC's principal office and on DTC's Web site at [http://www.dtcc.com/legal/rule\\_filings/dtc/2010.php](http://www.dtcc.com/legal/rule_filings/dtc/2010.php). 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 submission should refer to File No. SR-DTC-2010-17 and should be submitted on or before February 3, 2011.

For the Commission by the Division of Trading and Markets pursuant to delegated authority.<sup>7</sup>

**Elizabeth M. Murphy,**

*Secretary.*

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**BILLING CODE 8011-01-P**

<sup>7</sup> 17 CFR 200.30-3(a)(12).

### **SMALL BUSINESS ADMINISTRATION**

#### **[Disaster Declaration #12320 and #12321]**

#### **New Mexico Disaster #NM-00016**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of New Mexico (FEMA-1936-DR), dated 09/13/2010.

*Incident:* Severe Storms and Flooding.  
*Incident Period:* 07/25/2010 through 08/09/2010.

**DATES:** *Effective Date:* 01/04/2011.

*Physical Loan Application Deadline Date:* 11/12/2010.

*Economic Injury (EIDL) Loan Application Deadline Date:* 06/13/2011.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster declaration for Private Non-Profit organizations in the State of NEW MEXICO, dated 09/13/2010, is hereby amended to include the following areas as adversely affected by the disaster. Primary Areas: The Navajo Nation, The Pueblo of Acoma.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**James E. Rivera,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 2011-649 Filed 1-12-11; 8:45 am]

**BILLING CODE 8025-01-P**

### **SMALL BUSINESS ADMINISTRATION**

#### **Houston District Office Advisory Committee**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice of open Federal advisory committee meeting.

**SUMMARY:** The SBA is issuing this notice to announce the location, date, time, and agenda for the next meeting of the Houston District Office Advisory committee. The meeting will be open to the public.

<sup>4</sup> 15 U.S.C. 78q-1.

<sup>5</sup> *Supra* note 2.

<sup>6</sup> *Supra* note 3.